



Shire of Woodanilling

# Policy Manual

Adopted 15/05/2018

<b>POLICY TYPE:</b>	<b>TABLE OF CONTENTS</b>

<b>POLICY No:</b>	<b>ADOPTED</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b> Local Government Act 1995
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<b>LEGAL (SUBSIDIARY):</b>
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<b>POLICY TYPE:</b>	<b>DELETED POLICIES</b>
<b>DATE ADOPTED:</b>	

<b>POLICY No:</b>	<b>VARIOUS</b>
<b>DATE LAST REVIEWED:</b>	15 September 2015

<b>LEGAL (PARENT):</b> Local Government Act 1995 S2.7(2)(b)
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<b>LEGAL (SUBSIDIARY):</b>
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<b>DELETED POLICIES</b>		
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3	ACTING CEO APPOINTMENT	CONTROLLED WITHIN POSITION DESCRIPTIONS OR CONTRACTS
5	BUDGET	OPERATIONAL
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8	BUILDING INCENTIVE	DELEGATION
9	FIRE BREAK INSPECTIONS	OPERATIONAL
12	BUY LOCAL	INCLUDED IN PURCHASING POLICY
10	BUSH FIRE ADVISORY COMMITTEE	SHOULD BE APPOINTED UNDER S5.8 LOCAL GOVERNMENT ACT 1995
14	CODE OF CONDUCT – ELECTORAL	CONTROLLED BY LEGISLATION
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24	COUNCILLOR’S MEETING FEES	DLG OPERATIONAL GUIDELINE APPLIES
27	DONATIONS	DELEGATION
28	ELECTORAL ADVERTISING	CONTROLLED BY TOWN PLANNING SCHEME No. 1
30	FARM CROSSING SIGNS	OPERATIONAL
33	FREEDOM OF INFORMATION	CONTROLLED BY LEGISLATION
34	COUNCIL PROJECT TEAMS	OPERATIONAL OR APPOINTED BY COUNCIL
36	GIFTS FOR RETIRING COUNCILLORS	DELEGATION
37	GRAVEL ROAD STANDARD	OBSOLETE
38	GRAVEL/ROAD MAKING MATERIALS	REPLACE WITH INDIVIDUAL AGREEMENTS AS REQUIRED

39	GROUP VALUES	DELEGATION
41	HEAVY HAULAGE PERMITS	CONTROLLED BY MAIN ROADS
42	LAND RESUMPTION FOR WORKS	REPLACE WITH INDIVIDUAL AGREEMENTS AS REQUIRED
44	WA LOCAL GOVERNMENT CONVENTION	PROCEDURAL & INCLUDED IN BUDGET EACH YEAR
45	MINIMUM VARIANCE FOR BUDGET REPORTING	INCLUDE IN BUDGET POLICY (NOTE 1 IN BUDGET DOCUMENT)
45	NEW RATEPAYERS TO SHIRE	OPERATIONAL
48	PEST PLANTS	OPERATIONAL – INCLUDE REFERENCE IN ROAD MAINTENANCE PLANS
49	PHOTOCOPYING	DELEGATION
50	PRESS RELEASES – SPOKESPERSON	CONTROLLED BY LEGISLATION
52	PROPERTY RESERVES – LEASING	REPLACE WITH INDIVIDUAL AGREEMENTS AS REQUIRED
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77	TRAVEL EXPENSES	REPLACED BY POLICY 76
78	WATER PIPES UNDER ROAD	REPLACE WITH INDIVIDUAL AGREEMENTS AS REQUIRED
80	USE OF COUNCIL SEAL	OPERATIONAL
4, 19, 26, 35, 64-72	DELETED IN 2009 REVIEW	
11, 63, 83, 87, 90, 92, 93, 94, & 95	DELETED IN 2018 REVIEW	

## NOTES

REFERENCE	EXPLANATION
OPERATIONAL	THESE ARE INSTRUCTIONS TO STAFF USUALLY BASED ON A LEGISLATIVE REQUIREMENT. WILL BE INCLUDED IN “CEO INSTRUCTION MANUAL”
DELEGATION	THESE POLICIES CAN BE BETTER CONTROLLED BY A DELEGATION, AND AS SUCH CAN BE NOTED AS REPORTABLE TO COUNCIL. THESE DELEGATIONS WILL BE THE SUBJECT OF A FURTHER REPORT TO COUNCIL IN FEBRUARY 2014.
REPLACE WITH INDIVIDUAL AGREEMENTS	WILL ENCOURAGE GREATER CONTROL AND INPUT BY COUNCILLORS. LIMITED INCREASE TO COUNCILLOR WORKLOAD AS MANY OF THESE ARE ONE-OFF SITUATIONS.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>1</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Definitions
<b>OBJECTIVE:</b>	To provide guidance on terminology used within the Policy Manual

## **POLICY STATEMENT**

### **WHAT IS A POLICY?**

A policy is a principle or protocol to guide decisions and achieve rational outcomes. A policy is a statement of intent, and is implemented as a procedure or protocol. Policies are generally adopted by the Council, whereas procedures or protocols would be developed and adopted by the CEO. Policies can assist in both subjective and objective decision making.

Policies to assist in subjective decision making would usually assist staff with decisions that must consider the relative merits of a number of factors before making decisions and as a result are often hard to objectively test e.g. work-life balance policy. In contrast policies to assist in objective decision making are usually operational in nature and can be objectively tested e.g. password policy.

Policy differs from rules or law. While law can compel or prohibit behaviours (e.g. a law requiring the payment of taxes on income), policy merely guides actions toward those that are most likely to achieve a desired outcome.

In summary, a policy is the “what”, a procedure is the “how”.

### **DEFINITIONS:**

Insofar as they are consistent with enabling legislation, the following terms and the definitions noted apply to delegations made by Council and policy adopted by Council:

**Authority** means the permission or requirement for a Committee or the CEO to act in accordance with:

- The local Government Act or other legislation or regulation,
- A delegation made by Council,
- A policy made by Council, or
- A specific decision by Council.

**Delegation** means the authority for a Committee or the CEO to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational responsibility.

Responsible Officer Abbreviations:

- CEO – Chief Executive Officer
- DCEO – Deputy Chief Executive Officer
- BS – Building Surveyor
- EHO – Environmental Health Officer
- WS – Works Supervisor

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	19/03/2013

<b>POLICY NO:</b>	<b>2</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 – S2.7(2)(b)</i>
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<b>LEGAL (SUBSIDIARY):</b>	Planning and Development Act 2005 – S159 Shire of Woodanilling Town Planning Scheme No. 1
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Access to Private Properties
<b>OBJECTIVE:</b>	To provide a uniform basis for considering application for contribution towards upgrading unmade dedicated roads.

### **POLICY STATEMENT**

Requests for construction/upgrade of roads/streets that are not constructed to a standard consistent with the functional class of the road, the following provisions shall apply:

1. Existing roads/streets– the developer or adjoining landholders shall be responsible for the full cost of the construction/upgrade;
2. Subdivisional Roads/Streets - The developer shall be responsible for the full cost of the construction.
3. Where a Town Planning Scheme contains provisions that are inconsistent with the terms and conditions set out in this Policy, the provisions of the Town Planning Scheme shall prevail.

#### **Extract from Shire of Woodanilling Town Planning Scheme No. 1**

5.14 *Development on Lots Abutting Unconstructed Roads or with no Gazetted Road Access*

*Notwithstanding anything else appearing in the Scheme, planning approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering such an application the Council shall either:*

- I. refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or*
- II. grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or*
- III. require such other arrangements are made for permanent access as shall be to the satisfaction of the Council*

**Footnote:** Council has the right to reject an application under this policy if it considers the road/street unsuitable for the proposed use.

<b>POLICY TYPE:</b>	<b>COMMUNITY FACILITIES</b>
<b>DATE ADOPTED:</b>	17/03/2015

<b>POLICY NO:</b>	<b>13</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	Caravan Parks and Camping Grounds Act 1995
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<b>LEGAL (SUBSIDIARY):</b>	Caravan Parks and Camping Grounds Regulations 1997
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Camping of Recreations Vehicles and Overflow- Camping Grounds
<b>OBJECTIVE:</b>	<p>The purpose of this policy is to provide overflow facilities in the Shire that will accommodate additional numbers of camping tourists when permanent caravan parks and camping grounds facilities within the Shire are operating at or near capacity.</p> <ul style="list-style-type: none"> <li>To ensure that the operation of overflow sites/facilities within the Shire of Woodanilling complies with legislative requirements.</li> <li>To ensure that there is a consistency of regulation so that all overflow site/facilities operate and meet the same standard.</li> <li>To ensure that the operation of overflow sites/facilities does not impact on the viability of permanent facilities.</li> </ul>

### **POLICY STATEMENT**

Throughout the Shire of Woodanilling Camping is only permitted in accordance with the *Caravan Parks and Camping Ground Act 1995*, or in designated caravan parks, or as specified in this policy.

### **DEFINITIONS:**

**Self-Contained Recreational Vehicle:** are completely independent of needing power, water, waste services, and have sewerage and sullage points, and normally includes a kitchen, a bathroom, one or more sleeping facilities, and may come in either towable models or can be self-motorized.

**Overflow area:** has the same meaning as in the *Caravan Parks and Camping Grounds Regulations 1997*

### **PART A – RECREATIONAL VEHICLES**

The Shire has established 2 areas for self-contained Recreational Vehicles:

- a. Woodanilling Recreation Centre: located on the north east side of the grounds behind the Recreation Centre
  - b. Queerearrup Lake- Caravans, Trailers, tents and any other form of camping is also permitted at this site.
1. The maximum stay at the Woodanilling Recreation Centre is 3 consecutive days (72 hours).
  2. The maximum stay at Lake Queerearrup is 7 consecutive days.
  3. Fees for camping at these facilities shall be determined in accordance with Council’s Annual Schedule of Fees and Charges.
  4. Dogs are permitted at these camping areas under the control of a responsible person at all times.

### **PART B OVERFLOW CAMPING GROUND AT THE WOODANILLING RECREATION CENTRE**

Where there are no vacancies available at existing Caravan Parks within the Shire of Woodanilling, including approved overflow sites within the licensed Caravan Parks, Council may determine applications for overflow camping, subject to the following:

1. The maximum stay at the Woodanilling Recreation Reserve Overflow Camping facility is to be only for the period when there are no available spaces in caravan parks within the Shire of Woodanilling during that period.
2. Fees for camping at the overflow camping facility shall be determined in accordance with Council’s Annual Schedule of Fees and Charges.
3. Dogs are permitted at the overflow camping area under the control of a responsible person at all times.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Code of Conduct
<b>OBJECTIVE:</b>	<p>The Code of Conduct provides council members, committee members and employees with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.</p> <p>The Code is complementary to the principles adopted in the Local Government Act and Regulations, which incorporate four fundamental aims -</p> <ul style="list-style-type: none"> <li>• better decision-making by local governments;</li> <li>• greater community participation in the decisions and affairs of local governments;</li> <li>• greater accountability of local governments to their communities; and</li> <li>• more efficient and effective local government.</li> </ul> <p>The Code provides a guide and a basis of expectations for council members, committee members and employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based</p>

## **POLICY STATEMENT**

### **RULES OF CONDUCT**

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

#### **1. ROLES**

##### **1.1 Role of Council Member**

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows :

"A Councillor —

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

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;

- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

## **1.2 Role of Staff**

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995 :-

“The CEO’s functions are to —

- advise the council in relation to the functions of a local government under this Act and other written laws;
- ensure that advice and information is available to the council so that informed decisions can be made;
- cause council decisions to be implemented;
- manage the day to day operations of the local government;
- liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions;
- speak on behalf of the local government if the mayor or president agrees;
- be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);
- ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- 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.”

## **1.3 Role of Council**

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995 :

“(1) The council —

- (a) directs and controls 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.”

## **1.4 Relationships between Council Members and Staff**

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council’s corporate goals and implement the Council’s strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following :

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility

## **2. CONFLICT AND DISCLOSURE OF INTEREST**

### **2.1 Conflict of Interest**

- Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council’s functions (other than purchasing the principal place of residence).
- Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

- Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

## **2.2 Financial Interest**

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

## **2.3 Disclosure of Interest**

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 - "interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
  - in a written notice given to the CEO before the meeting; or
  - at the meeting immediately before the matter is discussed.
- A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -
  - in a written notice given to the CEO before the meeting; or
  - at the time the advice is given.
- A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
  - the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
  - the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
  - before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- If -
  - to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
  - a disclosure is made as described in item (d)(ii) at a meeting; or
  - to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

## **3. PERSONAL BENEFIT**

### **3.1 Use of Confidential Information**

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

### **3.2 Intellectual Property**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

### **3.3 Improper or Undue Influence**

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

### **3.4 Gifts**

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 - “activity involving a local government discretion” means an activity -

- that cannot be undertaken without an authorisation from the local government; or
- by way of a commercial dealing with the local government;

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

- a gift from a relative as defined in S 5.74(1); or
- a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or
- a gift from a statutory authority, government instrumentality or non-profit association for professional training;

“notifiable gift”, in relation to a person who is an employee, means -

- a gift worth between \$50 and \$300; or
- a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;

“prohibited gift”, in relation to a person who is an employee, means -

- a gift worth \$300 or more; or
- a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

A person who is an employee is to refrain from accepting a prohibited gift from a person who -

- is undertaking or seeking to undertake an activity involving a local government discretion; or
- it is reasonable to believe is intending to undertake an activity involving a local government discretion.

A person who is an employee and who accepts a notifiable gift from a person who -

- is undertaking or seeking to undertake an activity involving a local government discretion; or
- it is reasonable to believe is intending to undertake an activity involving a local government discretion,
- notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

The notification of the acceptance of a notifiable gift must be in writing and include -

- the name of the person who gave the gift; and
- the date on which the gift was accepted; and
- a description, and the estimated value, of the gift; and
- the nature of the relationship between the person who is an employee and the person who gave the gift; and
  - if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift”(whether or not it is also a notifiable gift under paragraph (a) of that definition) –
    - a description; and
    - the estimated value; and
    - the date of acceptance, of each other gift accepted within the 6 month period.

The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

## **4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF**

### **4.1 Personal Behaviour**

Council Members, Committee Members and staff will:

- act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;

- act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- always act in accordance with their obligation of fidelity to the Local Government.

Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

#### **4.2 Honesty and Integrity**

Council Members, Committee Members and staff will:

- observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- be frank and honest in their official dealing with each other.

#### **4.3 Performance of Duties**

- While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

#### **4.4 Compliance with Lawful Orders**

- Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution can not be achieved, with the Chief Executive Officer.
- Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

#### **4.5 Administrative and Management Practices**

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

#### **4.6 Corporate Obligations**

##### **(a) Standard of Dress**

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

- Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.
- Communication and Public Relations
  - All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
  - As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
    - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
    - information of a confidential nature ought not be communicated until it is no longer treated as confidential;

- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

#### **4.7 Appointments to Committees**

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

### **5. DEALING WITH COUNCIL PROPERTY**

#### **5.1 Use of Local Government Resources**

Council Members and staff will:

- be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

#### **5.2 Travelling and Sustenance Expenses**

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

#### **5.3 Access to Information**

Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

<b>POLICY TYPE:</b>	<b>CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	16/04/2013

<b>POLICY NO:</b>	<b>16</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 – S6.56</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Recovery of Rates and Service Charges
<b>OBJECTIVE:</b>	To determine action for collection of outstanding rates and services charges.

**POLICY STATEMENT**

1. Unpaid rates or service charges outstanding less than two (2) years
  - The Shire may recover rates and service charges in a court of competent jurisdiction.
  
2. Unpaid rates or service charges outstanding two (2) years or more.
  - The Shire may lodge caveats on land where rates and service charges are in arrears and it is considered appropriate that the interest of the Council should be protected.
  - Caveats should only be removed once all rates and charges have been paid in full.
  
3. Unpaid Rates or service charges outstanding at least three (3) years
  - Staff may seek Council direction regarding the action to be taken for rates and charges that remain outstanding for a period of three (3) years or more.

*(Note: property and owner's details Privacy Act prevents these details from being published in a report to council – only can include Assessment Number, and recommended action to be authorised by the Council.)*

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>20</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Contour Banks & Deep Drainage
<b>OBJECTIVE:</b>	To ensure consistency for landholders when undertaking deep drainage works

### **POLICY STATEMENT**

Council may determine any alteration, installation or replacement of culverts on roads or reserves as a result of the installation of contour banks or deep drainage, subject to the following conditions:

1. Where the works do not have a significant benefit to the road or reserve, the owner will be responsible for the cost of the excavation, the pipe and any associated headwalls and Council will be responsible for the cost of the installation and the reinstatement of the road.
2. Where the works to have a significant benefit to the road or reserve, the owner will be responsible for the cost of the excavation, 50% of the cost of the pipe and any associated headwalls, and Council will be responsible for the cost of the installation and the reinstatement of the road.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>21</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 – S5.3</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Council Meeting Dates
<b>OBJECTIVE:</b>	To set dates for Ordinary Meetings of Council

**POLICY STATEMENT**

Council meetings will be held on every third Tuesday of each month and commence at 4:00pm, with the exception of January of each year when there will be no meeting.

<b>POLICY TYPE:</b>	<b>ENVIRONMENT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>23</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	Various
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Council's Responsibility on Crown Land
<b>OBJECTIVE:</b>	To clarify Council's role on Crown Land.

**POLICY STATEMENT**

That due to the potential burden and cost placed on the community for the need for Council carrying out statutory functions on Crown Land (from which it receives no rateable income) there is a clear presumptions that Council may not take action in relation to the Health Act, Dog Act, Litter Act, Off Road Vehicles Act or other relevant Acts in relation to activities occurring on land not under the care and control of the Shire of Woodanilling.

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>25</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Crossovers – Access to Private Property from a Council Road
<b>OBJECTIVE:</b>	To ensure consistency for landholders when looking to provide access to their property from a council road

**POLICY STATEMENT**

That Council provides one standard gravel crossover to each property free of charge. For the purposes of this policy, “each property” shall mean all the land described on a single rates assessment.

Any additional crossovers required by the landholder shall be at their cost.

**Damage:**

If the Shire damages a constructed crossover, it shall replace the damaged crossover with like for like construction at no cost to the landholder.

<b>POLICY TYPE:</b>	<b>CUSOMER SERVICE</b>
<b>DATE ADOPTED:</b>	17/03/2015

<b>POLICY NO:</b>	<b>29</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Equal Opportunity Act 1984</i>
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<b>LEGAL (SUBSIDIARY):</b>	Equal Opportunity Regulations 1986
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION No.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Equal Employment Opportunity
<b>OBJECTIVE:</b>	To ensure that all persons employed or engaged by Council understand Council's commitment to equal employment opportunities. To provide guidelines to ensure the principles of equal employment opportunity are adhered to.

### **POLICY STATEMENT**

Council recognises its legal obligations under the Equal Opportunity Act 1984 (as amended) and will actively promote the principles of equity and diversity in the workplace. This means that Council aims to provide a work environment that fosters good working relationships where employees, contractors and volunteers are treated fairly and equally and that unlawful discrimination does not take place.

Council aims to be respected for its commitment to equal opportunity as an employer and as a service provider to the community by adopting the following practices;

#### **1. Appointments, promotion and training:**

Access to employment, contracts, promotion, and training is to be fair and equitable. Decisions on matters affecting (prospective and current) employees, contractors and volunteers will be made on merit and are based on relevant experience, skills and ability required for the role. No decisions will be made on the basis of nepotism or patronage.

#### **2. Diversity:**

Council recognises, values, and respects social, cultural, and linguistic diversity. Where it can reasonably be achieved, assistance will be provided to employees and volunteers with special needs in order to assist them in undertaking their roles effectively.

#### **3. Discrimination and harassment free environment:**

Council promotes an environment where people are able to work effectively without the fear of unlawful discrimination or harassment. Discrimination is treating one person less favourably than another because of a personal attribute which is covered by equal opportunity laws, and includes: gender, marital status, pregnancy, family responsibilities or status, race, religious and/or political conviction, impairment, age, gender history, and sexual orientation.

Discrimination is unlawful. Harassment is also not tolerated. Harassment is defined as any unwelcome, offensive action or remark concerning a person's gender, race, age, impairment or one of the other attributes as covered in the Equal Opportunity legislation.

#### **4. Good working relationships:**

Council aims to provide an enjoyable, challenging, and harmonious work environment. Workplace bullying is one activity that detracts from this environment. It can create a risk to health and safety and will not be tolerated.

Workplace bullying is defined as repeated, unreasonable behaviour directed towards a person or a group of persons at a workplace.

#### **5. Responsibilities:**

All employees, volunteers and contractors have a shared responsibility to apply and promote the equal opportunity principles.

#### **6. Grievances:**

Grievances in relation to discrimination, harassment, and bullying will be dealt with fairly, quickly and confidentially by the Equal Opportunity Co-ordinator in accordance with the following grievance procedure. The Equal Opportunity Co-ordinator will receive appropriate training to undertake this role.

The Chief Executive Officer is the Equal Opportunity Co-ordinator for the Shire of Woodanilling.

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>31</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Environmental Protection Act 1986</i>
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<b>LEGAL (SUBSIDIARY):</b>	Environmental Protection (Clearing of Native Vegetation) Regulations 2004
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION No.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Fence Line Clearing within Road Reserves
<b>OBJECTIVE:</b>	To ensure consistency for landholders when undertaking clearing for the purposes of new or replacement fence lines.

**POLICY STATEMENT**

Council may determine applications for fence line clearing onto crown land, including road reserves, under the care and control of the Shire of Woodanilling up to 1.5 metres onto the said land.

Any approval granted may be subject to the following:

1. The clearing is done in such a way as to limit damage to neighbouring native vegetation;
2. All material resulting from the clearing removed from the reserve be placed in the landholder's property provided it is not placed in a heap or windrow on uncleared vegetation;
3. Fences are replaced on any reserve boundary at the cost of the landholder; and
4. Landholders are actively encouraged to exclude stock from unused road reserves that contain remnant vegetation, that traverse their properties.

**Note:** The landholder must comply with all other Acts and Regulations in force from time to time with regard to land clearing.

<b>POLICY TYPE:</b>	<b>SOCIAL COMMUNITY WELL BEING</b>
<b>DATE ADOPTED:</b>	17/03/2015

<b>POLICY NO:</b>	<b>32</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Community Financial Assistance Grant Program
<b>OBJECTIVE:</b>	To provide financial assistance for organisations and/or projects, which benefit the community. To provide guidelines for the consideration and approval, or otherwise, of financial assistance applications. To maintain and build on Woodanilling’s vibrant community spirit and welfare by providing financial support for local events which involve people coming together in the celebration and enjoyment of their culture or a common interest.

**DEFINITIONS**

**Community Organisation** means any organisation which has as its members, members of the Woodanilling community and which operates on a “not for profit” basis.

**Not for Profit** means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

**Major Community Grant** means any financial assistance grant over \$5,000. Usually provided for the development of a capital works project eg: building construction, major purchase of equipment, ground-works, etc.

**Minor Community Grant** means any financial assistance up to \$5,000. Usually provided for minor building construction, maintenance or repair, minor projects (excluding events & functions), equipment purchase, relief from Council fees and charges etc. A minimum grant of \$750 applies.

**GST** means the Federal Government’s Goods and Services Tax. Provision of grant funds will be exclusive of GST unless the recipient organisation is registered for GST, in which case the grant amount will be grossed up by 10%.

**SCOPE**

**FUNDING ROUNDS**

The Community Financial Assistance Program will be allocated from within Council’s budget each year, and once funds have been fully allocated no further funds will be available until the following financial year.

**APPLICATIONS**

All applications shall be made on the appropriate form. Applicants must address the selection criteria provided within this policy.

**MAJOR COMMUNITY GRANTS (OVER \$5,000)**

Major Community Grants may be used for any purpose, but are generally provided for purposes such as building purchase or construction, purchase of equipment, ground-works etc. Applications should address the following criteria:

- Type or organisation (eg sport, community, hobby, health and welfare, artistic, religious etc);
- Organisation membership;
- Nature of service/facility provided;
- Project details/planning/design/timing;
- Demonstrated need or community benefit;
- Financial position of the applicant;
- Financial viability of project;
- Other financial/in kind contributions;
- On-going management;
- Existing services and facilities of a like nature, within Woodanilling;
- Provision of quotes (2) for all items greater than \$1,000 in value; and

- Provision of a detailed project budget including GST breakdown.
- Details of applications to other possible funding sources. (eg Dept of Sport and Recreation, Healthways, Lotteries, etc.)
- Licensed clubs, under the Liquor Act, must disclose the amount of income generated from the sale of alcohol.

#### **MINOR COMMUNITY GRANTS (UP TO \$5,000)**

Minor Community Grants may be used for any purpose, including minor building construction, maintenance or repair, equipment purchase or hire, events or functions, relief from Council fees and charges etc. A minimum grant of \$750 applies. Applications should address the following criteria:

- Type of organisation (eg sport and recreation, community based, general interest, health and welfare, artistic, religious etc);
- Organisation membership;
- Nature of service/facility provided;
- Demonstrated need or community benefit;
- Applicant's financial position;
- Purpose of the grant; and
- Provision of a detailed project budget including GST breakdown.
- Details of applications to other possible funding sources. (eg Dept of Sport and Recreation, Healthways, Lotteries, etc.)
- Licensed clubs, under the Liquor Act, must disclose the amount of income generated from the sale of alcohol.

#### **WHAT IS NOT FUNDED**

- Ongoing expenditure in the form of operating or administrative costs.
- Applications that are insular or of self-interest.
- Applications that benefit personal business aspirations.
- Purchase of alcohol.
- Projects whose goals or strategies are not included within the Shire of Woodanilling Community Strategic Plan.
- Applications for projects outside the Shire of Woodanilling.

#### **CONDITIONS AND REQUIREMENTS**

Groups, individuals, organisations or clubs are not to expect, as of right, any financial assistance from the Council. Requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.

Financial assistance approvals shall be administered in accordance with the following:

1. Project must commence and be completed in the financial year for which funding has been approved. Funds not expended by the end of the financial year in which they were approved, will be forfeited.
2. Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source, eg: Sport and Recreation WA; Lotteries Commission etc, and that funding application is unsuccessful or the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall.
3. Council's contribution is limited to 1/3 of the total project cost and may include the provision of materials, and loans of plant and equipment, calculated at private works rates, so long as the combination of the dollar value of the in kind support plus financial contribution does not exceed 1/3 of the total project cost.
4. 50% of the approved grant will be paid on approval of the project and the balance following successful acquittal of the project.
5. Prior approval must be sought for any substantial change of proposal.
6. Acquittal of the grant funds must be submitted to the Shire in a timely manner.
7. Acknowledgement that "This project was made possible through financial assistance from the Shire of Woodanilling" must be made in all publicity associated with the project. Use of the Shire of Woodanilling logo is encouraged.

<b>POLICY TYPE:</b>	<b>ENVIRONMENT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>40</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Guidelines for Plantation Fire Protection
<b>OBJECTIVE:</b>	To ensure consistency for landholders developing plantations

**POLICY STATEMENT**

Council adopt the Department of Fire & Emergency Services “Guidelines for Plantation Fire Protection” with the following amendment to the Glossary of Terms:

**DEFINITION**

***Plantation*** – means any area of planted trees, other than a windbreak, within gazetted town sites exceeding 1ha and elsewhere exceeding 40 hectares.

<b>18POLICY TYPE:</b>	<b>LAW ORDER GOVERNANCE</b>
<b>DATE ADOPTED:</b>	15/05/2018

<b>POLICY NO:</b>	<b>43</b>
<b>DATE LAST REVIEWED:</b>	

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	YES
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<b>DELEGATION NO.</b>	18
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Legal Representation – Costs Indemnification Policy
<b>OBJECTIVE:</b>	This policy is designed to protect the interests of council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Council may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

### **GENERAL PRINCIPLES**

1. Council may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
2. Council may provide such assistance in the following types of legal proceedings:
  - Proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
  - Proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (eg refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions)]; and
  - Statutory or other inquiries where representation of members or employees is justified.
3. Council will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, Council may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

### **Applications for Financial Assistance**

1. A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required. The application must include a written statement from the applicant acknowledging the details of this policy and their acceptance of the conditions stated in this policy.
2. An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
3. A member or employee 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 *Local Government Act 1995*.
4. Where it is the CEO who is seeking financial support for legal services the Council shall deal with the application.

### **Repayment of Assistance**

1. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the Council.
2. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
3. Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover such moneys in a court of competent jurisdiction."

<b>POLICY TYPE:</b>	<b>CIVIC LEADERSHIP GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>47</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Occupational Safety and Health Act 1984</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Occupational Safety and Health
<b>OBJECTIVE:</b>	To state Council's objectives to ensure OSH compliance.

### **POLICY STATEMENT**

The Shire of Woodanilling is committed to providing a safe and healthy work environment for all employees, contractors and visitors. To achieve this, the council has allocated responsibilities and accountabilities to all levels of persons within the council to ensure the maintenance of the occupational safety and health programme is optimal.

Continuous improvement incentives have been incorporated into the Occupational Safety and Health Management Plan aimed at achieving the Shire of Woodanilling safety objectives and targets.

The objectives of this policy are to achieve:

- An annual reduction of workplace injury and disease.
- The provision and maintenance of a safe workplace, plant and systems of work.
- The identification, elimination (as far as practicable) and control of workplace hazards.
- The provision of information, supervision and training to employees to ensure work is performed safely and to a high standard
- A safety culture where best practice initiatives are entrenched in daily business activities.
- Compliance with the relevant Occupational Safety and Health legislation, Standards and Codes of Practice.

The Shire of Woodanilling encourages a consultative process to improve safety within the workplace and will provide the time and resources required to minimise the risk of injury, harm or damage to the council's employees and property.

Safety is considered a shared responsibility between the employer and employee and the council will strive to ensure the compliance and integrity of this policy is maintained.

<b>POLICY TYPE:</b>	<b>CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>51</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	Yes
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<b>DELEGATION NO.</b>	44
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Private Works
<b>OBJECTIVE:</b>	To provide clarity on the availability of Council equipment for private works.

**POLICY STATEMENT**

1. Only Shire staff may operate Council equipment when undertaking private works, with the exception of small items such as the whacker packer. In accordance with law, Council staff must not receive gifts for such work.
2. Shire plant does not undertake dam cleaning works.
3. Minimum rate for any private works hire is 1 hour.

<b>POLICY TYPE:</b>	<b>CIVIC LEADERSHIP CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>53</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Public Library and Internet Access
<b>OBJECTIVE:</b>	To ensure there is appropriate use library and public internet by members of the public.

## **POLICY STATEMENT**

### **Standards of Behaviour**

While utilising the library service, including internet access, all users must respect the rights of other users. Parents may not leave children under the age of 12 unattended on the public internet computer in the library.

### **Policy Guidelines – Public Library and Internet Access**

1. The Shire Library has free access during office hours to its Library and public internet computer, however during peak times, bookings may be required. Users may not make any alterations to the public internet computer, this includes making modifications to hardware or software, or downloading inappropriate information.
2. Public library computer users can print information for a fee as per schedule of fees and charges.
3. No more than two persons at a time may use the public internet computer.
4. All users of the internet must abide by the WA Censorship Act 1996, Section 102 which bans the use of the internet to transmit restricted material to a minor or make restricted material available to a minor. Users who disregard this will be reported to the Police.

### **Disclaimer**

The Shire cannot guarantee continuous internet access during times booked. The Shire of Woodanilling has no control over the information accessed through the Internet and cannot be held responsible for its content. The Shire of Woodanilling does not guarantee or accept any liability for the retrieved information's accuracy, authoritativeness, timeliness, or usefulness for a particular purpose. The Shire of Woodanilling shall have no liability for any direct or indirect consequential damages related to the use thereof.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>54</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	Local Government (Functions and General ) Regulations 1996
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	YES
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<b>DELEGATION No.</b>	19
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Purchasing Policy
<b>OBJECTIVE:</b>	<ul style="list-style-type: none"> <li>The objective of a purchasing policy is to ensure that goods and services are supplied to Council in the most efficient and effective way, ensuring value for money, good management practices and support local businesses; and</li> <li>To provide compliance with the Local Government Act, 1995 and the Local Government (Functions and General) Regulations, 1996.</li> </ul>

### **DEFINITIONS**

**Tender** Where the word tender is used in this Policy, it means publicly invited Tenders pursuant to the *Local Government (Function and General) Regulations 1996*, and WALGA Preferred Supplier E-Quotes.

### **POLICY STATEMENT**

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

- Provides the Shire of Woodanilling 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 Shire of Woodanilling receives value for money in its purchasing.
- Ensures that the Shire of Woodanilling considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Woodanilling is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Woodanilling's purchasing practices that withstand probity.

### **ETHICS & INTEGRITY**

All officers and employees of the Shire of Woodanilling 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 Shire of Woodanilling.

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 Shire of Woodanilling 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 Shire of Woodanilling 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 Shire of Woodanilling. 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.

## PURCHASING THRESHOLDS

Council expects the following to be adhered to:

Amount of Purchase	Number of Quotations required
Up to \$1,000	Direct purchase from suppliers not requiring any quotations, although one verbal quote is considered best practice.
\$1,001 - \$9,999	Two verbal or written quotations
\$5,001 - \$49,999	Two written quotations.
\$50,000 - \$149,999	Three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
Above \$150,000	Conduct a public tender process or WALGA Preferred Supplier E-Quote

\* **NOTE:** To reduce the number of quotations for items up to value of \$9,999, refer to item "Sole Source of Supply" criteria.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000 all the procedures for tendering outlined in this policy must be followed in full.

**NOTE:** The general principles relating to written quotations are;

- 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:
  - Written Specification
  - Selection Criteria to be applied
  - Price Schedule
  - Conditions of responding
  - Validity period of offer
  - Shire of Woodanilling OSH requirements for Contractors
- 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 in writing as soon as possible after the final determination is made and approved.

The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.

## **REGULATORY COMPLIANCE**

### **Tender 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 Shire of Woodanilling 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.

### **Advertising Tenders**

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper. There is no requirement to advertise e-quotes in a newspaper.

The tender must remain open for at least 14 days as a minimum.

The notice request 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 Shire of Woodanilling 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 Shire of Woodanilling has decided to submit a tender; and
- tenders cannot be submitted by facsimile or other electronic means, as confidentiality cannot be guaranteed by these processes.

### **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 Shire of Woodanilling. Members of the public are entitled to be present.

### **Tender Evaluation**

Tenders that have not been rejected shall be assessed by the Shire of Woodanilling 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 Shire of Woodanilling 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 Shire of Woodanilling and tenderer have entered into a Contract, a minor variation may be made by the Shire of Woodanilling.

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.

### **Records Management**

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Woodanilling's internal records management policy.

### **BUY LOCAL:**

Where possible goods and services should be sourced locally, taking into consideration value for money, price, quantity and availability.

For the purpose of this policy, a "local supplier" means a supplier of goods and services whose main place of business is located within the Shires of Woodanilling, Wagin, West Arthur, Dumbleyung, Katanning and Kojonup.

- In purchasing goods and services, preference will be given to purchasing from local suppliers.
- To purchase from them, their cost must be within 10% of the cost of equivalent goods or services, offered by a competitive business from outside those Shires.
- The goods and services must be of an equivalent standard or quality.

In addition to this, the Shire shall consider the following as part of any value for money decision, and the benefits of purchasing goods and services from local suppliers:

- More timely delivery with shorter supply lines;
- The opportunity for local product demonstrations and references, with consequentially reduced risk in the decision making process;
- More convenient communications and liaison;
- Better knowledge of local conditions; and
- Benefits to the Shire from local employment and economic spin-offs.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>56</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>State Records Act 2000</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Record Keeping
<b>OBJECTIVE:</b>	To ensure compliance with the requirements of the State Records Act 2000

### **POLICY STATEMENT**

The Shire of Woodanilling is committed to making and keeping full and accurate records of its business transactions and its official activities. Records created and received by Shire personnel and contractors, irrespective of format, are to be managed in accordance with the Shire's Record Keeping Plan and this Records Management Policy and Procedures Manual. Records will not be destroyed except by reference to the General Disposal Authority for Local Government Records.

#### **Records Creation**

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.

#### **Records Capture and Control**

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**

The Shire of Woodanilling is responsible for the security and protection of all records created or captured as part of the Shire's day to day operations. All Shire staff and contractors have a responsibility to apply the following security and protection measures to all records created or received when carrying out the Shire's business.

#### **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. Access to the Shire's records by Elected Members will be through the Chief Executive Officer in accordance with the Local Government Act 1995.

#### **Local Government Elected members**

In relation to the recordkeeping requirements of Local Government elected members, records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of Local government and other communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Local Governments must ensure that appropriate practises are established to facilitate the ease of capture and management of elected members' records up to and including the decision making processes of Council.

#### **Appraisal, Retention and Disposal of Records**

Records will only be destroyed or otherwise disposed of by reference to the General Disposal Authority for Local Government Records issued by the State Records Office, and following authorisation from the responsible Officer and the Chief Executive Officer. Records identified as a State Archive should be transferred to the State Records Office in accordance with the requirements of the General Disposal Authority for Local Government Records.

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>58</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Road Sealing
<b>OBJECTIVE:</b>	To provide guidelines for the sealing of roads immediately adjacent to residences.

Council may determine applications for the sealing of up to 200 metres length and up to 6.2m width of gravel road immediately adjacent to any occupied residence.

The following conditions will apply to any approval granted:

1. The occupied residence be within 50 metres of the gravel road;
2. The landowner agrees to pay 50% of the cost of the materials and contracts; and
3. Any future reseals will be at the landowner's expense.

<b>POLICY TYPE:</b>	<b>CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>59</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Health Act 1911</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Rubbish Collection District
<b>OBJECTIVE:</b>	To provide clarity on the compulsory and voluntary rubbish collection districts

**POLICY STATEMENT**

**Compulsory District:**

Council has determined that Pursuant to Section 112A of the Health Act 1911, the compulsory rubbish collection district be all properties containing a residence or commercial building in the "Residential", "Industrial" or "Commercial" zones.

**Voluntary District:**

Council has determined that Pursuant to Section 112A of the Health Act 1911, the voluntary rubbish collection district be all properties containing a residence or commercial building in the "Local Rural" zone, or approved properties in Beaufort River and fronting onto Robinson Road West between Albany Highway and Great Southern Highway. These properties may opt in or out of the rubbish collection service, however each option is for a minimum of 12 months.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	19/03/2013

<b>POLICY NO:</b>	<b>61</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 S5.50</i>
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<b>LEGAL (SUBSIDIARY):</b>	<i>Local Government (Administration) Regulations 1996 – Reg19A</i>
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Gratuity Gifts and Payments
<b>OBJECTIVE:</b>	To ensure all Local Government staff are familiar with the legislative requirements regarding gratuities for the formal recognition of satisfactory and extended service by Local Government employees

## **POLICY STATEMENT**

### **GRATUITY GIFTS AND PAYMENTS**

Pursuant to the provision of s5.50 of the *Local Government Act 1995*, the following guidelines shall apply with respect to payment of gratuities to staff who are leaving the organisation.

Council will provide a gift to the value stipulated in the table below to all departing permanent employees who have served a continuous period of employment with the organisation.

A gratuity gift will not be provided to an employee who has been dismissed by the local government for any reason other than redundancy. A gratuity gift will not be provided to a casual or other non-permanent employee.

#### **Prescribed Amounts for Gratuity Payments**

<b>Number of Years' Service</b>	<b>Value Gratuity</b>
Continuous service less than 2 years	\$50
Continuous service greater than 2 years and up to 5 years	\$200
Continuous service greater than 5 years and up to 10 years	\$300
Continuous service greater than 10 years and up to 15 years	\$40 per year of continuous service up to a maximum of \$600
Continuous service greater than 15 years and up to 20 years	\$50 per year of continuous service up to a maximum of \$1,000
Continuous service greater than 20 years	\$60 per year of continuous service up to a maximum of \$2,000

The Local Government acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by the appropriate award, legislation or industrial instrument and that the Local Government has considered these provisions when setting the prescribed amount.

#### **Forum**

The employer will determine an appropriate forum to present these gifts to employees. The cost of any forum shall be borne by the Council.

#### **Unused Personal Leave on Retirement**

The Shire seeks reward employees whose attendance record at work is regular and not blemished by excessive use of personal leave provisions.

Staff are responsible for the taxation implications of the incentive payments made pursuant to this policy

This policy only applies in circumstances where a staff member retires or resigns voluntarily from their employment with the Shire and shall not apply to those staff members whose employment is terminated by the Shire for any reason other than redundancy.

The Unused Personal Leave paid out to employees on retirement is payable in accordance with the scales set out in the table below:

<b>Years of Service</b>	<b>Personal Leave Incentive Payable</b>	<b>Conditional On</b>
Less than 5 years continuous service	25% of value of unused entitled personal leave	Termination due to retirement, resignation or redundancy
More than 5 but less than 10 years of continuous service	50% of value of unused entitled personal leave	Termination due to retirement, resignation or redundancy
More than 10 but less than 15 years of continuous service	75% of value of unused entitled personal leave	Termination due to retirement, resignation or redundancy
More than 15 years of continuous service	100% of value of unused entitled personal leave	Termination due to retirement, resignation or redundancy

### **Unfair Dismissal**

Where a dismissed employee has taken or is proposing to take litigation for alleged unfair dismissal, the employer may decide to settle to avoid expensive litigation. Matters to be taken into consideration by the employer as to whether it will seek a settlement and if so, the extent of any financial offers may include:

- the strength of the respective cases in any litigation;
- the cost of legal advocacy and support;
- the cost of witnesses;
- the cost of travel and accommodation in running the case;
- the cost of having staff tied up in the preparation and hearing of the case; and
- the disruption to operations.

### **Note:**

As required by s 5.50 of the Act this policy was advertised through Local Public Notice and prior to adoption and the Local Government has not made any payments to employees prior to the giving of the public notification.

## **LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996**

### **19A. Payments in addition to contract or award, limits of (Act 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) the value of the person's final annual remuneration, if the person —*

*(i) accepts voluntary severance by resigning as an employee; and*

*(ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39; or*

*(b) in all other cases, \$5 000*

<b>POLICY TYPE:</b>	<b>COMMUNITY WELL BEING</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>62</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	<i>Occupational Safety and Health Regulations 1996 Tobacco Products Control Act 2006</i>
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Smoking in the Workplace
<b>OBJECTIVE:</b>	To protect the safety and wellbeing of all employees, volunteers, contractors and visitors in the workplace at the Shire of Woodanilling

The Shire of Woodanilling recognises the right of individuals to decide whether they choose to smoke or not. However, the Shire is committed to the safety and wellbeing of its Employees, Volunteers, Contractors and Visitors. It is the Shire’s commitment that non-smokers should not be exposed to the hazards of tobacco smoke.

**Non Smoking Areas**

1. All buildings, vehicles, plant, machinery owned or classified as under the care and control of the Shire; and
2. Anywhere within a fifteen (15) metre radius of a “no-smoking” sign.

**Permitted Smoking Areas**

**Outdoor Areas and Buildings**

Any outdoor workplace or exterior of a building under the care and control of Council that does not have a smoking restriction applied and is more than fifteen (15) metres from any door, window, or air-conditioning intake.

**Legislative Requirements**

Under regulation 3.44B of the *Occupational Safety and Health Regulations 1996* employers, employees and self-employed persons are prohibited from smoking in enclosed workplaces.

*Under the Occupational Safety and Health Act 1984 a ‘workplace’ means: “a place, whether or not in an aircraft, ship, vehicle, building, or other structure, where employees or self-employed people work or are likely to be in the course of their work.”*

*A workplace is an ‘enclosed workplace’ if it has a ceiling or roof and is greater than 50% enclosed by walls, or other vertical structures or coverings.*

The *Tobacco Products Control Act 2006* prohibited smoking in all enclosed public places.

*Under the Tobacco Products Control Act 2006 a ‘public place’ means a place or vehicle that:*

- a) *the public, or a section of the public is entitled to use; or*
- b) *is open to, or is being used by, the public, or a section of the public whether on payment of money, by virtue of membership of a club or other body, by invitation, or otherwise*

*A place is generally defined as an ‘enclosed public place’ if it is covered by a ceiling or roof, or part of a roof, and is greater than 50 percent enclosed by walls, or other vertical structures or coverings (including windows, doors and other closable openings, regardless of whether they are open or closed). This also includes walls, vertical structures or coverings located at or within one metre from the perimeter of a ceiling or roof.*

<b>POLICY TYPE:</b>	<b>CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>73</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Standpipes
<b>OBJECTIVE:</b>	To control contamination from chemicals at standpipes

**POLICY STATEMENT**

In order to prevent any chemical contamination, boom sprays are not permitted to be filled at Council standpipes.

<b>POLICY TYPE:</b>	<b>ROADS AND TRANSPORT</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>74</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Stock on Roads
<b>OBJECTIVE:</b>	To provide guidelines for signage and other related matters

### **POLICY STATEMENT**

Main Roads will provide guidance on reasonable precautions that should be taken when driving stock across or along a state road and will also permit stock underpasses under state roads subject to the underpass meeting Main Roads requirements.

Council will provide guidance on reasonable precautions that should be taken when driving stock across or along a local road and will also permit stock underpasses under local roads subject to the underpass meeting Main Roads requirements.

These guidelines do not address the issue of straying stock in unfenced pastoral areas.

### **APPLICATION & APPROVAL GUIDELINES**

#### **Definitions**

Unless otherwise indicated in the text of this Guideline:

- AS** means Australian Standards.
- Local road** means a road under the control of a Local Government.
- Main Roads** means the Main Roads of Western Australia.
- RTC 2000** means The Road Traffic Code 2000.
- State road** means a road under the control of Main Roads
- Traffic signs** mean a sign as recognised in the Australian Standards or Main Roads Signs Index.

### **BACKGROUND**

The purpose of this guideline is to provide reasonable precautions that should be taken when moving stock on local roads, and to outline Council's requirements for provision of stock underpasses on local roads.

The person in charge of moving stock across or along a road does not need formal permission from Council except for the following statutory requirements:

- For roads with declared Control of Access the consent of Main Roads is required. **(Main Roads Act 1930, Section 28A (4))**, and
- For roads within a town the permission of the Director General is required. **(RTC 2000 Regulation 277)**.

A person driving stock on roads shall;

- not leave stock unattended **(RTC 2000 Regulation 275)**, and
- provide reasonable warning and not cause unreasonable delay to approaching traffic **(RTC 2000 Regulations 276)**.

The RTC 2000 allows the person in charge of moving stock on a road to install temporary road warning signs **(Regulations 297 & 276)**, and to display an orange flashing warning light on a vehicle **(Regulation 289)**.

### **APPLICATION**

#### **Precautions For Taking Stock Onto A Local Road**

##### **General**

The RTC 2000 requires the person in charge of stock on a road to:

- Take all reasonable precautions to warn approaching traffic of the presence of the stock, and
- Arrange the moving of the stock at such times, and in such numbers, and establishes such control of the stock on the road, as is likely to prevent it causing unreasonable delay to the passage of other traffic.

### **Reasonable Warning**

Reasonable precautions to warn approaching traffic with warning signs and devices is provided in the **Technical Guideline (Section 3)**.

### **Unreasonable Delay**

The following circumstances are considered to be cause for unreasonable delay:

- The duration of road closure is greater than 5 minutes; and for multiple crossing movements, all queued vehicles are not cleared before the commencement of the next crossing movement,
- The stock movement is on a dual carriageway road,
- The crossing is closer than 1 km to a stock underpass servicing the same landowner, or
- The road's annual average daily traffic volume is greater than 500 vehicles per day.

### **Costs**

The person in charge of the stock is responsible of the supply, installation and removal of the road traffic signs and devices associated with the stock movement on a road.

### **Roads With High Traffic Volumes**

Where a road's annual average daily traffic volume is greater than 500 vehicles per day, a stock underpass is the preferred method of moving stock across the road.

### **Stock Underpasses Under Local Roads**

#### **General**

A stockowner may install an underpass under a local road subject to compliance with the requirements of these guidelines. There are conditions on the design, construction, and maintenance.

#### **Costs**

There is no fee for Council to process an application. The applicant shall be responsible for all costs associated with the design, construction and maintenance of the underpass structure.

#### **Design and Construction**

For sections of the underpass that are within and at the boundary of the road reserve, the design shall be approved by Council and the construction shall be undertaken by Council approved consultants/contractors.

#### **Maintenance**

The applicant shall maintain the underpass. The maintenance of the underpass by the applicant includes removal of fouling and repair of any damage to the road infrastructure within the road reserve.

## **APPROVAL - STOCK UNDERPASSES**

### **Applications**

A person wishing to install a stock underpass must submit an application to Council.

### **Approval**

Approval of an application shall include a condition that a Stock Underpass Agreement be signed by both the applicant and Council before commencement of any work in the road reserve and shall indicate the extent, if any, of Council contribution of funding the underpass.

## **TECHNICAL GUIDELINES**

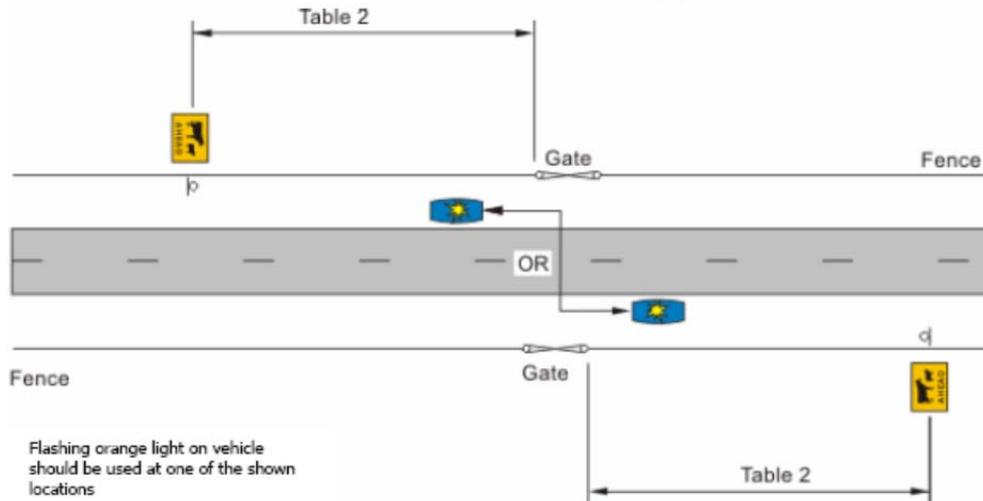
### **GENERAL**

The removal or covering of stock crossing signs when not in use is mandatory. Signs that are displayed while not in use may bring all signing into disrepute and may result in motorists disregarding important warnings. Signs should be covered such that they are not visible in all light conditions.

### **STOCK CROSSINGS**

### Stock Crossings - Visibility

A stock crossing where possible should be located such that approaching motorists can see the stock crossing point from more than 300m away, signing should be as per **Figure 1**. Signs should always be visible for more than 300m before the stock crossing point.



**FIGURE 1 - Typical Stock Crossing Site – for bitumen roads.**

**NOTE: Gravel roads – there is no requirement for orange flashing lights**

The crossing should desirably not be used when sun glare will interfere with drivers' view of the traffic signs or stock on the road.

Where stock movements are adjacent to or encompass an intersection, STOCK AHEAD and ON SIDE ROAD signs should be used on the side roads, to alert motorists entering the road that there is stock on the road. The location of the STOCK AHEAD sign should be based on a distance from the stock crossing as shown in **Table 2**.

POSTED SPEED LIMIT KM/HR	MINIMUM SPACING DISTANCE METRES
60	120
70	140
80	160
90	180
100	200
110/ STATE LIMIT	220

**Table 2 – Placement of STOCK AHEAD Signs**

### Use of Stock Crossings during Night-Time, Periods of Poor Visibility or Hazardous Locations

Daylight use of stock crossings is preferred. Where the stock crossing is proposed to be used during night time, periods of poor visibility or in a hazardous location, the following actions should be taken:

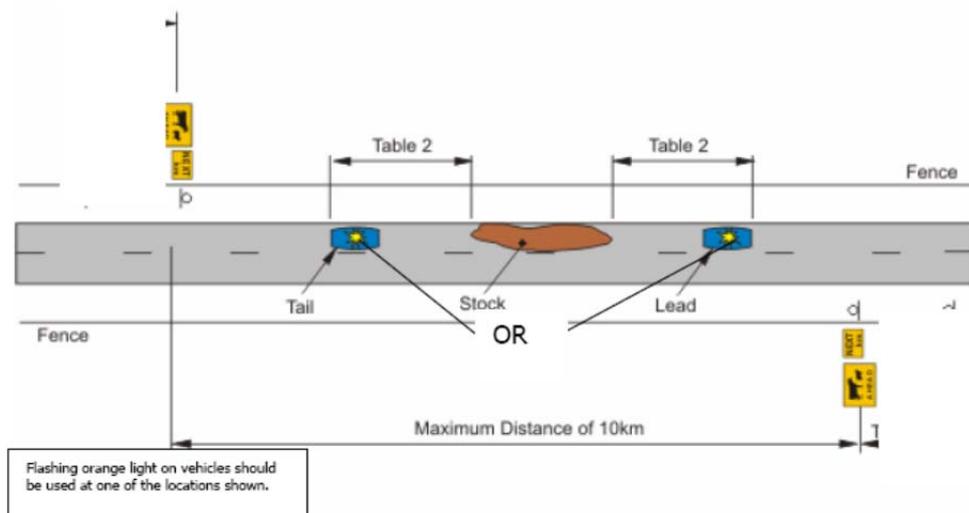
- Signing and flashing rotating orange light should be carried out in accordance with Figure 1 (See also Sections 3.4 and 3.5),
- Any person standing on or adjacent to the road for the purposes of controlling stock should wear clothing with reflective strips,
- Floodlighting shall be provided at the crossing point. The lighting should be sufficient to clearly illuminate stock on the road formation in the vicinity of the crossing point. If the road reserve is wider than 30m then floodlights should be placed on both sides of the road reserve, and
- The Council sign STOCK AHEAD PREPARE TO STOP (MR-WAW-6) should be considered for use. With reference to **Figure 1**, the STOCK AHEAD PREPARE TO STOP sign should be positioned in place of the STOCK AHEAD sign.

### **DROVING OF STOCK ALONG A ROAD**

Where it is necessary to move stock more than 100m along a road reserve, signs should be erected along the road shoulder in accordance with **Figure 2**. In addition, a lead vehicle and/or a tail vehicle should be placed in front

and/or at the rear of the stock to warn approaching motorists. The vehicles should be located at a distance from the stock as shown in **Table 2**.

**NOTE: On gravel roads no orange flashing light is required.**



**FIGURE 2 - Signing for droving of stock**

**NOTE: Where stock can be moved along the road reserve without stock or vehicles travelling on the carriageway, it remains necessary to adhere to the signage shown in Figure 2.**

## SIGNS

The conditions of the following publications have been described in this guideline:

- Main Roads Signs Index and relevant guidelines,
- Occupational Safety and Health Regulations 1996 Act, and
- Relevant Australian Standards.

Therefore, this guideline provides sufficient guidance for a person wanting to take stock onto a road to comply with the necessary standards. If required, further information can be obtained by contacting Main Roads.

Signs should be erected in accordance with these guidelines and Main Roads Standard

Drawings 9548 - 0106 and 8720 -0762. All signs shall be rigid. The class of retro reflective material used shall be Class 1.

Signing should be displayed prior to and during the stock movement. Signs and flashing orange warning lights should be positioned and erected so that:

- they are properly displayed and firmly secured so as to prevent them being blown over by the wind or passing traffic, and
- signs may be placed on the roadside or road shoulder and should be at least 1m clear of the road lanes.

The signs and any flashing orange lights should be displayed or installed immediately prior to the stock being driven on to the road reserve and folded over or removed as soon as the stock are no longer in the road reserve, as per **Section 3.1**.

Signs are a specified treatment in this guideline, and typical signs are listed in **Table 3**.

<p><b>"STOCK AHEAD"</b></p> <p>AS 1742.2 Designation T1-19B          Sign Size: 1200 x 900mm (sealed roads)          OR 900 x 600mm (unsealed roads)</p>	
<p><b>"REDUCE SPEED"</b></p> <p>AS 1742.2 Designation G9-9A          Sign Size: 1500 x 750mm</p>	

<p>"NEXT ... KM"</p> <p>AS 1742.2 Designation W8-17-1B Sign Size: 750 x 450mm</p>	
<p>"ON SIDE ROAD"</p> <p>AS 1742.2 Designation W8-3B Sign Size: 750 x 500mm</p>	
<p>"STOCK AHEAD PREPARE TO STOP (With Flashing Yellow)"</p> <p>Main Roads Designation MR-WAW-6B (See Section 2.3) Sign Size: 1100 x 1600mm Sign Dimensions Sign Post Dimensions</p>	

**TABLE 3 - List of typical signs for Stock Crossings and Droving of Stock**

**VEHICLE MOUNTED WARNING DEVICE**

The flashing orange warning light shall comply with the equipment described in the Road Traffic (Vehicle Standards) Regulations 2002. Vehicle indicator lights do not constitute a flashing orange warning light.

**STOCK UNDERPASSES**

Stock underpasses generally consist of reinforced concrete box culverts of a size suitable to allow safe passage of the stock and the farmer. Sizes for these structures may, for example, be:

- 1200 x 1200 mm Sheep movements,
- 1500 x 1500 mm Sheep movements where the stock owner may access the underpass, or
- 1800 x 1800 mm Cattle movements and where the stock owner may utilise a vehicle in the underpass.

Fencing details for the underpass to prevent stock from entering the road is available from Main Roads.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	15/05/2018

<b>POLICY NO:</b>	76
<b>DATE LAST REVIEWED:</b>	

<b>LEGAL (PARENT):</b>	Local Government Act 1995
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Conferences
<b>OBJECTIVE:</b>	To determine the nature and extent of Councillors and Officers attendance or representation, travel and accommodation expenses payable at conferences.

## **POLICY STATEMENT**

### **DEFINITIONS**

**Conferences** means conferences, conventions, congresses, study tours, seminars, forums, workshops, courses, meetings deputations, information and training sessions and events related to local government held within Australia.

**Elected Member** - Where the term "Elected Member" is mentioned, this is also given to mean a duly appointed member of a Council Committee.

### **INTERSTATE CONFERENCES**

When it is considered relevant that the Shire be represented at an interstate conference, generally up to a maximum of one elected member and one staff member may attend, subject to sufficient funds having been allocated in the annual budget. All costs including airfares, registration fees and accommodation will be paid directly by Council.

### **INTRASTATE CONFERENCES**

#### **Accompanying Person**

Where an elected member or staff member is accompanied at a conference, all costs for or incurred by the accompanying person including but not limited to travel, casual meals, registration and/or participation in any conference programs, may be paid for by the Council.

### **REPORTS**

Following attendance at conferences, the attendees shall submit a report within thirty days of their return, for the Council's information and records. The report shall include a summary of the event's proceedings, major points of interest and recommendation as to whether attendance at similar conferences is warranted.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	79
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Local Public Notice
<b>OBJECTIVE:</b>	To determine the relevance of this form of media

**POLICY STATEMENT**

The Woodanilling Wongi is acknowledged to be a newspaper generally circulating in the district pursuant to Section 1.7 of the Local Government Act 1995.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>81</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	YES
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<b>DELEGATION NO.</b>	7 & 30
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Use of Shire of Woodanilling Facilities
<b>OBJECTIVE:</b>	To provide a framework for the hire and use of community facilities (hereby referred to as "facilities") and parks and reserves (hereby referred to as "reserves") across the Shire of Woodanilling.

### **POLICY STATEMENT**

The overall objective of facilities and reserves across the Shire of Woodanilling is to provide spaces and places for a variety of functions, events, and activities for the community. In order to ensure that conditions related to the hire and use of facilities and reserves throughout the Shire are applied consistently, this policy outlines:

- Fees and charges applicable to facilities and reserves across the Shire (including bonds).
- Subsidised use of facilities and reserves.
- Measures for the storage and consumption of alcohol at facilities.
- Conditions of hire.

### **DEFINITIONS**

**Chief Executive Officer** - Where the Chief Executive Officer is mentioned in this policy it means the Chief Executive Officer of the Shire of Woodanilling.

**Casual Hirers** - Casual hirers are those users of the Shire's facilities and/or reserves that hire for a one-off specific event or intermittent and/or irregular meetings during any given year to a maximum of 5 sessions per year.

**Service Clubs, Charitable Institutions and Emergency Service Organisations** - Charitable institutions are those organisations recognised as licensed charities by the Charitable Collections Advisory Committee and officially listed by the Ministry of Fair Trading in their listing of licensed charities in Western Australia. Service Clubs are defined as those organisations where members may volunteer to perform community services and where these activities form a principal part of the organisation's objectives and goals. Funds raised by these groups, to be eligible under this Service Club definition, must be donated to a charitable cause and/or research designed to improve standards and overall quality of life.

Examples of service clubs include Rotary Clubs, Lions Clubs, and Apex Clubs. Specific emergency service organisations included in this definition are the State Emergency Service and volunteer Bushfire Brigades.

**Facilities** - Facilities are defined, for the purposes of this policy, as multipurpose community and recreation venues supplied by the Shire and available for hire.

**Reserves** - Reserves are defined as all of those areas under the Shire's control set aside for passive recreation and sporting activities. This definition includes parks, active reserves, sport grounds and other passive reserves.

**Commercial User Groups** - A commercial user group is one, which is a registered business with the Ministry of Fair Trading and results in private pecuniary gain (i.e. income generation & profit). Those user groups deemed to be of a commercial nature would be charged the commercial fee for all use of the Shire's facilities.

**Community User Groups** - A community user group is defined as a non-profit organisation and shall include, but is not limited to sporting clubs (that are incorporated under the Associations Incorporations Act), stated not-for-profit community groups, religious groups, education institutions and groups that have a focus on community needs with a social benefit. This definition also applies to private bookings such as weddings, birthday parties, christenings etc. Those groups deemed to be of a community nature would be charged the community fee for all use of the Shire's facilities.

### **SCOPE OF POLICY**

This policy applies to the hire of facilities and reserves throughout the Shire for events, activities or functions that are deemed to fall within the existing capacity of the venue involved or of a nature that falls within the normal

operations of the facility or reserve. All other events, activities and functions shall be referred to the Council and may be subject to the provisions of other Shire policies.

This policy DOES NOT APPLY to:

- Administration Centre at 3316 Robinson Rd, Woodanilling.
- Lake Queerearrup
- Any facility throughout the Shire currently under a lease/licence agreement with a specific organisation/s.

### **Fees and Charges**

Fees and charges applicable to all community facilities and reserves defined in this policy will be in accordance with the Schedule of Fees and Charges adopted by Council annually as part of the budget and amended from time to time.

### **Bonds applicable to facility and reserve hire**

A refundable bond will be payable on any and all hire of facilities and reserves.

### **Subsidised use of Facilities and Reserves**

The following groups automatically qualify for a 75% discount on the scheduled hire fee for the use of facilities and reserves:

- Community User Groups;
- Service Clubs;
- Charitable Institutions; and
- Emergency Service organisations

### **Storage and consumption of alcohol at community facilities and reserves**

#### **Consumption of alcohol**

Any club/group or individual wishing to hold an event, activity or function at the Shire's facilities or reserves which involve the consumption of alcohol by attendees must apply in writing for approval prior to the activity, event or function.

#### **Sale of Alcohol**

Any club/group or individual wishing to hold an event, activity or function at the Shire's facilities or reserves which involve the sale of alcohol to attendees must apply in writing for approval prior to the activity, event or function.

Approval for the sale of alcohol will only be considered for those clubs/groups or individuals, which have been granted either an Occasional, Club or Club Restricted Liquor License from the Office of Racing and Gaming (Liquor Licensing Division).

#### **Storage of Alcohol**

The storage of alcohol is NOT PERMITTED at any of Council's facilities that are multipurpose in nature and defined in this policy.

#### **Restricted/Unrestricted Liquor Licenses**

Any club/group or individual wishing to have a regular restricted liquor licence at the Shire's facilities or reserves must apply in writing for approval.

Any club/group or individual wishing to have an unrestricted Club Licence at the Shire's facilities or reserves must apply in writing for approval.

### **CONDITIONS OF HIRE**

Conditions of Hire forms as noted in this policy shall be made available to all prospective hirers when booking enquiries are made and signed by the prospective hirer prior to the function, event or activity date.

Conditions of Hire forms outline:

- • Blocking Booking and Booking Usage
- • Bonds
- • Cancellations, refunds and tentative bookings
- • Cleaning
- • Ground Maintenance and Marking
- • Damage
- • Decorations and equipment

- • Events
- • Hired Area
- • Liability
- • Liquor
- • Noise
- • Payments
- • Security
- • Subsidised use

#### **SPECIFIC BOOKINGS TAKING PRIORITY**

- Hockey Finals in September and Cricket Finals in February/March are to have booking priority.
- Bookings for fixtures, including finals must be made by individual clubs prior to the commencement of their season, and must be for the current playing season only.
- All other bookings made prior to seasonal fixtures bookings take precedence and the hirer will be granted exclusive use of the facility for the hire period;

#### **OTHER**

In all cases, the Shire reserves the right, at its discretion, to refuse entry or subsidised use of a facility or reserve to an individual or group.

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	16/04/2016

<b>POLICY NO:</b>	<b>82</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION No.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Roadside Memorials
<b>OBJECTIVE:</b>	To respect people's grief and ensure the road environment is safe for all road users.

**POLICY STATEMENT**

Council adopted the Main Roads WA Roadside Memorial Policy and Guidelines.

<b>POLICY TYPE:</b>	<b>CUSTOMER SERVICE</b>
<b>DATE ADOPTED:</b>	17/12/2013

<b>POLICY NO:</b>	<b>84</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Community Engagement
<b>OBJECTIVE:</b>	To provide guidance to the Council and community on when community engagement activities should be undertaken and the level of engagement to be carried out, other than notification and consultation conducted in accordance with statutory requirements

**POLICY STATEMENT**

Community Engagement is about involving the community in decisions which affect them, and to be responsive to the needs of the community.

Community is defined in the broadest possible sense to include Shire of Woodanilling residents, ratepayers (owners and occupiers), business proprietors, community groups, and visitors. At times it may also include other tiers of government, neighbouring Councils and other stakeholders with an interest in the Shire of Woodanilling.

In effectively engaging the community, many diverse and different views and opinions may be conveyed to Council. Council may not always be able to reconcile these differences, nor make decisions or take actions that align with everyone’s viewpoint.

**FRAMEWORK:**

Council’s approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation. The Five levels of participation are:

<b>INFORM</b>	<b>CONSULT</b>	<b>INVOLVE</b>	<b>COLLABORATE</b>	<b>EMPOWER</b>
<b>PUBLIC PARTICIPATION GOAL:</b>				
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/ or solutions	To obtain public feedback on analysis, alternatives and/ or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	We will endeavour to implement what you decide.
<b>ASSURANCE TO THE PUBLIC</b>				
We endeavour to keep you informed	We endeavour to keep you informed, listen to and acknowledge concerns and aspirations.	We endeavour to work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed.	We endeavour to 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 endeavour to implement what you decide.

It should be notes that the ‘empower’ level on the spectrum has limited application in Local Government as the elected Council are the decision making body.

**WHEN ENGAGEMENT IS TO BE UNDERTAKEN**

The Shire of Woodanilling endeavours to undertake community engagement when:

1. A decision is likely to have significant impact on a particular individual or group in the community

2. There is, or likely to be , strong community concern or interest in the issue;
3. The proposal before the Council is anticipated to have significant impact on the economy, lifestyle and/or environment of the Shire and/or its residents;
4. Significant changes to the current or future use of land or infrastructure within the Shire is being considered;
5. Information is needed by Councillors and/or staff about community needs, priorities or values to ensure planning is appropriate and responsive;
6. The Council wishes to ensure all groups, including minority or disadvantaged groups have information about an opportunity to contribute to the operations and/or the planning for the Council’s services, facilities and programmes.

There are 4 impact levels to measure the need for Community Engagement, where impact relates to the ‘effect of an action or change on the Community.’ The impact levels are as follows:

<b>LEVEL OF IMPACT</b>	<b>BRIEF DESCRIPTION</b>
Level 1	High level of impact on the whole or a large part of Woodanilling.
Level 2	High level impact of a local nature, eg a local area, specific community or user group.
Level 3	Lower level of impact on the whole or a large part of Woodanilling.
Level 4	Lower level of impact of a nature, eg a local area, specific community or user group.

The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy. In some cases it may not be practicable when:

1. The Council is to make a decision quickly in the interest of the Shire (e.g. Public Safety);
2. The advice or decision is to another tier of Government about matters of broad interest (in common) to constituents of the State;
3. The decision concerns day to day administrative matters

## **ROLES AND RESPONSIBILITIES**

### **COUNCIL**

The Council is elected to make decision on behalf of the people of the Shire of Woodanilling. To do so effectively, the Council may have a need to inform themselves of current community attitudes and opinions on the issue(s).

All community engagement is undertaken in a manner that is consistent with our legal obligations under;

- the Commonwealth Disability Discrimination Act 1992 (that is, open and accessible to all members of the community);
- the Information Privacy Act 2000 (regarding the handling of all personal information); and
- Any other relevant legislation which may relate to a particular issue

### **COMMUNITY**

The Community is expected to:

- Inform themselves about Council functions, initiatives, activities and objectives and participate in civic affairs;
- Acknowledge that the Council is made up of duly elected representatives of the community and it is their role to make decisions on behalf of the community;
- Acknowledge that submissions addressing matters that are objective are generally considered more highly than those that demonstrate bias, or are subjective, or hypothetical; and
- Behave in a way consistent with our organisational values.

<b>POLICY TYPE:</b>	<b>LAW &amp; ORDER</b>
<b>DATE ADOPTED:</b>	25/09/2012

<b>POLICY NO:</b>	<b>85</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 18/08/2015 20/12/2016 15/05/2018

<b>LEGAL (PARENT):</b>	<i>Dog Act 1976</i>
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<b>LEGAL (SUBSIDIARY):</b>	Shire of Woodanilling Dogs Local Law 2008
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	YES
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<b>DELEGATION NO.</b>	27
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Keeping of more than two (2) and up to six (6) dogs - exemption under section 26(3) of the Dog Act 1976 – in the town site of Woodanilling.
<b>OBJECTIVE:</b>	To ensure uniform application process, advertising requirements and exemption/refusal conditions.

### **POLICY STATEMENT**

#### **STATUTORY IMPLICATIONS:**

*Section 26(3) of the Dog Act* gives power to a local government to limit the number of dogs that can be kept in or at a premises within the local government's district. It does not, of itself, limit the number of dogs which can be kept at a premises, but instead gives power to a local government to limit the number to between 2 and 6 without the need for a kennel establishment licence.

It should be noted that "Dog Kennels" as defined in the Shire of Woodanilling Town Planning Scheme No. 1 are prohibited within the residential, commercial, industrial and local rural zones within the Shire, therefore the Council cannot issue an exemption for more than 6 dogs within these zones.

### **APPLICATION PROCESS**

Initial applications, and renewals must be submitted to the Shire together with all supporting documentation as specified in the application form, and as outlined below, prior to taking ownership of the 3<sup>rd</sup> or subsequent dog(s), and accompanied by any fee set by Council during the annual budget process.

**Note:** It is the number of dogs at the one property, irrespective of the number of residents or owners at that property.

The application or renewal will be determined by the Council and will consider information received from:

1. Property inspection report from the Shire Ranger.
2. Responses received from any advertising that may take place in accordance with Policy 84.
3. The zoning and size of the property.
4. The impact on the local environment, including adjoining properties.

If an exemption to keep more than two dogs is granted, the expiry date will be based on the closest registration expiry period for dogs registered at the property.

**Note:** If all dogs are registered for three years, then the exemption applies for three years, if all dogs are registered for life then the exemption applies to the life of the dogs. However if one dog is registered for one year and the remaining dogs are registered for life, then the exemption will apply for one year only.

### **EXEMPTION CONDITIONS:**

Council may apply any of the following conditions to any exemption it grants:

1. This exemption applies to the dogs described in the application only – should numbers be reduced for whatever reason including natural attrition and the owner wishes to acquire more dogs then a further exemption is required by Council prior to obtaining any further dogs.
2. Dog registrations must remain current at all times;
3. This exemption is not an approval for a kennel establishment therefore the owners are prohibited from breeding and selling dogs under Council's Town Planning Scheme No.1.
4. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the area by reason of the emission of odour, noise, waste product or otherwise.
5. The exemption may be revoked or varied at any time under the Dog Act 1976 section 26 (3.c)

**DANGEROUS DOGS**

Exemptions will not be issued to dangerous dog breeds, under any circumstances.

**APPEALS PROCESS:**

The applicant has the right to appeal in writing to Council within 28 days of the Council decision.

**ADVERTISING PROCESS:**

Prior to consideration by Council, all initial applications to keep more than two (2) dogs shall be advertised by the Shire by means of local public notice, and by written notification to adjoining and nearby landholders.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/12/2012

<b>POLICY NO:</b>	<b>86</b>
<b>DATE LAST REVIEWED:</b>	18/02/2014 15/09/2015 015/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	Local Government (Administration) Regulations 1996
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Integrated Workforce Planning
<b>OBJECTIVE:</b>	To demonstrate that the shire is committed to ensuring that strategic, operational and legislative objectives are met by effective workforce planning and resourcing to demonstrate compliance with the integrated planning requirements of the <i>Local Government Act 1995 s5.56(2)</i>

### **POLICY STATEMENT**

#### Definition of Workforce Planning:

Workforce planning is a continuous process of shaping the workforce to ensure it is capable of delivering organisational objectives into the future. It provides the framework for assessing the demand and supply of the workforce and aims to have the right people in the right place at the right time to affect the delivery of organisational goals, resourced through effective long term financial and business plans.

#### Principles:

The Shire considers workforce planning to be an essential management function in its operations. They recognise that the achievement of all goals and objectives are reliant on the appropriate capacity, skills, knowledge of the workforce.

Council also recognises that the responsibility for managing people lies with the person who has the executive responsibility for the objectives of the service/activity/ function of their division.

The Shire will ensure the Workforce Plan addresses current and future best practice human resource management that includes:

- effective and efficient recruitment and retention
- role and responsibility definition and appropriate performance management
- support and encouragement for staff to perform
- staff training and development
- legislative compliance
- staff health and wellbeing (OSH)
- flexibility in employment and work practices to meet organisational and employee needs

#### Responsibilities :

- Executive, managers and supervisors have the responsibility and accountability for ensuring that all staff are managed appropriately within their own work areas.
- In each of these areas, current and future demand and supply should be assessed as part of the annual and strategic planning cycles.
- All managers will ensure effective setting of KPIs and performance criteria for their staff that will meet relevant organisational objectives.
- Staff appraisals will incorporate training and development plans to ensure the current and future skills and knowledge needs are met wherever practicable, with gaps and omissions reported to the CEO or other designated officer for inclusion in the Workforce Planning process.
- The relevant organisational planning and performance monitoring personnel will research and relevant workforce data, demographics and trends as part of the integrated planning cycle.
- All Elected Members and officers involved in organisational, operational or project planning will ensure that workforce implications are considered and included in all strategic or operational plans.

#### Monitor and Review:

The Shire will implement a robust reporting and recording system that will be regularly monitored to ensure human resource supply and demand management is appropriately implemented and sustained across the organisation and there is ongoing identification of issues and trends.

Workforce planning key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored by the Shire's Executive and Council as appropriate and reported as required, being mindful of human resource management confidentiality requirements.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	18/02/2014

<b>POLICY NO:</b>	<b>88</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Policies – Process for adopting, amending or repealing
<b>OBJECTIVE:</b>	To establish a process for the introduction, amendment or repealing of a council policy

**POLICY STATEMENT**

Prior to introducing, amending or repealing a policy of Council, the proposal will go through the following process:

- Comparisons with other Local Authorities.
- Likely effect on the residents - consultation if necessary.
- Cost impact.
- Need to include a sunset clause.
- Legal implications.

All recommendations affecting policy must be made available to Council prior to the relevant Council Meeting and may not be introduced as a late item.

<b>POLICY TYPE:</b>	OSH
<b>DATE ADOPTED:</b>	15/05/2018

<b>POLICY NO:</b>	91
<b>DATE LAST REVIEWED:</b>	

<b>LEGAL (PARENT):</b>	Local Government Act 1995
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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ADOPTED POLICY	
<b>TITLE:</b>	Alcohol and Drug Workplace Policy
<b>OBJECTIVE:</b>	The following policy is binding on the administration and operations areas of the Shire of Woodanilling, together with contractors and volunteers of the Shire of Woodanilling.

## POLICY STATEMENT

### **Purpose**

The purpose of this policy is to implement a fair and proactive alcohol and other drugs screening program that will contribute to the safety and health of all employees, contractors and volunteers of the Shire of Woodanilling.

It is the intention to create an environment where employees, contractors and volunteers recognise the health and safety risks of misusing alcohol and other drugs and thus provide an opportunity for them to obtain assistance to avoid such misuse.

### **SCOPE**

This policy outlines the circumstances and methods for the screening tests of Shire employees, contractors and volunteers for alcohol and other drugs and describes the processes which will be adopted following a positive test and the course of events for the employee or contractor who has tested positive to alcohol or another drug.

This policy has also been formulated so that Shire employees, contractors and volunteers recognise the potential impact of alcohol and drug misuse for both themselves personally and in the work environment for the safety of all.

This policy applies to all staff at corporate functions, events, and meetings including Council, Advisory, Committee and staff meetings, and any other forum of official business of Council and Council Officers on Council premises.

The Alcohol and Drug Workplace Policy is an intrinsic component of the Shire of Woodanilling's commitment to safety.

### **DEFINITION**

While this policy refers specifically to alcohol and illicit drugs, it is intended to apply to all forms of substances affecting the central nervous system.

For the purpose of this policy, "under the influence" is a situation in which the influence of alcohol or drugs, or the combination of alcohol and drugs, may affect personnel in any detectable manner. **This workplace policy shall form part of each employee's, contractor's and volunteer's induction into the Shire workforce and shall be reinforced by management. Fairness and dignity will be an absolute priority in the implementation of the policy.**

### **Safety in the Workplace and Fitness for Work**

Employees, contractors and volunteers are obliged to present themselves for work in a fit state so that when undertaking normal work activities, they do not expose themselves, their co-workers or the public to unnecessary risks to health and safety.

It is the employee's or contractor's or volunteer's responsibility to advise their supervisor if they are taking any prescribed drug or medication that may affect their fitness for duty or work performance. The individual should also find out from their doctor or pharmacist what the effects of any prescribed drugs are on their work performance.

### **Welfare of the Individual**

The welfare of employees, contractors and volunteers, as well as being the responsibility of the Council as the employer, is also the responsibility of each individual. It is therefore each employee's or contractor's or volunteer's responsibility to ensure that they do not place themselves or any other person or member of the public in an unsafe work environment. The health and safety of all people is paramount.

If a manager or supervisor has justifiable cause to doubt a person's fitness for duty, they may be removed from the workplace and the employer may initiate any reasonable action considered necessary as detailed in the Shire of Woodanilling Fitness For Work Procedure.

If it is believed that the use of alcohol or drugs renders risk to the health or safety of the employee, contractor, co-workers or the public, the employer reserves the right to remove the employee from duty pending an urgent medical examination to determine fitness for duty.

### **ALCOHOL AND DRUGS IN THE WORKPLACE**

During normal business hours, the use of alcohol and drugs in the workplace, including Council premises, parks, reserves, vehicles, plant or any other Council building or physical asset, is prohibited.

During normal business hours, the employer may permit the consumption of alcohol where circumstances warrant such as a social event like a Christmas Party, or special organised functions such as the retirement of an employee. Consumption of alcohol for gatherings of employees as part of the staff social club, for team building, will also be permissible. The provision of low percentage alcohol beverages will be served as a preference at all functions and soft drink, water and substantial food will also be provided.

### **TESTING OF EMPLOYEES FOR THE PRESENCE OF DRUGS AND/OR ALCOHOL**

Testing will be undertaken under the following circumstances:

- As part of an Employee's Pre-Employment medical by a medical practitioner appointed by the Shire of Woodanilling.
- Where there is the suspicion of an employee, contractor or volunteer being under the influence of alcohol or other drugs.
- If any employee, contractor or volunteer suspects that another employee, contractor or volunteer is under the influence of alcohol or other drugs, they should contact their immediate supervisor.
- The employee, contractor or volunteer should be advised that they are suspected to be under the influence of alcohol or other drugs and screening tests will be carried out.
- The employee, contractor or volunteer undertaking the testing may ask for an independent witness, who must be immediately available. If their witness is not immediately available, the tester will organise a witness.
- At random for employees.
- All results of any tests will be recorded.

### **TESTING FOLLOWING ANY TRAFFIC INCIDENT/ACCIDENT**

Following any traffic accident, the employee driving a motor vehicle or heavy equipment vehicle, or an individual associated with the accident, may be alcohol and drug tested.

### **TESTING FOLLOWING ANY INCIDENT/ACCIDENT AT THE SHIRE WORKS DEPOT, ADMINISTRATION OFFICE OR SITE WORKS**

Following any incident/accident within the areas mentioned above, the employee, or an individual associated with the incident/accident, may be alcohol and drug tested.

### **FAILURE TO UNDERTAKE TESTING**

- Should an employee refuse to undertake a test, they shall be counselled that refusal supports the suspicion being under the influence of alcohol or other drugs and should refusal persist, the employee will be sent home without pay and be required to undergo testing before resuming work.
- Should a contractor refuse to undertake a test, they shall be counselled that refusal supports the suspicion being under the influence of alcohol or other drugs and should refusal persist, the contractor will be asked to leave the worksite for a minimum of 24 hours.
- Should volunteer refuse to undertake a test, they shall be counselled that refusal supports the suspicion of being under the influence of alcohol or other drugs and should refusal persist, the volunteer will be asked to leave the worksite for a minimum of 48 hours.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	15/09/2015

<b>POLICY NO:</b>	<b>96</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 Local Government (Administration) Regulations 1996 Salaries and Allowances Act 1975</i>
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<b>LEGAL (SUBSIDIARY):</b>	Shire of Woodanilling is a Band 4 for the purposes of the Salaries and Allowances Tribunal
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	YES
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<b>DELEGATION No.</b>	19
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Councillor allowances, expenses and reimbursements
<b>OBJECTIVE:</b>	To outline the support that will be provided to councillors through the payment of allowances, reimbursement of expenses incurred, insurance cover and supplies provided in accordance with the <i>Local Government Act 1995</i> while performing the official duties of office.

## **POLICY STATEMENT**

### **PRESIDENT'S ALLOWANCE**

*[Local Government Act 1995 s.5.98(5) and Local Government (Administration) Regulations 1996 Reg. 33(5) and 33(1)(b)]*

The President shall be entitled to an annual local government allowance equivalent to 30% of the maximum amount permitted to be paid to the President as determined by the Salaries and Allowances Tribunal.

*(June 2014 – Min \$500 – Maximum \$19,750)*

### **DEPUTY PRESIDENT'S ALLOWANCE**

*[Local Government Act 1995 s.5.98A and Local Government (Administration) Regulations 1996 Reg.33A]*

The Deputy President shall be entitled to an annual local government allowance equivalent to 25% of the President's Allowance.

*(June 2014 – Min \$500 – Maximum \$19,750)*

### **MEETING ATTENDANCE ALLOWANCE**

*[Local Government Act 1995 s.5.98(1)(b) and Local Government (Administration) Regulations 1996 Reg.33(3) and 34(1)(b) and 34.(2)(b)]*

The President and Councillors shall be entitled to an annual meeting attendance allowance equal to the minimum amount permitted to be paid as determined by the Salaries and Allowances Tribunal.

*(June 2014 – Min \$3,500 – Maximum \$9,270)*

### **TELECOMMUNICATIONS ALLOWANCE**

*[Local Government Act 1995 s.5.99A and Local Government (Administration) Regulations 1996 Reg.34A]*

Councillors shall be entitled to an annual telecommunications allowance equal to 30% of the maximum amount permitted to be paid as determined by the Salaries and Allowances Tribunal to cover all information and communications technology costs that are a kind of expense for which Elected Members may be reimbursed as prescribed by Regulations 31(1)(a) and 32(1) of the *Local Government (Administration) Regulations 1996*.

*(June 2014 – Min \$500 – Maximum \$3,500)*

**Note:** All allowances referred to in this policy will be paid in arrears with Councillors able to elect to receive payment monthly, or biannually.

### **REIMBURSABLE EXPENSES**

*Local Government Act 1995 s.5.98(2), (3) and (4) and Local Government (Administration) Regulations 1996 Regs 31 and 32*

### **IPAD/TABLET**

Immediately following a Councillor's inaugural election to office, and once every two years after that, Councillors are entitled to claim the cost of the purchase of an iPad or tablet, to a maximum value of \$1,000 and upon supply of proof of purchase. The purpose of this clause is to enable Councillors to have ready access to agendas, minutes and other Shire documentation on a system of their own choosing.

All maintenance and ongoing costs are the responsibility of the Councillor, as such costs are considered part of the telecommunications allowance.

### **TRAVELLING EXPENSES**

Councillors shall be entitled to reimbursement of travelling expenses incurred while using their own private motor vehicle in the performance of the official duties of their office, subject to:

Claims being related to travel to a destination from their normal place of residence or work and return in respect to the following:

- Council Meetings, Civic functions, Citizenship Ceremonies or briefings called by either Council, the President or the Chief Executive Officer;
- Committees to which the Councillor is appointed a delegate or deputy by Council.
- Any other occasion in the performance of an act under the express authority of Council.

All claims for reimbursement should be lodged with the Shire, on the appropriate claim form by no later than 60 days from the end of the month to which the claim relates. In submitting claims for reimbursement, Councillors shall detail the:

- Date of the claim
- Particulars of travel
- Nature of business
- Distance travelled
- Vehicle displacement and the total kilometres travelled.

Councillors are required to certify the accuracy of the information they provide with their claim forms and all claims must be accompanied by supporting documentation such as invitations or approvals where applicable.

The rate of reimbursement being as prescribed from time to time by the Australian Taxation Office.

### **PARKING FEES**

Parking fees incurred as a result of travel to any occasion referred to in "Travelling Expenses" of this policy shall be reimbursed upon lodgement of receipts accompanying the associated travel claim form.

The cost of "valet" parking, however, will not be reimbursed.

### **CHILD CARE COSTS**

*[Local Government Act 1995 s.5.98(2) and (3) and Local Government (Administration) Regulations 1996 Reg.31(1), (2) and (3) and 32]*

Councillors shall be entitled to reimbursement of the lesser amount of actual child care costs or the amount prescribed by the Salaries and Allowances Tribunal for care of children, of which they are parent or legal guardian, whilst attending a Council meeting or a meeting of a committee of which he or she is a member.

### **OTHER SUPPORT / SUPPLIES**

Councillors are entitled to be supplied with the following items to be used only in fulfilling the role of the office of Councillor:

- Annual Diary - will be supplied to each Councillor at the commencement of each calendar year.

**Note:** Councillors should note that any diary used by a Councillor to record the scheduling or occurrence of activities related to the fulfilment of the office of Councillor are subject to the *State Records Act 2000* and the *Freedom of Information Act 1992*.

- Name badges:
- Councillor's partner name badge.
- The Shire will, within reason, replace on request any name badge which is lost or irreparably damaged.

## **INSURANCE**

The Shire will insure or provide insurance cover for Councillors for:

- Personal accident whilst engaged in the performance of the official duties of their office, however, the cover does not include medical expenses that are covered by Medicare, workers compensation, transport accident legislation or private health insurance.
- Professional indemnity for matters arising out of the performance of the official duties of their office provided the performance or exercise of the official duty is in the opinion of Council, not illegal, dishonest, against the interests of the Shire or otherwise in bad faith.
- Public liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the policy of insurance.
- Motor vehicle at the particular time owned or driven by the Councillor or driven by another person on behalf of the Councillor whilst the Councillor is proceeding as a member to and from:
  - Council Meetings, Civic functions, Citizenship Ceremonies or briefings called by either Council, the President or the Chief Executive Officer.
  - Committees to which the Councillor is appointed by Council.
  - Any other occasion while performing the functions of a Councillor or as a result of an act under the express authority of Council.

<b>POLICY TYPE:</b>	<b>BUILDING</b>
<b>DATE ADOPTED:</b>	16/08/2016

<b>POLICY NO:</b>	<b>97</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Caravan Parks &amp; Camping Grounds Regulations 1999 S 11(2)(c)</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Temporary Accommodation
<b>OBJECTIVE:</b>	To provide guidelines on the prerequisite conditions for approval of temporary accommodation for occupation during the completion of a permanent dwelling.

### **POLICY STATEMENT**

Council will determine applications for temporary accommodation subject to the following conditions:

1. Applications must be submitted in writing and accompanied by a town planning application fee.
2. Applications will only be considered to reside in a caravan inside an already approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property; and
  - Will only be granted to those persons who are to occupy the house when completed.
  - For a maximum period of 12 months.
  - Land being zoned "Local Rural" or "Regional Rural"
  - Applicants submitting a bond of \$5,000 cash, to be refunded upon temporary accommodation being vacated to the satisfaction of the Environmental Health Officer/Building Surveyor.
  - Toilet, hand wash basin in close proximity, bath and/or shower and laundry trough may be provided in the shed (and connected to an approved onsite effluent disposal system and hot and cold potable water supply). The laundry trough is permitted to be used as the hand wash basin. Cooking facilities must be provided for in the caravan.
  - The shed being supplied with a supply of potable water, and where no scheme water is available then it must be in the form of a water tank with a minimum capacity of 92,000L.
  - Installation of a smoke alarm to the temporary accommodation.
3. Prior to submitting an application for temporary accommodation the proponents must already have obtained an approved building licence for the construction of a permanent dwelling.
4. Temporary accommodation must be inspected and approved by the Environmental Health Officer/ Building Surveyor prior to occupation.
5. In accordance with the provisions of the Caravan Parks and Camping Grounds Regulations 1997, for occupation of temporary accommodation greater than 12 months, applications must be made to the Minister, Department of Local Government and Regional Development. Applications will only be supported where significant progress has been made on the construction of the permanent dwelling.
6. Council reserves the right to revoke temporary accommodation permission at any time if it is dissatisfied with the state of progress towards the construction of a permanent dwelling or any general terms of the temporary accommodation permission have not been met.

<b>POLICY TYPE:</b>	<b>ROADS &amp; TRANSPORT</b>
<b>DATE ADOPTED:</b>	15/05/2018

<b>POLICY NO:</b>	<b>98</b>
<b>DATE LAST REVIEWED:</b>	

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Road Making Materials
<b>OBJECTIVE:</b>	To provide guidance for the provision of sand/gravel supplies for road works.

## **POLICY STATEMENT**

### **IDENTIFYING GRAVEL/SAND**

Areas of suitable materials shall be clearly identified and recorded in a register containing title details, landholder details, approximate quantities and life of the pit, details of when the material was accessed including quantities, details of any compensation (see below), and a map of the location.

### **NEGOTIATING WITH LANDHOLDER**

Negotiations with the landholder shall be carried out with both the interests of the landholder and Council in mind. Attempts shall be made to satisfy the concerns of the landholder in order to obtain materials, but it should be noted that Council may invoke the powers of the Land Administration Act 1997 to take land where negotiations have failed.

### **ACCESSING**

Access to pits shall be on an unrestricted basis, and it will be agreed with the landowner the access route to and from the pit.

### **COMPENSATION**

Compensation shall be paid to the landholder to the equivalent of \$1.10 per cubic metre incl. GST. Payment shall be made to the landholder when the material is quarried and heaped.

### **REHABILITATION**

Council will rehabilitate the pit and access tracks once the gravel supply is exhausted at no charge to the landholder. Any additional requirements of the landholder must be approved by Council prior to any works being carried out.

*For the purposes of this policy "rehabilitate" means levelling of the quarry floor and the replacement of the topsoil.*

### **EFFECT OF THIS POLICY**

Council agrees to maintain the pit in a reasonable condition, and any associated fencing and gates in the same condition as when first accessed. Any damage to fences, gates or property will be remedied by the Shire.

<b>POLICY TYPE:</b>	<b>CIVIC LEADERSHIP GOVERNANCE</b>
<b>DATE ADOPTED:</b>	19/12/2017

<b>POLICY NO:</b>	99
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	Local Government Act 1995
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<b>LEGAL (SUBSIDIARY):</b>	Local Government (Functions and General) Regulations Local Government (Financial Management) Regulations
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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ADOPTED POLICY	
<b>TITLE:</b>	Credit Card Policy
<b>OBJECTIVE:</b>	<p>To. Shire of Woodanilling Corporate Credit Card is provided to enable the purchase of Shire related goods and services, where the normal purchasing procedure is not applicable.</p> <p>The objective of this policy is to:</p> <ul style="list-style-type: none"> <li>1. Provide a clear framework to enable the use of the corporate credit card</li> <li>2. Provide the CEO with clear and concise guidelines outlining its use</li> <li>3. Reduce the risk of fraud and misuse of the corporate credit card.</li> </ul>

**POLICY:**

**USAGE**

Shire of Woodanilling The corporate credit card shall be used only:

- For Council business activities
- When outside the Shire on business; and/or
- For the purchase of goods in accordance with Council’s Purchasing Policy.
- Shire of Woodanilling corporate credit card does not have a cash advance facility.

**ELIGIBILITY AND APPLICATION PROCEDURES FOR NEW THE CORPORATE CREDIT CARD**

A credit limit of \$2,000 is to be applied to the Chief Executive Officer’s corporate credit card, and can only be varied by resolution of Council.

The CEO shall acknowledge and accept conditions of use of the Shire of Woodanilling Corporate Credit Card. Refer Attachment 1: Corporate Credit Cardholder Agreement.

**CORPORATE CREDIT CARD RECONCILIATION PROCEDURES**

- Corporate Credit Card statement accounts will be reconciled monthly by the Finance Officer, and verified by the CEO.
- Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
- Transactions shall be accompanied by an authorised purchase order.
- The CEO shall sign and date the credit card statement with supporting documentation attached stating ‘all expenditure is of a business nature’.

**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. It is imperative that appropriate documentation is retained to substantiate all expenditure.

Elected Members and Employees are reminded of their obligations under the Shire’s Code of Conduct 2011 to give full effect to the lawful policies, decisions and practices of the Shire.

### **CORPORATE CREDIT CARDHOLDERS RESPONSIBILITIES**

- Ensure the corporate credit card is maintained in a secure manner and guarded against improper use. Credit card details are not to be released to anyone. Credit card purchases are to be through the Cardholder.
- The corporate credit card is to be used only for Shire of Woodanilling official activities, there is no approval given for any private use.
- All documentation regarding a corporate credit card transaction is to be retained by the cardholder and produced as part of the reconciliation procedure.
- Where credit limits are expected to be exceeded, the Finance Officer is to be notified so appropriate steps can be taken to ensure sufficient funds are available or balances are refreshed.
- The use of the credit card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Purchases on the corporate credit card are to be made in accordance with the Shire of Woodanilling Purchasing Policy.
- Monthly reconciliations of the credit card purchases are to be completed within seven (7) days of the date of the corporate credit card statement being issued by the Finance Officer, with all reconciliation dockets attached to equal the balance of credit used.
- The corporate credit card is to be returned to the Shire President on or before the employee's termination date with a full acquittal of expenses.

### **REFERENCES TO RELATED DOCUMENTS**

- Shire of Woodanilling Code of Conduct
- Shire of Woodanilling Purchasing Policy
- Local Government Act 1995
- Goods and Services Tax Act 1999

**ATTACHMENT 1**

**CORPORATE CREDIT CARDHOLDER AGREEMENT**

I (insert cardholder name) acknowledge and accept the conditions listed below which govern the use of the Shire of Woodanilling Corporate Credit Card:

**CONDITIONS OF USE**

- Ensure the corporate credit card is maintained in a secure manner and guarded against improper use.
- The corporate credit card is to be used only for Shire of Woodanilling official activities, there is no approval given for any private use whatsoever.
- All documentation regarding a corporate credit card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
- Credit limits may only be exceeded under exceptional circumstances, and with the approval of the Shire President.
- The use of the credit card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Observe all cardholder responsibilities as outlined by the card provider.
- Purchases on the corporate credit card are to be made in accordance with Shire of Woodanilling's Purchasing Policy.
- Monthly reconciliation of credit card purchases is to be completed on the supplied template within seven (7) days of the date of the credit card statement being issued.
- Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
- Transactions shall be accompanied by an authorised purchase order.
- Should approval of expenses be denied by the Shire President, recovery of the expense shall be met by the cardholder.
- The cardholder shall sign and date the corporate credit card statement with supporting documentation attached stating 'all expenditure is of a business nature'.
- Lost or stolen cards shall be reported immediately to the card provider and Shire President.
- The corporate credit card is to be returned to the Shire President on or before the employee's termination date with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of Woodanilling Corporate Credit Card Policy any liability arising from the use of the card may be passed to the cardholder.

The use of a Shire of Woodanilling Corporate Credit Card is subject to the provisions of the Code of Conduct of Shire of Woodanilling. Serious transgression of the above listed responsibilities or the Code of Conduct may result in an appropriate referral under the Corruption and Crime Commission Act 2003 and/or termination of employment.

.....  
Signed: Belinda Knight, CEO

.....  
Date

<b>POLICY TYPE:</b>	<b>CIVIC LEADERSHIP GOVERNANCE</b>
<b>DATE ADOPTED:</b>	20/02/2018

<b>POLICY NO:</b>	<b>100</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995 S2.7(2)(b)</i>
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<b>LEGAL (SUBSIDIARY):</b>	Workplace Awards
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Christmas/New Year and Easter arrangements
<b>OBJECTIVE:</b>	To ensure equitable and uniform application of the closure of the Shire Depot and Administration office during Christmas/New Year and Easter periods annually.

### **POLICY**

The purpose of this Policy is to enable the closure of the Shire Depot and Administration Office without the need for annual pre-approval from Council.

### **SHIRE DEPOT**

Closure for the following periods each year:

- Four weeks at Christmas/New Year – usually 12:00noon on the last working day one week before Christmas, and reopens on the Tuesday one week after New Year, provided the closure is no greater than four weeks (average sixteen days closure)(twelve working days);
- Wednesday through to the Friday after Easter (Monday and Tuesday being public holidays)(three working days); and
- Two weeks in August annually (ten days closure)(eight working days).

Subject to:

- Staff taking either time-in-lieu, paid leave or unpaid leave for these periods, excluding public holidays and RDO's; and
- Suitable emergency arrangements being put in place.

### **ADMINISTRATION OFFICE**

Closure for the following periods each year;

- Between Christmas and New Year, reopening after the local government holiday after New Year (three working days).
- Wednesday through to the Friday after Easter (Monday and Tuesday being public holidays)(three working days).

Subject to:

- Staff taking either time-in lieu, paid leave or unpaid leave for these periods, excluding public holidays; and
- Suitable emergency arrangements being put in place.

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	20/02/2018

<b>POLICY NO:</b>	<b>101</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995</i>
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<b>LEGAL (SUBSIDIARY):</b>	AASB 124
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>	
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<b>DELEGATION NO.</b>	
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	Related Party Disclosures
<b>OBJECTIVE:</b>	<ul style="list-style-type: none"> <li>To. The objective of this policy is to provide guidance on the application of AASB 124 to the Shire of Woodanilling's financial statements.</li> <li>The objective of AASB 124 is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions and outstanding balances, including commitments, with such parties.</li> <li>The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.</li> <li>This policy stipulates the information requested from related parties to enable an informed judgement to be made.</li> </ul>

### **POLICY STATEMENT**

**Local Government Act 1995:**  
S5.41.

### **SCOPE**

The Shire of Woodanilling

### **DEFINITIONS**

**AASB 124** - the Australian Accounting Standards Board - Related Party Disclosures Standard under Section 334 of the *Corporations Act 2001*

**The Act** - the *Local Government Act 1995*

**Key Management Personnel (KMP)** see AASB 124.

**Material (materiality)** - means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements.

**Ordinary Citizen Transaction** - means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

**Related Party** – see AASB 124.

**Related Party Transaction** – see AASB 124.

**Significant (significance)** - means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/taxpayer relationship.

**Remuneration** - means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a Related Party Transaction

### **Policy Statement**

AASB 124 provides that the Shire will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

**Related parties** include a person who has significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

The Shire has determined that the following persons as meeting the definition of a related party:

- An elected Council Member;
- The Chief Executive Officer and the Deputy Chief Executive Officer;
- Close family members of any person listed above in accordance with the definition provided in AASB 124; and
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members (includes companies, trusts, joint ventures, partnerships, and non-profit associations such as sporting clubs.)

A **related party transaction** is a transfer of resources, services or obligations between the Shire and the related party, regardless of whether a price is charged.

For the purpose of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting these criteria:

- Use of Shire owned facilities such as [Recreation Centre and oval, and Administration Centre (only if no fee is charged or discount rate provided)]
- Employee compensation whether it is for KMP or close family members of KMP
- Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement)
- Sale or purchase of any property owned by the Shire, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services.
- Private works or use of Council equipment in accordance with Policy 63 (only if no fee is charged or discount rate charged)

**Ordinary Citizen Transactions (OCT)** are those transactions that an ordinary citizen would undertake with the Shire and where the Shire can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Council declares that in its opinion, based on the facts and circumstances, the following OCT (that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make), no disclosure in the annual Related Party Disclosures - Declaration form will be required for the following transactions:

- Paying rates;
- Fines;
- Application fees for licences, approvals or permits;
- Fees and charges for Shire services and membership such as childcare, gym membership, pool membership, and Kids Central membership;
- Use of Shire owned facilities such as [Recreation Centre and oval, and Administration Centre (only if full fees are charged)]
- Attending Council functions that are open to the public.
- Sale of gravel and sand at market rates for civil works i.e. road construction or building works.
- Private works or use of Council equipment in accordance with Policy 63 (only if full fees are charged)

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

### **Disclosure Requirements**

For the purposes of determining relevant transactions above, elected Council members and key management personnel as identified above, will be required to complete a Related Party Disclosures - Declaration form annually.

#### **The Ordinary Citizen Transactions:**

- (a) **Non-material in Nature** - A KMP is not required to notify in a RPT Notification, and Council will not disclose in its financial statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature
- (b) **Material in Nature** - A KMP is required to notify in a RPT Notification, and Council will disclose in its financial statements related party transactions that are ordinary citizen transactions assessed to be material in nature.
- (c) **Materiality Assessment** - The Chief Executive Officer will review and assess the materiality of the related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the financial statements, having regard to the criteria specified.
- (d) **Information Extraction** - The Chief Executive Officer will identify and extract information specified in against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

***As a general rule, Council will utilise \$5,000 as the threshold for materiality.***

#### **Register of Relation Party Transaction**

1. Shire staff will maintain and keep up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including ordinary citizen transaction assessed as being material in nature) during the financial year.
2. The contents of the register of related party transactions must detail:
  - (a) The description of the related party transaction;
  - (b) The name of the related party;
  - (c) The nature of the related party's relationship with Council;
  - (d) Whether the notified related party transaction is existing or potential
  - (e) A description of the transactional documents the subject of the related party.

#### **Procedures**

The method for identifying the close members and associated entities of KMP will be by KMP self-assessment. KMPs have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMPs to provide details of Related Parties and Related Party Transactions to the Chief Executive Officer.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register held within the Corporate Services area.

Should a KMP have any uncertainty as to whether a transaction may constitute a Related Party Transaction they should contact the Manager Corporate Services who will make a determination.

#### **Confidentiality**

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands

### **LEGISLATIVE AND STRATEGIC CONTEXT**

- AASB 124 Related Party Disclosures

- Local Government Act 1995
- Local Government (Financial Management) Regulations 1996
- Related Party Disclosures – Disclosure Form

<b>POLICY TYPE:</b>	<b>GOVERNANCE</b>
<b>DATE ADOPTED:</b>	20/03/2018

<b>POLICY NO:</b>	<b>102</b>
<b>DATE LAST REVIEWED:</b>	15/05/2018

<b>LEGAL (PARENT):</b>	<i>Local Government Act 1995, S5.38</i>
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<b>LEGAL (SUBSIDIARY):</b>	Local Government (Administration) Regulations 1996 – R18D
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<b>DELEGATION OF AUTHORITY APPLICABLE:</b>
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<b>DELEGATION NO.</b>
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<b>ADOPTED POLICY</b>	
<b>TITLE:</b>	CEO Performance Review
<b>OBJECTIVE:</b>	To provide a consistent, transparent and accountable process through the use of clear guidelines regarding the annual review of the CEO's performance in accordance with the Local Government Act, the Regulations and the CEO's Contract

### **POLICY STATEMENT**

Council will conduct the performance of the CEO at least once in relation to every year of employment. The performance review is a confidential process and will be conducted according to the process set out in this policy.

### **RATIONALE**

The principles applied regarding the conducting of the Shire of Woodanilling CEO performance review include:

#### **Collaborative Process**

The performance review process must be a collaborative and constructive process between the Council and the CEO that is designed to enhance performance and provide guidance for the ensuing twelve months, using the Shire's Community Strategic Plan.

#### **Councillors**

Councillors must be prepared to take a corporate view of this process. The performance review process should be regarded as an opportunity to build relationships and to increase the effectiveness of individuals, systems and processes which will improve the performance and the profile of the Shire of Woodanilling.

Councillors participating in the review process need to have the following skill set:

- An ability to be fair and objective;
- Good communication skills;
- Preparation and evaluation skills;
- Avoid bias;
- Able to concentrate on outcomes;
- Negotiation skills.

#### **Council**

It is Council that establishes and conducts the performance review procedures.

#### **CEO**

The CEO has a statutory responsibility to advise Council that the performance review is required.

The CEO is to have equal input regarding the performance review process. This includes involving the CEO in:

- The setting of the performance review date(s);
- The development and setting of the Key Result Areas;
- Providing feedback on performance through answering the performance review questionnaire (performance review form) or through providing separate notes;
- Whether a facilitator will be used or not to assist with the performance review process;
- Providing a copy of the compiled Feedback Report to the CEO;
- The performance review interview; and

- Any matters post the performance review interview including remuneration and contractual matters and whether the performance review process can be improved.

**External Facilitator**

The external facilitator, if used, is required to facilitate the performance review process regarding their responsibilities under this policy.

**The Review Panel**

The Review Panel is required to undertake its responsibilities under this policy and use the Checklist in Attachment One to assist it with the performance review process.

**Contract**

The CEO’s contract contains the procedure regarding the format of the performance review:

CLAUSE	CONTRACT
<b>4.4</b>	<b>4.4 Procedure</b>
	Any performance review conducted shall take the format of the following procedure: 4.4.1 Agreed Key Result Areas shall be developed bi-annually and structured from Council’s adopted Strategic Community Plan. 4.4.2 If performance in any of the Key Result Areas is considered unsatisfactory by either party, specific examples illustrating the performance gap must be identified. 4.4.3 Key Result Areas should not be developed to cover all aspects of the position, only those which are most clearly linked to the achievement of the Council’s strategic objectives. It is important that these goals are tangible and measureable, and within the Chief Executive Officer’s area of control and authority. 4.4.4 A report should be prepared describing the assessment developed during the performance review, changes to be made, special tasks to be done, or decisions to follow as a result of the evaluation.

**Note:**

1. This procedure can only be varied by agreement between the Council and the CEO.
2. Developed under 4.4.1 means the status of the Key Result Areas (KRAs) i.e. how have the KRAs progressed and whether changes to the KRAs are required.

**STEPS OF THE PERFORMANCE REVIEW PROCESS**

In order to meet the requirements of the procedure set out in the CEO’s contract, the following steps shall be conducted:

1. Initial Key Result Areas (KPIs):
  - (a) Council to confirm the CEO’s contract contains Key Result Areas (KRAs) and a review process. This has regard to the initial KRAs agreed by both Council and the CEO. The KRAs are then reviewed at the CEO’s first performance review, and subsequent reviews.
2. Establish Review Procedures:
  - (a) Council, in conjunction with the CEO, to set the date for the performance review.
  - (b) Council to confirm that the Review Panel (The Panel) is to consist of the Shire President and Deputy Shire President. The Shire President is the chair of the Panel.
  - (c) Council to determine if an external facilitator is used to provide assistance as per the responsibilities outlines in this policy. If so, then the CEO must be consulted on whether they agree to the proposed external facilitator.
  - (d) The external facilitator is to develop the review questionnaire (topics of discussion that make up the performance review form) and the rating method used and agreed by Council.
3. Performance of the CEO:
  - (a) All councillors must be provided with an opportunity for feedback using the questionnaire.
  - (b) The CEO is to provide a self-assessment report based on the questionnaire and/or provide additional information through the report.
  - (c) A “Feedback Report” compiling the responses from the councillors and the CEO must be prepared for the Panel’s and CEO’s consideration regarding the performance review interview. The

Feedback Report also forms part of the report on the outcomes of the review for Council's consideration.

4. Prepare for Performance Review.
  - (a) The performance review interview to be scheduled and all parties advised by the external facilitator.
  - (b) The performance review venue to be set up by the chair of the Review Panel.
5. Conduct Performance Review.
  - (a) The performance review interview conducted as follows:
    - i. Questionnaires distributed by the external facilitator to all councillors and the CEO:
      - Councillors complete questionnaire.
      - CEO completes questionnaire and/or provides further report.
    - ii. Responses are collated and a "Feedback Report" prepared by the external facilitator prior to the day of the performance review. The Feedback Report is then provided to the CEO and the Panel;
    - iii. Facilitator meets with CEO and conducts briefing on the process for the performance review interview.
    - iv. Facilitator meetings with Review Panel and briefs the members on the process for the performance review interview.
    - v. Performance review interview is conducted, facilitated by the external facilitator.
    - vi. The Key Result Areas (performance measures) for the next 12 months are discussed and agreed.
    - vii. If an external facilitator is not used, then the Shire President performs the functions allocated to the external facilitator.
  - (b) A report must be prepared by the Review Panel to Council on the performance review outcomes. This can also include the matters outlined in 5c and 5d.
  - (c) Subsequent remuneration and/or contractual matters are then scheduled for consideration by the Review Panel.
  - (d) The performance review process is to be reviewed by the Review Panel and improvements incorporated for subsequent reviews.

## **SCOPE**

This policy applies to the conduct of CEO performance appraisals.

## **DEFINITIONS**

**CEO** means the CEO of the Shire of Woodanilling.

**Key Result Areas** also known as Key Performance Indicators (KPIs). These are both strategic (relate to more than one year) and tactical (generic or more immediate e.g. leadership and management capability) in nature and must refer to the Strategic Community Plan.

**Local Government** in this context means the Council at the Shire of Woodanilling, as it is the only body which can make a decision regarding the CEO's employment and performance.

## **LEGISLATIVE AND STRATEGIC CONTEXT**

**Local Government Act 1995:**

***S5.38. Annual review of certain employees' performances***

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of employment.

***S5.39(1), (2) and (3). Contracts for CEOs and Senior Employees***

These sub-sections of the Act mandate that the CEO must have their employment governed by a contract and performance criteria set for the purpose of reviewing the CEO's performance.

***Local Government (Administration) Regulations 1996:***

***R18D. Performance review of CEO, local government's duties as to***

A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review

**ASSOCIATED DOCUMENTS**

- CEO's Contract of Employment regarding performance review matters.
- Policy 54 – Purchasing Policy regarding appointment of an external facilitator.

**ATTACHMENT**

A checklist to assist with the CEO Performance Review Process is provided in Attachment One

**REVIEW HISTORY**

**ATTACHMENT ONE – CEO PERFORMANCE REVIEW CHECKLIST**

ACTION	RESPONSIBILITY (Where Appointed)				Done (✓ or ✗)
	Council	CEO	Panel	Facilitator	
Does the CEO's contract contain performance measures and an appraisal process?	✓				
Has the commencement of the appraisal process been put in the diary?	✓	✓			
Council has determined who will conduct the appraisal process: Appointed Committee; or, all Elected Members	✓				
Will an external facilitator be used?	✓				
Does the CEO agree to the external facilitator?	✓	✓			
The appraisal questionnaire been prepared. A rating method has been agreed.	✓			✓	
Have all Elected Members been provided with opportunity to provide feedback?	✓		✓	✓	
Has the CEO provided a Self-Assessment report?		✓			
A working report/feedback report has been prepared	✓		✓	✓	
The appraisal interview has been scheduled and all parties have been advised.	✓		✓	✓	
The appraisal interview venue has been set up.	✓		✓	✓	
The appraisal interview has taken place	✓	✓	✓	✓	
Performance measures for the next 12 months have been discussed and agreed.	✓	✓	✓	✓	

ACTION	RESPONSIBILITY (Where Appointed)				Done (✓ or ✗)
	Council	CEO	Panel	Facilitator	
Subsequent remuneration and / or contractual matters have been scheduled for consideration	✓		✓	✓	
A report to Council on the appraisal outcome has been prepared	✓		✓	✓	
The appraisal process has been reviewed and improvements incorporated for subsequent appraisals.	✓	✓	✓	✓	

(Source: WALGA CEO Performance Appraisals – Elected Member Training 2016)