



COUNCIL POLICY MANUAL

Version 13

(updated October 2023)

The contents of this document are as resolved by Council.

BACKGROUND TO POLICY MANUAL

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision-making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions. Policy statements enable much of the day-to-day business of Council to be handled by the Administration, freeing up the time of the Elected Members in determining major policy and strategic direction.

It is important to note that this manual contains the policy statements of the Council and does not contain procedural matters.

The policies contained within this manual are those that project a corporate image and are not controlled by individual directorates. The development of the policies involves input from staff across the organisation and elected members. A current policy manual proves to be a valuable tool in improving the decision-making process.

A policy statement is not binding on Council but provides a guideline for Elected Members and staff in determining individual applications or requests. Generally, policies evolve as issues that have come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is also possible for members of the community to seek an early review of a specific policy.

This Policy Manual forms part of Shire's public documentation. The policy manual is available for public inspection during office hours, at the Council office, on request.

POLICY FRAMEWORK

Each policy is developed in order to address specific matters. They relate to objectives to the Shire of Wongan-Ballidu, and, in some instances, as required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation. These are that the Shire:

- will work with the community in a way which is friendly, helpful, professional and inspires confidence;
- believes it is essential that the Council and Council staff are honest, dedicated and show respect for others;
- will aim for equity and fairness in all we do; we will focus on the needs of the customer; and strive for continuous improvement;
- wants the Council to be a dynamic organisation, flexible and innovative, with strong team spirit – a great place to work and a welcoming place for the community to visit;
- is committed to the principles of Freedom of Information.

Essentially, policies developed by the Shire of Wongan-Ballidu are aimed at ensuring and encouraging equity, fairness, access to information and decision making and effective management of community resources.

Each policy includes:

- an objective statement (what the policy aims to achieve);
- a policy statement (what the policy is);
- a nominated person responsible for the policies implementation; and
- the date of commencement, including Council resolution number.

POLICY REVIEW PROCESS

If at the time of review, or at any other time, a policy is found to require amendment, a report is to be prepared for Council consideration detailing the required variation, the reason behind that variation and any recommendations for amendment.

At least annually, the entire Policy Manual will be reviewed. The Chief Executive Officer will coordinate the review process.

DOCUMENT CONTROL

DOCUMENT DISTRIBUTION			
Version	Distributed to	Position/Title	Date
1	All Staff		October 2016
2	All Staff		April 2019
3	All Staff		June 2019
4	All Staff	PA to CEO	August 2020
5	All Staff	PA to CEO	April 2021
6	All Staff	PA to CEO	March 2022
7	All Staff	PA to CEO	June 2022
8	All Executive	PA to CEO	July 2022
9	All Staff	PA to CEO	August 2022
10	All Staff	PA to CEO	September 2022
11	All Staff	PA to CEO	August 2023
12	All Staff	PA to CEO	August 2023
13	All Staff	PA to CEO	October 2023
NEW POLICIES			
Version	Approved by		Date
	Name	Title/Resolution	
1	Ordinary Council	New Policy Implemented – Policy 10.28 <i>Lighting Management Policy</i> as per Council Resolution 070319	27/03/2019
1	Ordinary Council	New Policy Implemented – Policy 2.4: <i>State Government Department Support Policy</i> as per Council Resolution 040520	27/05/2020
1	Ordinary Council	New Policy Implemented – Policy 2.5 <i>Community and Stakeholder Engagement Policy – Public Consultation Outcomes</i> as per Council Resolution 030620	24/06/2020
1	Ordinary Council	New Policy Implemented – Policy 4.11 <i>COVID-19 Financial Hardship Policy</i> as per Council Resolution 080620	24/06/2020
1	Special Meeting of Council - Budget Meeting	New Policy Implemented – Policy 2.6 – <i>Community Resource Centre and Wonga-Balli Boomer Community Support Provision Policy</i> as per Council Resolution 060720	08/07/2020
1	Ordinary Council	New Policy Implemented – Policy 5.22 – <i>Attendance at Events and Functions</i> as per Council Resolution 020820 – new Policy as per legislation	26/08/2020
1	Ordinary Council	New Policy Implemented – Policy 10.29 – <i>Verge Management Policy</i> as per Council Resolution 070820	26/08/2020
1	Ordinary Council	New Policy Implemented – Policy 5.23 – <i>Elected Member Continuing Professional Development Policy</i> as per Council Resolution 020920	23/09/2020
1	Ordinary Council	New Policy Implemented – Policy 2.7 – <i>Privacy of Personal Information Policy</i> as per Council Resolution 090221	24/02/2021
1	Ordinary Council	New Policy Implemented – Policy 5.24 – <i>Shire of Wongan-Ballidu Code of Conduct for Elected Members, Committee Members and Candidates 2021</i> as per Council Resolution 050421	28/04/2021
6	Ordinary Council	New Policy Implementation – Policy 10.3.0a <i>Minor Plant Disposal</i>	23/02/2022
6	Ordinary Council	New Policy Implemented – Policy 5.10a <i>Councillors Dress Standards Policy</i> Resolution 040222	23/02/2022
6	Ordinary Council	New Policy Implemented – Policy 10.30 <i>Minor Plant Disposal</i>	23/02/2022
7	Ordinary Council	<i>Policy 5.26 – Shire of Wongan-Ballidu Temporary Action CEO – Resolution 050622</i>	22/06/2022
8	Special Meeting of Council – Budget	<i>Policy 10.30 Waste Services and Charging Policy – Resolution SCM010722</i>	13/07/2022
13	Ordinary Council	<i>Policy 5.0 Governance Framework – Resolution 090823</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.27 Complaints of Alleged Breach of the Code of Conduct for Council Members, Committee Members and Candidates</i>	23/08/2023

13	Ordinary Council	<i>Policy 5.28 Legal Representation Costs Indemnification</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.29 Statement of Business Ethics</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.30 Community Complaints</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.31 Risk Management Policy</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.32 Risk Management Framework and Procedure</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.33 Compliance and Enforcement</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.34 Execution of Documents</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.35 Internal Control</i>	23/08/2023
13	Ordinary Council	<i>Policy 5.36 Legislative Compliance</i>	23/08/2023

AMENDMENTS		
Document Version	Date of Amendment	Amendment details
2	28 September 2016	<i>Policy 2.6 – Wongan-Ballidu Small Community Grants</i> updated as per Council Resolution 090916
2	22 February 2017	<i>Policy 1.1 – Bushfire</i> updated as per Council Resolution 090217
	28 June 2017	<i>Policy 4.3 – Asset Management</i> updated as per Council Resolution 100617
	13 July 2017	<i>Policy 4.1 – Accounting</i> updated as per Council Resolution 050717
	13 July 2017	<i>Policy 4.8 – Monthly Reporting Requirements</i> updated as per Council Resolution 040717
	25 October 2017	<i>Policy 10.14 – Revegetation for Rural Roads and Reserves</i> updated and renamed as per Council Resolution 131017
	27 February 2019	<i>Policy 2.3 – Wongan-Ballidu Small Community Grants</i> updated as per Council Resolution 160219
	22 May 2019	<i>Policy 4.9 Purchasing and Procurement</i> updated as per Council Resolution 060519
	24 June 2020	<i>Policy 4.9 Purchasing and Procurement</i> updated as per Council Resolution 070620
	25 November 2020	<i>Policy 5.7 Credit and Fuel Cards</i> amended as per Council Resolution 071120
	24 March 2021	<i>Policy 10.12 Rare Flora</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.14 Revegetation for Rural Roads and Reserves</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.16 Road Naming Within the Shire</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.17 Rural Road Reserves Revegetation</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.18 Sale of Used Grader Blades, Batteries, Oil and Scrap Metal</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.20 School Bus Stop Signs</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.22 Standpipe Water Charges</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.26 Vehicle Crossovers</i> amended as per Council Resolution 070321
	24 March 2021	<i>Policy 10.27 Water Crossing on Gazetted Roads</i> amended as per Council Resolution 070321
6	23 February 2022	<i>Policy 1.7 Wongan Hills Doctors Practice and Medical Centre</i> Resolution 040222
6	23 February 2022	<i>Policy 3.2 Genetically Modified Organisms</i> Resolution 040222
6	23 February 2022	<i>Policy 5.1 Citizen, Young Citizen, Community Event and Community Group of the Year Awards</i> Resolution 040222
6	23 February 2022	<i>Policy 5.3 Common Seal</i> Resolution 040222
6	23 February 2022	<i>Policy 5.4 Confidential Items</i> Resolution 040222
6	23 February 2022	<i>Policy 5.5 Council Meetings – Rotation</i>
6	23 February 2022	<i>Policy 5.7 Credit and Fuel Cards</i> Resolution 080921
7	25 May 2022	<i>Policy 6.2 Workplace Health and Safety -</i> Resolution 030522
7	25 May 2022	<i>Policy 5.9 Elected Member/Staff Conferences –</i> Resolution 020522
7	25 May 2022	<i>Policy 5.10 Freeman of Shire of Wongan-Ballidu – Reviewed – No changes -</i> Resolution 020522
7	25 May 2022	<i>Policy 5.12 Historically Significant Dates – Reviewed – No changes -</i> Resolution 020522
7	22 June 2022	<i>Policy 5.16 Official Photograph –</i> Resolution 030622
7	22 June 2022	<i>Policy 5.18 Retirement of Elected Members –</i> Resolution 030622
7	22 June 2022	<i>Policy 5.25 Shire of Wongan-Ballidu CEO Recruitment, Performance and Termination –</i> Resolution 040622 – Repeal and Replace
7	22 June 2022	<i>Policy 10.1 Construction Works Affecting Private Properties –</i> Resolution 070622
9	27 July 2022	<i>Policy 1.3 Office Hours –</i> Resolution 030722
9	27 July 2022	<i>Policy 1.5 Shire Motor Vehicle Registration Plates –</i> Resolution 060722
10	23 August 2022	<i>Policy 6.4 Staff Superannuation Policy –</i> Resolution 02082022
10	23 August 2022	<i>Policy 4.1 Accounting –</i> Resolution 08082022
11	26 October 2022	<i>Policy 7.2 Employee Gratuity/Farewell –</i> Resolution 021022

11	26 October 2022	<i>Policy 7.5 Relocation Expenses – Resolution 021022</i>
11	26 October 2022	<i>Policy 6.5 Workplace Bullying – Resolution 021022</i>
11	26 October 2022	<i>Policy 4.9 Debt Collection (Rates and Sundry Debtors) 061022</i>
11	26 October 2022	<i>Policy 10.21 Service Provider Road Reinstatement</i>
11	26 October 2022	<i>Policy 10.22 Standpipe Water Charges</i>
11	26 October 2022	<i>Policy 10.23 Street Lighting</i>

REPEALED POLICIES		
Policy Name	Date of Repeal	Reason for Repeal
Community Housing – Tenancy Selection	6 March 2007	<i>Replaced by the Community Housing Guidelines/Procedure (ref General Purposes Committee Meeting 0307)</i>
Communication with Isolated Employees	3 February 2009	<i>To be dealt with by way of a CEO's Operational Policy Manual</i> (Ref Works Committee Meeting 0209)
Heat Stress		
Dam maintenance – Ballidu		
Alcohol & Drugs in the Workplace		
Outside Staff Uniform Policy		
Personal protective Equipment		
Road Inspections		
Machinery & Equipment Locking Out and tagging		
Recreational, Sporting and Not for Profit Associations – Rate Rebate	10 February 2009	<i>To be dealt with by way of a CEO's Operational Policy Manual</i> (Ref GP Committee Meeting 0209)
Advertising of Public Notices		
Disability Services		
Industrial Relations		
Staff – Employment Vacancies		
Jury Duty – Payment		
Engagement of Valuers		
Non-Work-Related Illness and Accident		
Employees Primary & Annual Returns		
Office Telephone Usage		
Council Vehicles Issued to Staff		
Education & Study Assistance Policy		
Staff Training		
Applications for External Funding by Council		
Annual Leave/Leave Without Pay/ Reserve Force/		
Additional Holidays/ Sick Leave		
Trade Union Training Leave		
Privacy Information		
Sports Fields – Advertising Signs		
Codes of Conduct and Required Plans		
Common Seal of The Shire of Wongan-Ballidu		
Use of Council Chamber		
Spraying of Council Houses for Insects		
Staff and Volunteer Services		
First Aid Training		
Presidents Authority to Arrange Functions		
Pre-Employment Police Clearances		
Pre-Employment Medical Examinations		
Complaints/Grievance Procedure		
Community Work Order Offenders		
Conditions of Use for Information Technology		
Recovery of Fines and Costs		

REPEALED POLICIES

Policy Name	Date of Repeal	Reason for Repeal
Employee Injury Management & Rehabilitation	17 February 2009	<i>To be dealt with by way of a CEO's Operational Policy Manual</i>
Sale of Gratton Heights Lots		
Community Housing Tenancy Selection Policy		
Expenditure Over Budget		(Ref Finance Audit Review Committee Meeting 0209)
Applications for Assistance by Sporting Groups	17 March 2011	<i>Covered by SOWB Small Community Development Grants as per Council Resolution 080311.</i>
Council Community Service Obligations Recognised	17 March 2011	<i>Budgetary Items rather than Policy Requirement as per Council Resolution 080311.</i>
Policy 2.1 - Swimming Pool Travel Subsidy for Cadoux & Ballidu Schools	22 March 2017	<i>No longer applicable, as per Council Resolution 070317.</i>
Policy 6.2 – Occupational Health and Safety	26 February 2020	<i>New policy adopted.</i>
Policy 4.3 – Asset Management Infrastructure	28 June 2017	<i>Merged with 4.3 to remove duplications as per Council Resolution 100617.</i>
Policy 10.17 – Rural Road Reserves Revegetation	25 October 2017	<i>Merged with 10.14 to remove duplications as per Council Resolution 131017</i>
Policy 1.8 – Paper Provision at CRC	26 February 2020	<i>No longer applicable, as per Council Resolution 030220.</i>
Policy 5.8 – Elected Member Training	23 September 2020	<i>No longer applicable as a new Policy Implemented in accordance with legislative changes – Policy 5.23 – Elected Member Continuing Professional Development Policy as per Council Resolution 020920</i>
Policy 10.24 – Soil Conservation Drainage	24 March 2021	<i>No longer applicable as per Council Resolution 070321.</i>
Policy 10.17 Rural Road Reserves Revegetation (Repeal – Integrate into Policy 10.14)		
9.1 Buildings in Residential Areas	22 June 2022	<i>Resolution: 060622</i>
Policy 3.3 Waste Collection – Verge Rubbish Collection	13 July 2022	<i>Replaced with policy 10.30 Waste Services and Charging Policy Resolution: SCM020722</i>
Policy 4.2 Accounting for Revaluations	23 August 2022	<i>Superseded by amendment of Policy 4.1 – Resolution 08082022</i>
Policy 7.7 Telephone Reimbursement	26 October 2022	<i>No longer applicable – Resolution 021022</i>
Policy 4.7 Monthly Financial Report	26 October 2022	<i>Superseded – Resolution 061022</i>
Policy 4.11 Covid 19 Financial Hardship	26 October 2022	<i>Not Applicable – Resolution 061022</i>
Policy 1.3 Office Hours	29 September 2023	<i>identified in Moore Australia's review that the Shire had a number of Council policies which were operational in nature and should be operational policies deployed by the CEO for the administration of the local government and not as a Council policy. Resolution 020923</i>
Policy 1.4 – Reparation of Damage to Council Assets	29 September 2023	<i>identified in Moore Australia's review that the Shire had a number of Council policies which were operational in nature and should be operational policies deployed by the CEO for the administration of the local government and not as a Council policy. Resolution 020923</i>
Policy 5.21 Use of Council Vehicles	29 September 2023	<i>identified in Moore Australia's review that the Shire had a number of Council policies which were operational in nature and should be operational policies deployed by the CEO for the administration of the local government and not as a Council policy. Resolution 020923</i>

REPEALED POLICIES		
Policy Name	Date of Repeal	Reason for Repeal
7.1 Council Housing – Waer Allocation	29 September 2023	identified in Moore Australia's review that the Shire had a number of Council policies which were operational in nature and should be operational policies deployed by the CEO for the administration of the local government and not as a Council policy. Resolution 020923
10.19 Safety Obligations of Contractors	29 September 2023	identified in Moore Australia's review that the Shire had a number of Council policies which were operational in nature and should be operational policies deployed by the CEO for the administration of the local government and not as a Council policy. Resolution 020923

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1. ADMINISTRATION

1.1 Bushfire

Policy Owner	Administration
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	217 November 2005 – 181105
Date of Last Review	27 July 2022 – Resolution 060722

OBJECTIVE

To promote the establishment and maintenance of a bush fire organisation in accordance with part IV of the *Bush Fires Act 1954* in order to provide adequate fire protection of those areas of Wongan-Ballidu Shire within the Bush Fire District and to carry out an ongoing program of hazard reduction having due regard at all times for the preservation of the natural environment.

POLICY

See appendix

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer and the Chief Executive Officer are responsible for the implementation of this Policy.

1. POLICY STATEMENT

The policy of the Council of the Shire of Wongan-Ballidu is to promote the establishment and maintenance of a bush fire organization in accordance with part IV of the *Bush Fires Act 1954* in order to provide adequate fire protection of those areas of Wongan-Ballidu Shire within the Bush Fire District and to carry out an ongoing program of hazard reduction having due regard at all times for the preservation of the natural environment.

This policy may be reviewed as required.

2. POLICY CONTENTS

2.1. INTERPRETATION

- 2.1.1. Chief Executive Officer – is the Chief Executive Officer of the Shire of Wongan-Ballidu
- 2.1.2. DCEO/ Manager, Administration & Financial Services – is the DCEO/Manager, Administration & Financial Services of the Shire of Wongan-Ballidu
- 2.1.3. Manager Works and Services – is the Manager of Work and Services of the Shire

2.2. WONGAN-BALLIDU BUSHFIRE ADVISORY COMMITTEE

Council may form a Committee of Council in accordance with section 5.8 of the *Local Government Act 1995* to administer Council's Policies on matters relating to bush fire prevention, control and extinguishment.

OR,

Council may form a Bushfire Advisory Committee to administer Council's Policies on matters relating to bush fire prevention, control and extinguishment, as provided by Section 67 of the *Bush Fires Act 1954*.

2.3. ADMINISTRATION

- a) The Shire of Wongan-Ballidu shall promote the requirement of the *Bush Fires Act 1954*.
- b) The Wongan-Ballidu Bushfire Advisory Committee will be responsible for administering the provisions of the *Bush Fires Act 1954* where applicable and the Shire Bush Fire Policy.
- c) The Council authorises the Chief Executive Officer or in his/her absence the DCEO/Manager, Administration & Financial Services or in his/her absence the Manager Works & Services upon request from the Officer-In-Charge of the Bush Fire to: -
 - Call out or authorise the use of Shire vehicles, plant and equipment other than that normally used exclusively for firefighting or control.
 - Hire or use, or authorise the hire or use of privately owned vehicles plant or equipment or expend monies from the Municipal Fund to a maximum cost that will from time to time be determined by Council.
- d) The Shire President may expend funds in an emergency in accordance with Section 6.8 (1) (c) *Local Government Act 1995*

Infringement Notices

Only persons authorised to do so by the Shire of Wongan-Ballidu may issue Infringement Notices for Offences under the *Bush Fires Act 1954* and that authority once given, shall remain in force until such time as it is revoked by the Shire.

Firebreak Orders

The Council will forward a copy of its Firebreak Order no later than August 31 each year to all owners and occupiers of land within its district.

After October 13 an Infringement Notice carrying a penalty as per section 33 of the Bush Fires Act 1954 may be served on owners or occupiers of land who have not complied with the Shire's firebreak requirements and compulsory firebreaks may be installed at the owners or occupiers' expense.

Fire Occurrence Statistics

The Chief Bush Fire Control Officer will submit fire reports on the forms provided by Council, to the Manager, Administration & Financial Services and to the Bush Fires Board District Liaison Officer as soon as possible.

2.4. BUSHFIRE CONTROL

2.4.1. Roadside Burning

Persons wishing to carry out roadside burning on roads under Council control must make application to the Shire of Wongan-Ballidu. Upon application an inspection will be carried out by the Manager Works & Services, the Chief Bush Fire Control Officer or the area Bush Fire Control Officer and the applicant. A permit may then only be issued by the area Bush Fire Control Officer.

All roadside burns are to be the direct responsibility of the Bush Fire Brigade or Bush Fire Control Officer in the area.

Signs indicating “Roadside Burning Ahead” are to be erected at both ends of the controlled burn. Approval to burn on Main Roads controlled roads is to be given only after consultation between the Main Roads and the Shire of Wongan-Ballidu.

2.4.2. Prohibited and Restricted Burning Times

Restricted Burning Periods

The restricted burning periods within the Shire are normally:

October 13 to November 14

February 14 to March 31

Prohibited Burning Periods

The prohibited burning period within the Shire is normally:

November 15 to February 13

Variations to either prohibited or restricted burning times or conditions may be authorised by the Shire of Wongan-Ballidu. In addition to the statutory requirements of Sections 17 and 18 of the *Bush Fires Act 1954* the Chief Executive Officer shall notify the Bush Fire Control Officers of any such variations as well as advising the public through 6AM Northam and ABC Regional Radio.

2.4.3. Burning of Rubbish Tips

Council rubbish tips are located at;

- | | | |
|----|--------------|--|
| 1. | Wongan Hills | Reserve 41244 Wongan Hills Koorda Rd |
| 2. | Ballidu | Reserve 28108 Ranger Rd |
| 3. | Cadoux | Freehold Lot 1 of Location Number 3868 |

2.4.4. Fire Prevention at Tips

- a) A perimeter strip of 20 metres to be cleared around the areas of rubbish by spraying or other suitable method prior to the prohibited burning period each year.
- b) To minimise fire danger during summer, firing of the rubbish areas is to be carried out prior to the prohibited burning period each year.

2.4.5. Burning During Prohibited Burning Time

- a) Rubbish tips should not be burnt during this time except in cases of absolute necessity.
- b) On these occasions Ministerial exemption as required under Section 25D of the Bush Fires Act 1954 should be obtained.
- c) Fires started by accident, vandals or internal combustion should be extinguished and/or made safe as quickly as possible.

2.4.6. Burning at Other Times

Rubbish tips to be burnt only when conditions are suitable. Sufficient firefighting personnel, including a Bush Fire Control Officer to be on hand until the fire is under control.

2.4.7. Prosecutions and Fire Reports

Bush Fire Control Officers may recommend prosecution when submitting Fire Reports, in the knowledge that they will be called upon to give evidence.

2.4.8. Firebreaks

The Chief Executive Officer or the relevant Bush Fire Control Officer is authorised to approve or reject applications from landowners for reasonable extensions of time in which firebreaks are to be provided and to approve or reject requests for approval to provide firebreaks in alternative positions. The Chief Executive Officer is to be advised in writing of the approval to provide fire breaks in an alternative position.

Bush Fire Control Officers may notify the Chief Executive Officer or Chief Bush Fire Control Officer when it has been observed that fire breaks have not been constructed in accordance with Council's Firebreak Order.

2.4.9. Burning Off

Sunday Burning – Burning of bush is not permitted on any Sunday occurring during the Restricted or Prohibited Burning Times.

Public Holidays – Burning of Bush is not permitted to be carried out on any Public Holiday occurring during the Restricted or Prohibited Burning Times.

Permits to Burn Bush

- Bush Fire Control Officers to issue permits for their brigade areas.
- Permits to burn are for a maximum of twenty-one (21) days only.

2.4.10. Hazard Reduction Operations

All hazard reduction operations undertaken by a Bush Fire Brigade shall be authorised by the Shire.

2.4.11. Movement Bans

Movement bans to cover the whole Shire are to be imposed by the Manager, Administration & Financial Services or Chief Bush Fire Control Officer after phone calls or two-way radio contact with Bush Fire Control Officers to obtain consensus of opinion. The rural section of the ABC and 6AM Northam Radio are to be advised for broadcasting to the public.

Text messaging using Telstra Desktop messaging will be sent to all persons who have nominated to be on the harvest contact list.

Harvesting on Sundays and Public Holidays – Harvesting is permitted on all Sundays and Public Holidays other than Christmas Day, Boxing Day and New Year's Day, except where a movement ban is imposed due to extreme weather conditions. This ban takes precedence at all times.

2.4.12. Fire Fighting Equipment

The Shire may provide and maintain firefighting appliances and equipment pursuant to the powers conferred under Section 36 of the Bush Fires Act 1954.

Maintenance and repair of all Shire owned appliance will be the responsibility of Council.

All replacement parts or equipment for Shire owned appliances will be purchased on an Official Council Order.

Any damage to Shire appliances or equipment shall be reported to Council as soon as practicable after the damage has occurred.

The Council will be responsible for maintaining Shire owned fire-fighting appliances in a roadworthy condition.

The Bush Fire Brigade is responsible for:

- Ensuring that the battery, tyres, water, oil and fuel of the Shire Fire Fighting appliance are checked regularly.
- Firefighting appliances allocated to Volunteer Bush Fire Brigades will be stationed at the Brigade Headquarters or other location nominated in writing by the Brigade and agreed to by the Chief Executive Officer.
- No Shire fire-fighting appliance shall be relocated from the Brigade Headquarters or other nominated location by any persons without the Brigade Captain or another Officer of the Brigade being advised in writing of the intended location of appliances.

The Brigade will at all times keep the Manager, Administration & Financial Services informed of any changes of the day-to-day location and operational status of the brigade appliances.

The driver of any Shire firefighting appliances will hold a current driver's license of the class appropriate for the appliance being driven and be either:

- a) A Council employee
- b) A registered member of the Volunteer Bush Fire Brigade
- c) Any persons authorised by the Chief Executive Officer or Bush Fire Control Officer to do so.

The driver of a Shire firefighting appliance shall at all times observe the provisions of the Road Traffic Code, in particular those applying to emergency vehicles.

2.4.13. SAFETY CLOTHING AND FOOTWEAR

The Shire will seek to ensure that fire fighters wear protective clothing as recommended by the FESA Standard Operating Procedures.

2.4.14. COMMUNICATIONS

An efficient two-way radio network will be progressively established and maintained for firefighting communications as recommended by FESA.

2.4.15. INSURANCES

The Shire will obtain and keep a policy of insurance for fire fighters and equipment as provided pursuant to Section 37 of the Bush Fires Act 1954, which will cover personnel, equipment and vehicles whilst engaged on authorised activities.

2.4.16. STANDARD OPERATING PROCEDURES

The Standard Operating Procedures as prepared and amended from time to time by the FESA and as adopted by Council forms part of this Policy Document.

2.4.17. POLICY ON SAFETY AND HEALTH IN RELATION TO VOLUNTEER BUSH FIRE FIGHTERS

The Council of the Shire of Wongan-Ballidu recognises the extremely valuable contribution to the community by the Bush Fire Volunteers.

It is the policy of Council to ensure that Bush Fire Volunteers are provided with safe working equipment, the safest work system practical, and to minimise the frequency of accidents and injury. Council recognises that both the Shire and Bush Fire Volunteers have a responsibility for safety and health.

3. COUNCIL RESPONSIBILITIES

Through Council's Bushfire Advisory Committee all practical efforts will be made to:

- Instruct Bush Fire Volunteers in safe working practices.
- Ensure that Brigade owned equipment is in a safe working order.
- Require the use of a proper standard of protective clothing and equipment appropriate to the task.
- Ensure that volunteers have ready access to first aid facilities.
- Investigate accidents and possible safety and health risk and take appropriate remedial action.
- Provide a mechanism for joint Shire/FESA/Volunteer consultation on safety matters.
- Review the effectiveness of Bush Fire Volunteer training, safety and health policies as necessary.

4. VOLUNTEER RESPONSIBILITIES

1. To maintain a reasonable standard of physical fitness.
2. To acquaint themselves with safe working procedures.
3. To identify safety and health hazards and report these to senior officers.
4. To observe safe working procedures and avoid unnecessary risks and be responsible for their own safety.
5. To ensure that they dress appropriately for firefighting and make proper use of personal protective equipment whenever necessary and when required to do so.

Council acknowledges that the occupational risks inherent in firefighting and other emergency duties undertaken by Bush Fire Volunteers are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however, it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to Bush Fire Volunteers, both on the fire ground and in the performance of all other duties.

5. RESPONSE TO HAZARDOUS MATERIAL FIRES

IT CANNOT BE STRESSED TOO STRONGLY THAT TO ACT WITHOUT SPECIALIST ADVICE IS DANGEROUS.

Priorities for Action:

1. Dial 000 – enact Fire and Rescue
2. To provide an initial report of the incident to the Shire of Wongan-Ballidu.
3. To extinguish bush fires that are associated with the incident if it is safe to do so.
4. To assist the Police where possible to render the situation safe.
5. To provide fire protection in the recovery phase. To provide a fire report on the incident at the conclusion.

Reports are important and must be furnished without delay so that specialist advice on how the incident must be handled with safety can be obtained.

Reports must contain information of the location of the fire, volume and direction of the smoke plume, suspected hazardous material involved and details of firefighting equipment available on site.

Reports must be made to the Shire of Wongan-Ballidu who will pass the information to the Police (who will assume control of the incident) to the Western Australian Fire Brigades Board and the Department of Environmental Protection (who will provide specialist advice) and to the Bush Fires Board Perth (who will arrange firefighting support as required).

EACH FIRE IS A SEPARATE EVENT TO BE JUDGED ON THE CIRCUMSTANCES THAT SURROUND IT. THEREFORE, EXPERIENCED PROFESSIONAL HELP SHOULD ALWAYS BE SOUGHT AT AN EARLY STAGE TO ENSURE A SAFE AND PROPER RESPONSE.

6. BRIGADE STRUCTURE

6.1. Chief Bush Fire Control Officer

A Chief Bush Fire Control Officer has the following specific functions:

- a) to ensure the Advisory Committee prepares and maintains an Incident Response Plan
- b) to ensure that in the event of a fire or emergency requiring a multi brigade response –
 - i. forward command in the field is established
 - ii. subject to the Act and the direction of the Shire of Wongan-Ballidu, co-ordination and control of the operations of the Brigades is taking place
 - iii. persons who volunteer to assist in fighting the fire or dealing with the emergency are properly tasked
 - iv. liaison with other Chief Bush Fire Control Officers in adjacent areas and any other relevant Officer is occurring
- c) manage, control and co-ordinate all the operations, training and activities of the Brigades in accordance with the powers and duties of the Act, Standard Operations Procedures, this Constitution and directions, guidelines and policies of the Shire and Board.
- d) Act as official spokesperson for and on behalf of the Advisory Committee and Brigades.

6.2. Deputy Chief Bush Fire Control Officer

A Deputy Chief Bush Fire Control Officer must assist the Chief Bush Fire Control Officer in the performance of his or her functions and in the absence of the Chief Bush Fire Control Officer, the Deputy Chief Bush Fire Control Officer shall assume the functions and responsibilities of the Chief Bush Fire Control Officer.

6.3. Training Officer

A Training Officer manages the Brigades Training Programs and is responsible subject to the control and direction of the Chief Bush Fire Control Officer for the following specific functions:

- a) to prepare annual training plan for the Brigades and to organise regular training sessions and exercises, to test individual Brigade and combined brigades' performance and encourage co-operation with fire-fighters with other services and emergency operations.
- b) to ensure that members of the Brigades are:
 - i. trained in accordance with courses approved by the Fire & Emergency Services Authority;
 - ii. assessed to standards approved by the Fire & Emergency Services Authority.
- c) to encourage members of the Brigades to become qualified volunteer instructors.
- d) to represent the Shire at any meeting of training officers held on a regional basis.
- e) to undertake any function assigned by the Shire.

6.4. Administration Officer

A Group Administration Officer is the DCEO/Manager Administration & Financial Services or other nominated person and is responsible subject to the control and direction of the Chief Executive Officer for the following specific functions:

- a) to organise any meeting of the Advisory Committee
- b) to give notice of any meeting to the Advisory Committee members
- c) to prepare an agenda and take minutes for any meeting of the Advisory Committee
- d) to keep Advisory Committee records and to send and receive Advisory Committee correspondence.
- e) to disseminate information to Brigades.
- f) to manage the financial affairs of the Advisory Committee.
- g) to keep financial records in accordance with the ESL requirements.
- h) to liaise with the Administrative Officers of the Brigades in the Group.
- i) to undertake any other function assigned by the Chief Executive Officer.

6.5. Bush Fire Control Officer

The Bush Fire Control Officer is a person who has been nominated by their Brigade through the Advisory Committee and appointed by Council.

The appointment must be notified to the Fire & Emergency Services Authority for publication. The Shire will arrange publication in the Government Gazette and in a newspaper circulating in the Shire.

He / She has wide powers and is not liable for any damage, loss or injury caused as a result of the exercise of these powers, provided they are carried out in good faith.

He / She is a voluntary worker who gives his / her time in furthering the aims of fire prevention and control within the Shire.

The only reward is the satisfaction gained in performing a service of the greatest importance to the individual and community.

His / her duties vary considerably from time to time, but the following is an outline of the duties he / she may be expected to carry out:

- a) to attend Advisory Committee meetings as necessary and participate in the formulation of Policies.
- b) to carry out inspections of firebreaks in his Brigade area and advise the Chief Bush Fire Control Officer or Chief Executive Officer of any non-compliance with the Firebreak Order.
- c) to prevent bush fires and protect life and property in the case of an outbreak of a bush fire.
- d) to demand the name and address of any person committing an offence against the Act and to report such action to the Chief Executive Officer. Any persons refusing to give his name to a Bush Fire Control Officer may be arrested without warrant, under Section 56(2) of the Bush Fires Act 1954.
- e) to notify the Shire Office of the details of a permit to burn as soon as practical after issuing the permit.
- f) to undertake other Bush Fire Control related matters as directed by Council.
- g) issue permits in accordance with the Bush Fire Act 1954.

6.6. Volunteer Bush Fire Brigades

Bush Fire Brigades may be established and maintained in the various fire areas providing proper and adequate fire protection.

- a) the Shire will encourage members of the Volunteer Bush Fire Brigades to participate in training programmes offered by the Shire and the Fire & Emergency Services Authority.
- b) the Manager, Administration & Financial Services is authorised to approve and record applications for enrolments as Fire Fighting Members, without reference to the Group Fire Management Advisory Committee.

7. BRIGADE STRUCTURE

7.1. Bush Fire Brigade Officers

7.1.1. The Captain

- a) is in charge of all fire fighters and members of his or her Brigade.
- b) will obey all lawful directions of the Chief Fire Control Officer on a fire ground.
- c) is responsible for the safety and wellbeing of all personnel under his control when involved in any Bush Fires activities.
- d) is responsible for the co-ordination of Brigade Resources in fire related matters.
- e) needs to be aware of the Brigades area of responsibility, high-risk areas, firebreaks access, water supplies and major landowners.
- f) needs to be aware of the Brigade members skills and abilities and be able to co-ordinate these skills and abilities.
- g) Shall have the ability to liaise with adjoining Brigades and ensure best use of the Brigade and its resources.
- h) May be required to assume the duties and responsibilities of a Bush Fire Control Officer in the absence of the Bush Fire Control Officer.

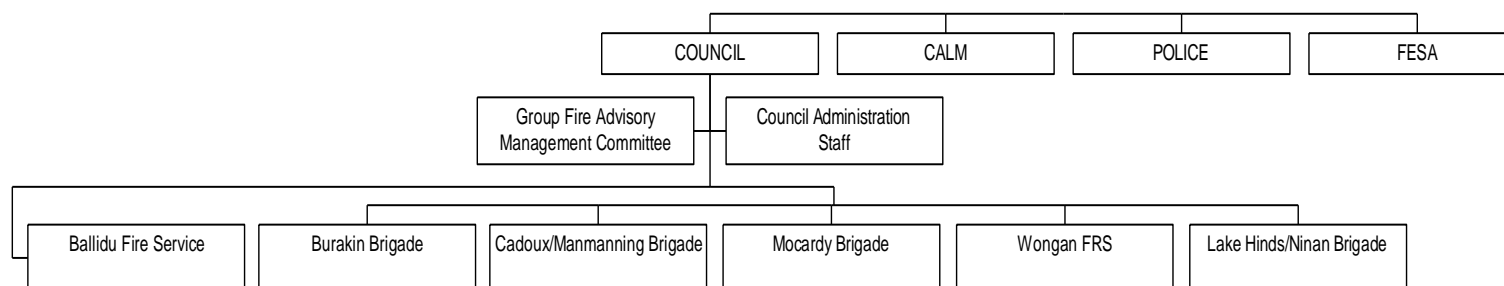
7.2. Lieutenants

- a) Are responsible for the crew and fire equipment in their charge.
- b) Will assume the duties and responsibilities of the Captain in order of seniority in the Captain's absence.
- c) Will carry out instructions given by the Captain
- d) Will carry out instructions given by Bush Fire Control Officer in the absence of the Captain on a Fire Ground.
- e) Will ensure the crew act in a safe manner to minimise danger.

7.3. Fire Fighters

- a) Training for Brigade members engaged in fire suppression, hazard reduction or any authorised activity must be in accordance with Brigades constitution /objectives and Shire of Wongan-Ballidu Bush Fire Policy.
- b) Brigade members are to ensure that they are physically fit carry out the tasks allocated to them and their actions will not jeopardise the safety of fellow members.
- c) As far as possible Brigade members are to carry out any instructions given by the Captain, Lieutenants or on a fire ground a Bush Fire Brigade Officer
- d) Brigade members make a valuable contribution to the Brigade and the community and need to have a commitment to Local and District Fire Protection.
- e) Brigade members should acquaint themselves with Council's Bush Fire Policy and Protection Plans.

OPERATION FLOW CHART – BUSH FIRE SERVICES IN THE SHIRE



ACTION CARD 1

SHIRE OF WONGAN-BALLIDU

ACTION PROCEDURES DURING WORKING HOURS

1. Shire Office is to be notified of the fire by a responsible Brigade or person.
2. Where possible at least two Brigade members are to proceed to the scene of the fire. The Senior Brigade Member is responsible for the safety of his crew.
3. Assess situation and report to Shire Office on:

Telephone: (08) 9671 1011

Facsimile: (08) 9671 1230

Bush Fire Radio: Channel 36

Manager Works & Services: 0439 469 014

4. If the size and potential of the fire requires more than one Brigade, the Chief Bush Fire Control Officer (or his Deputy) has a procedure to follow. (See Action Card 4)

- a. If an "extreme" or "very high" fire danger forecast has been issued for the district, then advise DFES Northam on:

Telephone: (08) 9690 2300

Facsimile: 1800 207 627 (toll free)

ACTION CARD 2

SHIRE OF WONGAN-BALLIDU

AFTER HOURS FIRE CALL OUT PROCEDURES

To be developed

ACTION CARD 3

SHIRE OF WONGAN-BALLIDU

FIRE CONTROL HEADQUARTERS (SHIRE OFFICE)

ACTION PROCEDURES

In a large fire situation, the Manager, Administration & Financial Services or the person nominated by the Manager Administration & Financial Services (in their absence) will activate fire control headquarters at the Shire Office or alternative suitable base and:

1. Inform the Brigades, implement call-out procedures.
2. Inform the Chief Executive Officer
3. Inform adjoining Local Authorities as necessary.
4. Inform WA Police, Wongan Hills as necessary.
5. Inform DFES Northam Duty Officer on
6. Telephone: 1800 207 627 24 hrs/day in fire season as necessary
7. Inform involved Government bodies as necessary.
8. Maintain his radio on Channel.

SUPPLY

1. Obtain list of requirements for mutual aid or reinforcements
2. Obtain and dispatch resources according to priorities.
3. Provide feeding and general welfare as required.
4. Contact by telephone:

COMMUNICATIONS

1. Maintain communications by best available means, e.g., Telephone or radio at fire face.

ACTION CARD 4

SHIRE OF WONGAN-BALLIDU

DEPUTIES OF CHIEF/DEPUTY BUSH FIRE CONTROL OFFICER

ACTION PROCEDURES

1. CONTROL

- 1.1 Co-ordinate and control operations from base when necessary
- 1.2 Take charge of the fire situation if necessary
- 1.3 Establish a control and communication point at or near the fire, ensure establishment of assembly area for incoming assistance.
- 1.4 Arrange for reconnaissance to be carried out and access PRIORITIES and decide tactics.
- 1.5 Allocate sectors of responsibility, brief and allocate resources as required to sectors.
- 1.6 Forecast fire spread and assess the potential needs, request mutual aid.
- 1.7 Roster relief personnel

1.2 Flag Lowering

Policy Owner	Administration
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	06 December 2004
Date of Last Review	27 July 2022 – Resolution 030722

OBJECTIVE

To recognise citizens or past citizens of the Shire that have passed away by flying the Australian National Flag at half-mast.

POLICY

Upon Council being notified of a death in the community that the flag be lowered to half-mast in accordance with the following:

The extract below is taken from the following publication:

The Australian National Flag written by Carol & Richardson Flags published in 1995 – The Australian National Flag at Half Mast on page number 16.

“To achieve the half-mast position, the flag should be raised to the top of the flagpole, then in a continuing movement lowered slowly to half-mast. It is important that the flag appears to be at half-mast, and not to have fallen away from the top of the flagpole. This will generally be attained when the top of the flag is one third of the total length of the flagpole from the top.

Before lowering the flag for the day, it should be raised once again to the top of the flagpole and then lowered slowly to the ground.”

Local/Resident Burial: The flag is to be flown half-mast on the day of the funeral.

Outside Shire Burial: Once notified the flag is to be flown at half-mast on the day of the funeral.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for ensuring that the Australian National Flag is flown at half-mast at the Shire Administration Centre.

1.5 Shire Motor Vehicle Registration Plates

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	04 April 2005 – Resolution 8.1.05/06
Date of Last Review	

OBJECTIVE

To recognise Shire operated and owned vehicles and promote the Shire within the district and beyond.

POLICY

In order to retain low numbered MV registration plates within and for the Shire, Council retain and/or transfer to Council owned vehicles, all existing registration plates currently registered in Council name.

The following registration plates will be issued to the vehicles under the care and control of the following administration staff.

WBO	Chief Executive Officer
WB1	Chief Executive Officer
WB2	Deputy Chief Executive Officer
WB05	Chief Executive Officer - Office Pool Car
WB0007	Manager of Works and Services

That the Community Resource Centre be authorised to market, sell or auction District Reversed Plates – Special Series and proceeds shall be retained by the Community Resource Centre.

Council will meet costs associated with changing registration plates.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing and applying this policy.

1.7 Wongan Hills Doctors Practice & Medical Centre

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	23 August 2022 – Resolution 02082022

OBJECTIVE:

That Council recognise the value of retaining freehold ownership of its Wongan Hills Medical Centre and control of the Doctor's Practice.

POLICY:

Notwithstanding that a third party might wish to seek permanent ownership of the Medical Centre freehold and or control of the Wongan Hills Doctors Practice, Council is of the view that the current and future interests of its communities are best dealt with by retaining an involvement in the selection of any replacement GP, owning the practice and premises provides this involvement.

Previous experience has demonstrated that Council and the Community can be powerless to influence the continuation or closing of the practice or the timely installation of a Doctor where the practice is privately owned.

To overcome this potential, it is Councils policy to retain ownership of the freehold of the Wongan Hills Medical Centre and control of the Doctors Practice to ensure that there is continuity of GP and general medical services through a service agreement to give Council some influence in the delivery of General Practitioner services to the community.

Council will continue to offer use of the practice and all of its' records and equipment to a GP chosen by a committee of Council on the basis that the Doctor is not asked to make any financial contribution in order to access use of the practice and Council has no financial commitment to the outgoing Doctor at the end of his or her term in the practice.

An agreement to provide that outcome will be signed by all parties involved.

The intent of this policy is that an incoming Doctor comes in to an equipped and working consulting rooms, runs the business as his or her own and on leaving hands back the business, including all records, to Council in order that Council may offer it to a new Doctor.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

1.9 Record Keeping

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022
Date of Last Review	27 July 2022 – Resolution 060722

OBJECTIVE

The purpose of the Shire's Record Keeping Policy is to define the principles that underpin the Shire's records keeping function and the roles and responsibilities of those individuals who manage or perform record keeping processes on behalf of the Shire. This policy establishes a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

POLICY

This policy applies to all government records created or received by a Shire of Wongan-Ballidu (the Shire) employee, contractor or Elected Member, or an organisation performing outsourced services on behalf of the Shire, regardless of their physical format, storage location or date of creation.

The Shire recognises its records as a government-owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during business (including those from outsourced bodies or contractors) is vested in the Shire.

- *Elected Members:* All Elected Members are to create, collect and retain records relating to their role as an Elected Member for the Shire in a manner commensurate with legislation and the Shire's policies and procedures for record keeping. Party political and personal records of Elected Members are exempt.
- *Chief Executive Officer:* The Chief Executive Officer is to ensure that an organisational system for the capture and management of records is maintained that is compliant with legislative requirements and best practice standards.
- *Managers:* All Managers are to ensure record keeping policy and procedures are known and adhered to in their area of responsibility.
- *All Staff:* All staff (including contractors) are to create, collect and retain records relating to the business activities they perform. They are to identify significant and ephemeral records, ensure significant records are captured into the Record Keeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for record keeping.

Creation of Records

All Elected Members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

Capture and Control of Records

All records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate record keeping and business systems that are

managed in accordance with sound record keeping principles.

Security and Protection of Records

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

Access to Records

Access to the Shire's records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992* and Shire policy. Access to the Shire's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

Appraisal, Retention and Disposal of Records

All records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

2. COMMUNITY DEVELOPMENT

2.2 Volunteer Day Function

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	19 September 2006 – Resolution 190906
Date of Last Review	22 June 2022 – Resolution 150622

OBJECTIVE

To recognise and thank all the volunteers within the Shire of Wongan-Ballidu.

POLICY

Volunteer BBQ open to all volunteers of the Shire and to be held in October, ideally in conjunction with the State Governments Volunteer Funding Program.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

2.3 Wongan-Ballidu Small Community Grants Program

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	26 September 2016 – Resolution 181021
Date of Last Review	25 October 2021 – Resolution 180121 – New Policy

OBJECTIVE

To assist community groups and support community projects.

To give clear direction and consistency to decision making for itself and Sporting, Community and Cultural Groups (not for profit) of the Shire of Wongan-Ballidu about Council's support for capital projects for buildings and infrastructure on Council land.

POLICY

Each financial year grant funds will be able to be applied for to support community projects undertaken by incorporated community, cultural or sporting group within the Shire.

Funding will be given to projects which fit into the priority areas listed below:-

Category	Description
Capital Works	New facilities, major modifications or extensions to existing Shire owned facilities. e.g: <ul style="list-style-type: none"> • Additions to existing facilities • Extension of playing surfaces • New Buildings
Major Maintenance Works	Major maintenance to existing Shire owned facilities (fixtures and structural only).e.g: <ul style="list-style-type: none"> • Replacement of playing surfaces • Kitchen upgrades • Carpet or curtain replacement • Reroof of existing building
Volunteers	Projects which support and develop Volunteers, including training and recognition
Community	Community Events and Workshops e.g: <ul style="list-style-type: none"> • Festivals, • Workshops • Exhibits • Workshops

Category	Description
Youth	Activities and programs for youth
Physical Activity	Funding for programs that increase physical activity and participation in sport and Recreation activities within the Shire. Sports skill development.
Community Services Support	Funding to support Community Groups operations e.g.: <ul style="list-style-type: none"> • Promotion and Marketing • Training and Development • Office Equipment • Operational

1. Application Process

- 1.1 Contact Council's Manager of Community Services to discuss the details of the grant requested (at least six months prior to application if it is for a large project).
- 1.2 Complete the application form and ensure all relevant information is attached. Incomplete applications may be disadvantaged. The Shire's Community Services may provide assistance with grant applications, providing guidance on developing engagement plans and business plans, and assistance in understanding application available to assist with writing of application criteria.
- 1.3 Submit the application to the Shire before 4.30pm on the last Friday in April to be eligible for consideration in the following financial year funding round.
- 1.4 Applications will be assessed and prioritised by Council at the May Council meeting.
- 1.5 Council will approve or reject applications at its Budget Meeting in July.
- 1.6 Decision communicated to applicants in writing by the second week in August.

2. Conditions of Grant - Capital and Major Maintenance

- 2.1 It being demonstrated that the project is sustainable, applications for capital works must demonstrate a need through a Needs Assessment.
- 2.2 That the group has developed a plan to deal with the 'whole of life' costs of the asset or infrastructure so built and maintained without further Council assistance.
- 2.3 Applications for major maintenance must submit a three-year maintenance plan and prioritise each component.
- 2.4 That the total project cost is over \$10,000; (Capital and Major Maintenance Project Grants only).
- 2.5 For requested contribution amounts over \$5,000, the organisations independently audited financial statements must be provided for the immediate prior year and;
- 2.6 Infrastructure projects will generally be supported at the ratio of 1/6th and Building projects 1/3rd and;
- 2.7 Adequate advance notice, considering the size of the project, is provided to Council;
- 2.8 Councils existing, ongoing or regular contributions to that organisation are taken into account

- 2.9 Recipients are required to publicise that the Shire is a sponsor of the project
- 2.10 Applications for capital works or major maintenance will only be considered for Shire owned facilities and fixtures
- 2.11 Applications for major maintenance must submit a three-year maintenance plan and prioritize each component
- 2.12 Successful grants must be acquitted prior to the end of March of the financial year in which they are received. Applicants who have not acquitted a previously received grant will be ineligible for consideration until such acquittal is submitted

3. Conditions of Grant – Small

- 3.1 Organisations must be not-for-profit and based in the Shire
- 3.2 Applicants must demonstrate they have applied for contributions from other funding agencies. For example, Lotterywest will consider funding community projects up to 1/2 and the Department of Sport & Recreation will consider funding for sport & recreation projects up to 1/3
- 3.3 All grants other than capital or major maintenance must be matched two for one with the Shire's grant. This can be either financial (fundraising, grant from other outside agency) or in-kind
- 3.4 Recipients are required to publicise that the Shire is a sponsor of the project
- 3.5 Successful grants must be acquitted prior to the end of March of the financial year in which they are received. Applicants who have not acquitted a previously received grant will be ineligible for consideration until such acquittal is submitted

4. Conditions of Grant – General

- 4.1 Where possible, projects must have the support of the wider community and not replicate existing projects in the community
- 4.2 Grant availability and application process will be advertised in the Wonga-Balli Boomer from the second week in January each year until the closing date
- 4.3 The Grant open period will run from January 14th to the last Friday in April each year.
- 4.4 Applications must be submitted to the Shire Office before 4.30pm on the closing date to be eligible for consideration in the following financial year funding round. Applications will be assessed and prioritised by Council at the May Council meeting
- 4.5 Scope of assistance with grant applications and acquittals from the Manager Community Services and Community Service Team extends to providing guidance on developing engagement plans and business plans, and assistance in understanding application criteria. Council will approve or reject applications at its Budget meeting in July
- 4.6 Council will approve or reject applications at its Budget meeting in July
- 4.7 Decisions will be communicated to applicants by the second week in August

- 4.8 Applications will only be accepted by not-for-profit incorporated organisations (unless an organisation is requesting assistance in becoming incorporated or unless the organisation/group has an incorporated sponsoring body acting as a guarantor)
- 4.9 Applications must be submitted with all supporting documentation
- 4.10 Applications must not be submitted directly to Councillors
- 4.11 Late applications will not be accepted
- 4.12 Applicants must complete relevant acquittal forms before the end of March in the year in which the grant is awarded. Previous recipients who have outstanding acquittals will be ineligible for consideration until all acquittals have been submitted. Forms outlining the acquittal process will be forwarded once a grant is awarded
- 4.13 Expenditure must take place in the financial year the grant is awarded

5. Disbursement of Grants

- 5.1 Payment of grants will only be paid on receipt of a tax invoice from the applicant
- 5.2 CDF grants in excess of \$2,000.00 will be disbursed quarterly on the following dates:
 - 30 September
 - 31 December
 - 31 March
 - 30 June
- 5.3 The CEO has delegated authority to adjust the disbursement if the applicant requires payment in one instalment or earlier for financial hardship reasons
- 5.4 Grants must be expended in the financial year they were awarded
- 5.5 Council has the right to refuse payment and/or request monies be returned from an approved grant if the project has altered from the original application
- 5.6 Any monies unspent at the conclusion of the funding period must be returned to Council within 60 days of completion of the project or the end of the financial year
- 5.7 The applicant must be ABN registered

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

2.4 State Government Department Support Policy

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	27 May 2020 – Resolution 040520
Date of Last Review	

OBJECTIVE

The objective of this policy is to provide a clear statement of the instances in which Council will consider providing support to State Government Departments, and to what extent such support may be provided.

SCOPE

This policy applies to all Shire of Wongan-Ballidu (Shire) staff and contractors that manage projects, plans and initiatives, as well as consultants appointed to manage these on the Shire's behalf.

This policy is not intended to replace legal and statutory obligations. It should, however, guide business unit specific practices and procedures.

POLICY

The Shire understands that government agencies such as schools, hospitals and police are fully funded core business units of state and federal government and as such are not a fundamental responsibility of local government. The Shire does, however, recognise that as a local government, we have a social and community responsibility to assist and engage with government departments in a manner congruent with facilitating delivery of services for which we are responsible under legislation.

The Shire will consider requests for support to assist government departments with:

- minor works requests
- support requests from community-based assistance groups affiliated with government departments such as Parents & Citizens Associations or Hospital Auxiliary
- in-kind support to allow the government department to carry out their own core duties, which without our in-kind support would not be able to proceed, for example amending our staff working hours to facilitate school in-term swimming lessons
- the offering of subsidised venue hire fees on the Shire's annual Fees and Charges Schedule for government departments
- advocacy for and on behalf of government departments in line with the Shire's Community Strategic Plan
- mutually beneficial working partnerships in community events, project and initiatives

- provision of expertise and support in high level projects such as infrastructure projects (for example the Mocardy Dam Pipeline) or grant funding applications (for example letters of support)

The Shire recognises that government departments would be considered a stakeholder in numerous Shire projects and initiatives, and as such will be engaged with in accordance with the Shire Council's "Community and Stakeholder Engagement Policy".

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

2.5 Community and Stakeholder Engagement Policy – Public Consultation Outcomes

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	24 June 2020 – Resolution 030620
Date of Last Review	24 June 2020 – New Policy

OBJECTIVE

The objectives of this policy are to:

- Provide a clear statement of Council's commitment to best-practice community and stakeholder engagement as it applies to decision making;
- Define the guiding principles that will ensure appropriate, effective and inclusive community and stakeholder engagement is achieved consistently across the Shire; and
- Outline the required mechanisms to be established and continually reviewed to ensure best-practice engagement practices are integrated into strategic and operational planning

SCOPE

This policy applies to all Shire of Wongan-Ballidu (Shire) staff and contractors that manage projects, plans and initiatives that impact stakeholders in our community, as well as consultants appointed to manage these on the Shire's behalf.

This policy applies to the engagement strategies managed through the Shire's traditional methods, and increasingly online engagement as the Shire continues to develop this platform.

This policy is not intended to replace legal and statutory obligations. It should, however, guide business unit specific practices and procedures.

BACKGROUND

The Shire is committed to openly and inclusively communicating and engaging with our community to make sure they have the opportunity to participate in decision-making processes that impact them. We recognise that this commitment helps us to help our community, shape the future of the Shire.

The Shire supports public participation as a process to make better decisions. Good decisions incorporate both the interests and concerns of affected stakeholders, and the needs of the Shire. While there are many technical, financial and legislative requirements that the Shire must consider when making decisions, every effort will be made to involve affected stakeholders in the decision-making process.

The Shire has adapted the International Association of Public Participation (IAP2) Core Values to shape our commitment to community and stakeholder engagement. Our approach to engagement will build on these principles and will support the development and implementation of engagement processes consistent with recognised international best practice.

THE PRINCIPLES GUIDING THE SHIRE'S APPROACH TO COMMUNITY AND STAKEHOLDER ENGAGEMENT

1. We believe that those affected by a decision have the right to be involved in the decision-making process
2. We will be clear about how participants' feedback and contributions will influence the decision
3. We believe that the best decisions are the ones that recognise and communicate the needs and interests of both the Shire and the stakeholders in our community
4. We will actively identify those affected by or interested in a decision and make every effort to support and encourage participation in the decision-making process
5. We are committed to providing equal access and inclusion for all members of our diverse community. We will understand the diverse range of needs that stakeholders in our community have and choose the methods of engagement within our means that will best support their participation in the decision-making process
6. We will ensure we give the stakeholders in our community the information they need, at the right time and communicated in the best way to support their understanding, so that they can participate in a meaningful way
7. We will keep the stakeholders in our community updated on the progress and let them know how their input affected the decision

The Shire recognises the importance of integrating best practice engagement practices into strategic and operational planning, including business case decision making and project management. We will work towards continual improvement in this area.

WHEN THE SHIRE MAY ENGAGE

Community and stakeholder engagement may occur:

- On developments or changes with potential to impact residents and ratepayers
- When required by Legislative requirements
- To obtain input into long-term and strategic plans of the Shire
- On major projects and strategic issues
- When requested by the community or Council

HOW THE SHIRE MAY ENGAGE

The Shire will take a planned and purposeful approach when engaging with stakeholders and the community and will use tools such as the IAP2 Spectrum (Appendix 1) and internal guidelines and frameworks.

Methods will be appropriate to the purpose, level of engagement, resources available and stakeholders impacted.

WHEN FEEDBACK MAY NOT BE SOUGHT

There are some situations when it may not be effective or appropriate to seek feedback from the community and stakeholders, for example when:

- Legal constraints exist (e.g. confidentiality)
- The Shire is required to act in a timeframe which prevents consultation
- The matter is delivering a policy-driven decision where previous engagement with the community and stakeholders has occurred
- A decision has already been made
- The Shire is not the decision-maker and has no ability to influence the decision
- The matter concerns public safety or is an emergency.

Where it is determined that seeking feedback will not occur, the Shire will provide clear communication to impacted stakeholders explaining why feedback was not sought.

ENGAGING WITH AND SUPPORTING GOVERNMENT DEPARTMENTS

The Shire understands that government agencies such as schools, hospitals and police are fully funded core business units of state and federal government and as such are not a fundamental responsibility of local government. The Shire does, however, believe that we have a social and community responsibility to assist and engage with government departments in a manner congruent with facilitating delivery of services for which we are responsible under legislation.

The manner in which the Shire would offer support to government departments is further prescribed in the Shire Council Policy "State Government Department Support".

The Shire recognises that government departments would be considered a stakeholder in numerous Shire projects and initiatives, and as such will be engaged with pursuant to the operationally appropriate level on the engagement spectrum (Appendix 1).

RESPONSIBILITY OF BUSINESS UNITS

Embedding the principles outlined in this policy will be supported by processes and practices based on the IAP2 Quality Assurance Standard for Community and Stakeholder Engagement and the AA1000 Stakeholder Engagement Standard (SES) 2015.

To provide consistency and ensure that the Shire engages at a level considered as being best practice, Community and Stakeholder Engagement Procedures will be developed for Shire issues that require engagement.

These issues include, but are not limited to, the following:

- Strategic Plans, Frameworks etc. (e.g. Community Strategic Plan)
- Scheduled roadworks, right-of-way construction
- Road closures, traffic calming proposals
- Local Laws
- Changes to services (e.g. changes to service provision i.e. Swimming Pool Operating Hours, closure of services)
- Reactive building maintenance and minor building works

- Public or other building demolitions
- Building upgrades, internal or external building refurbishments
- Playground and park upgrades, replacement and renewal
- Major projects (new regional facilities, parklands etc.)

As a minimum, these Community and Stakeholder Engagement Procedures will include the following areas:

- Legislative requirements, if applicable
- When engagement is to occur
- Situations where feedback may not be sought
- Processes of engagement that will be used
- Minimum requirements for engagement
- How feedback will be used to inform the final decision, and who the decision-maker is
- Method and timing of feedback and communication
- Reporting requirements and format
- How the engagement process will be reviewed and improved on an ongoing basis.

All Community and Stakeholder Engagement Procedures are to be developed within one (1) year of this policy's adoption.

RESOURCES

Several resources have been developed, and will continue to be developed, to assist Shire staff to implement this policy.

These include, but are not limited to the operational documents:

- Engagement Plan Template
- Project Plan Template
- Community and Stakeholder Framework
- Community and Stakeholder Procedures

DEFINITIONS

Shire: The Shire of Wongan-Ballidu

Communication: The imparting or exchanging of information by speaking, writing or via another medium, in consideration of the audience and appropriate for the channel delivered through. Communication is about connecting with people by sending information.

Community: Broadly refers to any specific group of people who share a similar location, interest or affiliation within the Shire area. These include, but are not limited to residents, ratepayers, business owners and operators, employees, students, visitors and community groups and organisations.

Community and stakeholder engagement: A planned process, which aims to ensure those affected by a decision are given an opportunity to be involved in the decision-making process. It includes a range of activities and strategies to encourage the participation and involvement of

all stakeholders.

Community consultation: A subset of community engagement, as defined within the IAP2 Spectrum of Public Participation, it is a level of engagement in which the purpose is to obtain feedback on analysis, alternatives and/or decisions.

IAP2: International Association for Public Participation. The leading professional organisation advancing the practice of public participation globally by promoting the right of those affected by a decision to have a say in the decision-making process, highlighting the benefits of this to organisations, governments and individuals, and providing training programs.

IAP2 Spectrum: Developed by IAP2, the IAP2 Public Participation Spectrum helps to define the community's role in any public participation or engagement process. The spectrum identifies five levels of engagement based on the engagement purpose or goal and the organisation's promise to the public during the process. The spectrum also includes examples of methods or tools suitable for each level.

Program: A group of related projects, subprograms and program activities managed in a coordinated way to obtain benefits not available from managing them individually.

Project: An endeavour undertaken to create a unique product, service or result. Projects have a definite beginning and end, and a desired outcome. Projects could be the development of a product/service, change in business structure or process, delivering information technology, construction of infrastructure or enhancing a business practice/policy.

Public Participation: Is another term used to describe the process of 'community engagement'. Other terms include 'civic engagement', 'citizen engagement', 'public engagement' and 'public involvement'.

Our Vision: The Shire of Wongan-Ballidu will be a caring and supportive community driving sustainability of agriculture, services and the environment.

Our Mission: To be leaders in the provision of local government services and infrastructure. - to serve the Shire's diverse community through delivering efficient, responsive and sustainable services.

Our Values: leadership; integrity; teamwork; communication; empathy; professionalism; positivity

Stakeholder: Individuals, groups or organisations interested in, impacted by or in a position to influence the Shire of Wonga-Ballidu's activities or objectives.

Statutory: A legal requirement the Shire must adhere to.

Sustainability Principles: Long-term decision making; fairness for all generations; improving lives and human rights; environmentally and socially responsible development; acting with precaution; conserving the natural environment and biodiversity; minimising the impact of operations, goods and services; accountability, transparency and engagement.

RELEVANT MANAGEMENT PRACTICES/DOCUMENTS

- Disability Access and Inclusion Plan
- Strategic Community Plan
- Customer Service Charter
- Legislation/local law requirements
- WA Local Government Act 1995 and Regulations Health Act 1911 and associated regulations
- Local Town Planning Scheme
- Planning and Development (Local Planning Schemes) Regulations 2015
- Heritage of WA Act 1990
- Environmental Protection Act 1986
- Bush Fires Act 1954 and associated regulations
- Occupational Health, Safety and Welfare Act 1984 and associated regulations
- Privacy Act 1998
- Disability Services Act 1993
- Equal Opportunity Act 1984

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

APPENDIX 1



IAP2 SPECTRUM OF PUBLIC PARTICIPATION – ADAPTED FOR USE BY SHIRE OF WONGAN-BALLIDU

International Association for Public Participation: www.iap2.org

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public participation goal	To provide stakeholders with balanced and objective information to assist them understand the problems, alternatives and/or solutions to enable them to provide meaningful feedback and make informed decisions. NB. Informing happens throughout the process – not only after the final decision has been made	To obtain feedback from stakeholders on options, analysis, alternatives and/or decisions	To work directly with stakeholders throughout the process to ensure that stakeholder issues and concerns are consistently understood and considered	To partner with stakeholders in each aspect of the decision including the development of alternatives and the identification of the preferred solution	To place the final decision-making in the hands of the community or public
Our promise to stakeholders	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide
Role of stakeholders	Listen	Contribute	Participate	Partner	Decide
Examples of tools and methods	<ul style="list-style-type: none"> Corporate website Social media – Facebook Wongan-Balli Boomer Media Advertising Email, mail out Corporate publications Displays 	<ul style="list-style-type: none"> Focus groups Surveys Public meetings Ballot Pop up events Listening posts 	<ul style="list-style-type: none"> Vox pops Focus groups Workshops 	<ul style="list-style-type: none"> Citizen advisory/ reference committees Participatory decision-making Meetings 	<ul style="list-style-type: none"> Elected member representation. Ballots Citizen juries Delegated decisions

2.6 Community Resource Centre and Wonga-Balli Boomer Community Support Provision Policy

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	08 July 2020 – Resolution 060720
Date of Last Review	08 July 2020 – New Policy

OBJECTIVE

The objective of this policy is to provide a clear statement of the instances in which Council will consider providing the support of the Wongan Hills Community Resource Centre to community groups, and to what extent such support may be provided.

SCOPE

This policy applies to the business unit of Community Services and all Shire of Wongan-Ballidu (Shire) staff and contractors that manage projects, plans and initiatives, as well as consultants appointed to manage these on the Shire's behalf.

This policy is not intended to replace legal and statutory obligations. It should, however, guide business unit specific practices and procedures.

The Wongan Hills Community Resource Centre (CRC) currently receives funding by way of an annual agreement with the Department of Primary Industries and Regional Development (DPIRD).

Part of this agreement requires the CRC to deliver a prescribed number of activities, projects and initiatives within the Shire.

One of the ways that the CRC works in community to achieve these service delivery outcomes, is to collaborate and partner with various community groups and external stakeholders. This has the additional benefit of building capacity in community groups and empowering grass roots community development.

The 'Wonga-Balli Boomer' is a 40 to 44-page weekly publication with a circulation of 140; self-published by the CRC on average 43 editions per year. The 'Boomer' is delivered against the service delivery outcome of an 'Annual Local Initiative' in the DPIRD funding agreement.

The 'Boomer' has historically provided some space within the publication free of charge, and this policy seeks to formalise those guidelines.

POLICY – COMMUNITY PARTNERSHIPS

When partnering with a community group or external stakeholder to deliver an event, project or initiative that meets the prescribed outcomes contained in the DPIRD contract, or delivering the CRC has the discretion to not charge a set Council fee and charge up to and including the following limits:

- A total of two pages of editorial content, to be provided by the group, to promote the project prior to commencement - \$114.00 value as at 30 June 2020;
- A total of two pages of editorial content, to be provided by the group, to report on the project after completion - \$114.00 value as at 30 June 2020;
- A total of three separate instances of Boomer advertising up to one A4 colour advert specifically related to the project. This is not transferrable to other sizes (for example 3 x A4 will not be equated to 12 x quarter page) - \$171.00 value as at 30 June 2020;
- A total of two hours of desktop publishing services provided by CRC staff - \$90.00 value as at 30 June 2020;
- A total of \$50.00 of printing and/or photocopying services;
- A total of four instances of promotion on the CRC's Facebook page;
- Assistance in the form of venue hire is subject to formal Council approval as per the Shire's Delegated Authority Register and will be negotiated on a case by case basis;
- Assistance in the form of staff hours is subject to formal CEO approval as per the Shire's Delegated Authority Register and will be negotiated on a case by case basis.

POLICY – THE WONGA-BALLI BOOMER

Historically the Wonga-Balli Boomer, as a community-based publication, has provided a level of community content free of charge. The current prescribed advertising rates for commercial interests are as stated in the current Council Fees and Charges.

The Wonga-Balli Boomer has the discretion to not charge a set Council fee and charge up to and including the following limits:

- All local community notices, sporting results, thank you notices, birthday greetings and news items of community interest are published free of charge;
- Free community notices can be included for a maximum of 3 editions;
- Sport notices (including photographs) are published in black and white, if colour is required, standard advertising rates apply;
- Church notices (including photographs) are published in black and white, if colour is required, standard advertising rates apply;
- Articles will be published dependent on space, content and local interest. Articles without local content are to be a maximum of 2 pages and authors will be limited to one such article per month. Authors are however strongly encouraged to incorporate information relevant to the community in all articles. Local content pertains to place, person or events in the Shire, past or present;
- Any Community items that include ticket prices or the selling of products or services will incur the standard advertising rates;
- Raffle results are free of charge if the original raffle was advertised in the Boomer;
- The Front Cover is reserved for lifestyle images that are generally representative of our Shire and that do not depict specific links to community or sporting groups. However, the first double page opening (ie pages 2 and 3) is available to any recognised community or

sporting group within our Shire wishing to promote a project, event or achievement, and will be printed in colour free of charge.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

2.7 Privacy of Personal Information Policy

Policy Owner	Community Development
Person Responsible	Manager of Community Services
Date of Adoption	24 February 2021 – Resolution 090221
Date of Last Review	24 February 2021 – New Policy

OBJECTIVE

The responsible handling of Personal Information is a key aspect of governance and the Shire of Wongan-Ballidu (the Shire) is committed to protecting an individual's right to privacy. The policy ensures all reasonable steps are taken to manage all Personal Information held by the Shire and aims to:

- Provide a formal framework for the collection of Personal Information.
- Encourage effective, efficient and accurate collection of Personal Information.
- Personal information is only collected by lawful and fair means.
- Ensure personal information is stored securely and restricted to access by authorised personnel only.

SCOPE

This policy applies to all Personal Information held by the Shire and is relevant for all employees of the Shire who are granted access to Personal Information in the performance of their duties and through their communications.

Collection of Personal Information

- The Shire usually collects Personal Information directly from the individual concerned.
- Personal Information will only be collected by fair and lawful means.
- The Shire will ensure that the collection of Personal Information does not intrude into the personal affairs of the individual.
- Personal Information is collected where it is deemed reasonable to do so for the purpose of the Shire performing one or more of its functions. Reasonable steps will be taken to ensure Personal Information collected is relevant to performing the communication function and not excessive or superfluous.
- The Shire will collect Personal Information from other parties if written consent is given by the authorised individual or if required by law.

Quality Management of Personal Information

- The Shire will take reasonable steps to ensure that an individual's Personal Information is accurate before using it.
- The Shire will update Personal Information held when necessary or when advised by an individual that their Personal Information has changed.

Security and Storage of Personal Information

- Reasonable steps have been put in place by the Shire to protect Personal Information held from misuse, modification, disclosure and loss.
- Personal information will not be retained any longer than is necessary and aligns with accepted document disposal procedures.
- When no longer required, destruction of Personal Information held by the Shire will be done securely.
- The Shire employs data protection and security measures including both physical and technological access restrictions.

LEGISLATION AND SUPPORTING DOCUMENTATION

Local Government Act 1995

The *Local Government Act 1995* section 5.94 lists information held by the local government that can be inspected by any person if they attend the local government's offices during office hours. Section 9.95 limits these rights when information is of a type prescribed as confidential.

RELEVANT MANAGEMENT PROCEDURES AND DOCUMENTS

- Code of Conduct for Employees – CEO Operational Policy Manual
- Record Keeping Policy – Council Policy Manual
- Confidentiality Agreement – CEO Operational Policy Manual
- ICT Use Policy – CEO Operational Policy Manual
- Information Release Policy – CEO Operational Policy Manual
- Integrated SMS Messaging Procedure
- Procedure for Collecting and Storing Personal Data for Subscription Purposes

POLICY REVIEW

This policy will be evaluated and reviewed in line with any legislative changes.

3. REGULATORY SERVICES

3.1 Culling of Vermin by Shooting

Policy Owner	Works Committee
Person Responsible	Manager of Works and Services
Date of Adoption	08 March 2005
Date of Last Review	23 February 2022 – Resolution 040222

OBJECTIVE

To minimise concern by local residents and tourists about their own safety or the culling of Corellas or other authorised vermin during authorised (*Department of Environment and Conservation (DEC)*) culling programs.

POLICY

Council staff will seek Corella permits for the town site of Ballidu and Wongan Hills for a 12-month period where able, and where Corella numbers warrant.

Where Council has received an authorised culling permit for the destruction of vermin by shooting, its authorised shooters will observe the following protocols: -

1. Place an advertisement in a local paper or a local notice board prior to the culling advising of the day(s), time and purpose(s);
2. Advise the local Police of the day and time of the shoot;
3. Wear bright coloured vests;
4. Place at least 2 prominent 'sandwich board' type signs in the main area of the culling saying "Culling in Progress" or similar;
5. Culling will commence early in the breeding season (November) before numbers build up in the townsites;
6. Council will where possible utilise a professional group such as the WA Field and Game Association to assist with the culling;
7. The shoot will, where practical, take place on a hot day and; and
8. Where practical at least 6 shooters will be available to help ensure the Corellas stay 'in the air'.

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Works & Services is responsible for implementation of this policy.

3.2 Genetically Modified Organisms

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	23 February 2022 – New Policy

OBJECTIVE

To allow those authorities with proper jurisdiction and legislative control to determine the impacts and applicability of Genetically Modified Organisms.

POLICY

The Shire of Wongan-Ballidu believes the use and application of Gene Technology is a matter beyond its jurisdiction and decline to make comment when requests are received from Government or Government Agencies.'

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

3.4 Taking of Wildflowers/Seeds

Policy Owner	Works and Services
Person Responsible	Manager of Works and Services
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	23 February 2022 – New Policy

OBJECTIVE

Council recognises the value and ecological importance of native flowers and this policy is designed to ensure that this resource is not decimated as a result of commercial activities.

POLICY

Council does not support the commercial exploitation of taking wildflowers on land under Council's control.

Council on the approval of the CEO supports the collection of native seeds providing the applicant has an appropriate Department of Conservation and Land Management license.

Council does support individuals being members of community organisations with a tourism orientation to cut a small quantity of native blooms to produce small artefacts to sell as souvenirs providing that they have been issued with an appropriate licence from Department of Conservation and Land Management.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for disseminating and applying this policy.

Seed Collection from Road Verges:

Landowners wishing to collect seed from native vegetation in road verges should refer to Council Policy 1.6 – Taking of Wildflowers/Seeds. A permit for seed collection may also be required from the DBCA. It is the responsibility of the landowner to check they have the relevant approvals in place.

5. FINANCE

4.1 Accounting Policy

Policy Owner	Administration and Financial Services
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	June 2009 – Resolution 060609
Date of Last Review	24 August 2022 – Resolution 08082022 - Amendment

OBJECTIVE

To ensure that all Financial Reports and Budgets are prepared in accordance with the relevant statutory requirements.

POLICY

This policy will apply to the presentation of the Shire's:

- Management Accounts
- Monthly Financial Reports
- Annual Financial Reports
- Annual Budgets
- Annual Budget Reviews
- Long Term Financial Plan

The significant accounting policies are detailed below.

1. Basis of preparation

All financial reports will be prepared in accordance with the Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying regulations take precedence over Australian Accounting Standards where they are inconsistent.

2. The Local Government Reporting Entity

All funds through which the Council controls resources to carry on its functions will be included in the financial statements.

In the process of reporting on the Local Government as a single unit, all transactions and balances between those Funds (for example loans and transfers between funds) will be eliminated.

All monies held in the Trust Fund are to be excluded from the Financial Statements, but a separate statement of those monies should appear as a Note to the Statements.

3. Actual Balances

The year-to-date actual balances that are presented in the annual budget are figures based on the accounts as at the time of budget preparation, they will include forecasts where appropriate, but are subject to change between time of budget adoption and the production of the Annual Financial Report.

4. Rounding Off Figures

All figures shown in the financial reports (other than the rates in the dollar), are to be rounded to the nearest whole dollar.

5. Comparative Figures

Where required, comparative figures are adjusted to conform to changes in presentation for the current financial year.

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, a statement of financial position as at the beginning of the earliest period is disclosed.

Unless otherwise stated, the budget comparative figures shown in the financial statements is the original budget for the relevant item of disclosure.

6. Critical Accounting Estimates

The preparation of financial reports in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets, liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the result of which forms the basis of making judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

7. Goods and Services Tax ("GST")

Revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables in the Statement of Financial Position are stated as inclusive of applicable GST.

8. Cash and Cash Equivalents

Cash and cash equivalents in the Statement of Financial Position comprise cash at bank and on hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the Statement of Financial Position.

9. Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that the debt will not be collectible.

10. Inventories

(i) Raw materials and stores (fuel stock), work in progress and finished goods

Raw materials and stores (fuel stock), work in progress and finished goods are stated at the lower of cost and net realisable value. Cost comprises direct materials, direct labour and an appropriate proportion of variable and fixed overhead expenditure, the latter being allocated on the basis of normal operating capacity. Costs are assigned to individual items of inventory on the basis of weighted average costs. Net realisable value is the established selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

11. Land held for resale/capitalisation of borrowing costs

(i) Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred. Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time when the conditions of a binding contract of sale are met. Land held for resale is classified as current except where it is held as non-current based on the Shire's intentions to release for sale.

12. Non-Current Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

13. Low Value Assets

Expenditure on items of equipment under \$5,000 are not capitalised but, where applicable, are placed on the "Minor Assets Register" for reference and maintenance.

14. Revaluation

(i) Mandatory requirement to revalue certain non-current assets

Each asset class is revalued in accordance with the Regulations and the Australian Accounting Standards. The Shire applies a process of rolling revaluations by asset class, providing all assets in a class are valued within the same financial year before the reporting date.

The following is the Shire's non-current asset revaluation cycle:

Financial Year	Asset Group/Class
2021/22	Land, Buildings and Other Infrastructure
2022/23	Infrastructure – Roads, footpaths, drainage, parks & ovals, signage
2023/24	Nil
2024/25	Nil
2025/26	Nil
2026/27	5-year cycle recommences

The *Local Government (Financial Management) Regulations 1996* state that the maximum period of time between revaluations of non-current assets is five (5) years. All plant and equipment type assets are to be held at cost.

Relevant disclosures, in accordance with the requirements of the Australian Accounting Standards, are made in the financial statements as necessary.

(ii) Accounting for revaluations

The fair value of land, buildings, infrastructure and investment properties (including vested improvements) is determined at least every five years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is in accordance with *Local Government (Financial Management) Regulation 17A (2)(a)* which requires land, buildings, infrastructure, investment properties and invested improvements to be shown at fair value.

Individual assets that are plant and equipment type assets and right-of-use assets are measured using the cost model in accordance with *Local Government (Financial Management) Regulation 17A (2)(b)* and *17A (2)(c)*.

Increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation reserve. Decreases in the carrying amount that offset previous increases of the same asset classes are recognised against revaluation reserve, all other decreases are recognised in the Statement of Comprehensive Income.

15. Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner, which reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition, or in respect of internally constructed assets, from the time the asset is completed and held ready for use. Assets are written off when they fall below the capitalisation threshold in the Asset Register.

Depreciation is recognised on a straight-line basis, using rates which are calculated based on useful life and residual values; these are illustrated below and reviewed each reporting period.

Asset Class	Useful life
Buildings – non-specialised	20 – 80 years
Buildings – Specialised	20 – 80 years
Furniture and equipment	5 – 10 years
Plant and equipment	4 – 8 years
Motor Vehicles	3 – 5 years
Infrastructure – Roads – Surface (sealed)	27 years
Infrastructure – Roads – Surface (unsealed)	10 years
Infrastructure – Roads – Pavement	55 years
Infrastructure – Roads (Subgrade)	Not depreciated
Infrastructure – Footpaths	30 years
Infrastructure - Drainage	70 years
Infrastructure – Parks and ovals	18 – 63 years
Infrastructure – Signs	125 years
Infrastructure - Other	8 – 100 years

16. Land under Control and Land under Roads

As a result of amendments to the Regulations, effective from 1 July 2019, vested land, including land under roads, is treated as right-of-use assets measured at zero cost. Therefore, the previous inconsistency with AASB 1051 in respect of non-recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position.

17. Vested improvements

The measurement of vested improvements at fair value in accordance with *Local Government (Financial Management) Regulations 1996 17A (2)(iv)* is a departure from AASB 16 which would have required the Shire to measure the vested improvements as part of the related right-of-use asset at zero cost.

18. Gains and losses on disposal of non-current assets

Gains and losses on disposals are determined by comparing proceeds with the carrying amount (written-down value). These gains and losses are included in the Statement of Comprehensive Income. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

19. Financial Instruments

(i) Recognition and derecognition

Financial Instruments, financial assets and financial liabilities are recognised when the Shire becomes a party to the contractual provisions of the financial instrument.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and substantially all the risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

(ii) Classification and initial measurement of financial assets

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price in accordance with AASB 15, all financial assets are initially measured

at fair value adjusted for transaction costs (where applicable).

Financial assets, other than those designated and effective as hedging instruments, are classified into the following categories:

- amortised cost;
- fair value through profit or loss (FVTPL); and
- fair value through other comprehensive income (FVOCI).

The classification is determined by both:

- the Shire's business model for managing the financial asset; and
- the contractual cash flow characteristics of the financial asset.

All income and expenses relating to financial assets that are recognised in profit or loss are presented within finance costs, finance income or other financial items, except for impairment of trade receivables which is presented within other expenses.

(iii) Subsequent measurement of financial assets Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVTPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

This category includes non-derivative financial assets like loans and receivables with fixed or determinable payments that are not quoted in an active market. After initial recognition, these are measured at amortised cost using the effective interest method.

Discounting is omitted where the effect of discounting is immaterial. The Shire's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments.

Financial assets at fair value through profit or loss (FVTPL)

Financial assets that are held within a different business model than 'hold to collect' or 'hold to collect and sell', and financial assets whose contractual cash flows are not solely payments of principal and interest are accounted for at FVTPL. All derivative financial instruments fall into this category, except for those designated and effective as hedging instruments, for which the hedge accounting requirements apply.

Assets in this category are measured at fair value with gains or losses recognised in profit or loss. The fair values of financial assets in this category are determined by reference to active market transactions or using a valuation technique where no active market exists.

Financial assets at fair value through other comprehensive income (FVOCI)

Financial assets are accounted for at FVOCI if the assets meet the following conditions:

- they are held under a business model whose objective is to collect the associated cash flows and sell; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Any gains or losses recognised in Other Comprehensive Income are reclassified upon recognition of the asset. This category includes listed securities and debentures.

20. Classification and measurement of financial liabilities

Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the Shire designated a financial liability at fair value through profit or loss.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVTPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss (other than derivative financial instruments that are designated and effective as hedging instruments).

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss are included within finance costs or finance income.

21. Impairment of financial assets

The Shire considers a broad range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

Measurement of the expected credit losses is determined by a probability-weighted estimate of credit losses over the expected life of the financial instrument.

22. Fair Value Estimation of financial instruments

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes. The fair value of financial instruments traded in active markets is determined using various valuation techniques. The Shire uses valuation methods and make assumptions that are based on market conditions existing at each balance date. Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting future contractual cash flows at the current market interest rate that is available to the Shire for similar financial instruments.

23. Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation as a result of past events for which it is probable that an outflow of economic benefits will result, and that outflow

can be reliably measured. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow, with respect to any one item included in the same class of obligations, may be small.

24. Leases

All Leases, excluding Peppercorn Leases (concessionary leases), are recognised in the Balance Sheet as a liability by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments are recognised as depreciation on the 'right-of-use' asset, and interest is charged on the lease liability.

Right-of-use assets are measured using the cost model in accordance with *Local Government (Financial Management) Regulation 17A (2)(c)*. This means that all right-of-use assets (other than vested improvements) under zero-cost concessionary leases are measured at zero cost.

25. Impairment

The Shire's assets, other than inventories, are tested annually for impairment. Where impairment exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 Impairment of Assets and appropriate adjustments made. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. Impairment losses are recognised in the Statement of Comprehensive Income.

For non-cash generating assets such as roads, drains and public buildings value in use is represented by the asset's written down replacement cost.

26. Trade and Other Payables

Trade and other payables reflect obligations to make future payments in respect of the purchase of goods and services and are carried at amortised cost. The amounts are unsecured and are usually paid within 30 days from the date of receipt of the invoice unless otherwise agreed.

27. Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid for the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Shire has an unconditional right to defer settlement of the liability for at least 12 months after the Statement of Financial Position date.

Borrowing costs are recognised as an expense when incurred, except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

28. Employee Benefits

Provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave and rostered days off and are calculated as follows:

Annual Leave, Long Service Leave and Rostered Days off (Short-term benefits)

The provision for employees' benefits including; annual leave, long service leave and rostered days off expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees' services provided to balance date. The provision is calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

Long Service Leave (Long-term benefits)

The liability for long service leave is recognised as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date, using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on state government bonds with terms to maturity and currency that match as closely as possible the estimated future cash outflows.

Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

29. Superannuation

Contributions to employee defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

30. Interests in Joint Arrangements/Joint Ventures

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The Shire's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements

31. Rates, Grants, Donations and Other Contributions

Revenue recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract or in the case of Rates, when the relevant rateable year commences.

AASB 1058 Income of Not-for-Profit Entities is considered where AASB 15 does not apply to a transaction. The timing of income recognition will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners.

32. Contract Liabilities (Prepaid Income)

When an amount of consideration is received from a customer / fund provider prior to the Shire transferring a good or service to the customer, the Shire presents the funds which exceed revenue recognised as a contract liability. The contract liability remains until the Shire's obligations have been met.

33. Contract Assets

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before payment is due, the Shire presents this as a contract asset, unless the rights to that amounts of consideration are conditional, in which case the Shire recognises a receivable.

34. Current and non-current classifications

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operation cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months. An exception exists for land held for resale, where it is held as non-current based on the Shire's intentions to release for sale.

35. Intangible assets

Costs associated with maintaining computer software programs are recognised as an expense as incurred. Development costs that are directly attributable to the design and testing of identifiable and unique software products controlled by the Shire are recognised as intangible assets where the following criteria are met:

- It is technically feasible to complete the software so that it will be available for use;
- Management intends to complete the software and use or sell it;
- There is an ability to use or sell the software;
- It can be demonstrated how the software will generate probable future economic benefits;
- Adequate technical, financial and other resources to complete the development and to use or sell the software are available; and
- The expenditure attributable to the software during its development can be reliably measured
- Directly attributable costs that are capitalised as part of the software include employee costs and an appropriate portion of relevant overheads.
- Capitalised development costs are recorded as intangible assets and amortised from the point which the asset is ready for use.

36. Materiality

The Shire has adopted the amendment to AASB 2018-7. The change includes additional explanation to expand the definition of what information may be considered material in nature and how

presentation may also be an influence. Information is material if omitting, misstating or “obscuring” it could reasonably be expected to influence decisions that the primary users of general purpose financial statements make on the basis of those financial statements, which provide financial information about a specific reporting entity.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for the implementation and operation of this Policy.

4.3 Asset Management

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	26 June 2014 – Resolution 040614
Date of Last Review	28 June 2017

PURPOSE

To provide the Shire with a framework to sustainably manage its asset portfolio to ensure a continuity of service delivery. To ensure a corporate approach to asset management and ensure adequate provision is made for the long-term replacement of major assets.

SCOPE

This policy describes the way in which the Shire, as an organisation, will approach the asset management of its infrastructure to ensure maximum return on investment. This policy applies to Elected Members of Council, all employees and all consultants engaged by the Shire.

OBJECTIVE

The key objective of this policy is to ensure that services delivered by the Shire of Wongan-Ballidu continue to be delivered in a sustainable way by ensuring that the Assets used to support the service delivery continue to function to the level of service determined by Council.

It will also provide clear direction as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework.

POLICY STATEMENT

The Shire delivers a variety of services to the community and in doing so, must ensure that the assets supporting these services are managed in a way that promotes maximum performance for the most cost-effective 'whole of life' cost.

The Shire is committed to the responsible management of its assets and to deliver services that meets community expectations of time, quality, and value for money.

The Shire's assets include physical features within the Shire and include items such as roads, drainage, buildings, parks, pathways, natural areas and playgrounds and represent a substantial investment to support modern living in our community. It is imperative that the Shire employs best practice management skills and practices to ensure that Shire services are delivered economically and in a sustainable manner.

This policy applies to the Council and all employees of the Shire, Committees of Management and the Community involved in the operation, maintenance, refurbishment, renewal, upgrading and development of the Shire's existing and new assets.

POLICY DEFINITIONS

"Asset" means "A physical component of a facility which has value, enable services to be provided and has an economic life of greater than twelve (12) months." (International Infrastructure Management Manual).

A physical item that is owned or controlled by the Shire and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

Infrastructure Assets include buildings, drainage, footpaths, street furniture, parks and landscape, property, reserve equipment, and roads.

"Asset Management" means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council's priorities for service delivery.

"Asset Management Plan" means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

The Asset Management Plan establishes for each Asset Category:

1. Levels of Service
2. Future Demand
3. Risk register
4. Life Cycle Management Plan
5. Financial Projections;
6. Asset Management Practices
7. Performance Monitoring and Improvement.

"Asset Register" means a record of asset information considered worthy of separate identification including inventory, historical, financial, condition, construction, technical, and financial.

"Capital Upgrades"

Projects (including land purchase) for the extension or upgrading of assets catering for growth or additional levels of service. Capital upgrades include:

- Works that improve an asset beyond its original size or capacity.
- Upgrade works that increase the capacity of an asset.
- Works designed to produce an improvement in the standard and operation of the asset beyond its original capacity.

"Council" means the elected council (comprising Elected Members) of the Shire of Wongan-Ballidu.

“Infrastructure Assets” are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Play Equipment.

“Level of Service” means the combination function, design and presentation of an asset. The higher the Level of Service, the greater to cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Life Cycle Cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing work necessary to keep asset operating and to achieve its optimum life expectancy. Maintenance may be preventative or reactive.

“Operations” means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“Operating Costs” have no effect on asset condition but are necessary to keep the asset properly utilised. It is the active process of utilising an asset and consumes resources such as manpower, energy, chemicals or materials.

“New” means works or acquisitions (including land purchase) that create an asset that did not exist in any shape or form, for the purpose of meeting additional service level requirements.

“Predictive Modelling” means the use of asset deterioration models and condition monitoring to predict failure and asset rehabilitation and renewal.

“Resources” means the combination of plant, labour and materials, whether they be external (contactors/consultants) or internal (staff/day labour).

“Renewal” means work to restore, rehabilitate, or replace and existing asset to its original equivalent capacity or performance capability. This may include the fitting of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use. This includes:

- The renewal and rehabilitation of existing assets to their original size and capacity.
- The replacement of the entire asset with the equivalent size or capacity.
- The replacement component of capital works that restores the assets to their original size and capacity.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire of Wongan - Ballidu organisation. The Chief Executive Officer of the Shire of Wongan - Ballidu is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

“Useful Life” means the period over which an asset is expected to be used.

POLICY

To achieve the policy objective, the Shire of Wongan - Ballidu is committed to ensuring that Asset Management is recognised as a major corporate function within Council and staff committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of Asset Management practices across the organisation with the major outcome being the adoption by Council of a Service & Asset Management Plan for the following classes of infrastructure assets;

- Roads
- Drainage
- Buildings
- Parks & Reserves
- Playground Equipment.

Service & Asset Management Plans will form part of the Shire’s day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing assets or dispose of existing assets to support service delivery.

Service & Asset Management plans will be prepared in accordance with the IPWEA’s International Infrastructure Manual recommended format and will include long term (20 year) financial modelling of the renewal profile of each asset class and will be underpinned by long term financial plans.

The Shire of Wongan - Ballidu has limited resources and is custodian of a large number of assets, many or which have reached or gone beyond their economic life.

In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
- Need for facility (short and long term);
 - Legislative requirements;

- Opportunities for rationalisation;
- Future liability including ultimate retention/disposal;
- Opportunities for multiple use;
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost ("whole of life" cost assessment).
- Manage its assets utilising a team approach supported by the multi discipline cross-functional asset management working group.
- Developing and implementing a 10 year "rolling" financial plan that incorporates those infrastructure renewal requirements as identified within various Service & Asset Management Plans.

The Shire of Wongan–Ballidu is committed to determining the Level of Service required for infrastructure assets in a collaborative manner with asset stakeholders.

RESPONSIBILITY AND REPORTING

Council - is responsible for approving (including amendments to) the following documents: -

- Asset Management Policy
- Asset Management Strategy
- Asset Management Plans
- Strategic Resource Plan
- Long Term Financial Plan

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to ensure that Council's AM Policy, AM Improvement Strategy, AM Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.

Service & Asset Management Working Group (SAMWG) – the SAMWG is made up of the Managers of the Shire of Wongan – Ballidu who may from time to time co-opt other staff from within the work force to assist them and is responsible for ensuring that Council's Asset Management Improvement Strategy is achieved, and that Service & Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's AM Policy, Improvement Strategy or Plans are identified, the SAM Working Group is responsible for reporting this to the CEO for consideration. Where aspects of Council's Policy, Improvement Strategy or Plans are not being achieved or adhered to, the SAM Working Group is responsible for reporting non-compliances to the CEO for corrective action. The Asset Management Working Group reports to the Finance and Audit Committee on all matters relating to Asset Management.

Deputy Chief Executive Officer/Manager Administration and Finance (DCEO/MAFS) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The Manager Administration and Financial Services reports to the CEO in relation to Asset Management resource allocation.

All Managers – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Working Group. All Managers report to the CEO on all matters relating to Asset Management under their area of control.

OUR COMMITMENT

Within our organisation, we will:

- Adopt a continuous improvement approach to asset management
- Undertake to provide an agreed level of service for all asset classes in an economically sustainable manner.
- Ensure budgeting priority be given to the maintenance and renewal of existing assets and services.
- Provide adequate resources to manage these assets in a cost effective and timely manner.
- Ensure assets are reviewed on a regular basis to ensure ongoing relevance and community need. Where no need is identified, assets will be rationalised.

As part of the Shire's consideration of asset management, we will undertake the following key steps:

- Develop and maintain industry standard asset management plans for all major asset classes and incorporate the results into the Shire's Long-Term Financial Plan (LTFP)
- Prior to consideration of any major works for renewal or improvement to an asset, undertake a critical review of the need for that asset.
- Consider the "whole of life" cost for all new assets and for any major renewal or improvements and ensure those costs are incorporated in the Shire's LTFP
- Where appropriate, involve and consult with the community and key stakeholders on determining levels of service
- Manage the Shire's assets utilising a multi discipline cross-functional Asset Management Continuous Improvement Team (AMCIT)
- Ensure asset information is accurate and current allowing informed decision making to occur.
- Allocate appropriate resources to ensure appropriate asset management practices can be undertaken including the timely maintenance and renewal or upgrade of those assets so that "life cycle" costs are optimised.
- Continually seek opportunities for multiple uses of assets.
- Implementation of asset management as an organisational philosophy that will be guided by the Asset Management Framework, Asset Management Continuous Improvement Strategy and Asset Management Plans.
- Develop and maintain an Asset Management Continuous Improvement Strategy to drive continuous improvement in asset management practices.

Related Documents

- Asset Management Policy
- Asset Management Strategy

- Asset Management Plans
- Strategic Resource Plan
- Long Term Financial Plan

RESPONSIBILITY

Elected Members are responsible for adopting the policy and ensuring that sufficient resources are applied to manage the assets.

The Chief Executive Officer has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.

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4.4 Contiguous Rating

Policy Owner	Audit, Finance and Risk Committee
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	07 February 2002 – Resolution 2406
Date of Last Review	

OBJECTIVE

To ensure that Council concurs with the Valuer Generals policy in regards to contiguous rating for Rural, Residential, Industrial, Commercial and other properties within the Shire and to ensure maximum land availability for both business and residential purposes whilst acknowledging that if properties are used and occupied as one they are entitled to be rated as one holding.

POLICY

That Council support the policies put in place by the Valuer Generals Office in regard to contiguous rating of land as follows:

Rural

Rural properties should be valued as one holding for rating purposes if they are:

- contiguous (touching, adjoining or adjacent), and;
- held in the same ownership, and;
- used for the same purpose.

Residential – Wongan Hills

Residential land within the Wongan Hills townsite, shall only be rated contiguously if:

- contiguous (touching or adjoining), and;
- held in the same ownership, and;
- used for the same purpose, fenced/landscaped as one, and;
- one or both of the lots are not being actively marketed or advertised for sale as able to be purchased individually.

Industrial/Commercial

Land used for business within the whole of the Shire may be rated contiguously to allow for the expansion of business, should the whole of the land be used for the purpose of carrying on that business and if;

- contiguous (touching or adjoining), and;
- held in the same ownership, and;

- used for the same purpose, fenced/landscaped as one, and;
- one or both of the lots are not being actively marketed or advertised for sale as able to be purchased individually.

Rural Townsite – Ballidu and Cadoux

Residential land within the townsites of Ballidu and Cadoux shall be allowed to be rated contiguously if;

- contiguous (touching or adjoining), and;
- held in the same ownership, and;
- used for the same purpose, fenced/landscaped as one, and;
- one or both of the lots are not being actively marketed or advertised for sale as able to be purchased individually.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

4.5 Insurance Excess – Buildings

Policy Owner	Administration and Financial Services
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	15 October 2005
Date of Last Review	23 August 2022 – Resolution 08082022

OBJECTIVE

To ensure that sporting and not-for-profit groups are not discouraged from making insurance claims due to high excess payable on Councils property insurance.

POLICY

Council is responsible for insuring all buildings on its Asset Register, with the Municipal Property Scheme which has an excess of \$1,000 on all claims. Sporting and not-for-profit groups will only pay the first \$500 of any excess payable on an insurance claim.

It is the responsibility of the group making the claim to submit all details of the claim to Council staff including:

1. Specific details of damage
2. Date of damage
3. Quotes for repair
4. Photos of damage
5. Police report NUMBER if applicable

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

4.6 Investment

Policy Owner	Administration and Financial Services
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	25 June 21014 – Resolution 050614
Date of Last Review	23 August 2022 – Resolution 08082022

OBJECTIVE:

To invest the Shire's surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

The objectives of the policy are threefold in terms of preservation of capital, liquidity and the return on investment.

- The preservation of capital is the primary objective of the Shire's investment to ensure the safety and security of the investment made in relation to the credit risk of the borrowers and interest rate on offer.
- The investment of the Shire's funds should ensure there is sufficient liquidity to meet the operational cash flow requirement as when they fall due without incurring additional cost to the Shire.
- The investment made should achieve a predetermined return on investment taking into account the market condition and risk profile of the borrowers.

LEGISLATIVE REQUIREMENTS

All investments are to comply with the following:

- *Local Government Act 1995* - Section 6.14
- *The Trustees Act 1962* - Part III Investments
- Local Government (Financial Management) Regulations 1996 - Regulations 19, 28 and 49
- Australian Accounting Standards

SCOPE

This policy applies to all officers involved in the investment of Council funds.

POLICY

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day-to-day management of Council's investment to senior finance staff subject to regular reviews.

Prudent Person Standard

Investments are to be managed with the care, diligence and skill that a “prudent person” (as derived by legislation, Trustees Act 1962, and case law) would exercise. Officers are to manage investments to safeguard the portfolio in accordance with the spirit of this investment Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council’s investments. Where there is a conflict of interest, it should be disclosed to the CEO as soon as possible.

Approved Investments

All investment must be denominated in Australian dollars. Without Council approval, investment of the Shire funds is limited to: -

- State/Commonwealth Government Bonds;
- Interest Bearing Deposits;
- Bank accepted/endorsed bank bills;
- Bank negotiable Certificate of Deposits; and

Prohibited Investments

This policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Standalone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

Risk Management Guidelines

Investments obtained are to comply with three key criteria (described below) relating to:

- Portfolio Credit Framework - to limit overall credit exposure of the portfolio
- Counterparty Credit Framework - to limit exposure to individual counterparties/institutions
- Term to Maturity Framework - limits based upon maturity of securities

a) Overall Portfolio Limits

To control quality on the entire portfolio, the following framework limits the percentage of the portfolio exposed to a particular credit rating category:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%

b) Counterparty Credit Framework

Exposure to an individual institution will be restricted by its credit rating so that single entity exposure is limited as detailed in the table below:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

If any of the investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Investments in Negotiable Bank Instruments are not to be greater than 12 months and investments in Guaranteed Government Bonds are not to be greater than 3 years.

c) Term to Maturity Framework

The following maturity constraints will apply under Section 19C of the Local Government (Financial Management) Regulations 1996.

Negotiable Bank Instruments Maturity Limits (Term Deposits)

Bank Instruments % < 3 months	100% Max
Bank Instruments % < 6 months	80% Max
Bank Instruments % < 9 months	60% Max
Bank Instruments % < 12 months	40% Max
Authorised Deposit Institution Limits	12 months
Non- Authorised Deposit Institution Limits	Not Allowed

Guaranteed Government Bonds Maturity Limits

Government Bonds % < 1 year	100% Max
Government Bonds % > 2 year	60% Max
Government Bonds % > 3 year	25% Max

Note: Authorised Deposit Institutions are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

Investment Guidelines

Municipal funds will be invested for short to medium terms, and reserve funds for medium to long terms. To maintain accountability and transparency, municipal funds and reserve funds are to be invested in separate accounts.

For the purposes of this policy:

- "Long term" refers to a term of up to 12 months or more.
- "Medium term" refers to a term of up to 6 months.
- "Short term" refers to liquid investments (at call) or up to 3 months or less that is readily convertible to cash with no impairment to the original value of the investment.

Appendix B - Investment Policy checklist from Local Government Operational Guidelines - Number 19 - Investment Policy (February 2008) shall be used to assess each new investment. The form shall be retained as evidence. Three quotes will be obtained when investing any funds. Once the rate is finalised the investment must be approved by two signatories to the bank account.

Investment Strategy

An Investment Strategy will run in conjunction with this investment policy. The investment strategy will be presented to Councils Finance Committee every six months. The Strategy will outline:

- Council's cash flow expectations
- Optimal target allocation of investment types, credit rating exposure, and term to maturity exposure and
- Appropriateness of overall investment types for Council's Portfolio

Investment Advisor

Any Investment Advisor be appointed must be approved by Council and be licensed by the Australian Securities and Investment Commission. The advisor appointed must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

Approved Borrowers

The following are approved by Council as financial institutions in which the Shire's funds may be invested.

- Westpac Banking Corporation (WBC)
- Australia and New Zealand Bank (ANZ)
- Commonwealth Bank of Australia (CBA)
- National Australia Bank (NAB)
- St George Bank
- Bankwest of WA

From time to time, new parties emerge wanting to participate in the Shire's investment program they will be assessed, evaluated and recommended to Council for approval. Their inclusion in the above listing is subject to approval by the Council.

Reporting and Review

A monthly report must be provided to Council detailing the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value (if applicable). The report will also detail investment income earned against budget.

Documentary evidence must be held for each investment and details thereof maintained in an investment register. For audit purposes, certificates will be obtained from financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

This policy should be reviewed if there is a marked change in the economic landscape affecting financial markets and interests and / or if there are state or federal legislative changes affecting the movement and investment of Council funds.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

4.8 Purchasing and Procurement

Policy Owner	Finance, Audit and Review Committee
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	24 June 2020 – Resolution 070620
Date of Last Review	24 June 2020 – New Policy

OBJECTIVE

- To provide compliance with the *Local Government Act 1995* and the Local Government Act (Functions and General) Regulations, 1996 (as amended in September 2015).
- To deliver a best practice approach and procedures to internal purchasing for the Local Government.
- To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.

POLICY

Refer Below.

NB: This policy also needs to be cross referenced to "Regional Purchasing Policy".

OBJECTIVES

- To provide compliance with the *Local Government Act 1995* and the Local Government Act (Functions and General) Regulations, 1996 (as amended in September 2015).
- To deliver a best practice approach and procedures to internal purchasing for the Local Government.
- To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.
- To mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers.

CROSS REFERENCE TO EXISTING POLICIES

Officers, please note the existence of the Councils adopted 'Regional Purchasing Policy' in applying this policy.

WHY DO WE NEED A PURCHASING POLICY?

The Local Government is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Local Government with a more effective way of purchasing goods and services.

- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Local Government receives value for money in its purchasing.
- Ensures that the Local Government considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Local Government is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Local Government's purchasing practices that withstands probity.

ETHICS & INTEGRITY

All officers and employees of the Local Government must have regard for the Code of Conduct and shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Local Government.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Local Government by a supplier shall be treated as commercial- in-confidence and should not be released unless authorised by the supplier or relevant legislation.

VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Local Government. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.

- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Local Government's sustainability objectives.

Practically, sustainable procurement means the Local Government shall endeavour at all times to identify and procure products and services that:

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

PURCHASING VALUE DEFINITION

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of the contract over the full contract period, including all options to extend, or the extent to which it could be reasonable expected that the Shire of Wongan-Ballidu will continue to purchase a particular category of good, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold

is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.

3. Must incorporate any variation to the scope of the purchase and be limited to a 25% tolerance of the original purchasing value.

PURCHASING VALUE DEFINITION

Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be: -

Amount of Purchase (Exc. GST)	Purchasing Requirement
Up to \$10,000	<p><u>Direct purchase from suppliers, requires at least one (1) oral or written quotation from a suitable supplier.</u></p> <p>Where the value of procurement of goods or services does not exceed \$10,000, one (1) oral or written quotation is permitted, from;</p> <ul style="list-style-type: none"> ▪ the open market. <p>It is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.</p> <p>Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains a sample form for recording verbal quotations</p>

Amount of Purchase (Exc. GST)	Purchasing Requirement
\$10,001 - \$50,000	<p><u>Obtain at least two (2) verbal or written quotations from suppliers following a brief outlining the specified requirements, from;</u></p> <p>the open market.</p> <p>Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains sample forms for recording verbal and written quotations.</p> <p>Where two (2) written or verbal quotes have been requested and less than two (2) have been received by the specified time, then it is deemed that two (2) written or verbal quotes have been received.</p>
\$50,001 - \$100,000	<p><u>Obtain at least two (3) written quotations from suppliers following a brief outlining the specified requirements, from;</u></p> <p>the open market.</p> <p>Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains sample forms for recording verbal and written quotations.</p> <p>Where three (3) written have been requested and less than three (3) have been received by the specified time, then it is deemed that three (3) written or verbal quotes have been received.</p>

Amount of Purchase (Exc. GST)	Purchasing Requirement
\$100,001 - \$249,999	<p><u>Obtain at least three (3) written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations), from;</u></p> <p>the open market.</p> <p>NOTES: The general principles relating to written quotations are;</p> <ul style="list-style-type: none"> • An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion. • The request for written quotation should include as a minimum: <ul style="list-style-type: none"> ▪ Written Specification ▪ Selection Criteria to be applied ▪ Price Schedule ▪ Conditions of responding ▪ Validity period of offer • Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond. • Offer to all prospective suppliers at the same time any new information that is likely to change the requirements. • Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented. • Respondents should be advised as soon as possible after the final determination is made and approved. <p>The Local Government Purchasing and Tender Guide has a series of forms including a Request for Quotation Template which can assist with recording details. Record keeping requirements must be maintained in accordance with record keeping policies.</p> <p>For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.</p>
\$ 250,000 and above	<p>Conduct a public tender process per the <i>Local Government Act 1995</i>.</p>

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

The above model confines thresholds are determined purely on dollar values; however, the regulations also allow quotation criteria to be set for different types of goods or services, suppliers, contracts or any other thing that the Local Government considers appropriate.

Community Groups

Where a Community Group within the Shire, in the opinion of the Chief Executive Officer, is capable of undertaking works for the Shire, then the Chief Executive Officer, subject to the tender threshold, is able to engage the Community Group to undertake the supply of Goods or Services.

Local Supply

Where the supply of goods or services can be undertaken by a business that has a registered address in the Shire of Wongan-Ballidu or in an adjoining district and it is for the supply where in the opinion of the Chief Executive Officer that is not practical to obtain the required quotations as outlined above, The Chief Executive Officer may approve the purchase.

REGULATORY COMPLIANCE

Tender/Purchasing Threshold Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the *Local Government Act 1995*;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

Tender Criteria

The Local Government shall, before tenders are publicly invited, determine in writing the criteria for deciding

which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For Requests with a total estimated (Ex GST) price of:

- Between \$50,001 and \$249,999, the panel must contain a minimum of 2 members; and
- \$250,000 and above, the panel must contain a minimum of 3 members.

Advertising Tenders

Tenders are to be advertised in a state-wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
- such information as the local government decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the local government has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Local Government not to compromise its Duty to be Fair.

Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

Opening of Tenders

No tenders are to be removed from the tender box or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Local Government Officers present at the opening of tenders.

No Tenders Received

Where the Local Government has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,001 & \$249,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

Tenders that have not been rejected shall be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Local Government may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Local Government and tenderer have entered into a Contract, a minor variation may be made by the Local Government.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained.

For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Local Government's.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer and all designated purchasing officers are responsible for ensuring that this policy is carried out.

4.9 Debt Collection (Rates and Sundry Debtors)

Policy Owner	Administration and Financial Services
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	01 February 2005 – Resolution 040906
Date of Last Review	26 October 2022 Resolution 061022 – Amendment

OBJECTIVE

The purpose of this policy is to outline the Shire of Wongan-Ballidu's process for efficient and effective management of outstanding Rates and Sundry Debtor Accounts.

POLICY SCOPE

The Shire of Wongan-Ballidu will exercise its debt recovery powers, as outlined in Part 6 of the Local Government Act 1995, in order to reduce the overall debt burden on ratepayers. It will be guided by the principles of:

- ensuring that debt collection procedures are carried out in a fair and equitable manner;
- making the processes used to recover outstanding debt clear, simple to administer and cost effective;
- transparency by making clear the obligations of its ratepayers and sundry debtors to the processes used by Council in ensuring that they meet their financial obligations;
- equity by having regard to providing the same treatment for ratepayers and sundry debtors with similar circumstances;
- flexibility by responding where necessary to changes in the local economy;
- ensuring the Shire of Wongan-Ballidu is compliant with all regulatory obligations;
- promoting effective governance and definition of roles and responsibilities;
- upholding recognition from the public and industry for the Shire of Wongan-Ballidu practices that withstand probity.

Definitions

Debtor an individual, organisation or other party that transacts with the Shire where goods or services are provided, use of facilities are made available, fines and license fees are levied and any other transaction that results in an expected future payment to the Shire.

General Procedure Claim (GPC) means the claim lodged with the Magistrates Court where the value of the claim or the relief claimed does not exceed \$75,000.

Property Seizure and Sale Order (PSSO) is a court order that authorises a bailiff to seize and sell as much of the judgment debtor's real or personal property as necessary to satisfy the judgment debt wholly or partially.

Financial Hardship A person in a situation of vulnerability may have low income or, as a result of their circumstances, be experiencing a financial shock, leading to difficulties in paying rates by the due date. This can take the form of 'payment difficulties' or 'financial hardship'.

POLICY

1. Recovery of Sundry Debtor Accounts

The recovery of outstanding sundry debtors will be collected in a fair and timely manner. Sundry debts are due for payments 21 days from date of issue. The process for sundry debt collection is as follows:

- (a) Sundry debtors will be issued an invoice as soon as possible after the amount is known, providing 21-day payment terms.
- (b) Statements will be issued to all sundry debtors within five (5) working days of the start of each month, as a reminder for all outstanding amounts owing to the Shire.
- (c) At the end of each month, invoices that are overdue will be followed up by a phone call and email to the sundry debtor, requesting immediate payment is made.
- (d) If, after 14 days no payment has been received, a statement with final notice of account and a copy of the outstanding invoices will be sent by post to the debtor.
- (e) If, after 7 days no payment has been received, communication will be issued advising that legal action may be taken without further warning should the debt remain outstanding for a further 7 days.

Where the customer fails to pay in full by the expiry of the period defined above, credit may be suspended, or services limited, and legal action may be commenced.

2. Recovery of Rate and Service Charges

The recovery of outstanding rates will be collected in a fair and timely manner. Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995*.

Amounts that remain outstanding past the prescribed due date may have interest applied, up to a maximum interest rate as legislated and imposed annually by Council as part of the Annual Budget. Interest is calculated on the number of days from the due date of payment until the day the payment is received by the Shire of Wongan-Ballidu. This includes overdue amounts where the rate payer has elected to pay by an instalment option.

Accounts unpaid by the due date shown on the Rate Notice

Where accounts remain outstanding after the prescribed due date, a Final Notice shall be issued requesting full payment within fourteen (14) days (this to be commenced within two weeks of accounts falling due).

If payment has not been received after the 14-day period prescribed on the Final Notice, the rates debtor will be contacted, and requested to make payment in full.

Accounts that remain outstanding after the above process has been carried out will be issued with a Final Demand Letter requesting full payment within seven (7) days (to be commenced within a week of accounts falling due).

Accounts with eligible persons registered to receive a pensioner or senior rebate under the Rates and Charges (Rebates and Deferments) Act 1992 will not be subjected to the above recovery process, however those accounts with service charges or rates that are unable to be deferred (Seniors) from the previous year will be subject to a communicate requesting payment of overdue charges.

Accounts unpaid after the expiry date shown on the Final Demand

Where amounts remain outstanding after the expiry date shown on the Final Demand and no communication has been entered into, recovery action will commence.

Accounts will be sent to the Shire's debt collection agency for issuance of a Final Demand (Agency Letterhead) with a due date of fourteen (14) days. The demand is to be issued by mail and email (if an email exists). Those accounts with existing action carried over from the previous year will receive a demand from the Shire's solicitors.

Seizure of Rent for Non-Payment of Rates

Where the property owner of a leased or rented property on which Rates and Service Charges are outstanding cannot be located or refuses to settle Rates and Service Charges owed, a Notice may be served on the lessee or tenant under the provisions of Section 6.60 of the Local Government Act 1995 requiring the lessee or tenant to pay to the Shire the rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid. The Shire will not be liable for the maintenance and repairs of the property whilst seizing the rent from the property owner.

Options to recover rates debt where rates remain unpaid

Under the guidance of the Shire's debt collection service provider, legal action may be undertaken to recover outstanding rates and charges. This action may include General Procedure Claims and Property Seizure and Sale Orders (Goods). Any costs incurred in undertaking legal action in a Court of competent jurisdiction are recoverable from ratepayers under section 6.56 of the Local Government Act 1995.

Options to recover rates debt where rates are in arrears for in excess of three (3) years.

Lodging a Caveat on the Title for Land

If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years a caveat may be registered on the title for the land, under the provisions of Section 6.64 (3) of the Local Government Act 1995. The approval of Council is required before this course of action is undertaken.

Sale of Property

If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years, Council may take possession of the land under the provisions of Section 6.64 of the Local Government Act 1995. The approval of Council is required to be obtained before this course of action is undertaken.

3. Write off Debts

The power to write off debt is contained in the Local Government Act 1995, under section 6.12(1)(c). The local government may write off any amount of money which is owed to the local government. This requires a resolution of Council. All debt write offs will be presented to Council prior to writing the debt off.

4. Financial Hardship

While evidence of hardship will be required, the Shire recognises that not all circumstances are alike. The Shire will consider a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment.
- Sickness or recovery from sickness.
- Low income or loss of income.
- Unanticipated circumstances such as caring for and supporting extended family.

Ratepayers will be required to provide information about their individual circumstances that may be relevant. This includes demonstrating a capacity to make some payment where possible and entering into a formal payment arrangement. The Shire will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with all statutory responsibilities.

Where a ratepayer meets the Financial Hardship Criteria, payment arrangements will incur a \$0 administration fee and the Shire reserves the right to waive late penalty interest, excluding the late payment interest and Service Charges applicable to the Emergency Services Levy.

The Shire will suspend debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Shire and makes an alternative plan before defaulting on the 3rd due payment, then the debt recovery process will continue to be suspended.

5. Payment Arrangements

Payment arrangements are facilitated in accordance with Section 6.49 of The Local Government Act 1995 and will be offered to rate payers in circumstances evident of financial hardship. A payment arrangement must be negotiated to reflect a ratepayer's capacity to repay outstanding rates and contain the details of the agreed repayment schedule.

These payment arrangements will include the following:

1. It is the responsibility of the ratepayer to ensure that the agreed payment amounts are paid on or before the agreed due date.
2. The Shire of Wongan-Ballidu requires full payment of the outstanding rates by the end of the financial year.
3. If a ratepayer requires an extension on this timeframe an end date must be negotiated and approved by the Deputy Chief Executive Officer.

4. The ratepayer will be responsible for informing the Shire of any change in circumstance that jeopardizes the agreed repayment schedule.

For the purpose of recovering rates and service charges, where a ratepayer defaults on more than two repayments, the payment arrangement will become void and be subject to the Shire's debt recovery procedures outlined in this policy.

6. Supplementary Provisions

- a. All costs involved in recovery actions (including legal proceedings) will be charged against the property and deemed recoverable;
- b. At the end of each month, any amount owing less than \$1.00 will be classified as a small balance and subsequently written off;
- c. Overpayments are to be credited against future years rates accounts, ratepayers can only pay up to a maximum of one financial year of rates billing in advance;
- d. Any interim rates that are calculated at less than \$15.00 is not to be charged to the assessment.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for the implementation and operation of this policy.

4.10 Regional Purchasing

Policy Owner	Finance, Audit and Review Committee
Person Responsible	Chief Executive Officer
Date of Adoption	19 February 2004 – Resolution 9.4.1
Date of Last Review	26 October 2022 – Resolution 061022 – No change

OBJECTIVE

The Shire is committed to maximising opportunities for the economic development of business and industry in the Shire.

The Shire has a responsibility to achieve value for money in its procurement of goods and services.

POLICY

Preamble

The Local Government (Functions and General) Regulations 1996 provide opportunity for local government to establish Regional Price Preference.

This policy should be considered and is related to the Purchasing & Procurement policy.

This preference provides the opportunity for local authorities to apply a percentage reduction to tenderers for goods and/or services as follows:

- Up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000;
- Up to 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or
- Up to 10% - where the contact is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Regional Preference can include any area but must include the entire district of the local government and cannot include a part of the Metropolitan Area.

Statement of Intent

The Shire of Wongan-Ballidu intends to utilise this policy to be known as the 'Shire of Wongan- Ballidu Regional Price Preference Policy' for the acquisition of goods and services where deemed possible.

The purpose of this policy is to maximise potential expenditure arising from the Shire of Wongan- Ballidu to the community and to businesses located in the Shire, and in other areas as defined as the region, for the purposes of this policy.

In undertaking the development of this policy, the Shire is attempting to maximize the commercial viability of businesses with its' community and to provide maximum opportunity for the creation of locally or regionally based employment.

The Shire is committed to increasing and promoting a sustainable community. To achieve this, where practical, the Shire will endeavour to support business and industry within the Shire.

Issues

Value for money is an important consideration in the determining of contracts and purchasing of goods and services. Purchasing decisions will be based on the total cost of the product over its serviced life, considering factors such as quality, service standards, timely delivery, local back up, benefits and risk.

Suppliers within the Shire can actively seek business with the Shire by:

- Actively promoting goods and services to the Shire of Wongan-Ballidu;
- Offering competitive prices, the first time;
- Supplying quality goods and services; and
- Seeking information about proposed purchases to be made by the Shire of Wongan-Ballidu.

Where practical, the Shire shall seek to support business and industry within the Shire. The Shire will ensure that businesses and industry within the Shire have every opportunity to bid for and where competitive, supply the required needs. As part of considering value for money decisions, the benefits of purchasing goods and services from local suppliers shall be considered.

In considering a value for money decision, the following considerations will be included when analysing purchasing from local business and industry:

- *Local Government Act 1995* tender regulations;
- National Competition Policy principles;
- *Trade Practices Act*;
- The social and economic impact of major contract decisions on local businesses;
- Possible flow on effect to local businesses;
- The potential for local product demonstrations and references, with consequently reduced risk in the decision-making process;
- More convenient communications and liaison;
- Local backup, spare parts, warranty and quality of servicing;
- Ability of local businesses to meet specified time frame;
- Benefits in attracting more business to the Shire, thereby increasing economic activity;
- Assists in increasing employment in the region;
- Conformity with tender bid requirements; and

- Ability to meet the Shire needs.

The Shire will support and assist local business and industry by:

- Recognising the benefits of purchasing from local business and industry;
- Advertising all tenders and expressions of interest locally; and
- Where requested, provide feedback to unsuccessful tenderers highlighting how bids can be improved to be more competitive.

Definitions

Region A – is to be understood as that area defined as the Shire of Wongan-Ballidu.

Region B – is to be understood as that area as identified by the local authority boundaries of Goomalling, Koorda, Moora, Dalwallinu, Dowerin and Victoria Plains.

Application

Whilst the Local Government (Functions and General) Regulations 1996, provide specific powers for local government to create Regional Preference for tenderers, the Shire has chosen to expand this application to include the provision of as many services as possible, where such services are supplied by regional organisations or individuals. These additional services, supplied direct to the Shire, will be coordinated through the use of short-term contractual arrangements.

This policy will be referred to within the body of this contract and any advertising undertaken seeking expressions of interest for this supply of service, and all suppliers will be made aware of the existence of this policy and the manner in which it will applied.

This policy whilst being used to assess Regional Tendering or supply of goods or services, will not necessarily determine the outcome of any tender or expression of interest. The Shire of Wongan- Ballidu advises that price is to be only one of the factors by which the Shire will assess tenders and expressions of interest as received.

Statement of Policy

In accordance with the Local Government (Functions and General) Regulations 1996, the Shire of Wongan-Ballidu has created a policy to provide Regional Purchasing Preference to regional and local suppliers of goods and services.

This policy has been created to maximise the commercial viability of businesses within its' community and to provide maximum opportunity for the creation of locally or regionally based employment.

This policy will be applied as follows for the provision of all goods and services to the Shire (when so indicated in advertising or contract documentation):

Tenders Region A Only

Regional Preference will be provided to tenderers by assessing the tender from that regional tenderer as if the bids were reduced by: -

Part 1:

- 10% - where the contract is for goods or services, up to a maximum price reduction of \$10,000.
- 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$5,000.
- 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$50,000, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Part 2:

Although goods or services that form a part of a tender submitted by a tenderer (as per definitions on page 2 of this policy) may be:

- Wholly supplied from regional source; or
- Partially supplied from regional sources, and partly supplied from non-regional sources.

Only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender when a regional price preference policy is in operation.

Region B Only

Regional Preference will be provided to tenderers by assessing the tender from that regional tenderer as if the price bids were reduced by: -

Part 1:

- 5% - where the contract is for goods or services, up to a maximum price reduction of \$5,000.
- 2.5% - where the contract is for construction (building) services, up to a maximum price reduction of \$2,500.

Part 2:

Although goods or services that form a part of a tender submitted by a tenderer (as per definitions on page 2 of this policy) may be:

- Wholly supplied from regional sources; or
- Partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender when a regional price preference policy is in operation.

Supply of Goods and Services (other than by tender)

Regional Preference will be provided to suppliers of goods and services by assessing the expressions of interest received on contracts to supply, from that regional price provider, as if the price bids were reduced by: -

Region A Only

- 10% - where the contract is for goods or services up to a maximum price reduction of \$1,000.
- 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$1,000.

Region B Only

- 5% - where the contract is for goods or services, up to a maximum price reduction of \$1,000.
- 2.5% - where the contract is for construction (building) services, up to a maximum price reduction of \$500.

In utilising this Regional Price Preference, the Shire will refer to the existence of this policy and its method of application within the body of any contract or expression of interest documentation and any advertising undertaken seeking expressions of interest.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer and relevant Managers are responsible for ensuring that this policy is carried out.

5. GOVERNANCE

5.0 Governance Framework

Policy Owner	Governance
Person Responsible	Chief Executive Officer and Shire President
Date of Adoption	23 August 2023 – Resolution 100823 – New Framework
Date of Last Review	



GOVERNANCE FRAMEWORK

1. Introduction

While good governance doesn't guarantee success, poor governance guarantees failure.
John McKechnie QC, CCC Commissioner

Good governance is about the processes for making and implementing decisions. It is not about making "correct" decisions, but about the best possible process for making those decisions.

Good decision-making processes have a positive effect on various aspects of local government including consultation policies and practices, meeting procedures, service quality processes, elected member and employee conduct, role clarification and good working relationships.

Good governance leads to good management, good performance, good stewardship of public money, good public engagement and ultimately good outcomes for residents and service users. Good governance enables Shire of Wongan-Ballidu to pursue its vision effectively as well as underpinning that vision with mechanisms for control and the management of risk.

This Governance Framework examines the principles and practices of good governance at the Shire of Wongan-Ballidu.

2. Definitions

Term	Meaning
Act	The <i>Local Government Act 1995</i> .
Administration	The employees and contractors of the Shire of Wongan-Ballidu
CCC	Western Australia's Corruption and Crime Commission
CEO	The Chief Executive Officer, who is the most senior employee in the organisation. The CEO is appointed by and directly accountable to the Council.
Community	The entire population within the Shire of Wongan-Ballidu district. It includes those who work or invest in the district or visit the area for recreational or similar reasons.
Committee member	A member of a committee appointed by the Council but does not include an elected member.
Council	The elected members meeting as a Council under the Act.
Councillor	An individual elected member.
Committee	A Committee of Council established by the Council under the Act and constituted of elected members, employees and/or members of the public.
Council meeting	A meeting of Council conducted in accordance with the Act.
CPA Australia	Certified Practising Accountants of Australia
District	The area of the State prescribed by legislation that a local government is required to control.
Elected member	The Shire President, Deputy Shire President and Councillors of the Shire.
Local government	A body corporate established under the Act.
Regulations	The <i>Local Government (Administration) Regulations 1996</i> .
Senior Management Group	The CEO and Senior Officers. Can be abbreviated as SMG.
Senior Officer	A senior position in the organisation engaged by and directly responsible to the CEO.
Shire	The local government of the Shire of Wongan-Ballidu. Includes the Council and the administration.
Shire employees	People employed by the CEO to undertake activities to achieve the objectives of the Shire of Wongan-Ballidu.
Shire President	Elected member elected by the Council from amongst elected members.
Strategic Community Plan	The overarching plan that provides strategic direction for all activities and guides the development and provision of the Shire's services and programs.

3. Local Government Defined

Local government in Western Australia is established under the Act and is the third sphere of government in Australia. Local government has legislative responsibility for many functions and activities that are relevant to a local community. As the level of government often seen as the 'closest' to the community, local government activities relate to matters that are fundamental to people's lives and impact strongly on their quality of life.

Under section 2.5 of the Act each local government throughout the state is established as a corporate body, with perpetual succession and a Common Seal. It has the legal capacity of a natural person which means that it can sue and be sued. However, the State government may dissolve, suspend or amalgamate local governments and may override Council decisions.

2.5. Local governments created as bodies corporate

- (1) When an area of the State becomes a district, a local government is established for the district.
- (2) The local government is a body corporate with perpetual succession and a common seal.
- (3) The local government has the legal capacity of a natural person.
- (4) The corporate name of the local government is the combination of the district's designation and name.

Example:

City of (*name of district*)

- (5) If the district's name incorporates its designation, the designation is not repeated in the corporate name of the local government.

Example:

district's name : Albany (Town)

corporate name : Town of Albany

- (6) Proceedings may be taken by or against the local government in its corporate name.

A local government consists of a Council – the Shire President and Councillors are the Shire's elected members and form the Council, and an organisation – consisting of the CEO and employees.

In accordance section 2.7 of the Act, Council's role is to govern the local government's affairs and be responsible for the performance of the local government's functions. Council must oversee the allocation of the local government's finances and resources and determine the local government's policies.

The following principles apply:

- Elected Members are able to exercise decision-making authority as a member of Council after they are elected and formally sworn in and when they meet as a Council.
- All lawful decisions are made at Council meetings or through delegations that are formally made by Council to the CEO (or a committee). The CEO can also sub-delegate his/her decision-making authority to other employees.

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

[Section 2.7 amended: No. 17 of 2009 s. 4.]

The CEO is the only employee appointed by Council and is therefore ultimately accountable to Council. The role of the CEO is detailed in section 5.41 of the Act.

All Shire employees are accountable to the CEO.

5.41 . Functions of CEO

The CEO's functions are to —

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) *cause council decisions to be implemented; and*
- (d) *manage the day to day operations of the local government; and*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO*

3.1 Functions of Local Government

In order to understand good governance in the context of local government, it is necessary to understand the functions of local government, including the following:

Strategic Planning

Planning for the development and wellbeing of the community is a critical role for a local government. The Act requires local governments to develop and adopt a “plan for the future”, consisting of two key documents - Strategic Community Plan and Corporate Business Plan – which are informed by resourcing and delivery strategies such as the Long-Term Financial Plan, the Workforce Plan and Asset Management Plan. These plans drive the development of the local government’s annual budget and provide the direction for the ongoing management of Shire activities.

Lawmaking and enforcement

Local government makes decisions in areas over which it has legislative authority but cannot duplicate or contradict state or federal law. Laws made by local governments are called local laws and cover such issues as the activities permitted on public land, animal management and use of local government infrastructure. Local laws are enforced by Shire employees.

Local government is also responsible for administering and enforcing state legislation under which it has authority, such as the *Local Government Act 1995*, *Building Act 2011*, *Planning and Development Act 2005*, *Dog Act 1976*, *Cemeteries Act 1986*, *Bush Fires Act 1954*, *Cat Act 2011*, *Caravan Parks and Camping Grounds Act 1995* etc. and associated regulations.

Decisions made by local government must be based on relevant considerations and facts, be procedurally fair and follow the principles of natural justice.

Stewardship of public assets

Effective stewardship of public assets is a key element in ensuring that local government optimises the use of its financial, physical and intellectual resources for the benefit of its residents and ratepayers.

Policy development

An important role of Council is to make policy decisions on behalf of the community, in accordance with its role of providing strategic direction. An essential element of policy making is identifying community needs, setting objectives to meet those needs, establishing priorities between competing needs and allocating appropriate resources. A policy is a decision of Council and sets out agreed views and direction concerning a particular area of responsibility.

Representation

Elected members represent the interests of and are accountable to all electors, which encompasses ratepayers and residents of the Shire.

Advocacy

Local governments have a role advocating on behalf of their community to state and federal levels of government, statutory authorities and private interests whose activities may have an impact on the community.

Service delivery

Local governments must ensure that services are delivered in the most efficient and effective manner. The Act provides a degree of autonomy to local governments to determine policies, in consultation with their community, about the nature and level of services provided. A local government should ensure the equitable delivery of quality services for which it has responsibility.

3.2 Community Defined

When discussed in connection with good governance the term “community” is often used as if it is a homogenous entity and assumes that there is a single community interest, community demand or community need.

The population of the Shire of Wongan-Ballidu consists of a diverse range of communities, for example, the resident community, the business community, the visitor community, the seniors community, youth community, indigenous community etc.

Often these various communities do not share the same aspirations, goals and interests. One of the challenges for local government is how to govern so that different and often competing interests are recognised, addressed and managed.

When “community” is referred to in this Framework, it means all groups, individuals and interests represented within the Shire of Wongan-Ballidu.

4. Governance in Local Government

4.1 Definition of Governance

Whilst the definitions of governance can vary between the public and private sector, CPA Australia in its publication *“Excellence in Governance for Local Government”* defines governance as follows:

“Governance is the process by which decisions are made and implemented; the process by which organisations go about achieving their goals and producing their outputs and the process by which organisations are directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, ethics, values and culture within the organisation.”

Excellence in governance occurs when it is underpinned by accountability, integrity and openness. It involves a focus on clarity of roles and responsibilities, robust systems which support both internal and external accountability and public access to decision-making and information" (CPA 2005).

4.2 Good Governance in Local Government

Shire of Wongan-Ballidu plays a key role in leading its community as well as ensuring the delivery of high quality services to its community. Good governance is important for several reasons: it not only gives the local community confidence in its Council, but it also improves the faith that elected members and employees have in their own local government and its decision-making processes.

Characteristics of Good Governance

Accountable

Local government has an obligation to report, explain and be answerable for the consequences of decisions it makes on behalf of the community it represents.

Transparent

The community should be able to follow and understand the decision-making process and the reasons for the decision.

Follows the Rule of The Law

Decisions are consistent with legislation and are within the powers of Council.

Responsive

Local government should always try to serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Equitable and Inclusive

Community members should be satisfied that their interests have been considered with opportunities provided for all to participate.

Effective and Efficient

Includes developing the capacity and capability of elected members to be effective and ensuring employees have the capacity and capability and are provided the opportunity to deliver effectively.

Participatory

Anyone affected by or interested in a decision should have the opportunity to participate in the process for making that decision.

Benefits of Good Governance:

- Promotes community trust and confidence;
- Leads to better decisions for the benefit of the community;
- Encourages elected members and Shire officers to be confident;
- Helps the Shire to meet its legislative responsibilities;
- Supports ethical decision making.

5. Governance Principles

For the purposes of the Shire of Wongan-Ballidu's *Governance Framework*, the principles contained in the 'Excellence in Governance in Local Government' developed by CPA Australia have been adopted. The principles provide the foundation for good governance and a means for assessing the extent to which good governance is applied at the Shire.

Principle 1 - Culture and Vision

There is a clear **vision** and a *Strategic Community Plan* that is produced through a comprehensive and inclusive process, which is owned by all sectors of the community.

There is a positive **culture** and value system in place that promotes trust, openness and honesty, in which constructive and respectful questioning is encouraged and accountability is clear.

Principle 2 - Roles and Relationships

There is clarity about the roles of local government and there exists a sophisticated approach to defining and implementing these.

There are effective working relationships that are promoted and supported within and between the Shire President, Councillors, Chief Executive Officer and employees.

Principle 3 - Decision-Making and Management

There are effective **decision-making processes** in place that reflect the transparency and accountability which underpin excellence in governance.

There should be robust and transparent **financial management** established and maintained to meet Shire's accountability to its stakeholders, particularly in terms of stewardship of community assets, both now and into the future.

An effective approach to the identification, assessment, monitoring and **management of risks** should be established and maintained.

Effective **delegations** should be implemented and maintained to enable Council to focus on strategic issues.

Principle 4 - Accountability

Local government must account for its activities and have systems and processes that support this **accountability**.

There should be an active **performance management** system in place that enables elected members and the administration to be openly accountable for their performance.

Local governments should establish internal structures that provide for **independent review** of processes and decision-making to assist the Council to meet its accountability to stakeholders.

Consultation should be undertaken that is appropriate to the scope and potential impact of the matter. It should respect the position and opinion of all stakeholders. The outcomes of the consultation should be taken into account when the decision is made and feedback should be provided to those who participated.

6. Principle 1 – Culture and Vision

6.1 Vision

In accordance with section 5.56 of the Act and regulations 19C – 19D of the *Local Government (Administration) Regulations 1996*, the Shire is required to implement an Integrated Planning and Reporting Framework. This involves the development of three key documents and other informing strategies that reflect the priorities and vision of the community.

5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

The **Strategic Community Plan (SCP)** outlines the strategic directions and priorities for action over a ten year period. Developed with the input of the community, Elected Members and Shire officers, the Plan articulates the community's vision and values.

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *(a) In making or reviewing a strategic community plan, a local government is to have regard to—
the capacity of its current resources and the anticipated capacity of its future resources; and
(b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
(c) demographic trends.*

- (6) *Subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

The *Long Term Financial Plan (LTFP)* outlines how the priorities outlined in the SCP will be financed over the ten year period. The Shire's *Corporate Business Plan (CBP)* is a business planning tool that translates Council's priorities into operations within the resources available and informs the annual budget process.

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*

- (4) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (5) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- *Absolute majority required.*
- (6) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

The Shire of Wongan-Ballidu Plans contain the following:

Vision: Inclusive communities and thriving places, offering a vibrant future for all.

Mission: To provide the foundations for community and business to lead and flourish into the future.

Community Values: We value highly:

- Professionalism
- Empowerment
- Resourcefulness
- Integrity
- Diversity

6.2 Culture

A positive culture promotes openness and honesty, makes accountability and responsibility clear and encourages debate on important issues. It assists the organisation to retain high calibre employees who want to work and participate in the activities of the Shire.

6.2.1 Organisational Values

The following values are characteristic of a positive culture:

Professionalism	<ul style="list-style-type: none"> • We get things done in a timely and thorough manner. • We maintain a positive attitude and demeanour. • We are flexible and cooperative. • We are organised and punctual. • We listen diligently. • We respect the privacy and boundaries of others. • We communicate and share information ineffectively, openly and thoroughly.
Resourcefulness	<ul style="list-style-type: none"> • We contribute actively to new ideas and ways of doing things. • We constantly look for ways to do things more effectively. • We have mindsets that encourages us to find a way through our problems. • We plan carefully and avoid waste. • Asking for help is not a weakness but a sign of a resourceful individual. • We are not afraid to operate outside our comfort zone to discover the best for ourselves and our organisation. • We are fluid and flexible in our working arrangements, bringing the best teams together to get the job done.
Integrity	<ul style="list-style-type: none"> • We serve with honesty, pride and loyalty. • We engender trust in our colleagues and those we serve. • We are responsible for our own actions and accountable for our mistakes. • We practice and encourage open and honest communication. • We lead by example and live our values. • We respect other's opinions, even if we don't agree with them.
Diversity	<ul style="list-style-type: none"> • We value diversity in our community our team, our ideas, experience and skills. • We are agile in the face of change. • We recognise that every team member contributes to our success. • We are forward thinkers.
Empowerment	<ul style="list-style-type: none"> • We empower others by being respectful and non-judgemental. • We value each other's skills and abilities. • We focus on individual strengths and abilities. • We support and encourage involvement in decision making. • We provide objective feedback in a supportive, non-critical way.

6.2.2 Ethical Behaviour and The Code of Conduct

For people to have faith in those who govern and participate in the governance process, they must have trust that governments are acting for the common good. They must believe that governance is characterised by honesty and integrity and that those in government will behave accordingly.

In June 2020, a review of the *Local Government Act 1995* resulted in the introduction of priority reforms under the *Local Government Amendment Act 2019*. On 2 February 2021, as part of these reforms, the *Model Code of Conduct Regulations 2021* were gazetted prescribing a Model Code of Conduct for Council Members, Committee members and candidates, with effect from 3 February 2021.

The purpose of the Model Code is to guide the decisions, actions and behaviours of members, both in council and on council committees, and of candidates running for election as a council member.

The *Shire of Wongan-Ballidu Code of Conduct for Council Members, Committee Members and Candidates 2021* outlines the principles, values and behaviours that the community is entitled to expect of all elected members, committee members and candidates for election. These are to:

- act with reasonable care and diligence
- act with honesty and integrity
- act lawfully
- identify and appropriately manage any conflict of interest
- avoid damage to the reputation of the Shire
- be open and accountable to the public
- base decisions on relevant and factually correct information
- treat others with respect and fairness
- not be impaired by mind affecting substances.

This should be read in conjunction with the *Shire of Wongan-Ballidu Standing Orders Local Laws (2010)*.

Council has adopted policy *5.27 Complaints of alleged breach of the Code of Conduct for Council Members, Committee Members and Candidates* which outlines the Shire's approach to the management of such complaints.

6.2.3 Reporting serious misconduct to the Corruption and Crime Commission

Both elected members and the CEO have a mandatory duty under section 28 of the *Corruption Crime and Misconduct Act 2003* to report to the CCC any reasonable suspicion of serious misconduct on the part of elected members or employees. Serious misconduct is the type of conduct which involves the misuse of an elected member's or employee's position to obtain a financial advantage; bribery and corruption where money or gifts are provided to coerce an elected member or employee to make a decision in a certain way; stealing from the Shire, lying, fraudulent behaviour and other criminal type behaviours.

28. Certain officers obliged to notify serious misconduct

- (1) *This section applies to the following persons —*
- (a) the Parliamentary Commissioner;*
 - (b) the Inspector of Custodial Services;*
 - (c) the principal officer of a notifying authority;*
 - (d) an officer who constitutes a notifying authority.*
- (2) *Subject to subsections (4), (5) and (6), a person to whom this section applies must notify the Commission in writing of any matter —*
- (a) which that person suspects on reasonable grounds concerns or may concern serious misconduct; and*
 - (b) which, in the case of a person referred to in subsection (1)(c) or (d), is of relevance or concern to that person in his or her official capacity.*
- (3) *The Commission must be notified under subsection (2) as soon as is reasonably practicable after the person becomes aware of the matter.*

6.2.4 Comprehensive Induction Programs

The Shire 's positive culture is passed on to new elected members and employees through effective induction programs.

New elected members come from a variety of backgrounds and may not have experience in governance, local government, organisational behaviour or other fields that are relevant to their roles as elected members. Induction should help elected members to operate in the unique environment of local government to produce good outcomes for their communities.

The Shire's induction programs for elected members and employees focus on:

- the differing and complementary roles and functions of elected members and employees
- communication and working relationships between elected members and employees
- decision-making processes
- responsibility, accountability and delegations
- Code of Conduct, including organisational values and culture
- access to information and confidentiality.
- Council shall ensure adequate resources are allocated in each Council Election year in the Shire Budget to provide for external qualified organisation/persons to undertake the formal induction process of Elected Members.

The Shire of Wongan-Ballidu also invests in and actively encourages training for both elected members and employees to assist in the development of skills required to fulfil their roles.

7. Principle 2 – Roles and Relationships

7.1 Roles

An understanding and acceptance of the different roles of Council, the Shire President, Councillors, the Chief Executive Officer and employees, together with strong cooperation between all parties, underpins good governance at the Shire of Wongan-Ballidu. While elected members are responsible for strategy and policy, the administration (Chief Executive Officer and employees) is responsible for advice, implementation and operations. This separation of roles is essential for local governments to govern effectively.

While each element of local government has its own role, each may also have a legitimate interest in the role of the others. For instance, while the management structure is the responsibility of the Chief Executive Officer, elected members will have an interest in the management structure and whether it achieves the Council's goals. While the Chief Executive Officer takes the ultimate decision, an astute Chief Executive Officer will always consult the Council before establishing or making significant changes to the management structure.

Similarly, while policy and strategy are elected members' roles, the Chief Executive Officer and employees should be consulted and offer advice when policy or strategy is being developed.

7.1.1 Shire President

At the Shire of Wongan-Ballidu, Council elects the Shire President by secret ballot immediately after local government elections held every two (2) years.

Section 2.8 of the Act outlines the responsibilities of the Shire President which recognises the role of Shire president to represent the Shire at civic and ceremonial functions and to preside at Council meetings.

2.8. Role of mayor or president

- (3) *The mayor or president —*
- (a) *presides at meetings in accordance with this Act; and*
 - (b) *provides leadership and guidance to the community in the district; and*
 - (c) *carries out civic and ceremonial duties on behalf of the local government; and*
 - (d) *speaks on behalf of the local government; and*
 - (e) *performs such other functions as are given to the mayor or president by this Act or any other written law; and*
 - (f) *liaises with the CEO on the local government's affairs and the performance of its functions.*
- (4) *Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.*

A very specific role for the Shire President is to represent and advocate the decisions of Council and speak on behalf of the Shire. The position of Shire President is pre-eminent and when speaking on behalf of the Shire, the Shire President should set aside personal views and articulate the views and decisions of Council.

The Shire places great importance on the role of the Shire President as the Presiding Member of Council to facilitate good decision-making. It is therefore important that the Shire President has a good knowledge of the *Shire of Wongan-Ballidu's Standing Orders Local Law*.

The Shire President's leadership role is very important when it comes to good governance. While the Shire President has no statutory authority over other elected members in such areas as behaviour or adherence to Council policy, the Shire President is to ensure that all elected members are part of the decision-making process and are well and equally informed. The Shire President must reinforce the need for elected members to represent the interests of the whole community, not just the constituents in specific areas or interest groups.

The Shire President should also facilitate good relationships between elected members and the administration and help to create an environment where good communication thrives.

Section 5.34 of the Act states that the Deputy Shire President may perform the functions of the Shire President if that office is vacant or the Shire President is not available or unwilling to perform the functions of Shire President.

5.34. When deputy mayors and deputy presidents can act

If —

- (a) the office of mayor or president is vacant; or
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

7.1.2 Council and Elected Members

As outlined in Part 3 above, Section 2.7 stipulates the role of the Council.

While these powers include responsibility for defining the policy and setting the overall strategic direction of the Shire, Council is not responsible for the day-to-day running of the business of the Shire. Such operational matters are the responsibility of the CHIEF EXECUTIVE OFFICER.

The role of elected members is defined the Act as follows:

2.10. Role of councillors

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law.*

Elected members are elected for a four (4) year term at elections held every two (2) years. There is no limit on the number of times they can be re-elected.

Elected members sitting formally as Council make and are accountable for all decisions taken at Council level.

Decisions are made through formal Council meetings.

Individual elected members do not have any powers to make decisions.

7.13 Chief Executive Officer (CEO)

The Chief Executive Officer has a statutory responsibility to manage the organisation through the implementation of the goals and strategies that have been endorsed by Council. The Chief Executive Officer plays a critical role in achieving excellence in governance through the development of a culture that sees Council as the peak decision-making body, supported and advised by the administration.

The Chief Executive Officer's promotion and personal adoption of the Shire's culture and vision set the standards which permeate the whole organisation.

A key accountability of the Chief Executive Officer is financial management: ensuring that the Shire is soundly managed from a financial perspective and regularly reporting the results and performance to Council.

The functions of the Chief Executive Officer are outlined in section 5.4.1 of the Act:

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) speak on behalf of the local government if the mayor or president agrees; and*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any written law as a function to be performed by the CEO.*

7.2 Working Relationships

Effective working relationships are an important part of good governance and decision-making and should be promoted and supported within and between Shire President, Councillors, Chief Executive Officer and employees. At times, the very nature of local government business leads to conflict. How this conflict is addressed has implications for good governance and should be underpinned by principles of respect, courtesy and goodwill.

7.2.1 Relationship between Shire President and Councillors

The important aspects of this relationship are summarised as follows:

- the relationship needs to be based on mutual respect;
- the Shire President should facilitate an inclusive approach to decision-making and involvement in Council activities, ensuring that each elected member has access to the same information prior to making their decision;
- the Shire President should assist Councillors to have their issues considered by Council;
- the Shire President should take some responsibility for elected member training and development and should work with the CHIEF EXECUTIVE OFFICER (CEO) to ensure that elected members receive appropriate training opportunities; and
- the Shire President is responsible for facilitating resolution of any conflict between elected

members.

7.2.2 Relationship between Shire President and Chief Executive Officer

The Shire President as leader of the Council, and the Chief Executive Officer as leader of the administration, are required to work closely together, often dealing with pressing and potentially controversial issues, when they may not have known each other before they were drawn together to lead the Shire.

The Act requires each to liaise with the other on the Council's activities and its performance. However, the relationship between both roles is much more complicated than this, involving an inevitable intersection of roles.

The essential principles for an effective Shire President / Chief Executive Officer relationship are:

Communication

- Both parties brief and inform the other about information each is privy to and which would assist the other in their job. Agreement about what information is important and what should be passed on to each other is well understood and constantly negotiated.
- Regular meetings and electronic communications, as well as meetings called to progress unexpected and important matters, will enhance planning and communication.
- The "no surprises" principle ensures that neither the Shire President nor the Chief Executive Officer is caught off guard in any circumstance.

Role clarity

- The Shire President and Chief Executive Officer understand and respect one another's role.
- The Shire President and Chief Executive Officer work within the bounds of their authority. The Shire President has status and leadership capacity at Council and in the district. The CHIEF EXECUTIVE OFFICER (CEO) has statutory authority under the Act and leadership of the Shire workforce.

Effective relationship

- The relationship is symbiotic. The Shire President and the Chief Executive Officer put conscientious effort into making the relationship successful for the good of the Shire.
- The relationship between the Shire President and the Chief Executive Officer aims to facilitate involvement and inclusion amongst elected members and administration rather than concentrating power in the relationship.

At Shire of Wongan-Ballidu, the Shire President and Chief Executive Officer communicate on a regular basis, at least monthly but more frequently depending on emerging issues, either in person, by phone or email.

7.2.3 Relationship between elected members

Elected members need each other to achieve their individual and collective goals. Effective relationships between elected members help to promote a successful Council, a pleasant working environment and a Council with public credibility.

Features of an effective relationship are:

- While they may have different views, elected members treat each other with respect and courtesy.
- Disagreements are expressed in ways that are not personal attacks and do not cause detriment to individual elected members or Council as a whole.
- Elected members are not to undermine each other, either within the Shire or in public.
- Elected members have effective working relationships in order to succeed individually and collectively.

7.2.4 Relationship between elected members and Chief Executive Officer

The relationship between elected members and Chief Executive Officer is critical to good governance.

Elected members need support to manage pressures in such a way that their constituents feel their issues or concerns are being heard but appreciate that their demands cannot always be met. Advice and support on consultation and engagement, good systems that refer complaints and queries to the relevant area for resolution, and responsive services and processes all assist in furthering good governance.

Elected members must have a clear understanding that the role of the Chief Executive Officer is to implement Council's goals, policies, strategies and services and to advise and support Council.

The Chief Executive Officer is accountable to elected members when they sit as Council. Elected members, sitting as Council, are responsible for the performance management of the Chief Executive Officer.

Features of an effective relationship are as follows:

- goodwill and trust
- a good understanding of each other's role
- good communication
- agreed processes and protocols
- an appreciation of legislative requirements
- clear delegations.

7.2.5 Relationship between elected members and employees

The fundamental role difference between Council and the administration underpins this relationship. Elected members should focus on strategy, policy and outcomes, while the administration's role is to

focus on advice, implementation and operations.

In light of these role differences, the features of an effective relationship are highlighted below:

- the role of elected members is one of strategic leadership, not management or administration;
- the Chief Executive Officer is responsible for implementing the decisions and policies of Council;
- employees are responsible to the Chief Executive Officer and the Chief Executive Officer is responsible to Council;
- elected members do not direct or instruct employees;
- elected members do not undertake a task that contributes to the administration of the Shire, unless the activities are undertaken in relation to a meeting or the express authority of Council or the Chief Executive Officer has been obtained prior to undertaking the task;
- elected members undertake their day-to-day communications with the Shire directly through the Chief Executive Officer, unless the Chief Executive Officer has established a protocol for communications on particular matters to occur directly with specified employees;
- when entering a Shire business location, elected members seek approval from the Chief Executive Officer before engaging in discussion with employees; and
- an employee undertakes direct communication with an elected member only when the employee is acting within the functions and responsibilities of their position or is acting under the direction of the Chief Executive Officer.

8. Principle 3 – Decision-Making and Management

8.1 Effective Decision-Making

Decision-making is the most important activity undertaken by the Shire, both by Council and by employees. Effective decision-making processes increase the likelihood that the decisions themselves will be in the best interests of the entire community.

Good processes will also mean that decisions will be owned and that individual elected members, even though they may be on the losing side of an issue, should not be able to find fault with the way in which the decision was made.

Good decision-making requires that:

- decisions must be those which the local government can lawfully make;
- decisions must be consistent with and in accordance with legislation;
- relevant Council policy/policies should be considered during the decision-making process;
- elected members should have all the relevant information before them in order to make a considered and informed decision;
- elected members should be impartial, objective, free from bias and act in the public interest of Shire residents;
- decisions should be made on a reasonable basis.

Decisions made at meetings are recorded in the form of resolutions which are binding on the Council until they are formally amended or repealed. Resolutions, once recorded, take effect immediately.

8.2 Decision-Making Meetings and Processes

8.2.1 Council Meetings

The Council meeting is the formal debating and decision-making forum of Council. Elected members, Chief Executive Officer and Managers attend all Council meetings. Under section 5.23(1) of the Act, Council meetings are required to be open to the public.

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public—
- (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.

However, when any of the matters listed in section 5.23(2) of the Act are to be considered, Council may resolve to close the meeting and proceed behind closed doors. In order to promote the transparency and accountability required for good governance, the closure of meetings should be applied prudently and as infrequently as possible.

5.23

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following—*
- (a) a matter affecting an employee or employees; and*
 - (b) the personal affairs of any person; and*
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) a matter that if disclosed, would reveal —*
 - (i) a trade secret; or*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) endanger the security of the local government's property; or*
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- and*
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Examples of matters that may require the meeting to be closed to the public:

- Chief Executive Officer annual performance reviews, contract renewals, remuneration reviews, (s.5.23(2)(a)) a matter affecting an employee or employees);
- Reports discussing legal advice obtained or to be obtained in relation to the subject of the report (s.5.23(2)(d)) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting);
- Nomination of elected members eligible for WALGA Honours (s.5.23(2)(b)) the personal

affairs of any person);

- Planning reports that could affect the value of neighbouring properties (s.5.23(2)(e)(ii)) a matter that if disclosed would reveal information that has a commercial value to a person).

Good decision-making at a Council meeting is enhanced when the meeting is well run. This requires a clear and informative agenda, good chairing and facilitation and adherence to meeting procedures and to statutory requirements. It is the fundamental statutory obligation and duty of an elected member to vote on every item of business discussed at a Council meeting.

At Council meetings and where Council has granted a Committee delegated authority, Council can make a decision or pass a resolution.

Council has adopted the *Standing Orders Local Law (2010)* which provides a set of enforceable meeting procedures and rules to –

- ensure better decision-making processes during Council and committee meetings;
- assist in the orderly conduct of meetings dealing with Council business;
- provide a better understanding of the process of conducting meetings; and
- allow a more effective and efficient use of time at meetings.

Shire of Wongan-Ballidu Council meetings are not livestreamed or recorded. The written agenda and minutes can be accessed from the Shire website a few days after each Council meeting.

8.2.2 Council Meeting Schedule

Council operates the following monthly meeting cycle:

- fourth Wednesday of the month: ordinary council meeting;
- third Friday of the month: agenda is released
- Councillors may submit requests for further information or clarification to Chief Executive Officer

In December, the Ordinary Council Meeting is held on the third Wednesday with the Councillor request for more information moves forward accordingly.

No Ordinary Council meeting is held in January.

8.23 Councillor Requests for More Information or Clarification

For proper decision making, Councillors must have the opportunity to fully understand any issue that is being presented for decision. While officers' reports should contain all of the relevant information, the complexity of some issues means that Councillors need to be given the opportunity to ask questions, request information and seek further clarity regarding an agenda item.

Councillors are at liberty to submit written requests to Chief Executive Officer for further information or clarification of an agenda item prior to the Ordinary Council Meeting.

8.24 Council Forum/Workshop

Council forums provide an opportunity for two-way communication between elected members and the Chief Executive Officer on strategic or complex issues. Forums are open to all elected members, the Chief Executive Officer, Managers and other employees designated by the Chief Executive Officer as required. No decisions are made at Forums, which are relatively informal and are not open to the public.

At Council Forums elected members and staff can propose, discuss, and formulate philosophies, ideas, strategies and concepts for the development of the Shire.

Forums often involve projects that are in the early planning stage and are some time away from being presented to Council for decision.

Matters listed on the agenda of the Council meeting are not to be discussed during a Council Forum.

In discussing such issues, employees are looking for guidance from elected members to assist in researching the matter and drafting the report. Elected members and employees are also looking to present ideas and concepts for future consideration.

Council forums are held every fourth Wednesday of each month directly after the Ordinary Council Meeting.

Council workshops are held as and when required as agreed between Chief Executive Officer and Elected Members.

8.25 Committee Meetings

To assist with its decision-making responsibilities, Council may establish committees in accordance with section 5.8 of the Act. When Council establishes a committee, it must determine in clear terms of reference the purpose, reporting and other accountability requirements that will apply in relation to that committee. Committees report to Council and are subject to the requirements of the Act.

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Current committees of Council are listed below:

- Audit and Risk Committee (a requirement under section 7.1A of the *Local Government Act 1995*)
- Bush Fire Advisory Committee (as described under section 67 of the *Bush Fires Act 1954*)
- Local Emergency Management Committee (a requirement under section 38 of the *Emergency Management Act 2005*)
- The Regional Road Group (RRG) – Wheatbelt North Moora Subgroup
- Doctors Agreement Committee
- Works and Services Committee
- Sports Ground Management Agreement Committee

Committees meet as and when required and make recommendations to Council. However, where a committee has delegated authority for some of its functions, it is able to make a decision in its own right:

Note: Council has not delegated any authority to any Committee.

8.26 Council Representatives to Government/Local Government Organisations

Following local elections Council is required to renominate representatives to each of the organisations and committees that it has representation on.

These organisations and groups include:

Innovation Central Midlands Incorporated

An organisation formed by the Shires of Dalwallinu, Moora and Wongan-Ballidu for the purpose of Economic Development. Its members are made up of Councillors and/or community members who may provide expertise and guidance in local government. Usually one or two Councillors may be appointed from each Shire.

Avon Midland Zone of The Western Australia Local Government Association

The WA Local Government Association (WALGA) is the peak industry body for Local Government in Western Australia, advocating on behalf of WA's 139 Local Governments. WALGA is not a government department or agency.

The WALGA governance structure comprises of the State Council and Zones. Zones are groups of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters.

The Avon-Midland Country Zone of WALGA represents the Shires of Chittering, Dalwallinu, Dandaragan, Gingin, Goomalling, Moora, Northam, Toodyay, Victoria Plains, Wongan-Ballidu and York.

The nominated Councillors attend Zone meetings which are held quarterly.

Regional Road Group – Wheatbelt North Subgroup

There are 10 Regional Road Groups (RRG) in WA, established under the State Road Funds to Local Government Agreement which is overseen by a State Advisory Committee (SAC). The RRGs make recommendations to the SAC regarding the Annual Local Government Roads Program for their Region and any other relevant issues.

The RRGs are comprised of elected representatives from each Local Government within the road group. Most groups are supported by a sub-group or technical committee comprised of Local Government staff. Administrative support is provided by Main Roads WA. RRGs importantly provide Local Government with a voice in how the State Government's contribution to local roads is spent. RRG members serve a vital and valuable role in ensuring road funding decisions maximise community benefits and preserve and improve the public road network across Western Australia.

Council nominates two elected members as representatives to Regional Road Group – Wheatbelt Subgroup.

8.27 Agendas and Minutes

The most important records produced by a local government are the agendas that drive council meetings and the minutes that record the decision-making process and the actual decisions.

Matters to be considered at meetings of Council or Committees are presented in a formal agenda prepared by the Chief Executive Officer.

Agendas comprise of reports prepared by officers. Reports are structured to include information on the background, financial, strategic, legislative, policy, risk and workforce implications of the proposal under consideration. All reports include the professional advice of the officer who has authored the report and contain recommendations as to the most appropriate course of action to take, based on the information presented.

Managers are responsible for authorising the reports from their department. Once finalised, all reports are reviewed by the Chief Executive Officer. The Chief Executive Officer should be satisfied and confident that all aspects of the matter which is the subject of a report have been suitably covered in such a way that the report can be included in the agenda and released to elected members and the public.

The agenda and supporting documents are distributed five (5) days before the Council meeting date. Distribution includes posting on Shires' website, emailing to elected members and Executive Team, emailing to registered members of public and display at Administration Building, Ballidu and Cadoux.

The minutes of a meeting comprise all reports considered at the meeting and also include attendance, all motions, movers and seconders, the results of the motions and the decisions that have been made.

5.33. Decisions made at electors' meetings

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose, whichever happens first. (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Unconfirmed Ordinary Council Minutes must be made available for public inspection no later than ten working days after the meeting (five working days for committee meeting minutes). At the next meeting of Council or a committee these minutes will be confirmed as a correct and accurate record of the proceedings. Minutes may be amended to correct any identified inaccuracy prior to being confirmed.

8.28 Information Bulletin

An Information Bulletin is to be distributed to Elected Members of Council prior to the Ordinary Council Meeting. The information bulletin will contain:

1. Chief Executive Officers Report
2. Council Calendar - Ordinary Council Meetings, Compliance Deadlines and Council Events.
3. Policy Review Timetable
4. Finance and Administration - Deputy Chief Executive Officer Report
5. Regulatory Services - Manager of Regulatory Service Report
6. Works and Services – Manager of Works and Services
7. Community Services – Manager of Community Services

8.29 Elected Members' Meeting Preparation

Preparation before attending a meeting is critical: all reports should be read thoroughly, and the main points well understood. If anything is not clear, the elected member may seek further clarification and raise any concerns with the Chief Executive Officer or the responsible Manager, preferably well in advance of a meeting. Asking questions of a complex or technical nature at a Council meeting is to be avoided, as employees present may not be able to respond adequately off the cuff, there is a risk of a factually incorrect answer being given or the question may have to be taken on notice.

Reports affecting Shire planning, finance or legal matters can be quite complex and clarification of points prior to the meeting is essential. The Chief Executive Officer or relevant Manager should be emailed at the earliest opportunity to enable a written reply to be provided in advance of the meeting. This reply will be provided to all elected members, not just to the enquiring elected member.

The decision to adopt, amend or reject a recommendation rest with Council. Where a Council decision is different to the recommendation, reasons for that decision must be stated and recorded in the minutes in accordance with Local Government Act 1995 Administration Regulation 11(da)

A decision to defer a matter should be seen as a last resort and occur only where it is clear that additional information is required or where circumstances have come to light after the agenda was distributed. A failure to consult with the community or key stakeholders may also give cause to defer a matter.

8.3 Local Government Rules of Conduct

The Local Government (Rules of Conduct) Regulations 2007 (Rules of Conduct) provide a disciplinary framework to deal with individual misconduct by Elected Members. The Rules of Conduct provide a mechanism to take action against individual Elected Members where they do not comply with the 'rules' or they contravene particular laws applying to them in legislation.

The Rules of Conduct prescribe uniform rules of conduct for Elected Members in relation to:

- Standards of general behaviour
- Use of confidential information
- Securing personal advantage of advantaging/disadvantaging others
- Misuse of local government resources
- Prohibition against involvement with the organisation
- Relations with employees
- Disclosing interests that may affect impartiality
- Receipt and disclosure of gifts of a prescribed value

The Rules of Conduct do not limit the provisions within the Shire's Code of Conduct, however, the Rules of Conduct, the Regulations as well as the Shire's Local Law relating to meeting procedures are enforceable and disciplinary action can be taken for any breach.

8.4 Decisions on Land Use Planning and Development

8.4.1 Quasi-Judicial Role

Quasi-judicial functions are those which involve the making of a decision by Council in the exercise of a discretionary power. Elected members (and employees when acting under delegated authority) perform quasi-judicial functions when deciding to approve or refuse applications for planning or development approval and for other approvals, licences, consents and permits. They must therefore act in a judicial manner ("judge-like").

To act in a quasi-judicial manner, elected members must apply the principles of natural justice and without bias or conflict of interest make decisions in a judicial manner based on:

- The law and the relevant Shire policies as they exist, specifically the Shire's Local Planning Scheme and Planning Policies; and
- The facts and merits of the case.

Applicants submitting documents for approval may attempt to persuade individual elected members in favour of their proposals; however elected members must remain objective and deal impartially with applicants or affected persons.

Determining applications must be based on sound legislative rationale and not on specific public perception. The role of an elected member in the decision-making process is to determine the application on the information and recommendation provided by the Shire's employees. The role of the employee is to assess the application and provide an impartial, professional opinion and recommendation to elected members. To avoid prejudicing the eventual decision, elected members must not make up their minds about a development application until they have read the employee's report, clearly understood the relevant facts and law, and heard all the meeting debate.

Elected members must not lose sight of the fact that when making decisions on development applications they have to apply the rules and discretions as they exist, not as they might want them to be.

Elected members must be aware of the Shire's adopted procedures for dealing with a development application to ensure a clear distinction between the role of the employee assessing the application and the role of Council determining the application. There should be no opportunity for the two roles to be confused and no opportunity for those determining applications to unduly influence those carrying out the assessment and viceversa.

An elected member acting when biased and without disclosing an interest affecting impartiality may breach the Rules of Conduct Regulations. Non-compliance with quasi-judicial principles could result in Council decisions being invalidated.

8.4.2 Conflict of Interest

Conflict of interest is about being transparent. Understanding what this means in the context of local government is essential to good governance.

The Act defines the specific circumstances that lead to a conflict of interest and describes what elected members and employees must do if they believe there is a conflict. This includes direct and indirect interests, disclosure requirements, exemptions, provision of advice and registers of interest.

8.4.3 Conflict of Interest in Local Government

Elected members and employees should always be aware of the potential for conflict of interest. They have been entrusted to govern on behalf of the community and as such they must ensure that they do not gain personal benefit from their position with the Shire.

If they have personal interests in any of the decisions that they are part of, they must declare their interests and withdraw, if necessary, from the decision-making process. It is very important for elected members and employees to understand and adhere to the legislative requirements (sections 5.59 to 5.73 of the Act).

8.4.4 Good Governance and Conflict of Interest

The following points are important for good governance.

Individuals must make their own decisions.

Elected members and employees must individually take responsibility for assessing whether they have conflicts of interest in any matter relating to their formal roles. If the answer is yes, then they must act appropriately. This includes making a proper disclosure and not participating in the relevant decision-making process.

Seeking advice is appropriate.

Elected members and employees should seek assistance or advice from the CHEIF EXECUTIVE OFFICER (CEO), Shire President or fellow elected members when they think they may have a conflict of interest. In some circumstances elected members may need to obtain their own independent legal advice.

Individuals are accountable.

Elected members or employees must ultimately assess whether they have a conflict of interest. Each elected member or employee is accountable for that assessment and the obligation to make the relevant declaration. This is regardless of any assistance or advice they may have received.

Conflict of interest is not a political weapon.

Elected members should not use conflict of interest as a weapon against each other. No elected member can determine that another elected member has a conflict of interest. That is for the individual alone to decide. Using conflict of interest inappropriately compromises its importance as a principle of good conduct and natural justice.

8.4.5 Conflict of Interest and Community Representation

Sometimes elected members will be in a position where they are required to declare a conflict of interest even though their community expects them to participate in a decision. For example, an elected member may have a conflict of interest in a local planning decision which the community feels strongly about.

Because conflict of interest can impact on governance and perceptions of governance, it is important that –

- elected members ensure they thoroughly analyse the situation (and seek appropriate advice) to determine what is required by the legislation;
- elected members clearly explain the situation to their community; and
- Council and administration provide support to elected members, when required, to explain conflict of interest requirements to the community.

Elected members should not, however, hide behind conflict of interest as a way of avoiding a vote on difficult issues in which they don't have a conflict.

8.4.6 Protection from Liability

Elected members, unlike state and federal members of parliament do not have parliamentary privilege. An elected member can be subject to civil action by a person who considers that the elected member has defamed them or has acted in a way that improperly harms them, whether this occurs in the council chamber or not.

Section 9.56 of the Act protects elected members, committee members and employees for any actions that they have, in good faith, done in the performance or purported performance of a function under the Act or under any other written law. This however does not relieve the Shire of liability for the actions of elected members, committee members and employees.

Elected members should be careful, especially in the heat of a Council debate, not to make defamatory statements which could give rise to a civil action.

If an elected member is subject to civil action, they will have to deal with the matter as an individual, even if the Shire is paying the legal costs. In some cases, the Shire's insurers may refuse to provide indemnity for the elected member's actions or statement if it is considered not to have occurred in the course of performing a council duty or to be done in good faith.

For further guidance, please refer to Shire's policy [5.28 – Legal Representation Costs Indemnification](#).

8.4.7 Decisions by Delegation

Delegations form part of the Shire's decision-making approach. Delegations entrust certain types of decisions to the Chief Executive Officer. The Chief Executive Officer may on-delegate certain types of decisions to officers. Delegates exercise the delegated decision-making function in their own right; in other words, they have discretionary decision-making powers.

The use of delegated authority means that a large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community. Delegated authority allows Council to concentrate on policy development, representation, strategic planning and community leadership.

The Shire's Delegations Register contains all current delegations from Council to the Chief Executive Officer and committees and from the Chief Executive Officer to employees. It sets out unequivocally which statutory power and functions are delegated, which part of the legislation allows such delegation and what the conditions and policy compliance requirements are.

Section 5.43 of the Act outlines those powers or duties that may not be delegated to the Chief Executive Officer (CEO). The Shire's Delegations Register is reviewed by Council on an annual basis.

5.43. Limits on delegations to CEO 28

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

8.5 Financial Management

8.5.1 Role of The Chief Executive Officer

The Chief Executive Officer is accountable to Council for the financial performance of the Shire and must ensure that certain fundamentals are in place, including but not limited to:

- appropriate financial systems, plans, strategies and protocols;
- adequate resources to support the Shire's activities and financial monitoring and performance;
- suitable internal review and audit mechanisms;
- an organisational culture where responsibility and accountability are clearly delineated and understood; and
- adherence to and compliance with legislative provisions.

8.5.2 Financial Management Planning and Principles

Council is ultimately responsible for the financial management of the Shire. Good financial management requires both Council and the administration to play their role.

As part of the Integrated Planning Framework, the Shire has developed its Long Term Financial Plan (LTFP). The Plan is consistent with the strategic initiatives in the Strategic Community Plan (SCP) and includes:

- projected income and expenditure, balance sheet and cash flow statements;
- planning assumptions underlying the plan;
- an analysis of the factors and/or assumptions that are most likely to affect the plan;
- modelling for alternative financial scenarios; and
- methods of monitoring financial performance.

The Plan outlines the Shire's approach to delivering infrastructure and services to the community in a financially sustainable way that minimises the financial impact on the Shire's ratepayers. It is the primary planning tool for future Shire budgets.

8.5.3 Annual Budget

One of the responsibilities of Council under section 6.2 of the Act is to prepare, set and adopt the Shire's Annual Budget. Based on the leadership of Council, it determines the Shire's priorities for the year ahead and the allocation of resources to achieve those priorities.

The annual budget must be reviewed before 31 March each year, taking into account changes in the operating environment since the beginning of the financial year with a view to forecasting the financial impacts likely to arise for the remainder of the year.

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of $\frac{3}{4}$

(a) the expenditure by the local government;

(b) the revenue and income, independent of general rates, of the local government; and

(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

(3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

(4) The annual budget is to incorporate $\frac{3}{4}$

(a) particulars of the estimated expenditure proposed to be incurred by the local government;

(b) detailed information relating to the rates and service charges which will apply to

land within the district including $\frac{3}{4}$

- (i) the amount it is estimated will be yielded by the general rate; and*
- (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;*
- (c) the fees and charges proposed to be imposed by the local government;*
- (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;*
- (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;*
- (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
- (g) such other matters as are prescribed.*

(5) Regulations may provide for $\frac{3}{4}$

- (a) the form of the annual budget;*
- (b) the contents of the annual budget; and*
- (c) the information to be contained in or to accompany the annual budget.*

[Section 6.2 amended by No. 49 of 2004 s. 42(8) and 56.]

8.5.4 Other Management Plans

Asset Management Plans provide strategic direction in the management of Shire assets. Good governance requires the Shire to manage its assets in a financially viable, efficient and sustainable manner.

The **Workforce Management Plan** was developed to provide a strategic framework for organisational workforce planning and management. It guides the Shire in attracting and retaining a suitable, committed and professional labour force that is structured to achieve the priorities of the Strategic Community Plan and to deliver quality services to the community.

The **Recordkeeping Plan** sets out the matters about which records are to be created and how the Shire must keep and maintain its records in accordance with the *State Records Act 2000*. It applies to elected members, employees and contractors.

The **Risk Management Policy and Procedure** contains practical guidelines to develop the Shire's capacity to appropriately manage risk. Risk management is critical to the organisation's ability to achieve the strategic objectives contained in its Strategic Community Plan and Corporate Business Plan. By fostering a dynamic risk management culture that encourages all employees to systematically apply the procedures outlined in this framework, the Shire seeks to minimise resource waste and ensure that all Shire events, activities and projects are undertaken with properly managed risk to employees and the general community.

Principle 4 - Accountability

9.1 Accountability

Excellence in governance is based on the principle that those who are involved in governance, both elected members and employees, are held to account for what they do, the decisions they make and their performance in undertaking their role. The public trust that elected members and officers act in the public interest.

Accountability systems that provide disclosure and review of decision-making processes are integral to good governance and are reflected through –

- Open and transparent government, so that the community can follow decision making processes and outcomes;
- Consultation and engagement, so that the community has confidence that it is being heard; and
- Good communication processes so that the community is kept informed.

The fundamental importance of accountability though comes from the fact that the Shire exists to govern for and on behalf of its community. Systems and values must reflect this accountability. Key systems are outlined in the following sections.

9.1.1 Performance Management

Council is accountable for monitoring the Shire's performance in the achievement of its strategic direction, goals and financial outcomes, which are set through the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Budget.

Managing and reporting the Shire's performance is achieved in several ways.

9.1.2 Strategic Reporting

Key performance indicators, derived from the Strategic Community Plan, help drive the Corporate Business Plan. The Shire's Corporate Planning System captures all Corporate Business Plan projects.

Performance against each of the Strategic Themes in the Strategic Community Plan is reported in the Annual Report.

9.1.3 Financial Reporting

The Shire undertakes its financial reporting as follows:

- The monthly Financial Activity Statement and List of Payments are prepared and presented to Council; and
- The audited Annual Financial Report is considered by the Audit and Risk Committee before being submitted to Council for adoption and inclusion in the Annual Report.

9.1.4 Annual Report

The Shire's *Annual Report* provides detailed information to the community and the Shire's stakeholders about how the Shire intends to operate in a sustainable manner whilst addressing the many challenges it faces. The report reviews the Shire's key achievements and progress made against the many initiatives outlined in the Strategic Community Plan. The Annual Report is reviewed by elected members at a workshop before being adopted by Council for presentation to the electors of the Shire at the Annual Electors' Meeting.

9.1.5 Chief Executive Officer Performance Review

Council is accountable for managing the Chief Executive Officer's performance and is responsible for setting the Chief Executive Officer's performance plan and monitoring the Chief Executive Officer's performance. Council is to communicate its expectations to the Chief Executive Officer's and is required to seek independent professional advice when undertaking the annual performance evaluation of the Chief Executive Officer's.

9.1.6 Employee Performance Review

In accordance with the Act the performance of all employees must be reviewed at least once a year.

5.38. Annual review of employees' performance

- (1) *A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.*
- (2) *The CEO must ensure that the performance of each other employee who is employed for more than 1 year is reviewed.*
- (3) *A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.*

Individual performance reviews and identification of development needs are formally carried out in August each year. The process involves a review of progress against the previous year's targets and plans the setting of new ones for the coming year.

During each performance review, recommendations for training and development programs to either complement existing skills or to develop new skills will be made. In addition, staff will have performance indicators set during the first few months of employment to monitor progress against goals and objectives.

Council has adopted policy *5.25 Model Standards for Chief Executive Officer (CEO) Recruitment and Selection, Performance and Termination*.

9.1.7 Compliance Audit Return

Regulation 14 of the *Local Government (Audit) Regulations 1996* that the Shire conducts an annual audit of its compliance with statutory requirements and responsibilities placed on it under the Act.

- 14. Compliance audits by local governments**
- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
 - (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
 - (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
 - (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

The Department of Local Government's Compliance Audit Return (CAR) comprises a checklist of the Shire's statutory obligations in areas such as local laws, tenders, meeting procedures, disclosures of financial interests and financial management.

The CAR is completed by the Deputy Chief Executive Officer with input from the Executive Management Group. The completed return is then reviewed by the Audit and Risk Committee and presented for adoption by Council. A certified copy must be forwarded to the Department no later than 31 March of each year.

9.1.8 Audit and Risk Committee

The Act requires Council to establish an Audit Committee to guide and assist Council on matters of internal and external audit, risk management and the Shire's compliance functions. The Shire's Audit and Risk Committee meets regularly and in accordance with Regulation 16 of *Local Government (Audit) Regulations 1996*.

Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
 - (i) its functions under Part 6 of the Act; and*
 - (ii) its functions relating to other audits and other matters related to financial management;**
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act*
- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and*
 - (ii) give a copy of the CEO's report to the council;**
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - (i) regulation 17(1); and*
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);**
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;*
- (f) to oversee the implementation of any action that the local government —
 - (i) is required to take by section 7.12A(3); and*
 - (ii) has stated it has taken or intends to take in a report prepared**

Council has adopted a *Shire of Wongan-Ballidu Finance Review Terms of Reference* which guides the operation and responsibilities of the Audit and Risk Committee.

9.1.9 Community Consultation and Engagement

A Community Engagement Framework has been developed which formalises the Shire's approach to engagement and affirms its commitment to delivering meaningful, best practice community engagement as an integral part of its strategic priorities.

Council policy [2.5 Public Consultation Outcomes](#) currently provides guidance to officers on Council's expectations regarding how and when to undertake engagement activities.

9.1.10 Customer Service Charter

Council has adopted a [Customer Service Charter](#) which outlines the customer service standards the community can expect from the Shire.

9.1.11 Statement of Business Ethics

A *5.29 Statement of Business Ethics* has been adopted which outlines what the Shire expects from its suppliers and what its suppliers can expect from the Shire.

9.1.12 Complaints Management

Council has adopted a *5.30 Community Complaints* policy to provide a framework and basis for all complaints relating to Shire services, processes or decisions to be resolved in a consistent, fair, and structured manner.

9.1.13 Access to Information

Under section 5.94 of the Act any member of the public can access certain information held by the Shire. Other documents – subject to their sensitivity – may be obtained through the Freedom of Information (FOI) process under the provisions of the Freedom of Information Act 1992.

5.94. Public can inspect certain local government information

5.95.

A person can attend the office of a local government during office hours and, unless it would be contrary to section 5.95, inspect, free of charge, in the form or medium in which it is held by the local government and if it is current at the time of inspection —

- (a) any code of conduct; [(aa) deleted]*
- (ab) any register of complaints referred to in section 5.121;*
- (b) any register of financial interests; (ba) any register of gifts;*
- (c) any annual report;*
- (d) any annual budget;*
- (e) any list of fees and charges imposed under section 6.16;*
- (f) any plan for the future of the district made in accordance with section 5.56;*
- (g) any proposed local law of which the local government has given local public notice under section 3.12(3);*
- (h) any local law made by the local government in accordance with section 3.12;*
- (i) any regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government;*
- (j) any text that —*
 - (i) is adopted (whether directly or indirectly) by a local law of the local government or by a regulation that is to operate as if it were a local law of the local government; or*
 - (ii) would be adopted by a proposed local law of which the local government has given local public notice under section 3.12(3);*

- k) any subsidiary legislation made or adopted by the local government under any written law other than under this Act;*
- l) any written law having a provision in respect of which the local government has a power or duty to enforce;*
- m) any rate record;*
- n) any confirmed minutes of council or committee meetings;*
- o) any minutes of electors' meetings;*
- p) any notice papers and agenda relating to any council or committee meeting and reports and other documents that have been —*
 - (i) tabled at a council or committee meeting; or*
 - (ii) produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting;*
- (q) any report of a review of a local law prepared under section 3.16(3);*
- (r) any business plan prepared under section 3.59;*
- (s) any register of owners and occupiers under section 4.32(6) and electoral rolls; [*
- (t) deleted]*
- (ta) a report on a supplementary audit prepared under section 7.12AH(1);*
- (u) such other information relating to the local government —*
 - (i) required by a provision of this Act to be available for public inspection; or*
 - (ii) as may be prescribed.*

All elected members and staff should be aware of the FOI implications when creating internal or external documents. As a general rule, any written material generated by elected members or employees may become public knowledge and may become the subject of an FOI request.

Council and Elected Member Self-Assessment

10.1 Council Self-Assessment and Evaluation

To assess whether the governance principles are being enacted, a self-assessment tool has been included in the Governance Framework. The questionnaire was originally developed by WALGA for use by the WALGA State Council. It is intended that the results are used to develop action plans to improve governance performance.

The self-assessment aims to:

- assess what level of performance has been achieved in the period under review;
- assist in the development of a better understanding of individual Elected Member performance and the Council's objectives;
- focus on strategic goals;
- assist in the developing of a better understanding of performance orientated relationships;
- develop an action plan for improvement;
- encourage a program of ongoing personal and professional development for Elected Members.

The self-assessment tool has two components, being:

1. The Council Self-Assessment
2. Elected Member Self-Assessment.

Elected Members as a group should complete the Council Self-Assessment annually in September/October and the results used to assess the Council's performance as a whole against the governance principles. This should assist the Council in developing an action plan to improve performance (including the ongoing training and development program for Council).

The Elected Member Self-Assessment should also be completed by individual Elected Members to provide an assessment of that individual's contribution to good governance and assist in the development of an individualised training and development program.

10.2 Council Performance Assessment Questionnaire

Please circle your responses as per the following scale:

1. Strongly Disagree

2. Disagree

3. Unsure

4. Agree

5. Strongly Agree

Question	Rating				
1. The Council has been effective in setting the overall direction of the Shire to achieve the objects and purpose of the Shire	1	2	3	4	5
2. The Council is effective in considering and determining all major policy issues	1	2	3	4	5
3. The Council monitors appropriate financial and non-financial performance indicators	1	2	3	4	5
4. The Council has a clear understanding of business risk	1	2	3	4	5
5. The Council does not become drawn into operational management matters	1	2	3	4	5
6. Roles of the Shire President, Councillors and the CEO are clearly defined and understood	1	2	3	4	5
7. The Council understands the Shire's vision, mission, values, philosophy and plans	1	2	3	4	5
8. The Council regularly inputs into strategy development and review	1	2	3	4	5
9. The CEO and employees have commitment, capacity and enthusiasm	1	2	3	4	5
10. The Shire has relevant and reliable internal reporting and compliance systems	1	2	3	4	5
11. Elected Members are aware of the Shire's responsibilities to regulators and external stakeholders	1	2	3	4	5
12. The Council communicates effectively with its community	1	2	3	4	5
13. Elected Members bring valuable experience and skills to the Council	1	2	3	4	5
14. The Council has legitimacy and retains confidence in the eyes of the community	1	2	3	4	5
15. The Shire President ensures that meetings are chaired and matters are discussed / debated in a structured and effective way	1	2	3	4	5
16. The Shire President makes sure that the Council addresses all of the appropriate strategic issues	1	2	3	4	5
17. The Shire President makes sure there is sufficient time to discuss the important issues on the agenda	1	2	3	4	5
18. The Shire President encourages contributions by Elected Members to get the best out of them	1	2	3	4	5
19. The Shire President liaises effectively with the CEO	1	2	3	4	5
20. The CEO is receptive to the Council's input	1	2	3	4	5
21. The CEO assists Elected Members in meeting their governance obligations	1	2	3	4	5

Question	Rating				
22. The Council is effective in monitoring and evaluating the performance of the CEO	1	2	3	4	5
23. The Council papers, including agenda, minutes and briefing notes are timely, accurate and informative	1	2	3	4	5
24. The Council meetings address the key issues facing the community	1	2	3	4	5
25. The duration of meetings of the Council are appropriate	1	2	3	4	5
26. Elected Members come to meetings well prepared and participate effectively in debate and discussions	1	2	3	4	5
27. The Council adheres to effective governance practices	1	2	3	4	5
28. Appropriate records from Council meetings are documented in Minutes	1	2	3	4	5
29. The relationship between the Shire President and Elected Members is effective in enabling the Council to fulfil its duties and responsibilities	1	2	3	4	5
30. The relationship between the Council and the CEO is effective in enabling Council to fulfil its duties and responsibilities	1	2	3	4	5
Additional comments on the performance of the Council?					

Thank you for completing this questionnaire.

The information provided will not identify your individual response, but it will be used to assist Council to identify areas and actions for improvement and the priorities for training and ongoing development. Individual questionnaires will be treated in the strictest of confidence and will be destroyed once the information has been aggregated.

10.3 Elected Member Performance Assessment Questionnaire

Please circle your responses as per the following scale:

1. Strongly Disagree 2. Disagree 3. Unsure 4. Agree 5. Strongly Agree

Question	Rating				
1. I understand my roles, duties and responsibilities as an Elected Member of the Shire of Wongan-Ballidu	1	2	3	4	5
2. I come to the Council meetings fully prepared	1	2	3	4	5
3. I understand the mission, vision, values, philosophy and strategy of the Shire	1	2	3	4	5
4. I participate in and enhance discussion and debate at the Council meetings	1	2	3	4	5
5. I have made a significant personal contribution to the Council achieving the objects for the Shire	1	2	3	4	5
6. I encourage openness and candour and ensure that others have a reasonable opportunity to put forward their views	1	2	3	4	5
7. I challenge those who sidetrack discussions or dwell on minutiae	1	2	3	4	5
8. I am a team player	1	2	3	4	5
9. I listen to and consider other people's views on issues	1	2	3	4	5
10. I am open and willing to change my views	1	2	3	4	5
11. I accept challenge from others without being defensive	1	2	3	4	5
12. I have the courage to say what is on my mind	1	2	3	4	5
13. I keep myself free from conflicts of interest and understand when a conflict may arise	1	2	3	4	5
14. The Council has legitimacy and retains confidence in the eyes of the community	1	2	3	4	5
15. I exercise independent judgement when considering or voting on any matter	1	2	3	4	5
16. I am responsive to requests from the Presiding Member that aim to ensure the orderly and good- spirited conduct of meetings	1	2	3	4	5
17. I understand and focus on the key issues of the Shire's business	1	2	3	4	5
18. I consider the viewpoints of all stakeholders in forming a position on an issue	1	2	3	4	5
19. I carry a fair workload when compared with my fellow Elected Members	1	2	3	4	5
20. I regularly liaise with the Shire President and other Elected Members of the Council outside of Council meetings	1	2	3	4	5
21. I regularly liaise with the CEO and senior employees outside Council meetings	1	2	3	4	5

Question	Rating				
22. I have adhered to all of the behavioural and ethical requirements of the Council <i>Code of Conduct</i>	1	2	3	4	5
23. Outside the Council meeting and when acting in my capacity as an Elected Member, I support Council decisions that have been made	1	2	3	4	5
Are you satisfied with the level of support you are provided in undertaking your role as an Elected Member of the Shire of Wongan-Ballidu? Are there any areas that can be improved?					
Are there any specific areas in which you would like professional development to enhance your effectiveness as an Elected Member of the Shire of Wongan-Ballidu?					
Are you satisfied with the process of evaluating performance as an Elected Member of the Shire of Wongan-Ballidu? Are there improvements you consider could be made?					

Thank you for completing this questionnaire.

The information provided will not identify your individual responses, but it will be used to assist Council to identify areas and actions for improvement and the priorities for training and ongoing development. Individual questionnaires will be treated in the strictest of confidence and will be destroyed once the information has been aggregated.

Sources and References

This Governance Framework has been compiled with reference to documents previously produced regarding the concept and practice of good governance. The following documents have been used in the development of the Shire of Wongan-Ballidu Governance Framework.

Governance Framework – Shire of Toodyay 2021 Governance Framework – Shire of Mundaring 2019

City of Joondalup Governance Framework 2020 City of South Perth Governance Framework 2016

A Guide to Meetings – Department of Local Government and Communities WA 2013.

Council Members' Self-Assessment Tool – Local Government Association of SA 2004. Excellence in Governance for Local Government – CPA Australia 2007.

Good Governance Guide – Municipal Association of Victoria (MAV) 2012.

Local Government Operational Guidelines – Department of Local Government WA. Public Sector

Governance Better Practice Guide – Australian National Audit Office 2014.

State Council performance assessment questionnaire – WA Local Government Association

5.1 Citizen, Young Citizen, Community Event and Community Group of the Year Awards

Policy Owner	Governance
Person Responsible	Chief Executive Officer and Shire President
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

To outline the criteria for recognizing individuals, groups and events for a particular year in the Shire that have made a noteworthy contribution to the community and the development of the Shire of Wongan-Ballidu.

POLICY

The Wongan-Ballidu Citizen of the Year Award shall be open to any person who has resided in the district for a period of not less than twelve months, except the Shire Councillors shall be ineligible while holding this office.

The Wongan-Ballidu Young Citizen Award shall be open to any person under the age of 36 on the closing of the nominations who has resided in the district for a period of not less than twelve months.

Any person who has made a noteworthy contribution to the district during the current year and/or given outstanding service to the local community over several years shall be eligible. Quality of service will be more important than duration of service.

The Shire Council shall invite nominations for the Award, no later than the first Friday in December for the award through the local media, and by direct circular to substantial organisations.

Individuals as well as organisations may submit nominations. Only one person or event may receive the Award.

The Selection Panel reserves the right not to present an award if there are insufficient nominations or nominations received are not of a sufficient standard.

The Selection Panel reserves the right to make nominations based on local knowledge and experience.

The Selection panel comprise the Shire President and four resident's representatives of the entire Shire and four proxy members, nominated by Councillors to the Shire President.

Nominations should be absolutely confidential.

The Award is to be announced at the Australia Day Breakfast held on January 26, each year.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer, in conjunction with the President, is responsible for implementing this Policy

5.2 Citizenship Ceremonies

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

To recognise the importance of this occasion to naturalised Australians residing within the district.

POLICY

That the Presiding Officer, appointed by the Federal Minister, present the Australian Citizenship Certificate on behalf of the Federal Government to recipients of the successful application.

That the Councils hosts an appropriate function and provide a gift deemed appropriate up to a value of \$100.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

5.3 Common Seal

Policy Owner	Governance
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

This policy covers the proper use of Council's common seal, on what documents it can be applied and under what circumstances. In addition, the policy streamlines the decision-making process relating to the affixation of the seal by not requiring such use to be presented to Council on all occasions when the sealing of a document may be necessary.

POLICY

The Chief Executive Officer is to have charge of the common seal, and it is to be responsible for the safe custody and proper use of it.

The Shire President and Chief Executive Officer are authorized to sign and affix the common seal to documents where such action is necessary to protect Council's interest, to give effect to a Council resolution, or to complete a legal document.

In the absence of the Shire President and Chief Executive Officer, as the case may be, and the Deputy President and a senior employee authorized by the CHIEF EXECUTIVE OFFICER (CEO) are authorized to affix the common seal on their behalf.

Details of all transactions where the common seal has been affixed shall be recorded in a register and this is to include the date on which the common seal was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.

Details of the use of the common seal shall be reported to the Council at the next ordinary meeting of Council and the register shall be available for inspection by Councillors upon request to the Chief Executive Officer during normal office hours.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer shall be responsible for ensuring that the Common Seal is affixed to documents and this policy is properly carried out.

5.4 Confidential Items

Policy Owner	Governance
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

To maintain the individual's right to privacy and preserve the integrity of Councils deliberative process.

POLICY

Documents issued under confidential cover to the Members of Council remain confidential until such time as the Chief Executive Officer or the Council resolves to release the document for public information; and

The Chief Executive Officer in assigning the confidential status designation, shall do so judiciously in circumstances deemed to be in the public interest and/or the best interest of Council; and

The designation of confidential documents may be assigned to matters such as:

1. Industrial/personnel matters
2. Legal matters
3. Internal working documents/discussion papers
4. Matters referred to in Local Government Act Section such as:
 - Matters affecting an employee or employees;
 - The personal affairs of any person
 - Contracts which relate to matters to be discussed at the meeting
 - Legal advice obtained on a matter to be discussed at the meeting.
5. A matter that if disclosed would reveal a trade secret; information that has a commercial value to a person, or information about the business, professional, commercial or financial affairs of a person.
6. A matter that if disclosed could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; endanger the security of the local governments property; or prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
7. Information which is the subject of a direction given under Section 23(1a) of the *Parliamentary Commission Act 1971*;
8. Other matters which may be prescribed;

9. A decision to close a meeting or part of a meeting and the reason for the decision is to be recorded in the minutes of the meeting.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer shall be responsible implementing this policy.

5.5 Council Meetings – Rotation

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

To ensure that Cadoux and Ballidu townsites have a Council meeting on a rotational basis from time to time.

POLICY

That Council convene an Ordinary Meeting in Cadoux or Ballidu once per year in alternate years.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

5.6 Councillor Request Forms

Policy Owner	Works Committee/Chief Executive Officer (CEO)
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 – Resolution 040222
Date of Last Review	

OBJECTIVE

To establish a consistent method by which Councillors can formally request work to be performed.

POLICY

Councillors are to utilise the request forms when requesting work to be undertaken or information to be provided and staff will reply on the appropriate printed form.

The request forms may be posted, faxed or electronically delivered to the Administration Centre. Councillors may telephone in their request however; the officer taking the call must enter the details on a request form.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

5.7 Credit and Fuel Cards

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	18 October 2012 Resolution 031012
Date of Last Review	23 September 2022 Resolution 080922 Amendment

OBJECTIVE

To provide details for the use, allocation, control and safe custody of corporate credit cards.

POLICY

Definitions

"Credit Card" is defined as a facility allowing the cardholder to pay for goods and services on credit.

"Fuel Card" is defined as a facility allowing the cardholder to pay for fuel on credit.

"Business Expense" is defined as any expense necessary to the conduct of the business or is allowed under the terms of the employee's contract of employment with the Shire or relevant Council policies.

"Personal Expense" is defined as any expense not of a business nature.

The following policy statements govern the issue and use of corporate credit cards:-

1. Credit Cards may be issued to the following members of staff:
 - Chief Executive Officer,
 - Deputy Chief Executive Officer
 - Manager Works and Services
 - Manager Regulatory Services
 - Manager Community Services
- a) The use of credit cards by employees is restricted to business expenses only. The use of corporate credit cards for any item of personal expenditure is expressly disallowed.
- b) Corporate credit cards are issued with a credit facility of \$20,000, individual card limits are as follows;

Chief Executive Officer	\$10000
Deputy Chief Executive Officer	\$2500
Manager of Works and Services	\$2500
Manager of Regulatory Services	\$2500
Manager of Community Services	\$2500

- c) The use of credit cards by employees is restricted to business expenses only.
 - d) The Chief Executive Officer is to ensure that operational procedures are to be put into place to manage the use of the cards and detail authorisation procedures for the purchase of goods or services using the Corporate Credit Cards.
 - e) All purchases must be made in accordance with the conditions of the Shire's Procurement Policy.
2. Fuel Cards may be issued to the following members of staff:
- i) Chief Executive Officer, Fuel and Expense Card
 - ii) Deputy Chief Executive Officer, Fuel Card Only
 - iii) Manager Works and Services, Fuel Card Only
4. The use of fuel cards for any item of personal expenditure is expressly disallowed.
5. The Chief Executive Officer is permitted to utilise his fuel card for his personal vehicle under the following circumstances.
- i) Periods of leave
 - ii) If impracticable to utilise the Shire provided vehicle

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

5.9 Elected Member/Staff Conferences

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	25 May 2022 – Resolution 020522 Amended

OBJECTIVE

To ensure a procedure is in place for the expeditious nomination of Council delegates to Conferences and to ensure the prescription of allowable expenses.

POLICY

All Councillors/Staff are to complete a Training/Conference Application form before having their application considered.

The Chief Executive Officer may endorse the recommendation of Managers in respect of staff attendance at Conferences, subject to associated expenditure being contained within the relevant year's Budget allowance.

In the event of one only nomination being forthcoming from Councillors, the Chief Executive Officer, be authorised to register the Councillor at the relevant Conference, subject to associated expenditure being contained within the relevant year's budget allowance.

In the event of more than one nomination being forthcoming from Councillors, the matter be referred to the following Ordinary Meeting of Council for determination.

A list of conferences available for attendance by Councillors and staff, be provided to Councillors on a regular basis. Should any Councillor wish to be considered for attendance at a conference and the matter has not been subject to the above process, the Councillor is to advise the Chief Executive Officer, as far as possible in writing to enable the details to be placed on the Agenda for the following Ordinary Meeting of Council.

An appropriate officer will be responsible for ensuring all delegates registered by that officer are supplied with an assessment form and 'details of expenditure incurred' form, together with instructions sheet and a recording mechanism to ensure all assessments and expenditure details are returned within a reasonable time.

Expenses to be met by Council are:

Conference (where overnight Accommodation for Councillors is Approved by Resolution of Council or in case of Staff, by the Chief Executive Officer)

- Registration Fees (including conference dinner and official delegate hours)
- Accommodation and travel costs
- All reasonable expenses including meals and refreshments, all cab fares between accommodation and conference venue.

Conference (where overnight Accommodation for Councillors is Approved by Resolution of Council or in case of Staff, by the Chief Executive Officer)

- Registration Fees (including conference dinner and official delegate hours)
- Accommodation and travel costs
- All reasonable expenses including meals and refreshments, all cab fares between accommodation
- and conference venue.

Conference (No Overnight Accommodation)

- Registration fees (including Conference dinner and official delegate hours)
- Travel costs to and from conference venue
- Cost of lunch if not provided
- All reasonable expenses and cab fares (cab charge may be used).
- Conference when Accompanied by Spouse
- Breakfast and dinner, if required
- Accommodation
- Conference Dinner
- Spouse Activity Tours

Once approval is given for a Councillor/Staff Member to attend a conference in accordance with this policy, an appointed officer will coordinate all travel arrangements.

The officer will contact the Councillor/Staff member concerned to determine what arrangements need to be made regarding travel and accommodation and make the necessary bookings and delivery tickets to the person travelling.

This officer will also advise the Manager Administrative and Financial Services as to what arrangements are required regarding payment of appropriate allowance and method of payment.

On any occasion when a Council delegate is unable to attend a conference, the Chief Executive Officer be delegated the authority to substitute another Councillor delegate, following consultation with the President.

The Shire of Wongan-Ballidu supports and encourages Councillors to attend the annual Local Government Week Conference.

The Shire of Wongan-Ballidu supports and encourages senior staff members to attend professional development conferences, i.e.: LGMA conference.

All Councillors/Staff are to complete an Evaluation Report (refer appendix) after attending the conference. In addition, it is expected that a report be written so that the information derived from the Conference is disseminated to other members/staff.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

5.10 Freeman of the Shire of Wongan-Ballidu

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	25 May 2022 Resolution 020522 Amendment

OBJECTIVE

To provide a policy on the awarding of the title of Honorary Freeman of Shire of Wongan-Ballidu, including how, why and to whom it should be awarded.

POLICY

The Shire recognises that from time to time members of the community demonstrate outstanding commitment and contribution to the Shire and that this contribution should be recognised. It will do this by in special circumstances that meet the criteria of this policy, award an individual the title of "Honorary Freeman of the Shire".

This honour will not be awarded annually but only on rare and exceptional occasions.

Residency Eligibility

Nominees should have lived within the Shire for a significant number of years (significant would usually mean at least 20 years) and had a long and close association and identification with the Shire.

Service

The nominee should have given extensive and distinguished service to the community that goes beyond the local government concerns (eg: service to other organisations, voluntary and community groups) in a largely voluntary capacity. The nominee must have made an outstanding contribution to the Shire such that the nominee's contribution can be seen to stand above the contributions made by most other people.

Outcome

The nominee's specific achievement must be of a nature, which would encourage the Shire to nominate that person for an honour under Australian honours system.

Nomination Procedure

Nominations must be made in the strictest confidence without the nominee's knowledge.

Any resident or elector of the Shire may make a nomination, but an elected member must sponsor it.

Nominations must be made in writing to the Chief Executive Officer. On receipt of a nomination, the nomination shall be circulated to all elected member for a confidential, informal discussion. If an

elected member expresses an objection to the nomination, that elected member must give reasons for the objection. If no elected member objects, it shall be assumed that all agree to the nomination.

If the elected members agree that the nominee should be made an Honorary Freeman of the Shire, then the nomination shall be put before Council and a formal vote taken.

Entitlements

Any person declared an Honorary Freeman of the Shire may designate him/herself "Honorary Freeman of the Shire of Wongan-Ballidu".

The award shall be made at a ceremony, which will be decided by the President. The recipient shall be awarded a plaque to commemorate receiving the award.

Any Honorary Freeman of the Shire of Wongan-Ballidu shall be invited to all subsequent civic events and functions.

A photograph of the recipient will be displayed in the Shire Administration Centre.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

Freeman of the Shire of Wongan-Ballidu:

Irwin Barrett-Lennard OAM JP

David George Silver Hood JP

5.10a Councillor Dress Standards

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 Resolution 060222
Date of Last Review	

POLICY STATEMENT

The standard of dress for Councillors of the Shire of Wongan-Ballidu may vary according to the activity or role and safety requirements. This policy provides guidelines in relation to appropriate types of clothing, standards of dress and related matters.

COMMITMENT

The Shire of Wongan-Ballidu is committed to presenting itself in a professional manner as well as maintaining a safe and healthy working environment for all in the organisation. This policy aims to fulfil such a commitment by providing clarity in relation to personal clothing.

COUNCILLOR - ACCEPTABLE STANDARDS OF DRESS

Councillors are requested to present for formal elected member duties in a professional manner and be suitably attired for their responsibilities.

Council Meetings

The standard for both men and women is Smart Business Dress.

Smart Business Dress for council meetings **does not include** low cut or sheer tops, tops that expose the midriff, shorts that expose the buttocks, thongs, bare feet, singlets, jeans, board shorts, T-Shirts, tracksuit pants and tops, windcheaters, or other items of clothing deemed unsuitable by the Shire President.

Committee Meetings

Smart Casual Dress for committee meetings may include Smart Business Dress (inclusions and exclusions above), as well as Smart Casual shirts, blouses (long and short sleeve) polo shirts, Chino pants, Jeans and casual shoes including sneakers.

Bus trips

Smart Casual Dress as outlined above.

Smart Business Dress may be required if attending a formal event, otherwise it is not a required standard.

Ministerial Visits

Smart Business Dress or Smart Casual Dress as outlined above.

Official Openings

Smart Business Dress or Smart Casual Dress as outlined above.

Cultural Exemptions

The following items may be acceptable provided they do not pose any possible hazard to health and safety at work or deviate significantly from the standards required.

- Clothing worn to comply with cultural or religious practices;
- Tattoos or body piercings; and
- Jewellery.

Additional requirements relating to protective clothing

A Councillor may be requested to wear protective clothing by an appropriate officer during site visits and bus trip/road trips. Councillors will be provided protective clothing and equipment??? issued vests and other protective clothing by the Shire of Wongan-Ballidu where and if required (excluding footwear). A Councillor must not modify, alter, or change protective clothing under any circumstances unless they are directed to do so by an appropriate officer.

VARIATION TO THIS POLICY

This policy may be cancelled or varied from time to time by Council. Councillors will be notified of any variation to this policy by the normal correspondence method.

RESPONSIBILITY FOR IMPLEMENTATION

The Shire President is responsible for implementing this policy.

5.11 Governance – **SUPERCEDED BY POLICY 5.0 AND PENDING DELETION**

Policy Owner	Governance
Person Responsible	Chief Executive Officer
Date of Adoption	2006
Date of Last Review	SUPERCED BY POLICY 5.0 AND PENDING DELETION

5.12 Historically Significant Dates

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	19 July 2007 – Resolution 020522
Date of Last Review	25 May 2022 – Resolution 020522 – No change

OBJECTIVE

To establish a policy for maintaining a calendar of significant historical dates recognised by Council and kept within their Municipal Inventory of Heritage Places document, which Council has as a permanent record, to review and update every five years.

POLICY

Council keeps a List of Significant Historical Dates which will be reviewed every five years (beginning 2007) and which will be kept in the Municipal Inventory of Heritage Places document. The dates be those recognised by the community as being of value and which in its opinion are, or may become, of cultural heritage significance.

The list will serve to recognise dates on which celebrations of significant historical heritage milestones may take place but does not obligate Council to finance or organise a community celebration at any anniversary. The list will be compiled with proper public consultation.

The historical significance of these dates are defined as the relative value which the dates (because of the action, event, occurrence associated with that day or time) has in the community's opinion in terms of its historic, scientific, aesthetic, social, environmental or economic significance for the present community and future generations.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

3 November 1836 – John Septimus Roe sighted, camped at and named Mt Matilda
1858 – Lease taken up for the first time, for agricultural purposes, by George Slater
1886 – First settler in the Shire boundaries was JM Williams, at Kalguddering
1888 circa – Wheat first planted in the Shire by JM Williams on land adjacent to Kalguddering Springs.
1906 – First commercial wheat crop was grown
1909 – First Ballidu settlers
22 August 1911 – Railway line was officially opened for traffic
30 June 1911 – Wongan Hills was gazetted a town
Proclamation of the following towns:
1914 Ballidu,
1929 Cadoux,
26 August 1916 – The first Roads' Board meeting was held for the area of Melbourne (earlier name for Wongan- Ballidu Shire)

5.13 Media Activity

Policy Owner	Administration and Financial Services
Person Responsible	Shire President and Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	

OBJECTIVE

To be more pro-active with the media in ensuring full and complete details of all issues relating to Council activities are fairly promoted to the community.

POLICY

All public statements on behalf of the Council shall be issued by the President or the Chief Executive Officer or their designated spokesperson.

Statements made by Elected Members are to be identified as their opinions only and do not necessarily represent the position of Council.

The Chief Executive Officer shall handle routine Media Activity. Routine Media Activity shall include but not be restricted to:

- Pro-active Press Releases of departmental activities
- Liaison with Journalists to provide background information of activities already being handled by the media.
- Follow-up of material printed in newspapers by other sources such as letters to the Editor.
- Liaison with printed and electronic Media as required to best promote Council and Community activities.
- Retain a friendly culture with the local printed media by way of hospitality and other offered assistance.

The Chief Executive Officer shall be the primary contact for journalists and Media personnel who attend Council and other meetings. This will include but not be restricted to:

- Provide local press with Minutes and Agenda papers.
- Assist members of the Media with follow-up information from Council meetings, in consideration of their deadlines.
- Liaise with Media related personnel (such as contract photographers) and provide them with the support and contacts required for a specified task.

Specified Media activities where the President and/or Chief Executive Officer will work in tandem include but are not restricted to:

- Any item of a controversial nature, being dealt with by Council, or potentially an issue to be dealt with by council.

- Matters before a committee, which are being pursued by the Media.
- Major pro-active announcements on Council direction/s.

Departmental Managers will assist the process of Media liaison by:

- Ensuring information and support is available to the Chief Executive Officer when researching material required by the media.

Media especially local press to be included on guest lists where their presence could have a supportive or relationship building effect. For example.

- Liaise with President for Media attendance at relevant functions.
- Professional body's awards, launches, accreditations etc.
- Citizenship ceremonies.

Media Activity will support and compliment Councils public image and promotion of services for residents.

The following strategy shall apply for day-to-day dealings with the local press, in association with the overall Media Activity policy.

- Forward by mail or other means, appropriate documents to Journalists in readiness for Council meetings.
- The President, Chief Executive Officer to be available to receive requests and provide appropriate background and follow-up to Journalists on current issues.
- Requests from Journalists will be responded to promptly and where possible, not delaying the information sharing process by lengthy waits on meeting outcomes.
- Elected Members and staff will at all times endeavour to project a truthful, positive and informative response to enquiries, in accordance with existing procedures and protocols.

RESPONSIBILITY FOR IMPLEMENTATION

The President and the Chief Executive Officer are responsible for implementing and applying this policy.

5.14 Name Plaques

Policy Owner	Administration and Financial Services
Person Responsible	Shire President and Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	22 June 2022 – Resolution 030622 – No Change

OBJECTIVE

To provide members of the public with a means to identify particular Elected Members and staff during Council and Committee meetings.

POLICY

Elected Members and staff names plaques are to be placed before the respective Elected Members and staff positions in the Council Chambers.

Elected Members and staff no longer performing their respective duties for the Shire of Wongan-Ballidu will be presented with their name plaques as a token gift.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for ensuring that name plaques for Elected Members and staff are procured, placed at the appropriate desks and presented to the person, when so required.

5.15 Obtaining Legal Advice

Policy Owner	Administration and Financial Services
Person Responsible	Shire President and Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	22 June 2022 – Resolution 030622 – No change

OBJECTIVE

To expedite and ensure a mechanism is in place in respect to the acquisition of legal advice, as required.

POLICY

The Chief Executive Officer is authorised to obtain legal advice within budget constraints as is deemed necessary to maintain the proper administration of Council affairs, subject to the following conditions: -

- Where copies of legal advice are made available to Elected Members, the content of the advice is not permitted to be disclosed to third parties, unless by a resolution of Council, following the opinion of the Solicitor who provided the advice to the Council about the possible consequences of making that advice available to a third party.
- That where a legal opinion is sought in relation to an item placed before Council, a note that the item is subject to legal advice is included in the relevant Agenda or Minutes.
- The intent of any advice received relating to any matter placed before Council for determination being conveyed to Elected Members within seven (7) days of receipt, Elected Members may obtain a copy of this advice together with Council's letter of instruction.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing and ensuring compliance with this policy

5.16 Official Photograph

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	22 June 2022 – Resolution 030622

OBJECTIVE

To ensure that there is a historical photographic record kept of serving Elected Members and Senior Management.

POLICY

1. After each election a new photograph of all elected members be taken in appropriate attire as provided in the Council Dress Policy and a consistent background.
2. After the appointment of new senior officer a photograph is to be taken in appropriate professional attire as provided by the Staff Dress Code and a consistent background.
3. These photos are to be used for all Council statutory documents and reports, social media and Council website pages.
4. On the election of new Shire President, a photo board consistent with the current size and style as to be displayed in the Council Chambers is to be sourced of the outgoing Shire President and displayed in Council Chambers.
5. Every ten (10) years a photo board consistent with the current size and style as displayed in the Ante Room is to be sourced containing photographs of the current Shire President, Councillors and Shire Staff and be displayed in the Ante Room

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for ensuring the appropriate photographs are taken within the time frames detailed in this policy.

5.17 Petitions – Notification to Elected Members

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	22 June 2022 – Resolution 030622 – No change

OBJECTIVE

To ensure petitions received are expeditiously notified to Elected Members.

POLICY

Upon receipt of a petition, the Chief Executive Officer should expeditiously advise the President and Elected Members of the subject matter of the petition received.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the application of this policy.

5.18 Retirement of Elected Members – Gifts & Functions

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	22 June 2022 – Resolution 030622

OBJECTIVE

To show appreciation to Elected Members who have served the Council and the Community.

POLICY

Upon retirement of a Elected Member, an official presentation and function shall be held to recognise the Elected Member's service to the Council.

A gift shall be presented to the Elected Member;

0-4 Years	Certificate of Service and a gift to the value of \$100
5-8 Years	Certificate of Service and a gift to the value of \$300
9+ Years	Certificate of Service and gift to the value of \$500
President	Certificate of Service and a gift to the value of \$1000

The President is to be consulted to determine a suitable gift for Elected Member service.

End of Term Dinner is held after each election in November/December. Existing Councillors, newly elected Councillors and Executive Staff are to be invited to this event. When a President does not complete their term, the previous President will be invited to the formal End of Term Dinner.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for ensuring that the necessary arrangements are made to ensure that this policy is enacted.

Note: Minister for Local Government Regional Director's exemption from Financial Interest provision required.

5.19 Shire Crest

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	15 December 2011 – Resolution 061211
Date of Last Review	27 July 2022 – Resolution 030722

OBJECTIVE

To provide Staff and Members of the community with guidelines for the use of the Shire's Crest/Emblem.

POLICY

That Council authorise Clubs/Organisations, identified with the district, to use the Shire Crest/Emblem on stationary and promotional material, subject to the following conditions:

The names "Shire of Wongan-Ballidu" or "Wongan-Ballidu Shire" are not to be incorporated with the utilisation of the crest/emblem.

Formal written approval is required before the use of the crest/emblem. A sample design is to be submitted with applications.

The user accepts that the Council retains the rights to withdraw the use of the crest / emblem if, in the opinion of the Council, the club/ organisation is either redundant or is operating in a manner detrimental to the image of the Shire of Wongan-Ballidu.

The Chief Executive Officer is authorised to approve the use of the crest/emblem provided the above requirements are complied with.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

5.20 Shire Flag

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	27 July 2022 – Resolution 030722

OBJECTIVE

To provide guidelines for the use of the Shire flag.

POLICY

The Chief Executive Officer is authorised to allow the use of the Wongan-Ballidu Flag at all civic ceremonies, public function, Local Government week, agricultural field days and sports events held in the Shire and for representative's sports team participating in events outside the Shire.

In all cases, the user shall be responsible for ensuring the flag is returned to the Shire Office in a clean, undamaged condition within 48 hours of the event and the user shall be responsible for the full replacement cost in the event of damage or loss from any cause whatsoever.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementing and administrating of this policy.

5.22 Attendance at Events and Functions

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	26 August 2020 – Resolution 020820 – New Policy
Date of Last Review	

PURPOSE

The Shire of Wongan-Ballidu is required under the *Local Government Act 1995* to approve and report on attendance at events for Elected Members and the Chief Executive Officer.

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of Elected Members, the Chief Executive Officer (CEO) and all Employees of the Shire.

OBJECTIVE

The policy provides guidance to Elected Members and Employees when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered free of charge.

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before Council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

POLICY

This policy applies to Elected Members, the Chief Executive Officer and all Employees of the Shire (the Shire) in their capacity as an Elected Member or Employee of the Shire.

Elected Members, the Chief Executive Officer and Managers occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community. The event may be a paid event, or a ticket/invitation may be gifted in kind, or indeed it may be to a free / open invitation event for the community in general.

Provision of tickets to events

1. INVITATIONS

- 1.1 All invitations or offers of tickets for an Elected Member, CEO or employee to attend an event should be in writing and addressed to the CEO.
- 1.2 Any invitation or offer of tickets not addressed to the CEO is not captured by this policy and

must be disclosed in accordance with the gift and interest provisions in the Act.

- 1.3 A list of events and attendees authorised by the local government in advance of the event is at Annexure A – Pre-Approved Events and Annexure B – Example Register.

2. APPROVAL OF ATTENDANCE

- 2.1 In making a decision on attendance at a non-pre-approved event, the council will consider:

- a) who is providing the invitation or ticket to the event,
- b) the location of the event in relation to the local government (within the district or out of the district),
- c) the role of the Elected Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- d) whether the event is sponsored by the local government,
- e) the benefit of local government representation at the event,
- f) the number of invitations / tickets received, and
- g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

- 2.2 Decisions to attend non- pre-approved events in accordance with this policy will be made by simple majority of Council.

3. PAYMENTS IN RESPECT OF ATTENDANCE

- 3.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determines attendance to be of public value.
- 3.2 For any events where a member of the public is required to pay, unless previously approved and listed in Annexure A, the Council will determine whether it is in the best interests of the local government for an Elected Member, CEO or another Officer to attend on behalf of the Council.
- 3.3 If the Council determines that an Elected Member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 3.4 Where partners of an authorised local government representative attend an approved event, any tickets for that person will be paid by Council.

GUIDELINES

Local Government Act 1995 S50.9A

Definitions

Elected Members includes the Shire President and all Elected Members.

In accordance with Section 5.90A of the *Local Government Act 1995* an event is defined as a:

- Concert
- Conference

- Function
- Sporting event
- Occasions prescribed by the Local Government (Administration) Regulations 1996.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

Annexure A – Pre-Approved Events

Annexure B – Example of Register of Events Approved by Council (by Simple Majority decision)

Annexure A – Pre-Approved Events

The Shire approves attendance at the following events by Elected Members, the Chief Executive Officer and employees of the Shire: -

- (a) Advocacy lobbying or Ministerial briefings (Elected Members and the Chief Executive Officer only);
- (b) Meetings of clubs or organisations within the Shire of Wongan-Ballidu;
- (c) Any free event held within the Shire of Wongan-Ballidu;
- (d) Australian or West Australian Local Government events;
- (e) Events hosted by Clubs or Not for Profit Organisations within the Shire of Wongan-Ballidu to which the Shire President, Elected Member, Chief Executive Officer or employee has been officially invited;
- (f) Shire hosted ceremonies and functions;
- (g) Shire hosted events with employees;
- (h) Shire run tournaments or events;
- (i) Shire sponsored functions or events;
- (j) Community art exhibitions;
- (k) Cultural events/festivals;
- (l) Events run by a Local, State or Federal Government;
- (m) Events run by the Wongan Hills District High School;
- (n) Major professional bodies associated with local government at a local, state and federal level;
- (o) Opening or launch of an event or facility within the Shire of Wongan-Ballidu;
- (p) Recognition of Service events
- (q) RSL events; and
- (r) Where Shire President, Elected Member or Chief Executive Officer representation has been formally requested.

Annexure B – Register of Events Approved by Council (by Simple Majority decision)

Event	Date of Event	Approved Attendee/s	Approved local government contribution to cost	Date of Council resolution

5.23 Elected Member Continuing Professional Development Policy

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	23 September 2020 – Resolution 020920
Date of Last Review	

OBJECTIVE

To ensure that Elected Members of the Shire of Wongan-Ballidu (the Shire) understand their obligations as Elected Members, make well informed decisions and effectively represent their constituents, and that the Shire provides support for Elected Members to attend conferences, seminars, training and other professional development opportunities in order to develop and enhance their knowledge pertaining to their role.

SCOPE

This policy applies to all Elected Members of the Shire.

POLICY

The *Local Government Act 1995* requires all Elected Members to undertake compulsory training within 12 months of being elected. The Shire is required under the *Local Government Act 1995* to adopt and report on compulsory training, and additionally, continuing development for Elected Members of the Shire.

It is policy that –

Compulsory Elected Member Training

All Elected Members of the Shire have significant and complex roles that require a diverse skillset.

In accordance with section 5.126 of the *Local Government Legislation Amendment Act 2019* all Elected Members are to undertake and successfully complete the following prescribed professional development training modules titled “Elected Member Essentials” within the period of 12 months from the day the Elected Member was elected, unless a prescribed exemption applies:

- Understanding Local Government;
- Serving on Council;
- Meeting Procedures;
- Conflicts of Interest; and
- Understanding Financial Reports and Budgets.

All modules and associated costs will be paid for by the Shire and completed within the 12 months following election. The training is valid for 5 years.

Additionally, the Shire will publish, on the Shire’s website, training undertaken by all Elected Members within one month after the end of the financial year pursuant to the *Local Government Act 1995*.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost-efficient form of delivery. It is acknowledged however that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

Non-compliance with the requirement to complete training is an offence under the Act punishable by a fine not exceeding \$5,000. Elected Members have a responsibility to complete training in accordance with legislation.

Ongoing Professional Development

The professional development of Elected Members is an important activity of the Shire to ensure that its decision making is of the highest standard and is the product of informed and ethical debate by well trained and committed Elected Members acting in the best interest of all of the community.

In accordance with section 5.128 of the *Local Government Legislation Amendment Act 2019*, Elected Members are encouraged to nominate to attend other conferences or training opportunities to enhance and broaden their knowledge of local government issues to support the community.

Eligible Formal Training Events

The formal training events to which this policy applies is limited to those conducted by, or organised by, any of the following organisations or individuals:

- The West Australian Local Government Association (WALGA);
- Local Government Professionals WA;
- Accredited training organisations offering training which directly related to the role and responsibilities of Elected Members;
- Information sessions organised by the Department of Local Government, Sport and Cultural Industries; or
- Seminars, training and/or information sessions provided by individuals with a demonstrably strong knowledge of local government in Western Australia.

Approval of Professional Development

Considerations for approval of the training or professional development activity include:

- The costs of attendance including registration, travel and accommodation, if required;
- The Budget provisions allowed and the uncommitted or unspent funds remaining;
- Any justification provided by the applicant when the training is submitted for approval;
- The benefits to the Shire of the person attending;
- Identified skills gaps of elected members both individually and as a collective;
- Alignment to the Shire's Strategic Objectives; and
- The number of Shire representatives already approved to attend.

Consideration of attendance at training or professional development courses, other than the online Elected Member Essentials, which are deemed to be approved, are to be assessed as follows:

- Events for the Shire President must be approved by the Deputy Shire President, in conjunction with the CEO; and
- Events for Elected Members must be approved by either the Council or the Shire President, in conjunction with the CEO.

Travel Arrangements

Where travel is approved and as provided for in each year's budget, it is to be undertaken in accordance with Policy 5.9 Elected Member/Staff Conferences.

Expenses

Expenses relating to conferences and training as approved and as provided for in each year's budget, will be in accordance with Policy 5.9 Elected Member/Staff Conferences.

Reporting and Publishing

The Shire is required to report annually on training undertaken by each Elected Member. Completed training for that financial year is to be published on the Shire's website within one month of the end of the financial year. This is to include the Elected Member Essentials Course and any continuing professional development undertaken by Elected Members.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

5.24 Shire of Wongan-Ballidu Code of Conduct for Elected Members, Committee Members and Candidates 2021

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	28 April 2021 – Resolution 050421 – New Policy
Date of Last Review	

PURPOSE

The purpose of the Model Code is to guide the decisions, actions and behaviours of Elected Members, both in Council and on Council committees, and of candidates running for election as a Elected Member. One of the key changes to the *Local Government (Model Code of Conduct) Regulations 2021* is their application to individuals who have nominated as a candidate in a local government election, as they are also required to demonstrate professional and ethical behaviour during their election campaign.

BACKGROUND

An outline of the amendments to the Act and the new regulations and actions required by Council are set out below:

To enable the Shire to be compliant with the legislation changes and be able to process complaints made under Division 3 of the Model Code of Conduct the Shire must:

- appoint a person to receive and withdraw complaints and
- approve a form for complaints to be lodged.

The form that is proposed to be used (Attachment) has been created using a template provided by the Department of Local Government, Sport and Cultural Industries.

Local Government (Model Code of Conduct) Regulations 2021

On 3rd February 2021, the Local Government (Model Code of Conduct) Regulations 2021 introduced a mandatory code of conduct for Elected Members, committee members and candidates. The Local Government (Model Code of Conduct) Regulations 2021 repeals and replaces the Local Government (Rules of Conduct) Regulations 2007 and also replaces the previous statutory requirement to develop and implement an individual code of conduct for Elected Members and committee members.

The Local Government (Model Code of Conduct) Regulations 2021 are now in effect and Elected Members and Committee Members should familiarise themselves with the principles, behaviours and complaints required to be managed by Council and the rules of conduct, contraventions of which are considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

Further information and guidelines are available on the DLGSC website.

<https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review/priority-reforms/model-code-of-conduct>

Elected Members must comply with the provisions in the Model Code Regulations in fulfilling their roles and responsibilities in Council and on Council committees, as set out in the Act.

The purpose of the Model Code is to guide the decisions, actions and behaviours of members, both in Council and on Council committees, and of candidates running for election as a Elected Member. One of the key changes to the Local Government (Model Code of Conduct) Regulations 2021 is their application to individuals who have nominated as a candidate in a local government election, as they are also required to demonstrate professional and ethical behaviour during their election campaign.

POLICY/LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

Local Government Legislation Amendment Act 2019

Local Government (Administration) Amendment Regulations 2021

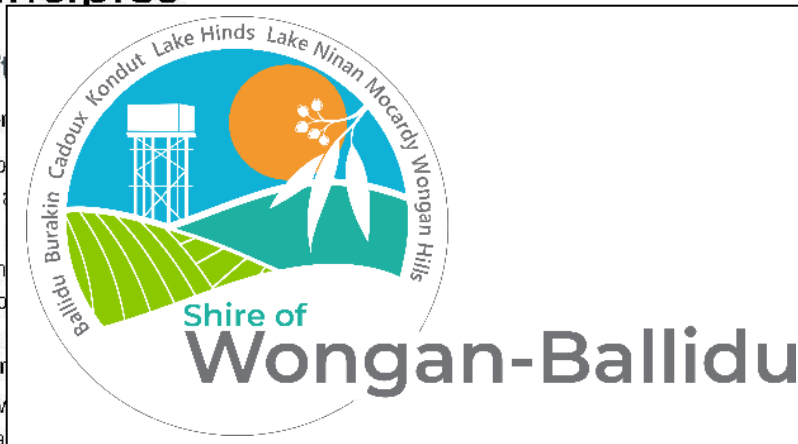
Local Government (Model Code of Conduct) Regulations 2021

Our principles

Accountability

As a Shire of Wongan-Ballidu Council Member, committee member, or candidate, I will –

- take personal decisions in the best interests of the Shire.
- be open to consequences of personal behaviour, in accordance with the Code, and by the Shire.
- fulfil my own purposes and objectives.



actively, deliver clear outcomes to stakeholders. Consult with the CEO or other staff for advice, if necessary, but be contrary to the Shire.

Personal integrity

As a Shire of Wongan-Ballidu Council Member, committee member, or candidate, I will –

- act reliably, professionally and ethically in conducting activities, decision making and in all dealings with others.
- actively learn and stay informed about:
 - o the role and purpose of the statutory, regulatory and policy requirements that apply when carrying out public duties.
 - o the political and social environment in which the Shire operates.
 - o all relevant issues and activities affecting the Shire.
- exercise my powers and discharge my duties responsibly and in the best interests of the Shire.
- make decisions fairly, impartially and promptly and consider all available information, legislation, policies, procedures and advice.
- serve the community lawfully, with reasonable care and diligence and as efficiently and effectively as possible.
- diligently prepare for meetings by reading and considering papers circulated with the agenda.

Effective working relationships with others

As a Shire of Wongan-Ballidu Council Member, committee member, or candidate, I will –

- treat members of the public, stakeholders, my fellow council members, committee members, candidates and the employees of the Shire with respect, courtesy, honesty and fairness; having proper regard for their interests, rights, safety and welfare.
- maintain and contribute to a harmonious, safe and productive work environment and foster professional relationships.

These principles are consistent with and complementary to the general principles prescribed by section 3 of the *Local Government (Rules of Conduct) Regulations 2007*.

Living the Code

1. Personal conduct

General conduct

As a current or prospective representative and leadership figure of the Shire of Wongan-Ballidu, you are a role model and your behaviours shape the culture of what is acceptable and expected at the Shire. By acting in accordance with our principles, you can foster a positive culture in the Shire and provide effective leadership to the organisation and community.

Your conduct at meetings is particularly important in effective, democratic, and ethical decision making. It is a statutory obligation of an elected member to vote on every item of business considered at a Council meeting, except where prevented from doing so by the *Local Government Act 1995* due to a conflict of interest.

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a breach and be responded to appropriately by the local government.

- 1.1. As a council member or committee member for the Shire of Wongan-Ballidu, I must –
 - a. not be impaired by alcohol or drugs in the performance of my official duties.
 - b. comply with all policies, procedures and resolutions of the Shire.
 - c. act in the best interests of the community, with reasonable care and diligence and with honesty, integrity and transparency, having regard to relevant and factually correct information.
- 1.2. As a council member or committee member for the Shire of Wongan-Ballidu, when attending a committee meeting, I must –
 - a. not act in an abusive or threatening manner towards another person.
 - b. not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading.
 - c. not repeatedly disrupt the meeting.
 - d. comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings.
 - e. comply with any reasonable direction given by the person presiding at the meeting.
 - f. immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

Expectations	Responsibilities
<ul style="list-style-type: none"> I impartially exercise my responsibilities in the interests of the local community. I do not engage in any fraudulent, corrupt or illegal behaviour, and I report any information about actual or potentially fraudulent, corrupt, or illegal activities to the CEO or, if necessary, the Corruption and Crime Commission where I suspect the conduct may meet the definition of serious misconduct under the <i>Corruption, Crime and Misconduct Act 2003</i>. 	<ul style="list-style-type: none"> Acting in accordance with the letter and intent of legislation such as the <i>Corruption, Crime and Misconduct Act 2003</i>, <i>Public Interest Disclosure Act 2003</i>, and <i>Local Government (Rules of Conduct) Regulations 2007</i>. Understanding the different types of breaches and misconduct findings and sanctions that may be made against me should I fail to comply with applicable legislation and the Code.

- I endeavour to foster a culture of good governance, risk awareness, health and safety, and equal opportunity within the Shire and the community.
- I act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person.
- I understand that ethical behaviour is an integral part of responsible, effective and accountable government.
- I am committed to ensuring that elections conducted by the Shire are conducted fairly and democratically and in accordance with the highest standards of governance.
- Taking all reasonable steps to become familiar with policies and protocols and participate in any reviews of these documents.
- Acting professionally, democratically, and respectfully at all meetings, briefings, forums, workshops, and training sessions.
- Using a good governance and risk management focused approach when making decisions and in all other official duties.

Diversity and inclusion

The Shire aims to foster within the community and the workplace an environment of trust, mutual respect and appreciation where everyone is treated fairly, with respect and can realise their full potential.

All individuals have a right to feel confident that the diversity of their experiences will be valued and supported, regardless of their gender, age, language, ethnicity, cultural background, ability, religious belief, identification as gay, lesbian, bisexual, transgender, intersex or queer (LGBTIQ), education, work and life experiences, socio-economic background, opinions, job function, geographical location, marital status and family.

Expectations	Responsibilities
<ul style="list-style-type: none"> • I recognise and embrace the diversity each person brings to the Shire, and value and consider diversity in decision-making, program and policy development. • I recognise that there is no place for unlawful discrimination, harassment (sexual or otherwise), racial and religious vilification and victimisation of any individual. • I am committed to treating all people with dignity and respect, and have due regard to the opinions, identities, beliefs, rights and experiences of other elected members, Shire staff and other persons. 	<ul style="list-style-type: none"> • Acting in accordance with the letter and intent of legislation such as the <i>Equal Employment Opportunity Act 1984</i> and other anti-discrimination legislation. • Identifying my own needs and the needs of my colleagues to undertake training or activities to further develop awareness and understanding. • Valuing diversity and considering diversity in decision making, program and policy development. • Recognising the characteristics of the whole person and treating all individuals with fairness and respect.

Bullying and harassment

Harassment occurs when someone engages in conduct that would make a reasonable person feel offended, humiliated or intimidated because of their age, race, religion, gender or gender expression, sexual orientation or some other attribute specified under anti-discrimination legislation. Bullying is repeated, unreasonable behaviour directed toward an individual or group of individuals that creates a risk to health and safety.

There is no place for bullying or harassment at the Shire, and it will not be tolerated. It is unlawful, breaches our policies, and goes against our values.

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a breach and be responded to appropriately by the local government.

- 1.3. As a council member, committee member or candidate for the Shire of Wongan-Ballidu, I must –
- a. not bully or harass another person in any way.
 - b. not use offensive or derogatory language when referring to another person.

Expectations	Responsibilities
<ul style="list-style-type: none"> I uphold the Shire's obligations to support a safe workplace and will not engage in unreasonable behaviour toward another Council member, committee member, the general public, the CEO or any Shire employee that creates a risk to the health and safety of that person. I report harassment and bullying, and do not behave in a manner that may be perceived as intimidating, offensive, or inappropriate. 	<ul style="list-style-type: none"> Taking responsibility for personal health and safety and the health and safety of others and fulfilling my obligations under the <i>Occupational Health and Safety Act 1984</i> and <i>Fair Work Act 2009</i>.

2. Communications and leadership

Involvement in administration

As an elected member, your prescribed role includes providing leadership and guidance to the community. The *Local Government (Rules of Conduct) Regulations 2007* prohibits your involvement in the administration of the Shire. This separation of duties between the representative decision makers (council and committee members) and the administrators responsible for implementing those decisions (local government employees) is a fundamental good governance principle.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute a **minor breach** and dealt with by the Local Government Standards Panel.

- Regulation 9 – ‘Prohibition against involvement in administration’

Expectations	Responsibilities
<ul style="list-style-type: none"> • I accept that my role is to provide leadership, and not to interfere or involve myself in administrative matters. • I respect the role that each elected member, committee member and employee plays to achieve the Shire’s objectives and deliver effective service to the community and our stakeholders. • I do not approach staff directly about matters unless given authority to do so, or make vexatious or inappropriate queries to the administration, as I understand and value the time spent by Shire employees in responding to requests and questions from elected and committee members. 	<ul style="list-style-type: none"> • Adhering to the <i>Local Government Act 1995</i> and the Shire’s Communication Protocol, and fulfilling my prescribed role and responsibilities without seeking to involve myself in the responsibilities of others. • Not undertaking tasks that contribute to the administration of the Shire. • Not directing (except as part of an established council or committee meeting process) or attempting to influence a local government employee in their capacity as a local government employee.

Relations with council members, committee members, the CEO and Shire administration

Effective working relationships based on clear roles and responsibilities are crucial to the ability of the Shire to effectively serve the community and its stakeholders.

Given the open nature of local government and the absence of party-based political structures, elected members and committee members must work together to achieve outcomes. It is also critical to good governance to maintain an appropriate relationship between council members, committee members, the CEO and Shire administration. Working relationships should be characterized by mutual respect and an acknowledgement that, while all parties may not agree on all issues, they are all doing important, and often challenging work, and each have a clear role to play in serving the community.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute a **minor breach** and dealt with by the Local Government Standards Panel.

- Regulation 10 – ‘Relations with local government employees’

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a **breach** and be responded to appropriately by the local government.

- 2.1. As a council member, committee member or candidate for the Shire of Wongan-Ballidu I must –
- a. not disparage the character of another council member, committee member or candidate or a local government employee.
 - b. not impute dishonest or unethical motives to another council member, committee member, or candidate or local government employee in connection with the performance of their official duties.
 - c. direct to the CEO any request for a query or complaint to be dealt with, or other work or action to be undertaken, by a local government employee.

Expectations	Responsibilities
<ul style="list-style-type: none"> • I communicate with my fellow council and committee members openly, equitably and without bias or favouritism. • I work constructively with my fellow council, committee members, candidates, the CEO and the Shire’s employees and respect their perspectives and input. • I do not seek to restrict or place undue influence on the ability of employees to give professional advice to Council. • I act according to legal requirements, policies and all other lawful directives regarding communication with my fellow council members, committee members, and candidates, the CEO, employees of the Shire, media, and community. • I express my disagreements with others in ways that are not personal attacks and do not cause detriment to individuals. 	<ul style="list-style-type: none"> • Following all procedures and protocols which set out interaction between council members, committee members, candidates, the CEO and the Shire administration. • Ensuring I have effective working relationships with other council members, committee members, the CEO, and Shire employees to succeed individually and collectively. • Treating others with respect and courtesy. • Allowing others to freely express their opinions, and swiftly resolving any conflicts that may rise.

Communications

As an appointed or prospective council or committee member, you are seen to be representing the Shire of Wongan-Ballidu in your interactions with the community and our stakeholders.

These expectations are applicable whenever you are speaking or communicating on behalf of the Shire, and when using channels such as:

- social media
- websites
- electronic direct mail (EDM)
- publications, such as local newspapers (print and electronic)
- advertising (print, electronic and digital)
- media communications and releases
- promotional items
- displays and exhibitions promotional items.

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a breach and be responded to appropriately by the local government.

- 2.2. As a council member, committee member or candidate for the Shire of Wongan-Ballidu, I must –
- a. ensure that my use of social media and other forms of communication complies with this code; and
 - b. only publish material that is factually correct.
 - c. deal with the media in a positive, informative and appropriate manner and in accordance with any relevant policy of the local government.
- 2.3. As a council member or committee member for the Shire of Wongan-Ballidu, I must –
- a. clearly preface any personal opinions or views I express publicly as my own and not the Shire's, including when using social media.
 - b. not make any adverse reflection on council members, committee members, the CEO, employees, or decisions of Council and committees, including when publicly expressing my own personal opinions or views.

Expectations	Responsibilities
<ul style="list-style-type: none"> • I abide by the Communications Protocol. • I understand that the Shire President is the authorised spokesperson for the Shire, and do not make unauthorised public representations about the Shire, its activities or its views. • I only make public comment or representation on behalf of the Shire with appropriate prior approval. • Any comments or representations I make publicly will be factually correct and not cause detriment to my fellow Council members, committee members, candidates, the CEO, the Shire administration, the Shire as an entity, or any other person. • When expressing my personal views and opinions, I clearly identify them as my own and not the Shire's. 	<ul style="list-style-type: none"> • Acting in accordance with the Communications Protocol, and respecting that the Shire President is the authorised spokesperson for the Shire. • Respecting decisions of Council and committees by not criticising or actively undermining any decisions which have been made. • Not bringing the Shire into disrepute through any of my words or actions • Not speaking on behalf of the Shire without prior approval. • Ensuring any personal opinions or views I express publicly are identified as my own and not the Shire's. • Ensuring any communications I make are not offensive, derogatory, insulting or otherwise damage the reputation of Council.

3. Improper use of office

Personal advantage or disadvantaging others

The position of council member or committee member is inherently a position of power. The community rightfully expects you to use your office to fairly and faithfully represent and act in their best interests, and properly dispel your duties. If you improperly use your office to gain a personal advantage for yourself or another person or to cause detriment to the Shire or any other person, community trust in the Shire and local government broadly is damaged.

Improperly using your office to gain a personal advantage for yourself or another person, or to cause detriment to the Shire or another person, may constitute corruption if it meets the definition of serious misconduct under the *Corruption, Crime and Misconduct Act 2003*.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute a **minor breach** and dealt with by the Local Government Standards Panel.

- Regulation 7 – ‘Securing personal advantage or disadvantaging others’

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a **breach** and be responded to appropriately by the local government.

- 3.1. As a council member for the Shire of Wongan-Ballidu, I must –
- only use my Shire President or councillor title when fulfilling the official functions of my office.

Expectations	Responsibilities
<ul style="list-style-type: none"> • I honour the trust placed in me by the community and our stakeholders to serve fairly and transparently, and do not seek to gain advantage directly or indirectly for myself or any other person. • I act equitably, without seeking to cause detriment to the Shire or any other person. • I do not make improper use of information obtained in the course of my official duties, or use it for direct or indirect, personal or commercial gain, or to do harm to others. • As a sitting council member, during an election period: <ul style="list-style-type: none"> o I will abide by the requirements of the applicable legislation and policies. o whether or not I am standing for re-election, I will always act respectfully towards all candidates for the election. 	<ul style="list-style-type: none"> • Not making improper use of my position as a council or committee member to directly or indirectly gain an advantage for myself or any other person. • Not making improper use of my position as a council or committee member to cause detriment to the Shire or any other person.

Use of Shire resources

You have a responsibility to the community to ensure the Shire operates efficiently and effectively. This extends to your own behaviours, which means that you are expected to act only in the public interest, and without self-interest, and to use the Shire's resources carefully and transparently.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute **a minor breach** and dealt with by the Local Government Standards Panel.

- Regulation 8 – 'Misuse of local government resources'

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute **a breach** and be responded to appropriately by the local government.

- 3.2. As a council member or committee member for the Shire of Wongan-Ballidu, I must –
- a. not use Shire resources (including services and equipment) for purposes which are, or may be perceived to be, for election related purposes.

Expectations	Responsibilities
<ul style="list-style-type: none"> • I use Shire resources, facilities, funds and equipment (including employee time) effectively and economically, and only for official duties. • I use these resources in the accordance with public interest, and not for personal gain. • I report any damage or loss of property or equipment immediately to the Shire. • I ensure requests by an external party, such as charitable organisations, to use Shire facilities are referred to the Shire for approval. • I ensure the Shire's resources are to be utilised only for authorised activities. 	<ul style="list-style-type: none"> • Understand and comply with the Shire's provisions for the reimbursement of expenses, including travel and accommodation. • Ensuring the responsible and efficient expenditure of ratepayer funds. • Using Council resources, which may include equipment, information, email address, premises, staff resources, property of any kind and other assets, which have been provided to me only for the purposes of my duties as a Councillor and not for private purposes unless properly authorised to do so. • Maintaining adequate security over Council property, facilities and resources in my possession or control. • Ensuring that any claim for expenses that I may make is in accordance with all legislative obligations and Council policies.

4. Disclosure and management of information

Record keeping

All public officers, including council members and committee members, are responsible under the *State Records Act 2000* for creating and managing government records appropriately. Correspondence and documents created or received in the course of official business are official records.

The State Records Commission requires that records of council member communications and transactions which constitute evidence affecting the accountability of the Council and the discharge of its business be created and retained, regardless of the record's format or where it was received. This includes messages sent via text or applications such as WhatsApp, Messenger, or WeChat.

Making and maintaining proper records assists with accountability and transparency by demonstrating the basis for decisions and the process used to make them. Documentation enables decisions to be reviewed, including by an independent person or authority. The *Freedom of Information Act 1992* gives members of the public the right to access the Shire's documents, subject to some limitations. All documents created by council members and the administration can be subject to a Freedom of Information request.

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a breach and be responded to appropriately by the local government.

- 4.1 As a council member or committee member for the Shire of Wongan-Ballidu, I must –
- a. Where information technology facilities are provided by the Shire, use those facilities for any matter relating to the business of the Shire or the performance of the duties or my office or appointment.

Expectations	Responsibilities
<ul style="list-style-type: none"> I follow meeting procedures and disclosure processes to facilitate the accurate recording of decision-making practices (including motions and questions), events, and activities. I ensure information and records within my control are kept in a secure place. I diligently handle Shire records and secure sensitive documents. I dispose of duplicate copies of records and confidential waste in accordance with record keeping and archive procedures. I do not falsify, destroy, alter or damage any public records or back-date information or remove information from files. I respect and facilitate the rights of the public to gain access to documents and to check personal information in documents. I allow prompt access and ensure personal information held is accurate, complete, up to date and not misleading. I record salient facts in documents. I avoid recording inappropriately disparaging remarks and unsubstantiated personal opinions about individuals on official documents. 	<ul style="list-style-type: none"> Complying with the letter and intent of the <i>State Records Act 2000</i>, <i>Freedom of Information Act 1992</i>, and the Shire's Recordkeeping Plan and practices. Ensuring records are properly organised and securely stored. Understanding and fulfilling my record keeping obligations, including by only using approved Shire systems to discuss official Council business and decision-making. Ensuring that records I create or receive that relate to official Shire business be captured in the Shire's record keeping systems in accordance with the Shire's Recordkeeping Plan.

Disclosure of information

Council and committee members are privy to confidential and highly sensitive information such as information relating to commercial matters and legal issues, notably when considering meeting items deemed to be confidential under the *Local Government Act 1995*. The confidentiality of information must be maintained unless determined otherwise.

It is important that you do not inappropriately or unlawfully disclose information acquired in the course of your official duties or for personal, commercial, or political gain for yourself or others, or to the detriment of others. You should be particularly cautious when information to which you are privy could be seen to involve any conflict of interest you may have.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute a **minor breach** and be dealt with by the Local Government Standards Panel.

- Regulation 6 – ‘Use of Information’

Expectations	Responsibilities
<ul style="list-style-type: none"> • I avoid discussing confidential matters in public places where there is a likelihood of being overheard. • I maintain and respect confidentiality and don't divulge information deemed confidential or sensitive, other than as required by law or where proper authorisation is given. • I don't make improper use of information obtained in the course of my official duties, or use for direct or indirect personal or commercial gain, or to do harm to others. • I respect the privacy of individuals, and the security of personal information. • I protect intellectual property. • I raise concerns of improper communications or use of information with the CEO or relevant authority. 	<ul style="list-style-type: none"> • I will comply with any legislative provisions and Council policies concerning my access to, use of, or disclosure of Council information, whether confidential or otherwise.

5. Conflicts and Disclosures

Decisions can arise that an elected member or committee member has an actual or perceived interest in a matter.

When decisions are made and there is the perception of a conflict of interest the community may doubt the integrity of the decision. The validity of decisions made with an actual or perceived conflict can be challenged. To ensure conflicts do not undermine public trust, it is important to transparently disclose them and leave meetings when required.

Sections 5.65 of the *Local Government Act 1995* requires elected members and committee members to disclose financial and proximity interests of themselves and people they are closely associated with. Council members must complete primary and annual returns in accordance with the requirements of Division 6 of Part 5 of the *Local Government Act 1995*.

The *Local Government (Rules of Conduct) Regulations 2007* requires the disclosure of any interest which could, or could reasonably be perceived to, adversely affect the impartiality of the elected member.

The following rules of conduct as prescribed by the *Local Government (Rules of Conduct) Regulations 2007* apply to this area of conduct. Failure to comply with these rules may constitute a **minor breach** and dealt with by the Local Government Standards Panel.

- Regulation 11 – ‘Disclosure of interest’

Expectations	Responsibilities
<ul style="list-style-type: none"> • I carefully identify and appropriately manage potential conflicts and keep my private commercial or political interests separate from my role. • I openly and transparently disclose interests in matters before Council or committee in accordance with the <i>Local Government Act 1995</i>. • I ensure there is no actual or perceived conflict of interest between my personal interests and the impartial fulfilment of my public duties and functions. • I ensure the details and extent of my interests and any conflicts are fully and faithfully recorded in any disclosures I make. • I diligently review meeting agendas and papers to identify and disclose any conflicts prior to meetings. • I understand that conflict and bias can arise from my personal and professional relationships, and this can potentially lead or be seen to lead to decisions I make as a Councillor being made for reasons other than the public interest. 	<ul style="list-style-type: none"> • Disclosing interests in accordance with legislation at meetings and providing a written disclosure of interests to the CEO. • Ensuring I do not participate, even informally, in decisions where I have any interest unless my interest has been disclosed and my participation is authorised. • Wholly completing and lodging primary and annual returns and related party disclosures in a timely fashion and in accordance with legislation. • Familiarising myself with the different types of interests under legislation and the disclosure requirements that apply to them. • Seeking assistance if I am unsure about a possible conflict of interest.

6. Gifts

Elected members may be offered gifts from organisations and individuals as a result of their role. Gifts can include items such as goods, discounts, hospitality, attendance at events or contributions to travel.

The full definition of a gift is included under section 5.57 of the *Local Government Act 1995*.

Whenever an elected member accepts (or in some instances, is offered) a gift, there is a risk of real or perceived influence arising. Even though this might not be your intention, or the intention of the donor, impressions and perceptions are important.

Sections 5.87A and 5.87C of the *Local Government Act 1995* require declaration of any gift received in a **person's capacity as an elected member** where the value of the gift (or the cumulative value of gifts from the same donor in a 12-month period) is over \$300. Gifts must be declared within ten days of receipt to the CEO.

Interests can arise from accepting a gift. This may require a disclosure of interest and affect voting.

The following are the enforceable provisions under this Code, and failure to act accordingly may constitute a **breach** and be responded to appropriately by the local government.

- 6.1. As a council member or committee member for the Shire of Wongan-Ballidu I must –
- a. In addition to my obligations to declare gifts in accordance with the *Local Government Act 1995*, declare in full **any gift** that I receive from any person who entity who -
 - i. is a Shire of Wongan-Ballidu council member, committee member or employee;
 - ii. requires, or who it is reasonable to believe may require, a decision from the local government; and or
 - iii. has, or who it is reasonable to believe may have, directly or indirectly, commercial dealings or a commercial relationship with the Shire.

Expectations	Responsibilities
<ul style="list-style-type: none"> I strive to build and maintain public trust and understand that accepting gifts can give the impression that decisions could be influenced by the gift. I openly and transparently declare gifts received and meet the requirements of the <i>Local Government Act 1995</i>. I do not expect or seek gifts and benefits. I consider the appropriateness of the gift, including its potential impact on future decision making and community perception before accepting. I consider whether there is a benefit to the Shire when accepting a gift. I commit to compliance with my statutory obligations in relation to gifts, benefits and hospitality. 	<ul style="list-style-type: none"> Refusing offers of gifts that could reasonably be perceived as influencing me or undermining the integrity of the Shire or myself. Declaring relevant gifts within 10 days of receipt to the Chief Executive Officer. When relevant gifts under \$300 are received either: <ul style="list-style-type: none"> declaring relevant gifts under the threshold when received. keeping personal records and declaring when the threshold is reached. Complying with the relevant provisions of the <i>Local Government 1995</i>, <i>Local Government (Election) Regulations 1996</i>, <i>Criminal Code</i>, <i>State Records Act 2000</i> and <i>Corruption, Crime and Misconduct Act 2003</i>.

Elections

- All electoral candidates must comply with the *Local Government Act 1995* and the *Local Government (Elections) Regulations 1997* in disclosing electoral donations or 'gifts'. A candidate must disclose to the CEO information about any electoral or related gift with a value of \$200 or more that is promised or received within 6 months before election day.
- Requirements relating to the disclosure of electoral gifts are set out in the *Local Government (Elections) Regulations 1997*, particularly Part 5A.

Enforcing the Code

Breaches

You are encouraged to refer any suspected breaches of the Code or rules of conduct to the CEO in writing – this is your code, and you have a role in upholding it and ensuring others adhere to it.

Breaches of the Code

If you or any other person has reason to believe a council member, committee member or candidate has breached the enforceable provisions of this Code, the matter is to be referred to the CEO and will be dealt with by, on behalf of, the local government.

Breaches of the rules of conduct

Failure to act in accordance with the prescribed rules of conduct under the *Local Government (Rules of Conduct) Regulations 1996* may constitute a minor breach under the *Local Government Act 1995*.

If you or any other person has reason to believe a minor breach has occurred, the matter may be referred to the CEO by completing a minor breach form with all supporting evidence. Complaints of this nature may be forwarded to the Local Government Standards Panel (Standards Panel) for determination.

Commitment to the Code

I, as an elected representative of the community charged with decision making for the Shire of Wongan-Ballidu, am committed to undertaking the duties and responsibilities of my office by working together with my fellow Councillors in a respectful and constructive manner to achieve the goals and vision for our Shire.

I recognise the importance of acting in the highest standards of governance, and that it is essential to honest, accountable and effective government. My behaviour towards my colleagues, the community and the Shire's administration is critical to the teamwork required to be a successful and highly functioning public authority.

I acknowledge that I have been elected by the community to a position of significant responsibility with the expectation that I will act in accordance with accepted values of our society.

I also acknowledge that Council is committed to our principles of accountability, personal integrity, and effective relationships with others. These principles and associated obligations are set out in this Code. The Code is supported by specified protocols, policies and procedures which underpin the values and provide guidance for the implementation and management of elected member conduct.

As an elected representative of the Shire of Wongan-Ballidu, I agree to:

- act in accordance with the principles of good governance and respectful conduct and associated obligations set out in the Code and legislation;
- provide civic leadership and contribute effectively to the interests and advancement of Council and its community;
- contribute to the strategic vision for Council;
- uphold the public trust in the office of Councillor by refraining from any action or behaviour that would bring Council into disrepute; and
- act in accordance with all my obligations to the best of my skill and judgment.

This Code sets out my commitment to my fellow elected members and the community to govern the Shire in a manner which accords with the expressed behaviours, standards and values.

This Code will be reviewed in accordance with relevant legislative obligations. Additionally, at least once every two years elected members will review this Code to ensure that it meets and continues to meet community standards and expectations.

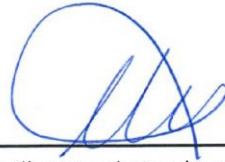
By signing below, I declare to my fellow elected members and to the community that I have read, understood and will abide by this Code of Conduct.

Shire President

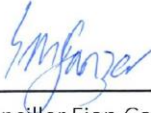
Deputy Shire President



Councillor Sue Falconer




Councillor Mandy Stephenson



Councillor Eion Ganzer



Councillor Stuart Boekeman



Councillor Andrew Tunstill



Councillor Brad West



Witnessed by:
Chief Executive Officer, Stuart Taylor

5.25 Model Standards for CEO Recruitment and Selection, Performance and Termination

Policy Owner	Governance
Person Responsible	Chief Executive Officer
Date of Adoption	28 April 2021 – Resolution 060421
Date of Last Review	22 June 2022 – Resolution

OBJECTIVE

New legislation requires all local governments to adopt mandatory minimum Standards that cover the recruitment and selection, performance review and early termination of local government Chief Executive Officers.

POLICY

The Local Government (Administration) Amendment Regulations 2021 (CEO Standards) bring into effect Section 22 of the Amendment Act by introducing mandatory minimum Standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers.

The Model CEO Standards provide a framework for local governments to select a Chief Executive Officer in accordance with the principles of merit, probity, equity and transparency.

These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

POLICY/LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

5.39A. Model standards for CEO recruitment, performance and termination

- 1) Regulations must prescribe model standards for local governments in relation to the following —
 - a) the recruitment of CEOs;
 - b) the review of the performance of CEOs;
 - c) the termination of the employment of CEOs.

- 2) Regulations may amend the model standards.

[Section 5.39A inserted: No. 16 of 2019 s. 22.]

5.39B. Adoption of model standards

- 1) In this section —

model standards means the model standards prescribed under section 5.39A(1).

- 2) Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.
* *Absolute majority required.*
- 3) Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.
* *Absolute majority required.*
- 4) A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.
- 5) The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.
- 6) The CEO must publish an up-to-date version of the adopted standards on the local government's official website.
- 7) Regulations may provide for —
 - a) the monitoring of compliance with adopted standards; and
 - b) the way in which contraventions of adopted standards are to be dealt with.

Local Government (Administration) Amendment Regulations 2021
Local Government (Administration) Regulations 1996



Shire of Wongan-Ballidu

Standards for CEO Recruitment, Performance and Termination

Local Government (Administration) Regulations 1996

(Reg 18 FA & Schedule 2)

Shire of Wongan-Ballidu Standards for CEO Recruitment, Performance and Termination

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

Citation

These are the *Shire of Wongan-Ballidu* Standards for CEO Recruitment, Performance and Termination.

Terms used

In these standards —

Act means the Local Government Act 1995;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means *Shire of Wongan-Ballidu*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

Application of Division

Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

This Division does not apply —

- if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
- in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

Determination of selection criteria and approval of job description form

The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

- the duties and responsibilities of the position; and
- the selection criteria for the position determined in accordance with subclause (1).

Advertising requirements

If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.

If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- if the person advises the local government that the person is unable to access that website address —
 - email a copy of the job description form to an email address provided by the person; or
 - mail a copy of the job description form to a postal address provided by the person.

Establishment of selection panel for employment of CEO

In this clause —

independent person means a person other than any of the following —

- a council member;
- an employee of the local government;
- a human resources consultant engaged by the local government.

The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

The selection panel must comprise —

- council members (the number of which must be determined by the local government); and
- at least 1 independent person.

Recommendation by selection panel

Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.

Following the assessment referred to in subclause (1), the selection panel must provide to the local government —

- a summary of the selection panel's assessment of each applicant; and
- unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.

If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —

- that a new recruitment and selection process for the position be carried out in accordance with these standards; and
- the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

The selection panel must act under subclauses (1), (2) and (3) —

- in an impartial and transparent manner; and
- in accordance with the principles set out in section 5.40 of the Act.

The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —

- assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
- verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
- whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

Application of cl. 5 where new process carried out

This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.

Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —

- clause 5 does not apply to the new recruitment and selection process; and
- the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- the making of the offer of employment to the applicant; and
- the proposed terms of the contract of employment to be entered into by the local government and the applicant.

Variations to proposed terms of contract of employment

This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

Recruitment to be undertaken on expiry of certain CEO contracts

In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

This clause applies if —

- upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
- the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
- a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and
- the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.

This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

Performance review process to be agreed between local government and CEO

The local government and the CEO must agree on —

- the process by which the CEO's performance will be reviewed; and
- any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

The matters referred to in subclause (1) must be set out in a written document.

Carrying out a performance review

A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

The local government must —

- collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
- review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- the results of the review; and
- if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

General principles applying to any termination

The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —

- informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
- notifying the CEO of any allegations against the CEO; and
- giving the CEO a reasonable opportunity to respond to the allegations; and
- genuinely considering any response given by the CEO in response to the allegations.

Additional principles applying to termination for performance related reasons

This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

The local government must not terminate the CEO's employment unless the local government has —

- in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
- informed the CEO of the performance issues; and
- given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
- determined that the CEO has not remedied the performance issues to the satisfaction of the local government.

The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

Notice of termination of employment

If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.

The notice must set out the local government's reasons for terminating the employment of the CEO.

5.26 Shire of Wongan-Ballidu Temporary Acting CEO

Policy Owner	Governance
Person Responsible	Chief Executive Officer
Date of Adoption	22 June 2022 – Resolution 050622
Date of Last Review	

OBJECTIVE

To establish policy, in accordance with Section 5.39C of the Local Government Act 1995 ('the Act'), that details the Shire of Wongan-Ballidu processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 Months of planned or unplanned leave or an interim vacancy in the substantive office.

POLICY

To establish policy, in accordance with Section 5.39C of the Local Government Act 1995 ('the Act'), that details the Shire of Wongan-Ballidu processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 Months of planned or unplanned leave or an interim vacancy in the substantive office.

POLICY/LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

5.39C. Policy for temporary employment or appointment of CEO

(1) A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —

- (a) the employment of a person in the position of CEO for a term not exceeding 1 year;
- (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

(2) A local government may amend* the policy.

* *Absolute majority required.*

(3) The CEO must publish an up-to-date version of the policy on the local government's official website.

[Section 5.39C inserted: No. 16 of 2019 s. 22

Temporary Employment or Appointment of CEO

Policy Objective

To establish policy, in accordance with Section 5.39C of the *Local Government Act 1995* ('the Act'), that details the Shire of Wongan-Ballidu processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 Months of planned or unplanned leave or an interim vacancy in the substantive office.

Policy Scope

This policy applies to the statutory position of Chief Executive Officer (CEO) of the Shire of Wongan-Ballidu.

Policy Statement

Definitions:

Acting CEO means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.

Temporary CEO means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

Acting and Temporary CEO Requirements and Qualification

When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the *Local Government Act 1995*, and other duties as set out in the Act and associated Regulations.

Through this policy and in accordance with section 5.36(2)(a) of the Act, the Council determines that employees appointed to the substantive position(s) of Deputy Chief Executive Officer is considered suitably qualified to perform the role of Acting or Temporary CEO.

A person appointed to act in the position of Deputy Chief Executive Officers is not included in the determination set out in Clause 3 (2).

Appoint Acting CEO – Planned and unplanned leave for periods up to 6 weeks

The CEO is authorised to appoint the Deputy Chief Executive Officer in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 6 weeks, subject to the CEO's consideration of the Deputy Chief Executive Officers performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.

The CEO must appoint an Acting CEO for any leave periods greater than 2 weeks and less than 6 weeks.

The CEO is to immediately advise all Council Members when and for what period of time the Deputy Chief Executive is appointed as Acting CEO.

If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (2), then the following line of succession shall apply:

- The Deputy Chief Executive Officer will be appointed as Acting CEO;
- Council may, by resolution, extend an Acting CEO period under subclause (4) beyond 6 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties.

Appoint Acting CEO for extended leave periods greater than 6 weeks but less than 12 months.

This clause applies to the following periods of extended leave:

Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and

Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.

The Council will, by resolution, appoint an Acting CEO for periods greater than 6 weeks but less than 12 months, as follows:

- Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
- Conduct an external recruitment process in accordance with clause 5(1)(c)(iii).

The Shire President will liaise with the CEO, or in their unplanned absence the DCEO to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.

Subject to Council's resolution, the Shire President will execute in writing the Acting CEO appointment with administrative assistance from the Deputy CEO.

Appoint Temporary CEO – Substantive Vacancy

In the event that the substantive CEO's employment with the Shire of Wongan-Ballidu is ending, the Council when determining to appoint a Temporary CEO may either:

- by resolution, appoint the Deputy Chief Executive Officer as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
- following an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.

The Shire President will liaise with the DCEO to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.

The Shire President is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the DCEO.

Remuneration and conditions of Acting or Temporary CEO

Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated at 90% of the cash component only of the substantive CEO's total reward package.

Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.

Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

Document Control Box			
Document Responsibilities:			
Owner:	Chief Executive Officer	Owner Business Unit:	Chief Executive Officer
Reviewer:	Chief Executive Officer	Decision Maker:	Council
Compliance Requirements:			
Legislation:	Local Government Act 1995 Contracts for CEO and senior employees Local Government Act 1995 s.5.39C Policy for temporary employment or appointment of CEO Principles affecting employment by Local Governments		

5.27 Complaints of alleged breach of the Code of Conduct for Members and Candidates

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

and Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021* (the Regulations).

OBJECTIVE

To outline the Shire of Wongan-Ballidu's approach regarding the management of complaints of alleged breaches of the Shire's Code of Conduct for Council Members, Committee Members and Candidates.

SCOPE

This policy applies to Members, Committee Members and Candidates.

Complaints that are inappropriate under this policy are:

- (a) Complaints made with the intent of addressing personal grievances or disagreements;
- (b) Complaints made to express dissatisfaction with a Member, or Committee Member's, lawfully made decisions or performance of their role;
- (c) Complaints made where behaviour occurred at a Council or Committee Meeting and the behaviour was dealt with at that meeting;
- (d) Minor breach matters of Members, Committee Members or Candidates;
- (e) Serious breach matters of Members or Committee Members; or
- (f) Allegations of Minor Misconduct.

Definitions

Term	Definition
Act	Local Government Act 1995.
breach	means a minor breach; or a serious breach (as defined below).
Candidate	an individual is considered a candidate once their nomination for election is accepted, by a Returning Officer, under s.4.49 of the Act. The Code of Conduct applies to the individual from that point. Any alleged breach of the Code of Conduct may only be addressed if and when the individual is elected as a council member.
CEO	Chief Executive Officer
Code	Code of Conduct for Council Members, Committee Members and Candidates under Division 9 of the Act that guides the decisions, actions and behaviours of Council Members, Committee Members and Candidates.
Committee member	under the Regulations, a 'committee member' includes any council member, local government employee or unelected member of the community who has been engaged by the council to participate in a council committee.
Complaint	means a complaint made under clause 11(1) of the Code of Conduct.
Complaint Form	The Shire's approved Complaint About Alleged Breach Form, as a form to be used when making a complaint through this policy.
Complaints Officer	means the person who is the complaints officer under section 5.120 for the local government concerned;
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the Local Government Act 1995 and under the Shire's Standing Orders Local Law 2008.
Evidence	references to 'evidence' in the Regulations means the available facts or information indicating whether an allegation is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as other relevant information, to decide whether an alleged breach of the Code has occurred.
Investigator	is a suitably qualified person or organisation appointed by the Chief Executive Officer to review and consider complaints.
Member	means in relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.

Term	Definition
Minor Breach	has the meaning given in section 5.105(1), and it includes a recurrent breach;
Minor misconduct	Allegations of Corruption, Crime or Misconduct (s.4(d) of the <i>Corruption, Crime and Misconduct Act 2003</i>)
Model Code	means the model code of conduct prescribed for the purposes of section 5.103(1);
Other Terms Used	Other terms used in this policy that are also used in the Act have the same meaning as they have in the Act unless the contrary intention appears.
Party	when used in connection with a complaint, means — (a) the person who made the complaint; or (b) the person against whom the complaint was made.
Primary Standards Panel	means the standards panel established under section 5.122(1);
Recurrent Breach	has the meaning given in section 5.105(2);
Regulations	Local Government (Model Code of Conduct) Regulations 2021
Rule of Conduct	means a provision of the model code that is specified in the model code to be a rule of conduct;
Serious Breach	has the meaning given in section 5.105(3);
Shire	the Shire of Wongan-Ballidu.
Shire President	means a president elected by the Council from amongst the councillors.
Standards Panel	means a standards panel established under section 5.122(1) or (2).
Suitably Qualified:	an independent person or organisation with demonstrated previous experience and expertise in investigating and reviewing complaints and/or legislative breaches.

POLICY STATEMENT

This policy is limited to complaints about breaches of Division 3 of the Shire's Code. A person may make a complaint, in accordance with the Code, alleging a breach of a requirement set out in Division 3 of the Code.

1. Cost of Complaints Process

No fee will be charged to lodge a complaint under this policy.

An Investigator will charge the Shire a fee to cover the costs of dealing with a complaint. This fee is charged for each complaint, whether or not a breach is found.

Council shall ensure adequate resources are allocated annually in the Shire's Annual Budget to provide for the Complaints Officer of the Shire to engage Investigators to deal with a complaint.

2. Complaint Process

2.1 Complaint Initiated

Any person may make a complaint alleging a breach of Division 3 of the Code as follows:

- (i) A complaint must be made in writing using the Shire's Complaint Form;
- (ii) The complainant lodges the Complaint Form together with supporting evidence for the complaint with the Shire's Complaints Officer;
- (iii) The complainant must provide details in their complaint with supporting information and evidence;
- (iv) The alleged complaint must be lodged within 1 month of the occurrence of the alleged breach;
- (v) Complaints must be submitted by the person making a complaint;
- (vi) Complaints cannot be submitted anonymously;
- (vii) The complainant must provide contact details (address or email).

2.2 Complaint Received

The Complaints Officer will, within fifteen working days:

- (i) Contact the complainant acknowledging that the complaint has been received;
- (ii) as part of the acknowledgment process, provide the complainant with a copy of the Shire's Complaints of alleged breach of the Code;
- (iii) provide the Member who is the subject of the complaint with a copy of the complaint form and the Shire's Complaints of alleged breach of the Code, including the name of the complainant; and
- (iv) send the Complaint with supporting evidence to the investigator.

2.3 Complaints Addressed

Complaints will be addressed and considered based on the order in which they are received. Complaints relating to Candidates will only be addressed if and when the individual is elected as a Member.

2.4 Appointment of Investigator

The Shire's Complaints Officer must appoint an independent investigator to review complaints.

2.5 Mediation

An Investigator will offer mediation to both parties as the first option before progressing with the complaint. If issues raised in the complaint are resolved to the satisfaction of both parties, the complainant must lodge a withdrawal of complaint in writing to the Complaints Officer.

3. Investigator Making a Finding

Before making a finding in relation to a complaint, the investigator must provide the Member who is the subject of the complaint with an opportunity to respond to the allegations in the complaint and an opportunity to provide their own comments and evidence for consideration within ten working days of the notification of the complaint.

After reviewing a complaint, the investigator, must make a finding as to whether the alleged breach of the Code has or has not occurred.

3.1 Report on Findings

The Investigator must provide details of their assessment to the Complaints Officer within twenty working days from the receipt of a complaint form from the Complaints Officer.

Should the Investigator make a finding on the alleged breach of the Code, they must inform the Complaints Officer by providing the reasons for the finding and outcome in their written report.

A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

Should the Investigator make a finding on the alleged breach of the Code, the Investigator must, within their report, include a recommendation if further action is required and if that is the case, prepare an action plan to address the behaviour of the person to whom the complaint relates.

The Investigator may also recommend to Council that the complaint be dismissed in accordance with clause 11 of the *Local Government (Model Code of Conduct) Regulations 2021*.

3.2 Action Plans

When preparing an action plan the Investigator must consult with the person about whom the complaint was made.

The Member must be provided with the opportunity to be involved in matters such as the timing of meetings or training.

The action plan may include a requirement for the person about whom the complaint was made to do one or more of the following:

- i. engage in mediation;
- ii. undertake counselling;
- iii. undertake training; or
- iv. take other action the local government considers appropriate.

An action plan should be designed to provide Members, Committee Members, or Candidates, with the opportunity and support to demonstrate the professional and ethical behaviour expected.

The plan should outline:

- i. the behaviour(s) of concern;
- ii. the actions to be taken to address the behaviour(s);
- iii. who is responsible for the actions; and
- iv. an agreed timeframe for the actions to be completed.

4. Withdrawing a Complaint

A complainant may withdraw their complaint at any time before Council considers it. The withdrawal of a complaint must be in writing and addressed to the Complaints Officer.

5. Informing Council

The Complaints Officer is responsible for informing Council.

If Council are required to make a decision in regard to the complaint, the Complaints Officer will submit to Council, a confidential report that includes information received from the Investigator.

The recommendation in the report would ask Council to:

- i. dismiss a complaint; or
- ii. decide that the alleged breach has not occurred; or
- iii. decide that the alleged breach has occurred and resolve to adopt an action plan.

6. Written Notice

The Complaints Officer must give the complainant, and the person about whom the complaint was made a written notice of the finding and the reasons for the finding and a copy of Council's decision including any reasons for the decision that were not part of the Council report.

7. Confidentiality

It is an offence for a person to disclose that a complaint has been made and/or any details of a complaint unless Council have made a formal finding of a breach in respect of the complaint.

8. Follow up and Further Action

The Complaints Officer is responsible for monitoring the actions and timeframes set out in the action plan adopted by Council.

Where a Member, Committee Member or Candidate does not undertake the actions required by the Council following a breach of the Code, they would be breaking the rule of conduct, which is considered a minor breach, as defined in the Act.

The Complaints Officer for the Shire of Wongan-Ballidu will comply with s.5.106 and s.5.107 of the Act in respect to an alleged minor breach.

Reference Information

- *5.28 - Legal Representation and Costs Indemnification Policy ;*
- *Shire of Wongan-Ballidu Customer Service Charter;*
- *Shire of Wongan-Ballidu Code of Conduct for Council Members, Committee Members and Candidates;*
- *5.31 Risk Management Policy*
- *5.32 Risk Management Procedure*

Legislation

Local Government Act 1995 (Division 9 Conduct).

Local Government (Model Code of Conduct) Regulations 2021.

Local Government (Administration) Regulations 1996 [Part 4A — Codes of conduct for local government employees (Act s. 5.51A(4))].

Associated documents

Complaint About Alleged Breach Form (Appendix 1).



Complaint About Alleged Breach

Code of Conduct for Council Members, Committee Members and Candidates

Schedule 1, Division 3 of the Local Government (Model Code of Conduct) Regulations 2021

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made in accordance with Council's Policy Complaints of Alleged Breach of Code of Conduct for Members and Candidates.

Name of person who is making the complaint:	
_____	_____
Given Name(s)	Family Name

Contact details of person making the complaint:
Address:
Email:
Contact Number:

Name of council member, committee member, or candidate alleged to have committed the breach:	
_____	_____
Given Name(s)	Family Name

Completed and signed complaint form is to be forwarded to:	
Post:	Complaints Officer, Shire of Wongan-Ballidu PO Box 84 Wongan Hills WA 6603
Email:	Attention: Complaints Officer - shire@wongan.wa.gov.au
By Hand:	Shire of Wongan-Ballidu, Admin Centre, Cnr Quinlan and Elphin Crescent, Wongan Hills WA 6566

State the full details of the alleged breach.

Attach any supporting evidence to your complaint form.

Date of alleged breach:

Date: _____ / _____ / 20____

Signed:

Complainant's Signature:

Date of signing: _____ / _____ / 20____

Received by Authorised Officer:

Authorised Officer Name:

Authorised Officers Signature:

Date received: _____ / _____ / 20____

5.28 Legal Representation Costs Indemnification

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

This policy is designed to protect the interests of Elected Member and Shire Officers (including past Members and former Shire Officers) where they become involved in legal proceedings due to their official functions.

s.9.56 of the *Local Government Act 1995* (the Act) provides protection from actions of tort for anything an Elected Member or Shire Officer has, in good faith, done in the performance or purported performance of a function under the Act or under any other written law.

s.3.1 of the Act provides that the general function of a local government is to provide for the good government of persons in its district.

s.6.7(2) provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law. Under these provisions, a Council can expend funds to provide legal representation for Members and Shire Officers, as long as it believes that the expenditure falls within the scope of the local government's function.

OBJECTIVE

To provide transparency where Council makes a determination as to whether assistance will be given to Members or Shire Officers with legal costs and other liabilities.

The Shire's approval to pay legal representation costs incurred by an individual Councillor or Shire Officer will rely on the determination that it is reasonably concluded that the expenditure provides for the good governance of the district.

This policy does not apply to legal advice and representation that is obtained by the Shire in the normal course of fulfilling the functions and exercising the powers of a local government.

SCOPE

This policy applies to Council and the Shire; providing guidelines regarding any financial assistance that may be provided by Council or the Shire in making determinations as to whether assistance will be provided to Members and/or Shire Officers for legal representation, including costs and other liabilities.

This policy will:

- clarify what issues Council will offer financial assistance for; and
- ensure that all requests for financial assistance are treated equitably.

DEFINITIONS

Term	Definition
Act	<i>Local Government Act 1995.</i>
Approved lawyer	<ol style="list-style-type: none"> 1. a 'certified practitioner' under the Professions Act 2008; 2. approved in writing by the Council or the CEO under delegated authority.
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Senior Manager	<p>Means the Managers as defined in the Corporate Management Structure:</p> <ul style="list-style-type: none"> • Manager - Finance and Administration • Manager - Works and Services • Manager - Regulatory Services • Manager – Community Services
Legal proceedings	May be civil, criminal or investigative.
Legal representation	<p>the provision of legal services, to or on behalf of a Member or Shire Officer, by an approved lawyer that are in respect of:</p> <ol style="list-style-type: none"> 1. a matter or matters arising from the performance of the functions of the Member or Shire Officer; and 2. legal proceedings involving the Member or Shire Officer that have been, or may be, commenced.
Legal representation costs	the costs, including fees and disbursements, properly incurred in providing legal representation.
Legal services	includes advice, representation or documentation that is provided by an approved lawyer.

Term	Definition
Member	means a current or former Council Member in the Act; Elected Member; or Councillor. In respect to this policy it also means a non-elected member of a council committee.
Payment of Costs	Means payments by the Shire of legal representation costs either by a direct payment to the approved lawyer (or the relevant firm) or a reimbursement to the Member or Shire Officer.
Regulations	Local Government (Administration) Regulations 1996.
Shire	the Shire of Wongan-Ballidu
Shire Officer	means a current or former Employee of the Shire.
Shire President	means a Mayor or President elected by the Council from amongst the councillors.

POLICY STATEMENT

Council shall ensure adequate resources are allocated annually in the Shire's Annual Budget to provide legal representation and costs indemnification to assist a Member or Shire Officer in meeting reasonable expenses and any liabilities incurred in relation to legal proceedings subject to the following:

1. Payment Criteria

There are four major criteria for Council determining whether the Shire will pay the legal representation costs of a Member or Shire Officer as follows:

- (i) the legal representation costs must relate to a matter that arises from the performance, by the Member or Shire Officer, of his or her functions;
- (ii) the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- (iii) in performing their functions, to which the legal representation relates, the Member or Shire Officer must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (iv) the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

If the criteria in Clause 1 of this Policy is satisfied the Shire may approve the payment of legal representation costs:

- (i) where proceedings are brought against a Member or Shire Officer in connection with his or her functions - for example:
 - an action for defamation or negligence arising out of a decision made or action taken by the Member or Shire Officer; or
 - where a Member or Shire Officer seeks a restraining order against a person using threatening behaviour); or
 - where a decision of Council or a Shire Officer has aggrieved another person (e.g. refusing a development application); or
 - where the conduct of a Member or Shire Officer in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions).
- (ii) to enable proceedings to be commenced and/or maintained by a Member or Shire Officer to permit them to carry out their functions. For example, where a Member or Shire Officer seeks to take action to obtain a restraining order against a person using threatening behaviour to the Member or Shire Officer; or

- (iii) where exceptional circumstances are involved - for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about Members or Shire Officers.

Council, nor the Shire, will approve the payment of legal representation costs for a defamation action; or a negligence action; instituted by a Member or Shire Officer, unless under exceptional circumstances.

3. Application for Payment

A Member or Shire Officer who seeks assistance under this policy is to make an application, in writing, to Council or the CEO.

3.1 Written Application

The written application for payment of legal representation costs is to give details of:

- (i) the matter for which legal representation is sought;
- (ii) how that matter relates to the functions of the Member or Shire Officer making the application;
- (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
- (iv) the nature of legal representation to be sought, including (but not limited to): advice; representation in court; preparation of a document; et cetera;
- (v) an estimated cost of the legal representation; and
- (vi) why it is in the interests of the Shire for payment to be made.

A Member or Shire Officer requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Act.

3.2 Declaration by Applicant

The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

3.3 Signed Written Statement

The application is to be accompanied by a signed written statement by the applicant that he or she:

- (i) has read, and understands, the terms of this policy;
- (ii) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 of this policy and any other conditions to which the approval is subject; and
- (iii) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7 of this policy.

3.4 Agreement

In relation to clause 3.3(iii), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.

3.5 Preparation of Council Report

An application is to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate Executive Manager.

4. Legal Representation Costs – Limit

Council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

A Member or Shire Officer may make a further application to Council in respect of the same matter.

5. Council's Powers

Council may:

- (i) refuse;
- (ii) grant; or
- (iii) grant subject to conditions,

an application for payment of legal representation costs.

The above conditions may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.1 Assessment of Application

In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Members or the Shire Officer's insurance policy or its equivalent.

5.2 Revoking or Varying an Approval

Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs, subject to Part 15 'Revoking or Changing Decisions' of the *Shire of Wongan-Ballidu Standing Orders Local Law 2010*.

5.3 Determination

Council may, subject to clause 5.4, determine that a Member or Shire Officer whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

- (i) not acted in good faith, or has acted unlawfully in a way that constitutes improper conduct;
- (ii) or given false or misleading information in respect of the application.

5.4 Conditions

A determination under clause 5.3 may be made by Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.5 Legal Representation Costs

Where the Council makes a determination under clause 5.3, the legal representation costs paid by the Shire are to be repaid by the Member or Shire Officer in accordance with clause 7.

6.0 Delegation to Chief Executive Officer

Where there is a need for the provision of urgent legal services before an application can be considered by Council; e.g. in cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of Council, any of the powers of the Council under clause 5, 5.1 and 5.3, to a maximum of \$10,000 in respect of each application provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Act.

An application approved by the CEO under clause 5 is to be submitted to the next Ordinary Council Meeting. Council may exercise any of its powers under this policy, including its powers under clause 5.2.

7. Repayment of Legal Representation Costs

A Member or Shire Officer whose legal representation costs have been paid by the Shire is to repay the Shire:

- (iv) all or part of those costs - in accordance with a determination by the council under clause 5.5;
- (v) as much of those costs as are available to be paid by way of set-off - where the Member or Shire Officer receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.

The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

Reference Information

- Local Government Operational Guideline;
- L5.18 Local Government Payments and Gifts to Members
- 5.33 Compliance and Enforcement Policy ;
- 5.34 Execution of Documents Policy ;
- 5.37 Council Delegates Roles and Responsibilities Policy ; and
- 5.31 Risk Management – containing the Risk Matrix tables.

Legislation

Local Government Act 1995

- s.2.7 Role of Council;
- s.5.99A. Allowances for council members in lieu of reimbursement of expenses;
- s.5.100A. Gifts to council members.

Local Government (Administration) Regulations 1996 (Part 8 local government payments and gifts to members)

- r.31. Expenses to be reimbursed (Act s. 5.98(2)(a) and (3));
- r.35. Training for council members (Act s. 5.126(1)).

Local Government (Financial Management) Regulations 1996

- r.5 CEO's duties as to financial management;
- r.12 Payments from municipal fund or trust fund, restrictions on making;
- r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

Associated Documents

Expense Reimbursement Form.

5.28 Statement of Business Ethics

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

OVERVIEW

This Statement of Business Ethics provides guidance for all sectors of the community when conducting business with the Shire of Wongan-Ballidu (Shire). It outlines the Shire's ethical standards and our expectation that goods and service providers will comply with these standards in all their dealings with the Shire. This Statement also outlines what goods and service providers can expect of the Shire.

OUR KEY BUSINESS PRINCIPLES



PROFESSIONALISM

- We get things done in a timely and thorough manner
- We maintain a positive attitude and demeanour
- We are flexible and cooperative
- We are organised and punctual
- We listen diligently
- We respect the privacy and boundaries of others
- We communicate and share information effectively,
- openly and thoroughly

RESOURCEFULNESS

- We contribute actively to new ideas and ways of doing things
- We constantly look for ways to do things more effectively
- We have a mindset that encourages us to find a way through our problems
- We plan carefully and avoid waste
- Asking for help is not a weakness but a sign of a resourceful individual
- We are not afraid to operate outside our comfort zone to discover the best for ourselves and our organisation
- We are fluid and flexible in our working arrangements, bringing the best teams together to get the job done

INTEGRITY

- We serve with honesty, pride and loyalty
- We engender trust in our colleagues and those we serve
- We are responsible for our own actions and accountable for our mistakes
- We practice and encourage open and honest communication
- We lead by example and live our values
- We respect other's opinions, even if we don't agree with them

DIVERSITY

- We value diversity in our community, our team, our ideas, experience and skills
- We are agile in the face of change
- We recognise that every team member contributes to our success
- We are forward thinkers

EMPOWERMENT

- We empower others by being respectful and non-judgmental
- We value each other's skills and abilities
- We focus on individual strengths and abilities
- We support and encourage involvement in decision making
- We provide objective feedback in a supportive, non-critical way

What you can expect from the Shire

The Shire will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with industry leading practice and the highest standards of ethical conduct.

Our employees are bound by the Shire's Code of Conduct. When doing business with the private sector, Shire employees are accountable for their actions and are expected to:

- Use public resources effectively and efficiently.
- Deal with all individuals and organisations in a fair, honest and ethical manner.
- Avoid any conflicts of interests (actual perceived or potential).
- Never seek gifts or other personal benefits.

In addition, all Shire procurement activities are guided by the following core business principles:

- All suppliers (whether invited to make a submission through tender or through direct quotation process) will be treated with impartiality and fairness and given equal access to information to assist with quotations, tendering or supply.
- All procurement activities and decisions will be fully and clearly documented by the Shire to provide an efficient audit trail and to allow for an effective performance review of contracts.
- All contracts that involve services to the public will be undertaken in a manner consistent with the Shire's Disability Access and Inclusions Plan (DAIP) 2020-2025.
- Energy-efficient equipment, products containing recycled materials and environmentally friendly products will be purchased wherever reasonably possible taking into account best value for money considerations.
- Tenders will not be called unless the Shire has a firm commitment to proceed to contract although the Council reserves the right not to proceed with any tender or quotation so advertised.
- The Shire will not disclose confidential or proprietary information.

What we ask of you

The Shire requires all private sector providers of goods and services to observe the following principles when doing business with the Shire:

- Comply with all laws applicable in Western Australia.
- Gain an understanding of the Shire's policies, guidelines and procedures relating to purchasing, including an understanding of this Statement (all available on the Shire's website).
- Provide accurate and reliable advice and information when invited or required.
- Declare actual, perceived or potential conflicts of interests as soon as you or your employees become aware of the conflict.
- Act ethically, fairly and honestly in all your dealings with the Shire.
- Take all reasonable measures to prevent the disclosure of confidential Shire information.
- Do not engage in any form of collusive practice, including offering Shire employees or Elected Members inducements or incentives designed to improperly influence the conduct of their duties.
- Do not discuss Shire business or information in the media.
- Assist the Shire to prevent unethical practices in business relationships by reporting such practices.

Why is compliance important?

By complying with the Shire's Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all Shire suppliers of goods and services are required to comply with this Statement, compliance will not disadvantage you in any way.

You should also be aware of the consequences of not complying with the Shire's ethical requirements when doing business with the Shire. Improper or unethical conduct could lead to termination of contracts or loss of future work with the Shire. Overall any business reputation can also be detrimentally affected if corrupt and criminal behaviour is made public.

Complying with the Shire's business principles will also prepare your business for dealing with the ethical requirements of other local governments and public-sector agencies should you choose to do business with them.

Guidance Notes

Incentives, gifts and benefits

The Shire's employees and Elected Members do not expect to receive, or be the recipients of gifts, benefits or incentives as a result of our business relationship with goods or service providers. Goods and service providers are requested to refrain from offering such incentives, gifts or benefits to employees or Elected Members. The Shire's Code of Conduct provides for the type of incentives, gifts and benefits that can be received by Elected Members and employees. If wanting to give a gift, please check with the proposed recipient as to whether a gift can be accepted, or alternatively view the Shire's Code of Conduct.

Conflicts of Interest

All Shire Employees and Elected Members are required to disclose any actual, or perceived potential conflicts of interest. The Shire extends this requirement to all Shire business partners, contractors and suppliers.

Confidentiality

All Shire information must be treated as confidential unless otherwise indicated. The Shire will maintain appropriate confidentiality and not disclose propriety information unless legally obligated to do so.

Safety

The Shire of Wongan-Ballidu strives for continuous improvement while creating a strong safety and health culture within all aspects of Shire activities. This commitment to safety is the Shire's highest priority and will not be compromised. All employees, including volunteers and contractors, are required to take all reasonable care to ensure their own safety and that of others in the workplace.

Communications Between Parties

All communications should be clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship. Canvassing of Elected Members during a tender process will disqualify bids from further consideration and contact with Elected Members during work for the Shire is prohibited unless expressly authorised by the Shire.

Use of Shire Equipment, Resources and Information.

All Shire equipment, resources and information should only be used for its proper official purpose.

Contracting Employees

All contracted and sub-contracted employees are expected to comply with this Statement. If you employ sub- contractors in your work for the Shire, you must make them aware of this Statement. All contractors and sub- contractors will be required to undertake an annual induction process prior to commencing business with the Shire.

Secondary Employment

Employees are not permitted to engage in private work with any person that has an interest in a proposed or current contract with the Shire.

Intellectual Property Rights

In business relationships with the Shire, parties respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property.

Who to Contact?

If you have any questions regarding this Statement or to provide information about suspected corrupt conduct, please contact the Shire via the details below.

Chief Executive Officer

Shire of Wongan-Ballidu
Cnr Quinlan Street & Elphin Crescent (PO Box 84)
WONGAN HILLS WA 6603

Phone: (08) 9671 2500
Fax: (08) 9671 2509
Email: shire@wongan.wa.gov.au
Website: www.wongan.wa.gov.au

Persons reporting corrupt behaviour or misconduct are protected by the *Corruption and Crime Commission Act 2003* and other 'Whistle-blower' protection laws such as the *Public Interest Disclosure Act 2003*. These laws protect persons disclosing corruption related matters from reprisal or detrimental action and ensure disclosures are properly investigated and dealt with.

5.31 - Community Complaints Policy

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

The Shire recognises that from time to time, members of the community may not be satisfied with Shire services, processes or decisions and that there needs to be a clear and accountable process available for people to lodge and receive a response to their complaint.

It is also recognised that complaints can be an important tool to ensure accountability and promote continuous improvement.

APPLICATION

This policy applies to employees, volunteers and contractors of the Shire of Wongan-Ballidu.

POLICY INTENT

To establish an effective complaints handling system that will provide a framework and basis for all complaints relating to Shire services, processes or decisions to be resolved in a consistent, fair, and structured manner.

1. Definitions

- (a) A **complaint** is an expression of dissatisfaction about the standard of service provided, or an action or inaction by the Shire of Wongan-Ballidu, its employees, volunteers and contractors.
- (b) A **complaint is not:**
- A first request for action or service (eg reporting a nuisance dog, request for footpath or pothole repair).
 - A request for information or explanation of Council decisions, practices or procedures.
 - A request for action or service that is outside the Shire's jurisdiction or is provided by other agencies.

- (c) A complaint is considered **anonymous** when the complainant declines to provide their name and/or contact details.
- (d) A complaint is considered **malicious** when its intent is to negatively affect another person's career, reputation, or livelihood.
- (e) A **vexatious** or **frivolous** complaint is where there is no evidence to support the complaint and/or there is evidence that the complaint is intended to cause inconvenience, harassment or financial burden.
- (f) A **volunteer** is a person who contributes time, effort and talent for the benefit of the Shire of Wongan-Ballidu without financial gain.
- (g) A **contractor** is a person, business or organisation contracted to provide products and/or services to the Shire for financial consideration.

2. Principles for Handling Complaints

- (a) **Customer focus** – complaints are managed in accordance with the *Shire of Wongan-Ballidu Customer Service Charter*.
- (b) **Accessible** – the process for making complaint and investigating it is easy for complainants to understand.
- (c) **Responsive** – complaints are acknowledged, addressed according to urgency and the complainant is kept informed.
- (d) **Objective and Fair** – complaints are dealt with in an equitable, objective and unbiased manner. Unreasonable complainants do not become a burden
- (e) **Confidentiality** – personal information related to complaints remains confidential.
- (f) **Continuous Improvement** – complaints are used as a source of improvement.

3. Lodgement of Complaints

- (a) Complaints can be made in writing or by telephone.
- (b) Complainants are encouraged to lodge their complaint in writing. If they insist on lodging the complaint verbally, the complainant must provide their name and contact details along with details of the complaint which are to be recorded by a Shire officer.
- (c) Written complaints are facilitated by completing Customer Service Charter – Feedback Form which is available on the Shire's website www.wongan.wa.gov.au or Shire Administration Building, Cnr Quinlan Street & Elphin Crescent, Wongan Hills WA 6603.
- (d) Customer Service Charter – Feedback Forms can be lodged via:
 - i. Facsimile: 08 9671 2509
 - ii. Email: shire@wongan.wa.gov.au.
 - iii. In person: by completing a *Customer Service Charter – Feedback Form*

- (e) All complaints will be registered by the officer receiving the complaint at the first point of contact.
- (f) Where complaints are made directly to Councillors, the complainant should be encouraged to contact the Shire office. However, Councillors may lodge a complaint on behalf of the complainant.
- (g) Frontline staff are responsible for receiving, registering and resolving minor complaints in an efficient and effective manner. The majority of complaints can be resolved immediately by acknowledging the customer's dissatisfaction, apologising where appropriate, and taking corrective action.

2. Complaints that will not be considered

- (a) The complaint is anonymous unless the matter could be in breach of statutory provisions or the Shire of Wongan-Ballidu's Code of Conduct.
- (b) The complaint contains offensive language or is discriminatory in nature.
- (c) The complaint is malicious, vexatious or frivolous.
- (d) Notwithstanding parts (a) to (c) of this clause, all complaints received will be acknowledged.

3. Investigation and Referral

- (a) Where the complaint cannot be resolved at the initial contact, the complaint will be referred to the appropriate officer for investigation.
- (b) The complaint will be referred to the relevant Manager when:
 - The complaint is outside the authority or expertise of the receiving officer;
 - The officer is unable to reach a resolution;
 - The customer remains dissatisfied;
 - The nature of the complaint warrants authority at a higher level.
- (c) The complaint will be escalated to the Shire of Wongan-Ballidu Complaints Officer where the Manager is unable to reach a resolution.
- (d) The complaint may be referred to an external agency when determined by the Shire's Complaints Officer.

4. Unresolved Complaints

- (a) The Shire of Wongan-Ballidu recognises that not all complaints may be resolved within the above process and that complainants may not receive the outcome they seek.

- (b) If a customer is dissatisfied with the complaint resolution provided, other avenues for resolution include:
- (c) Making a request to have the matter considered at a more senior level.
- (d) The Ombudsman of Western Australia is an independent officer of Parliament who investigates complaints about state government departments, most statutory authorities and local governments. The Ombudsman can be contacted at:
 - Level 2, Albert Facey House
 - 469 Wellington Street
 - Perth WA 6000
 - Ph: (08) 9220 7555
- (e) Other legal advice or remedy.
- (f) Complainants are encouraged to allow the Shire of Wongan-Ballidu to investigate complaints prior to referral to an external agency.

REFERENCE INFORMATION

Related Documents Shire of Wongan-Ballidu Code of Conduct
Shire of Wongan-Ballidu Customer Service Charter
Guidelines on Complaint Handling – Ombudsman Western Australia

Related Legislation Associated *Local Government Act 1995 (WA)*
Local Government (Rules of Conduct) Regulations 1996

Forms and Attachments Customer Service Charter – Feedback Form

5.31- Risk Management Policy

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

The Shire of Wongan-Ballidu is exposed to a broad range of risks which could adversely impact the achievement of strategic community objectives.

This policy is intended to commit to organisation-wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

APPLICATION

This Policy applies to all risk processes within the Shire and is subject to regular monitoring through the Finance and Audit Committee and Council. This policy applies to all activities undertaken by officers, volunteers, contractors and elected members.

POLICY INTENT

This policy intends to create an environment where Council, management and staff accept direct responsibility for risk management, through development, implementation of and maintaining effective risk management practices. Risk management is the responsibility of everyone and will be treated as an integral part of the Shire's culture, policies and procedures.

This policy aims to develop and maintain an organisational culture which shows confidence in the use of risk assessment and management tools in:

- the effective and efficient delivery of agreed levels of service
- maintaining financial sustainability
- developing and maintaining an effective and positive relationship between Council and the community
- enabling the Council in partnership with the community, to make decisions for the community's future with a high level of confidence that key risks have been taken into account and where relevant, are being, or have been, mitigated

- to ensure that appropriate risk assessment and management provisions are in place in order to satisfy statutory requirements and identified risks mitigated.

DEFINITIONS

Explain what terms within this policy mean. (example below)

Term	Definition
Act	<i>Local Government Act 1995.</i>
Audit & Risk Committee	Committee established under section 7.1A of the <i>Local Government Act 1995</i>
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Regulations	Local Government (Administration) Regulations 1996.
Risk	Means "the effect of uncertainty on objectives." AS/NZS ISO 31000:2018. A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.
Risk Assessment	Means the process of applying risk management methodologies to assess the level of risk in a particular or general circumstance, activity or operation, or decision.
Risk Management	Means the application of coordinated activities to direct and control an organisation with regard to risk.
Shire	the Shire of Wongan-Ballidu.

PRINCIPLES

The Shire considers risk management to be an essential management function in its operations. The Shire is committed to the principles, framework and process of managing risk as outlined in AS/NZS ISO 31000:2018.

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity.

The Shire will consider the following key principles for effective risk management:

- (a) Integrated - Risk management is an integral part of all organisational activities and will be considered in alignment with the Shire's strategic objectives.
- (b) Structured and comprehensive - A structured and comprehensive approach to risk management contributes to consistent and comparable results.
- (c) Customised - The risk management framework and process are customised and proportionate to the organisation's external and internal context related to its objectives.
- (d) Inclusive - Appropriate and timely involvement of stakeholders enables their knowledge, views and perceptions to be considered. This results in improved awareness and informed risk management.
- (e) Dynamic - Risks can emerge, change or disappear as an organisation's external and internal context changes. Risk management anticipates, detects, acknowledges and responds to those changes and events in an appropriate and timely manner.
- (f) Best available information - The inputs to risk management are based on historical and current information, as well as on future expectations. Risk management explicitly takes into account any limitations and uncertainties associated with such information and expectations. Information should be timely, clear and available to relevant stakeholders.
- (g) Culture - Human behaviour and culture significantly influence all aspects of risk management at all levels.
- (h) Continual improvement - Risk management is continually improved through learning and experience.

Framework

The Shire will develop and maintain a **5.32 Risk Management Framework & Procedure** that underpins the principles of effective risk management and provides guidance to Council and staff. The framework will be subject to regular reviews every three years to coincide with the Reg 17 review to be undertaken in accordance the *Local Government (Audit) Regulations 1996*.

Reporting and Monitoring

The Shire will implement a robust reporting and recording system that will be regularly monitored to ensure close out of risks and identification of ongoing issues and trends.

Risks will be reported to the Audit & Risk Committee and reviewed at least twice-yearly. Risks rated significant or extreme will be reported to the Audit and Risk Committee or Council at the earliest opportunity.

Reference Information

5.30 Risk Management Framework & Procedure

Legislation

Local Government Act 1995 (WA) **Associated documents** AS/NZS ISO 31000:

5.32 – Risk Management Framework & Procedure

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	



Shire of
Wongan-Ballidu

RISK MANAGEMENT FRAMEWORK AND **PROCEDURE**

INTRODUCTION

The Policy and Procedures form the Risk Management Framework for the Shire of Wongan-Ballidu ("the Shire"). It sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks.

All components of this document are based on Australia/New Zealand Standard ISO 31000:2018 Risk Management.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

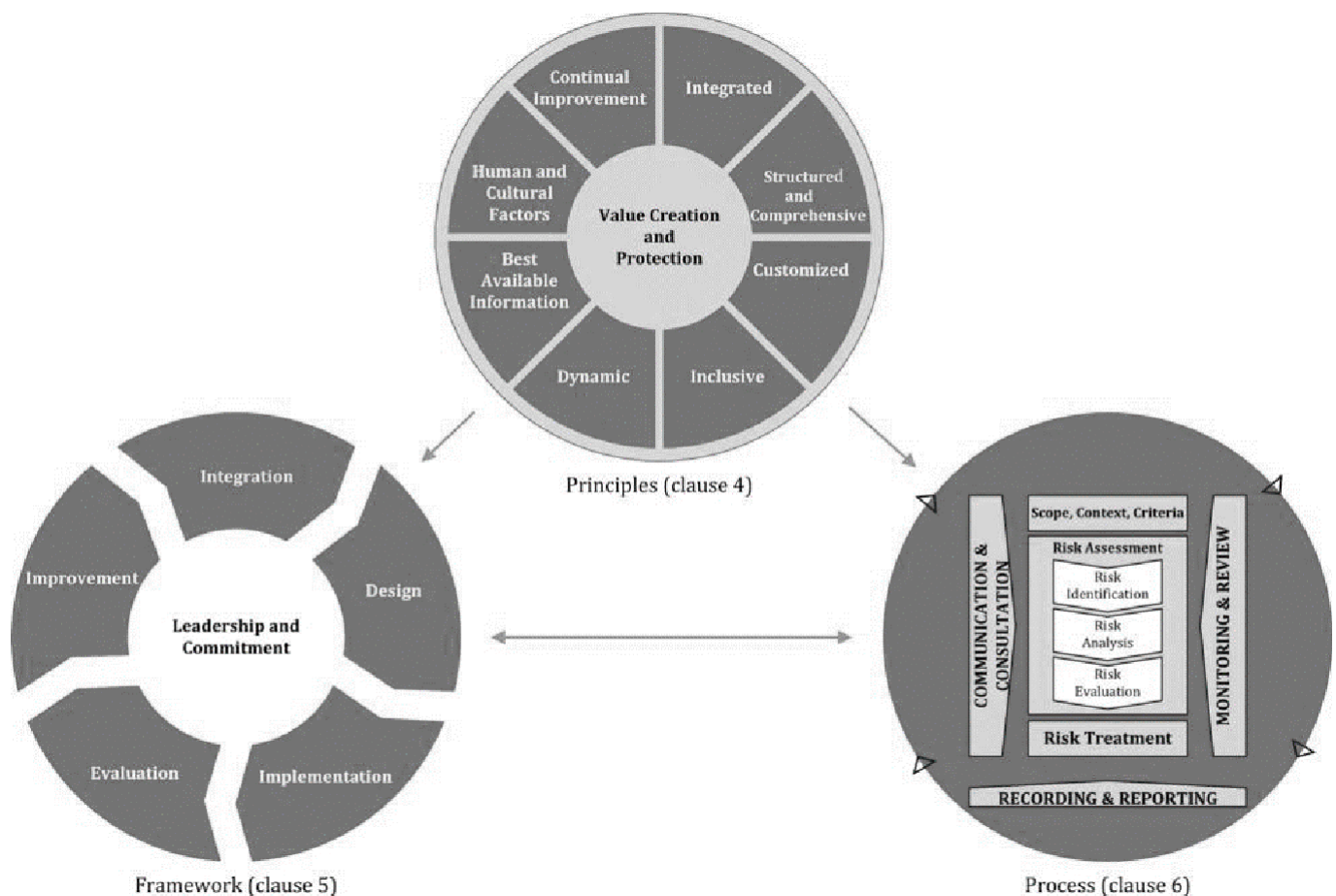
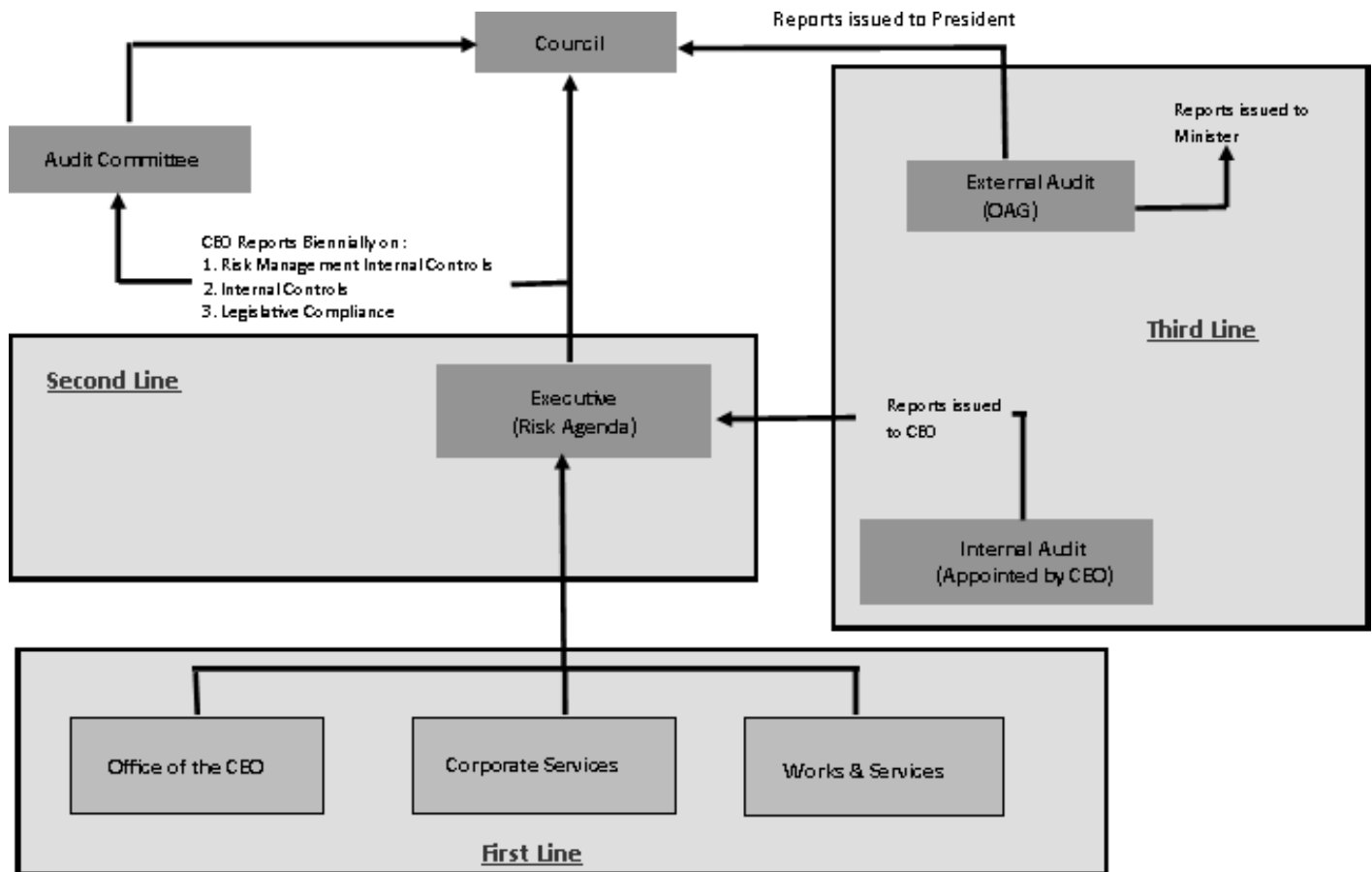


Figure 1: Risk Management Process (Source: AS/NZS 31000:2018)

Governance Structure

The following diagram depicts the current operating structure for risk management within the Shire.



Roles & Responsibilities

Council

Council's responsibilities are to:

- Adopt a Risk Management Policy compliant with the requirements of AS/NZS ISO 31000:2018 and to review and approve the Policy in a timely manner as required.
- Be satisfied risks are identified, managed and controlled appropriately, to achieve Shire's strategic objectives.
- Supports the allocation of funds / resources to treat risks as required.

Finance and Audit Committee

- Requests and reviews reports on risk management on a biannual basis (minimum) or as required depending on the nature of the risk(s).
- Monitors the overall risk exposure of the Shire and makes recommendations to Council as appropriate.
- Assesses for effectiveness the risk control measures / risk treatment plans in reducing the severity of the risk(s).

Executive

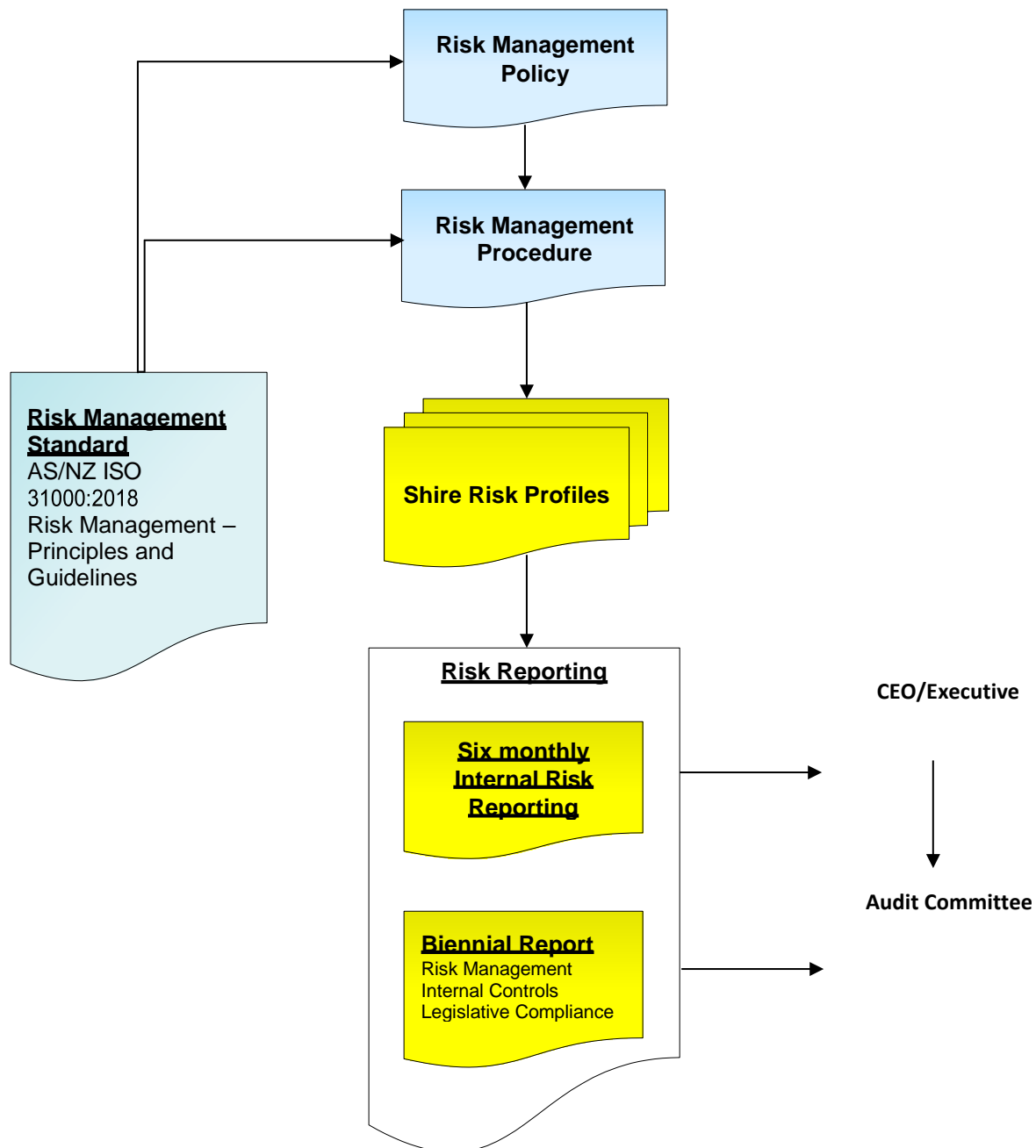
- Creates an environment where staff are responsible for and actively involved in managing risk.
- Oversight of the Shire's Risk Management Strategy.
- Maintain and implement the Risk Management Strategy.
- Ensures a consistent risk management approach is embedded in the operations and processes of the Shire.
- Actively participates and supports the Risk Management Strategy through identification and creation of suitable risk treatments to control strategic and operational risks facing the Shire.
- Monitors the strategic and operational risk management performance.
- Reviews the Shire's Risk Summary Report prior to submission to the Audit & Risk Committee.

Staff

- Adopt and understand the principles of risk management and comply with policies, processes and practices relating to risk management.
- Alert and bring to management's attention, the risks existing within their area.
- Conduct risk assessments which are appropriate with the scope of the task and the associated level of risk identified.

Document Structure (Framework)

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.



Risk & Control Management

All work areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis. Each Manager, is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a twelve-monthly basis, or sooner if there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of data inputs, workshops and ongoing business engagement.

Risk & Control Assessment

To ensure alignment with AS/NZ ISO 31000:2018 Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective.

A: Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

Organisational Context

The Shire's Risk Management Procedures provide the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision-making processes.

Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process.

For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

1. Strategic Context - This constitutes the Shire's external environment and high-level direction. Inputs to establishing the strategic risk assessment environment may include;
 - Organisations vision
 - Stakeholder Analysis
 - Environment Scan / SWOT Analysis
 - Existing Strategies / Objectives / Goals

2. Operational Context - The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.
3. Project Context – Project risk has two main components;
 - **Direct** refers to the risks that may arise as a result of project activity (i.e. impacting on current or future process, resources or IT systems) which may prevent the Shire from meeting its objectives
 - **Indirect** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

B: Risk Identification

Using the specific risk assessment context as the foundation, and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How could this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating? (Consequences)

C: Risk Analysis

To analyse the risks, the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

D: Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and acceptable risks are then subject to the monitor and review process. Note: Individual Risks or Issues may need to be escalated due to urgency, level of risk or systemic nature.

E: Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the Governance Officer is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

F: Monitoring & Review

The Shire is to review all Risk Profiles at least on a twelve-monthly basis or if triggered by one of the following;

- Changes to context,
- A treatment is implemented,
- An incident occurs or due to audit/regulator findings.

The CEO & Executive will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria;

- Risks with a Level of Risk of High or Extreme
- Risks with inadequate existing control rating
- Risks with consequence rating of extreme
- Risks with likelihood rating of almost certain

The design and focus of the Risk Summary report will be determined from time to time on the direction of the CEO & Executive. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

G: Communication & Consultation

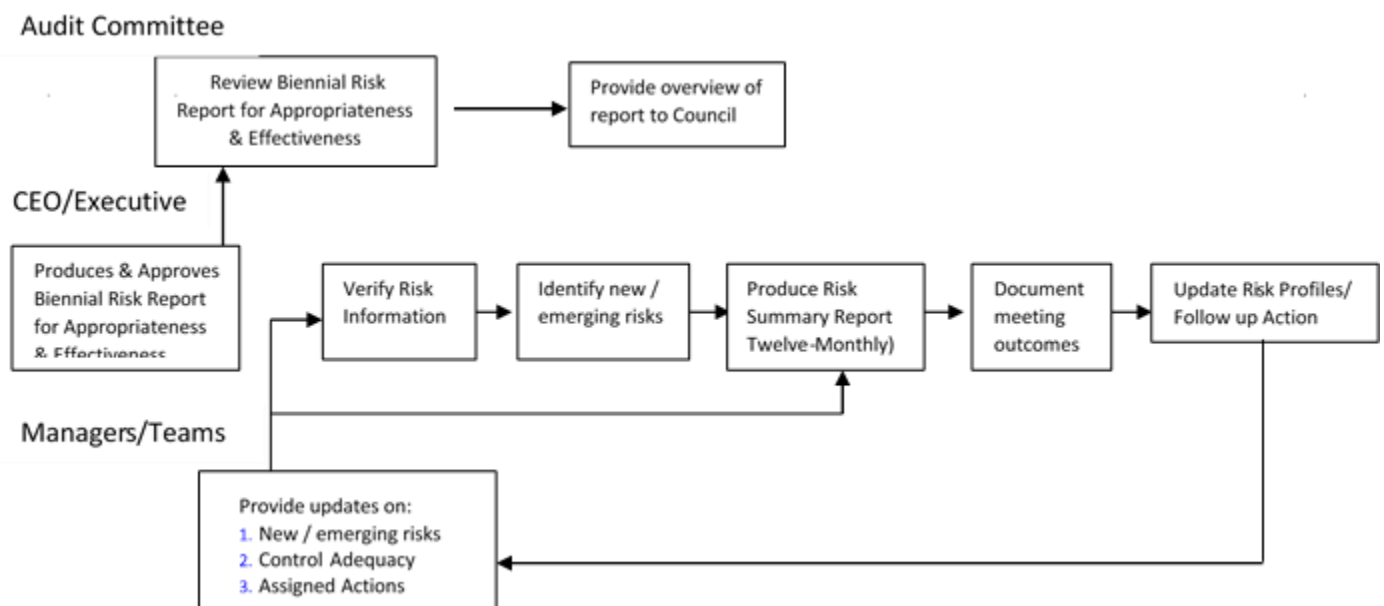
Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process. Council, through the Audit and Risk Committee will be provided with twelve monthly update reports.

Risk management awareness and training will be provided to staff as part of their OS&H Program. Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

Reporting Requirements

Coverage & Frequency

The following diagram provides a high-level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new and emerging risks, control effectiveness and indicator performance to the Risk Framework Owner.
- Work through assigned actions and provide relevant updates to the Risk Framework Owner.
- Risks / Issues reported to the CEO & Executive are reflective of the current risk and control environment.

The CEO & Executive are responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a twelve-monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Producing a twelve-monthly Risk Report for the Audit Committee which contains an overview Risk Summary for the Shire.
- Annual Compliance Audit Return completion and lodgement.

Indicators

Indicators are required to be used for monitoring and validating risks and controls. The following describes the process for the creation and reporting of Indicators:

Identification

The following represent the minimum standards when identifying appropriate Indicator risks and controls;

- The risk description and casual factors are fully understood
- The Indicator is fully relevant to the risk or control
- Predictive Indicators are adopted wherever possible
- Indicators provide adequate coverage over monitoring risks and controls

Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the Indicator data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping Indicators can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the Indicator, the data is required to be revalidated to ensure reporting of the Indicator against a consistent baseline.

Tolerances

Tolerances are set based on the Shire's Risk Appetite. They may be set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the Indicator must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the Indicator must be escalated to the CEO & Senior Management Group where appropriate management actions are to be set and implemented to bring the measure back within appetite.

Monitor & Review

All active Indicators are updated as per their stated frequency of the data source.

When monitoring and reviewing Indicators, the overall trend should be considered over a longer timeframe than individual data movements. The trend of the Indicators is specifically used as an input to the risk and control assessment.

Risk Acceptance

Day-to-day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance *outside* of the appetite framework is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those *outside* appetite framework identified risks. The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (e.g. Impact consequence, materiality, likelihood, working assumptions etc.)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

Reasonable action should be taken to mitigate the risk. A lack of budget to remediate a material risk outside of appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (i.e. Executive

Annual Controls Assurance Plan

The annual assurance plan is a monitoring schedule prepared by the CEO & Executive that sets out the control assurance activities to be conducted over the next 12 months. This plan needs to consider the following components.

- Coverage of all risk classes (Strategic, Operational, Project)
- Existing control adequacy ratings across the Shire's Risk Profiles
- Consider control coverage across a range of risk themes (where Commonality exists)

- Building profiles around material controls to assist in design and operating effectiveness reviews.
- Consideration to significant incidents.
- Nature of operations
- Additional or existing 2nd line assurance information / reviews (e.g. HR, Financial Services, IT)
- Frequency of monitoring / checks being performed
- Review and development of Indicators
- Timetable for assurance activities
- Reporting requirements.

Whilst this document and subsequent actions are owned by the CEO, input and consultation will be sought from individual Work Areas.

Appendix A – Risk Assessment and Acceptance Criteria

MEASURES OF CONSEQUENCE

RATING	PEOPLE	INTERRUPTION TO SERVICE	REPUTATION (Social/Community)	COMPLIANCE	PROPERTY (Plant, Equipment, Buildings)	NATURAL ENVIRONMENT	FINANCIAL IMPACT
Insignificant (1)	Near-Miss	No material service Interruption less than 1 hour	Unsubstantiated, localised low impact on community trust, low profile or no media item	No noticeable regulatory or statutory impact	Inconsequential damage	Contained, reversible impact managed by on site response	Less than \$10,000
Minor (2)	First Aid Treatment	Short term temporary interruption – backlog cleared < 1 day	Substantiated, localised impact on community trust or low media item	Some temporary non- compliances	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response	\$10,000 to \$50,000
Moderate (3)	Medical Treatment- Lost time injury <30 days	Medium term temporary interruption – backlog cleared by addition resources < 1 week	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Short term non-compliance but with significant regulatory requirements imposed	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies	\$50,001 to \$200,000
Major (4)	Lost time injury >30 days / Temporary Disability	Prolonged interruption of services – addition resources; performance affected < 1 month	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Non-compliance results in termination of services or imposed penalties to Shire / Officers	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies	\$200,001 to \$500,000
Extreme (5)	Fatality Permanent Disability	Inderminate prolonged interruption of services non-performance > 1 month	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Non-Compliance results in litigation, criminal charges or significant damages or penalties to Shire / Officers	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment or building	Uncontained, irreversible impact	>\$500,000

MEASURES OF CONSEQUENCE (PROJECT)

LEVEL	RATING	PROJECT TIME	PROJECT COST	PROJECT SCORE/QUALITY
1	Insignificant	Exceeds deadline by >5% of project timeline	Exceeds project budget by 2%	Minor variations to project scope or quality.
2	Minor	Exceeds deadline by >10% of project deadline	Exceeds project budget by 5%	Scope creep requiring additional work, time or resources. Reduced perception of quality by Stakeholders.
3	Moderate	Exceeds deadline by >15% of project deadline	Exceeds project budget by 7.5%	Scope creep requiring additional work, time or resources or shortcuts being taken. Stakeholder concerns.
4	Major	Exceeds deadline by >20% of project deadline	Exceeds project budget by 15%	Project goals, deliverables, costs and/or deadline failures. Project no longer aligned with the project scope. Stakeholder intervention in project.
5	Extreme	Exceeds deadline by >25% of project deadline	Exceeds project budget by 20%	Failure to meet project objectives. Project outcomes negatively affecting the community or the environment. Public embarrassment, third party actions.

MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years

1	Rare	The event may only occur in exceptional circumstances	Less than once in 5 years
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RISK MATRIX

Consequence		Insignificant	Minor	Moderate	Major	Extreme
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

RISK ACCEPTANCE

RISK RANK	DESCRIPTION	CRITERIA	RESPONSIBILITY
LOW (1-4)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.	Operational Manager
MEDIUM (5-9)	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring.	Operational Manager

HIGH (10-16)	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring.	Executive
EXTREME (17-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring.	CEO / Council

SHIRE OF WONGAN-BALLIDU EXISTING CONTROLS RATINGS		
RATING	FORESEEABLE	DESCRIPTION
Effective	There is little scope for improvement	Process (controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
Adequate	There is some scope for improvement	Whilst some inadequacies have been identified; Processes (controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
Inadequate	A need for corrective and / or improvement actions exists	Processes (controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.

Appendix B – Risk Profile

Risk Theme	Date
<u>(What could go right / wrong?)</u> <i>Definition of Theme</i>	
<u>Potential causes (What could cause it to go right / wrong?)</u> <i>List of potential causes</i>	

Controls (What we have in place to prevent it going wrong)	Type	Date	Shire Rating
<i>List of Controls</i>			

Overall Control Ratings:	
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Consequence Category	Risk Ratings	Shire Rating
	Consequence:	
	Likelihood:	

Overall Risk Ratings:	
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Indicators (These would 'indicate' to us that something has gone right / wrong)	Tolerance	Date	Overall, Shire Result
<i>List of Indicators</i>			

<u>Comments</u> <i>Rationale for all above ratings</i>

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>List current issues / actions / treatments</i>		

Appendix C - Risk Theme Definitions

1. Asset Sustainability Practices

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets and their associated lifecycle from procurement to maintenance and ultimate disposal. Areas included in the scope are;

- Inadequate design (not fit for purpose)
- Ineffective usage (down time)
- Outputs not meeting expectations
- Inadequate maintenance activities
- Inadequate financial management and planning

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

2. Business & Community Disruption

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Shire business activities. The event may result in damage to buildings, property, plant & equipment (all assets). This could be a natural disaster, weather event, or an act carried out by an external party (incl vandalism). This includes;

- Lack of (or inadequate) emergency response / business continuity plans.
- Lack of training to specific individuals or availability of appropriate emergency response.
- Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.
- Inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc.

This does not include disruptions due to IT Systems or infrastructure related failures - refer "Failure of IT & communication systems and infrastructure".

3. Failure to Fulfil Compliance Requirements

Failures to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include Occupational Safety & Health Act (refer "Inadequate safety and security practices") or any Employment Practices based legislation (refer "Ineffective Employment practices")

It does include the Local Government Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

4. Document Management Processes

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists
- Procedural documents
- 'Application' proposals/documents.
- Contracts
- Forms, requests or other documents.

5. Employment Practices

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having an effective Human Resources Framework in addition to not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. Other areas in this risk theme to consider are;

- Breaching employee regulations (excluding OH&S)
- Discrimination, Harassment & Bullying in the workplace
- Poor employee wellbeing (causing stress)
- Key person dependencies without effective succession planning in place
- Induction issues
- Terminations (including any tribunal issues)
- Industrial activity

Care should be taken when considering insufficient staff numbers as the underlying issue could be process inefficiencies.

6. Engagement Practices

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues
- Infrastructure Projects
- Regional or District Committee attendance
- Local Planning initiatives
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

7. Environment Management.

Inadequate prevention, identification, enforcement and management of environmental issues.

The scope includes;

- Lack of adequate planning and management of coastal erosion issues

- Failure to identify and effectively manage contaminated sites (including groundwater usage)
- Waste facilities (landfill / transfer stations)
- Weed control
- Ineffective management of water sources (reclaimed, potable)
- Illegal dumping / Illegal clearing / Illegal land use.

8. Errors, Omissions, Delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data
- Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

- Inaccurate data being used for management decision making and reporting
- Delays in service to customers
- Inaccurate data provided to customers

This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

9. External Theft & Fraud (incl Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam invoices
- Cash or other valuables from Outstations.

10. Management of Facilities / Venues / Events

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

- Inadequate procedures in place to manage the quality or availability
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users

- Oversight / provision of peripheral services (e.g. cleaning / maintenance)

11. IT & Communications Systems and Infrastructure

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Project / Change Management".

12. Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.

13. Project / Change Management

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.
- Failure to implement new systems
- Failures of IT Project Vendors/Contractors

14. Safety and Security Practices

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants.
- Inadequate Organisational Emergency Management requirements (evacuation diagrams, drills, wardens etc).
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.
- Inadequate or unsafe modifications to plant & equipment.

15. Supplier / Contract Management

Inadequate management of external Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

5.31 - Compliance and Enforcement

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

This policy ensures that the Shire follows a consistent approach to any compliance and enforcement actions undertaken in accordance with the *Criminal Procedure Act 2004*.

OBJECTIVE

The Shire has a duty to investigate compliance issues and an obligation to enforce the requirements of legislation, including fulfilment of its responsibilities under Prescribed Acts, Regulations and the Shire's local laws.

The Shire will ensure that where any compliance or enforcement actions are undertaken the principles of transparency, procedural fairness and natural justice will apply.

SCOPE

This policy applies to any Shire Officers who have responsibilities under delegated authority for ensuring compliance on behalf of the Shire of Wongan-Ballidu.

DEFINITIONS

Term	Definition
Act	<i>Local Government Act 1995.</i>
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Member	means in relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Natural justice	The principles of natural justice should be free from bias and parties should be given fair opportunity to be heard and all the reasons and decision taken by the court should be informed by the court to the respective parties.

Prescribed Act	Means an Act that is prescribed by the regulations made under the <i>Criminal Procedure Act 2004</i> .
Term	Definition
Prescribed Offences	Means an offence prescribed under section 5(1) of the <i>Criminal Procedure Act 2004</i> .
Procedural justice	There are four key principles of procedural justice: voice, neutrality, respect and trust. Adherence to these principles is linked to improved compliance and positive outcomes.
Regulations	made under a prescribed Act that may prescribe an offence under the prescribed Act, or under any regulations made under the prescribed Act, to be an offence for which an infringement notice may be issued.
Shire	the Shire of Wongan-Ballidu.
Transparency	Transparency, as used in the humanities and in other social contexts, is operating in such a way that it is easy for others to see what actions are performed. Transparency implies openness, communication, and accountability.

Policy Statement

To investigate and resolve offences for breaches of legislation including failure to comply with terms or conditions of Notices, Approvals, and Orders; and appeals arising out of proceedings brought by the Shire.

1. Principles

The Shire will:

- (a) administer its statutory responsibilities in a fair, unbiased and equitable manner in the interest of public health, interest, safety and amenity.
- (b) prioritise, consider, investigate, and assess any allegation of a breach, or an offence, on the merits of each case.
- (c) not investigate or respond to anonymous allegations.
- (d) endeavour to protect the private details of complainants, within the parameters of the legislative framework.
- (e) make decisions regarding enforcement in a manner that is in proportion with the seriousness of the alleged breach, or offence.
- (f) only proceed with enforcement action where the CEO (or delegate) has considered the prospects of achieving a conviction; satisfied that prosecution is warranted.
- (g) Inform Members of any legal proceedings, anticipated costs, progress and outcomes

brought against any party by the Shire.

- (h) discontinue investigations where the CEO (or delegate) reasonably considers that the allegation(s) are unsubstantiated; mischievous; vexatious; pertaining to a civil matter; has previously been investigated; and/or concluded; or is likely to result in disproportionate costs being incurred.

2. Limit of Authority

The CEO is authorised to seek legal advice and engage or procure legal representation to an amount not exceeding \$5,000 for any single matter. If legal costs are anticipated to exceed \$5,000, the CEO will submit a report to Council for approval, prior to proceeding with legal action.

Reference Information

- 5.28 Legal Representation Costs Indemnification
- Purchasing and Procurement Policy (4.8);
- Compliance (REG5); and
- 5.31 Risk Management Policy
- 5.32 Risk Management Procedure
- Delegation Authority – Chief Executive Officer

Legislation

Local Government Act 1995 and its subsidiary legislation.

Animal Welfare Act 2002 and its subsidiary legislation.

Biosecurity and Agriculture Management Act 2007 and its subsidiary legislation.

Building Act 2011 and its subsidiary legislation.

Building Services (Complaint Resolution and Administration) Act 2011 and its subsidiary legislation.

Caravan Parks and Camping Grounds Act 1995 and its subsidiary legislation.

Cat Act 2011 and its subsidiary legislation. Cemeteries

Act 1986 and its subsidiary legislation.

Control of Vehicles (Off Road Areas) Act 1978 and Regulations and its subsidiary legislation.

Criminal Procedure Act 2004 and its subsidiary legislation. Dog

Act 1976 and its subsidiary legislation.

Fines, Penalties and Infringement Notices Enforcement Act 1994 and its subsidiary legislation.

Food Act 2008 and its subsidiary legislation.

Liquor Control Act 1988 and its subsidiary legislation.

Litter Act 1979 and its subsidiary legislation.

Local Government (Miscellaneous Provisions) Act 1960 and its subsidiary legislation.

Planning and Development Act 2005 and its subsidiary legislation.

Public Health Act 2016 and its subsidiary legislation.

Shire of Wongan-Ballidu Local Laws.

Associated documents

Nil

5.31- Execution of Documents

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

INTRODUCTION

This policy ensures that documents are executed, and the Common Seal is used, in accordance with legislative provisions contained in Division 3 of the *Local Government Act 1995* (the Act).

OBJECTIVE

To provide guidance to all workers as to who can sign various types of documents representing the Shire of Wongan-Ballidu (the Shire), including when to apply the Common Seal.

SCOPE

This policy applies to the Chief Executive Officer (CEO), Shire Officers and Authorised Agents; preparing documents for execution and/or who have been authorised either by a specific resolution of Council, or through the provisions of delegation, to execute documents on behalf of the Shire of Wongan-Ballidu.

DEFINITIONS

Term	Definition
Act	<i>Local Government Act 1995.</i>
Authorised Agent	The Shire's legal advisor(s) or settlement agent(s), as appointed from time to time, who are authorised to the extent described within a written instruction approved by Council to execute documents on behalf of the Shire.
Common Seal	The official stamp of the Shire of Wongan-Ballidu, confirming the Shire's consent to the provisions contained in the document to which it is affixed.
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .

Term	Definition
Delegated Officer	means an Officer of the Shire who has the appropriate delegated authority to execute documents on behalf of the Council.
Document	<p>means, in accordance with the <i>Freedom of Information Act 1992</i>:</p> <ul style="list-style-type: none"> (a) any record; or (b) any part of a record; or (c) any copy, reproduction or duplicate of a record; or (d) any part of a copy, reproduction or duplicate of a record. <p>The above includes any written paper or electronic document including Notices, flyers, letters, memorandums and emails that:</p> <ul style="list-style-type: none"> i. Convey a decision; or ii. Establish an obligation on the Shire; or iii. are ceremonial.
Execute	Doing all that is ready to make the deed, agreement or document operative.
Senior Employee	means an employee designated as a Senior Employee by Council under s.5.37 of the <i>Local Government Act 1995</i> including the CEO and Senior Management Group.
Shire	Shire of Wongan-Ballidu
Shire Officers	means an employee of the Shire who has the appropriate authorisation to sign a document on behalf of the Shire.
Workers	Employees, contractors and volunteers are now all classed as workers as per the WHS legislation and regulations.

Policy Statement

This Policy covers four categories of documents as outlined below and is supported by way of an Instrument of Delegation ES2 – Execution of Documents in the Shire’s Register of Delegations.

1. Category One Documents - documents requiring both the CEO and the Shire President to execute

These types of documents will require a specific resolution of Council to enter into an agreement as well as an authority to affix the common seal to that type of document in accordance with s.9.49A (2) of the Act.

The Shire President and CEO will execute documents under the provisions of s.9.49A(3) of the Act.

Documents may be executed by another Shire Officer or an agent of the local government in accordance with s.9.49A(4) provided that there has been authority given by way of a Council Resolution or through an instrument of delegation.

2. Category Two Documents – documents requiring the CEO only to authorise

Under s.9.49A (4) of the Act Council authorises the CEO, listed in the Instrument of Delegation ES2 Execution of Documents, to sign documents and/or deeds on behalf of the Shire.

Documents may be executed by another Shire Officer or an agent of the local government in accordance with s.9.49A(4) provided that there has been authority given by way of a Council Resolution or through an instrument of delegation .

Category 2 documents can be described as documents arising out of a matter that:

- Requires Council approval;
- Arises out of delegated authority from Council; or
- Are operational in nature and due to its significance should only be signed by the CEO, as a delegated representative of the Shire.

The CEO is permitted, through this policy, to execute documents that:

- Have an unlimited \$ value subject to “Budget constraint;”
- Have a commitment period that is specifically resolved by Council or in any other case, no greater than a seven-year period; and/or
- Moderate or lesser level of financial risk, legal complexity or political sensitivity, unless specifically resolved by Council.

3. Category Three Documents - documents within Delegated Authority

Under s.9.49A(4) of the Act Council authorises Delegated Officers, listed in the Instrument of Delegation ES2 Execution of Documents, to sign documents and/or deeds on behalf of the Shire. These Delegated Officers only have authority where the documents are related to their area of responsibility.

Category 3 documents can be described as documents arising out of a matter that:

- Requires Council approval;
- Arises out of delegated authority from Council; or
- Are operational in nature and due to its significance should only be signed by a Senior Employee as defined in the Act.

The positions and document execution limits are to be in: Are to the value of \$250,000 or less;

- On delegation Authority Register
- Have a commitment no greater than a five-year period; and/or
- Moderate or lesser level of financial risk, legal complexity or political sensitivity.

4. Category Four Documents - documents operational in nature.

These types of documents will include correspondence relating to day-to-day routine communications or transactions related to the operations of the Shire. They will include documents that are created in the normal course of business to discharge the duties of an Officer's position in a manner consistent with Shire policies and procedures.

Category 4 documents do not require specific authorisation through Council as they are subject of s.5.41(d) of the Act which provides that it is the function of the CEO to manage the day-to-day operations of the Shire. Shire Officers undertake such duties "acting through" another person, in accordance with s.5.45 of the Act.

Category 4 documents are to be executed by the CEO, a Manager, or a Shire Officer where the authority and accountability has been extended through an authorisation, policy, procedure, or a position description.

It is therefore important to have a good knowledge of the documents that relate to the team that is responsible for the document.

Shire Officers, with the relevant authority are permitted, through this policy, to execute documents that:

- Are to the value of \$50,000 per annum or less;
- Have a commitment no greater than a two-year period; and/or
- Minor or lesser level of financial risk, legal complexity or political sensitivity.

5. Signing documents (other than by Common Seal) during temporary or unplanned absence of the CEO

A temporary, unplanned absence refers to the CEO being unable to carry out the duties as described in this policy due to but not limited to:

- Delayed travel arrangements;
- Incapacitation due to accident or illness; and
- Personal reasons.

If the temporary, unplanned absence is not expected to exceed 48 hours, the appointment of an Acting CEO via a line of succession shall be in accordance with Appointment of Acting or Temporary CEO Council Policy.

Where:

- The CEO is temporarily unavailable or incapacitated to execute documents requiring the CEO's signature; and
- An Acting CEO has not been appointed by Council

6. Consequences

This policy represents the formal policy and expected standards of the Shire. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Shire officers are reminded of their obligations under Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the Shire.

7. Execution Clause

The correct execution clause for Shire of Wongan-Ballidu documents is below. Officers must ensure the document being executed contains the correct execution clause.

(a) Executed as an Agreement (Council Resolution)

THE COMMON SEAL OF THE) SHIRE
OF WONGAN BALLIDU WAS)
HEREUNTO AFFIXED BY)
AUTHORITY OF COUNCIL) AND IN
THE PRESENCE OF:)

Shire President

Chief Executive Officer

Name of Shire President
(PLEASE PRINT)

Name of Chief Executive Officer
(PLEASE PRINT)

Date

Date

(b) Executed as an agreement (non-Council resolution)

THE COMMON SEAL OF THE) SHIRE
OF WONGAN-BALLIDU WAS)
HEREUNTO AFFIXED IN THE)
PRESENCE OF:)

Chief Executive Officer

Shire President

8. Roles and Responsibilities & Documents Table

The roles and responsibilities of the Shire President, CEO, Senior Managers and Shire Officers with respect to the execution of documents are outlined in the table below.

It is the responsibility of the executing parties to ensure they fully understand what they are executing on behalf of the Shire and any queries are addressed before this process is completed.

On the occasions where a Common Seal is required of the Shire, it is the responsibility of all executing parties to ensure that the Common Seal Register is updated and the Shire is notified of its application as part of the Council Information Bulletin.

Relevant Council Policies ought to be referred to as consideration must be given to the potential risks exposed to the Shire of Wongan-Ballidu when executing a document. This includes the potential financial, service commitments, service interruption, environmental, reputation and compliance implications.

*Other documentation not listed in
the Appendix*

Liaise with your Manager or
Compliance Officer for
advice

Signatures Required

Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Adoption, Amendment or Repeal of a local law	1	✓	✓	x	x
Any document where the Common Seal is requested by other party or legally required	1	✓	✓	x	x
Deeds in respect to sale, or purchase relating to property including equitable interests	1	✓	✓	x	x
Documents of a ceremonial nature (where affixing the common seal is for posterity rather than a legal requirement).	1	✓	✓	x	x
Documents that enable compliance with a local government statutory obligation which, if not signed, constitutes a possible risk to the Shire.	1	✓	✓	✓	x
Easements and the surrender or modification of easements.	1	✓	✓	✓	x
Offer and Acceptance forms and associated documents required to enact a decision of Council to purchase or to sell land. <i>This does not include mortgage and Transfer of Land documents.</i>	1	✓	✓	x	x
Other documentation not listed in the Appendix Liaise with your Manager or Compliance Officer for advice	Signatures Required				

Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Other legally binding contracts outside of the normal course of business (e.g. confidentiality, indemnity, licensing, novation and sponsorship agreements)	1	√	√	√	√
Power of Attorney to act for the Shire	1	√	√	x	x
Communication on behalf of the Shire, relevant to the day-to-day operations of the Shire which are the subject of a level of political sensitivity or potential risk to the Shire.	2	x	√	x	x
Memorandum of Understanding	2	√	√	x	x
Authority to sign documents on behalf of the Shire: That are within the scope of an Officer's position description; or That has been extended through a Council decision; That has been extended through an authorised officer appointment; That has been extended through delegated authority or policy.	3	x	√	√	√

Commercial Leases / Peppercorns (including assignment of, extensions, renewals, variations, sub-leases and surrender)	3	x	√	√	√
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<p><i>Other documentation not listed in the Appendix</i></p> <p>Liaise with your Manager or Compliance Officer for advice</p>		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
<p>Communications on behalf of the Shire:</p> <p>To Commonwealth or government ministers;</p> <p>To Commonwealth or government department heads;</p> <p>To Industry representative bodies;</p> <p>Concerning day-to-day operations that are politically sensitive or a potential risk to the Shire.</p>	3	√	√	x	x
<p>Community & User Agreement Licenses or Lease / Peppercorns (including assignment of, extensions, renewals, variations, sub- leases, and surrender)</p>	3	√	√	√	√
Contract documents arising from tenders	3	x	√	√	√
Deeds of Settlement – employee matters	3	x	√	√	√
Documents arising out of instances that require Officers to enact a decision of Council or the Development Assessment Panel	3	√	√	x	√

<i>Other documentation not listed in the Appendix</i> Liaise with your Manager or Compliance Officer for advice		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Documents related to approvals for Subdivision, Survey Strata, Strata Title or Development Approvals or provisions of a Structure Plan, Activity Centre Plan or Local Development Plan	3	x	√	√	√
Documents required to enact a decision made under delegated authority or as a condition or approval given under delegated authority	3	x	√	√	√
Employment Contracts (Managers – casual contracts only)	3	x	√	x	√
Licences to occupy land or premises	3	x	√	√	√
Local Planning Scheme and any Planning Scheme Amendments	3	x	√	√	√
Management statements and withdrawal or variation of management statements	3	x	√	√	√
Enterprise Bargaining Agreements	3	x	√	x	√

<p><i>Other documentation not listed in the Appendix</i></p> <p>Liaise with your Manager or Compliance Officer for advice</p>		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
<p>Land Transaction documents where the Shire is required to sign as a landowner. This includes but is not limited to:</p> <p>Landgate documents and/or deeds including lodgement, removal, withdrawn, modification or surrender/cancel of documents such as:</p> <p>Notifications in accordance with section 70A of the Transfer of Land Act 1893;</p> <p>Covenants, easements and caveats under the Transfer of Land Act 1893;</p> <p>Reciprocal easements and/or parking agreements;</p> <p>Rights of carriageway agreements;</p> <p>Amalgamations</p> <p>Easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.</p> <p>Documents and/or deeds required in the management of land as a landowner or where the land is a reserve vested to the Shire; and</p> <p>Deeds of Agreement and Release in respect to sale or purchase relating to Shire land</p>	3	√	√	x	√

including equitable interests.

<i>Other documentation not listed in the Appendix</i> Liaise with your Manager or Compliance Officer for advice		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Mortgages, loans and debenture documents for loans which Council has resolved to raise	3	x	√	√	√
Other statements of intent and terms and conditions such as: Letters of employment for casual employees; Hire agreements for Shire Facilities; or Higher duties for positions.	3	x	√	√	√
Prosecution notices and court documents	3	x	√	√	√
Regular hire arrangements	3	x	√	√	√
Residential tenancy leases	3	x	√	√	√
Service agreements / Contract as a result of procurement process (above Manager delegation)	3	x	√	√	√
State, Commonwealth or other funding agreements (within delegation)	3	√	√	√	√

<p><i>Other documentation not listed in the Appendix</i></p> <p>Liaise with your Manager or Compliance Officer for advice</p>		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
When a responsible officer has a specific role such as applying for and organising receipt of grants, and which required them to sign documents relevant to the grant.	3	x	√	√	√
When a responsible officer is authorised by relevant laws or is delegated authority by Council to issue notices and infringements.	3	x	√	√	√
Agreements in the normal course of business for the purchase of goods or services identified within the department's budget (other than for tenders) and conforming to the requirements for the Shire's Purchasing Policy and other relevant policies.	4	x	√	√	√
Any type of legally binding contract, instrument or service agreement binding the organisation to some form of commitment	4	x	√	√	√
Goods and/or Service agreements / Contracts as a result of procurement process (where total consideration is within delegation).	4	x	√	√	√
Grants applications and Grant funding agreements	4	x	√	√	√

<i>Other documentation not listed in the Appendix</i> Liaise with your Manager or Compliance Officer for advice		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Heritage agreements	4	x	√	√	√
Licences	4	x	√	√	√
Lodgement, modification and withdrawal of caveats	4	x	√	√	√
Lodgement, registration, modification, transfer and/or withdrawal of memorials	4	x	√	√	√
Notifications on title and withdrawal or variation of same	4	x	√	√	√
Outgoing general correspondence for a departmental team	4	x	√	√	√
Reciprocal access agreements and withdrawal or variation of reciprocal access agreements	4	x	√	√	√
Restrictive Covenants – under s.129B of the Transfer of Land Act 1893 and any discharge or variation of covenants	4	x	√	√	√
Rights of carriageway agreements and withdrawal or variation of rights and carriageway agreements	4	x	√	√	√

<p><i>Other documentation not listed in the Appendix</i></p> <p>Liaise with your Manager or Compliance Officer for advice</p>		Signatures Required			
Document	Document Category	Shire President	CEO	Senior Employee / Manager	Authorised Shire Officers
Letters, correspondence and other documents that reflect an operational or procedural action required in the ordinary course of business.	4	x	√	√	√

Reference Information

The following Council Policies ought to be referred to as consideration must be given to the potential risks exposed to the Shire of Wongan-Ballidu when executing a document. This includes the potential financial, service commitments, service interruption, environmental, reputation and compliance implications.

All Purchasing and Procurement Policies;

5.31 Risk Management Policy

5.32 Risk Management Procedure

5.35 Internal Control

5.36 Legislative Compliance;

5.26 Appointment of Acting or Temporary CEO

Legislation

Local Government Act 1995

- ☐ s.5.41 functions of CEO.
- ☐ s.5.45 Other matters relevant to delegations under Division 4 (local government employees).
- ☐ s.9.49A (1) document executed by person under an authority is permitted to do so by this authorisation.
- ☐ s.9.49 'documents, how authenticated'

Local Government (Functions and General) Regulations 1996

- ☐ r.34 Common seal, unauthorised use of

Interpretation Act 1984

- ☐ Terms used in written laws - **sign** includes the affixing or making of a seal, mark or thumbprint;

Associated documents

Instrument of Delegation: Execution of Documents contained in the Shire of Wongan-Ballidu Register of Delegations.

Shire of Wongan-Ballidu Local Law (Standing Orders) 2010.

5.35 - Internal Controls

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

OBJECTIVES

To ensure that appropriate internal controls are implemented in order to:

1. Fulfil the statutory obligations under the *Local Government (Financial Management) Regulations 1996* and *Local Government (Audit) Regulations 1996*; and
2. Ensure that the Shire's assets are safe from loss due to fraud and/or mismanagement.

POLICY STATEMENT

The organisation will, through the Chief Executive Officer (CEO), ensure that appropriate and efficient internal controls are in place covering:

1. Staffing and segregation of duties;
2. Information technology;
3. Documented procedures and processes covering the recording, reporting and authorisation of transactions; and
4. Monitoring performance and adherence.

5.36 - Legislative Compliance

Policy Owner	Administration
Person Responsible	Chief Executive Officer
Date of Adoption	23 August 2023 Resolution 090823 New Policy
Date of Last Review	

OBJECTIVES

To ensure that the Shire of Wongan-Ballidu (the Shire) complies with legislative requirements.

BACKGROUND

A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.

The Shire has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Shire will comply with applicable legislation and that the Shire will take all appropriate measures to ensure that expectation is met.

Regulation 14 of the Local Government (Audit) Regulations 1996 requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The Compliance Audit is structured by the Department of Local Government and Communities (DLGC) and relates to key provisions of the Local Government Act 1995.

Regulation 17 of the Local Government (Audit) Regulations 1996 also requires a review of the appropriateness and effectiveness of systems and procedures in relation to legislative compliance at least once every two calendar years and a report to the Audit Committee on the results of that review.

POLICY STATEMENT

The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the Shire. These processes and structures will aim to:

1. Develop and maintain a system for identifying the legislation that applies to the Shire's activities;
2. Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented;
3. Provide training for relevant staff, Councillors, volunteers and other relevant people within the legislative requirements that affect them;
4. Provide people with the resources to identify and remain up to date with new legislation;
5. Establish a mechanism for reporting non-compliance;
6. Review accidents, incidents and other situations where there may have been non-compliance; and
7. Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

ROLES & RESPONSIBILITIES

1. Councillors & Committee Members

Councillors and Committee Members have a responsibility to be aware of and abide by legislation applicable to their role.

2. Senior Management

Senior Management should ensure that directions relating to compliance are clear and unequivocal and that legal requirements which apply to each activity for which they are responsible are identified.

Senior Management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within their financial capacity to do so.

3. Employees

Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation.

Employees shall report through their supervisors to Senior Management any areas of non-compliance that they become aware of.

4. Implementation of Legislation

The Shire will have procedures in place to ensure that when legislation

changes, steps are taken to ensure that future actions comply with the amended legislation.

LEGISLATIVE COMPLIANCE PROCEDURES

1. Identifying Current legislation

The Shire accesses electronic up to date versions of legislation through the Western Australian State Law Publisher website at www.slp.wa.gov.au.

2. Identifying New or Amended Legislation

Department of Local Government and Communities (DLGC)

The Shire receives regular circulars from the DLGC on any new or amended legislation. Such advice is received and processed through the Shire's Records Department and is distributed to the CEO and other relevant Officers for implementation.

Department of Planning

The Shire receives Planning Bulletins from the Department of Planning on any new or amended legislation. Such advice is received and processed through the Shire's Records Department and is distributed to the CEO and other relevant Officers for implementation.

Western Australian Local Government Association (WALGA)

The Shire receives regular circulars from WALGA and these Circulars highlight changes in legislation applicable to local government. Such advice is received and processed through the Shire's Records Department and is distributed to the CEO and other relevant Officers for implementation.

3. Obtaining Advice on Legislative Provisions

The Shire will obtain advice on matters of legislation and compliance where necessary. Contact can be made with the DLGC, WALGA or the relevant initiating government department for advice.

4. Informing Council of Legislative Changes

If appropriate, the CEO will, on receipt of advice of legislative amendments, advise the Council on new or amended legislation.

The Shire's format for all its reports to Council meetings provides that all reports have a section headed 'Statutory Implications' which shall detail relevant Sections of any Act, Regulation or other relevant and/or applicable legislation.

5. Review of Incidents & Complaints of Non-Compliance

The Shire shall review all incidents and complaints of non-compliance. Such reviews will assess compliance with legislation, standards, policies and procedures that are applicable.

6. Reporting of Non-Compliance

All instances of non-compliance shall be reported immediately to the relevant Manager. The Manager shall then determine the appropriate response and then report the matter to the CEO.

The CEO may investigate any reports of significant non-compliance and if necessary, report the non-compliance to the Council and/or the relevant government department.

The CEO will then take all necessary steps to improve compliance systems.

6. HUMAN RESOURCES

6.1 Equal Employment Opportunity

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	23 August 2022 – Resolution 02082022

OBJECTIVE

To ensure every person shall have equal opportunity for employment, training and advancement. The criteria for providing such opportunities will be based solely on the principle of merit.

POLICY

The Shire of Wongan-Ballidu (the Shire) is committed to maintaining and promoting an equal opportunity program whereby the objective is to ensure that none of the grounds that are recognised as being discriminatory under the Equal Opportunity Act are contravened by Elected Members, Management or any employee of, or contractor engaged by the Shire.

No discrimination shall take place on the basis of:

- Gender
- Marital Status
- Pregnancy
- Race
- Disability
- Age
- Religious conviction
- Political conviction
- Sexual orientation
- Family responsibility or family status

All offers of employment within the Shire will be directed towards providing equal opportunity to prospective employees provided their relevant experience; skills and ability meet the requirements for engagement.

All promotion opportunities will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the requirements for such promotion.

An employee who feels they have been discriminated against is encouraged to make a complaint in accordance with the Shire's complaints/Grievance Procedure.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer, all Managers and Supervisors are responsible for ensuring that this policy and provisions contained within the Equal Opportunity Act 1984 are adhered to.

6.2 Occupational Health and Safety

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 – Resolution 131211
Date of Last Review	25 May 2022 – Resolution 030522

POLICY

The Shire of Wongan-Ballidu (the Shire) believes that the safety, health and wellbeing of people employed by us, or people affected by our work, is a priority and must be considered during all work performed by us or on our behalf.

The Shire will establish, implement, maintain and continually improve Workplace Health and Safety management systems, policies, procedures and work instructions to legislative compliance in order to ensure the safety of workers and others affected by its activities including members of the public, contractors, suppliers and visitors.

OBJECTIVE

The objectives of this policy are to, as far as reasonably practicable:

- Achieve a safe and incident free workplace.
- Provide adequate training, instruction and supervision to enable employees to perform their work safely and effectively.
- Involve workers and contractors in the decision-making process through regular communication and consultation.
- Ensure workers and contractors identify and control risks in the workplace.
- Provide and maintain workplaces, plant and systems of work in a way that workers are not exposed to hazards.
- Investigate efficiently and effectively reported incidents and initiate any workplace changes that are required in order to prevent further incidents.
- Provide an effective Injury Management Program for all workers.

The success of our Workplace Health and Safety performance depends on:

- The commitment of all persons.
- Allocation of resources to achieving the policy objectives.
- Planning work activities with due consideration given to Workplace Health and Safety.
- Undertaking the risk management process in an effective manner.
- Communicating and consulting with our workers and contractors.

We are committed to fulfilling the objectives of this policy and expect the same of all workers and contractors working on our behalf.

Signature of endorsement

Chief Executive Officer
Mr Stuart Taylor

6.3 Sexual Harassment

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	07 February 2005
Date of Last Review	23 August 2022 – Resolution 02082022

OBJECTIVE

To facilitate the prevention of harassment in the workplace.

POLICY

The Shire of Wongan-Ballidu (the Shire) strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Shire, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

Council recognises sexual harassment to be an unlawful and unacceptable form of behaviour, which will not be tolerated and recognises that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual and /or sexist nature (whether physical, verbal or non verbal), which is unwelcome and unsolicited, rejection of which may disadvantage (or be perceive to disadvantage) a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public.

1. Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.
2. Subtle or explicit demands for sexual activities or molestation.
3. Intrusive enquiries into a person's private life.
4. Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.
5. Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.
6. Electronic mail messages, graphics and documents of a sexual nature that are sent by computer.

Council recognises that sexual harassment can undermine health; performance and self-esteem of an individual and has the potential to create a hostile and intimidating environment.

Council is therefore committed to any action, which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to

deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated.

Any person/s making claim of sexual harassment will be protected at all time. No transferring of staff or face-to-face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

Any employee who has a complaint/grievance of sexual harassment nature should refer to Council's Complaints/Grievance Policy –and take the necessary steps to resolve the complaint.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer, Managers and Supervisors are responsible for ensuring that this policy is adhered to.

6.4 Staff Superannuation

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	16 November 2006 – Resolution 141106
Date of Last Review	23 August 2022 – Resolution 02082022

OBJECTIVE

This policy sets out the criteria for the payment of additional superannuation to staff. It provides guidance for officers involved in the recruitment and retention of staff. The policy applies from the first pay period on or after 1 July 2022.

POLICY

Superannuation Ceiling

The Shire of Wongan-Ballidu (the Shire) employer contribution to staff superannuation shall not exceed a maximum of 16.5% (10.5% plus 6%) from 1 July 2022. This contribution is inclusive of the Superannuation Guarantee Levy and is limited by the following table.

Voluntary Contributions

The Shire will match voluntary employee contributions in accordance with the following table:

Staff Contribution	Matching Council Contribution	Qualifying Period – Permanent Employees Only
1%	1%	At commencement with the Shire of Wongan-Ballidu
2%	2%	At commencement with the Shire of Wongan-Ballidu
3%	3%	At commencement with the Shire of Wongan-Ballidu
4%	3%	At commencement with the Shire of Wongan-Ballidu
5%	3%	At commencement with the Shire of Wongan-Ballidu
6% or over	3%	At commencement with the Shire of Wongan-Ballidu
6% or over	4%	After 3 years with the Shire of Wongan- Ballidu
6% or over	5%	After 5 years with the Shire of Wongan- Ballidu
6% or over	6%	After 10 years with the Shire of Wongan- Ballidu

Employment Contracts

Employment contracts shall not contain any provisions which exceed or contravene this policy.

Salary Sacrifice

All employees shall have the option to salary sacrifice their contributions or any additional nominated percentage of their salary to superannuation but there is no obligation on the Shire to match employee contributions other than in accordance with the table.

Variation to Policy

At its absolute discretion, the Council may vary this policy from time to time with respect to legislative change and any other mitigating circumstances.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for this policy.

6.5 Workplace Bullying

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 – Resolution 131211
Date of Last Review	26 October 2022 – Resolution 021022 - Amendment

OBJECTIVE

The Shire of Wongan-Ballidu (the Shire) believes all employees should be able to work in an environment free of bullying. Managers and Supervisors must ensure employees are not bullied.

POLICY

The Shire considers workplace bullying unacceptable and will not tolerate it under any circumstances.

Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers.

The Shire has a grievance and investigation procedure to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially.

The Shire encourages all employees to report workplace bullying. Managers and Supervisors must ensure employees who make complaints, or witnesses are not victimised.

Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

The cost of removal of Caveats over the properties owned by persons holding power line agreement be borne by the landowner. Caveats to be removed automatically upon the instruction from the landowner provided the last payment under the power lines agreement has been received.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer and the Deputy Chief Executive Officer are responsible for this policy.

7. EMPLOYEES

7.2 Employee Gratuity/Farewell

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	2009 – 12.01/07
Date of Last Review	26 October 2022 – Resolution 021022 - Amendment

OBJECTIVE

To give recognition to valued employees ceasing Councils employ.

POLICY

In accordance with Section 5.50(1) of the *Local Government Act 1995* the Shire of Wongan-Ballidu (the Shire) hereby adopts the following policy in relation to the recognition of service when an employee leaves its service.

CEO has discretionary power to select a suitable gift (and farewell party) for presentation on behalf of Shire of Wongan-Ballidu to employees whose service is finishing.

The Shire recognises that the length of service of an employee does not necessarily equate to the value of their contribution to the Shire, but seeks a balanced approach to recognise the loyalty, contribution and length of service.

In using the discretionary power, the following will be used as a guide;

COUNCIL GRATUITY/GIFT DETERMINATION FORMULA

That the Shire apply a gift/gratuity on termination of employment (resignation or death by an employee) excepting on the grounds that the resignation was a result of pending disciplinary or possible fraudulent or illegal behaviour of that employee on the following basis:

- a) = The employees' final cash annualised salary exclusive of overtime.
- b) = % to be applied depending upon length of service
- c) = number of years of continuous service
- d) = average weighting to be applied after assessment by the relevant staff/Elected Members
- e) = payment to be made as a gratuity or gift.

Measure of performance			Factor/weighting	
Inadequate or Marginal (below standard)			0.5	
Satisfactory or as expected (average)			1	
Exceeds requirements or excellent (above average)			2	
Outstanding and exceptional				
Length of service % to apply			Factor Weighting	
0-4.99 completed years of service			0.050%	
5-9.99 completed years of service			0.060%	
10 or over completed years of service Formulae for calculation = a x b x c x d = e			0.075%	
Examples of Calculations				
Cash component annualised salary	%	Length of service in years	Weighting for performance	Gratuity/Gift Value \$
A	B	C	D	E
25,000	0.050%	4	2	100.00
25,000	0.060%	8	1	120.00
25,000	0.075%	20	2	750.00
40,000	0.050%	4	2	160.00
40,000	0.060%	8	0.5	96.00
40,000	0.075%	20	2	1,200.00
60,000	0.050%	4	2	240.00
60,000	0.060%	8	0.5	144.00
60,000	0.075%	20	1	900.00
88,000	0.050%	4	2	352.00
88,000	0.060%	8	0.5	211.20
88,000	0.075%	20	1	1,320.00

Performance Weighting is undertaken of the employee by:

- Their Line Manager and the CEO;
- Where the employee leaving is a senior officer of Shire, the CEO;
- In the case of the CEO leaving, the Elected Members will perform the assessment.

In assessing performance, the assessors will take into account the employees' value to the employer and their demonstrated commitment and impact to their work when compared to what might be considered by the assessor as an 'average employee' (factor of 1).

Elected Member Assessment Example	Factor/Weighting
Cr 1	2
Cr 2	2
Cr 3	2
Cr 4	0.5
Cr 5	1
Cr 6	2
Cr 7	2

Average weighting rounded to nearest integer – 1

Officer Assessment Example	Factor/Weighting
Line Manager	2
Shire President	0.5
CEO	1
Average weighting rounded to nearest integer	

The Council reserves the right to pay an additional amount to that set out in this policy, where it considers circumstances warrant, in which event local public notice will be given.

STATUTORY REQUIREMENTS

Section 5.50(1) of the *Local Government Act 1995* states that Local Government is to cause local public notice to be given in relation to the Policy.

Accordingly, this Policy on Gratuity Payments was last reviewed 2009.

Local Government Administration Regulations Section 19A Payment to Employee in addition to contract or award – s.5.50(3)

- (1) the value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total–
 - (a) if the person accepts voluntary severance by resigning as an employee, the value of the person's final annual remuneration; or
 - (b) in all other cases, \$5,000.

(2) In this regulation –

“final annual remuneration” in respect of a person means the value of the annual remuneration paid or payable, to the person by the local government which employed that person immediately before the person’s employment with the local government finished

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer are responsible for the implementation of this policy.

7.3 Employee Use of Council Plant & Equipment – Non-Work Related

Policy Owner	Works Committee
Person Responsible	Manager of Works and Services
Date of Adoption	08 August 2012 – Resolution 080812
Date of Last Review	22 June 2022 – Resolution 070222 – No change

OBJECTIVE

That employees of the Shire be permitted to utilise (*Plant and Equipment*) P&E owned or controlled by the Shire for their own private purposes, without charge, on the following basis:

POLICY

Permission being granted by the CEO or Manager of Works for each day of use;

The employee having the appropriate licences, training and / or induction in its use and operation of the P&E by a suitably trained employee;

1. The use of the P&E being within the Shire, with the exception of trailers, unless exceptional circumstances are warranted and authorised by the CEO or Manager of Works;
2. This policy does not apply with respect to vehicles, mobile phones or other items of P&E expressed permitted under a lawful contract of employment;
3. The P&E is not required by other employees for work purposes;
4. Any damage or loss being the responsibility of the user and reported immediately to the CEO or Manager of Works;
5. Nothing in this policy permits anyone other than staff to utilise the P&E;
6. Nothing in this policy prevents shire employees utilising P&E for community volunteer purposes authorised under any other Council Policy;
7. The usage does not involve the exchange of goods, services or monetary consideration of any form;
8. The volume of usage not being considered excessive or prolonged in the opinion of the CEO or Manager of Works;
9. The P&E being utilised on the employers, employees or another Council employees land or

buildings.

10. Any P&E (not including item 12) requiring fuel to operate being returned with a full tank;
11. Chainsaws are not to be lent out to any employee under any circumstance
12. Items of P&E not permitted to be utilised without charge for private employee purposes include:
 - a. Graders
 - b. Loader
 - c. Backhoe
 - d. All trucks and light vehicles
 - e. Tractors
 - f. All heavy trailers (>5 tonne)
 - g. All tractor attachments (Gang mowers / slashers etc)
 - h. Community Transport Vehicles (Bus, Transport Van and Bus Trailer)
13. Items identified in clause (12) may be hired, at internal charge out rates at the discretion of the Chief Executive Officer or Manager of Works.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

7.4 No Smoking in Council Premises/Vehicles

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 – Resolution 131211
Date of Last Review	22 June 2022 – Resolution 060622

OBJECTIVE

This policy prevents any employee, Elected Member or contractor from smoking in Council premises and in Council vehicles. It is designed to ensure that those who work for Council do so in a clean and safe environment.

As a major employer, the Shire of Wongan-Ballidu (the Shire) has a responsibility to ensure the health, safety and welfare of employees and where possible our ratepayers and members of the general public.

POLICY

As an employer the Shire has a duty under the Occupational Health, Safety and Welfare Act 1984 to provide a safe working environment and to protect the health of all employees from hazards in the workplace.

Based on a current medical and following a landmark judgement in the Federal Court of Australia, it has been shown that passive smoking may affect a person's health.

In accordance with the Occupational Health Amendment Regulations (No 2) 1999, SMOKING IS NOT PERMITTED AT ANY TIME IN ANY SHIRE INTERNAL WORK LOCATIONS.

Specifically:

- All Council buildings or sections regularly used by Council Staff;
- Dealing personally with members of the public
- Toilets
- Passageways and common areas;
- Lunchrooms and tea/coffee preparation areas
- Council meetings and other meetings
- Meeting, training, interview or conference rooms
- Council vehicles and plant;
- Foyers;
- Council lounge, Council chambers
- Employees are not generally permitted to leave their workstations at any time during working hours (including overtime) for smoke breaks. However, if this cannot be adhered to, only

reasonable time should be allowed.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

7.5 Relocation Expenses – Employees Joining Council Workforce

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	26 October 2022 – Resolution 021022 – Amendment

OBJECTIVE

The objective of the relocation subsidy is to assist with attracting employees to the Shire of Wongan-Ballidu (the Shire). The high cost of relocation can be a significant disincentive to apply for positions.

POLICY

At the Chief Executive Officer discretion, the cost of relocation and removal expenses is negotiated when employing new staff.

Council will reimburse an employee who has negotiated removal expenses subject to:

1. A maximum amount payable of \$3,000;
2. Reimbursement of 50% of the removal expenses after 3 months service;
3. Reimbursement of the remaining 50% of the removal expenses after completion of 9 months service;
4. Receipts must be produced to claim reimbursement.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for applying this policy.

7.6 Staff Housing Rental

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	

OBJECTIVE

To provide housing or a housing subsidy to certain category of employees for the purpose of attracting and retaining those employees.

POLICY

Council will provide the following type of houses and housing conditions for certain levels of employees. Rent is able to be salary sacrificed subject to this being at no additional cost to the employer (subject to applicable Fringe Benefit Tax legislation).

CEO Category

Negotiated rent in accordance with employment contract but based on the principal of being 33% of the current market rent. The house to a modern well-appointed 4 by 2 plus study, executive design. Rent to be determined annually during the budget process from year to year. Water consumption allowance of 400kl pa.

Manager Category

Negotiated rent in accordance with employment contract but based on the principal of being 33% of the current market rent. The house to a modern well-appointed 4 by 2 executive design. Rent to be determined annually during the budget process from year to year. Water consumption allowance of 400kl pa.

Employees that this category relates to;

1. Manager Administration & Financial Services
2. Manager Works & Services
3. Environmental Health Building Surveyor

Leading Hand Category

Rent based on the principal of being 50% of the current market rent. The house to be of reasonable age, good condition, minimum 3 by 1 design. Rent to be determined annually during the budget process from year to year. Water consumption allowance of 400kl pa.

Employees that this category relates to;

1. Development Officer
2. Supervisor Mechanical Services
3. Team Leader Construction
4. Team Leader Maintenance
5. Team Leader Horticulture
6. Supervisor Building Services

Housing Subsidy for Employees in their own home

If employees falling into the above categories own their own home, or occupy a non-Council supplied house and that home is within the Shire, then Council will pay that employee an allowance, currently \$3,000 pa, (based on 50% of the market rent of a leading hand category house and reviewed annually during the budget process) in lieu of rent and water consumption subsidies (payable fortnightly and subject to income tax).

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for applying this policy.

8. TOURISM POLICIES

8.1 Area Promotion

Policy Owner	General Purposes Committee
Person Responsible	Chief Executive Officer
Date of Adoption	04 April 2005
Date of Last Review	26 October 2022 Resolution 021022 No change

OBJECTIVE

To ensure the appropriate use of Council's Tourism motto.

POLICY

That the Council maintain copyright on the slogan "Only a Picnic Away" and the use of this slogan on tourist promotional material by outside organizations be on the approval of Council or the CEO.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for applying and monitoring this policy.

Note: The slogan 'Only a Picnic Away' is currently copyrighted by Council until 2008.

8.2 Mt O'Brien Road

Policy Owner	Works Committee
Person Responsible	Manager of Works and Services
Date of Adoption	December 2011 Resolution 101211
Date of Last Review	22 June 2022 Resolution 070622 No Change

OBJECTIVE

This policy is designed to ensure the gravel road leading to Mt O'Brien is maintained at Council's cost as Mt O'Brien is situated on private property.

POLICY

That Council maintains the gravel road, which leads to the Mt O'Brien Lookout.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for applying and monitoring this policy.

9. TOWN PLANNING

9.2 Temporary Accommodation While Building on Rural Residential Zoned Property

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	16 December 2010
Date of Last Review	

OBJECTIVE

To provide guidelines to Council staff to assist prospective owner/builders wishing to reside in temporary accommodation on their property during construction of a permanent residence.

POLICY

Council recognizes that in some situations an owner/builder may wish to reside on his property while constructing his own permanent dwelling.

Permission could be granted for short term temporary accommodation to an owner/builder during the construction of a permanent residence provided it meets the following criteria:

- Only applies to property zoned rural residential.
- Only applies to the owner/builder and his immediate family.
- Is for a maximum period of twelve months with any extension of time at the discretion of the CEO.
- Applies to a shed, caravan or motor home situated on the property in a position satisfactory to Council's Building Surveyor.
- An approved apparatus for the treatment of sewage, complete with a conforming water closet, is to be installed to the satisfaction of Council's EHO prior to the owner/builder taking up temporary residence.
- The site is to be maintained in an orderly and tidy condition at all times.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer, Building Surveyor and EHO are responsible for applying this policy.

10. WORKS AND SERVICES

10.1 Construction Works Affecting Private Properties

Policy Owner	Works Committee
Person Responsible	Manager of Works and Services
Date of Adoption	01 February 2005
Date of Last Review	22 June 2022 Resolution 070622

OBJECTIVE

To ensure appropriate consultation is undertaken between Council staff and landowners when works will affect their properties.

POLICY

Where construction works will affect an adjoining property then the landowner is to be consulted prior to the works commencing.

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Works & Services is responsible for applying this policy.

10.2 Council/MRWA Advertising Hoardings

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	20 July 2006 Resolution 040706
Date of Last Review	26 October 2022 Resolution 101022 – No Change

OBJECTIVE

To manage its risks and to also ensure protection of visual amenity, pedestrians on footpaths, Council liability and vehicle traffic whilst ensuring the public is informed and businesses can adequately and safely promote themselves and their wares.

POLICY

That with respect to roadside advertising by commercial enterprises that address Council or MRWA roads the following Policy be adopted and copied to all relevant businesses and the Wongan Hills Business Association;

1. That commercial enterprises that address Council or MRWA roads within the townsites not be permitted to place temporary advertising hoardings, products' or sandwich board signs anywhere other than on their property, or on Councils' adjoining footpath subject to it not constituting a pedestrian or vehicular hazard in the opinion of the CEO.
2. Nothing in this policy prevents a commercial enterprise seeking written application for a permanent sign on Council or Main Roads property which will be assessed in accordance with the Councils' and MRWA requirements and Councils' desire to: -
 - a. maximise through vision by passing traffic to Fenton PI and;
 - b. minimise negative visual amenity such as signs.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.3 Fines and Infringements – Road Traffic Act

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	16 February 2006 Resolution 190206
Date of Last Review	

OBJECTIVE

To ensure that Council clearly states that it does not condone any action that does not conform to the *Road Traffic Act 1974* and associated codes and regulations, including Local Authority or other Agencies Parking Local Laws.

POLICY

Council does not condone any action that does not conform to the *Road Traffic Act 1974*, associated codes and regulations including parking or other infringements against other local authorities or agencies local laws, and accordingly do not pay any subsequent fines.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.4 Heavy Vehicles

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	19 April 2013 Resolution 060513
Date of Last Review	

OBJECTIVE

To provide safer roads for all road users and guidelines for heavy transport vehicles within the Shire.

POLICY

That Council supports the transportation of farm produce, specifically grains, livestock, wool, hay and straw throughout the Shire of Wongan-Ballidu (the Shire) using permit vehicles in accordance with the Main Roads WA's "Restricted Access Vehicle" (RAV) configurations and network.

Road users wishing to access RAV network roads coded with the CA07 condition (*All operators must carry written approval from the Local Government Authority permitting use of the road*) must apply annually for approval. Approvals under the CA07 code are subject to the following conditions:

- Gravel roads are not to be used if heavy rain has fallen in the area. Advice is to be sought from the Shire.
- No operation during school bus hours. Transport operators are to contact the local schools to obtain school bus hours
- Council may review operation and add or remove roads from the approved list, subject to Commissioner of Main Roads discretion.
- All loads must be secured to the standards set out in the Load Restraint Guide under the National Heavy Vehicle Regulations

CONCESSIONAL LOADING

The Shire does not support unregulated concessional loading and all applications must be presented to Council for approval.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.5 Industrial and Commercial Rubbish Services

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	15 February 2007 Resolution 130207
Date of Last Review	

OBJECTIVE

This policy sets out the criteria for rubbish service levies for the townsites of Wongan Hills and Ballidu.

POLICY

That all occupied industrial and commercial premises are charged a minimum of one annual rubbish service levy whether occupiers elect to have the refuse and recycling collection services or not.

That Council exempts the one annual rubbish service levy for all those industrial and commercial occupiers who elect to engage in an authorised skip bin service and whereby Council's Manager Planning & Environmental Services has assessed the occupier as not requiring a putrescibles service.

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Environmental & Planning Services and the Manager Administration & Financial Services are responsible for this policy.

10.6 Level of Service – Grading Activities

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	16 August 2016 Resolution 080816
Date of Last Review	

OBJECTIVE

To ensure that Council clearly identifies the “level of service” it requires for the maintenance of bitumen and gravel roads within the Shire of Wongan-Ballidu (the Shire).

POLICY

Winter Grading:

- *Winter grading will commence as soon as optimum soil moisture conditions permit.*
- *Gravel roads will be double cut from drain invert to drain invert.*
- *If insufficient material is evident, every effort will be made to import top-up gravel from other areas.*
- *Formation road widths must be maintained at 9.0m for major arterial roads and 8.0m for minor arterial roads.*
- *The road cross-section gravel roads where possible will be targeted at between 5% – 6% in order to maintain good road drainage.*
- *The 1st round of grading will include only major and minor arterial roads and bus routes.*
- *The 2nd round of grading will include major and minor arterial roads, bus routes and minor roads.*

Summer Grading:

- *Summer grading will focus on local roads, verge clearing, back slopes and drains (including bitumen roads)*
- *No planned formation grading will occur on major and minor arterial roads, bus routes and minor roads during summer with the exception of sections of severe corrugations or where damage has been caused by heavy unseasonal summer rainfall.*
- *Cleared vegetation will only be laid down (larger material will be stabilised) and not carted away with a target of between 100km to 150km per annum.*
- *In the event of optimum soil moisture conditions due to summer rainfall, the focus will not move away from local roads. Graders may, however, formation grade other roads on the way from local road to local road.*

Bitumen Shoulder Grading:

- *When grading bitumen shoulders, staff will where practicable use three graders in convoy and commence as close as practicable to 1st July each year.*
- *Roads with a bitumen width of less than 6.50m wide will be graded once every year.*
- *Roads with a bitumen width of more than 6.50m wide should be graded once every two years after the completion of roads with the width of less than 6.5m which have priority.*
- *Grading extents will be from drain invert to drain invert.*
- *Clearing of back-slopes on bitumen shoulders will be done only in summer.*
- *Road sweeping will be carried out during bitumen shoulder grading only when required.*

Bitumen Shoulder Widening:

- *Wherever possible, back slope vegetation will be laid down and stabilised and not removed*
- *Existing shoulder sub-base / base course material is to be tested by scarifying up to 150mm with a single grader tine. If the material is suitable it will be left in-situ with minimal tinning and topped to shape with suitable imported gravel.*

Sourcing of Gravel:

- *All gravel for the current works programme be pushed in July, August and September of that year to allow for moisture absorption*

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.7 Plant and Equipment Replacement

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	16 August 2016 Resolution 080812
Date of Last Review	

OBJECTIVE

To provide for the optimum and timely replacement of Councils major road and parks & gardens (works) Plant and Equipment (P&E) in order to;

- Minimising the overall impact on Councils General Purposes Income to finance it through efficient asset management, maintenance and fleet changeovers practices
- Even out annual net cash requirements (minimize the cyclical peaks and troughs) and to;
- Obviate the need for loan borrowings.

POLICY

That Council adopt and thereafter annually review long term (minimum 5 years) asset replacement programs known as the following;

- 5 Year Major Plant & Equipment Replacement Program and;
- 5 Year Minor Plant & Equipment Replacement program.

That with respect to Councils Plant & Equipment Replacement Program, Council;

- Establish and maintain a "Cash Backed Reserve" for the purpose of financing major and minor plant and equipment purchases (net of trades);
- Meet its annual net cash for P&E purchases from this reserve by annually transferring the net difference between minor and major plant & equipment purchases;
- Annually budget to transfer to reserve the calculated depreciation of that P&E.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.8 Plant Hire

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	21 June 2012 Resolution 080612
Date of Last Review	23 August 2022 Resolution 10082022

OBJECTIVE

To ensure that Council plant is operated by Council employed staff.

POLICY

That plant only be hired out with a Shire Operator unless authorised by the Manager of Works & Services or the CEO.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.9 Powerline Agreements

Policy Owner	Health, Building and Planning
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 Resolution 131211
Date of Last Review	23 August 2022 Resolution 10082022

OBJECTIVE

To provide guidelines for the removal of caveats that has been placed on properties as a result of power line agreements.

POLICY

The cost of removal of Caveats over the properties owned by persons holding power line agreement be borne by the landowner. Caveats to be removed automatically upon the instruction from the landowner provided the last payment under the power lines agreement has been received.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.10 Private Pipeline Under Road Reserves

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	November 2011 Resolution 071111
Date of Last Review	

OBJECTIVE

To ensure that works under Councils' road are not at the detriment of those roads.

POLICY

Prior to installing a private pipeline under road reserves an application is to be made on the appropriate form and approval granted by the Chief Executive Officer.

The following conditions apply when approval is granted to install a private pipeline under road reserves.

1. Care to be taken to avoid damage or removal of any existing trees on the road reserve.
2. Council shall not be responsible for the implementation, relocation or maintenance of the pipeline.
3. Council shall not be responsible for any damage to the pipeline at any time.
4. Adequate cover to be provided over the pipeline following installation.
5. Markers indicating the position the pipe crosses the road to be provided at the fence line on either side of the road reserve.
6. The road shall be reinstated to its original condition.
7. Care must be taken to avoid subsidence where the excavation has taken place.
8. The cost of reinstating the road surface to its original condition and provision of markers is to be borne by the applicant.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.11 Private Works

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	15 December 2011 Resolution 101211
Date of Last Review	23 August 2022 Resolution 10082022

OBJECTIVE

To specify the parameters whereby Council staff can accommodate private works and to minimise the impact on Councils normal operations.

POLICY

Private works will only be undertaken if the works involved do not compromise the Council's road construction/maintenance program and the plant is in the vicinity of the works.

Before private works are carried out the client must sign a private works authorization form.

Any private works are to be carried out at the discretion and authorization of the Manager Works & Services or the Chief Executive Officer prior to commencement.

Private works within the Shire are to be carried out on the following conditions; The client is responsible for marking out and supervising the work.

- The Shire is not to be held responsible for damage to property, foundations, cables etc caused when working within the client's instructions.
- The Shire is not responsible for any expense, whatsoever incurred through breakdown or delay.
- The time of work and travelling shown are correct and chargeable.
- That the works be charged at the current hire rate as set out in council's Annual Budget (Fees and Charges).
- A minimum of one-half hour hire of any plant will be charged.

Nothing in this policy prohibits council entering into an agreement with an individual(s) or organisations to provide a service with or without goods at a price to be negotiated between the respective parties that is mutually acceptable.

Any person/ organisation applying for private work with a private works account outstanding by thirty (30) days or more is advised that the work will not be undertaken until the amount outstanding has been paid. The application of this portion of the policy is subject to variation only by the Chief Executive officer should appeal circumstances be demonstrated and approved by the Chief Executive officer prior to work commencing.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.12 Rare Flora

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	November 2011 Resolution 071111
Date of Last Review	24 March 2021 Resolution 070321

OBJECTIVE

To ensure that *Department of Water and Environment Regulation (DWER)* Declared Rare Flora areas are defined and that staff are aware of the significance of these rare flora.

POLICY

Declared Rare Flora areas to be identified and the Manager Works & Services is to ensure that all staff are made aware of the need to protect those areas before any works commences.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.13 Removal of Trees Within Town Sites

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	November 2011 Resolution 071111
Date of Last Review	

OBJECTIVE

To provide elected members and staff with a clear set of guidelines when it is considered desirable to remove existing trees.

POLICY

Prior to removal of any trees in townsites Elected Members are to be notified at least three weeks prior to their intended removal.

Where elected members feel it is appropriate, an advertisement shall be placed in the Wonga-Balli Boomer detailing the locality of the tree and the reasons for its removal and request community input prior to the removal of the tree.

All trees that are intended for removal are to be marked with coloured tape or paint at least three weeks prior to removal.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.14 Revegetation for Rural Roads and Reserves

Policy Owner	Works and Services
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 Resolution 101211
Date of Last Review	24 March 2021 Resolution 070321

OBJECTIVE

The Shire of Wongan-Ballidu (the Shire) acknowledges the social, economic and environmental benefits accorded to the Shire by virtue of retaining the Shire's native vegetation and will therefore minimise the loss of any native vegetation in its procedural, administrative and works practices.

POLICY

That the Shire only undertake native vegetation removal where legally authorised to do so or required pursuant to an unforeseen or impending emergency (for example bushfire).

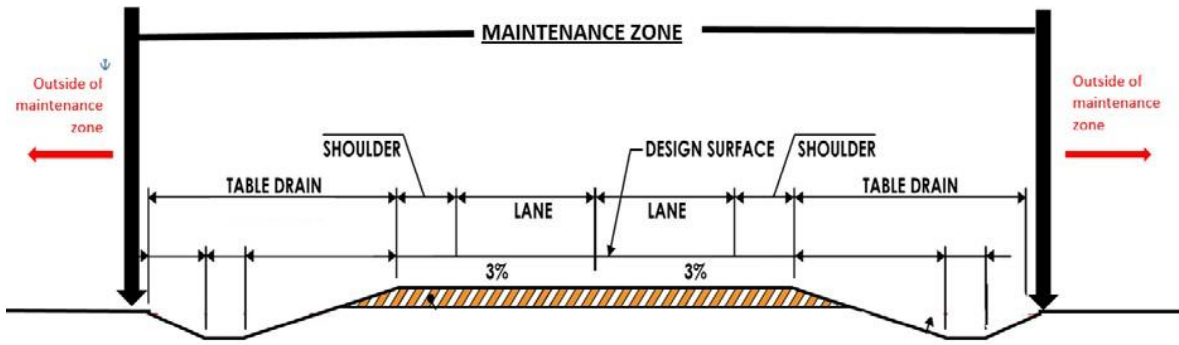
Where native or remnant vegetation on rural road verges outside the maintenance zone is destroyed or removed by the Shire or Shire contractors;

- i. Shire staff will replace the type and quantity of vegetation removed with a similar local type and quantity of vegetation within a reasonable period and in conditions that allow the best opportunity for its survival (i.e. seasonal conditions).
- ii. Shire staff may select another rehabilitation site on reserve(s) or areas within that locality if site conditions require it. Examples of areas currently identified include;
 - Gratton Creek
 - Gratton Heights
 - Shire owned borrow (gravel and sand) pits
 - Shire borrow pits on private land (with landowner approval).
- iii. The Shire will accommodate for this policy in operating expenditure associated with the budget at the time of works and continue to identify areas suitable for rehabilitation.

The Shire will continue to give priority to its road reserves for vehicular safety and maintain these reserves in accordance with accepted roadside corridor codes of practice and maintenance zones and the Department of Water and Environmental regulations.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.



10.15 Road Hierarchy

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	19 April 2012 Resolution 090412
Date of Last Review	

POLICY

To ensure that the Roads are constructed and maintained according to Councils standards.

OBJECTIVE

That Council adopt the following Road Hierarchy with regard to rural roads and associated Construction and Maintenance standards:

1: Regional Road Group Roads Type 5

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 16 metres Pavement width – 11 metres Seal width – 7 metres	Bitumen pavement surface is to be maintained as required. Gravel shoulders are to be winter graded annually on the first round. Gravel pavement is to be winter graded annually on the first round. Offshoots and surface drains are to be cleaned out when the shoulders are graded. Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Elected Members are to be contacted.

2: Regional Road Group Roads Type 4

CONSTRUCTION STANDARDS	MAINTENANCE STANDARD
<p>Formation width – 15 metres Width - 9 metres</p> <p>Seal width - 7 metres</p>	<p>Bitumen pavement surface is to be maintained as required.</p> <p>Gravel shoulders are to be winter graded annually on the first round</p> <p>Gravel pavement is to be winter graded annually on the first round.</p> <p>Offshoots and surface drains are to be cleaned out when the shoulders are graded.</p> <p>Roadside furniture is to be maintained as required.</p> <p>Back-slopes on drains to be maintained as required.</p> <p>Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Elected Members are to be contacted.</p>

3: Major Arterial Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
<p>Formation width – 12-16 metres</p> <p>Pavement width – 9 metres Material depth 120mm – 150mm (depending on sub base)</p>	<p>Bitumen pavement surface is to be maintained as required.</p> <p>Gravel road pavement is to be winter graded annually on the first round.</p> <p>Gravel shoulders are to be winter graded annually on the first round.</p> <p>Offshoots and surface drains are to be cleaned out when road pavement is graded.</p> <p>Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Elected Members are to be contacted.</p>

4: Minor Arterial Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 11-15 metres Pavement width – 8 metres Material depth 120mm – 150mm (depending on subbase)	<p>Bitumen pavement surface is to be maintained as required.</p> <p>Gravel road pavement is to be winter graded annually on the first round.</p> <p>Gravel shoulders are to be winter graded annually on the first round.</p> <p>Offshoots and surface drains are to be cleaned out when road pavement is graded</p> <p>Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Elected Members are to be contacted.</p>

5: Minor Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 11-15 metres Pavement width – 8 metres Material depth 100mm-120mm (depending on subbase)	<p>Gravel road pavement is to be summer graded as required and winter graded on the second round.</p> <p>Offshoots and surface drains are to be cleaned out and maintained as required when road is being graded</p> <p>Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Elected Members are to be contacted.</p>

6: Local Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Base Formation Only	<p>Gravel road pavement is to be summer graded as required. Back-slopes on drains to be maintained as required.</p> <p>Roadside furniture is to be maintained as required.</p>

Current bus routes on minor or local roads are of a high priority and should be treated the same as major and minor arterial roads.

SHIRE OF WONGAN-BALLIDU

Adopted Rural Road Hierarchy Program and associated Construction and Maintenance Standards

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
175	Armstrong Rd	Minor Road
77	Bailey Rd	Minor Road
44	Ballermina Rd	Minor Road
3	Ballidu East Rd	RRG 4
4	Ballidu-Bindi Bindi Rd	RRG 5
32	Ballidu-South East Rd	Major Arterial Rd
135	Barrett-Lennard Rd	Local Road
42	Barrow Rd	Minor Road
108	Bauer Rd	Local Road
133	Beilby Rd	Minor Road
125	Bexton Rd	Minor Road
52	Booth Rd	Local Road
136	Bowen Rd	Minor Road
110	Brennan Rd	Local Road
130	Brophy Rd	Minor Road
43	Bunketch-Kulja Rd	Minor Road
57	Burakin East Rd	Minor Road
56	Burakin North Rd	Minor Road
192	Burakin-Wialki Rd	RRG 4
16	Cadoux North Rd	Minor Arterial Rd
119	Cadoux Rifle Range Rd	Minor Road
117	Cadoux South Rd	Minor Road
61	Clarke Rd	Minor Road
68	Cochrane Rd	Local Road
140	Conway Rd	Local Road
165	Cooney Rd	Local Road
58	Corbett Rd	Local Road

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
131	Cousins Rd	Minor Road
33	Craig Rd	Major Arterial Rd
39	Craske Rd	Minor Road
21	Damboring West Rd	Minor Arterial Rd
151	Danes Rd	Minor Road
45	Davies Rd	Minor Road
47	deGrussas Rd (From Hospital Rd East)	Minor Road
47	deGrussas Rd (From Hospital Rd West)	Minor Road
73	Douglas Rd	Local Road
193	Dowerin-Kalannie Rd	RRG 4
138	Elphin Korralling Rd (Craig To Korralling)	Local Road
138	Elphin Korralling Rd (Waddington To Craig)	Minor Arterial Rd
60	Feedmill Road	Local Road
156	Ffoulkes Rd	Minor Road
186	Finck Rd	Local Road
120	Flat Rocks Rd	Minor Road
137	Fowler Rd	Local Road
106	Freestone Rd	Minor Road
27	Gabalong East Rd	Major Arterial Rd
167	Gaston Rd	Local Road
71	Glenvar Rd	Local Road
115	Griffiths Rd	Local Road
74	Hesford Rd	Local Road
122	Holben Rd	Minor Road
127	Hooper Rd	Local Road
195	Hospital Road	RRG 4
38	Hourigan Rd	Major Arterial Rd
141	Hunt Rd	Local Road
13	Jenkin Rd	Local Road
66	Jenks Rd	Minor Road
54	Johnson Rd	Minor Road

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
185	Joynes Rd	Local Road
123	Kalajzic Rd	Local Road
11	Kalguddering East Rd	Minor Arterial Rd
36	Kalguddering North Rd	Minor Arterial Rd
191	Kalguddering North Road(East)	Minor Arterial Rd
112	Kalguddering Rd	Minor Road
14	Kalguddering West Rd	Minor Arterial Rd
124	Kalsall Rd	Local Road
24	Kirwan East Rd	Major Arterial Rd
22	Kirwan Rd	Major Arterial Rd
23	Kirwan West Rd	Minor Arterial Rd
18	Kokardine East Rd	Minor Road
17	Kokardine West Rd	Minor Arterial Rd
9	Kondut East Rd	Minor Arterial Rd
31	Kondut South East Rd	Major Arterial Rd
10	Kondut West Rd (East Of Whitewell)	Minor Arterial Rd
10	Kondut West Rd (West Of Whitewell)	Minor Road
34	Koralling Rd	Local Road
29	Lake Hinds North Rd (From Gabalong East)	Minor Road
29	Lake Hinds North Rd (To Gabalong East)	Major Arterial Rd
129	Leahys Rd	Local Road
118	Lego Rd	Minor Road
114	Litchfield Rd	Minor Road
37	Lloyd Rd	Minor Road
70	Mail Route Rd (From Fowler To Bowen)	Minor Road
70	Mail Route Rd (To Fowler Rd)	Local Road
132	Mailey Rd	Local Road
6	Manmanning Rd (Northam-Pithara To Stokes)	Major Arterial Rd
6	Manmanning Rd (Stokes To Jones)	Minor Arterial Rd
150	Mccashney Rd	Local Road
15	Meadows Rd	Major Arterial Rd

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
46	Millsteed Rd	Local Road
62	Mincherton Rd	Minor Road
116	Mocardy Rd	Minor Road
169	Montague Rd	Local Road
7	Moonijin West Rd (To Litchfield)	Major Arterial Rd
7	Moonijin West Rd (From Litchfield)	Minor Arterial Rd
2	Mountjoy Rd	Local Road
212	Mt Matilda Scenic Walk Rd	Local Road
213	Mt O'Brien Lookout Rd	Local Road
69	Murphy Rd	Local Road
72	Newton Rd	Minor Road
30	Old Ballidu Rd (From Kondut South East To Kondut East)	Local Road
30	Old Ballidu Rd (From Northam-Pithara To Kondut Se)	Minor Road
121	Old Kokardine Rd	Local Road
139	Oliver Rd	Minor Arterial Road
64	Parker Rd	Local Road
184	Phillips Rd	Local Road
49	Podmore Rd	Local Road
40	Quain Rd	Minor Road
25	Rabbit Proof Fence Rd	Minor Arterial Rd
51	Raine Rd	Local Road
55	Reid Rd (Barrow To Hospital)	Local Road
55	Reid Rd (Hospital To Dowerin-Kallanie)	Major Arterial Rd
41	Reynolds Rd	Minor Road
12	Rifle Range Rd	Minor Arterial Rd
109	Robinson Rd	Minor Road
206	Salvare Rd	Local Road
134	Scotney Rd	Local Road
76	Serio Rd	Minor Road
126	Sermon Rd	Minor Road

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
113	Sewell Rd	Minor Road
20	Sheoak Rd	Major Arterial Rd
48	Silver Rd	Minor Road
67	Smith Rd	Minor Arterial Rd
78	Stickland Rd	Local Road
26	Stokes Rd	Minor Road
152	Strahan Rd	Minor Road
128	Swift Rd	Minor Arterial Rd
59	Tascosa Rd	Minor Road
200	The Lane	Local Road
65	Tootra Fence Rd	Major Arterial Rd
53	Vincent Rd	Minor Arterial Rd
50	Walker Rd	Local Road
174	Ward Rd	Major Arterial Rd
111	Wells Rd	Local Road
19	White Well Rd	Major Arterial Rd
63	Whyte Rd	Minor Road
28	Wilding Rd	Minor Road
177	Wilkins Rd	Minor Road
5	Wilson Rd	Local Road
194	Wongan Hills-Burakin Rd	RRG 4
197	Wongan Hills-Koorda Rd	RRG 4
198	Wongan Hills-Koorda Rd	RRG 4
199	Wongan Hills-Waddington Rd	RRG 4
35	Wongan-Koorda Rd	Major Arterial Rd
8	Yerecoin South East Rd	Major Arterial Rd
135	Barrett-Lennard Rd	Local Road
108	Bauer Rd	Local Road
52	Booth Rd	Local Road
110	Brennan Rd	Local Road
68	Cochrane Rd	Local Road

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
140	Conway Rd	Local Road
165	Cooney Rd	Local Road
58	Corbett Rd	Local Road
73	Douglas Rd	Local Road
138	Elphin Korralling Rd (Craig To Korralling)	Local Road
60	Feedmill Road	Local Road
186	Finck Rd	Local Road
137	Fowler Rd	Local Road
167	Gaston Rd	Local Road
71	Glenvar Rd	Local Road
115	Griffiths Rd	Local Road
74	Hesford Rd	Local Road
127	Hooper Rd	Local Road
141	Hunt Rd	Local Road
13	Jenkin Rd	Local Road
185	Joynes Rd	Local Road
123	Kalajzic Rd	Local Road
124	Kalsall Rd	Local Road
34	Koralling Rd	Local Road
129	Leahys Rd	Local Road
70	Mail Route Rd (To Fowler Rd)	Local Road
132	Mailey Rd	Local Road
150	Mccashney Rd	Local Road
46	Millsteed Rd	Local Road
169	Montague Rd	Local Road
2	Mountjoy Rd	Local Road
212	Mt Matilda Scenic Walk Rd	Local Road
213	Mt O'Brien Lookout Rd	Local Road
69	Murphy Rd	Local Road
30	Old Ballidu Rd (From Kondut South East To Kondut East)	Local Road

Rd #	Sorted by Road Name	Road Hierarchy Adopted (by Council)
121	Old Kokardine Rd	Local Road
64	Parker Rd	Local Road
184	Phillips Rd	Local Road
49	Podmore Rd	Local Road
51	Raine Rd	Local Road
55	Reid Rd (Barrow To Hospital)	Local Road
206	Salvare Rd	Local Road
134	Scotney Rd	Local Road
78	Stickland Rd	Local Road
200	The Lane	Local Road
50	Walker Rd	Local Road
111	Wells Rd	Local Road
5	Wilson Rd	Local Road

Rd #	Road Name	Sorted by Road Hierarchy Adopted (by Council)
32	Ballidu-South East Rd	Major Arterial Rd
33	Craig Rd	Major Arterial Rd
27	Gabalong East Rd	Major Arterial Rd
38	Hourigan Rd	Major Arterial Rd
24	Kirwan East Rd	Major Arterial Rd
22	Kirwan Rd	Major Arterial Rd
31	Kondut South East Rd	Major Arterial Rd
29	Lake Hinds North Rd (To Gabalong East)	Major Arterial Rd
6	Manmanning Rd (Northam-Pithara To Stokes)	Major Arterial Rd
15	Meadows Rd	Major Arterial Rd
7	Moonijin West Rd (To Litchfield)	Major Arterial Rd
55	Reid Rd (Hospital To Dowerin-Kallanie)	Major Arterial Rd
20	Sheoak Rd	Major Arterial Rd
65	Tootra Fence Rd	Major Arterial Rd
174	Ward Rd	Major Arterial Rd

Rd #	Road Name	Sorted by Road Hierarchy Adopted (by Council)
19	White Well Rd	Major Arterial Rd
35	Wongan-Koorda Rd	Major Arterial Rd
8	Yerecoin South East Rd	Major Arterial Rd
16	Cadoux North Rd	Minor Arterial Rd
21	Damboring West Rd	Minor Arterial Rd
138	Elphin Korralling Rd (Waddington To Craig)	Minor Arterial Rd
11	Kalguddering East Rd	Minor Arterial Rd
36	Kalguddering North Rd	Minor Arterial Rd
191	Kalguddering North Road(East)	Minor Arterial Rd
14	Kalguddering West Rd	Minor Arterial Rd
23	Kirwan West Rd	Minor Arterial Rd
17	Kokardine West Rd	Minor Arterial Rd
9	Kondut East Rd	Minor Arterial Rd
10	Kondut West Rd (East Of Whitewell)	Minor Arterial Rd
6	Manmanning Rd (Stokes To Jones)	Minor Arterial Rd
7	Moonijin West Rd (From Litchfield)	Minor Arterial Rd
25	Rabbit Proof Fence Rd	Minor Arterial Rd
12	Rifle Range Rd	Minor Arterial Rd
67	Smith Rd	Minor Arterial Rd
128	Swift Rd	Minor Arterial Rd
53	Vincent Rd	Minor Arterial Rd
139	Oliver Rd	Minor Arterial Rd
175	Armstrong Rd	Minor Road
77	Bailey Rd	Minor Road
44	Ballermina Rd	Minor Road
42	Barrow Rd	Minor Road
133	Beilby Rd	Minor Road
125	Bexton Rd	Minor Road
136	Bowen Rd	Minor Road
130	Brophy Rd	Minor Road
43	Bunketch-Kulja Rd	Minor Road

Rd #	Road Name	Sorted by Road Hierarchy Adopted (by Council)
57	Burakin East Rd	Minor Road
56	Burakin North Rd	Minor Road
119	Cadoux Rifle Range Rd	Minor Road
117	Cadoux South Rd	Minor Road
61	Clarke Rd	Minor Road
131	Cousins Rd	Minor Road
39	Craske Rd	Minor Road
151	Danes Rd	Minor Road
45	Davies Rd	Minor Road
47	deGrussas Rd (From Hospital Rd East)	Minor Road
47	deGrussas Rd (From Hospital Rd West)	Minor Road
156	Ffoulkes Rd	Minor Road
120	Flat Rocks Rd	Minor Road
106	Freestone Rd	Minor Road
122	Holben Rd	Minor Road
66	Jenks Rd	Minor Road
54	Johnson Rd	Minor Road
112	Kalguddering Rd	Minor Road
18	Kokardine East Rd	Minor Road
10	Kondut West Rd (West Of Whitewell)	Minor Road
29	Lake Hinds North Rd (From Gabalong East)	Minor Road
118	Lego Rd	Minor Road
114	Litchfield Rd	Minor Road
37	Lloyd Rd	Minor Road
70	Mail Route Rd (From Fowler To Bowen)	Minor Road
62	Mincherton Rd	Minor Road
116	Mocardy Rd	Minor Road
72	Newton Rd	Minor Road
30	Old Ballidu Rd (From Northam-Pithara To Kondut Se)	Minor Road
40	Quain Rd	Minor Road

Rd #	Road Name	Sorted by Road Hierarchy Adopted (by Council)
41	Reynolds Rd	Minor Road
109	Robinson Rd	Minor Road
76	Serio Rd	Minor Road
126	Sermon Rd	Minor Road
113	Sewell Rd	Minor Road
48	Silver Rd	Minor Road
26	Stokes Rd	Minor Road
152	Strahan Rd	Minor Road
59	Tascosa Rd	Minor Road
63	Whyte Rd	Minor Road
28	Wilding Rd	Minor Road
177	Wilkins Rd	Minor Road
3	Ballidu East Rd	RRG 4
192	Burakin-Wialki Rd	RRG 4
193	Dowerin-Kalannie Rd	RRG 4
195	Hospital Road	RRG 4
194	Wongan Hills-Burakin Rd	RRG 4
197	Wongan Hills-Koorda Rd	RRG 4
198	Wongan Hills-Koorda Rd	RRG 4
199	Wongan Hills-Waddington Rd	RRG 4
4	Ballidu-Bindi Bindi Rd	RRG 5

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.16 Road Naming Within the Shire

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	16 February 2006 Resolution 210206
Date of Last Review	24 March 2021 Resolution 070321

OBJECTIVE

To enable Council to prioritise and determine the allocation of road names to roads that are new or require a new name or named for the first time.

POLICY

The Council will, as a general rule, defer to the guidelines adopted by the Department of Land Information's Geographic Names Committee (*appendix*).

Councils preference, in applying the Geographic Names Committee's guidelines, is to utilise historic surnames of Freeman, Chairman of the Road Board, Shire Presidents and Elected Members, and other worthy community nominated names recommended from time to time, based on the following mutually inclusive principals, in order of priority high to low;

1. Road names should not be duplicated within the Shire;
2. Surnames of Freeman of the Shire;
3. Surnames utilised must be of deceased persons (with the exception of Freeman);
4. Surnames of Chairman / Shire Presidents in priority order of length of service;
5. Surnames of Elected Members in priority order of length of service;
6. Surnames of former pioneers whose property was predominately served by a specific historic road reserve.

The attached of Freeman, Chairman, Shire Presidents and Elected Members serves as the basis for prioritising the selection of names for roads in accordance with the above principles.

Preference where possible will be given to locating the name within the general locality that the individual resided or owned land and if no such Freeman, Chair, President or Elected Member exists that satisfies that criteria then the Council may revert to another suitable name satisfying the general principals of the Geographic Names Committee and based upon the original owners surname of the

property that the particular road predominately or solely served.

Nothing in this policy shall prevent Council from determining the recommendation to the Geographic Naming Committee of an alternative name for a road if Council believes the alternative name selected is more appropriate.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.18 Sale of Used Grader Blades, Batteries, Oil and Scrap Metal

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	19 April 2012 Resolution 090412
Date of Last Review	24 March 2021 Resolution 070321

OBJECTIVE

To encourage recycling and use the proceeds to benefit those Shire employees who are members of the Shire of Wongan-Ballidu Social Club.

POLICY

That:

- All old grader blades and other cutting edges, batteries, oil and scrap metal produced by the Shire Works operations are to be sold.

The proceeds of these sales are to be donated to the Shire of Wongan-Ballidu Social Club.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.20 School Bus Stops/Signs

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 – Resolution 101211
Date of Last Review	26 October 2022 Resolution 101022 No Change

OBJECTIVE

To assist with providing safer areas for school children who use buses to commute to and from school.

POLICY

To provide School bus stop pull off bays if warranted but only after consultation with the relevant School Bus Services Committee. Pull off bays are to be provided while the plant is working in close proximity to the proposed site for the pull off bays. The Chief Executive Officer is authorised to arrange erection of school bus stop signs on request whether a school bus bay has been provided or not, subject to the site meeting the criteria for such signs under Main Roads WA guidelines.

School bus routes and stops to be assessed annually.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.21 Service Provider Road Reinstatements

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	17 May 2012 Resolution 060512
Date of Last Review	26 October 2022 Resolution 101022 Amendment

OBJECTIVE

To provide costing guidelines when Telstra, Western Power, Alinta Gas, Water Corporation or their Contractor make application to put in new services or put in new services, upgrade existing services or repair existing services on or in land owned or under control of the Shire of Wongan-Ballidu.

POLICY

Reinstatement works are to be undertaken to a high standard. Roads, footpaths and any other land where services have put in are to be reinstated to their original condition.

The use of drilling in lieu of excavation and the use of stabilising sand products is a mandatory requirement for all works and any variation of the approved method or products requires the written approval of Shire of Wongan-Ballidu prior to works commencing.

When Council undertakes the reinstatement, charges are to be raised on standard Private Works/Plant Hire rate and a further 50% provisional component be added to the charge to compensate for remedial work associated with the reinstatement and Councils exposure to additional liability

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.22 Standpipe Water Charges

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	17 May 2012 Resolution 060512
Date of Last Review	26 October 2022 – Resolution 101022 Amended

OBJECTIVE

To provide guidelines as to charges that can be levied for those organisations/persons using water from Council's Standpipes.

POLICY

That charges be raised for all standpipe water consumption as follows:

That Council erect signs on all the Council standpipes on road reserve around the Shire stating:



Shire of Wongan-Ballidu Emergency Fire Standpipe Fees
apply for all use.

For enquiries, reporting of damage or quantity taken (for
billing) contact the Shire Office on 9761 2500
during normal office hours

The rate of charge per litre be determined by Council annually as part of the budget process and incorporated into the Shire of Wongan-Ballidu Fees and Charges.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.23 Street Lighting

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	December 2011 Resolution 071111
Date of Last Review	26 October 2022 Resolution 101022 Amended

OBJECTIVE

To ensure that adequate lighting is provided for security and general purposes whilst appreciating the economic cost of providing this service.

POLICY

That the streetlights in Fenton Place and Wongan Road be kept on all night while the remaining streetlights in Wongan Hills, Cadoux and Ballidu be turned off at 1.15am.

All other matters relating to street lights in Fenton Place and Wongan Road be managed in accordance with Policy 10.28 Lighting Management Policy

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.25 Use of Council Facilities, Plant and Equipment by Community Organisations

Policy Owner	Works and Services
Person Responsible	Chief Executive Officer
Date of Adoption	16 August 2012 Resolution 080812
Date of Last Review	26 October 2022 Resolution 101022 No change

OBJECTIVE

To assist Community Organisations and Employees with their activities and programs through occasional use of Council equipment.

POLICY

Community Organisations

The Chief Executive Officer in conjunction with the Manager Works & Services is authorised to permit the use of Councils plant and equipment, to be used after hours for community purposes at no cost to Council other than running costs provided that the plant and equipment: -

1. Is operated by authorised Shire employees only
2. Is used to facilitate a works undertaking for a local community organisation or sporting club
3. Does not leave the Shire of Wongan-Ballidu
4. Is readily available to the site without the involvement of unnecessary transportation.
5. Use is not prolonged, regular or ongoing

Note refer also to Councils delegation 'Donations of Plant & Equipment.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.26 Vehicle Crossovers

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	16 August 2012 Resolution 080812
Date of Last Review	26 October 2022 Resolution 101022 No Change

OBJECTIVE

To specify Council's required Standards on the construction of Crossovers and to administer all matters relating to vehicle crossovers within the district of the Shire of Wongan-Ballidu (the Shire).

POLICY

Rural Crossovers

Council will contribute 50% of the cost of one standard crossover to the main property entrance of each property.

When Council is constructing roads the Manager of Works Committee will liaise with the property owner to include standard crossovers at gateways that are in existence.

Standard Rural Crossover

Width of 6.5metres

Road to the property boundary Gravel surface

Pipes or culvert (if required) Headwalls (if required)

Town site Crossovers

Council will contribute 50% of one standard crossover per lot. Additional costs involved in wider crossovers or additional crossovers to be paid in full by the landowner.

The Manager of Works and Services is to inspect and approve the crossover construction prior to any concrete being poured, pavement sealed, or brick paved.

Crossovers are to be constructed in accordance with Council's specifications (attachment 2) and drawings (CO-01 & CO-02).

Standard Town site Crossover

A standard town site crossover is as stipulated in Council's Standard Crossover Specifications and Standard Crossover Drawings.

A standard town site crossover is deemed to be 3 metres in width, with 1.5 metre wings.

A crossover runs from edge of the road to the property boundary.

General Conditions

Future and ongoing maintenance of the crossover shall be the responsibility of the property owner in accordance with the Local Government (Uniform Local Provisions) Regulations 1996.

Should an applicant require a crossover wider than 3 metres, the Chief Executive Officer is empowered to approve the additional width up to 6 metres subject to consideration being given to location, drainage implications and general aesthetic appeal from other landowners' point of view. Council will only make its contribution towards a 3-metre crossover only.

An application to construct a vehicle crossover is to be made prior to construction.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.27 Water Crossing on Gazetted Roads

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	17 May 2012 Resolution 060512
Date of Last Review	24 March 2021 Resolution 070321

OBJECTIVE

To ensure that earthworks carried out by landholders does not create water hazards on roads and issues for downstream landowners.

POLICY

It is the responsibility of the landowner to advise the Shire of Wongan-Ballidu of any earthworks near or adjacent to a gazetted road that may contribute in creating water hazard on any part of the gazetted road. Such hazard may be as a result of water being concentrated at a point, or as a result of increased total flow, or a more rapid flow of water.

Where such earthworks are likely to create the need for one or more culverts or floodways to alleviate water hazards, Council will only permit the construction of those earthworks provided:

1. The downstream landowner provides documentation that indicates he or she is willing to accept any water that may cross the road as a result of such earthworks.
2. The upstream landholder agrees to meet all costs associated with the provision of the materials for and the construction of such floodways or culverts, as the Council shall deem necessary;
3. Construction of the culverts or floodways is carried out to an approved design, at the Shire's convenience, and of the landowner, under Shire supervision.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.28 Lighting Management Policy

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	March 2019
Date of Last Review	26 October 2022 Resolution 101022 No change

OBJECTIVE

The Lighting Management Policy outlines the commitment and objectives regarding management of current and proposed lighting within the Shire as it seeks to develop Astrotourism to diversify the regional economy, grow tourism and create jobs.

BACKGROUND

The inappropriate or excessive use of artificial light is known as light pollution. The International Dark Sky Association (IDA) states that components of light pollution include:

- Skyglow – brightening of the night sky over inhabited areas
- Glare – excessive brightness that causes visual discomfort
- Light trespass – light falling where it is not intended or needed
- Clutter – bright, confusing and excessive groupings of light sources¹

Skyglow impacts the view of the night sky. The International Astronomical Union describes that “wasteful light from artificial sources emitted upward (at horizontal angles and higher) is scattered by aerosols such as clouds and fog or small particulates like pollutants in the atmosphere. This scattering forms a diffuse glow that can be seen from very far away. Skyglow is the most commonly known form of light pollution.”²

Good lighting design principles are important considerations to manage skyglow to enable Astrotourism development.

The Shire acknowledges Astrotourism activities can be of benefit economically and to the wider community. Astrotourism can:

- Increase visitor numbers, overnight stays and visitor spending;
- Diversify and increase employment;
- Increase regional economic development opportunities for Aboriginal Astronomy enterprise, tourism business and private investment in assets such as accommodation;
- Grow community capacity; and
- Raise the awareness within a community to apply for accreditation through the IDA International Dark Sky Places (IDSP) Program, founded in 2001.

POLICY

It is the Shire's policy to implement the following good lighting design principles to maintain and improve the quality of the dark night sky in its efforts to develop Astrotourism within the region.

The principles can be applied to any situation where protection and conservation values of the night sky are important. Application of the principles benefit Astrotourism, astronomy, heritage, human health, safety, energy, wildlife, environment and ecology values.

GOOD LIGHTING DESIGN PRINCIPLES

1. Overview

_____ This part sets out the design principles that must be considered in _____ the preparation, design and assessment of development.

Good lighting design demonstrates adoption of the following principles:

1. Eliminate upward spill light
2. Direct light downwards, not upwards
3. Use shielded fittings
4. Avoid 'over' lighting
5. Switch lights off when not required
6. Use energy efficient bulbs
7. Use asymmetric beams, where floodlights are used
8. Ensure lights are not directed towards reflective surfaces
9. Use warm white colours

2. ³The Design Principles

Principle 1 Eliminate upward spill light

Spill light is light that falls outside the area that is intended to be lit. Spill light from the internal and external lighting of a development can cause glare and wastes energy. Spill light above the horizontal plane contributes directly to artificial skyglow.

All light fittings should be located, aimed or shielded to avoid lighting unintended areas, especially above the horizontal plane of the light fitting (see Figure 1). Light can be prevented from shining above the horizontal plane by:

- installing light fittings with an opaque cover and flat glass, mounted horizontally on both axes, or
- mounting the light under part of a building like an awning, verandah or roof, so that light is blocked from shining above the horizontal plane, and
- designing buildings to internalise light and prevent it from escaping into the night sky.

³ Perth has the highest daily average number of bright sunshine hours in Australia. Its long-term annual average of sunshine is 8.8 hours a day (<http://www.bom.gov.au/wat/sunshine/>)

Figure 1 Common aspects of light pollution

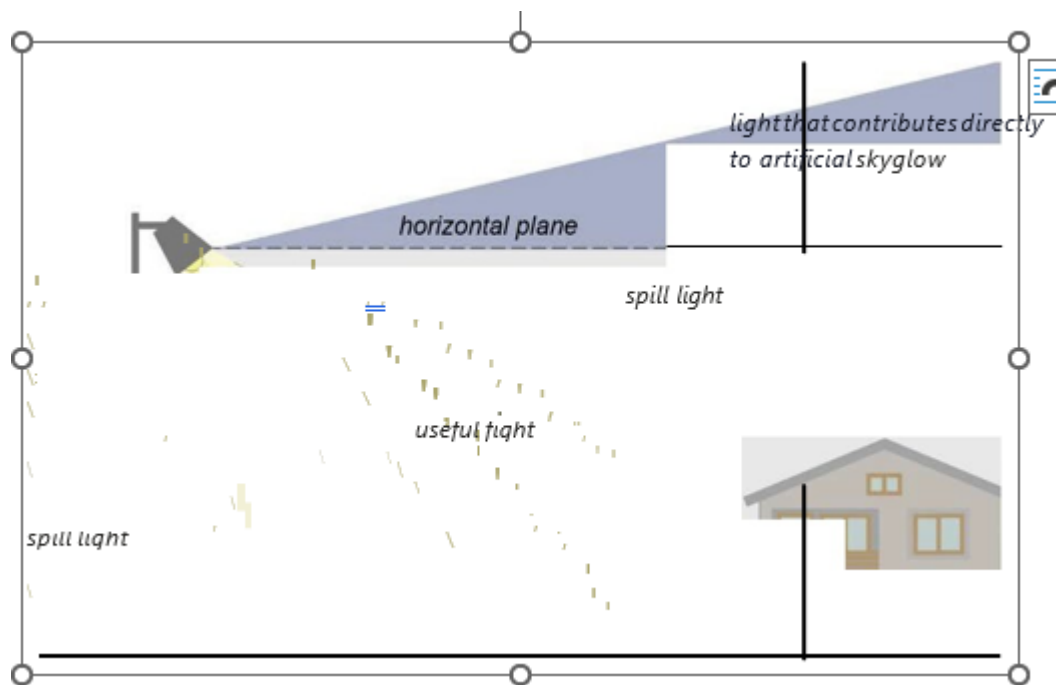
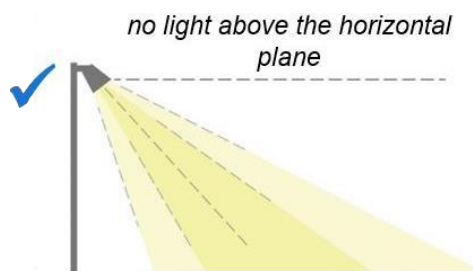
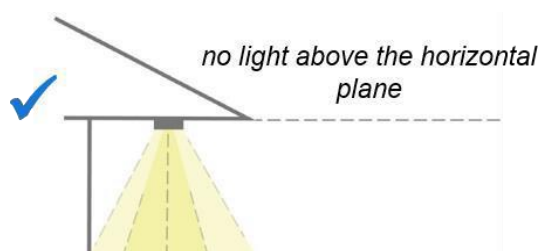


Figure 2 provides design solutions to minimise light spill above the horizontal plane.

a. Installing shielded outside light fittings



b. Installing outside light fittings under a building element (e.g. awning or eave)



c. Using building design e.g. verandahs and block-out blinds to control the spill of internal lighting

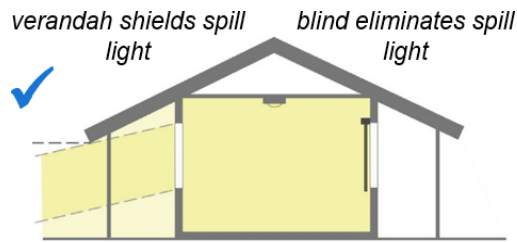


Figure 2 Design solutions to minimise interior spill light above horizontal plane

Adequate measures to avoid and minimise interior light escaping through windows, roof windows, sliding doors and skylights include full block-out curtains, blinds or shutters.

Suitable conditions should be imposed to manage the spill of internal light into the night sky.

Principle 2 Direct light downwards, not upwards

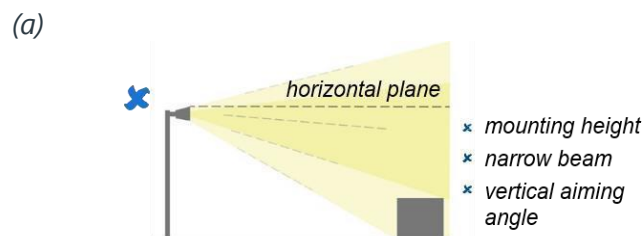
Wherever possible, light should be directed downwards, not upwards. This includes light used for roads, public amenities and the vertical lighting of structures such as advertising boards and building facades. If there are extenuating circumstances requiring up-lighting, it must be demonstrated that the light will not spill into the night sky. This may be achieved by using a wide overhang to the building that stops the light shining directly into the night sky or relocating the lights to shine down the building façade to achieve the same effect.

Directional fittings (for example floodlights, spotlights and sign lights) should be installed so that they do not shine directly into a neighbouring residence, onto a roadway, skyward or outside of a property boundary.

To keep glare to a minimum use higher mounting height that allow lower main beam angles that are closer to vertical.

The lighting of all-night operations such as mines, extractive industries and intermodal hubs will need to be downward facing, of a peach colour and shielded. Where strong light is needed or there are gas flares or burning associated with the development, consultation with the Shire is required to assist in identifying an appropriate way to light the development.

Figure 3 shows how mounting height, narrow beam and vertical aiming angle reduces light spill.



(b)

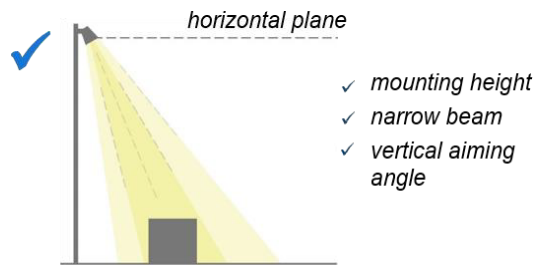


Figure 3 Application of mounting height and vertical aiming angle to control light spill

Principle 3 Use shielded fittings

Light fittings that are specifically designed to minimise light shining near to or above the horizontal plane should be used.

Shielded fittings are those that do not allow any light above the horizontal plane. Figure 4 shows a fitting with a bulb that is completely exposed allowing light to shine in all directions (a); a bulb that is fitted with a partial shield minimising light above the horizontal plane (b); and a shielded fitting which allows only the downward projection of light (c). The shielded fitting is the preferred design.

The effective light distribution or shielding characteristics of a light fitting can be verified by referring to manufacturer's specifications. These are available from the manufacturer or relevant sales outlet.

(a) non-shielded
outside light fitting



(b) shielded outside
light fitting with bulb
fitted to the top



(c)
shielded outside
light fitting

Figure 4 Shielding characteristics

In some urban locations, particularly within heritage conservation areas, outdoor lights are fitted with a decorative cover. These designs may leave the bulb completely exposed and allow light to shine in all directions. To minimise light spill the bulb should be fitted into the top of the fitting, allowing only the downward projection of light (see Figure 5).

Lighting suppliers stock a range of shielded light fittings suitable for residential, commercial and industrial applications.

If a supplier is unable to provide a shielded fitting, a shielding device should be applied. Most outside light fittings are equipped with or are capable of being fitted with a baffle, visor or hood to ensure light is appropriately directed. (see Figures 6 and 7).

Figure 5 Exposed bulb that allows light to shine in all directions and a fitting designed to minimise light spill by only allowing downward projection of light.

Figure 6 Floodlight fitted with shielding attachment

Figure 7 Floodlight that incorporates shielding in the fitting design (no attachment necessary)

Principle 4 Avoid over lighting

Lighting levels should be appropriate for the activity. To avoid 'over' lighting, select an appropriate bulb type and light the task, rather than the environment.

Improvements in technology mean that many new bulb types produce significantly greater amounts of light while using equivalent or smaller amounts of energy. Halogen bulbs produce more light than standard incandescent bulbs for the same energy use. LED lights produce between two and five times the amount of light as incandescent bulbs. Careful selection of bulb type will ensure the amount of light produced is appropriate for

the activities.

The amount of light produced (lumen), rather than the amount of energy used (watt) is the most important consideration in ensuring that an area is not over lit.



What is a light fitting?

A light fitting, or luminaire, is the complete lighting unit. It includes the bulb, elements designed to give light output control such as a reflector (mirror) or refractor (lens), the ballast, housing and the attached parts.

(a) One light fitting



(b) Two light fittings



Where multiple light fittings are mounted on a single base, as illustrated in (b) above, these are to be counted as additional light fittings. For example, a dwelling house with seven outside light fittings may have three type (a) light fittings and two type (b) light fittings, of which two must be automatic light fittings.

Principle 5 Switch lights off when not required

Lights should be switched off when not required to light a task or an area for safety or security purposes. The concept of a curfew with further limitations on lighting levels between agreed hours is encouraged. Examples include extinguishing or dimming advertising and decorative lighting after 11:00pm. Light fittings with timers that switch on at dusk and switch off by 11:00pm are also encouraged.

The use of automatic light fittings is recommended. Lights that are activated by a sensor and switch off automatically after a period of time reduce the cumulative amount of light emitted from development and reduce energy waste.

Principle 6 Use energy efficient bulbs

Significantly smaller amounts of energy to Improvements in technology mean that many recently developed bulb types use Energy efficient globes include LEDs, metal, produce the same amount of light. halide, induction bulbs, high pressure sodium, linear and compact fluorescent. High pressure sodium lights emit a peach coloured light and are suitable for a range of applications. They are energy efficient and have a lower impact than white lights.

White lights such as LEDs, modern fluorescent lights and metal halide lights should be used where recognising colour is important, for example at pedestrian crossings, major road intersections and sports grounds. Blue-white mercury bulbs have commonly been used for roadway lighting, but they are no longer permitted in new installations. An Australian Standard (AS/NZS 1158) addresses lighting for roads and public spaces, including parks and gardens and must be applied, where relevant.

Principle 7 Use asymmetric beams (when floodlights are required)

Where floodlights are required, for example sports lighting applications and commercial stock yards, wherever possible use fittings with asymmetric beams that permit horizontal glazing. These are to be kept at or near parallel to the surface being lit, usually the ground and should only light the area that needs to be lit, preventing spill light, see Figure 8.

An asymmetric beam also allows the light fitting to be mounted on the edge of an area.

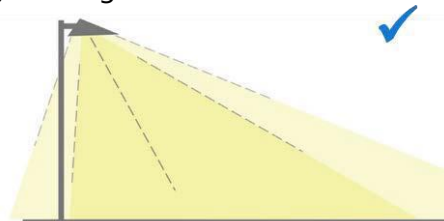


Figure 8 Appropriate floodlighting design includes use of an asymmetric beam

Principle 8 Ensure lights are not directed towards reflective surfaces

At the design stage, it is desirable that surfaces with a low level of reflectivity be installed in the vicinity of outdoor lighting, compatible with the function of the area.

Illuminance is a measure of the amount of light reflected by a surface and is determined by the reflective properties of the surface.

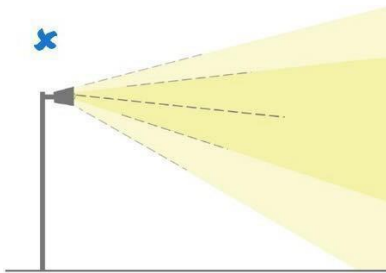
Where a natural grass surface is used the illuminance will be low but may be significant where the surface is relatively light in colour, for example uncoloured concrete, artificial grass with sand infill or light-coloured walls.

Table 2 provides a guide to the reflective properties of common surfaces.

Table 2 Reflective properties of common

and avoids the need for fittings to be tilted upwards. Flat glass light fittings should be installed with the glass horizontal to make efficient use of the brightest part of the beam and to eliminate spill light.

(a) *symmetric beam distribution*



(b) *asymmetric beam distribution*

Surface	Reflective properties
Natural grass and vegetation	Low
Painted surface (dark)	Low
Pre-coloured factory metal (dark)	Low
Brick (dark)	Low
Raw or stained timber	Medium
Stone surface	Medium
Uncoloured concrete	High
Painted surface (light)	High
Artificial grass (sand base)	High
Pre-coloured factory metal (light)	High
Brick (light)	High
Zincalume steel (Unpainted)	High

Internally lit signage contributes to the luminance component of artificial skyglow. The internationally accepted limit on illuminated signage should be implemented as provided in Table 3.

Table 3 *Maximum luminance of illuminated signage*

Illuminated area (square metre)	Maximum luminance at any point (candela per square metre)
More than 10	300
2 to 10	600
0.5 to 2	800
Less than 0.5	1000

Principle 9 Use warm white colours

Use warm coloured light bulbs and avoid using cool blue-rich high colour temperature bulbs that are the least sky-friendly.

More information on bulb types and colour temperature is provided in Table 4.

⁴ IES/IDA Model Lighting Ordinance (darksky.org)

⁵ CIE 150:2017 Standard Guide on the limitation of the effects of obtrusive light from outdoor lighting installations, Second Edition

⁶ A brighter sign does not necessarily mean a more visible or readable sign. Informational highway signs have a maximum luminance of 90 cd/m². A survey of hundreds of legacy floodlit billboards in Arizona, USA indicated that most were 50-100 cd/m², with all externally illuminated billboards below 200 cd/m².

Principle 10 Ensure appropriate luminance levels of electronic message boards.

Luminance levels – During Night hours, which commence no later than one hour after sunset luminance levels shall not exceed:

- (a) In urban areas (Lighting Zone 3 and 4 of the illuminated settings.
Model Lighting Ordinance⁴ or CIE Environmental Zone E3 or E4⁵): 150 cd/m²
as measured under the brightest conditions of a full white display.⁶
- (b) In suburban and rural areas (Lighting Zone 1 and 2, Environmental Zone 2): 50 cd/m²
as measured under conditions of a full white display.
- (c) Electronic message boards should never be located in natural areas (Lighting Zone 0
or Environmental Zone E1).

Curfew - Electronic message boards shall be switched off completely after 11pm (or 30 minutes after the close of business for on- premises signs, whichever is later), and remain off until one hour before sunrise.

Electronic message board applications for traffic and safety information shall be exempt from curfew.
Luminance is measured by a Luminance Meter in accordance with manufacturer instructions.

Even in bright city areas, IDA tests in urban areas indicate that sign legibility can be maintained at luminance values well below the 300-400 cd/m² that is sometimes cited as lower limit for luminance by the advertising industry. As an everyday reference laptop computer displays can emit up to 100 – 400 cd/m² and are typically operated at 100-200 cd/m² in indoor illuminated settings.

Table 4 Common bulb types and associated colour temperature

Bulb type	Colour temperature	Colour appearance	Best lighting
Full spectrum fluorescent	5000K	Cool	Least preferred
Cool white fluorescent	4100K	Intermediate	
Metal halide	4000K	Intermediate	
Soft white fluorescent	3500K	Intermediate	
Warm white fluorescent, tungsten halogen	3000K	Warm	
Standard incandescent	2700K	Warm	
High pressure sodium	2200K	Warm orange/peach	Most preferred

Note: With LEDs, any colour temperature can be produced, but warm colours are preferred.

Glossary

Artificial skyglow is the part of the skyglow that is attributable to human-made sources of light.

Baffle is an opaque or translucent element to shield a source from direct view, or to prevent light reflecting from a surface like a wall.

Brightness is the strength of the visual sensation on the naked eye when lit surfaces are viewed.

Bulb is the source of electric light and is a component of a light fitting, not a light fitting on its own.

Candela is the unit of intensity of light. A candle emits light with a luminous intensity of approximately one candela

Colour temperature is the perceived colour of a light source ranging from cool (blue) to warm (yellow), measured in Degrees Kelvin (K). A low correlated colour temperature such as 2500K will have a warm appearance whilst 6500K will appear cold.

Horizontal plane, in relation to the light fitting, means the horizontal plane passing through the centre of the light source (for example the bulb) of the light fitting.

Illuminance is the amount of light reflected from a surface.

Incandescent bulb is a bulb that provides light by a filament heated to a high temperature by electric current.

Intensity is the amount of energy or light in a given direction.

Light is the radiant energy that is visible to humans and animals. Light stimulates sight and makes things visible.

Light fitting is the complete lighting unit. It includes the bulb, elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing and the attached parts.

Light pollution means the brightening of the night sky caused by artificial light.

Lumen is the unit of luminous flux which is the light emitted by a bulb. Lumens are a measure of light output a bulb. The quantity of lumens produced by a bulb is independent of the wattage. Some types of bulb are more energy efficient than others and produce more lumens watt.

Luminance meter is a single element detector that measures photometric brightness (the amount of light that strikes a surface) in lumens.

Lux is the unit of measure of illuminance, equal to one lumen per square metre.

Natural sky glow is that part of the sky glow which is attributable to radiation from celestial sources and luminescent processes in the Earth's upper atmosphere.

Mounting height is the height of the fitting or bulb above the ground.

Outdoor lighting is the nighttime illumination of an area by any form of outside light fitting.

Outside light fitting means a light fitting that is attached or fixed outside or on the exterior of a building or structure, whether temporary or permanent.

Reflected light is light that bounces off a surface. Light coloured surfaces reflect more light than darker coloured surfaces.

Shielded light fitting means a light fitting that does not permit light to shine above the horizontal plane. If a fitting is to be used which is not a shielded fitting, some form of permanent physical opaque shield be used to provide the shielding requirement. This can be a cover or part of a building. Care must be taken to also shield adjacent surfaces, if they are lightly coloured, to prevent excessive reflected light from adding to sky glow. The shield should be constructed to minimize emissions in the 10 degrees below horizontal.

Skyglow is the brightness of the night sky caused by the cumulative impact of reflected radiation (usually visible light), scattered from the constituents of the atmosphere in the direction of observation. Skyglow comprises two separate components: natural skyglow and artificial skyglow.

Spill light is light that falls outside the boundaries from the object intended to be lit. Spill light serves no purpose and, if directed above the horizontal plane, contributes directly to artificial skyglow.

Wattage is the amount of electricity needed to light. Generally, the higher the wattage, the brighter the light will be and the more lumens it will produce.

IMPLEMENTATION

The good lighting design principles outlined in this Policy will assist the Shire to consider the impacts of lighting associated with rural, urban or other development including roads, industry and buildings. The Shire may impose conditions in relation to design of light fittings, shielding of light, the design and operation of development and hours of lighting operation to manage contribution to artificial skyglow.

VARIATION TO POLICY

This policy may be cancelled or varied from time to time at the discretion of Chief Executive Officer. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

Note: These lighting management principles and images are reproduced from *The Dark Sky Planning Guideline June 2016* with the permission of the NSW Department of Planning and Environment © State of New South Wales and Department of Planning and Environment, 2016.

10.29 Verge Management Policy

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	26 August 2020 Resolution 070820
Date of Last Review	

OBJECTIVE

To provide guidelines for the effective management of road verges within the Shire of Wongan-Ballidu.

POLICY

This policy caters for the management of verges under the jurisdiction of the Shire of Wongan-Ballidu. The Shire cannot authorise any private works on road reserves under the control of other authorities (i.e. Department of Main Roads).

Guidelines: -

Scope

This policy applies to road verges located in a dedicated road reserve within the Shire.

Although conservation of roadside vegetation is an objective of this policy, road safety and road asset protection are the principal consideration.

Legislation

This legislation is relevant to the Shire, setting limitations for road infrastructure works, and landowners who wish to undertake work in road reserves.

- *Environmental Protection Act 1986*
- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- *Local Government Act 1995*

Definitions

Designated Maintenance Corridor

Environmental Protection legislation, in particular Regulation 5, Item 22 "Clearing for maintenance in existing transport corridors" of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, provides that local government can carry out activities to maintain and protect the integrity of road infrastructure within the designated 'maintenance corridor' as shown in Diagram 1.



Diagram 1 Designated Maintenance Corridor

Application of Policy

Road Construction Operations:

All works shall be planned to ensure that there is no damage to any vegetation outside the limits of the designated maintenance corridor. Where necessary, the Shire will make application for the appropriate clearing permits from the Department of Water and Environment Regulation (DWER) prior to undertaking any road construction. If required, as conditions of the permit, special considerations for declared or threatened flora and/or fauna will be made during works.

Rural road widening is to be carried out according to the requirements of the Council and will take into consideration the preservation of roadside vegetation wherever possible by clearing only one side of the road.

Road Maintenance Operations:

The Shire's road maintenance program includes grading, slashing, herbicide application, pruning, drain cleaning, drainage improvements, bitumen resealing, bitumen shoulder grading and gravel re-sheeting. Road maintenance activities will be contained within the 'maintenance corridor', which comprises the running surface, shoulder, table drain and batter/ to the top of the backslope/batter.

If major weed control works are to be undertaken, in areas outside the 'maintenance corridor', consultation will occur with the Department of Biodiversity, Conservation and Attractions (DBCA), DWER and local catchment management groups.

As part of the Shire's annual road program, unsealed shoulders subject to significant traffic will require periodic grading and gravel re-sheeting. During this process all grasses and vegetation within the designated maintenance corridor will be removed and disposed of offsite.

Some maintenance grading requires occasional clearing of vegetation to accommodate the machine and ensure road safety, however, where possible, this will be minimised.

Drains are usually mechanically cleared and maintained using a grader, and/or slashed if covered with grass. Drains inaccessible to mechanical equipment may require maintenance with hand tools or approved herbicides. In the cases where these practices will not provide for an acceptable level of drainage the use of excavation equipment may be used.

The Council will take all care not to damage any portion of the rural road reserve from the batter/backslope to the fence line.

Removal of Dangerous Vegetation:

Occasionally it is necessary to remove a dangerous tree/vegetation that poses a threat to public safety, such as impeding sight along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fence line or a roadway. Following inspection by a Shire Officer, tree removal will be in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Pruning:

It may be necessary to prune vegetation that impedes sight distances for motorists or impacts on the performance of drainage. The Shire refers to Austroads Engineering Guidelines to determine road visibility and safety requirements.

The Shire will prune/remove trees that:

- impede sight distances for road users, or
- have been subject to storm damage, and
- have an imminent threat to public safety, in accordance with the *Environmental Protection Act 1986*, or
- are impacting on infrastructure.

Services and Utilities:

Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas. Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. However, if removal of vegetation is required, it is the responsibility of the service providers to obtain a valid clearing permit from DWER.

All materials are to be removed from the road verge by the utility providers on the completion of works. All trenches, if relevant, are to be backfilled, adequately compacted and trimmed to ensure

they are safe.

Gazetted Flora Roads within the Shire currently include Waddington Road. These roads shall be managed to minimise any disturbance to the roadside flora, consistent with the provision of a safe and efficient roadway.

Unauthorised Clearing and/or Activities within Rural Road Reserves:

Clearing of a rural road verge or unmade road reserve without the relevant permits is prohibited. Penalties may also apply in accordance with the Environmental Protection legislation. The *Environmental Protection Act 1986* and Clearing of Native Vegetation Regulations apply to rural residential areas and a permit may be required to remove native vegetation.

Refer to Department of Water and Environmental Regulation for more information or the fact sheet at the following link: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact_sheets/fs1_legislation.pdf

No works shall be undertaken in rural road reserves without written approval from the Shire. This includes planting (including native species), drainage work, fencing, spraying, burning off, clearing vegetation or seed collection.

Seed Collection from Road Verges:

Landowners wishing to collect seed from native vegetation in road verges should refer to Council Policy 1.6 – Taking of Wildflowers/Seeds. A permit for seed collection may also be required from the DBCA. It is the responsibility of the landowner to check they have the relevant approvals in place.

Annual Spraying Program

The Shire's annual spraying program is conducted within town sites and on rural road verges to reduce the amount of flammable material whilst targeting weeds.

Landowners should note that the drains to the top of the backslope/batter will be sprayed if considered necessary to maintain the integrity of the drainage system.

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Works and Services is responsible for applying this policy.

10.30a Minor Plant Disposal

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	23 February 2022 Resolution 120222
Date of Last Review	

OBJECTIVE

To provide elected members and staff with a clear set of guidelines when disposal of minor plant according to legislative requirements.

The Local Government Act and regulations require where an acquisition is greater than \$75,000 and any trade in regardless of the value is required to be disposed of in accordance with Section 3.58 of the LGA 1995 (As amended)

POLICY

- 1) Minor assets are:
 - Assets such as furniture, plant, materials and equipment with a written down or assessed value less than \$50,000 and;
 - Not *Real Property* (land or buildings)
- 2) This policy shall apply to minor assets which are
 - uneconomic to repair
 - surplus to current or future requirements
 - obsolete
- 3) Wherever possible items selected for disposal shall be sold by way of public competition e.g. auction or quotation. Where goods are sold by auction and items have a significant value (expected sale price greater than \$2000) a reserve price shall be set by the CEO or their delegate.
- 4) Any item of significant value disposed of by a method other than public competition shall be reported to Council. The report is to include details of the item, purchaser and price.

- 5) All items are to be sold on an 'as is where is' basis with Council accepting no responsibility for any faults or error of description.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.30 Waste Services and Charging Policy

Policy Owner	Regulatory Services
Person Responsible	Manager Regulatory Services
Date of Adoption	13 June 2022 Resolution 130722
Date of Last Review	

OBJECTIVE

The purpose of this policy is to state Council's position regarding waste management, service requirements and waste charges within the Shire of Wongan-Ballidu.

The community is encouraged to embrace waste minimization principles and maximise the separation of waste into the appropriate collection streams of recycling and general waste.

POLICY

The Shire of Wongan-Ballidu provides a standard 2 bin collection system for residential and commercial properties. There are options for variations to the standard services to meet specific requirements or needs of the user at the discretion of the Shire Officers.

Under the Shire of Wongan-Ballidu Health Local Laws clause 4.2.2 states

An owner or occupier of premises shall –

Ensure the premises are provided with a receptacle for the depositing of rubbish or refuse and maintain the receptacle in a serviceable condition

The following are the key principles of the system:

Kerbside Collection – Wongan Hills and Ballidu Townsites

All residential dwellings within the Shire will be charged for a standard two bin waste service.

The standard two bin collection system is a weekly 240L general waste service, a fortnightly recycling 240L service.

All commercial properties with the Shire will be charged for a standard two bin service.

The standard commercial collection system is a weekly 240L residual waste service and a fortnightly comingled recycling 240L service.

The standard waste collection system must utilise mobile garbage bins supplied by the Shire. The bins are allocated to and are to remain at the property.

Residents may be granted an additional general waste bin and recycling waste bin where it is assessed that there are additional waste needs.

Additional bins attract an additional charge.

Increase requests will be undertaken on a case-by-case basis.

Additional bin charges are calculated pro-rata based on the number of days that the new service is provided in the financial year.

Where additional bins are requested, an application form must be signed by the property owner or their authorised agents. If an additional bin is no longer required, an application to remove the bin must be made in writing by the property owner or their authorised agent. No refund of the Additional Bin Service Charge will be made.

The Rates Notice to provide separate descriptions for the Waste Charge and Additional Bin Charges.

240l mobile garbage bins, inclusive of contents, must not exceed a total weight of greater than 70 kilograms.

Bins damaged through fair wear and tear, which have been vandalized or damaged by the Collection Contractor will be replaced at no cost to the owner.

Customers may report these issues through the Customer Service Officers.

For stolen bins residents must supply the Shire with a copy of a Police Report, and may be requested to provide a Statutory Declaration to secure a new bin free of charge and Council may investigate these instances.

Free Waste Facility Pass – Wongan Hills Residents Only

Council shall provide to residents in the townsite of Wongan Hills four (4) waste facility passes for general and Household Waste.

Hazardous waste will not be accepted with a waste facility pass.

- Asbestos
- Clinical waste – generated by medical, nursing, dental, veterinary, pharmaceutical or other related activity which is –
- Poisonous or infectious
- Likely to cause injury to public health

- Contains human tissue or body parts
- Biological waste – septic tank and grease trap waste
- Waste oils
- Other hazardous waste

The following waste is **NOT** accepted at the Wongan Hills waste site.

- Chemicals or chemical containers (except drumMUSTER at Wongan Hills)
- Tyres on the rim
- Gas cylinders

Waste facility passes are only for vehicles as per the following:

- Sedans
- Utilities
- Wagons/vans
- Trailers (maximum 8X6m)
- Trucks (<2 tonne payload)

Verge Side Collection – Wongan Hills and Ballidu Townsites

Council shall provide Wongan Hills and Ballidu townsites verge collections for general and green waste once per year.

Residents shall be advised by way of an advertisement in a newspaper circulating within the district and by public notice board at least two weeks before the collection week.

The advertisement will detail the day of the pickup. All rubbish is to be on the verge by 6.00am of the morning of the pickup.

Occupiers of residential premises disposing of general and green waste on their front verge for collection must comply with the following requirements:

General Waste

- Place rubbish out on street verge in a tidy pile ready for collection.
- Acceptable types of waste that qualify as general waste for the purpose of pick up are old furniture, timber, and general waste, including white goods and scrap metal.

White goods and other scrap metal

- The white goods and other scrap metal should be stacked separately, so this material can be recycled.
- White goods shall have doors removed or be sealed, so children do not get trapped.

Green Waste

Acceptable types of green waste include tree and shrub pruning's, leaves and lawn clippings in bags.

Please stack material neatly so that it can be accessed by the loader.

The maximum length of material should not exceed 1.5 metres, or it may not be able to be loaded and will be left behind.

Material greater than 25 centimeters in diameter should be cut into lengths of 0.5 metres.

Please place loose material e.g. Weeds, leaves in cardboard boxes or paper bags.

Unacceptable types of Waste that will not be removed and should not be placed on the verge for collection are:

- Chemicals, paints, oil etc.
- Commercial business waste
- Bricks, sand, concrete, tiles, gyprock, hardiflex, supersix fencing, etc.
- Car bodies, engines, tyres, doors etc.
- Asbestos cement products
- Foodstuff or household waste
- Glass

Provision of free general and green waste drop off at the Wongan Hills waste facility – Wongan Hills Residents excludes commercial and industrial properties

Council is to provide the residents of Wongan Hills, Ballidu and Cadoux with two additional delivery passes for general waste and green waste.

Passes will be able to be handed into the Wongan Hills Waste Facility site for delivery of items as per the Verge Side Collection perimeters.

Unacceptable types of Waste that will not be accepted on free days at the waste facility: -

- Chemicals, paints, oil etc.
- Commercial or industrial business waste
- Bricks, sand, concrete, tiles, gyprock, hardiflex, supersix fencing, etc.
- Car bodies, engines, tyres, doors etc.
- Asbestos cement products
- Foodstuff or household waste
- Glass

Public Recycling Area

Council will provide an area for the general public and travelers to dispose of general waste, recycling and cardboard waste.

The location for this service is corner Patterson Street and Northam Pithara Road Wongan Hills.

Waste will be collected on a fortnightly rotation in line with Councils verge collection service.

Community Events

Council shall provide additional bins and the rubbish trailer for Harvest Festival and Reynoldson Reserve Festival.

Pricing

Western Australian Local Governments have the right to impose different types of charges in relation to services beyond the raising of a general rate, including a waste collection rate (section 66) or a receptacle charge (section 67) under the Waste Avoidance and Resource Recovery Act 2007 (WARR Act).

The Local Government Act 1995 deals with fees and charges from sections 6.16 to 6.19.

In summary, a local government may impose a fee or charge for any goods or services it provides.

Recovery of the cost of disposing of waste from collection should preferably be recovered through the waste collection charges. Effective subsidization of waste services by general rates is not seen as equitable.

The Shire sets rubbish service charges based on full cost recovery.

The schedule of fees and charges are calculated, and are to be reviewed annually and adopted by Council as part of the annual budget process.

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Regulatory Services is responsible for implementation of this policy.

11. REPEALED

9.1 Buildings in Residential Areas

Policy Owner: Health, Building and Planning
Person Responsible: Chief Executive Officer
Date of Adoption: 20 September 2007
Adoption Resolution: 150907
Date of Last Amendment: 22 June 2022 – Repealed – Resolution 060622

OBJECTIVE

To control the size height, bulk and roof pitch of outbuildings in order that outbuildings erected in the rural residential zone will not adversely impact on the amenity of the zone.

To improve customer service standards through timely advice to applicants on Council's policy in respect of outbuildings which will be permitted in the rural residential zone.

POLICY

Background

The Shire of Wongan-Ballidu (the Shire) District Town Planning Scheme No. 4 (clause 4.10.4) requires that all development in the rural residential zone be subject to the planning approval of Council.

Council has resolved to prepare a policy to guide it in the determination of applications for the erection of outbuildings in the rural residential zones.

Statement of Intent

This policy provides direction and guidance in the determination by Council of applications for the erection of buildings in the rural residential zones.

Definitions

- **Outbuilding**
An outbuilding is an enclosed non-habitable structure that is required to meet the standards of the building code of Australia.
- **Carport**
A carport is a roofed unenclosed structure designed to accommodate one or more motor vehicles.
- **Garage**
A garage is any roofed structure, other than a carport, designed to accommodate one or more motor vehicles.

Statutory Powers

This policy is made pursuant to clause 8.6 (planning polices) of District Town Planning Scheme no 4.

Policy Statement

Council will not permit more than four buildings (other than the dwelling) including outbuildings, carports and garages to an aggregate total of no more than 200m² site coverage per lot.

The maximum permitted wall height of outbuildings is 4m and the maximum permitted ridge height is 5m.

Outbuildings will not be permitted in front of a dwelling, or in a location where it would be detrimental to the amenity of an area.

Notwithstanding the limitations in this policy the Council may approve an application which does not fully comply with the policy if the design has architectural features of merit.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

2.1 Swimming Pool Travel Subsidy for Schools

Policy Owner:	Administration and Financial Services
Person Responsible:	Deputy Chief Executive Officer
Date of Adoption:	8 March 2005
Date of Repeal:	22 March 2017
Repeal Resolution:	070317

OBJECTIVE

To provide assistance for outlying schools to enable the schools to transport their students to Wongan Hills so that the students have the opportunity to learn to swim.

POLICY

That: -

A subsidy be paid to both the Cadoux and Ballidu Primary School (or Parents and Citizens Associations) to assist with the cost of children attending 'in term swimming lessons' at the Wongan Hills Municipal Swimming Pool, on a weekly basis (maximum 10 weeks).

The subsidy be paid on a kilometre basis from the school to the pool return at the rate determined in the Budget and based on the most economical means of transport overall.

The rate per kilometre be reviewed each year (as at June 30th)

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

4.1 Asset Management Infrastructure

Policy Owner:	Administration and Financial Services
Person Responsible:	Chief Executive Officer
Date of Adoption:	18 December 2008
Adoption Resolution:	051208
Date of Repeal:	28 June 2017
Repeal Resolution:	100617

OBJECTIVE

This policy applies to the sustainable management of the Shire's Infrastructure Assets to ensure continuity of service delivery.

The key objective of this policy is to ensure that services delivered by the Shire of Wongan - Ballidu continue to be delivered in a sustainable way by ensuring that the Infrastructure Assets used to support the service delivery continue to function to the level of service determined by Council.

It will also provide clear direction as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework.

POLICY

To achieve the policy objective, the Shire of Wongan - Ballidu is committed to ensuring that Asset Management is recognised as a major corporate function within Council and staff committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of Asset Management practices across the organisation with the major outcome being the adoption by Council of a Service & Asset Management Plan for the following classes of infrastructure assets;

- Roads
- Drainage
- Buildings
- Parks & Reserves
- Playground Equipment.

Service & Asset Management Plans will form part of the Shire's day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing assets or dispose of existing assets to support service delivery.

Service & Asset Management plans will be prepared in accordance with the IPWEA's International

Infrastructure Manual recommended format and will include long term (20 year) financial modelling of the renewal profile of each asset class and will be underpinned by long term financial plans.

The Shire of Wongan - Ballidu has limited resources and is custodian of a large number of assets, many of which have reached or gone beyond their economic life.

In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
 - Need for facility (short and long term);
 - Legislative requirements;
 - Opportunities for rationalisation;
 - Future liability including ultimate retention/disposal;
 - Opportunities for multiple use;
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost ("whole of life" cost assessment).
- Manage its assets utilising a team approach supported by the multi discipline cross-functional asset management working group.
- Developing and implementing a 10 year "rolling" financial plan that incorporates those infrastructure renewal requirements as identified within various Service & Asset Management Plans.

The Shire of Wongan – Ballidu is committed to determining the Level of Service required for infrastructure assets in a collaborative manner with asset stakeholders.

LINKAGE TO STRATEGIC PLAN (PLAN FOR THE FUTURE)

This policy links to the Strategic Plan

RESPONSIBILITY AND REPORTING

Council - is responsible for approving (including amendments to) the following documents;

- Asset Management Policy
- Asset Management Improvement Strategy
- Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are

allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to ensure that Council's AM Policy, AM Improvement Strategy, AM Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.

Service & Asset Management Working Group (SAMWG) – the SAMWG is made up of the Managers of the Shire of Wongan – Ballidu who may from time to time co-opt other staff from within the work force to assist them and is responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Service & Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's AM Policy, Improvement Strategy or Plans are identified, the SAM Working Group is responsible for reporting this to the CEO for consideration. Where aspects of Council's Policy, Improvement Strategy or Plans are not being achieved or adhered to, the SAM Working Group is responsible for reporting non-compliances to the CEO for corrective action. The Asset Management Working Group reports to the Finance and Audit Committee on all matters relating to Asset Management.

Manager Administration and Finance (MAFS) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The Manager Administration and Financial Services reports to the CEO in relation to Asset Management resource allocation.

All Managers – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Working Group. All Managers report to the CEO on all matters relating to Asset Management under their area of control.

POLICY DEFINITIONS

"Asset" means a physical item that is owned or controlled by the Shire of Broome, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

"Asset Management" means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council's priorities for service delivery.

"Asset Management Plan" means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

"Council" means the elected council (comprising Elected Members) of the Shire of Broome

"Infrastructure Assets" are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Play Equipment.

"Level of Service" means the combination function, design and presentation of an asset. The higher the Level of Service, the greater the cost to deliver the service. The aim of asset management is to

match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

REPEATED

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire of Wongan - Ballidu organisation. The Chief Executive Officer of the Shire of Wongan - Ballidu is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

10.17 Rural Road Reserves Revegetation

Policy Owner:	Works Committee
Person Responsible:	Chief Executive Officer
Date of Adoption:	December 2011
Adoption Resolution:	101211
Date of Repeal:	25 October 2017
Repeal Resolution:	131017

OBJECTIVE

To protect and enhance our natural vegetation.

POLICY

Where native or remnant vegetation on rural road verges outside the maintenance zone is destroyed or removed by Council or Council contractors;

- i. Council staff will replace the type and quantity of vegetation removed with a similar local type and quantity of vegetation within a reasonable period and in conditions that allow the best opportunity for its survival (i.e. seasonal conditions).
- ii. Council staff may select another rehabilitation site on an alternative road reserve(s) within that locality if site conditions require it.
- iii. Council staff are encouraged to undertake the replanting in the most economical and efficient manner by taking opportunities to perform rehabilitation and replanting work in June of the works year in a coordinated manner.
- iv. Council budgets annually for the provision of the extra funds necessary to accommodate this policy.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

1.8 Paper Provision – Telecentre

Policy Owner:	Administration and Financial Services
Person Responsible:	Chief Executive Officer
Date of Adoption:	7 February 2005
Date of Repeal:	26 February 2020
Repeal Resolution:	030220

OBJECTIVE

To ensure that the Telecentre is duly reimbursed in lieu of charges for Council Corner.

POLICY

That Council annually provide the Telecentre with 10 reams of paper in lieu of charges for publishing Council Corner in the Wonga – Balli Boomer.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for the implementation of this policy.

6.2 Occupational Health and Safety

Policy Owner:	Health, Building and Planning
Person Responsible:	Chief Executive Officer
Date of Adoption:	December 2011
Adoption Resolution:	131211
Date of Repeal:	26 February 2020
Repeal Resolution:	040220

OBJECTIVE

To develop an organisational culture that proactively identifies, assesses and controls risks and hazards within all workplaces in order to provide a safe working environment for all employees.

POLICY

The Shire of Wongan-Ballidu will establish, implement and maintain occupational health and safety systems, policies, procedures and work instructions to national standards in order to ensure the safety of employees and other affected by its activities including the public, contractors, suppliers and visitors. The Shire of Wongan-Ballidu shall:

Conform with statutory requirements as a minimum standard:

1. Provide education and training to management and employees to gain commitment to occupations health and safety.
2. Ensure management and employees under their duty of care and responsibilities for working safely;
3. Provide safety equipment and protective clothing to employees appropriate to their position;
4. Develop and continuously improve occupational safety and health strategies/programs, policies, procedures and work instructions;
5. Train employees in policies, procedures and relevant new techniques and practices in order to enhance a best practice approach to occupational health and safety;
6. Appoint an Occupational Health & Safety Officer who will be responsible for driving safety and health initiatives and provides support to line management;
7. Establish and support Safety Committees within the workforce and encourage new initiatives;

8. Investigate efficiently and effectively reported incidents/accidents and initiate any workplace change that his required in order to prevent further accidents/incidents;

9. Provide an effective Rehabilitation programme for all employees; and
10. Provide recognition when our Health & Safety performance meets or exceeds expectations.

Safety and Health is the individual and collective responsibility of all employees. In particular;

The Chief Executive Officer, Managers, Team Leaders and Supervisors will be held responsible for implementing the Health & Safety Policy and demonstrating commitment to the safety and health of our employees;

- Employees shall follow safety-working procedures and work practices, identify movements to the workplace, report hazards and assist with the safety of all employees.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer, all Managers and Supervisors are responsible for ensuring that this policy and provisions are adhered to.

5.8 Elected Member Training

Policy Owner:	Administration and Financial Services
Person Responsible:	Chief Executive Officer
Date of Adoption:	7 February 2005
Date of Repeal:	23 September 2020
Repeal Resolution:	020920

OBJECTIVE

To ensure Elected Members are provided with the appropriate training to enable them to fulfil their duties of office.

POLICY

The Council recognises that Elected Members have a responsibility to undertake the training necessary to enable them to fulfil their duties of public office. Therefore, it is committed to the ongoing development of its Elected Members in the interests of effective representation. An annual allocation is provided in each year's budget to cover the cost of Elected Members training and development.

All Elected Members are encouraged to participate in:

- The Municipal Training Services Elected Member Induction Program; and
- Other local government specific training courses, workshops and forums

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

10.24 Soil Conservation Drainage

Policy Owner:	Works Committee
Person Responsible:	Chief Executive Officer
Date of Adoption:	17 May 2012
Adoption Resolution:	060512
Date of Repeal:	24 March 2021
Repeal Resolution:	070321

OBJECTIVE

To provide financial support for placement of culverts beneath Council roads where a landholder carries out deep drainage for the purpose of soil conservation.

POLICY

If approval is granted by Council for a landholder to install a culvert for the purposes of soil/land conservation/rehabilitation beneath a Shire controlled road, Council may fund up all of the culvert and headwall material costs, within the Councils allocated budget total.

Applications to be submitted on the form appendixes.

Note: This policy should be read in conjunction with Policy 'Water Crossing on Gazetted Roads'.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.

3.3 Waste Collection – Verge Rubbish Collection

Policy Owner:	Works Committee
Person Responsible:	Manager Works & Services
Date of Adoption:	19 April 2012
Adoption Resolution:	090412
Date of Last Amendment:	

OBJECTIVE

To provide guidelines for the verge side collection for bulk green waste and junk.

POLICY

Council shall provide town site verge collections for junk and green waste approximately two or three times per year.

Residents shall be advised by way of an advertisement in a newspaper circulating within the district and by public notice board at least two weeks before the collection week. The advertisement will detail the day of the pickup. All rubbish is to be on the verge by 6.00am of the morning of the pickup.

Occupiers of residential premises depositing junk and green waste on their front verge for collection must comply with the following requirements:

Junk

Place rubbish out on street verge in a tidy pile ready for collection.

Acceptable types of waste that qualify as junk are old furniture, timber, and general junk.

White goods and other scrap metal

The white goods and other scrap metal should be stacked separately, so this material can be recycled. White goods should have doors removed or sealed, so children do not get trapped.

Green Waste

Acceptable types of green waste include tree and shrub prunings, leaves and lawn clippings in bags. Please stack material neatly so that it can be accessed by the loader.

The maximum length of material should not exceed 1.5 metres, or it may not be able to be loaded and will be left behind

Material greater than 25 centimetres in diameter should be cut into lengths of 0.5 metres Please

place loose material eg. Weeds, leaves in cardboard boxes, paper bags

Unacceptable types of Waste that will not be removed and should not be placed on the verge for collection are:

- Chemicals, paints, oil etc
- Commercial business waste
- Bricks, sand, concrete, tiles, gyprock, hardiflex, supersix fencing, etc
- Car bodies, engines, tyres, doors etc
- Asbestos cement products
- Foodstuff or household waste
- Glass

RESPONSIBILITY FOR IMPLEMENTATION

The Manager Works & Services is responsible for implementation of this policy.

4.2 Accounting for Revaluations

Policy Owner:	Administration and Financial Services
Person Responsible:	Deputy Chief Executive Officer
Date of Adoption:	9 July 2013
Adoption Resolution:	
Date of Last Amendment:	23 August 2022 – Resolution 08082022

OBJECTIVE

- To meet Audit requirements to have such a policy.
- To limit potential undue administrative burden.

POLICY

The Chief Executive Officer be required to use the AASB 116.35 (Option B) '*eliminating against the gross carrying amount of an asset*' for bringing to book fixed asset revaluations, ie: restating with a single fair value (equal to the supplied valuation) with no brought forward depreciation provision.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer has delegated responsibility for administration of this policy to the Deputy Chief Executive Officer.

7.7 Telephone Reimbursements – Staff

Policy Owner:	Administration and Financial Services
Person Responsible:	Chief Executive Officer
Date of Adoption:	8 March 2005
Adoption Resolution:	
Date of Last Review	26 October 2022 – Resolution: 021022 TBA – Repealed

OBJECTIVE

The Council recognises that a number of their staff is required to be contactable by telephone. This policy provides a mechanism where the Council and the Chief Executive Officer can negotiate the reimbursement of costs associated with ensuring a telephone service is available at the officer's premise for Council use.

POLICY

The Council will negotiate with the Chief Executive Officer as to the per centum amount of reimbursement he or she will be entitled to as part of their contract of employment with respect to telephone connection fees, telephone rental charges, call costs and the type of calls; ie: local, intrastate, interstate, international.

The Chief Executive Officer will negotiate with various senior officers and Council employees as to the per centum amount of reimbursement he or she will be entitled to as part of their contract of employment and/or employment conditions with respect to telephone connection fees, telephone rental charges, call costs and the type of calls; ie: local, intrastate, interstate, international.

RESPONSIBLE OFFICER

The Chief Executive Officer is responsible for the implementation of this policy.

4.7 Monthly Financial Reporting Requirements

Policy Owner:	Administration and Financial Services Deputy Chief
Person Responsible:	Executive Officer
Date of Adoption:	19 February 2009
Adoption Resolution:	100209
Date of Last Review:	26 October 2022 – Resolution: 061022 – Repeal

OBJECTIVE

To not only comply with the minimum monthly financial reporting requirements imposed on Council pursuant to the Local Government (Financial Management) Regulations 1996 but to also determine the other discretionary reports and disclosures that allow Council to monitor and improve the financial health of the organisation.

BACKGROUND

Under the Local Government (Financial Management) Regulations (FMR) 1996 the Council is to prepare a number of different financial reports outlining the financial operations at the previous month end date.

Regulation 34.1 of the FMR's requires a Local Government to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget containing the following detail;

- Annual budget estimates taking into account any expenditure incurred for an additional purpose under S6.8(1)(b) and (c).
- Budget estimates to the end of the month to which the statement relates (known as YTD Budget)
- Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates (known as YTD Actuals)
- Material variances between the comparatives of YTD Budget vs. actuals
- The net current assets (NCA) at the end of the month to which the statement relates.

Regulation 34.2 - Each statement of financial activity must be accompanied by documents containing: –

An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets containing the following detail;

- An explanation of each of the material variances between YTD budget and Actuals.

- Such other supporting information as is considered relevant by the local government.

Regulation 34.3 - The information in a statement of financial activity may be shown: –

- According to nature and type classification
- By program; or
- By business unit

Regulation 34(5) each financial year a Local government is also to adopt a percentage or value, calculated in accordance with AAS5, to be used in reporting material variances. These variances will be applied at comparative COA (Chart of Accounts and or 'Job') level.

POLICY

That the following ongoing financial reports, including, is required by Council;

1. Monthly Statements as follows;

a.	Statement of Financial Activity (by Nature and Type)	FM Regs 34
b.	Statement of Operating Activities by Programme/Activity (Summary)	FM Regs 34
c.	Statement of Capital Expenses by Program/Activity (Summary)	FM Regs 34
d.	Statement of Net Current Assets (NCA)	FM Regs 34
e.	Rate setting statement	Discretionary
f.	Disposal of Assets	Discretionary
g.	Rates Outstanding Report	Discretionary
h.	Debtors Outstanding Report	Discretionary
i.	Bank Reconciliation Report	Discretionary
j.	Investment Report	Discretionary
k.	Reserve Account Balances Report	Discretionary
l.	Loans Schedule	Discretionary
m.	Ratio's Report	Discretionary

That no later than March each year, Council receive a report from the Finance & Audit Review Committee on a detailed Budget Review in accordance with S33A of the FMR regulations.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementation of this policy.

4.11 COVID-19 Financial Hardship Policy

Policy Owner:	Administration and Financial Services
Person Responsible:	Deputy Chief Executive Officer
Date of Adoption:	24 June 2020
Adoption Resolution:	080620
Date of Last Review:	26 October 2022 – Resolution 061022 - Repealed

OBJECTIVE

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Wongan-Ballidu recognises that these challenges will result in financial hardship for our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for the implementation of this policy.

SCOPE

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996 will apply.

POLICY STATEMENT

Payment difficulties, hardship and vulnerability¹

Payment difficulties, or short-term financial hardship, occur where a change in a person's

¹ Adapted from the Ombudsman Western Australia publication, **Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance:** <http://www.ombudsman.wa.gov.au/>

circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

Anticipated Financial Hardship due to COVID19

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of any change in circumstance that jeopardises the agreed payment schedule.
-

Interest Charges

A ratepayer that meets the Financial Hardship Criteria will not attract interest or penalty charges on

rates / service charge debt in 2020/21, subject to the period of time that the Local Government (COVID-19 Response) Ministerial Order 2020 remains effective (SL 2020/67 – Gazetted 8 May 2020).

In the case of severe financial hardship, the Council may consider writing off interest applicable to the Emergency Services Levy and / or interest previously accrued on rates and service charge debts.

Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

Debt recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

Debt recovery will continue for those debtors that are not subject to this policy.

Review

We will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

Communication and Confidentiality

We will maintain confidential communications at all times, and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors and may have complex needs. We will provide additional time to respond to communication and will

communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

1.3 Office Hours

Policy Owner	Administration
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	15 December 2011 – Resolution 061211
Date of Last Review	29 September 2023 – Resolution 020923 REPEALED

OBJECTIVE

To detail the hours of operation for the Shire of Wongan-Ballidu administration office.

POLICY

The office of the Shire of Wongan-Ballidu and CRC are to be open to the public on normal working days as follows:

Monday to Friday – 9.00am – 4:30pm Department of Transport, Other Payments and Telephone Enquiries

REPEALED

1.4 Reparation of Damage to Council Assets

Policy Owner	Administration
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	15 February 2005
Date of Last Review	29 September 2023 Resolution 020923 REPEALED

OBJECTIVE

To ensure that any damage to Council assets, that results in the offender appearing and being convicted in Court is recovered from the offender through the Court system.

POLICY

That Council staff ensure costing for repairs to Council assets are presented to the police as soon as practicably possible after the event. Costing is to be based on Councils adopted private works rates.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

REPEALED

5.21 Use of Council Vehicles

Policy Owner	Administration and Financial Services
Person Responsible	Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	29 September 2023 Resolution 020923 REPEAL

OBJECTIVE

The objective of this policy to provide clear guidelines with respect to use of vehicles by Elected Members and Council staff.

POLICY

Designated Driver

The designated driver of a specific vehicle shall be an employee of the Council who has:

- Been assigned the vehicle as part of their Council duties and/or conditions of employment
- Holds an appropriate licence
- Has private use of the vehicle in accordance with their conditions of employment
- Is responsible for the care and management of the vehicle.

Authorised Driver

The following persons holding an appropriate driving licence shall be Authorised Drivers of any Council vehicle available;

- Any Elected Member on Council business acting with the prior knowledge of the CHIEF EXECUTIVE OFFICER (CEO) and the designated driver;
- Any person, provided an authorised designated driver is physically present in the vehicle;

- Any person authorised by the Chief Executive Officer or a designated senior officer;
- Any employee of the Council not being a Designated Driver who is authorised by the Designated Driver;
- Outside of normal working hours by the spouse or partner of a Designated Driver who has Private Use of a vehicle provided for in their employment contract.

General Conditions

2. Designated Drivers and Authorised Drivers must comply with the following conditions with respect to the vehicle in their care.
3. Vehicles are to be brought onto the job every working day (except those days an officer concerned is on paid leave as agreed), and used for all normal working hours and on occasions may be required outside working hours subject to direction of the Chief Executive Officer and/or designated senior officer.
4. All employees to whom vehicles are allocated are responsible for their care, including exterior and interior cleaning.
5. No modifications are to be made to the vehicle without the approval of the Chief Executive Officer.
6. The vehicle will not be used to compete in automotive competitions, ie: motor races.
7. Organise servicing when required.
8. Report all accidents immediately.
9. A Designated Driver or Authorised Driver convicted of drunk or dangerous driving in association with an accident involving a Council vehicle must pay the cost of associated repairs in the event that Council's insurers disclaim responsibility.
10. No employee shall drive a vehicle whilst under the influence of drugs, whether they are prescribed drugs or illicit drugs, or alcohol.

Private Use

A vehicle made available for private use shall be subject to the following condition;

- Conditions contained within individual officer's employment contract take precedence over this policy.

Reimbursement

Where vehicles are used privately outside the Officer's conditions of employment, approval is required from the Chief Executive Officer. The Chief Executive Officer may request a financial contribution from the employee to cover the cost associated with fuel.

Officer's using a vehicle within the terms of their contract of employment are required to produce receipts.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

7.1 Council Housing – Water Allocation

Policy Owner	Health, Building and Planning
Person Responsible	Deputy Chief Executive Officer
Date of Adoption	08 March 2005
Date of Last Review	29 September 2023 Resolution 020923 REPEALED

OBJECTIVE

To assist staff to maintain gardens at Council owned houses.

POLICY

Council will meet the cost of water consumption to a maximum of 400kl per annum at houses that are occupied by Council staff that are provided with housing as part of their conditions of employment.

In addition to this policy, an allowance will be made for Council properties that have new gardens put in. The Chief Executive Officer in consultation with Council's horticulturist will determine the appropriate amount of water that Council will pay for in order to establish the garden.

RESPONSIBILITY FOR IMPLEMENTATION

The Deputy Chief Executive Officer is responsible for implementing this policy.

10.19 Safety Obligations of Contractors

Policy Owner	Works Committee
Person Responsible	Chief Executive Officer
Date of Adoption	21 June 2012 Resolution 080612
Date of Last Review	29 September 2023 Resolution 020923 - REPEAL

OBJECTIVE

To ensure that all contractors doing work on behalf of the Council accept that compliance with safety obligations is an essential element within the terms of their contract with the Shire of Wongan-Ballidu (the Shire).

POLICY

Procedures in the Engagement of Contractors

Council Officers or those persons who are charged with the responsibilities of awarding contracts shall ensure that the successful contractor holds a Workers' Compensation Certificate of Currency and adequate Public Liability Insurance & Professional Indemnity

Where appropriate, the Contractor and/or employee(s) shall:

1. Hold relevant qualifications (eg: engineer);
2. Hold appropriate license (eg: plumber, electrician);
3. Hold a certificate of competency (eg: crane driver, scaffolder);
4. Be registered (eg: builder)

5. Hold relevant certificates (eg: mine workers health certificate)

The appointed officer shall ensure that the contractor and all persons involved have been made fully aware of procedures, hazards and other relevant information necessary to ensure the safe working of such contractors. An appointed representative of the Contractor must attend a Shire Contractor Safety Information Session.

The workplace is to be inspected by the contractor and employees involved before the commencement of any works to identify potential work hazards.

All contractors and/or their employees must report in the first instance, to the designated Council Officer who will provide instruction and clearance to undertake the work. Contractors and/or their employees must ensure that their presence at the worksite is acknowledged and noted. This is essential, for instance, in the event of an emergency evacuation.

The contractor is required to comply with all relevant statutory requirements, Codes of Practice, Australian Standards and safety requirements of the Shire.

Copies of extracts from relevant policies will be made available from the Contract Supervisor. The Contractor is to acknowledge that he has read, understood and will comply with the minimum requirements outlined.

The contractor shall have standard procedures for the tasks undertaken.

The contractor shall ensure that all plant, equipment and machinery is of suitable type and capacity to complete the tasks required. It shall also be maintained in good order and condition and be used according to manufacturer's specifications such that persons are not exposed to hazards.

If work permits are required, for example where confined space entry or hot work procedures are in place, they must be adhered to.

The contractor shall ensure that work has a minimal negative impact on the environment and complies with the relevant legislation regarding environmental protection.

Contractor documentation must include clauses to enforce the Shire safety requirements.

The contractor and his employees must be under the control of a person appointed by the Manager of the contracting company to ensure compliance with the safety requirements applicable.

Nothing in the preceding clause shall restrict the Council or its representative from stopping dangerous work or practices and requiring the contractor to take remedial action to comply with safety requirements.

The contracting company shall provide employees and supervisors who are competent and adequately trained to complete the job. (Documentation to demonstrate this may be required).

The contractor shall ensure appropriate supervision of employees.

The contractor shall ensure an adequate standard of housekeeping to keep the area free from hazards.

The contractor must ensure that their activities will not endanger the Shire's employees, ratepayers or members of the general public. Work in progress must be left in a safe manner at the end of the

shift and for the duration of non-attendance.

The relevant Manager when selecting a contractor will ensure that all occupational safety and health criteria are met by the contractor.

Contract(s) shall be written in such a manner as to permit termination of the contract(s) for contractor's failure to comply with safety requirements.

Contractor's management and supervisors are to be advised that failure to correct unsatisfactory conditions may lead to work stoppage or termination of the contract. If consistent contractual deficiencies exist, consideration shall be given to termination of the contract.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementation of this policy.