



# Shire of Dalwallinu

## Register of Policies



Reviewed March 2023

DOCUMENT CONTROL			
Version	Approved by		Next Review Date
	Name	Title/Resolution	
1	Council	M8814 – Annual Review 18 April 2017	March 2018
2	Council	M9129 – Annual Review 27 March 2018	March 2019
3	Council	M9342 – Annual Review 26 March 2019	March 2020
4	Council	M9556 – Annual Review 26 April 2020	March 2021
5	Council	M9688 – Annual Review – 23 March 2021	March 2022
6	Council	M9885 – Annual Review – 22 March 2022	March 2023
7	Council	M10059 – Annual Review – 28 March 2023	March 2024
Document Version	Date of Amendment	Amendment details	
1	27 June 2017	Addition of Policy 3.9 – Overdue Rates and Charges Collection (M8841)	
1	27 June 2017	Addition of Policy 3.10 – Medical Centre – Private Billing (M8842)	
1	27 June 2017	Addition of Policy 4.10 – Unfit for Work (M8846)	
2	25 July 2017	Amendment of Policy 3.10 - Medical Centre – Private Billing (M8864)	
3	22 August 2017	Addition of Policy 3.11 – Related Party Disclosures (M8891)	
4	27 September 2017	Addition of Policy 3.12 – Purchasing Shire owned properties by staff members (M9007)	
5	28 November 2017	Addition of Policy 5.16 – Waste Management (M9054)	
6	19 December 2017	Amendment of Policy 1.11 - Honorary Freeman of the Municipality	
7	27 March 2018	Addition of Policy 3.13 – Debt Collection – Sundry debtors (M9129)	
7	27 March 2018	Addition of Policy 4.11 – Staff Uniforms (M9129)	
7	27 March 2018	Addition of Policy 5.17 – Infrastructure Bonds (M9129)	
7	27 March 2018	Addition of Policy 7.13 – Social Media (M9129)	
7	27 March 2018	Amendment of Policy 4.1 – Staff Housing Rental Subsidy (M9129)	
8	26 June 2018	Addition of Policy 6.6 – Trading in Public Places (M9183)	
9	28 August 2018	Amendment of Policy 4.10 – Drug & Alcohol (M9231)	
9	28 August 2018	Addition of Policy 4.12 - Disciplinary Action (M9231)	
9	28 August 2018	Addition of Policy 4.13 – Grievances, Investigations & Resolution (M9231)	
10	18 December 2018	Addition of Policy 7.14 – 24/7 Gymnasium (M9297)	
11	26 March 2019	Amendment of Policy 1.5 – Christmas/New Year Closure of Council Facilities (M9342) – <i>Exclusion of Dalwallinu Medical Centre</i>	



Document Version	Date of Amendment	Amendment details
11	26 March 2019	Amendment of Policy 1.6 – Members Travel Expenses (M9342) - <i>Removed reference to the Committee meetings</i>
11	26 March 2019	Amendment of Policy 2.4 – Community Grants Scheme(M9342) – <i>Current policy expended on to explain eligible and ineligible projects and amendment made to remove “capital infrastructure”.</i>
11	26 March 2019	Revocation of Policy 3.6 - Payment of Fees – Dalwallinu and Kalannie Caravan Parks (M9342) – <i>Fees for Kalannie are honour system.</i>
11	26 March 2019	Revocation of Policy 3.10 – Medical Centre Billing (M9342) – <i>“No longer applicable.”</i>
11	26 March 2019	Amendment of Policy 3.13 - Debt Collection – Sundry Debtors M9342) – <i>“Removed reference to Medical centre.”</i>
11	26 March 2019	Amendment of Policy 4.1 – Voluntary Service (M9342) – <i>“Amended to clarify extent of volunteer service.”</i>
11	26 March 2019	Amendment of Policy 4.3 - Staff Housing – Rental Subsidy (M9342) – <i>“Amended to allow the Chief Executive Officer the right to terminate the eligibility for the rebate should the Shire property not be well maintained and to include ‘will be subject to six month rental inspections’.”</i>
11	26 March 2019	Amendment of Policy 4.4 - Designated Senior Employee (M9342) – <i>“Amended ‘Manager Regulation &amp; Development Services’ to ‘Manager Planning &amp; Development Services’.”</i>
11	26 March 2019	Amendment of Policy 4.5 - Water Consumption for Council Staff Houses (M9342) – <i>“Amended to allow the Chief Executive Officer to charge the tenant for water usageshould the gardens not be maintained (lawns green and mowed, gardens weeded.)”</i>
11	26 March 2019	Revocation of Policy 7.8 - Dalwallinu Caravan Park Overflow (M9342) – <i>“No longer required”</i>
11	25 June 2019	Amendment to Policy 3.2 Significant Accounting Policies
11	12 August 2019	Amendment to Policy 7.11 Risk Management Policy - updated Australian Standard.
12	24 September 2019	New Policy – 4.14 Secondary Employment
13	28 July 2020	Revocation of Policy - 6.3 Development of Moveable Buildings – Including Relocated Buildings (M9588)
13	28 July 2020	New Policy – 1.18 Elected Members Continuing Professional Development.
14	23 March 2021	Amendment to Policy 1.6 - Members Travel Expenses - to Reflect the Salaries and Allowances tribunal determination
14	23 March 2021	Policy 1.9 – Code of Conduct - Repealed and replaced by new Code of Conduct for Council Members (Adopted Feb 21 OCM)
14	23 March 2021	Amendment to Policy 1.14 – Occupational Health and Safety - Inclusion of wording relating to OSH Inductions for Contractors and Employees
14	23 March 2021	New Policy – 1.19 Appointing an Acting CEO as required under section 5.39C of the <i>Local Government Act 1995</i>



Document Version	Date of Amendment	Amendment details
14	23 March 2021	New Policy – 1.20 Complaints Management
14	23 March 2021	Amended 3.2 – Significant Accounting Policies - Removed reference to fair value revaluations for Plant and Equipment – no longer applicable
14	23 March 2021	Amended 3.14 – Financial Hardship – Amended as required for DWER Water License. Removed any reference to Covid-19 pandemic.
14	23 March 2021	Amended 4.15 – Employee Professional Development – to include a provision for when Officers stay at their own accommodation or with friends and family. Potentially a cost saving for Shire.
14	23 March 2021	Amended 7.14 – 24/7 Gymnasium – Amended to include different membership options to the gymnasium. Included a 6 and 3 month option. Plus the ability for the CEO to suspend memberships when members go on leave.
14	23 March 2021	New Policy – 7.15 –CCTV on Shire Facilities
14	23 March 2021	All references to Deputy Chief Executive Officer have been deleted from Policy.
15	12 May 2021	Amended 1.6 – Member’s Travel Expenses. Updated reference to Local Government Officer’s (Western Australia) Interim Award 2011 to Local Government Officer’s (Western Australia) Award 2021.
16	24 August 2021	New Policy – 4.16 GPS Fleet Tracking
16	24 August 2021	New Policy – 5.18 Road Safety Audit
17	22 March 2022	Amended 1.14 Occupational Safety and Health (OSH) Act 1984 Act amended to Work Health and Safety Act 2020
17	22 March 2022	Amended 5.8 – Road Classifications amended as per Council Workshop August 2021
17	22 March 2022	New Policy 1.21 Flag Protocol
18	26 July 2022	New Policy 1.22 Bush Fire Brigade Management
19	23 August 2022	Amended Policy 3.8 Corporate Credit Card (M9955) to include prohibited use of credit card
19	23 August 2022	Amended Policy 5.12 Deep Drainage (M9953)
20	27 September 2022	New Policy 1.23 Publishing of Public Consultation
21	28 March 2023	Annual Policy Review – (M10059)
21	28 March 2023	Amended 1.14 Work Health & Safety Act 2020 – Inclusion of the word “volunteers” in last sentence – (M10059)
21	28 March 2023	Amended 4.5 Water Consumption for Council Staff Houses – A capped amount of \$850 per financial year has been added into the policy – (M10059)
21	28 March 2023	Amended 5.8 Road Classification - Removed Dalwallinu North Rd from “C” class road as already listed as a “B” Class road – (M10059)



Document Version	Date of Amendment	Amendment details
21	28 March 2023	Amended 7.1 Harvest Bans – Inclusion of Boxing Day – (M10059)
21	28 March 2023	Amended 7.14 24/7 Gymnasium - Inclusion of persons between the age of 12 – 18 as long as accompanied by a member at all times; Inclusion of Corporate membership into the Policy (M10059)
22	27 June 2023	New Policy – 1.24 Elected Members discount – Dalwallinu Gymnasium and Aquatic Centre (M10097)
22	27 June 2023	New Policy – 4.17 Employee discount – Dalwallinu Gymnasium and Aquatic Centre (M10097)
23	24 October 2023	Reviewed Policy 1.18 – Elected Members Continuing Professional Development (M10156) No changes were made.



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# 1. Governance



## 1.1 Policy Manual Amendments

Policy	Additions, deletions or amendment to Council Policy shall only be effected by a specific Council resolution stating the proposed policy and that the manual be updated.
Objective	To ensure that the Policy Manual is up to date, relevant and reflects only Council’s specific instructions.
Guidelines	If it is not in the Policy Manual, it may be usual practice, but it is not Policy. Unless it is specifically stated that the authority is to be included in the Policy Manual, it will be assumed that the authority to act is for a specific matter and not a general or ongoing Policy.

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.2 Elected Members Fees & Allowances

Policy	<p>Elected Members Fees and Allowances are set annually during budget deliberations.</p> <p>The Elected Members Fees, President’s and Deputy President’s allowance, as set in Council’s annual budget, is to be paid quarterly in arrears.</p>
Objective	<p>To ensure that the Elected Members Fees &amp; Allowances are paid at regular intervals.</p>
Guidelines	<p>Payment arranged by the Manager Corporate Services.</p> <p>Payment to be made quarterly.</p> <p><i>Local Government Act 1995 – Section 5.98(5)</i> <i>Local Government (Administration) Regulations – Reg 33</i></p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### 1.3 Council Committee Reception Area

Policy	The Council Committee/Reception area is to be used only for Council related activities.
Objective	To control access and use of Council facilities.
Guidelines	Activities not clearly meeting the criteria, but involving a Councillor or staff member, may be approved by the President or Chief Executive Officer.

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.4 Administration Centre Opening Hours

Policy	The Administration Centre shall be open to the general public from 8.30am to 4.30pm, five (5) days per week, excluding weekends, public holidays and the Christmas closure period.
Objective	To control access and use of Council facilities.

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 1.5 Christmas/New Year Closure of Council Facilities

Policy	<p>The Administration Centre, Discovery/Library and Depot will be closed for business from 3.00pm on the last working day before Christmas and re-open on the first working day following New Year’s Day.</p> <p>Shire employees will take leave entitlements during this closure period for those days that are not designated public holidays.</p> <p>An outside skeleton crew is to be on duty during this closure period.</p>
Objective	<p>This policy is for the authorisation for the Administration Centre, Discovery/Library and Depot to close over the Christmas and New Year period.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 1.6 Members Travel Expenses

Policy	<p>Council shall reimburse Members for travel to Council meetings and other Council business approved by Council or the President.</p> <p>Reimbursement of travel expenses referred to in Reg 31(1)(b) of the <i>Local Government (Administration) Regulations 1996</i>, if claimed by the Councillor, is to be made in accordance with the <i>Local Government Officers' (Western Australia) Award 2021</i>.</p> <p>Reimbursement of travel expenses referred to in Reg 32(1) of the <i>Local Government (Administration) Regulations 1996</i>, if claimed by the Councillor, is to be made in accordance with the <i>Public Service Award 1992</i>.</p> <p>The rates in Schedule F – Motor Vehicle Allowance are to be as per the South West Land Division.</p> <p>Claims will be reimbursed on a quarterly basis in the months of July, October, January and April.</p>
Objective	To set Councillor's expense parameters when travelling on official business.
Guidelines	Claims for expenses are to be forwarded to the Manager Corporate Services.

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Amended May 2021 (WAIRC) – 29 April 2021</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>





## 1.7 Elected Members Conference/Course Attendance and Partners Expenses

Policy	<p>Council shall pay registration fees for elected members attending approved conferences.</p> <p>Council shall not pay conference registration fees for partners.</p>
Objective	To clarify what costs can be incurred/recouped by elected members.
Guidelines	Members wishing to attend a course/conference will obtain a Council resolution at a convened meeting. Elected members will seek authority from the Shire President and Chief Executive Officer before committing approval of registration.

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 1.8 Elected Members Accommodation/Meal Expenses

Policy	<p>Council shall pay all accommodation costs for elected members and partners plus in house meal expenses up to \$200 per day.</p> <p>On those days where no accommodation is required, meal expenses as evidenced by receipts, shall be reimbursed.</p> <p>Council shall pay WALGA conference dinner expenses for elected members and partners subject to prior approval by Council.</p>
Objective	To clarify what costs can be incurred/recouped by elected members.
Guidelines	<p>Members wishing to attend a course/conference will obtain Council resolution at a convened meeting of Council prior to committing to attend.</p> <p>In circumstances requiring a decision before the next monthly Council meeting, elected members will seek authority from the Shire President and Chief Executive Officer.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 1.9 REVOKED - Code of Conduct

POLICY REVOKED – MARCH 2021 (M9688)

REASON – Replaced by new Code of Conduct for Council Members (Adopted February 21 Ordinary Council Meeting)



## 1.10 Legal Representation Cost Indemnification

### Policy

The Shire may provide financial assistance to elected members and employees in connection with the performance of their duties provided that the elected member or employee has acted reasonably and has not acted dishonestly, against the interest of the Shire or otherwise in bad faith.

The Shire may provide such assistance in the following types of legal proceedings:

- Proceedings brought by elected members and employees to enable them to carry out their local government functions (e.g. where an Elected member or employee seeks a restraining order against a person using threatening behaviour)
- Proceedings brought against Elected Members or employees (this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development applications) or where the conduct of an Elected member or employee in carry out his or her functions is considered detrimental to the person (e.g. defending defamation actions).
- Statutory or other inquiries where representation of an Elected member or employee is justified.

The Shire will not support any defamation actions seeking the payment of damages for individual Elected Members or employees in regard to comments or criticisms levelled at their conduct in the respective roles. Elected members or employees are not precluded, however, from taking their own private action. Further, the Shire, through the Chief Executive Officer, may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

The legal services, the subject of assistance under this policy will usually be provided by the Shire's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest, then the service may be provided by other solicitors at the Chief Executive Officer's discretion.

### **Applications for financial assistance**

1. Decisions as to financial assistance under this policy are to be made by Council.
2. An Elected member or employee requesting personal financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Chief Executive Officer, providing full details of the circumstances of the matter and the legal services required.
3. 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.



4. An Elected 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*.
5. Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give authorisation to the value of \$5,000.
6. Where it is the Chief Executive Officer which is seeking urgent financial support for legal services, the Council shall deal with the application.
7. The Elected member or employee shall sign an agreement between him or her and the Shire, agreeing that the financial assistance shall be provided on the terms and conditions of this policy.

**Repayment of assistance**

1. Any amount recovered by an Elected member or employee in proceedings, whether for costs or damages, will be off set against any monies paid or payable by the Shire.
2. Assistance will be withdrawn where the Council determines, upon legal advice that a person has acted dishonestly.
3. Where assistance is so withdrawn, the person who obtained financial support is to repay any monies already provided. The Shire may take action to recover any such monies in a court of competent jurisdiction.

**Objective**

This policy aims to protect the interests of individual Elected members and employees (including past elected members and former employees), where they become involved in civil legal proceedings because of their official functions. In most situations, the Shire may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case, it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the Shire of Dalwallinu.

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 1.11 Honorary Freeman of the Municipality

Policy Subject to the eligibility and selection criteria of this policy being met, Council may, by resolution, confer the title of ‘Honorary Freeman of the Municipality’ or ‘Freeman of the Municipality’ to a person who has rendered exceptional services to the community.

The process for nomination and selection for the title are as follows:

### ***Eligibility Criteria for ‘Freeman of the Municipality’***

Nominees for the conferring of the title ‘Freeman of the Municipality’ should have lived within the Shire of Dalwallinu for a significant number of years (significant is taken to mean at least twenty (20) years) and who have given extensive and distinguished service to the community (e.g. service to other organisations, voluntary and community groups) in a largely voluntary capacity.

### ***Selection Criteria***

Nominees are to be judged on their record of service to the community. The selection criteria are to include:

- a) Length of service in a field (or fields) of activity;
- b) Level of commitment to the field (or fields) of activity;
- c) Personal leadership qualities;
- d) Benefits to the community of the Shire of Dalwallinu resulting from the nominee’s work;
- e) Specific achievements of the nominee

### ***Nomination Procedure***

- a) Nominations are to be made by Elected members, individuals or organisations and are to be supported by at least one third of the number of Elected members of the Shire of Dalwallinu;
- b) Nominations are to be made in the strictest confidence without the knowledge of the nominee;
- c) On receipt of a nomination, the Chief Executive Officer is to present an agenda item to Council. The matter is to be considered behind closed doors;
- d) Once Council has accepted the nomination, the nominee shall be contacted by the Chief Executive Officer on a confidential basis to determine whether the award will be accepted. Should a nominee decline to accept the award, all Elected members will be informed and the matter will lapse;
- e) Once a nomination has been accepted by Council, the nominees and any person(s) or organisation(s) involved in the nomination are to be informed of the decision and a media release is to be distributed.



### ***Title of 'Honorary Freeman of the Municipality'***

A person who has acted as President of the Shire of Dalwallinu for a period of eight (8) consecutive years is to be made an Honorary Freeman automatically in recognition of their service and leadership given to the Shire.

A person who has acted as an Elected member at the Shire of Dalwallinu for a period of twenty (20) years is to be made an Honorary Freeman automatically in recognition of their service and leadership given to the Shire.

### ***Awarding the Titles***

The formal conferring of these titles is to be carried out with a reception by Council. This may be a special reception for this purpose, or the ceremony may form a focal point of any other suitable reception host by Council. The decision on the occasion and format of the ceremony is to rest with the President, in consultation with the Chief Executive Officer.

### ***Privileges***

The recipient shall be presented with a special badge depicting 'Honorary Freeman' or 'Freeman of the Shire', together with a plaque and certificate to commemorate receiving the award.

The successful nominee is to have their name displayed on the Shire's Honour Board.

Freeman and Honorary Freeman shall be invited to attend civic functions of the Shire at the discretion of the President.

### ***Revocation of Title of Freeman or Honorary Freeman***

Council, by resolution, shall have the ability to revoke the title bestowed upon a person if;

A criminal matter for which the Freeman or Honorary Freeman in question was found guilty of, or for any other matter, was considered by Council to have caused embarrassment to the Shire or that the ongoing recognition of such a title on this person by the Shire was inappropriate.

The removal of the name from the Honour Board and other places and any other such items will be at the discretion of Council and conducted through liaison with the Chief Executive Officer.

Objective	This policy stipulates the procedure for the nomination, selection and awarding of the prestigious title to a person designated as 'Honorary Freeman' or 'Freeman' of the Shire of Dalwallinu.
Guidelines	This policy may bestow the title upon any person who has served the Shire of Dalwallinu community in an exceptional and meritorious manner, and whose activities have substantially improved the quality of life of the Shire's residents.



**Freeman** means a person which has been bestowed certain privileges by the Shire.

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)





## 1.12 Use of Common Seal

Policy	A document is validly executed by the Shire of Dalwallinu when the seal of the Shire is affixed to it by the President and the Chief Executive Officer, and the President and Chief Executive Officer attest the fixing of the seal.
Objective	To validate the procedure for the executive of legal documents.
Guidelines	The authority to affix the Common Seal must be by Council Resolution. ( <i>Local Government Act 1995 – Section 9.49A (2)</i> ).

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### 1.13 Council Blazers

Policy	Council shall provide a blazer with the Shire of Dalwallinu logo on the pocket to each elected member.
Objective	To provide uniform attire for Members reflecting their office as a Councillor.
Guidelines	After (8) years' service, when re-elected for a further term, should the original blazer show significant wear and deterioration, it is considered appropriate that it be replaced.

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Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.14 Workplace Health & Safety

Policy	<p>The Shire of Dalwallinu regards the promotion of sound and effective Workplace Health &amp; Safety practices as a common objective for the Chief Executive Officer, Managers, Supervisors, Employees and Contractors.</p> <p>This policy is to ensure that every employee and contractor works in an environment where direct efforts are made to prevent accidents, injury and disruption to employee’s health from foreseeable work hazard.</p>
Objective	<ul style="list-style-type: none"> <li>• Providing and maintaining a safe working environment;</li> <li>• Providing adequate training and instruction to enable employees to perform their work safely and effectively;</li> <li>• Investing all actual and potentially injurious occurrences in order to eliminate the cause, and reduce the level of risk;</li> <li>• Compliance with As/NZs 4801 Occupational Health and Safety management Systems audit tool;</li> <li>• Compliance with <i>Work Health and Safety Act 2020</i>, 2005 amendments and Regulations 1995, relevant WHS Australian Standards, Codes of Practice and Guidance Notes.</li> </ul>
Guidelines	<p>Local Government Insurance Services Work Health and Safety Management Systems Manual.</p> <p>Part A &amp; Part B WHS Inductions for Contractors, Employees and Volunteers.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Amended March 2022 (M9885)</p> <p>Amended March 2023 (M10059)</p>



## 1.15 Media and Communications

Policy	The President is the spokesperson on all Local Government policy and decision making matters and the Chief Executive Officer is the spokesperson on all administration matters.
Objective	To ensure that a consistent message is portrayed to the media and community.
Guidelines	<p>The role of the President is to speak on behalf of the Local Government (<i>Local Government Act 1995 – Section 2.8(1)(d)</i>)</p> <p>The purpose is for a single person to provide a consistent explanation and be answerable to Council for its accuracy and consequences. All media releases are to be authorised by the President and no comments are to be provided by other Shire persons as background information, even if comments are deemed to be off the record.</p> <p>The role of the Chief Executive Officer is to officially advise the parliamentarians, government agencies, affected parties and the public of Council policy and to refrain from engaging in discussion or debate on the merits or otherwise of Council motions/policy. The Chief Executive Officer is to be responsible for the public communications necessary to implement and administer Council motions/policy and be the Shires spokesperson on all administration matters.</p> <p>The Chief Executive Officer is to ensure that Council is provided with general details of the Facebook communications, the resources that are required to maintain it and whether it provides a useful purpose.</p>

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.16 Gravel Quarry Pits

Policy	A gravel quarry plan is to be developed for each gravel pit before the commencement of the removal of gravel.
Objective	To ensure that gravel pits are rehabilitated correctly at the end of their life.
Guidelines	<p>Before commencement of a new gravel pit, a plan is to be developed addressing the following issues:</p> <ul style="list-style-type: none"> <li>• The removal, storage and retention of the topsoil</li> <li>• The proposed replacement of the topsoil at the end of the useful pit life</li> <li>• The expected rehabilitation outcome.</li> </ul>

Person Responsible	Manager Works & Services
History	<p>Reviewed April 2016  Reviewed April 2017 (M8814)  Reviewed March 2018 (M9129)  Reviewed March 2019 (M9342)  Reviewed May 2020 (M9556)  Reviewed March 2021 (M9688)  Reviewed March 2022 (M9885)  Reviewed March 2023 (M10059)</p>



## 1.17 Attendance at Events by Elected Members, Chief Executive Officer & Employees

### Policy

This policy applied to Elected Members, the Chief Executive Officer and all employees of the Shire of Dalwallinu (the Shire) in their capacity as an Elected Member or employee of the Shire.

Elected Members, the Chief Executive Officer and Managers occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community. The event may be a paid event or a ticket/invitation may be gifted in kind, or indeed it may be to a free/open invitation for the community in general.

#### 1. Pre- Approved Events

In order to meet the policy requirements, tickets and invitations to events must be received by the Shire (as opposed to in the name of a specific person in their role with the Shire).

Note: Individual tickets and associated hospitality with a dollar value above \$500 (inclusive of GST and if relevant, travel) provided to the Shire are to be referred to Council for determination.

The Shire approves attendance at the following events by Elected Members, the Chief Executive Officer and employees of the Shire:

1. Advocacy, lobbying or Members of Parliament or Ministerial briefings (Elected Members, the Chief Executive Officer and Managers only);
2. Meetings of clubs or organisations within the Shire of Dalwallinu;
3. Any free event held within the Shire of Dalwallinu;
4. Australian or West Australian Local Government events;
5. Events hosted by Clubs or Not for Profit Organisations within the Shire of Dalwallinu to which the Shire President, Elected Members, Chief Executive Officer or employee has been officially invited;
6. Shire hosted ceremonies and functions;
7. Shire hosted events with employees;
8. Shire run tournaments or events;
9. Shire sponsored functions or events;
10. Community art exhibitions within the Shire of Dalwallinu or district;
11. Cultural events/festivals within the Shire of Dalwallinu or district;
12. Events run by a Local, State or Federal Government;
13. Events run by schools within the Shire of Dalwallinu;
14. Major professional bodies associated with local government at a local, state or federal level;
15. Opening or launch of an event or facility within the Shire of Dalwallinu or district;
16. Events run by WALGA, LGIS or a recognised WA based local government professional association;



17. Where Shire President, Elected Members or Chief Executive Officer representation has been formally requested.

All Elected Members, the Chief Executive Officer and employees with the approval of the Chief Executive Officer or their respective Manager, are entitled to attend a pre-approved event.

If there is a fee associated with a pre-approved event, the fee, including the attendance of a partner, may be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under clause 4 of this policy.

If there are more Elected Members than tickets provided, then the Shire President shall allocate the tickets.

## **2. Approval Process**

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event as follows:

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for Elected Members may be approved by the Shire President;
- Events for the Chief Executive Officer may be approved by the Shire President; and
- Events for employees shall be approved by the Chief Executive Officer.

Considerations for approval of the event include:

- Any justification provided by the applicant when the event is submitted for approval;
- The benefit to the Shire of the person attending;
- Alignment to the Shire's strategic objectives;
- The number of Shire representatives already approved to attend.

When an Elected Member has an event approved through this process and there is a fee associated with the event, then the cost of the event, including the attendance of a partner, is to be paid out of the Members Receptions budget.

Where the Chief Executive Officer or employee has an event approved through this process and there is a fee associated with the event, then the cost of the event is to be paid for out of the Shire's relevant budget line.

## **3. Non-Approved Events**

Any event that is not pre-approved, is not submitted through any approval process or is received personally is considered a non-approved event.

If the event is a free event to the public then no action is required;



If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays the full ticketed price and does not seek reimbursement, then no action is required;

If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays a discounted rate, or is provided with a free ticket(s) with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within ten (10) days to the Chief Executive Officer (or President for the Chief Executive Officer) if the discount or free value is greater than \$50 for employees, other than the Chief Executive Officer, and greater than \$300 for Elected Members and the Chief Executive Officer.

#### **4. Conference Registration, Bookings, Payments and Expenses**

Shall be dealt with in accordance with Council Policy 1.7, 1.8 and 4.15.

#### **5. Dispute Resolution**

All disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Elected Members and the Chief Executive Officer and the Chief Executive Officer in relation to other employees.

#### **PROCEDURES**

Organisations that desire attendance at an event by a particular person (s), such as the President, Deputy President, Elected Member, Chief Executive Officer or particular officer of the Shire, should clearly indicate that on the offer, together with what is expected of that individual, should they be available and whether the invite/offer or ticket is transferable to another Shire representative.

Free or discounted invitations/offers or tickets that are provided to the Shire without denotation as to who they are for, are to be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

#### **Forms and Templates**

Declaration of Gifts/Contributions to Travel Form is required to be completed and lodged within ten (10) days if the gift is provided in their name due to or part of their role with the Shire of Dalwallinu as follows:

- If the gift is provided to the Elected Member and the discount or free value is over \$300 (inclusive of GST), with the Chief Executive Officer;
- If the gift is provided to the Chief Executive Officer and the discount or free value is over \$300 (inclusive of GST) with the Shire President; and





- If the gift is provided to an employee, other than the Chief Executive Officer, and the discount or free value is over \$50 (inclusive of GST) with the Chief Executive Officer.

#### Objective

The Shire of Dalwallinu is required under the *Local Government Act 1995* to approve and report on attendance at events for Elected Members and the Chief Executive Officer. The purpose of this policy is to outline the process associated with attendance at an event.

This policy addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of Elected Members, the Chief Executive Officer and other employees.

Attendance at an event in accordance with this policy will exclude the gift holder from the requirements to disclose a potential conflict of interest if the ticket is above \$300 (inclusive of GST) and the donor has a matter before Council. Any gift received that is \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

#### Note:

If an Elected Member receives a ticket in their name, in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.

Whilst the law permits gifts greater than \$300 to be accepted by the Chief Executive Officer (but not other employees), in their role with the Shire, the Chief Executive Officer and all other employees, by operation of this policy, are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event, or as a gift pursuant to Section 5.50 of the *Local Government Act 1995* (gratuity on termination).

If the Chief Executive Officer or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct re notifiable and prohibited gifts.

Nothing in this policy shall be construed as diminishing the role of the Chief Executive Officer in approving attendance at activities or events by other employees that in the opinion of the Chief Executive Officer are appropriate, relevant and beneficial to the Shire of Dalwallinu and its employees.

#### Guidelines

##### Definitions

District: is defined as the Wheatbelt region of Western Australia



Elected Members: includes the Shire President and all Elected Members

In accordance with Section 5.90A of the *Local Government Act 1995*, an event is defined as a:

- Concert
- Conference
- Function
- Sporting Event
- Occasions prescribed by the *Local Government (Administration) Regulations 1996*

Person Responsible	Chief Executive Officer
History	New Policy February 2020 (M9508) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.18 Elected Members Continuing Professional Development

### Policy

The Shire of Dalwallinu recognises the importance of providing Elected Members with the knowledge and resources that will enable them to fulfil their role in accordance with statutory compliance and community expectations and make educated and informed decisions.

#### 1. Elected Members Mandatory Training

An Elected Member must complete the course titled *Council Member Essentials*, in accordance with section 5.126(1) of the *Local Government Act 1995 and the Local Government (Administration) Regulations 1996*, within a period of twelve (12) months beginning the day on which the Elected Member commences their term of office. The *Council Member Essentials* incorporates the following modules:

1. Understanding Local Government
2. Conflicts of Interest
3. Serving on Council
4. Meeting Procedures
5. Understanding Financial Reports and Budgets

The mandatory training is valid for five (5) years.

An Elected Member is exempt from the requirements outlined in section 5.126 (1) of the *Local Government Act 1995* if the Elected Member passed either of the following courses within the period of five (5) years immediately before the day on which the Elected Member commences their term of office:

- Council Members Essentials;
- 52756WA Diploma of Local Government (Council Member);
- The Elected Member passed the course titled LGASS00002 Council Member Skill Set before 1 July 2019 and within a period of five (5) years ending immediately before the day on which the Elected Member commences their term of office.

Council's preferred provider for the training is Western Australian Local Government Association (WALGA).

All modules and associated costs will be paid for by the Shire.

The Shire will publish, on the Shire's website, training undertaken by all Elected Members within one month after the end of the financial year pursuant to Section 5.127 of the *Local Government Act 1995*.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost efficient form of delivery. It is acknowledged however that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.



## **2. Elected Members Non Mandatory Training**

Training and professional development activities which this policy applies shall generally be limited to the following:

- WA Local Government Association (WALGA) and Australian Local Government Association (ALGA) conferences;
- Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important issues;
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities;
- Accredited organisations offering training relevant to the role and responsibilities of Elected Members;
- WALGA Council Member training and development;
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures etc;
- Subscriptions for professional memberships that assist an Elected Member in fulfilling their role on Council;
- Conferences or study tours that address the initiatives and projects that have been outlined in the Shire of Dalwallinu Strategic Community Plan, advocacy statements or Council resolutions.

## **3. Continuous Professional Development**

In accordance with section 5.128 of the *Local Government Act 1995*, Elected Members are encouraged to identify their individual continuing professional development needs to enhance their effectiveness and address skill gaps as required.

As the needs of individual Elected Members may vary, each Elected member is encouraged to seek the assistance of the Chief Executive Officer and President in analysing their particular requirements and in identifying appropriate courses, seminars and training to meet those ends.

In determining the professional development activities for individuals, Elected Members should consider the current or future strategic direction and activities of the Shire and its priorities and the skills that will be needed to give effect to the direction.

## **4. Budget Allocations**

Each year an allocation is made within the Shire of Dalwallinu Annual budget for Elected Members training.

## **5. Procedures**

Considerations for approval of the training or professional development activity include:



- The costs of attendance including registration, travel and accommodation, if required;
- The budget provisions allowed and the uncommitted or unspent funds remaining;
- Any justification provided by the applicant when the training request is submitted for approval;
- The benefits to the Shire of the person attending;
- Identified skills gaps of Elected Members both individually and as a collective;
- Alignment to the Shire’s Strategic Objectives; and
- The number of Shire representatives already approved to attend.

Consideration of attendance at training or professional development courses, other than the online Council Member Essentials, which are deemed to be approved, are to be assessed as follows:

- Events for the Shire President must be approved by the Deputy Shire president, in conjunction with the Chief Executive Officer; and
- Events for Elected Members must be approved by either the Council or the Shire President, in conjunction with the Chief Executive Officer.

**Objective**

To ensure that Elected Members of the Shire of Dalwallinu receive appropriate information and training to enable them to understand and undertake their responsibilities and obligations.

Person Responsible	Chief Executive Officer
History	New Policy July 2020 (M9598) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059) Reviewed October 2023 (M10156)



## 1.19 Appointing an Acting Chief Executive Officer

**Policy** Pursuant to Section 5.37 of the *Local Government Act 1995*, and as per Policy 4.4, the following employees are designated as senior employees –

- a) Manager Corporate Services
- b) Manager Works and Services
- c) Manager Planning and Development Services

For the purposes of Section 5.36(2) of the *Local Government Act 1995*, Council has determined that employees that are appointed in one of the above positions are suitably qualified to be appointed as Acting Chief Executive Officer by the Chief Executive Officer, from time to time, when the Chief Executive officer is on periods of leave, subject to the following conditions:

1. The Chief Executive Officer is not an interim Chief Executive Officer or Acting in the position;
2. The term of appointment is no longer than twenty (20) consecutive working days;
3. That the employee’s employment conditions are not varied other than the employee is entitled at the Chief Executive Officer’s discretion, no greater than the salary equivalent to that of the Chief Executive Officer during the Acting period.

In the case of the unavailability of the Chief Executive Officer due to an emergency, the Manager Works and Services is automatically appointed as the Acting Chief Executive Officer for up to two (2) weeks from commencement, and continuation is then subject to determination by Council.

**Objective** To determine the process for appointing an Acting Chief Executive Officer.

**Guidelines** *Local Government Act 1995*

Person Responsible	Chief Executive Officer
History	New Policy - March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.20 Complaints Management

### Policy

Complaints made by ratepayers, other members of the public (including Shire employees), public and private organisations and received at the Shire are to be responded to and dealt with in accordance with this policy.

#### 1. Scope

This policy applies to Shire employees designated to respond to complaints relating to alleged unsatisfactory service, misconduct or a breach of ethics, integrity and discipline.

#### 2. Definitions

**Complainant:** a ratepayer, member of the public, Shire employee, or an organisation (whether public or private) concerned or directly and adversely affected by an action or an event for which the Council and/or the Shire's CEO have responsibility and jurisdiction under the legislative framework governing the Shire

**Complaint:** an expression of dissatisfaction conveyed to the President, the Council, the CEO or the Shire relating to:

- An action, whether past, present or intended, or lack thereof; or
- A concern for a likelihood of an action or lack thereof,

That has adversely affected, is adversely affecting or is capable of adversely affecting the complainant, the Shire's ratepayers, members of the public or private or public organisations.

**Service or operations complaint:** A complaint related to the Shire's provision of ratepayer services

**Complaint about a breach of discipline or misconduct:** A complaint against an employee of the Shire who:

- disobeys a lawful order or instruction issued by the CEO or Shire senior employee;
- commits misconduct as defined in section 4 of the *Corruption and Crime Commission Act 2003*;
- is acting in contravention of the Shire of Dalwallinu Code of Conduct (Councillors and Employees);
- is acting in contravention of any provision of a federal, state or local law and/or Council policy applicable to a Shire employee; or
- is committing an act of victimisation within the meaning of the Public Interest Disclosure Act 2003.

**Misconduct:** breaches of discipline as described in:

- Section 4 of the *Corruption and Crime Commission Act 2003*
- Section 80 of the *Public Sector Management Act 1994*

**Complaint about a breach of Rules of Conduct:** a complaint against the President or one or more Councillors covered by the Local Government (Model Code of Conduct) Regulations 2021



**CEO:** the Chief Executive Officer of the Shire, being also the Complaints Officer in accordance with section 11(3) of the Model Code of Conduct and the principal officer of the Shire which is the notifying authority for the purposes of section 28 of the *Corruption and Crime Commission Act 2003*

**Employee:** a Shire employee of any category, including permanent, full, part-time or casual staff, temporary staff, volunteers, contractors and persons under work experience arrangements

### 3. Principles

Principles underlying this policy are:

- Commitment to providing quality services to the Shire’s ratepayers;
- Compliance with the local government legislative framework;
- Respect and sensitivity towards the needs of the Shire’s ratepayers;
- Transparency and accountability in the delivery of services; and
- Maintenance of confidentiality and respect for natural justice principles.

### 4. Complaints Processing

1. The Shire shall receive, investigate and undertake corrective action (if required) in response to a complaint depending on its type.
2. Complaints shall be dealt with in accordance with the Shire’s procedures as follows;
  - a) Complaints about service and operations shall be dealt with by the Managers of the relevant departments following whenever possible, the Complaint Management Procedures;
  - b) Complaints about breach of discipline shall be dealt with under the relevant discipline policy and procedures and provisions of any industrial relations instrument; and
  - c) Complaints about breach of Rules of Conduct shall be dealt with in accordance with the *Local Government (Model Code of Conduct) Regulations 2021* by the Complaints Officer.
3. In establishing the order in which complaints will be attended to, consideration will be given to the urgency of each complaint in terms of public safety implications, seriousness, frequency of occurrence, severity and the need and possibility for immediate action.

### 5. Employees Responsible

- 1) For the purposes of subclauses 4(1) and 4(2) of this policy, and consistent with section 5.43 of the *Local Government Act 1995*, the CEO is the appointed Complaints Officer and is the officer primarily responsible for complaints resolution.
- 2) For the purposes of subclause 4(3) and consistent with section 11.3 of the Model Code of Conduct, the CEO is the complaints officer for the purpose of complaints about breach of Rules of Conduct.

### 6. Timeliness Standards

- 1) All complaints submitted to the Shire must be acknowledged within three (3) working days.
- 2) All complaints submitted to the Shire must be responded to within ten (10) working days, either with a final solution or, if the





nature of the complaint requires a longer period to resolve, with an interim reply outlining the reason for the delay.

**7. Accessibility Standards**

- 1) Complaints related documentation, including the Code of Conduct and guidance documents on how to lodge a complaint, must be made readily available to ratepayers and other members of the public in paper and electronic format.
- 2) Provision must be made to accommodate persons with disabilities wishing to lodge a complaint.

**8. Right of Review**

Complainants dissatisfied with the way in which their complaint about a service, or operation, or breach of discipline was handled by the Shire may apply to the CEO for a review of the complaint handling process.

**9. Unreasonable, frivolous or vexatious complaints**

- 1) The Shire strives to provide ratepayers with high quality services, delivered equitably to all ratepayers and residents. Diversion of substantial resources to deal with unreasonable, frivolous or vexatious complaints is not in the interests of the community and cannot be justified.
- 2) Consistent with the views of oversight agencies such as the Ombudsman, the decision to restrict, withhold or withdraw the provision of services to a complainant will be taken if, and only if, the following conditions are met:
  - a. A review of the handling of the complaint indicates that the present policy and associated procedures were respected in all material particulars;
  - b. All elements of the complaint have been adequately addresses in accordance with their merit;
  - c. The behaviour of the complainant became so habitual, obsessive or intimidating that it constitutes an unreasonable demand on Shire resources;
  - d. The complainant was advised of other avenues for redress such as appealing to oversight agencies eg the Ombudsman; and
  - e. The CEO authorised the decision to restrict, withhold or withdraw the provision of complain services.

**10. Annual Review of Complaints**

For the purposes of the Shire's annual complaints management review, the Complaints Officer will compile a report to Shire management:

- a. Specifying the number and classification of all complaints received during that reporting cycle; and
- b. Listing the results of an in-depth analysis of the systemic, recurring and single incident problems and trends and potentially the identification of underlying causes of complaints;
- c. Containing quality indicators such as random sampling of complainants to gauge the level of ratepayer



- d. satisfaction with the management of complaints;
- e. Providing the results of audits of the complaints management function
- f. Including recommendations to management regarding the adequacy of the complaints management system and potential improvements to be considered;
- g. Recommending a set of complaints-related data and information to be included in the annual report;
- h. Analysing internal and external factors likely to impact on the complaints management process (changes in legislation, oversight agencies policies or community expectations);
- i. Submitting to management, any other information which may help identify opportunities to improve the efficiency and effectiveness of the Shire’s complaints handling processes and procedures.

**Objective** To provide guidance to Shire of Dalwallinu employees in dealing with complaints against the Shire.

**Guidelines** *Local Government Act 1995*  
*Corruptions and Crim Commission Act 2003*  
*Local Government (Model Code of Conduct) Regulations 2021*  
*Shire of Dalwallinu Code of Conduct*

Person Responsible	Chief Executive Officer
History	New Policy March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.21 Flag Protocol

Policy	<p>This policy applies to flags flown at the Shire Administration Centre in Dalwallinu. Order is relevant to the number of poles available at that site and does not insinuate a requirement for additional poles.</p> <p>The Australian National Flag is to be flown/displayed at the Shire Administration Centre in ordinary working hours on ordinary working days.</p> <p>Where additional flag poles exist, other flags may be flown/displayed in the following order of priority:</p> <ol style="list-style-type: none"> <li>1 Australian National Flag</li> <li>2 National Flags of other nations</li> <li>3 State and territory flags</li> <li>4 Other flags prescribed by the Flags Act 1953 (including Aboriginal flag and Torres Strait island flag)</li> <li>5 Ensigns and Pennants (including local government, private organisations, sporting clubs and community groups)</li> </ol> <p><b>Flying of flags</b></p> <p>Flags will be flown in accordance with the Australian National Flag Protocols.</p> <p><b>When flags may be flown at half-mast</b></p> <p>The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:</p> <ol style="list-style-type: none"> <li>i) To coincide with national, state or regionally significant events (generally at the behest of various levels of government protocol arrangements);</li> <li>ii) When a current or former Elected Member of the Shire of Dalwallinu passes away;</li> <li>iii) When a Freeman of the Shire of Dalwallinu passes away;</li> <li>iv) When a current Shire of Dalwallinu employee passes away;</li> <li>v) When a local citizen passes away (on the day of notification or part of the day of their funeral)</li> </ol> <p>Approval to fly the flags at half-mast must be given by the Chief Executive Officer.</p> <p>When a flag is flown at half-mast, acknowledgement for the reason is to be made via a post on the Shire of Dalwallinu’s Facebook page.</p>
Objective	To ensure that the Shire’s protocols and practices of flying, displaying and lowering flags to half-mast is exercised in a consistent, respectful and appropriate manner at Shire owned premises.
Guidelines	<p><i>Local Government Act 1995</i></p> <p><i>Flags Act 1953</i></p> <p>Department of Premier and Cabinet website</p> <p>Shire of Dalwallinu Flag Protocol</p>



Person Responsible	Chief Executive Officer
History	New Policy March 2022 (M9885) Reviewed March 2023 (M10059)



## 1.22 Bush Fire Brigades – Management

### Policy

#### 1. Legislative context

##### a) *Bush Fire Act 1954* –

The head of power for Council and Fire Control Officers (FCOs) to manage all fire related matters.

##### b) *Work Health and Safety Act 2020* –

In place since 2020, this Act is often ignored or overlooked –

Organisation responsibilities include –

- to carry out appropriate insurance;
- to provide training, PPE, resources;
- to make certain vehicles are safe, roadworthy, fit for task and available for use;
- to ensure all levels of bush fire brigade volunteers and staff members act lawfully and appropriately.

Volunteer and employee obligations include –

- to act to ensure their own safety and welfare, and for those they are responsible for and are around them;
- to use PPE provided;
- to undertake appropriate training.

#### 2. Application

a) While this policy specifically applies to Volunteer FCOs, where relevant, it also applies to those appointed due to their position as a Shire employee;

b) This policy also applies to FCOs appointed to dual roles on the nomination of other Shires where applicable.

#### 3. Appointment of Fire Control Officers

a) FCOs are appointed by Council, usually on nomination at a Bush Fire Advisory Committee Meeting;

b) FCOs may also be appointed on the nomination of an adjoining Shire;

c) FCOs will be appointed by Council as the Chief Bushfire Control Officer, First Deputy Chief Bush Fire Control Officer and Second Deputy Chief Bush Fire Control Officer with authority extended throughout the Shire.

d) Completion of the FCO training course is mandatory for Officers appointed to the above roles.

#### 4. Term of Office

The Chief Bush Fire Control Officer, First Deputy Chief Bushfire Control Officer and Second Deputy Chief Bushfire Control Officer are appointed for a 3 (three) year term.

#### 5. Fire Weather Committee

This Committee is not appointed by Council, but is formed by the Chief BFCO to advise on weather conditions.



**6. Allocation of WAERN radios**

- a) Each FCO personal vehicle
- b) Each BFB appliance
- c) Handhelds – in some BFB appliances

**7. Training**

- a) All FCOs must, as a minimum, complete the FCOs training course within the first 12 (twelve) months of being appointed and complete a refresher at least once every 10 (ten) years.
- b) A sub-committee consisting of the Chief Bushfire Control Officer and the two (2) Deputy Chief Bushfire Control Officers, be authorised to assess volunteer fire fighters competency with regards to the Rural Fire Awareness, Bushfire Safety Awareness and Firefighting Skills, and if satisfied, to recommend to the Shire’s Chief Executive Officer that their previous experience be accepted as Recognised Prior Learning, although volunteers should be encouraged to complete the basic training course.

**8. Fire Ground Plant Operations**

- a) Shire staff are not to operate any Shire plant on the fire ground unless appropriate Fire Ground Plant Operations training is completed;
- b) authorisation of staff to utilise Shire plant on the fire ground must be obtained prior to operation from the Shire Chief Executive Officer or Manager Works & Services.

**9. Confirmation of Appointment**

Once appointments have been endorsed by Council, the Chief Executive Officer will issue appointment letters to each FCO advising of their roles and responsibilities and relevant training dates to ensure compliance with Point 7 of this policy.

Objective To ensure that management of bush fire brigades is in accordance with the *Bush Fires Act 1954* and *Work Health and Safety Act 2020*.

To ensure the safety of all volunteers on fire grounds.

Guidelines *Bush Fires Act 1954*  
*Work Health & Safety Act 2020*

Person Responsible	Chief Executive Officer
History	New Policy July 2022 (M9943) Reviewed March 2023 (M10059)



### 1.23 Publishing of Public Consultation

Policy	<p>From time to time Council seeks community consultation on a range of matters.</p> <p>When publishing results of any public consultation process, personal names and derogatory comments are to be removed.</p>
Objective	To protect individuals if named during the public consultation process.

Person Responsible	Chief Executive Officer
History	New Policy September 2022 (M9968) Reviewed March 2023 (M10059)



## 1.24 Elected Members Discount – Dalwallinu Gymnasium & Aquatic Centre

**Policy** Elected Members Discount of 50% to purchase a membership to the Dalwallinu Gymnasium or a season ticket to the Dalwallinu Aquatic Centre.

**Objective** Look after elected members health & wellbeing.

**Guidelines** Elected Members to receive a discount of 50% of the full price as per the adopted Fees & Charges. This discount applies to the Dalwallinu Gymnasium memberships and Dalwallinu Aquatic Centre individual season passes.

This policy is applicable to all current elected members.

No refunds will be given on termination during the validity period of the membership or the season pass.

Person Responsible	Chief Executive Officer
History	New Policy June 2027 (M10097)





## 2. Community Support



## 2.1 Charitable Works

Policy	All donations of “in kind” work exceeding \$1,000 in value, by way of use of Council staff and equipment, to charitable organisations is to be a decision of Council.
Objective	To determine the level of support and use of Council equipment for charitable purposes.
Guidelines	This excludes private works for which the Shire is to be reimbursed.

Person Responsible	Chief Executive Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 2.2 School Bus Subsidy – Swimming Lessons

Policy	Council will reimburse half (50%) of the cost of the bus hire to and from the Dalwallinu Aquatic Centre for the transportation of school children attending schools within the Shire.
Objective	<p>To encourage and assist school children from outlying schools within the Shire to attend term time swimming lessons in order to improve swimming ability and to learn basic life – saving techniques.</p> <p>To promote the Dalwallinu Aquatic Centre.</p>
Guidelines	Receipts for bus hire are to be provided.

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 2.3 Concessions – Hall Hire Charges – Not for profit groups

Policy	<p>There will be no subsidising, reducing or waiving of Council charges, unless upon written application and the Chief Executive Officer is of the opinion that the extenuating circumstances apply, in which the case the application will be considered on its merits by Council.</p> <p>Council may at its discretion authorise a donation to offset the hall hire charges.</p>
Objective	To maintain the integrity of the Fees and Charges set in Councils annual budget.
Guidelines	<p>Council heavily subsidises its fees and charges for the use of the recreation facilities and is of the view that no additional subsidy is warranted.</p> <p><i>Local Government Act 1995 – Section 6.16</i></p> <p>Shire of Dalwallinu Fees and Charges Schedule</p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 2.4 Community Grants Scheme

**Policy** In recognition of the pivotal role that community groups and organisations play in developing vibrant and diverse communities, Council is committed to the provision of support and assistance through the Shire of Dalwallinu Community Grants Scheme. The Shire will make available a provision of \$20,000 in its annual budget. Community grant funding will consist of two rounds of funding in each financial year (\$10,000 available each round).

Provision of grants will be solely at the discretion of Council.

**Objective** To provide financial assistance to community based clubs and organisations.

**Guidelines** **Application**

1. Applications, in writing, to be received and approved prior to commencement of the project;
2. Applicants to provide full details of the project and financial documentation of the actual or estimated cost;
3. Only one application for assistance towards one project will be assessed each financial year for the provision of minor sporting, recreation cultural or other project;
4. The applicant organisation must operate from the Shire of Dalwallinu and beneficiaries must be residents of the Shire of Dalwallinu;
5. Only groups who can demonstrate that they are a not for profit community organisation will be considered eligible for funding.

### **Funding amounts**

For funding requests over \$500, a copy of your group's current financial statement must be attached;

1. Grants will be up to a maximum of 50% of total costs net of other grants, subsidies and donations;
2. The value of in kind work undertaken by volunteers may not exceed one third of the completed value of the project. The voluntary work should be described and valued at a rate of no more than \$20 per hour.

### **Retrospective Funding**

1. No application for retrospective funds will be considered as part of this grant scheme;
2. Projects are not to commence before the announcement of successful applicants.

### **Eligible Projects**

Projects will be considered if they can demonstrate that:

1. All other potential funding sources have been sought, and/or



2. They are able to demonstrate benefit to the wider community and/or
3. Provide benefit to Shire residents through recreational, social or cultural means.

#### **Ineligible Projects**

Some projects will be considered ineligible for funding through this scheme. These include:

1. Any project which is deemed by Council to be of direct benefit of a business, person or any other profit making venture, or any government department or agency (school P&C groups are excepted);
2. Projects that have already commenced;
3. Projects that cannot demonstrate a contribution by the group, organisation or community which will benefit from the granting of funds for the project;
4. Salaries or recurrent operational costs;
5. Any project submitted from a religious group, for a religious purpose or for the provision or improvements of religious infrastructure.

#### **Other conditions**

1. Council reserves the right to consider and allocate funds without the right of appeal.
2. Council reserves the right to request further information.
3. All applicants will be advised, in writing, of the success or otherwise of their application within one month of Councils decision.

#### **Advertising**

The Community Grants Scheme will be advertised to coincide with the opening of each funding round. The advertisement will be placed on the Shire website and advertised in the Shire Newsletter, Totally Locally and Kalannie Kapers.

#### **Funding agreement**

If the organisation is successful in gaining grant assistance it will be expected to enter into a funding agreement. This will require the organisation to:

1. Adhere to the project budget as stated in the application. Significant variations need to be reported to the Economic & Community Development Officer as soon as they are known to the organisation;
2. Expend the funds made available only on the agreed project, event or activity;
3. Provide the Shire with a statement of expenditure certified by the organisation's President and Treasurer, and copies of relevant invoices on completion of the project, so that the approved funding can be reimbursed to the organisation. If the group are registered for GST, a tax invoice will be required;
4. Acknowledge the funding provided by the Shire;



5. Indemnify the Shire insofar as any activities relevant to the funding are concerned.

**Acquittal**

All grants are to be acquitted by **31 May** of each financial year. If this date is not achievable, the group must notify the Economic & Community Development Officer.

If the organisation is unable to acquit by 31 May, they **MUST** contact the Shire to request that the funds be carried over to the next financial year.

Person Responsible	Economic & Community Development Officer
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 2.5 Collocation of Sporting Clubs

Policy	The Shire will not support or approve any construction or extension to sporting facilities that will result in duplication of existing facilities or where collocation within existing facilities will provide a better outcome.
Objective	To encourage collocation where the net benefits are significant to the Shire and the clubs involved.
Guidelines	<p>When application for grants, support or permission to build facilities on Shire controlled land are received, an assessment will be undertaken to ascertain whether a more beneficial outcome will be achieved through collocation of with existing facilities.</p> <p>In cases where collocation provides a net benefit, the Council will generally not support standalone applications for facilities.</p>

Person Responsible	Manager Corporate Services
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)





## 2.6 Business Investment

Policy	<p>The Shire will support new business ventures to start up within the Shire boundaries provided it meets the below criteria.</p> <p>The business must:</p> <ul style="list-style-type: none"> <li>• Not be able to use participation in program to influence completion in the market place; and</li> <li>• Offer services that are in high demand.</li> </ul>
Objective	<p>To encourage business investment in the Shire and ensure that all new business (in line with the above criteria) are supported during their start-up phase.</p>
Guidelines	<p>When businesses show interest in setting up within the Shire boundaries they approach the Shire administration staff to be part of the program.</p> <p>The business owner is assisted with their application which is put to the next Ordinary Council Meeting.</p> <p>Council is to decide whether the business will be accepted onto the program and which of the following areas they are willing to assist:</p> <ul style="list-style-type: none"> <li>• Rates Concession</li> <li>• Marketing and Promotional Pack</li> <li>• “Open Day” for the new business</li> <li>• Assistance with Site works</li> <li>• Discounted application fee.</li> </ul>
Terms & Conditions	<ol style="list-style-type: none"> <li>1. All applicants will be assessed on a case by case basis which Council has the authority to refuse entry onto the Business Investment Program at any time.</li> <li>2. There is no guarantee that businesses will be granted the assistance requested on page three (3) of the application as it is at the discretion of Council at all times. See the below conditions for each requested area of assistance.</li> </ol> <p>Rates holidays – are typically available for 36 months where the businesses pay no rates within this period. 50% of rates are paid by the business for the following twelve (12) months and full rates are paid to the Shire thereafter.</p> <p>Marketing &amp; Promotional Pack – assistance and advice by the Economic &amp; Community Development Officer on marketing in the local area. Cost of all marketing and promotional materials to be at the businesses cost unless otherwise informed by Council.</p>



Open Day – held by the business at the new business premises. The Shire of Dalwallinu will contribute to the value of contribution determined on a case by case basis, limited to a maximum of \$300.

Site Works – if required Council will assist, depending on the capacity of works needed and the availability of staff at the time. An exact cost and detailed drawings of the site plan must be included in this application.

Discounted Application Fees – a discount of up to 50% of application fees will be offered to the business at Councils discretion.

If the applicant is not granted approval onto the Business Investment Program they will be advised in writing.

Application must also be coupled by a cover letter outlining the businesses details and including their corporate logo.

Person Responsible	Economic & Community Development Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 2.7 Harvest & Movement of Vehicles in Paddock Ban

Policy	The Shire will set conditions that will apply when <i>Bush Fires Regulation 38A</i> (for Restricted and Prohibited Burning Times) and <i>Bush Fires Regulation 24C</i> (for Total Fire Ban Days) – (Use of engines, vehicles, plant or machinery likely to cause bush fire) of the <i>Bush Fire Regulations 1954</i> (commonly called Harvest & Movement of Vehicles in Paddocks Ban) is used.
Objective	To provide clarity on what activities are/are not allowed when a Harvest & Movement of Vehicles in Paddocks Ban has been called.
Guidelines	<p>When a Harvest &amp; Movement of Vehicles in Paddocks Ban has been called the following conditions will apply:</p> <ul style="list-style-type: none"> <li>• Harvesting and associated operations are not permitted;</li> <li>• Movement of any vehicles through, or on, vegetated land is not permitted;</li> <li>• Any “hot works” (e.g. welding, grinding, cutting, heating etc.) in the “open air” is not permitted.</li> </ul>

Person Responsible	Manager Corporate Services
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 2.8 Pioneer’s and Past Resident’s Wall – Contents of Plaque

Policy	Families can arrange through the Shire to have plaques placed on the Pioneers and Past Residents Wall that contain historical information on their family and/or a significant relative.
Objective	To provide a guide to the public on purpose of the wall as well as what kind of information should be displayed on it.
Guidelines	<p>When applications for plaques for the Pioneer Wall are received, they will be considered by the Chief Executive Officer, and in cases where they are deemed to fit the policy as stated and are not considered in any way offensive or defamatory, an appropriate plaque will be arranged and placed on the wall.</p> <p>In cases where an application is made that does not, strictly speaking, fit the policy, a report will be submitted to Council for their consideration.</p> <p>The applicant is to be responsible for all costs associated with the placement of the plaques.</p>

Person Responsible	Manager Corporate Services
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 3. Finance



### 3.1 Self-Supporting Loans

Policy	Council will consider making available loan funds on a “self – supporting” basis.
Objective	To identify Council’s willingness to provide support.
Guidelines	Self-supporting loans are subject to the same administrative requirements as other loans raised by Council.

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 3.2 Significant Accounting Policies

**Objective** To establish financial management procedures which provide full compliance with all local government statutory requirements and accepted accounting principles.

**Policy** The significant accounting policies which have been adopted in the preparation of the financial report are:

### **(a) Basis of Preparation**

The financial report comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Material accounting policies which have been adopted in the preparation of this financial report are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities. All amounts are stated in Australian dollars.

#### *Critical Accounting Estimates*

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

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other services.

Actual results may differ from these estimates. All figures are presented in Australian Dollars.

#### *The Local Government Reporting Entity*

All Funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.



In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from financial statements. A separate statement of those monies appears at Note 19 to these financial statements.

**(b) Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to the ATO are presented as operating cash flows.

**(c) Cash and Cash Equivalents**

Cash and cash equivalent include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**(d) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non – current assets.

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





**(e) Inventories**

General Inventories are measured at the lower cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Land held for Resale**

Land held for development and sale is valued at the lower cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing and unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed onto the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on the Councils intentions to release for sale.

**(f) Fixed Assets**

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

**Mandatory requirements to re value non-current assets**

Effective from 1 July 2012, the Local Government (Financial Management) Regulations 1996 were amended and the measurement of non-current assets at Fair Value became mandatory.

During the year ended 30 June 2013, the Shire commenced the process of adopting Fair Value in accordance with the Regulations.

Whilst the amendments initially allowed for a phasing in of Fair Value in relation to fixed assets over three years, as at 30 June 2015 all non-current assets were carried at Fair Value in accordance with the requirements. Therefore, the Shire of Dalwallinu will revalue each asset class in accordance with the table below.

Class	Last Val Date	Next Val Date	Interval
L&B	30/6/2017	30/6/2022	5 years
Roads & Other Infrastructure	30/6/2018	30/6/2023	5 years



Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the financial reports necessary.

*Land under control*

In accordance with *Local Government (Financial Management) Regulations 1996* 16(a) (ii), the Shire was required to include as an asset by (30 June 2013), Crown land operated by the Local Government as a golf course, showground, racecourse or other sporting or recreational facility of State or Regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

*Initial recognition and measurement between mandatory revaluation date*

All assets are initially recognised at cost and subsequently revalued in accordance with mandatory measurement framework detailed above.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes costs of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

*Revaluation*

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decrease are recognised in profit or loss.



*Land under roads*

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact *Local Government (Financial Management) Regulations 16(a)(i)* prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, *Local Government (Financial Management) Regulations 1996 4(2)* provides, in the event of such an inconsistency, the *Local Government (Financial Management) Regulations 1996* prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Shire.

*Depreciation*

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset’s useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

When an item of property, plant and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

- (a) Restated proportionately with the change in the gross carrying amount of the asset so that the carrying amount of the asset after revaluation equals its revalued amount; or
- (b) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

Major depreciation periods for each class of depreciable asset are:

Buildings	30 - 50 Years
Furniture and Equipment	4 – 10 Years
Plant & Equipment	5 – 20 Years
Infrastructure Assets – Roads, Streets & Kerbing	
Clearing and earthworks	Not depreciated
Pavement	40 Years



Seal	15 – 20 Years
Kerbing	50 Years
Footpaths	20 Years
Infrastructure Assets – Gardens	Not depreciated
Infrastructure Assets – Parks & Ovals	10 – 40 Years
Infrastructure Assets – Other Structures	10 – 50 Years

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

*Capitilisation threshold*

Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.

**(g) Fair Value of Assets and Liabilities**

When performing a revaluation, the Shire uses a mix of both independent and management valuations using the following as a guide:

Fair value is a market-based measure, the closed equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair value of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principle market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

*Fair value hierarchy*



AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1	Measurements based on quoted prices (unadjusted) in active markets for identical asset or liabilities that the entity can access at the measurement date.
Level 2	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.
Level 3	Measurements based on unobservable inputs for the asset or liability.

The fair value of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

*Valuation techniques*

The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

Market approach	Valuation techniques that use process and other relevant information generated by market transactions for identical or similar assets or liabilities.
Income approach	Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.
Cost approach	Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of in observable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally



use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the local government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued in accordance with the regulatory framework.

**(h) Financial instruments**

*Initial recognition and measurement*

Financial assets and financial liabilities are recognised when the Shire becomes a party to the contractual provisions to the instrument, for financial assets, this is equivalent to the date that the Shire commits itself to either purchase or sale of an asset (i.e. trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified ‘at fair value through profit loss’, in which case transaction costs are expensed to profit or loss immediately.

*Classification and subsequent measurement*

Financial instrument are subsequently measured at fair value, amortised cost using the effective interest rate method, or at cost.

Amortised cost is calculated as:

- (a) The amount in which the financial asset or financial liability is measured at initial recognition;
- (b) Less principle repayments and any reduction for impairment; and
- (c) Plus or minus the cumulative amortisation of the difference, if any, between the amounts initially recognised and the maturity amount calculated using the effective interest rate method.

The effective interest method is used to allocate interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

- (i) Financial assets at fair value through profit and loss  
Financial assets are classified at “fair value through profit or loss” when they are held for trading for the purpose of



short-term profit taking. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss. Assets in this category are classified as current assets.

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Shire has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in current assets, where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

(iv) Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss. Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available-for-sale financial assets are classified as non-current.



- (v) Financial liabilities  
Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at an amortised cost. Gains or losses are recognised in profit or loss.

*Impairment*

A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a “loss event”) having occurred, which will have an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principle payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that carrying amount cannot be recovered by any means, at that point the written-off amounts are charges to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

*Derecognition*

Financial assets are derecognised where the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the Shire no longer has any significant continual involvement in the risks and benefits associated with the asset. Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and fair value of the consideration paid, including the transfer of non-cash assets or liabilities, is recognised in profit loss.





**(i) Impairment of Assets**

In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount on the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

Or non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

**(j) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**(k) Employee Benefits**

*Short-term employee benefits*

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Shire's obligations for employee's annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

*Other long-term employee benefits*

Provision is made for employee's long service leave and annual leave entitlements not expected to be settled wholly within



12 month after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any re measurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee's benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**(l) Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a quality asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

**(m) Provisions**

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

Provisions are measured using the best estimate of the amounts required so settle the obligation at the end of the reporting period.

**(n) Leases**

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the Shire, are classified as finance leases.

Finance leases are capitalised recording an asset and a liability at the lower amounts equal to fair value of the leased property or the guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.



Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

Lease incentives under operating leases are recognised as a liability and amortised on a straight line basis over the life of the lease term.

**(o) Investment in Associates**

An associate is an entity over which the Shire has significant influence. Significant influence is the power to participate in the financial policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Shire's share of net assets of the associate. In addition, the Shire's share of the profit or loss of the associate is included in the Shire's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the Shire's share of the net fair value of the associate exceeds the cost of the investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the Shire and the associate are eliminated to the extent of the Shire's interest in the associate.

When the Shire's share of losses in an associate equals or exceeds its interest in the associate, the Shire discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently makes profits, the Shire will resume recognising its share of those profits once its share of the profits equals the share of the losses recognised.

**(p) Interest in Joint Arrangements**

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

Separate joint venture entities providing joint ventures with an interest to net assets are classified as a joint venture and accounted for



using the proportionate consolidation method of accounting.

Joint venture operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The Shire's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of financial statements. Information about the joint ventures is set out in Note 16.

**(q) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local governments operation for the current reporting period.

**(r) Superannuation**

The shire contributes as a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

**(s) Current and Non-Current Classification**

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



**(t) Rounding Off Figures**

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

**(u) Comparative Figures**

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

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

**(v) Budget Comparative Figures**

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

**(w) New Accounting Standards and Interpretations for Application in Future Periods**

The AASB has issued a number of new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods, some of which are relevant to the Shire.

Management's assessment of the new and amended pronouncements that are relevant to the Shire, applicable to future reporting periods and which have not yet been adopted are set out as follows:

Title	Issued/ Compiled	Applicable (1)	Impact
(i) AASB 9 Financial Instruments (incorporating AASB 2014-7 and AASB 2014-8)	December 2014	1 January 2018	Nil – The objective of this Standard is to improve and simplify the approach for the classification and measurement of financial assets compared with the financial assets of the Shire, it is not anticipated the Standard will have any material affect.
(ii) AASB 15 Revenue from Contracts with Customers	December 2014	1 January 2018	This Standard establishes principles for entities to apply to report useful information to users of financial statements about the nature, amount timing and uncertainty of a revenue and cash flows arising from a contact with a customer. The effect of this Standard will depend upon



			the nature of the future transactions the Shire has with those third parties it has dealings with. It may or may not be significant.
(iii) AASB 16 Leases	February 2016	1 January 2019	<p>Under AASB 16 there is no longer a distinction between finance and operating leases. Lessees will now bring to account a right-to-use asset and lease liability onto their statement of financial position for all leases. Effectively this means the vast majority of operating leases as defined by the current ASB 117 leases which currently do not impact the statement of financial position will be required to be capitalised on the statement of financial position once AASB 16 is adopted.</p> <p>Currently, operating lease payments are expensed as incurred. This will cease and will be replaced by both depreciation and interest charges. Based on the current number of operating leases held by the Shire, the impact is not expected to be significant.</p>
(iv) AASB 1058 Income of Not-for-Profit Entities (incorporating AASB 2016-7 and AASB 2016-8)	December 2016	1 January 2019	<p>These standards are likely to have a significant impact on the income recognition for NFP's. Key areas for consideration are:</p> <ul style="list-style-type: none"> <li>- Assets received below fair value;</li> <li>- Grants received</li> <li>- Prepaid rates</li> <li>- Leases entered into at below market rates; and</li> <li>- Volunteer services</li> </ul> <p>Whilst it is not possible to quantify the financial impact (or if it is material) of these key areas until the details of the future transactions are known, they will all have application to the Shire's operations.</p>



Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### 3.3 Regional Price Preference

Policy	<p>Council’s Regional Price Preference for locally produced goods and services will apply to all goods and services for which tenders/quotes are let, unless the Shire of Dalwallinu determines otherwise, and is to be:</p> <ul style="list-style-type: none"> <li>• Up to 10% when the contract is for goods and services, up to a maximum price reduction of \$50,000.</li> <li>• Up to 5% when the contract is for construction (building) services, up to a maximum price reduction of \$50,000.</li> <li>• Up to 10% when the contract is for goods and services, including construction (building) services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders from the private sector for the provision of those goods and services for the first time. That is, when a function is being outsourced by the Shire.</li> </ul>
Objective	To establish Council’s support for local businesses.
Guidelines	<p><i>Local Government Act 1995 – Section 3.57</i>  <i>Local Government (Functions &amp; General) Regulations 1996 – Part 4A</i>  <i>Local Government (Administration) Regulations 1996</i></p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016  Reviewed April 2017 (M8814)  Reviewed March 2018 (M9129)  Reviewed March 2019 (M9342)  Reviewed May 2020 (M9556)  Amended March 2021 (M9688)  Reviewed March 2022 (M9885)  Reviewed March 2023 (M10059)</p>





### 3.4 Investment of Surplus Funds

Policy	Surplus Council funds to be deposited with any savings bank operating under the banking Act 1959 (Commonwealth) section 5, in accordance with the Trustees Act 1962 Part III as amended from time to time.
Objective	To ensure funds of Council are diligently invested in the securest possible manner to ensure the maximum safe return of investment earnings whilst still complying with current legislative requirements.
Guidelines	<p>The Manager Corporate Services is to maintain control over investments and to record the details of principal, interest, bank rates and maturity date in a register for same and report to Council, monthly as to the status of investments and details of each lodgement in terms of the Financial Management Regulations 1996.</p> <p><i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i></p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 3.5 Purchasing

### Policy

The Shire of Dalwallinu is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensure alignment with the Shire’s strategic and operational objectives.

#### 1. Purchasing

##### 1.1 Objective

The Shire’s purchasing activities will:

- a) Achieve best value for money that considers sustainable benefits, such as: environmental, social and local economic factors;
- b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire of Dalwallinu’s policies and procedures;
- g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Dalwallinu;
- h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire of Dalwallinu Risk Management framework;
- i) Ensure records evidence purchasing activities in accordance with the State Records Act 2000 and the Shire of Dalwallinu’s Record Keeping Plan;
- j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

##### 1.2 Ethics & Integrity

The Shire of Dalwallinu’s Code of Conduct applies when undertaking purchasing activities and decision making, requiring Council Members and employees to observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.



### **1.3 Value for Money**

The Shire of Dalwallinu will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

#### *1.3.1 Assessing Value for Money*

Value for money assessment will consider:

- All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, 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. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc;
- The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire of Dalwallinu Policy including Local Economic Benefit; and
- Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

### **1.4 Purchasing Thresholds and Practices**

#### *1.4.1 Defining the Purchasing Value*

The Shire of Dalwallinu will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements are able to be provided by a single supplier.



A **category of supply** can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

**1. Strategic Purchasing Value Assessments**

The Shire of Dalwallinu will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire of Dalwallinu will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

**2. Individual Purchasing Value Assessments**

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations;
- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements;
- (d) Requirements must not be split to avoid purchasing or tendering thresholds (F&G Reg.12).

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

**1.4.2 Table of Purchasing Thresholds and Practices**

**(1) Supplier Order of Priority**

The Shire of Dalwallinu will consider and apply, where applicable, the following Supplier Order of Priority:

<b>Priority 1:</b>	<p><b>Existing Prequalified Supplier Panel or other Contract</b> Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire of Dalwallinu’s supply requirements can be met through the existing contract.</p> <p>If the Shire of Dalwallinu does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</p>
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<p><b>Priority 2:</b></p>	<p><b>Local Suppliers</b> Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire of Dalwallinu will ensure that wherever possible, quotations are obtained from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
<p><b>Priority 3:</b></p>	<p><b>Tender Exempt – WALGA Preferred Supplier Arrangement (PSA)</b> Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or on officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> <li>a) Local supplier availability (that are not within the PSA);</li> <li>or</li> <li>b) Social procurement – preference to use Aboriginal business or Disability Enterprise,</li> </ul> <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>
<p><b>Priority 4:</b></p>	<p><b>Tender Exempt – WA State Government Common Use Agreement (CUA)</b> Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, is a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.</p> <p>If not relevant CUA is available, then a Tender Exempt (F&amp;G Reg.11(2)) arrangement may be used.</p>
<p><b>Priority 5:</b></p>	<p><b>Other Tender Exempt arrangement (F&amp;G Reg.11(2))</b> Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire of Dalwallinu will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible, quotations are obtained from a WA Disability Enterprise and/or an Aboriginal Owned Business that is capable of providing the required supply.</p>



<b>Priority 6:</b>	<b>Other Suppliers</b> Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.
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**(2) Purchasing Practice Purchasing Value Thresholds**

The Purchasing value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the Shire of Dalwallinu’s purchasing activities.

<b>Purchase Value Threshold (ex GST)</b>	<b>Purchasing Practice</b>
Up to \$10,000	Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).
From \$10,000 and up to \$39,999	<p>Seek at least two (2) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 1.4.2 (1).</p> <p>If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of two (2) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• A brief outline of the specified requirement for the goods, service or works required; and</li> <li>• Value for money criteria, not necessarily the lowest price.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report Template and retained in accordance with the Shire of Dalwallinu’s Record Keeping Plan.</p>
From \$40,000 up to \$249,999	<p>Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2 (1).</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• A detailed written specification for the goods, services or works required; and</li> </ul>



	<ul style="list-style-type: none"> <li>• Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be evidenced using the Evaluation Report Template and retained in accordance with the Shire of Dalwallinu’s Record Keeping Plan.</p>
Over \$250,000	<p><b>Tender Exempt</b> arrangements (i.e. WALGA PSA, CUA or other tender exemption under F&amp;G Reg.11(2) require at least three (3) written responses from suppliers by invitation from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).</p> <p><b>OR</b></p> <p><b>Public Tender</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire of Dalwallinu Policy and procedures.</p> <p>The Tender exempt or Public Tender purchasing decision to be based on the suppliers response to:</p> <ul style="list-style-type: none"> <li>• A detailed specification; and</li> <li>• Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report template and retained in accordance with the Shire of Dalwallinu’s Record Keeping Plan.</p>
Emergency Purchases (within budget) Refer to Clause 1.4.3	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 1.4.2 (1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply OR compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p>



	The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire of Dalwallinu’s Record Keeping Plan.
Emergency Purchases (No budget allocation available) Refer to Clause 1.4.3	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget amendment adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s6.8 is reported to the next Ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
LGIS Services Section 9.58(6)(b) LG Act	<p>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-based service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

**Tender Exemptions:**

Tenders to not have to be publicly invited according to the requirements of the *Local Government (Functions and General) Regulations 1996* if:

- a) The supply of goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the *Local Government Act 1995*; or
- b) The supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
- c) Within the last 6 months –
  - i) The local government has, according to the requirements of the Regs, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
  - ii) The local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or
- d) The contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or





- e) The goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
- f) The goods or services are to be supplied –
  - i) In respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
  - ii) By a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph: or
- g) The local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
- h) The goods to be supplied under the contract are –
  - i) Petrol or oil; or
  - ii) Any other liquid, or any gas, used for internal combustion engines; or
- i) The following apply –
  - i) The goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the *Small Business Development Corporation Act 1983*; and
  - ii) The consideration under the contracts is \$250,000 or less, or worth \$250,000 or less; and
  - iii) The local government is satisfied that the contract represents value for money; or
- j) The goods or services are to be supplied by an Australian Disability Enterprise; or
- k) The contract is a renewal or extension of the term of a contract (the original contract) where -
  - i) The original contract was entered into after the local government, according to the requirements of the Regs, publicly invited tenders for the supply of goods or services; and
  - ii) The invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
  - iii) The original contract contains an option to renew or extend its term; and
  - iv) The supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
  - v) The goods or services are to be supplied by a pre-qualified supplier under Division 3 of the Regs.



### 1.4.3 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) a local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) a local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); OR
- (c) A state of emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

### 1.4.4 Inviting Tenders though not required to do so

The Shire of Dalwallinu may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire of Dalwallinu's tendering procedures (F&G Reg.13).

### 1.4.5 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process (F&G Reg.21) where the required supply evidences one or more of the following criteria:

- Unable to sufficiently scope or specify the requirement;
- There is significant variability for how the requirement may be met;
- There is potential for suppliers to offer unique solutions and/or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- Subject to a creative element; or



- Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

#### **1.4.6 Unique Nature of Supply (Sole Supplier)**

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- a) Purchasing value is estimated to be over \$10,000; and
- b) Purchasing requirement has been documented in a detailed specification; and
- c) Specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirements; and
- d) Market testing processes and outcomes of supplier assessments have been evidenced in records, inclusive of rationale for why the supply is determined as unique and why quotations/tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved by Council, for a period not exceeding one (1) year. For any continuing purchasing requirements, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

#### **1.4.7 Anti-Avoidance**

The Shire of Dalwallinu will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of “splitting” the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions for a similar nature.

#### **1.4.8 Contract Renewals, Extensions and Variations**

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless:

- The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire of Dalwallinu is required to review the purchasing requirements



and commence a new competitive purchasing process in accordance with this Policy.

## **2. Sustainable Procurement**

The Shire of Dalwallinu is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire of Dalwallinu may apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Sustainable Procurements can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Quotations and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

### **2.1 Local Economic Benefit**

The Shire of Dalwallinu promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire of Dalwallinu will:

- Consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- Ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- Explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- Avoid bias in the design and specifications for Request for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- Consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and



- Provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire of Dalwallinu, or substantially demonstrate a benefit or contribution to the local economy.

The Shire of Dalwallinu has adopted a Regional Price Preference Policy, which will be applied when undertaking all purchasing activities.

## **2.2 Socially Sustainable Procurement**

The Shire of Dalwallinu will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire of Dalwallinu's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

### **(1) Aboriginal Businesses**

*Functions and General Regulations 11(2)(h)* provides a tender exemption if the goods or services are supplied by a person in the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.

The Shire of Dalwallinu will first consider undertaking a quotation process with other suppliers (which may include other registered Aboriginal Businesses as noted in *F&G Reg. 11(2)(h)*) to determine overall value for money for the Shire of Dalwallinu.

Where the Shire of Dalwallinu makes a determination to contract directly with an Aboriginal Business for any amount up to and including \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$40,000 (ex GST), a formal Request for quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire of Dalwallinu's Record Keeping Plan.



## (2) Australian Disability Enterprise

*Functions and General Regulations 11(2)(i)* provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise.

The Shire of Dalwallinu will first consider undertaking a quotation process with other suppliers (which may include other Australian Disability Enterprise) to determine overall value for money for the Shire of Dalwallinu.

Where the Shire of Dalwallinu make a determination to contract directly with an Australian Disability Enterprise for any amount, including an amount over the Tender threshold of \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Australia Disability Enterprise. The rationale for making the purchasing decision must be recorded in accordance with the Shire of Dalwallinu's Record Keeping Plan.

## 2.3 Environmentally Sustainable Procurement

The Shire of Dalwallinu may support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire's strategic and operational objectives.

Qualitative weighted selection criteria may be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- Demonstrate policies and practices that have been implemented by the business as part of its operations;
- Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- Encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

## 3. Record Keeping

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire of Dalwallinu's Record Keeping Plan.

In addition, the Shire of Dalwallinu must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire of Dalwallinu relevant to the performance of the contract.



#### 4. Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire of Dalwallinu’s policies and procedures.

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified, it must be reported to the Chief Executive Officer or the Manager Corporate Services.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person’s training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- An opportunity for additional training to be provided;
- A disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- Where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

Person Responsible	Manager Corporate Services
History	Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### **3.6 REVOKED - Payment of Fees – Dalwallinu and Kalannie Caravan Parks**

POLICY REVOKED - MARCH 2019 (M9342)

REASON – The Shire of Dalwallinu no longer operates either the Dalwallinu or Kalannie Caravan Parks.





### 3.7 Direct Electronic Payments and Electronic Investments

Policy	<p>Payments made by electronic transfer through the Shire bank accounts which include payroll, monthly fees, contracts, loan repayments and purchases made through the suppliers that will only accept the payment by electronic transfer shall be made jointly by the Chief Executive Officer and any one of the following:</p> <ul style="list-style-type: none"> <li>Shire President</li> <li>Deputy Shire President</li> <li>Chief Executive Officer</li> <li>Manager Corporate Services</li> <li>Manager Works &amp; Services</li> <li>Manager Planning &amp; Development Services</li> </ul> <p>In the absence of the Chief Executive Officer, then payment by electronic transfer shall be made by the Manager Corporate Services and one other from the list above.</p> <p>Any surplus funds in the Municipal Account are to be invested by transferring electronically to a Business TeleNet Saver Account.</p>
Objective	<p>To ensure payment of accounts are made in an efficient and timely manner. To maximise the return on invested funds.</p>
Guidelines	<p>The Manager Corporate Services is to maintain control over payments and investments as per Delegation 3001 and Policy 3.4.</p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2016  Reviewed April 2017 (M8814)  Reviewed March 2018 (M9129)  Reviewed March 2019 (M9342)  Reviewed May 2020 (M9556)  Amended March 2021 (M9688)  Reviewed March 2022 (M9885)  Reviewed March 2023 (M10059)</p>



### 3.8 Corporate Credit Card usage

Policy	Sets out buying conditions that relate to purchases made with any corporate credit cards that carry the Shire of Dalwallinu name.
Objective	To ensure that all expenditure on corporate credit cards are limited to approved uses.
Guidelines	<p>Corporate credit cards issued by the Shire can only be used for the business purposes of the Shire. Among the approved uses are:</p> <ul style="list-style-type: none"> <li>• In person, across the counter retail purchases,</li> <li>• Facsimile/telephone/internet business related purchases,</li> <li>• Mail order purchases and subscriptions,</li> <li>• Official travel, accommodation and related expenses,</li> <li>• Entertainment and business hospitality expenses.</li> </ul>

The Corporate credit card must not be used for –

- Personal or non-work related expenditure,
- Purchase of fuel (unless the relevant fuel card is not able to be used),
- Obtaining cash advances,

Purchase of goods or services where the cardholder gains personal advantage through the transaction (e.g. special offers such as “Fly Buys” that benefit individuals).

It is prohibited for employees to utilise private Pay Pal or other applications when utilising the Shire of Dalwallinu Corporate Credit Card.

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2016</p> <p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Amended August 2022 (M9955)</p> <p>Reviewed March 2023 (M10059)</p>



### 3.9 Overdue Rates and Charges Collection

#### Policy

This policy has been developed to treat ratepayers fairly and consistently while recognising the Shire has the responsibility to recover all outstanding rates and charges in a timely manner to finance delivery of its services.

Legal proceedings will continue until full payment has been received.

#### Issue Final Notices

A final Notice will be issued at least fourteen (14) days after the due date of the Rate Notice, to those persons who have made either no payment, or insufficient payment, to cover the first instalment. The Final Notice is to specify that the property owner/s have seven (7) days to pay in full or to enter into a special repayment arrangement.

Final Notices will not be issued to eligible persons registered to receive a pensioner or senior rebate under the *Rates and Charges ( Rebates and Deferments) Act 1992* as such persons have until 30 June in the year of rating to make payment, without incurring any late payment penalties.

#### 7 Day reminder Letter

A 7 Day Reminder Letter will be issued at least fourteen (14) days after the due date of the Final Notice, to those persons who did not respond appropriately to the Final Notice.

The 7 Day Reminder Letter is to specify that the property owner/s have seven (7) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in further debt collection proceedings without further notice.

#### Notice of Intention to Summons

A Notice of Intention to Summons will be issued at least (14) days after the due date of the 7 Day Reminder Letter to those persons who do not respond accordingly to the 7 Day Reminder Letter.

The Notice of Intention to Summons is to specify that the property owner/s have seven (7) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in a General Procedure Claim being issued without further notice.

#### Issue of a General Procedure Claim

If no response is received in relation to the Notice of Intention to Summons a General Procedure Claim is to be lodged through the Midland Magistrates Court. In accordance with Section 6.56 of the *Local Government Act 1995*, the costs of issuing a General Procedure Claim are recoverable from the property owner/s and are to be debited to the rates account.



Following the issue of a General Procedure Claim, a reasonable offer to discharge the total debt by repayment arrangement will be accepted.

If an arrangement is made, agreement on the amount, frequency and commencement date of repayments is required noting that total debt is to be repaid by 30 June. Any arrangements are subject to acceptance by the Chief Executive Officer.

If the proposed payment arrangement is not acceptable, the Shire will advise via letter that the proposed arrangement is not sufficient to repay the debt within a reasonable timeframe and will request the property owner/s to contact the Shire's Rates Officer to discuss a more appropriate arrangement.

If no payment arrangement has been entered into or the Admission of Claim is not returned within fourteen (14) days of the issue of the General Procedure Claim, a letter will be sent requesting the property owner/s to pay the account (plus fees) in full. If, after a further period of at least seven (7) days, there is still no payment or arrangement in place, a Property Seizure and Sale Order may be issued.

If payment of the General Procedure Claim is received and a small balance remains on the rate account or the legal fees have not been paid, a letter will be sent to the ratepayer requesting payment of the outstanding balance.

If the agreed repayment arrangement is not honoured, a letter will be sent advising that the repayment arrangement is overdue and, if payment is not received within 14 days, a Property Seizure and Sale Order may be issued.

#### Non-Service of General Procedure Claim

When a General Procedure Claim is unable to be served a Non-Service Certificate will be issued by the bailiff. As an outcome, the bailiff may; advise the Shire if the property is unoccupied or is a rental property; or provide an alternative address for the General Procedure Claim to be re-issued.

If the property is tenanted, the property manager must be contacted to ascertain the correct postal address of the property owner. If the property manager is responsible for the payment of rates, the postal address is to be updated on the Shire's rating system and a new Rate Notice is to be sent to the property manager for payment.

If neither payment nor an acceptable arrangement has been received by the Shire after fourteen (14) days, a Property Seizure and Sale Order may be issued.

If a new address is supplied by the Bailiff, the new postal address is to be recorded on the Shire's rating system. A letter is to be sent to



inform the owner/s of the General Purpose Claim and, if not responded to within seven (7) days, the Shire will re-issue the General Procedure Claim. The additional costs in reissuing the General Procedure Claim will be added to the rates account.

#### Property Seizure and Sale Order/Goods

If the property owner/s has not responded to the General Procedure Claim, a Property Seizure and Sale Order/Goods may be issued within fourteen (14) days after the date of service of the General Procedure Claim.

The Property Seizure and Sale Order authorises the Bailiff to seize and sell as much of the debtors real or personal property as necessary to repay the debt.

#### Property Seizure and Sale Order/Land

Where a Property Seizure and Sale Order involves the land that constitutes the primary residence of the rateable owner, the approval of Council must be obtained before the Property Seizure and Sale Order is lodged.

Where a Property Seizure and Sale Order involves the land that constitutes an investment property, the approval of Council is not required.

#### Lodging a Caveat on the Title of the Land

Where rates remain unpaid for a period in excess of one year, a caveat may be lodged to preclude dealings in respect of the land to protect Council's interests.

#### Where rates or service charges remain unpaid

Where previous actions to collect outstanding rates and service charges have not been successful and the rates and/or service charges remain unpaid for at least three (3) years, Council in accordance with S6.64 of the *Local Government Act 1995* take possession of the land and hold the land as against a person having an estate or interest in the land and:

- a) from time to time lease the land; or
- b) sell the land; or
- c) cause the land to be transferee to the Crown; or
- d) cause the land to be transferred to the Shire of Dalwallinu

Objective To outline the process for efficient and effective collection of outstanding rates and service charges.

Guidelines A General Procedure Claim can only be lodged through the Magistrates Court to recover amounts owing of \$10,000 or less.



Person Responsible	Deputy Chief Executive Officer
History	<p>New Policy June 2017 (M8841)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### **3.10 REVOKED - Medical Centre Billing**

POLICY REVOKED MARCH 2019 (M9342)

REASON – The Shire of Dalwallinu no longer operates the Dalwallinu Medical Centre.



### 3.11 Related Party Disclosures

**Policy** This policy outlines what is expected of elected members and staff in relation to the *Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124)*.

**Guidelines** The scope of AASB 124 was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the standard is to ensure that an entity's financial statements contain 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.

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.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

**Policy** **IDENTIFICATION OF RELATED PARTIES:**  
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 includes 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.

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. For the purposes of determining the application of the standard, the Shire has identified the following persons as meeting the definition of *Related Party*.

- An elected Council member.
- Key management personnel being a person employed under section 5.36 of the *Local Government Act 1995* in the capacity of:
  - Chief Executive Officer
  - Manager Corporate Services
  - Manager Works & Services
  - Manager Planning & Development Services
  - Works Supervisor





- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependants of that persons spouse or domestic partner.
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by that KMP or their close family members and which are likely to have transactions with the Shire.

It is the responsibility of the Chief Executive Officer to seek a declaration upon change of KMP.

It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.

The Shire will be required to assess all transactions made with these persons or entities and may determine other family members, such as parent, grandparent, sibling, cousin etc., who may be expected to influence, or be influenced by, that person in their dealings with the Shire or a Shire entity.

**IDENTIFICATION OF RELATED PARTY TRANSACTIONS:**

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

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

- Paying rates
- Fines
- Use of Shire owned facilities such as Recreation Centre, Discovery Centre, Library, Parks, Ovals and other public open spaces (whether charged a fee or not)
- Attending Council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire for licences, approvals or permits
- 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 or party identified above.
- Sale or purchase of any property owned by a person or party identified above, to the Shire.
- Loan arrangements
- Contracts and agreements for construction, consultancy or services.

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). 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.

#### **REGISTER OF RELATED PARTY TRANSACTIONS:**

The Manager Corporate Services is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including OCTs assessed as being material in nature) during a financial year.

#### **DISCLOSURE REQUIREMENTS:**

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

##### **1. Ordinary Citizen Transactions (OCTs)**

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. As such no disclosure in the *Related Party Disclosures – Declaration* form will be required.

- Paying rates
- Transactions relating to the registration and control of domesticated animals as defined in the *Dog Act 1976* and *Cat Act 2011*
- Transactions whereby a Fee or Charge is incurred and that are included as part of Councils endorsed Schedule of Fees and Charges
- Fines



- Use of Shire owned facilities such as Recreation centre, Discovery Centre, library, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending council functions that are open to the public.

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.

2. All other transactions

For all other transactions identified as Related Party transactions above, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures – Declaration form*.

3. Frequency of disclosures

- Elected Council members and KMP will be required to complete a *Related Party Disclosures – Declaration form* annually.
- Disclosures must be made by all Councillors immediately prior to an ordinary or extraordinary election.
- Disclosures must be made immediately prior to the termination of employment of/by a KMP.

4. 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 judgment 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.

5. Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.



Person Responsible	Chief Executive Officer
History	New Policy August 2017 (M8891) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### 3.12 Purchasing Shire Owned Residential Properties

**Policy** The Shire of Dalwallinu is willing to sell residential properties to any of its employees that have been employed by the Shire for a minimum of three (3) years. Following is the process and conditions that apply:

Properties for Sale

The only residential properties that are able to be purchased are either vacant properties or they are the property that the employee resides within. For clarity, an employee may not make an offer for a Shire of Dalwallinu property that is currently tenanted by another person unless both parties come to an agreement that is satisfactory to Council.

Process for Purchase

1. Employees make an offer to purchase in writing to the Shire of Dalwallinu;
2. The Shire of Dalwallinu will have the property valued for “market value” by a licensed valuer at the Shire’s expense;
3. A report to be presented to Council for their consideration quoting both the “market value” and “fair value”;
4. Should Council accept the offer, the Chief Executive Officer is to dispose of the property as per Section 3.58 of the Local Government Act 1995.

**Objective** To provide clarity as to the process of purchasing residential properties from the Shire of Dalwallinu by employees.  
To provide an incentive to attract and retain employees.  
To proactively turnover the Shire of Dalwallinu residential assets.

**Guidelines** Local Government Act 1995 – Section 3.58

Person Responsible	Chief Executive Officer
History	New September 2017 (M9007) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### 3.13 Debt Collection – Sundry Debtors

**Policy**

This policy has been developed to treat debtors fairly and consistently while recognising the Shire has the responsibility to recover all outstanding sundry debts in a timely manner to finance delivery of its services. Legal proceedings will continue until full payment has been received.

The Shire provide trade debtors and miscellaneous debtors thirty (30) days from the invoice date to settle any outstanding accounts.

The Chief Executive Officer may allow persons experiencing financial difficulties to make suitable arrangements for payment of sundry debtor changes only.

Where no alternative arrangements have been made, the following actions are to occur:

After thirty (30) days has expired, contact is to be made by telephone to the sundry debtor seeking a commitment to pay the outstanding debt and a memo to this effect entered on the Debtors record.

If the debt is still outstanding after a further seven (7) days, a letter is to be sent requesting payment of the outstanding balance within seven (7) days of receipt of the letter.

Where the debt remains unpaid after seven (7) days, a final demand letter is to be sent stating payment is due within seven (7) days and the failure to pay will result in the matter being placed in the hands of the Shire’s debt collection agency.

Debtors remaining unpaid after the expiry date of the final demand letter and not subject to any approved arrangement will be subject to the issue of a Claim through the Shire’s debt collection agency to effect recovery.

The debtor will not be allowed to incur any further debt with the Shire.

**Objective**

This policy is designed to provide guidelines for the timely collection of money owed to the Shire of Dalwallinu.

Person Responsible	Manager Corporate Services
History	New Policy March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### 3.14 Financial Hardship

#### Policy

#### Scope

This financial hardship policy outlines how Shire of Dalwallinu (“we”) will assist a residential customer (“you”) who cannot pay their rates notice because of financial hardship. This policy applies to:

- Outstanding Shire of Dalwallinu rates, service charges and water services portion as at the date of adoption of this policy; and

Our policy applies only to residential customers. If you are a commercial customer, we encourage you to still talk to us.

We are committed to working with you to find an appropriate payment arrangement that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

#### Statement

##### *What is financial hardship?*

You will be considered to be in financial hardship if paying the rates, service charges and water services portion of your rates notice will affect your ability to meet your basic living needs – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- Loss of your or a family member’s primary income;
- Separation or divorce from your spouse;
- Loss of your spouse or loved-one;
- Physical or mental health problems;
- a chronically ill child;
- Budget management difficulties because of low income; or
- Other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

##### *Identifying customers in financial hardship*

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask your financial counsellor to contact us on your behalf.

We will assess within five (5) business days whether we consider you to be in financial hardship. If we cannot make our assessment within five (5) business days, we will refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment, we will advise you of the outcome.



#### *Payment plans*

If we determine that you are in financial hardship, we will offer you more time to pay the rates, service charges and/or water services portion of your rate notice or more time to pay a payment plan for any of these charges.

We will not charge you any fees or interest as part of your extension or payment plan.

We will still involve you and, if applicable, your financial counsellor in setting a payment plan. When setting the conditions of the plan, we will consider your capacity to pay and, if relevant, your consumption history.

If you ask us, we will review your payment plan. If your review indicates that you are unable to meet your obligations under the plan, we will revise it.

We do not have to offer you a payment plan if you have had two payment plans cancelled because of non-payment.

#### *Debt reduction and collection*

If you are in financial hardship, we will consider reducing the amount you owe us. The reduction is only applicable for water services portion of your rates notice. Reduction for rates and services charges is not considered under this policy.

We will also not commence or continue proceedings to recover your debt:

- while we are assessing whether or not you are in financial hardship; or
- if you are complying with your payment plan or another payment arrangement you have with us.

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings.

We may outsource your debt to a debt collection agency. Additional fees may apply in this case.

#### *Useful information*

- Redirection of rate notice: We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill.
- Payment options: You may pay your rate notice by Centrepay, Bpay, in person at the Shire of Dalwallinu Administration office, via telephone or by posting a cheque to the Shire of Dalwallinu. Centrepay is only available to customers who receive Centrelink payments. Paying by Centrepay may help you manage your bills more easily, as your bills will be paid through regular deductions.
- For more information on your payment options, please refer to your rate notice or contact us.





- Financial counselling: We will advise you of any financial counselling services or other organisations that may be available to you.
- Financial counsellors offer free, independent information to help you to take control of your financial situation.
- The Financial Counsellors’ Association of WA (FCAWA) can refer you to a financial counsellor in your area by calling them on the National Debt Helpline. The helpline provides a free confidential service for all Western Australians with financial problems and queries. The helpline can be contacted on 1800 007 007. Alternatively, you can go to the FCAWA website, [www.financialcounsellors.org](http://www.financialcounsellors.org), and enter your postcode to locate your closest financial counselling service.

*Complaints handling*

If you have a complaint, please contact us first. Our contact details can be found from Shire of Dalwallinu website [www.dalwallinu.wa.gov.au](http://www.dalwallinu.wa.gov.au).

Our complaints handling process is available at [www.dalwallinu.wa.gov.au](http://www.dalwallinu.wa.gov.au).

*Complaints handling for Water Services Portion*

If you are not satisfied with the way we handle your complaint regarding your water services portion, you may refer your complaint to the Energy and Water Ombudsman. The Energy and Water Ombudsman will investigate your complaint and may mediate the dispute between you and us.

The Energy and Water Ombudsman’s contact details are:

Energy and Water Ombudsman WA  
 Phone: (08) 9220 7588  
 Freecall: 1800 754 004  
 Email: [energyandwater@ombudsman.wa.gov.au](mailto:energyandwater@ombudsman.wa.gov.au)  
 Website: [www.ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au)

*Approval and review*

Our policy was approved by the Economic Regulation Authority.

We will review our policy every year to ensure it remains up-to-date and relevant.

Person Responsible	Chief Executive Officer
History	New Policy April 2020 Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4. Staff



## 4.1 Voluntary Service

### Policy

#### **Paid Leave Entitlements**

All staff who are bona fide members of local volunteer emergency service groups, (i.e. Fire Brigade, Fire and Rescue, St John Ambulance, Local Emergency Management Committee or armed services reserves duties), who are required for emergency service by those groups during ordinary working hours, shall be paid for time absent up to the total of ordinary working hours usually worked in that day or period during the emergency, but not including time in excess of ordinary working hours, weekends (unless part of their normal roster of working hours) or public holidays.

For the purpose of this policy, ordinary working hours shall be the time ordinarily worked.

#### **Conditions of Volunteering**

1. Shire employees either volunteering, or as members of volunteer organisations, are required to obtain permission from their Manager, or the Chief Executive Officer, to attend an emergency during ordinary working hours.
2. Any Shire employee attending an emergency before or after their ordinary working hours, will be considered to be a volunteer and will not be paid by the Shire. Shire employees will only be paid when volunteering if it is during normal working hours.
3. When a specific request has been made by the Chief Bush Fire Control Officer for Shire heavy equipment and approved by the Manager or Chief Executive Officer, the Shire employees operating this equipment will be paid the appropriate award rate for the length of time required. This arrangement is limited to ten (10) hours continuous time, after which time the operator should be relieved of duty. Should the operation continue, then he/she will be a volunteer.
4. Volunteers for St John Ambulance may only attend ambulance call outs for priority calls (not patient transfer) during normal working hours.
5. Should the Shire employee volunteer outside their normal working hours (late into the evening/early morning), there is the expectation they are to present for work that day. If this is not possible, the employee is to use annual leave.



**Objective**

To identify Council’s support for volunteer service from Shire employees.

To ensure that the Shire employees who are members of volunteer groups are paid whilst attending emergencies.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Amended March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.2 Housing Incentive – Owner Occupied Housing

Policy	<p>All permanent full time staff who purchase their first home within the Shire (whilst employed by the Shire) and who live in that home shall receive:</p> <p>A once only payment of \$2,600.00; and</p> <p>Whilst owning and residing in that home as an employee of the Shire, a further subsidy equal to an over award payment of \$3,900pa (paid at \$150.00 per fortnight).</p> <p>To qualify for the once only payment of \$2,600 an employee must first complete twelve (12) months continuous service.</p> <p>The subsidy is payable once the eligible staff member meets the required owner and occupier status.</p>
Objective	<p>To encourage staff to stay in Dalwallinu Shire and to assist employees to purchase a land asset.</p>
Guidelines	<p>This policy applies to employees who commence employment with the Shire after 12 January 1998.</p> <p>Where the employee has been a full time employee for more than twelve (12) months at the time of purchasing their home, the once only payment will be payable on evidence of ownership.</p> <p>Termination of employment within two (2) years of the purchase (settlement) of an eligible home, whether by resignation or termination by the employer, will result in a pro-rata repayment to the Shire.</p>

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### 4.3 Staff Housing – Rental Subsidy

Policy	<p>Council staff housing, when available will be provided to permanent full time staff members and a subsidy of \$75.00 per week will be deducted from the current market value of the property.</p> <p>Where there is a shortage of suitable staff housing, a rental subsidy may be paid on private rental accommodation subject to the approval of the Chief Executive Officer. (A copy of the lease agreement AND proof of rental payment is required eg. Copy of bank statement)</p> <p>This subsidy is available to part time employees on a pro-rata basis (calculated on base part time hours).</p> <p>Should the Shire housing not be maintained to an acceptable standard (both inside and outside), the Chief Executive Officer reserves the right to discontinue the weekly rental subsidy.</p> <p>Employees who own their own house in the Shire of Dalwallinu are not entitled to the subsidy.</p> <p>Council does not permit employees to sublet any rooms in Shire housing without permission from the Chief Executive Officer.</p> <p>Shire housing is subject to six monthly rental inspections.</p>
Objective	To provide an incentive for staff to remain within the employ of the Shire.
Guidelines	Rental housing is provided in accordance with the requirements of the <i>Residential Tenancy Act 1987</i> .

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Amended March 2018 (M9129) Amended March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



#### 4.4 Designated Senior Employees

Policy	For the purposes of Section 5.37 of the <i>Local Government Act 1995</i> , the Council shall designate the following employees to be “senior employees”:
	<ul style="list-style-type: none"> <li>• Manager Corporate Services</li> <li>• Manager Works &amp; Services</li> <li>• Manager Planning &amp; Development</li> </ul>
Objective	The designation of senior employees in accordance with Section 5.37 of the <i>Local Government Act 1995</i> .
Guidelines	The Chief Executive Officer is a senior employee under the provision of Section 5.36 of the <i>Local Government Act 1995</i> .

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Amended March 2019 (M9342) Amended May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.5 Water Consumption for Council Staff Houses

Policy	<p>Council will meet the cost of water usage for Council owned staff housing up to \$850.00 per financial year.</p> <p>All usage above the annual limit will be invoiced to the employee.</p>
Objective	<p>To ensure that Council housing gardens are maintained.</p> <p>To ensure that Council is not paying excessive amounts of water costs by making employees accountable for their water usage.</p>
Guidelines	<p>The Chief Executive Officer reserves the right to charge the tenant for water usage should the gardens not be maintained (lawns green/mowed and gardens free of weeds).</p> <p>If there is a reported water leak, the Chief Executive Officer reserves the right to adjust the invoice for water usage over the maximum usage accordingly.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Amended March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Amended March 2023 (M10059)</p>





## 4.6 Severance Pay

### Policy

#### **Voluntary Terminations**

Employees leaving the organisation of their own volition for the purposes of retirement or career change will not be paid an ex-gratia or severance payment except as provided for in this policy.

#### **Entitlement**

A terminating employee is entitled to severance pay and benefits in accordance with:

1. Any federal or state award, industrial agreement or contract applicable to that employee;
2. Any applicable provisions within the employees contract of employment;
3. Any applicable award order made by a federal or state industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal;
4. Where Council so agrees, any recommendation made by a federal or state industrial commissioner arising from the circumstances of that employee being specifically brought before that commissioner.

#### **Dismissal**

Where a dismissed employee has taken or is proposing to take litigation for alleged unfair dismissal, Council may decide to settle to avoid expensive litigation (see Guidelines below).

#### **Redundancy**

Where an employee's position is made redundant then he/she shall receive a redundancy payment as per the award, industrial agreement or employee contract.

#### **Unforeseen circumstances**

Nothing in this policy prevents Council from determining that in unforeseen circumstances, terminating employees may be paid additional monies or provided additional benefits where justified and where it is demonstrably in the best interests of the Shire of Dalwallinu.

If Council so determines to provide a payment, details of the severance pay and benefits shall be published in accordance with Section 5.50(2) of the Act.

#### **Payments in addition to a contract or award**

Where an employee has displayed exemplary service over a period of not less than seven (7) year service to the Shire, a payment, not exceeding 25% of the employees average final year's salary, may be made.



Each case to be determined, by Council, on its merits.

The value of the payment or payments made under this policy, for an employee whose employment with a local government finishes after 1 January 2010, is not to exceed in total:

- a) If the person accepts voluntary severance by resigning as an employee, the value of the persons final annual remuneration, as defined by Regulation; or
- b) In all other cases \$5,000

**Objective** The purpose of this policy is to set down the severance payable to terminating employees for the purpose of Section 5.50(1) of the *Local Government Act*

**Guidelines** Matters to be taken into consideration by Council 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 involved in the preparation and hearing of a case
- The disruption to the operations
- The cost of witnesses
- The cost of travel and accommodation in running the case
- The cost of having staff involved in the preparation and hearing of a case
- The disruption to the operations

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.7 Sick Leave ‘Cash Out’ Scheme

Policy	Eligible qualifying employees may, each financial year, elect to cash out up to five (5) days, the equivalent of one week’s sick leave at the ordinary rate of pay.
Objective	To encourage employees to limit the number of sick days taken in any one year whilst recognising that it is in the best interest of all employees to take sick leave when required.
Guidelines	<p>For every sick day taken during the preceding twelve (12) months, a day will be deducted from the five (5) days available to be cashed out.</p> <p>Therefore, an employee having five (5) or more sick days during the twelve month period will not be eligible for the cash out option.</p> <p>The cash out is to be taxed at the appropriate rate as determined by the Taxation Office.</p> <p>The employees accrued sick leave entitlement is to be amended, reducing sick leave accruals by the number of days cashed out.</p> <p>Permanent part time employees receive the same benefit based on the daily rate for each day taken.</p> <p>A qualifying employee is a permanent employee of the Shire, who has been employed by the Shire for twelve (12) months prior to the offer.</p> <p>Employees are to be given the option, in writing, whether to cash out or not.</p>

Person Responsible	Manager Corporate Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.8 Staff Superannuation

Policy	The Shire of Dalwallinu will match voluntary employee contributions dollar for dollar to a maximum of 5%.
Objective	To provide an incentive for employees to contribute to their superannuation fund.
Guidelines	<p>All employees shall have the option to salary sacrifice a nominated percentage of their salary or make additional contributions to superannuation, but there is no obligation on the Shire of Dalwallinu to match employee contributions other than in accordance with this policy.</p> <p>Variation to Policy</p> <p>Council may vary this policy from time to time with respect to legislative changes and any other mitigating circumstances.</p>

Person Responsible	Manager Corporate Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.9 Study Assistance

Policy	<p>Study assistance relates to any qualification gained through University/TAFE/College which has a national recognisable attainment.</p> <p>Permanent employees who have completed their probationary period may be eligible for study assistance subject to the conditions of this Policy.</p> <p>Approval may be granted only where there is clear relevance between current or prospective duties and the studies to be undertaken.</p> <p>The Chief Executive Officer is authorised to approve Study Assistance based on advice from the relevant Manager.</p> <p>Applications for study assistance must be annually.</p> <p>The Shire will allocate in the Annual budget a sum to assist with the costs associated with employee study assistance.</p> <p>This assistance is provided for training that is over and above the normal training that employees are required to do to perform their job.</p>
Objective	<p>The Shire supports employees who endeavour to further their education (as it related to their position), through the provision of a financial subsidy and time off for study.</p>
Guidelines	<p><b>Financial Assistance</b></p> <p>The Shire will consider reimbursement to the maximum value of \$2,500 in any year for education through a recognised provider (i.e. University/Tafe/College):</p> <ul style="list-style-type: none"> <li>• Authorisation from the Chief Executive Officer, prior to commencement of the program is required, in order that the contents of the program can be assessed to ascertain the relevance to current work duties and responsibilities;</li> <li>• Employees must pay for the approved unit(s) upfront and pass the unit(s), prior to any reimbursement claim being made.</li> <li>• In order to claim reimbursement, employees must complete the study assistance claim form, provide the receipt of payment and a copy of the results obtained showing that they gained the qualification.</li> <li>• If the employee leaves within twelve (12) months of obtaining the qualification they are required to pay back 50% of the financial assistance granted by the Shire.</li> </ul> <p><b>Time off for study</b></p> <p>The Shire will consider up to five (5) hours per week, paid time off for employees who wish to gain higher education through a recognised provider (i.e. University or Tafe):</p>



- For time off to study to be approved, employees must satisfy the Shire that all endeavours have been made to study outside working hours, e.g. evening classes, correspondence etc., and that rostered days are being utilised.
- The five (5) hours per week shall include travel time to and from the place of study.
- Reasonable time for examinations will be considered.
- A study assistance application form must be completed and approved prior to time off for study being commenced.
- Time off for study must be applied for on an annual basis.
- Employees cannot apply for financial assistance plus time off for study leave. Application is to be for one or the other.

Person Responsible	Chief Executive Officer
History	New Policy April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.10 Drug and Alcohol

### Policy

#### 1.0 Commitment

##### 1.1 Shire of Dalwallinu

The Shire of Dalwallinu and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and other drug usage becomes an occupational safety and health issue if a workers ability to exercise judgement, coordination, motor control, concentration and alertness at the workplace is impaired. For the purposes of this policy, the term “employee/s” shall extend to cover contractors, volunteers and any person performing work for the Shire of Dalwallinu in any capacity.

The Shire of Dalwallinu is committed to providing the safest possible workplace for its employees and to achieve the highest standards of safety and health, all employees are encouraged and expected to be free of alcohol and or other drugs whilst carrying out their duties. The underlying principles of the Shire of Dalwallinu are fairness and transparency and providing a safe workplace that promotes and protects the well-being of all employees within the Shire of Dalwallinu.

##### 1.2 The Individual’s Responsibility

Under the *Occupational Safety and Health Act 1984 (the OSH Act)*, workers must take reasonable care of their own safety and health of others at the workplace. The consumption of alcohol and/or drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace functions.

Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is impaired by alcohol and/or drugs at the workplace, may face disciplinary action including possible termination of employment.

All employees are expected to comply with the Shire of Dalwallinu’s Code of Conduct at all times. They should carry out their duties in a professional, responsible and conscientious manner and refrain from any conduct (including alcohol abuse or substance misuse) which could adversely affect their personal work performance or the safety and well-being of others.

#### 2.0 Reporting Requirements

Under the *Occupational Safety and Health Act 1984*, employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs, as this presents a hazard in the workplace.



### **3.0 Drug use on the Premises**

Employees who buy, take or sell drugs on Shire of Dalwallinu premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal and may be referred to the relevant authorities.

#### *Prescribed and Over the Counter Medications:*

The employee must follow the instructions in respect of prescribed or over the counter medications. If the medication affects their ability to perform a task they must advise their supervisor or manager. Employees taking prescribed or over the counter medication must not commence duties if their doctor or pharmacist indicates that it would not be safe to do so.

The categories of drugs and substances prohibited by the Shire of Dalwallinu are outlined as per the Australian Standard AS 4308 for drugs of abuse.

### **4.0 Consumption of Alcohol on Shire Premises**

Except in situations where the Shire of Dalwallinu holds a function on Shire premises and alcohol is provided, employees must not bring in and/or consume/or sell alcohol in the workplace.

### **5.0 Drug/Alcohol Treatment Programs**

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Shire of Dalwallinu will provide assistance to the employee.

The Shire of Dalwallinu will allow an employee to access any accrued personal or annual leave while they are undergoing treatment and;

The Shire of Dalwallinu will take steps to return an employee to their position after completion of the treatment program, if practicable in the circumstances.

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the line manager or members of senior management, will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or is possible termination from employment if the employee is unable to safely carry out the requirements of their role.

### **6.0 Responsibilities**

The Shire of Dalwallinu considers that the use of alcohol or other drugs is primarily a health issue for individual employees, however, where an employee's performance or conduct affects his/her health and safety, and/or others in the workplace, the Shire of Dalwallinu is committed to appropriately managing the issue.





A likely outcome for any breach of this policy will be disciplinary action (up to and including termination of employment), however the Shire of Dalwallinu may also manage the issue by:

- Providing appropriate education and training to employees;
- Providing professional counselling and support where needed.

#### **6.1 Managers Responsibilities – Consumption of Alcohol at Work Sponsored Functions**

- Encourage their people to make alternative arrangements for transport to and from work prior to the function;
- Ensure that the following is made available: - Low alcohol beer, soft drinks, water and other beverages such as tea and coffee and food;
- If the manager believes a person may be over the legal alcohol limit, assist the person with safe transport home (including contacting a family member); and
- If the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

#### **7.0 Pre-Employment Medical Tests**

As part of their recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

#### **8.0 Basis for Testing**

##### **8.1 Random Testing**

Random testing may also be conducted. Random testing may utilise a variety of methods for randomly selecting names such as software, lottery of selection through coloured marbles in a bag drawn by each employee. All staff on site must participate in the random selection.

##### **8.2 Blanket Testing**

Blanket testing of the entire organisation may be conducted. All members of the workforce must participate in this process if instigated.

##### **8.3 Testing as the Result of an Incident**

The employee/s will be tested if an accident or incident occurs and it is suspected that the cause may have been alcohol or drug related.

##### **8.4 Reasonable Suspicion**

The employee/s will be tested upon reasonable suspicion that the employee/contractor is under the influence of drugs and/or alcohol.



## 9.0 Identification of Impairment & Testing

If the manager/supervisor has reasonable grounds to believe that an employee is affected by drugs and/or alcohol they will take steps to address the issue.

Reasonable grounds may include (but are not limited to), where an employee's coordination appears to be affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

If the manager/supervisor suspects that an employee is under the influence of drugs and/or alcohol they may pursue any or all of the following actions:

- Direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties;
- Require that an employee undergo drug and alcohol testing administered by a representative of the Shire of Dalwallinu. The saliva and/or urine testing will be set at **zero tolerance** for all staff.
- Direct an employee to go home and invite them to take annual leave.

A medical assessment may include drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 – Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the manager/supervisor may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The manager/supervisor may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusals to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the employee up to and including the termination of employment.

The following steps are to be taken where an employee who has submitted to a medical assessment returns a positive test for alcohol and/or drugs:

- The Shire of Dalwallinu has a policy of “zero tolerance” for any illicit substance and should a laboratory confirmed drug test return positive this will result in the employees instant dismissal.
- The employee tested and the supervisor (or manager) will be informed of the result;



- A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Shire of Dalwallinu.

An employee who returns a positive test will be in breach of this policy.

### **10.0 Education, Training & Awareness**

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help.

The Shire of Dalwallinu engages the services of an external Employee Assistance Provider who can provide the organisations people with free and confidential counselling.

### **11.0 Consequences of Breaching this Policy**

An employee engaged by the Shire of Dalwallinu who breaches the provisions of this policy may face disciplinary action including possible termination of employment.

### **12.0 Variation to this Policy**

This policy may be cancelled or varied from time to time. All the organisations employees will be notified of any variation to this policy by the normal correspondence method.

## Guidelines

### **Definitions**

For the purpose of this Policy, being “under the influence of alcohol and/or other drugs” the following definition and interpretations shall apply:

**Impaired Work Performance** – means sudden or gradual deterioration of a person’s ability to function appropriately at work.

**Unfit for Work** – means being impaired for work and therefor unable to perform duties in a safe manner.

**Use** – means eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.

**Misuse** – means inappropriate use of a substance on the Shire of Dalwallinu premise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.

**Alcohol** – means any beverage containing alcohol. In chemistry an alcohol is any organic compound in which the hydroxyl functional group is bound to a saturated carbon atom.

**Drugs** – means Amphetamines, Cannabinoids THC, Barbiturates, Cocaine, Opioids, Methadone, Benzodiazepines and other narcotics. The categories of drugs and substances prohibited by the Shire of Dalwallinu are outlined as per the Australian Standard AS 4308 for drugs of abuse.



**Substance** – means a person employed by the Shire of Dalwallinu in a permanent, part-time or casual role.

**Contractor** – means a person engaged by the Shire of Dalwallinu (includes sub-contractor personnel) to perform works on Shire of Dalwallinu property through the Shire of Dalwallinu property through the issue of a purchase order.

**Organisation** – means the Shire of Dalwallinu

**Incident** – means a workplace accident or event which is subject to an OSH investigation.

**Over the Counter** – means purchases from a pharmacy or retail outlet.

**Explanatory Note**

Notwithstanding, this Policy incorporates a procedure for disciplinary action under Statement 5.0 to address matters where an employee is deemed ‘unfit for work’, the Council acknowledges that the Chief Executive Officer may, at his/her discretion, accounting for a particular circumstance or situation, deviate from this procedure in managing the daily operations of the Shire pursuant to

Section 5.41 of the *Local Government Act 1995*.

Person Responsible	Chief Executive Officer
History	<p>New Policy June 2017 (M8846)          Amended March 2018 (M9129)          Amended August 2018 (M9231)          Reviewed March 2019 (M9342)          Reviewed May 2020 (M9556)          Reviewed March 2021 (M9688)          Reviewed March 2022 (M9885)          Reviewed March 2023 (M10059)</p>



## 4.11 Staff Uniforms

Policy	<p>Uniforms purchased by an approved local government uniform supplier will be covered up to a maximum of \$500.00 per financial year. Any additional expenses over \$500.00 will be covered by the employee.</p> <p>Uniforms purchased under this policy must have the Shire logo or the logo of the approved supplier on the clothing.</p> <p>Any employee who does not utilise the full \$500.00 per financial year is not entitled to receive a cash refund for any shortfall at the end of the financial year and the shortfall cannot be carried over to the following year.</p>
Objective	<p>This policy provides guidelines in respect to the maximum allowance given to employees not provided uniforms as part of their role.</p>

Person Responsible	Manager Corporate Services
History	<p>New Policy March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 4.12 Disciplinary Action

### Policy

#### 1.0 Commitment

The Shire of Dalwallinu may from time to time consider that issues of employee behaviour, misconduct or unacceptable performance levels require disciplinary action.

The Shire of Dalwallinu is committed to providing the best possible service and ensuring its employees perform and conduct themselves in accordance with Shire of Dalwallinu policies, procedures and guidelines. Any disciplinary procedure will be applied in a consistent, fair and objective manner, and it will ensure that, where reasonable, employees are given an opportunity and assistance to improve.

#### 2.0 Authority to take Disciplinary Action

Disciplinary action may only be taken when authorised by the Chief Executive Officer in consultation with the Managers.

#### 3.0 When the Disciplinary Policy Applies

Some examples of when this policy may be invoked include breaches of Shire of Dalwallinu policy and procedures including, but not limited to:

- Breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
- Poor performance such as frequently attending for work late or producing a poor quality of work; or
- Inappropriate personal behaviour such as theft, discrimination, harassment, bullying or wilfully disobeying a lawful instruction.

#### 4.0 General Disciplinary Principles

The following principles will apply to any disciplinary action take.

##### **Nature of allegation and investigation**

Before formal disciplinary action is taken against an employee, the nature of the allegations made against an employee will be put to the employee and an investigation may ensue, in accordance with the Grievances, Investigations & Resolution Policy & Procedure.

##### **Right to a support person**

Where an employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the employee may be accompanied by a support person where practicable. The role of the support person is not to advocate on behalf of anyone, but to simply provide emotional or other support.



### **Confidential**

All parties must keep matters related to a disciplinary process confidential.

### **Fair and impartial**

The Shire of Dalwallinu strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

### **5.0 Serious Misconduct**

Serious misconduct pursuant to the *Fair Work Regulations 2009 (Cth)* includes, but is not limited to:

- wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- conduct that causes serious and imminent risk to:
  - The health or safety of a person; or
  - The reputation, viability or profitability of the Shire of Dalwallinu's organisation;
- the employee, in the course of the employee's employment, engaging in:
  - theft; or
  - fraud; or
  - assault;
- the employee being verified, intoxicated at work;
- the employee returning a positive result for drugs, confirmed by a laboratory test; or
- the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

If an employee engages in serious misconduct, disciplinary action that may be taken includes, but is not limited to, summary dismissal (termination of employment without notice).

### **6.0 Other Disciplinary Action**

With the exception of serious misconduct, where an employee has engaged in an act or omission which is inconsistent with any of the Shire of Dalwallinu's policies, the employee could be disciplined as follows:

- **Verbal warning** – Where an employee engages in an act or omission which is inconsistent with the Policies, management has the discretion to issue the employee with a verbal warning. The verbal warning should be noted in a file note and placed on the employee's personnel file.
- **Written warning** – If the employee engages in a more serious act or omissions, or acts in a manner which is inconsistent with the Policies, management has the discretion to issue the employee with a written warning. The employee must be given a copy of the written warning.
- **Termination of employment with notice** – In cases other than summary dismissal, an employee's employment may be



terminated with notice or payment in lieu of notice provided the Shire of Dalwallinu has a valid reason for terminating the employee’s employment and the employee has an opportunity to response to the reasons for termination.

Whenever an employee is required to attend a meeting regarding a disciplinary issue, the employee may have a support person present where practicable. The type of disciplinary action taken against an employee is at the Shire of Dalwallinu’s discretion and the type of disciplinary action will depend on the seriousness and frequency of any misconduct or performance issue.

**7.0 Principles to be applied**

Where disciplinary action is taken, the principles of procedural fairness must prevail. These principles are expanded on in the Shire of Dalwallinu’s Grievances, Investigations and Resolutions Policy.

**8.0 Investigation procedures for alleged misconduct**

Investigations into alleged misconduct should follow the processes details in the Shire of Dalwallinu’s Grievances, Investigations and Resolutions Policy.

**9.0 Reporting Obligations**

If an officer or employee of the Shire of Dalwallinu has reporting obligations pursuant to the *Corruption and Crime Commission Act 2003 (WA)* and suspects on reasonable grounds that a matter arises which concerns or may concern misconduct, the Corruption and Crime Commission must be notified of that matter as soon as reasonably practicable.

Employees must also be aware of ad adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

**10. Variation to this Policy**

This policy may be cancelled or varied from time to time. All the organisation’s employees will be notified of any variation to this policy by the normal correspondence method.

Person Responsible	Chief Executive Officer
History	New Policy August 2018 (M9231) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)





## 4.13 Grievances, Investigations & Resolution

### Policy

All employees have a right to express any genuine grievances or complaints via an impartial internal process. All employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term “employees” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Dalwallinu in any capacity.

### ROLES

**Complainant** – An employee who raises a complaint about a matter regarding the workplace.

**Respondent** – An employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.

**Support Person** – A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of the Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.

**Witness** – A person (including an employee) who is requested by the Local Government to assist the process by providing relevant information regarding the complaint.

### 1.0 What to do if you have a complaint?

If an employee (Complainant) is the victim of behaviour of another employee (Respondent) which is inconsistent with the Local Government’s policies, procedures or guidelines, the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the Complainant should contact the Manager directly.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their direct manager. If the direct manager is the Respondent in the matter or if the employee feels uncomfortable approaching their Manager, the Complainant should approach the Chief Executive Officer.

The employee who receives the complaint must contact the Chief Executive Officer and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

### 2.0 Key principles in the Complaint Resolution Process

The following principles are necessary for the fair investigation and resolution of a complaint:



**Confidential** – Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire of Dalwallinu may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Information will only be placed on an employee’s personal file if they are disciplined as a result of the complaint;

**Impartial (fair/unbiased)** – Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until available and relevant information has been collected and considered;

**Sensitive** – The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation;

**Timely** - The Shire of Dalwallinu aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;

**Documented** – All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient.

**Natural Justice** – The principles of natural justice provide that:

- a respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
- a respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
- anyone involved in the investigation should be unbiased and declare any conflict of interest;
- decisions must be based on objective considerations and substantial facts; and
- the Complainant and Respondent have the right to have a support person present at any meetings where practicable.

**Procedural Fairness** – The principles of procedural fairness provide that:

- the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
- a Respondent is entitled to receive verbal or written communication from the Shire of Dalwallinu of the potential consequences of given forms of conduct, as applicable to the situation;
- the Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
- any mitigating circumstances presented to the Shire of Dalwallinu through the grievance process are investigated and considered;



- the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
- any witnesses who can reasonably be expected to help with an inquiry or investigation process should be interviewed; and
- all interviews of witnesses are conducted separately and confidentially.

### **3.0 Outcome of Making a Complaint**

If a complaint is substantiated, there are a number of possible outcomes. If the complaint involves a performance issue, the Manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the Disciplinary Policy.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the Manager of the Respondent, in conjunction with Human Resources, may elect to discipline the Respondent in accordance with the Disciplinary Policy.

### **4.0 Vexatious or Malicious Complaints**

Where a Complainant has deliberately made a vexatious or malicious complaint that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

### **5.0 Victimisation of Complainant**

A Complainant must not be victimised by the Respondent or any other employee of the Shire of Dalwallinu for making a complaint. Anyone responsible for victimising a Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

### **6.0 Variation to this Policy**

This policy may be cancelled or varied from time to time. All the Shire of Dalwallinu’s employees will be notified of any variation to this policy by the normal correspondence method.

Person Responsible	Chief Executive Officer
History	New Policy August 2018 (M9231) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.14 Secondary Employment

Policy	<p>The Shire of Dalwallinu recognises that its employee’s may engage in secondary employment outside of their employment with the Shire of Dalwallinu. This policy aims to provide guidance to the disclosure, implications and limitations regarding ‘secondary employment’ in the context of perceived and actual conflicts with the work conducted at the Local Government.</p> <p>For the purposes of this policy, secondary employment includes paid employment with another organisation, running a business, maintaining a professional practice or consultancy, contract work and being a director of an organisation. It may also include voluntary activities if those activities have the potential to affect employment with the Shire of Dalwallinu.</p>
Objective	To provide guidance to employees when considering secondary employment.
Guidelines	<p><i>Commitment</i></p> <p>The Shire of Dalwallinu will exercise the discretion to consent to an employee’s application for secondary employment, unless the secondary employment will, or is likely to have an adverse impact on their employment with the Shire of Dalwallinu. In considering any such application, the Shire of Dalwallinu will have due regard to principles affecting employment by Local Governments under Section 5.40 of the <i>Local Government Act 1995</i>.</p> <p><i>Requirement</i></p> <p>An employee must not engage in secondary employment outside the service of the Shire of Dalwallinu without first informing the Chief Executive Officer. The Chief Executive Officer will review the nature of the secondary employment and provide the employee with an outcome. If the Chief Executive Officer elects not to give consent to secondary employment, the Chief Executive Officer must provide an explanation outlining any perceived or actual adverse impact the secondary employment may have on their employment with the Shire of Dalwallinu.</p> <p><i>Conflicts of Interest with the Local Government</i></p> <p>Secondary employment can lead to conflicts of interest and/or conflicts of duties. An employee must not use Shire of Dalwallinu time, resources, or information obtained from the Shire of Dalwallinu in the course of secondary employment, or otherwise take advantage of their position at the Shire of Dalwallinu for the benefit of their secondary employment.</p> <p>An assessment of any secondary employment will be undertaken annually or more regularly if required in order to minimise risks including but not limited to:</p> <ul style="list-style-type: none"> <li>• the creation of an actual or perceived conflict of interest between official and private business interests;</li> <li>• misuse of Shire of Dalwallinu resources, especially telephone, email and office stationery and material;</li> </ul>



- unauthorised use of information and intellectual property;
- absenteeism due to competing commitment;
- diminished work performance resulting from tiredness, distraction or time pressures;
- increased loan on co-workers who must ‘cover’ the reduced performance of one employee; and
- adverse effects on the public’s perception of the integrity of the Shire of Dalwallinu.

#### *Responsibility of Employee*

An employee must avoid and appropriately resolve any conflict or incompatibility between his or her private or personal interests and the impartial performance of his or her public or professional duties.

Employees with approval to engage in secondary employment have a duty to notify the Chief Executive Officer of any change in circumstances which might give rise to a conflict of interest, incompatibility with their Shire of Dalwallinu employment or any real or perceived adverse impact on their performance of professional duties.

#### *Responsibility of the Chief Executive Officer*

The Chief Executive Officer may deny an application to engage in secondary employment where it presents a conflict with their Shire of Dalwallinu duties.

The Chief Executive Officer may take the termination of secondary employment a condition of commencement or continuation of employment with the Shire of Dalwallinu. Further, the Chief Executive Officer may place any necessary restrictions on secondary employment so as to not interfere with the position with the Shire of Dalwallinu.

An employee who engages or continues to engage in secondary employment after being informed that their application has been denied may be subject to disciplinary action. In some circumstances, the Shire of Dalwallinu may be obliged to notify an external agency, such as the Corruption and Crime Commission, if the secondary employment arrangements requires further investigation.

#### *Voluntary & Community Organisations*

Shire of Dalwallinu employees are encouraged to contribute to the community and be involved in voluntary and community organisations. Within the context of this Policy, an employee is free to fully participate in voluntary and community organisations, charities and in professional associations. However, this must be in the employee’s own time, except where permission is granted by the Chief Executive Officer for participation during work hours. Refer Policy 4.1 Voluntary Service.

#### *Appeals*

If an employee who does not receive approval from the Shire of Dalwallinu to undertake secondary employment wishes to appeal the



decision, they are entitled to make their appeal in writing to the Chief Executive Officer for reconsideration.

*Variation to this Policy*

This policy may be cancelled or varied from time to time. All the Shire of Dalwallinu employees will be notified of any variation to this policy by the normal correspondence method. All employees are responsible for reading this policy prior to engaging in secondary employment.

Person Responsible	Chief Executive Officer
History	New Policy September 2019 (M9439) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.15 Employee Professional Development

### Policy

The Council and Shire acknowledges that professional development is an important factor in personal job satisfaction, workplace productivity, reward and recognition and plays an essential part in continuous improvement of the quality of its programs and services.

The Shire is committed to providing a supportive and rewarding environment for its employees and recognises that the quality of responsiveness and professionalism of its workforce are linked to the further development of their skills and competencies.

This commitment will include providing employees with:

- the opportunity to plan and develop skills, knowledge and attributes that complement organisational and service area goals;
- the opportunity to participate in career development activities that extend and enhance their capabilities and capacity for advancement within the organisation;
- the opportunity to attend relevant professional organisation conferences;
- the opportunity to participate in relevant study tours;
- equity of access to professional development opportunities.

Professional development opportunities and requirements are an integral component of the annual performance review process.

Employees are encouraged, as part of the performance review process, to take an active role in their own ongoing professional and career development and to apply their learning to its most effective use.

### MANAGEMENT PROCEDURES

#### Application

This policy and Management Procedure applies to all Shire employees.

#### Definitions

Conference/Professional Development	Is defined as an activity conducted by a professional body or legitimate group to provide professional interaction and networking designed to improve work related knowledge and skills
Employee	Refers to individual's employed by the Shire at officer, managerial level, including the Chief Executive Officer



Continuing Professional Development (CPD)	Refers to a process of ensuring continual professional and relevant skills related development. Certain professional societies and associations have a formal CPD system, requiring recording of events attended and activities undertaken as evidence of mandatory CPD
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### **Eligibility**

Except where an Employment Contract provides otherwise for a particular staff member, the following eligibility criteria shall apply:

- All members of staff, other than casuals, employed on a continuing or fixed-term basis are eligible to apply for a conference and seminar attendance, provided they have been employed by the Shire for a continuous period of greater than twelve (12) months;
- Attendance at conferences/seminars should have been identified as a learning and development requirement as part of the annual performance review;
- Approval shall be withdrawn should a member of staff tender their resignation form the Shire subsequent to approval being granted but prior to the attendance at the Conference/Seminar.

Members of staff who are due to retire from the Shire will not normally be entitled to apply for approval to attend a conference or seminar.

### *Interstate Conferences*

Attendance at interstate conferences and/or seminars shall be limited to Managers and the Chief Executive Officer, unless extenuating circumstances apply.

### **Attendance at Education courses, seminars, conference, workshops etc**

Members of the Designated Senior Staff are encouraged to attend the Annual State Conference relating to their profession;

Members of the Designated Senior Staff may attend bi- annually (every two years), the National Conference relating to their profession.

The Chief Executive Officer is authorised to approve the attendance of staff at educational courses, seminars, conferences, workshops etc subject to the following guidelines:

- it is specifically provided for in the Officer's employment contract; or
- the staff training budget allocation provides for such attendance; and
- the employee will be away from work for a period of not more than five (5) working days; and





- the Chief Executive Officer is to ensure that attendance at the conference will be beneficial to the Officer and/or the Shire;
- the Officer is to provide a brief report on the conference to colleagues at the next available staff meeting.

The Chief Executive Officer may authorise his/her attendance at appropriate educational courses, seminars, conferences, workshops etc, where:

- it is specifically provided for in the Officer’s employment contract; or
- the staff training budget allocation provides for such attendance; and
- the employee will be away from work for a period of not more than five (5) working days; and
- any registration cost is not greater than \$2,000; and
- it is in the state of Western Australia; and
  - suitable relief arrangements can be made.

The Shire President may authorise the Chief Executive Officer’s attendance at appropriate courses, conferences, professional development etc in accord with the Officer’s employment contract. Any conference not included in the Officer’s contract is to be approved by Council.

Funds for attendance at State and National Conferences may be provided specifically where known in each annual budget or provided for generically under the provision of Staff training.

**Note:**

1. Conference registration and accommodation costs are not to exceed any amount stated in the individual Officer’s employment contract, unless approved by the Chief Executive Officer/Shire President;
2. Attendance by the Chief Executive Officer/Senior Manager at the Annual WALGA conference is not to be included in the calculations for the Officer’s annual Professional Development allowance as stated in their contracts.
3. If an employee chooses to stay in their own accommodation or with relatives/friends, prior approval from the Chief Executive Officer is required and if approved, a daily rate of \$85.00 will be paid.

**Objective**

The objective of this Policy is to set out how the Shire of Dalwallinu (the Shire) will encourage and support employees in their professional and career development as part of their employment with the Shire and to provide administrative guidelines to facilitate fairness and equity in the application of these general principles.

Person Responsible	Chief Executive Officer
History	New Policy February 2020 (M9509) Amended May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 4.16 GPS Fleet Tracking

**Policy** This policy applies to all Shire light vehicles, plant and equipment, and to all employees, contractors, Elected Members, persons performing voluntary work or any other person that has been authorised to operate a vehicle or item of plant to undertake a Shire function or activity.

### ***Purpose***

The Shire of Dalwallinu has a large area of 7,236<sup>km<sup>2</sup></sup>. Often employees are operating vehicles and plant alone. In order to mitigate some risks of lone workers, the GPS devices will allow management to locate employees should an alarm be raised.

### ***Implementation***

The installation of a GPS to a vehicle or item of plant must be authorised by the Chief Executive Officer. GPS devices may be fitted to any Council vehicle or plant item.

### ***Data Recording Options***

Data from the GPS will not be recorded/stored in any instance.

### ***Driver Notification***

#### Existing Employees

Notification and Consent will be requested from existing Shire employees.

#### New Employees

Notification and Consent will be obtained prior to appointment.

Where a vehicle or plant item has a GPS device, a notification will be on display inside the vehicle/plant.

### ***Use and Disclosure of GPS Information***

The Chief Executive Officer or in their absence, the Acting Chief Executive Officer and Works Supervisor are the only Officer's authorised to access the GPS tracking system.

Information obtained through the GPS devices is to be used for safety reasons only. The GPS tracker will allow Officer's to check the employee's location should the need arise.

A register is to be maintained with the following information recorded:

- Date/Time
- Vehicle Tracked
- Reason for Tracking
- Outcome of Tracking Enquiry



**Responsibilities**

Employees, contractors, Elected Members or volunteers must not, without authorisation, remove or interfere with a Shire GPS device.

GPS tracking devices may be removed from Council’s light vehicles on weekends, outside of working hours, RDO’s or annual leave if private use of the council vehicle is included in the employment contract. The device must be in the vehicle at all other times.

Objective	To allow for the installation and use of GPS tracking devices in any of the Shire’s fleet, for the purpose of operator safety, fleet management and best practice utilisation.
Definitions	<i>Global Positioning System (GPS)</i> is the use of an electronic device to collect, interpret and record/store data (geographical location, movement and/or vehicle/plant function or activity).
Guidelines	<i>Local Government Act 1995</i> <i>Surveillances Devices Act 1998</i>

Person Responsible	Chief Executive Officer
History	New Policy August 2021 (M9764) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



#### 4.17 Employee Discount– Dalwallinu Gymnasium & Aquatic Centre

**Policy** Employee Discount of 50% to purchase a membership to the Dalwallinu Gymnasium or a season ticket to the Dalwallinu Aquatic Centre.

**Objective** To attract and retain employees and look after their health & wellbeing.

**Guidelines** Employees to receive a discount of 50% of the full price as per the adopted Fees & Charges. This discount applies to the Dalwallinu Gymnasium memberships and Dalwallinu Aquatic Centre individual season passes.

This policy is applicable to all permanent employees who have completed their probationary period.

These payments can be salary sacrificed.

No refunds will be given if the employment is terminated during the validity period of the membership or the season pass.

Person Responsible	Chief Executive Officer
History	New Policy June 2023 (M10097)



## 5. Works



## 5.1 Private Works

Policy	<p>All private works are to be subject to a written agreement between the private party and the Shire.</p> <p>At the discretion of the Manager Works &amp; Services/Works Supervisor, where works are to be carried out on behalf of a ratepayer or other private person, the estimated cost of the works shall be pre-paid. Any additional cost is to be met by the private party and any balance remaining on completion of the works shall be refunded.</p>
Objective	<p>To ensure a proper record of works undertaken and to substantiate the Shire’s obligation.</p> <p>To ensure that the Shire is not left with unpaid debts for private works.</p>
Guidelines	<p>A request in the prescribed form is to be completed by the applicant and lodged with the Manager Works &amp; Services/Works Supervisor.</p>

Person Responsible	Manager Works & Services
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 5.2 Shire Equipment – Private Use

Policy	<p>Shire equipment is not available for use by non-Shire employees.</p> <p>Shire plant items such as loaders, graders and trucks are not available for private use by employees.</p> <p>Shire employees may, with written approval of the Chief Executive Officer, use the Shire’s small items of equipment such as lawnmowers, chainsaws and light vehicles subject to:</p> <ul style="list-style-type: none"> <li>• The employee being trained in the use of the equipment (where necessary);</li> <li>• The use being limited to work associated with the employee’s/Shire property;</li> <li>• The employee meeting the cost of consumables e.g fuel, discs etc</li> </ul>
Objective	<p>A local government has the right to allow private use of its resources but the use must be open and accountable to the public.</p>
Guidelines	<p>The equipment is not available for employees to undertake works for profit or for non-employees other than recognised charitable groups.</p> <p>The employee is to be responsible for the care, maintenance, damage and repair of the equipment.</p> <p>The employee accepts liability for any injury incurred by themselves or other person or body whilst using the equipment.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### 5.3 Hire of Shire Plant

Policy	Shire plant or equipment that has a driver/operator compartment shall not be hired out without its driver/operator.  No minor items of plant such as chainsaws, whipper snippers, lawn mowers, turf equipment or tools are available for hire to the public.
Objective	To ensure the safe and careful use of Shire property.
Guidelines	All requests are to be in writing and directed to the Manager Works & Services.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)





## 5.4 Garden & General Refuse Pick Up

Policy	An annual Garden/Refuse pick up will be carried out for each town within the Shire.
Objective	To provide the community with an opportunity to clear excess household/garden waste.
Guidelines	Collection to be advertised giving a minimum of two (2) weeks' notice.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.5 Road Making Materials

Policy	Should it be necessary to obtain road making materials from private property, then any compensation is to be at a flat rate per cubic metre and is to be evidenced by a written agreement, signed by the landowner and the Manager Works & Services/ Works Supervisor and countersigned by the Chief Executive Officer.
Objective	To ensure there is written evidence of Council’s obligations.
Guidelines	<ul style="list-style-type: none"> <li>• To document agreements with landholders for the supply of road making materials</li> <li>• To outline any conditions relating to the taking of road making materials</li> <li>• Property owner not required to obtain Extractive Industries Licence as it is the Shire that is operating the pit</li> <li>• To specify compensation payable</li> <li>• To prescribe rehabilitation requirements</li> <li>• To prevent disputes arising from removal of road making materials</li> </ul>

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.6 Street Trees (New subdivisions)

Policy	Trees to be planted one tree per twenty (20) metres of frontage.  Council will not consider applications for tree planting in ten (10) metre road reserves.
Objective	To ensure uniform planting.
Guidelines	Trees are to be issued free of charge to householders with the species determined by Council.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.7 Property Access and Crossovers

Policy	Access and Crossovers to properties shall be constructed to the specifications attached to this policy.
Objective	To provide uniform specifications.
Guidelines	The Manager Works & Services is to ensure that a complete works request form or other written documentation is obtained prior to the commencement of works.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## ATTACHMENT 5.7(A)

### Property access and crossover specifications

Subject to variation at the discretion of Council, the policy regarding access and crossovers shall be:

#### **BASIC ACCESS**

Construction of 150mm (depth) compacted gravel carriageway from the property boundary to the roadside, including the installation of culverts where necessary as deemed by the Shire.

Council will pay a portion for the cost of the following standard dimensions, as outlined below:

#### *Residential*

Standard width over full length = 3.0m

Standard widening at roadside junction = 45 degrees for 1 metre on both sides with

Maximum allowable width at roadside = 9.0m

#### *Industrial & Commercial*

Standard width over full length = 4.0m

Standard widening at roadside junction = 45 degrees for 1 metre on both sides with

Maximum allowable width at roadside = 13.0m

#### *Rural*

Standard width over full length = 10.0m

Standard widening at roadside junction = 45 degrees for 2 metre on both sides or from culvert to roadside

#### *General Conditions*

- Multiple access to be separated by a minimum of 3.0 metres at the roadside
- No access to be located within 6.0 metres of an intersection boundary or 3.0 metres of a ROW within a town site
- No access to be located within 50 metres of an intersection for rural crossovers
- Council subsidy of rural access is limited to one (1) per farm
- All variations to be paid in full by owner/applicant

#### *Residential*

Installation of concrete bell and socket reinforced concrete pipes with pre-cast concrete headwalls where a culvert is deemed by the Shire to be required.

Water binding and a two coat seal with the first coat being applied with a minimum 10mm size aggregate and the second coat being applied with a maximum 7mm size aggregate, where footpath is not paved or otherwise sealed.

100mm depth of reinforced (mesh) concrete on 100mm compacted sand where footpath is paved.



*Industrial & Commercial*

If the proponent would like a concrete cross over then the minimum standard is 125mm depth of reinforced (mesh) concrete on 100mm compacted sand.

Water binding and a two coat seal with the first coat being applied with a minimum 10mm size aggregate and the second coat being applied with a maximum 7mm size aggregate, where footpath is not paved or otherwise sealed.

Installation of concrete bell and socket reinforced concrete pipes with pre-cast concrete headwalls where a culvert is deemed by the Shire to be required to the size specified by the Shire.

*Rural*

Installation of concrete bell and socket reinforced concrete pipes with pre-cast concrete headwalls where a culvert is deemed by the Shire to be required.

To bitumen road: Water binding and a two coat seal with the first coat being applied with a minimum 10mm size aggregate and the second coat being applied with a maximum 7mm size aggregate to standard measurements (at the point of meeting the sealed road) of 10 metre width and 10 metre length.

To gravel road: Installation of concrete bell and socket reinforced concrete pipes with pre-cast concrete headwalls where a culvert is deemed by the Shire to be required to the size specified by the Shire.

*General Conditions (Access and Crossovers)*

- PRIOR TO commencing any works pertaining to the installation to a crossover or access point, an application shall be filled out and approval to commence the works sought from the Manager Works & Services;
- BEFORE any access or crossover works commence, the Shire's Manager Works & Services shall be informed to determine the location of the crossover, drainage necessary (if required) and discuss the type of access or crossover to be constructed;
- BEFORE any concrete or bitumen is laid, the manager Works & Services shall be contacted to inspect the preparation works for approval;
- Once the concrete or bitumen has been laid, the Manager Works & Services shall be contacted to inspect the crossover for final approval and confirmation of Council Contribution as per this policy.
- If any drainage works have been deemed by the Shire to be required, then the Manager Works & Services shall inform the proponent of the size of the drainage pipes (and headwalls) required.
- The Shire shall also provide levels or the pipes to be installed at;
- BEFORE any drainage works are covered, the Manager Works & Services shall be contacted to inspect (and approve) the alignment, levels and installation of the drainage products;
- All variations from the specifications are to be paid in full by the owner/applicant;
- Maximum dimensions of access apply.



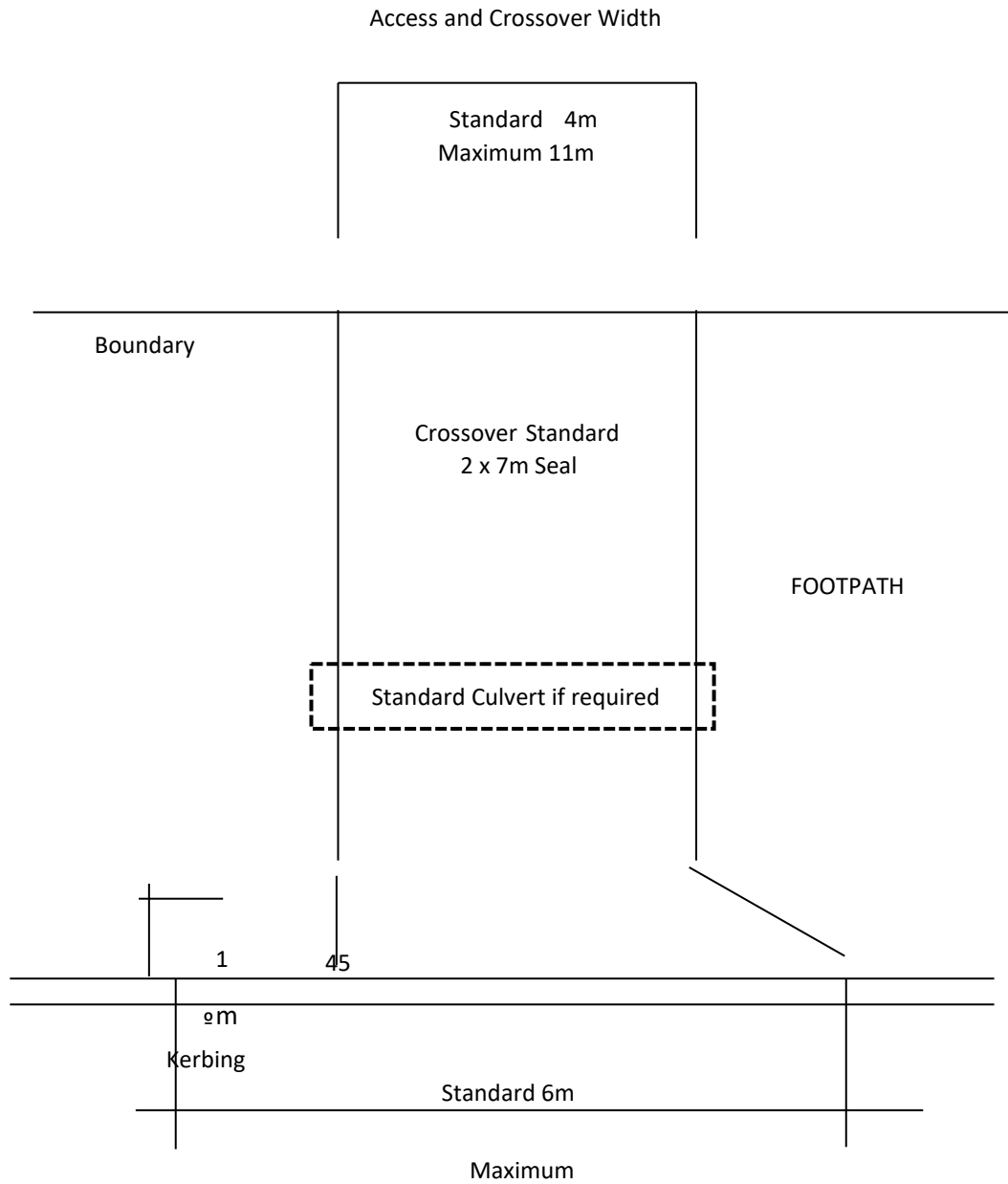
*Council Contributions*

Council shall pay a 50% contribution up to a maximum of \$2,000 (including GST) for the installation of a crossover or access point provided that the following has been undertaken and submitted:

- An application for a crossover or access point has been submitted and relevant approvals have been completed, including the final approval being completed;
- Itemised invoice/s to show the expenditure of funds;
- The contribution shall be based on the standard dimensions as per the attachments (5.7A, 5.7B and 5.7C);
- Council shall only contribute to ONE (1) crossover per property;
- In the instance of a 2m concrete dual use concrete path being installed across the crossover, this will be deemed to be the Council contribution for the installation of a crossover;
- Council will not contribute to the maintenance of crossovers, this is the responsibility of the landowner.



**Attachment 5.7A**  
**DIAGRAM INDUSTRIAL AND COMMERCIAL CROSSOVER**



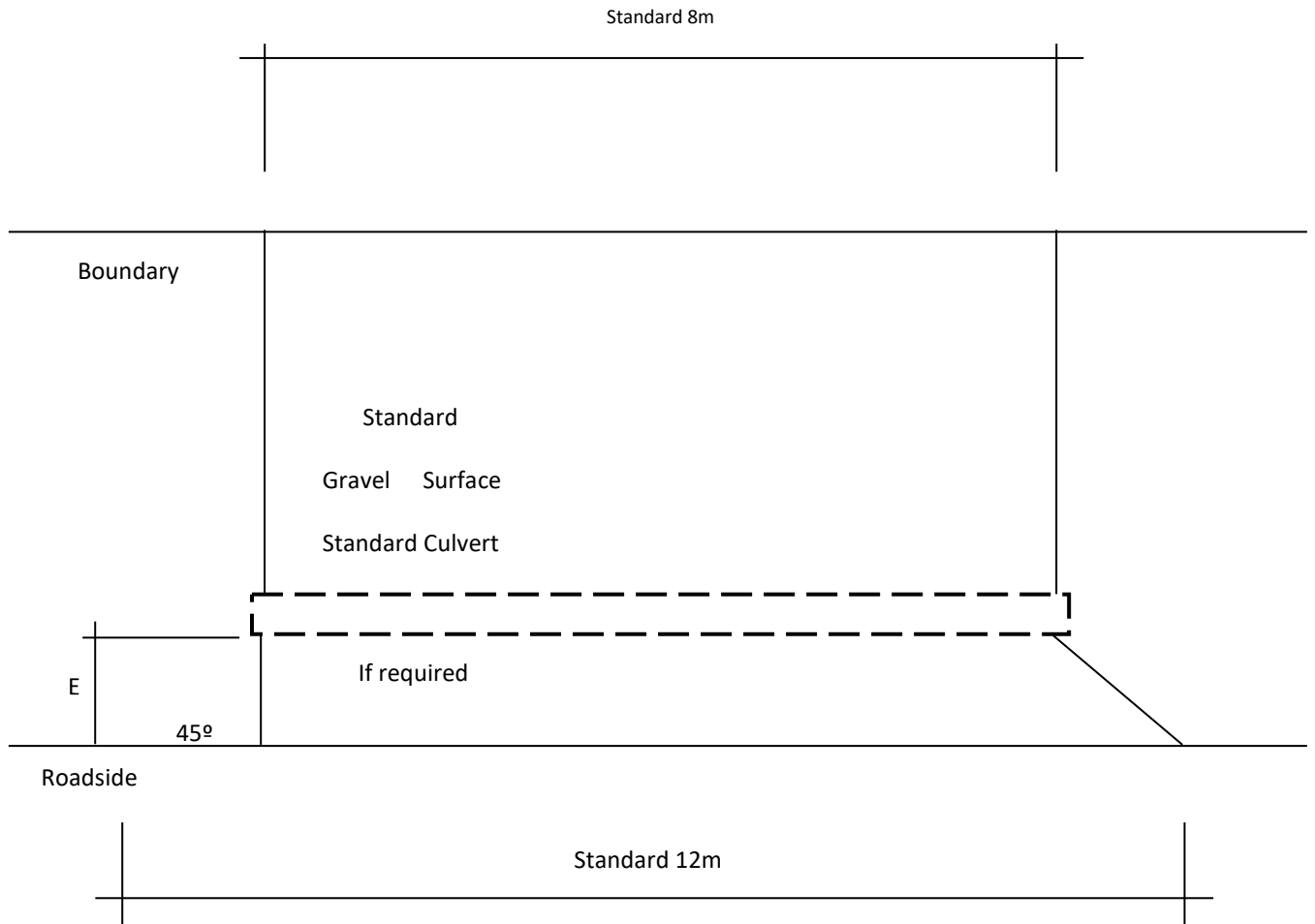
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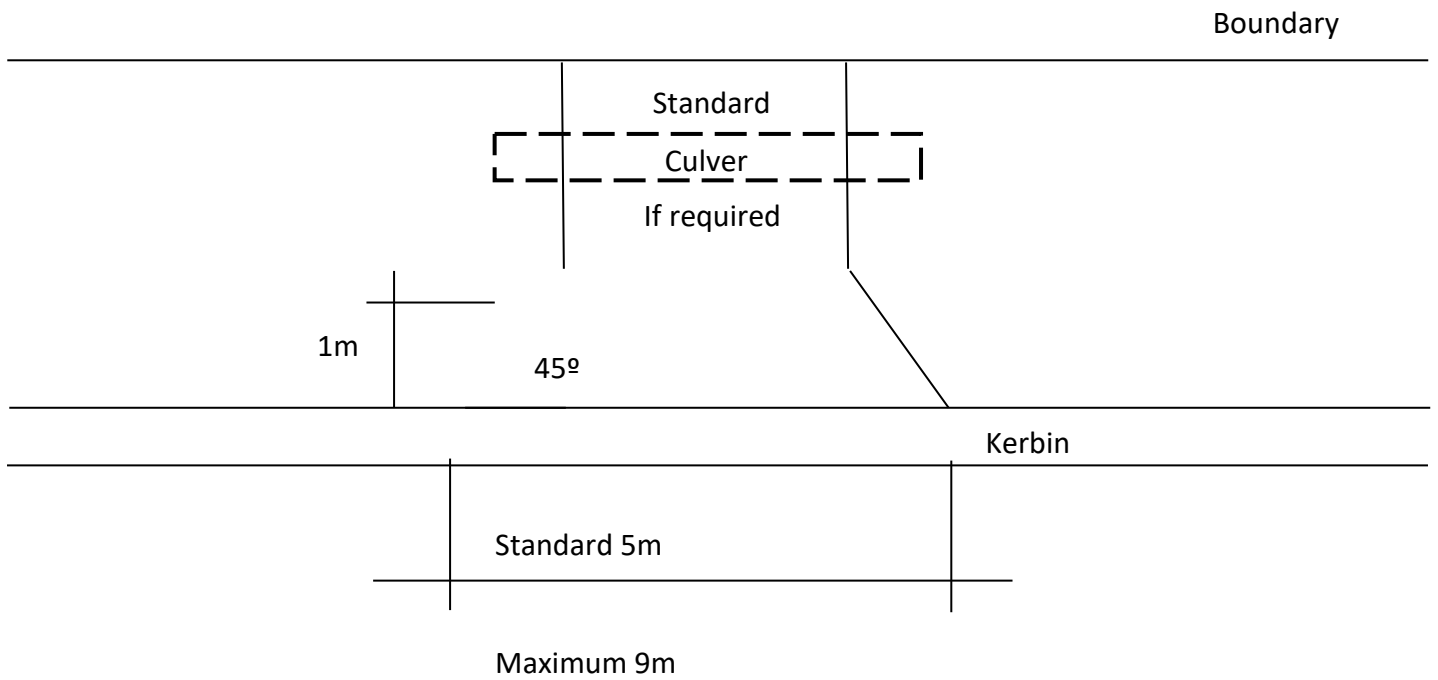


**Attachment 5.7B**  
**DIAGRAM RURAL CROSSOVER**

Access and Crossover



**Attachment 5.7C**  
**DIAGRAM RESIDENTIAL CROSSOVER**



Person Responsible	Manager Works & Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.8 Road Classification

Policy Shire roads, as depicted on the Road Classification Listings (refer to attachment 5.8A) and Road Classification Plan (refer to attachment 5.8B) are categorised into A,B,C,D and E class roads and will be afforded the following criteria:

### **Class A – Regional Distributor**

- Links communities
- Major arterial route
- Designated as a Roads 2025 road
- Minimum standard – 6m wide sealed carriageway, 1.5m wide shoulders each side, 3% cross-fall & back slopes to be clear of suckers annually
- Long Term Development – seal to 7m wide bitumen carriageway (11m wide formation)

### **Class B – Local Distributor**

- Arterial route that links Regional Distributors or other high volume heavy haulage routes (unofficial lime routes, a road that is the culmination of Roads of Local Significance etc)
- Minimum standard – 3.7m wide sealed surface, 3m wide shoulders each side of seal, 3% cross-fall & back slopes to be clear of suckers annually
- Long Term Development – 7 wide seal and 1m wide shoulders each side (10m wide formation)

### **Class C – Road of Local Significance**

- A road that gives access to local points of significance (rural tourist route, a local through route etc)
- Minimum standard – gravel all-weather road to a sealed standard, 4% cross-fall (minimum) and back slopes to be clear of suckers annually. 8m wide formation
- Long Term Development – gravel all-weather road to a sealed standard, 10m wide formation.

### **Class D – Local Road**

- A road that provides access for residents
- Minimum standard – gravel road or firm natural surface, 7m wide formation and 4% cross-fall (minimum)
- Long Term Development – gravel road or firm natural surface, 8m wide formation and 4% cross-fall (minimum)

### **Class E – Unformed Road/Track**

- Provides minimal access, generally a dead end road
- Minimum standard – retain existing standard or unformed road reserve
- Long Term Development – Nil

Objective  
Page | 162

To identify priority roads



Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Amended March 2022 (M9885) Reviewed March 2023 (M10059)



### ROAD CLASSIFICATION LISTINGS

Council recognises the following Class A roads:

Road Name	Section
Pithara East Rd (0001)	All
Goodlands Rd (0003)	Dalwallinu-Kalannie Rd to Leeson Rd
Goodlands Rd (0003)	Leeson Rd to GNH (only to be upgraded if and when required) (Yalgoo portion by arrangement with Shire of Yalgoo)
Dalwallinu West Rd (0005)	Great Northern Highway to Locke Rd
Buntine-Marchagee Rd (0008)	All
Locke Rd (0026)	Bell Rd to Dalwallinu West Rd
Bell Rd (0027)	All
Kalannie-Kulja Rd (0045)	All
Dalwallinu-Kalannie Rd (0241)	All
Dowerin-Kalannie Rd (0242)	All
Carot Well Rd (0231)	All

Council recognises the following Class B roads:

Road Name	Section
Dalwallinu West Rd (0005)	Locke Rd to Shire Boundary
Dalwallinu North Rd (0050)	All
Sanderson Rd (0014)	Warren Rd to Dalwallinu-Kalannie Rd
Hourigan Rd (0024)	All
Nugadong West Rd (0029)	All
Wubin East Rd (0030)	GNH to RPF Rd
Pithara West Rd (0033)	GNH to Dickins Rd
Miling North Rd (0085)	All
Rabbit Proof Fence Rd (0094)	GNH to Dalwallinu-Kalannie Rd
Warren Rd (0113)	Sanderson Rd to Goodlands Rd
Glamoff Rd (0116)	RPF to Goodlands Rd
Wubin-Gunyidi Rd (0243)	All



Council recognises the following Class C roads:

Road Name	Section
Nugadong East Rd (0004)	All
Pearse Rd (0007)	Wubin-Gunyidi Rd to Buntine-Marchagee Rd
Buntine East Rd (0009)	All
Carter Rd (0010)	Wubin East Rd to RPF Rd
Sanderson Rd (0014)	Warren Rd to Leeson Rd
Leeson Rd (0015)	All
Nadjimia Rd (0021)	All
Petrudor Rd (0023)	Dalwallinu-Kalannie Rd to Hodgson Rd
Locke Rd (0026)	Dalwallinu West Rd to Thaxter Rd
Goatcher Rd (0031)	All
Thaxter Rd (0032)	All
Dickins Rd (0034)	All
Sheoak Rd (0038)	All
Gypsum Rd (0049)	All
Richards Rd (0059)	All
Wasley Rd (0060)	All
Dinnie Rd (0063)	All
Wolf Rd (0065)	All
Thomson Rd (0087)	All
Rabbit Proof Fence Rd (0094)	Dalwallinu-Kalannie Rd to Southern Shire Boundary
Damboring East Rd (0097)	Northam-Pithara Rd to Hourigan Rd
Warren Rd (0113)	Goodlands Rd to GNH
Lehman Rd (0114)	Sanderson Rd to Kulja Central Rd
Glamoff Rd (0116)	Goodlands Rd to Black Rd
Martin Rd (0119)	Leeson Rd to Lehmann Rd
Meadows Rd (0220)	All
Gatti Rd (0035)	Thaxter to Pithara West



Council recognises the following Class D roads:

Road Name	Section
Wilgie Hills Rd (0006)	All
Pearse Rd (0007)	Buntine-Marchagee Rd to West Rd
Carter Rd (0010)	RPF to Mitchell Rd
Cail Rd (0013)	All
Sanderson Rd (0014)	Leeson Rd to GNH
Tomsett Rd (0019)	All
Kenny Rd (0022)	All
Petrudor Rd (0022)	Hodgson to Jones Rd & Dal-Kalannie Rd to Goatcher Rd
Courtlea Rd (0025)	All
Powell Rd (0028)	All
Wubin East Rd (0030)	RPF Rd to Mitchell Rd
Gatti Rd (0035)	Except Thaxter to Pithara West Rd
Wellburn Rd (0036)	All
Moller Rd (0037)	GNH to Dickins Rd
Lloyd Rd (0039)	All
Pipe McNeill Rd (0040)	All
Marne West Rd (0041)	All
Sutcliffe Rd (0043)	All
Rifle Range Rd (0044)	All
Bunketch East Rd (0046)	All
Pollard Rd (0047)	All
Foyle Rd (0048)	All
Collins Rd (0051)	All
Myers Rd (0054)	All
36 Well Rd (0056)	All
Wegner Rd (0057)	All
Anderton Rd (0058)	All
Short Rd (0061)	All
Symes Rd (0062)	All
Manuel Rd (0064)	All
Sanders Rd (0065)	All
Petersen Rd (0067)	All
Harris Rd (0068)	All
Arbuckle Rd (0069)	All
Gowrie Rd (0070)	All
Birdwood Rd (0071)	All
Monks Rd (0072)	All
O'Dea Rd (0074)	All
Barra Barra Rd (0075)	All
Wilson Rd (0076)	All
Campbell Rd (0077)	All
Elston Rd (0081)	All
Young Rd (0082)	All
Atkinson Rd (0083)	All
Bailey Rd (0086)	All
Jackson Rd (0088)	All



Council Rd (0089)	All
Burgess Rd (0091)	All
Snook Harle Rd (0092)	All
Bunketch West Rd (0095)	All
Damboring East Rd (0097)	Hourigan Rd to Reynolds Rd
Hodgson Rd (0100)	All
Browning Rd (0101)	All
Anderson Rd (0102)	All
Whittingham Rd (0103)	All
Boucher Rd (0105)	All
Fitzsimmons Rd (0106)	All
Bryant Rd (0108)	All
West Rd (0109)	All
Flynn Rd (0110)	All
Clearview Rd (0111)	All
Stewart Rd (0112)	All
Lehmann Rd (0114)	Kulja Central Rd to Black Rd
Black Rd (0117)	All
Martin Rd (0119)	Lehmann Rd to Shire boundary
Kulja Central Rd (0120)	Glamoff Rd to Shire boundary
McCreery Rd (0121)	All
Rolinson Rd (0122)	All
Battaglia Rd (0123)	All
Jones Rd (0135)	All
Johnson Rd (0136)	Pithara East Rd to Jones Rd
Reynolds Rd (0146)	All
Damboring Rd (0167)	All
Sutherland Rd (0217)	All
Stone Rd (0218)	All
Centre Rd (0221)	All
Cottage Rd (0222)	All
Struggle St (0223)	Campbell Rd to Glamoff Rd
Cailbro Rd (0225)	All
Carmichael Rd (0226)	All
Nicholls Rd (0229)	All
Boundary Rd (0234)	All
Simonsen Rd (0236)	All
Mitchell Rd (0240)	All
Jibberding Hall Road (0011)	All





Council recognises the following Class E roads:

Road Name	Section
Howie Rd (0012)	All
Scally Rd (0016)	All
Holywell Rd (0017)	All
Thornton Rd (0018)	All
Wubin East Rd (0030)	Mitchell St to Struggle St
Pithara West Rd (0033)	Dickins Rd to Shire boundary
Moller Rd (0037)	Dickins Rd to western terminus
Woods Rd (0042)	All
Treasure Rd (0052)	All
Harris North Rd (0053)	All
Davies Rd (0055)	All
Roach Rd (0073)	All
Lake De Courcy Rd (0078)	All
Leahy Rd (0079)	All
Rosalie Rd (0080)	All
Osborne Rd (0084)	All
Smith Rd (0090)	All
McPherson Rd (0093)	All
Nixon Rd (0096)	All
Lacey Rd (0098)	All
Marne McKay Rd (0099)	All
Syme Rd (0104)	All
Noble Rd (0107)	All
Lehmann Rd (0114)	Sanderson Rd west to terminus
Ure Rd (0115)	All
Glamoff Rd (0116)	Black Rd East to terminus
Denton Rd (0118)	All
Kulja Central Rd (0120)	Glamoff Rd north to terminus
Parry Rd (0124)	All
Coles Rd	All
Johnson Rd (0136)	Jones Rd south to terminus
Dodd-Prior Rd (0137)	All
Ray Rd (0145)	All
Quains Rd (0147)	All
Craske Rd (0148)	All
Bradford Rd (0149)	All
Lakeside Rd (0151)	All
Van Driel Rd (0152)	All
Nugadong Town Rd (Osborne Rd) (0152)	All
Day Rd (0153)	All
Schulze Rd (0155)	All
Liebe Rd (0156)	All
Mottolinis Rd (0162)	All
Carlhausen Way (0163)	All



Carlhausen Rd (0165)	All
Wellpark Rd (0165)	All
Pipes Rd (0168)	All
Moore Rd (0169)	All
Dalgary Rd (0170)	All
Dinnie Rd (0063)	Wasley Rd east to terminus
Cheeseman Rd (0171)	All
Muse Rd (0176)	All
Miamoon Rd (0177)	All
Barnes Rd (0178)	All
Bevans Rd (0179)	All
Eaton St (0180)	All
Pelligrini Rd (0214)	All
Cousins Rd (0219)	All
Struggle St (0223)	Glamoff Rd to Wubin East Rd
Leach Rd (0224)	All
Lewis Rd (0228)	All
Un-named Rd (0230)	All (Buntine Rocks access)
Bywaters Rd (0239)	All



## 5.9 REVOKED - Gravel Pavement/Curve Design

POLICY REVOKED – MAY 2020 (M9556)

REASON – Not required as covered by Australian Standards.



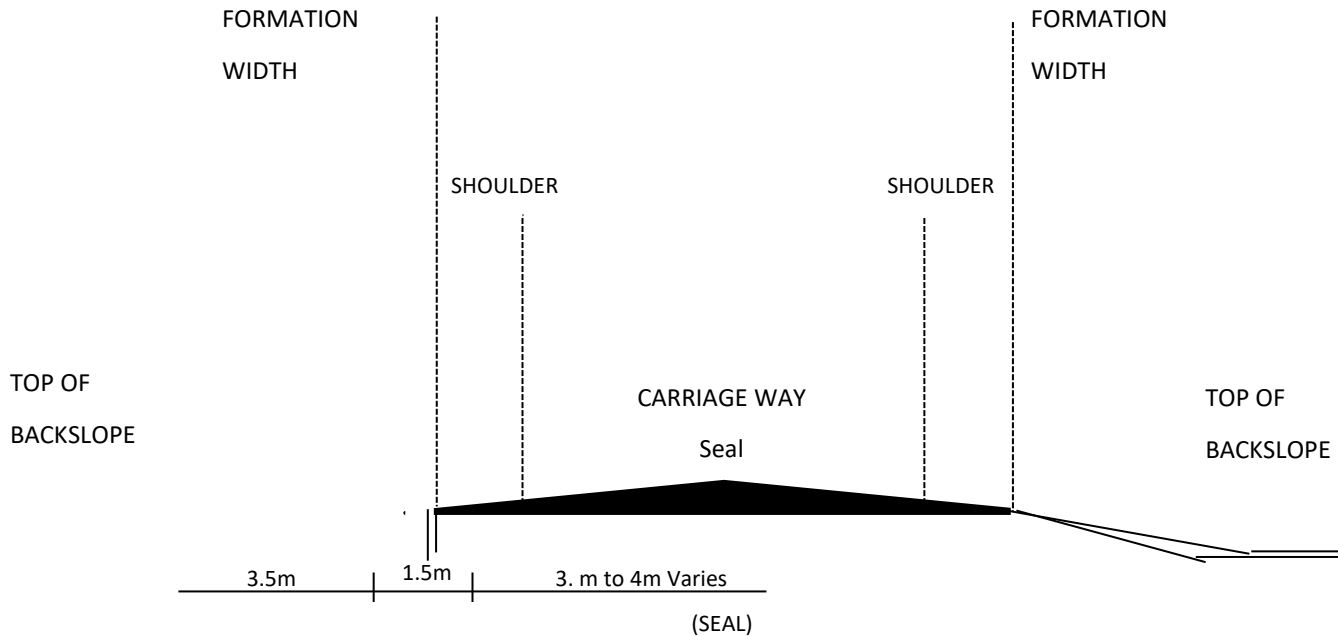
## 5.10 Unsealed Roads - Standards

Policy	Shire roads are to be constructed and maintained in accordance with the guidelines set out in the Unsealed Roads Manual produced by the Australian Road Research Board.
Objective	To construct and maintain safe roads.
Guidelines	See Attachment 5.10a – Road Profile and Specifications for Class A & B roads. See Attachment 5.10b – Road Profile and Specifications for Class C roads.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2022 (M9885) Amended March 2023 (M10059)



**ATTACHMENT 5.10(a) sealed/UNSEALED ROADS  
ROAD PROFILE AND SPECIFICATIONS “A & B” CLASS ROADS**



**Specifications**

Formation Width 15-18m

Pavement Width 10.00m

Measurement of the back slope to be decided by the Manager Works & Services taking into account the locality.

Carriageway Width 7.00m

Shoulders 2m x 1.5m

Traffic Lanes 0m x 3.5m

Cross Fall 4 % minimum – 5% maximum

Road reserve to be kept clear of all regrowth by means of clearing and or by chemical spraying.

Tree canopy to be cut back to vertical at top of back slope

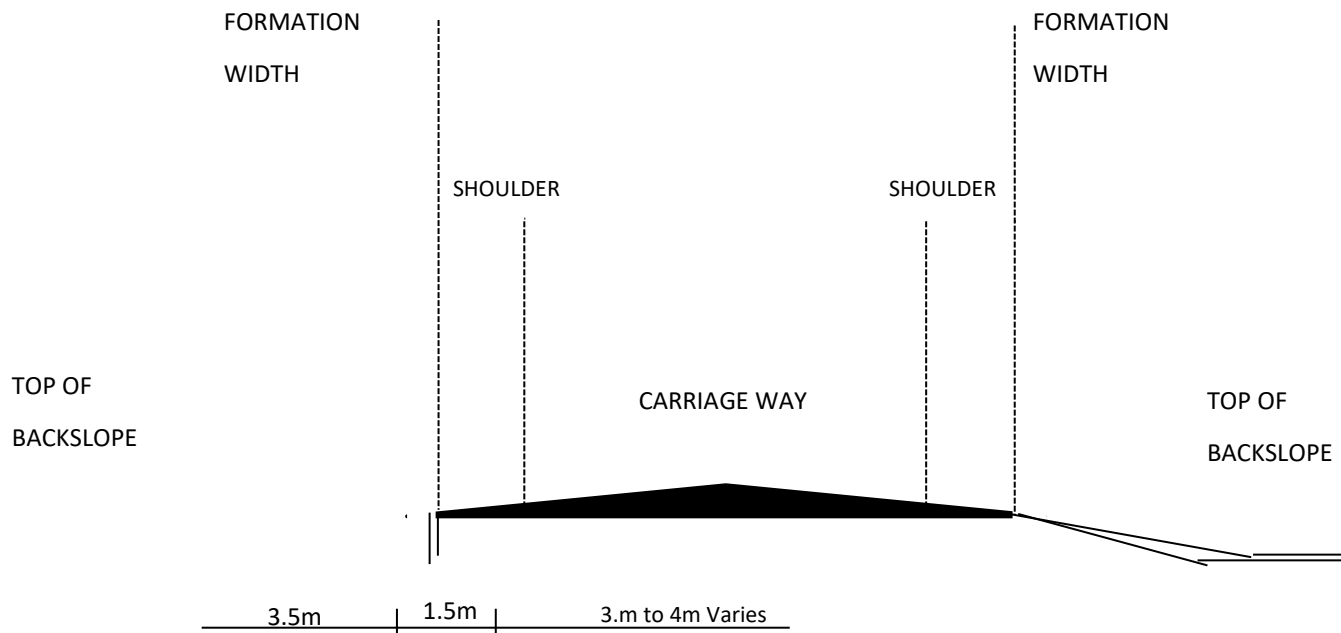
Batters 1-3 minimum – 1-4 maximum

Shoulders on all bitumen roads need to be graded and chemical sprayed annually.

Note: extent of clearing to be top of back slope



**ATTACHMENT 5.10(b) UNSEALED ROADS  
ROAD PROFILE SPECIFICATIONS “C” CLASS ROADS**



**Specifications**

Formation Width 15-18m

Pavement Width 8.00m

Measurement of the back slope to be decided by the Manager Works & Services taking into account the locality.

Carriageway Width 6.00m

Shoulders 2m x 1.0m

Traffic Lanes 3.00m

Cross Fall 4 % minimum – 5% maximum

Road reserve to be kept clear of all regrowth by means of clearing and or by chemical spraying.

Tree canopy to be cut back to vertical at top of back slope

Batters 1-3 minimum – 1-4 maximum

Shoulders on all bitumen roads need to be graded and chemical sprayed annually.

Note: extent of clearing to be top of back slope



## 5.11 Storm Water Drainage

Policy	Property owners shall be permitted to drain storm water from their properties into the main roadside drainage subject to a written request being presented to the Shire.
Objective	To provide for control of water given the high clay content of soils.
Guidelines	Requires prior approval from the Manager Works & Services and Manager Planning & Development Services.  It is the property owner’s responsibility to maintain in good repair, pipes across and under road verges.

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.12 Deep Drainage Policy

Policy	The installation of culverts across road reserves is to be the responsibility of the landowner.
Objective	<p>This policy is designed to guide Officers in relation to applications for deep drainage that directly affects Shire controlled land and infrastructure (i.e Shire roads, reserves and townsites).</p> <p>This policy is designed to allow input to drainage proposals that affect Shire infrastructure and private land and inform the community about proposals.</p>
Guidelines	<p>Prior to commencement of drainage works within the Shire of Dalwallinu, a landholder or authorised agent must submit a Notice of Intent to Drain to the Department of Primary Industries &amp; Regional Development pursuant to the <i>Soil and Land Conservation Regulations 1992</i>.</p> <p>Unless otherwise approved by Council, all drains and associated embankments must not encroach onto Shire managed land.</p> <p>At Council’s discretion, the landowner may be required to submit a certified report carried out by an appropriately qualified Environmental Consultant identifying what impacts the drainage proposal will have on the environment within the catchment. Catchment being all that area in which surface water would/may affect the proposal from commencement point to terminal point.</p> <p>If the installation does not proceed within twenty four (24) months of approval by Council, the approval lapses, and the application must be resubmitted.</p> <p><b>Structure of Culvert</b></p> <p>The width of the culvert crossing is to be a minimum of twelve (12) metres each side from the centre of the constructed road.</p> <p>Headwalls and silt traps to be installed and located within the boundary of the proponent’s property.</p> <p>Any deep drainage system that proposes a development in excess of ten (10) kilometres in length, the Council may require the above mentioned certified report.</p> <p><b>Insurance</b></p> <p>Any proposal to carry waters through Shire infrastructure must include the preparedness of the proponent, at the proponents cost, to indemnify the Shire of any liability incurred from any action of law resulting from the development.</p> <p><b>Maintenance</b></p> <p>The proponent shall enter in an agreement with the Shire of Dalwallinu that future maintenance costs of the drainage conveyance shall be at the proponent’s cost and recorded as an absolute caveat on the affected</p>





land. Such remedial works shall be carried out within fourteen (14) days of advice from the Shire of Dalwallinu.

At Council's discretion, proposals to conduct water through Shire infrastructure must be accompanied by an engineering design, as per attachment 5.12a, taking into account the impact on Shire land and/or infrastructure or extra-ordinary events that may cause damage to the integrity of the drainage conveyance.

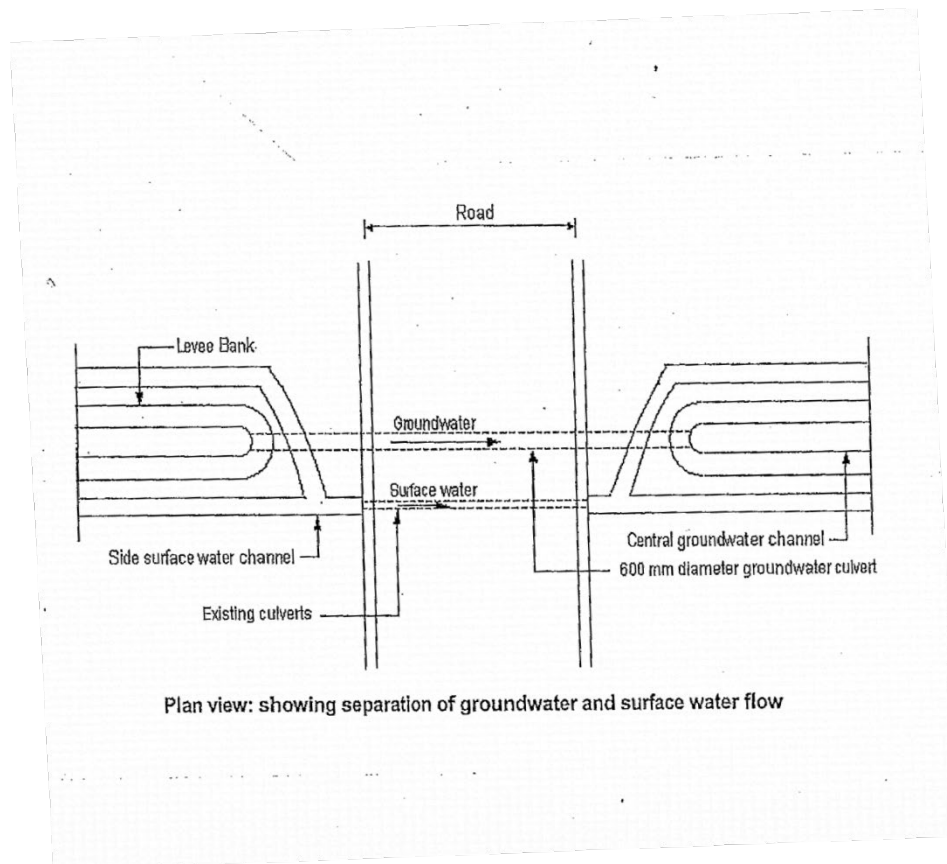
***Procedure***

All construction and remedial costs, including traffic management of the drainage conveyance structure, shall be at the proponent's/landowner's cost.

- Proponent/Landowner must provide a copy of the letter of no objection by the Department Primary Industries & Regional Development to the Shire prior to commencing works
- Traffic management means in accordance with the relevant Australian Standards for Traffic Management
- Location and care of utilities i.e. telephone, water, power or others is the landowners responsibility
- Provide the Shire with a minimum of seven (7) days' notice prior to commencement of works to enable time to prepare any documentation required.
- Only one half of the road to be closed at any time to allow traffic to still pass
- Bitumen to be cut prior to excavation to ensure neat edge
- Trench to be backfilled with suitable gravel material mixed to optimum moisture
- Install a minimum of 600mm diameter Class 4 concrete pipe on all road crossings. (Alternative drainage/pipe suggestions must be submitted and approved by Council ninety (90) days prior to installation).
- Trench to be compacted in no more than 100mm lifts using a standard plate compactor
- Allow to top up material if subsidence is incurred
- Liaise with the Shire to reseal trench



**ATTACHMENT 5.12(A)**  
**ENGINEERING DESIGN**



Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Amended August 2022 (M9953) Reviewed March 2023 (M10059)



### 5.13 Water Pipeline

Policy	<p>Officers will consider applications for installing water pipes under local roads subject to the following:</p> <ul style="list-style-type: none"> <li>• The pipe is to be buried 600mm beneath the roadway</li> <li>• The pipe is to be placed inside a larger diameter pipe</li> <li>• White post marked “Water Pipe” is to be placed at either end of the line where it crosses the road reserve</li> <li>• The landowner is responsible for any damage that may occur</li> </ul>
Objective	To establish guidelines for installation of water pipelines.

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)  Reviewed March 2018 (M9129)  Reviewed March 2019 (M9342)  Amended May 2020 (M9556)  Reviewed March 2021 (M9688)  Reviewed March 2022 (M9885)  Reviewed March 2023 (M10059)</p>



## 5.14 Temporary Closure of Unsealed Road During/After Rainfall Events

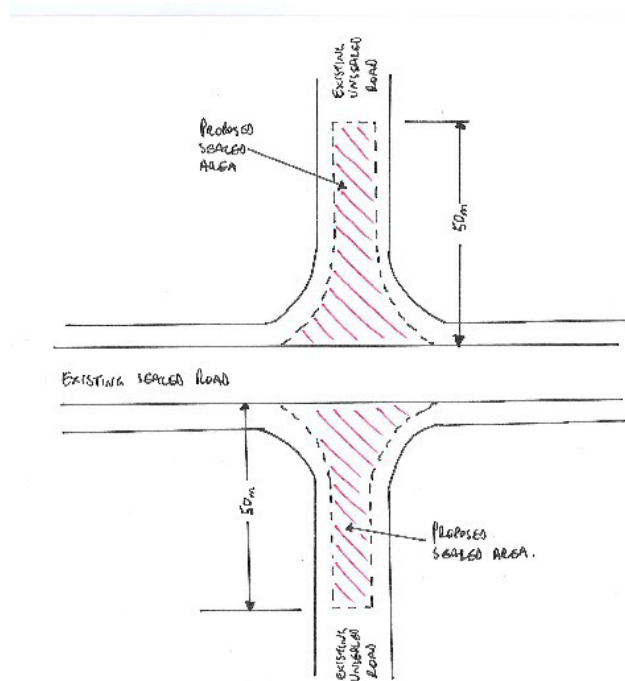
Policy	Unless otherwise stated, the Shire shall practice its rights and obligations to partially or wholly close, and subsequently re-open any road under its responsibility in accordance with the provision of the <i>Local Government Act 1995</i> and the <i>Local Government (Functions and General) Regulations 1996</i> .
Objective	To restrict the use of unsealed roads by certain vehicles to preserve the Shire’s assets during and/or after adverse weather conditions.
Guidelines	<p>Specifically, the Shire may close roads to all vehicles greater than three (3) tonnes gross when conditions arise where damage to the structure and/or surface of the road is likely to occur.</p> <p>The Chief Executive Officer will minimise the disruption to the affected proponents (farmers and contractors) while still maintaining a functional unsealed road network by ensuring the least amount of the Shire is affected for the shortest possible period of time.</p> <p>Notification of weather related road closures will be made to adjoining Shires, and noticed will be posted at the Shire Administration, on the Shire website and Facebook page.</p> <p>A media release will be sent to media outlets.</p> <p>Where the Shire is required to issue local public notice, the issue of local public notice shall be in accordance with Section 1.7 of the <i>Local Government Act 1995</i>. Where a road closure inadvertently exceeds a period of twenty eight (28) days, the Council shall meet its obligations under 1.7 &amp; 3.50(4) of the <i>Local Government Act 1995</i> and S4, Part 2 of the <i>Local Government (Functions and General) Regulations 1996</i>.</p>

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.15 Sealing of Unsealed Roads at Sealed Road Intersections

Policy	The Shire is to consider sealing a minimum of fifty (50) metres of unsealed road at sealed road intersections. Any sealing works is only to occur at the time of resealing the sealed road or when re-sheeting the unsealed road up to a sealed road intersection.
Objective	To reduce maintenance costs of unsealed roads at sealed road intersections.
Guidelines	<p>The new seal on the unsealed intersection road (under this policy) shall not be wider than the seal width of the existing sealed road.</p> <p>Each occurrence should be considered on its merits based on traffic volumes and maintenance history.</p>



Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>

## 5.16 Waste Management

### Policy

The Shire of Dalwallinu will provide:

#### **Residential Waste (Refuse) Collection Services**

The Shire will provide a weekly waste collection service to all residential premises in the Shire. A green coloured mobile garbage bin (MGB) will be provided on the basis of one (1) 240 litre MGB per single residential premises;

MGB's will be collected between the hours of 6:00am and 6:00pm each collection day;

MGB's should be placed on the verge in front of the premises by 6:00am on the day of collection, in a position that facilitates ease of pickup by the collection vehicle. MGB's should be placed out for collection no earlier than 5:00pm the day prior to collection;

All MGB's must be removed from the verge by 7:00pm on the day of collection and stored within the property;

The following items are prohibited for disposal in the waste MGB:

- Hot/burning ash
- Oil/flammable liquids
- Liquids/paints/solvents
- Bricks/concrete/building rubble/sand
- Personal medical waste (unless in a sealed container)
- Commercial medical wastes

MGB's weighing more than 70kg will not be collected by the Contractor. In such an event, the Contractor shall place a notification sticker on the MGB, and the resident shall be required to empty the MGB to bring it under the 70kg limit before the bin can be collected on the next collection day for that premises.

MGB lids should be closed at all times to prevent litter and odour. MGB's shall not be collected if the lid is not or cannot be closed at the time of collection. The resident shall be required to empty the MGB to enable the lid to be closed before the MGB can be collected on the next collection day for that premises.

The resident should notify the Shire if a MGB is not collected on the scheduled collection day.

All MGB's provided are the property of the Shire and should not be marked or have any item affixed in any way without the prior permission of the Shire of Dalwallinu. This includes marking the MGB with a street number or placing stickers or other identifying marks. The MGB's are stamped with a unique identifying bin number to which the residents can refer to identify the MGB allocated to them.



To account for general wear and tear, the Shire will replace MGB's without charge on a ten (10) year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen or irreparably damaged, the resident should notify the Shire so a replacement MGB can be provided. The resident will be required to pay a MGB replacement fee.

Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the resident. The resident will notify the Shire when repairs are required.

Residents can request additional waste MGB services if a single service provides insufficient capacity for the quantity of waste generated on the premises. Fees and charges will apply for additional waste MGB services and approval from the property owner is required, given the invoice is raised against the property owner.

The Shire reserves the right to cancel additional MGB services as it deems necessary, however the standard service will not be cancelled.

### **Residential Recycling Collection Services**

The Shire shall provide a fortnightly recycling collection service to all residential premises in the Shire. A MGB with a light green body and yellow lid will be provided on the basis of one 240 litre MGB per single residential premises.

Recycling MGB's will be collected between the hours of 6:00am and 6:00pm each collection day.

MGB's should be placed on the verge in front of the premises by 6:00am on the day of collection, in a position that facilitates ease of pickup by the collection vehicle. MGB's should be placed out for collection no earlier than 5:00pm the day prior to collection;

All MGB's must be removed from the verge by 7:00pm on the day of collection and stored within the property;

Only the following items are acceptable for disposal in the recycling MGB's:

- Paper and Cardboard
- Aluminium and steel cans
- PET Containers (Code 1 plastics)
- HDPE containers (Code 2 plastics)
- Glass bottles and jars

If unacceptable items are found in the recycling MGB, the Contractor will place a warning sticker on the MGB and not collect it until the unacceptable items (contamination) are removed. The removal of unacceptable items (contamination) from the MGB is the responsibility of the resident, after which the MGB can be placed back out for collection on the next recycling collection day for that premises.



Recycling MGB's weighing more than 70kg will not be collected by the Contractor. In such an event, the Contractor shall place a notification sticker on the MGB, and the resident shall be required to empty the MGB to bring it under the 70kg limit before the bin can be collected on the next collection day for that premises.

MGB lids should be closed at all times to prevent litter and odour. MGB's shall not be collected if the lid is not or cannot be closed at the time of collection. The resident shall be required to empty the MGB to enable the lid to be closed before the MGB can be collected on the next collection day for that premises.

The resident should notify the Shire if a MGB is not collected on the scheduled collection day.

All MGB's provided are the property of the Shire and should not be marked or have any item affixed in any way without the prior permission of the Shire of Dalwallinu. This includes marking the MGB with a street number or placing stickers or other identifying marks. The MGB's are stamped with a unique identifying bin number to which the residents can refer to identify the MGB allocated to them.

To account for general wear and tear, the Shire will replace MGB's without charge on a ten (10) year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen or irreparably damaged, the resident should notify the Shire so a replacement MGB can be provided. The resident will be required to pay a MGB replacement fee.

Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the resident. The resident will notify the Shire when repairs are required.

Residents can request additional recycling MGB services if a single service provides insufficient capacity for the quantity of waste generated on the premises. Fees and charges will apply for additional recycling MGB services and approval from the property owner is required, given the invoice is raised against the property owner.

The Shire reserves the right to cancel additional recycling services as it deems necessary.

### **Commercial Waste (Refuse) Services**

The Shire will provide the standard waste collection service to all commercial premises in the Shire. The standard service is comprised of a single 240 litre green coloured MGB collected on a weekly basis. An additional collection can be arranged to meet the requirements of the premises with additional fees and charges applicable. Billing for additional services will require the approval of the property owner given the notice is raised against the property owner.

MGB's will be collected between the hours of 6:00am and 6:00pm.





MGB's should be placed on the verge in front of the premises by 6:00am on the day of collection, in a position that facilitates ease of pickup by the collection vehicle. MGB's should be placed out for collection no earlier than 5:00pm the day prior to collection;

All MGB's must be removed from the verge by 7:00pm on the day of collection and stored within the property;

The following items are prohibited for disposal in the waste MGB:

- Hot/burning ash
- Oil/flammable liquids
- Liquids/paints/solvents
- Bricks/concrete/building rubble/sand
- Personal medical waste (unless in a sealed container)
- Commercial medical wastes

MGB's weighing more than 70kg will not be collected by the Contractor. In such an event, the Contractor shall place a notification sticker on the MGB, and the occupant shall be required to empty the MGB to bring it under the 70kg limit before the bin can be collected on the next collection day for that premises. This clause does not apply for larger bins collected by front or rear loading collection vehicles.

The occupant should notify the Shire if a MGB is not collected on the scheduled collection day.

All MGB's provided are the property of the Shire and should not be marked or have any item affixed in any way without the prior permission of the Shire of Dalwallinu. This includes marking the MGB with a street number or placing stickers or other identifying marks. The MGB's are stamped with a unique identifying bin number to which the occupants can refer to identify the MGB allocated to them.

To account for general wear and tear, the Shire will replace MGB's without charge on a ten (10) year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen or irreparably damaged, the resident should notify the Shire so a replacement MGB can be provided. The occupant will be required to pay a MGB replacement fee.

Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the resident. The occupant will notify the Shire when repairs are required.

Commercial premises can request additional 240 litre waste MGB's if a single service provides insufficient capacity for the quantity of waste generated on the premises. Fees and charges will apply for additional waste MGB services.

Additional waste collection services are optional and the Shire reserves the right to cancel them at its discretion.



### **Commercial Recycling Services**

The Shire will provide the standard recycling collection service to all commercial premises in the Shire. The standard service is comprised of a single 240 litre MGB with a light green body and a yellow lid collected on a fortnightly basis. Collection frequency can be increased to meet the requirements of the premises with additional fees and charges applicable. Billing for additional services will require the approval of the property owner given the invoice is raised against the property owner.

MGB's will be collected between the hours of 6:00am and 6:00pm.

MGB's should be placed on the verge in front of the premises by 6:00am on the day of collection, in a position that facilitates ease of pickup by the collection vehicle. MGB's should be placed out for collection no earlier than 5:00pm the day prior to collection;

All MGB's must be removed from the verge by 7:00pm on the day of collection and stored within the property;

Only the following items are acceptable for disposal in the recycling MGB's:

- Paper and Cardboard
- Aluminium and steel cans
- PET Containers (Code 1 plastics)
- HDPE containers (Code 2 plastics)
- Glass bottles and jars

If unacceptable items are found in the recycling MGB, the Contractor will place a warning sticker on the MGB and not collect it until the unacceptable items (contamination) are removed. The removal of unacceptable items (contamination) from the MGB is the responsibility of the resident, after which the MGB can be placed back out for collection on the next recycling collection day for that premises. This service is optional and contamination may lead to cancellation of the service at any time at the discretion of the Shire.

Recycling MGB's weighing more than 70kg will not be collected by the Contractor. In such an event, the Contractor shall place a notification sticker on the MGB, and the occupant shall be required to empty the MGB to bring it under the 70kg limit before the bin can be collected on the next collection day for that premises. This clause does not apply for larger bins collected by front or rear loading collection vehicles.

The occupant should notify the Shire if a MGB is not collected on the scheduled collection day.

All MGB's provided are the property of the Shire and should not be marked or have any item affixed in any way without the prior permission of the Shire of Dalwallinu. This includes marking the MGB with a street number or placing stickers or other identifying marks. The MGB's are stamped



with a unique identifying bin number to which the residents can refer to identify the MGB allocated to them.

To account for general wear and tear, the Shire will replace MGB's without charge on a ten (10) year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen or irreparably damaged, the resident should notify the Shire so a replacement MGB can be provided. The occupant will be required to pay a MGB replacement fee.

Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the resident. The occupant will notify the Shire when repairs are required.

Commercial premises can request additional 240 litre recycling MGB's if a single service provides insufficient capacity for the quantity of waste generated on the premises. Fees and charges will apply for additional waste MGB services.

Commercial premises can also request larger bins for collection by a rear or front loading collection vehicle. Available size is a three cubic metre commercial bin. The only difference for commercial bins when compared to the MGB's is that the commercial bins are owned by the contractor, and the 70kg weight limit will not apply. Fees and charges apply.

Additional recycling collection services are optional and the Shire reserves the right to cancel them at its discretion.

Objective

To provide:

- An efficient and best value compulsory waste and recycling collection service for all householders/ratepayers within the Shire;
- An efficient and best value compulsory waste and recycling collection service for commercial properties within the Shire requiring such a service
- Churches and Not for Profit organisation's discretion in choosing the compulsory waste services (e.g if the entity requires and wants the service then a fee is payable otherwise the service is not provided).

Person Responsible	Chief Executive Officer
History	New Policy November 2017 (M9054) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 5.17 Infrastructure Bonds

Policy	<p>Builders or Developers (the applicant) involved in building construction within the Shire of Dalwallinu will be required to lodge with the Shire of Dalwallinu, a security bond in accordance with the Schedule of Fees and Charges, as determined annually by Council.</p> <p>The security bond is to be lodged at the time of the building permit application and a pre-construction inspection is to be undertaken and photography recorded.</p> <p>At the completion of the building works, the builder is to request the refund of the security bond which will trigger a second site inspection and further photography is to be recorded.</p> <p>If no damage is recorded, the bond is refunded. If damage is recorded, the builder is given twenty one (21) days to rectify the damage otherwise the Shire will repair the damaged asset using the bond monies.</p> <p>Following completion of the rectification works, if any bond funds remain, they will be refunded to the builder.</p> <p>If the asset damage is more than the bond value, an invoice will be forwarded to the builder for the additional rectification works.</p>
Objective	<p>To provide clear guidance to Developers, Builders and their contractors, of the Shire of Dalwallinu’s policy regarding infrastructure bonding arrangements and the applicable penalties and fees.</p> <p>This policy is for bonding of verge infrastructure prior to building approval and is designed to provide financial security against damage which occurs during building construction in the Shire of Dalwallinu.</p>

Person Responsible	Chief Executive Officer
History	<p>New Policy March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 5.18 Road Safety Audits

### Policy

This policy applied to Shire of Dalwallinu road infrastructure projects and to qualifying projects that are subject to the Development Application processes.

The Policy applies to all District Distributor, Local Distributor and Local Access Roads within the Shire of Dalwallinu.

The policy requires that the following commitments be adopted as part of a strategic framework for the implementation of road safety audit principles and practices in the planning and development of infrastructure within the Shire of Dalwallinu.

### **Background**

In accordance with the Australian National and the Western Australia State Road Safety Strategies, this policy adopts a Safe System approach to the delivery of a road safety audit service by placing emphasis on fatal and serious crash risk.

The road safety audit process is an assessment of road engineering projects and as such the Safe System sphere of influence is limited to two of the four cornerstones of the Safe System approach, namely, Safe Roads and Roadsides and Safe Speeds.

This is to be achieved by focusing the audit process on considering safe speeds and by providing forgiving roads and roadsides. This is to be delivered through the Road Safety Audit process by accepting that people will always make mistakes and by considering the known limits to crash forces the human body can tolerate with the aim to reduce the risk of fatal and serious injury crashes.

A road safety audit is a formal examination of a future road or traffic project in which an independent qualified team reports on potential crash occurrence and severity which may result from the introduction of the project.

Road safety audits are a proactive processes to prevent the occurrence of road crashes. The road safety audit process provides project managers with a powerful mechanism to identify potential crash risk in the delivery of infrastructure projects and aims to reduce the risk of trauma and crashes on the road network.

In the implementation of this policy, the road safety audit approach to be take in: that it is not acceptable that any human should die or be seriously injured on the Western Australia road network, and specific road safety audit findings shall be highlighted in this regard.



### **Application**

Road safety audits and road safety inspections must be conducted in accordance with the Austroads Guide to Road Safety Part 6: Road Safety Audit, and Main Roads Western Australia and IPWEA (WA Division) complimentary checklists and procedures.

The road safety audit process must be completed using the Main Roads/IPWEA-WA road safety audit template provided on the Road Safety Audit Portal website.

All road safety audits must be repeated if the project design materially changes, if there are many minor changes which together could impact on road user safety, or if the previous road safety audit for the relevant stage is more than three (3) years old. Should a project not begin the next stage in its development within three (3) years of the completion of the previous audit, the project must be re-audited. This is to ensure that due consideration is given to the project's interface with the existing road network.

Relevant staff shall be trained in order to fulfil the training and experience requirements to achieve and maintain road safety auditor accreditation.

Where appropriate, a reciprocal partnership agreement will be arranged with other local governments to create opportunities for road safety audit teams to include qualified independent team members from partnering local governments.

### **Road Safety Audit Team**

- All road safety audit teams must comprise a minimum of two (2) members;
- All audit teams must be led by a suitably qualified and experienced Western Australian IPWEA/Main Roads Accredited Senior Road Safety Auditor and shall be listed on the Road Safety Audit Portal so that the maximum emphasis is placed on road safety engineering and Safe System principles;
- All audit team members must be Western Australia IPWEA/Main Roads Accredited Road Safety Auditors and shall be listed on the Road Safety Audit Portal;
- The audit team shall include a Local Government Officer, (they can be a specialist advisor);
- Team Leaders/Members shall excuse themselves from participation in the audit if:
  - They have had any involvement in planning, design, construction or maintenance activities for road infrastructure for the project;
  - They perceive any possibility of duress or coercion by their employer or employer's staff in relation to the audit;
- Persons not accredited as a Road Safety Auditor or do not have relevant specialist skills may still participate as an observer if invited to do so by the Team Leader.



### **When to Audit**

#### Black Spot Projects

Road Safety Audits shall be conducted on all Black Spot funded projects as per State Black Spot Program Development and Management Guidelines.

#### Road projects with a project value >\$1 Million

All road infrastructure projects that involve a permanent change to the Shire of Dalwallinu road network with an estimated project value >\$1 million shall have a road safety audit undertaken at the following three (3) stages as a minimum:

Stage 2 – Preliminary design

Stage 3 – Detailed design

Stage 4 – Pre-opening (when the project is substantially complete and prior to opening to the public)

#### Road Projects with a project value >\$500,000 and <\$1 Million

All road infrastructure project that involve a permanent change to the Shire of Dalwallinu road network with an estimated project value of >\$500,000 and <\$1 million shall have a road safety audit undertaken at the following two (2) stages as a minimum:

Stage 3 – Detailed design

Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

A detailed design road safety audit shall be carried out on a road project that involves a permanent change to the Shire of Dalwallinu road network with a project value <\$250,000 if it is considered complex and/or high risk, at the discretion of the Manager Works and Services.

### **Land Developments**

Road safety audits shall be conducted on land use developments that intersect the Shire of Dalwallinu road network in accordance with the requirements of this policy. The road project value warrants above, shall be used to determine audit requirements, with the exception of projects with an estimated project value less than \$150,000 that meet any of the following warrants:

- Subdivision of more than 20 lots
- Car parks providing access for more than 50 vehicles
- Developments that are likely to generate traffic movements in excess of 100 movements per day;
- Projects that are likely to generate increased pedestrian or cycle movements, or where significant numbers of pedestrians or cyclists are nearby; or
- Project locations where potential road safety risks are identified by the Shire of Dalwallinu.

Land use developments that involve a permanent change to the public road network with an estimated project value less than \$150,000 that meet any of the above warrants, shall have a road safety audit undertaken at the following two (2) stages as a minimum:



Stage 3 – Detailed design

Stage 4 – Pre-opening (when the project is substantially complete and prior to opening to the public)

The road safety audit shall include the internal road network and parking area within the development.

#### **Existing Roads**

Road safety inspections shall be undertaken for existing intersections or road sections where there is a traffic management or road safety concern, at the discretion of the Manager Works and Services.

#### **Close Out**

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall complete the Corrective Action Report (CAR) within one (1) calendar month of the audit and arrange for the completed and signed report to be recorded on the Shire of Dalwallinu records system and a copy forwarded to the audit team leader.

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall be responsible for the proposed actions and comments resulting from the CAR.

#### **Objective**

To set out the requirements for conducting Road Safety Audits in the Shire of Dalwallinu.

To improve the safety of the road network and developments in the Shire of Dalwallinu and ensure measures to eliminate or reduce road environment risks for all road users are fully considered with emphasis placed on fatal and serious crash risk.

To promote the development, design and implementation of a safe road system through the adoption of formal road safety auditing principles and practices.

#### **Definitions**

**Audit Team** means a team that shall comprise of at least two (2) people, independent of the design team, including members appropriately experienced and trained in road safety engineering or crash investigation with knowledge of current practice in road designs or traffic engineering principles who undertake the road safety audit.

**Audit Team Leader** means the person with appropriate training and experience with overall responsibility for carrying out the audit and certifying the report. An Audit Team Leader practicing in Western Australia must be an IPWEA/Main Roads Accredited Senior Road Safety Auditor.

**Audit Team Member** means an appropriately experienced and trained person who is appointed to the Audit Team and who reports to the Audit Team leader. An Audit Team Member practising in Western Australia must be an IPWEA/Main Roads Accredited Road Safety Auditor.





**Corrective Action Report (CAR)** means a tabular summary report prepared by the Audit Team to be completed by the Asset Owner, Project Owner, Project Coordinator or delegated representative to respond to identified findings and recommendations detailed in the audit report.

**Crash investigation** means an examination of crashes to identify patterns and common trends that may have contributed to crash causation or crash severity. This can include the detailed investigation of a single crash.

**IPWEA** refers to the Institute of Public Works Engineering Australasia.

**Main Roads** means Main Roads Western Australia.

**Permanent change** means any permanent change to the road network, excluding like for like maintenance replacement works and temporary works.

**Public road** means a road either under the control of Main Roads, Local Government, or any other road accessible by the public (exclusive of private roads).

**Road Safety Audit** means a formal, systematic, assessment of the potential road safety risks associated with a new road project or road improvement project conducted by an independent qualified team. The assessment considers all road users and suggests measures to eliminate or mitigate those risks.

**Road safety engineering** means the design and implementation of physical changes to the road network intended to reduce the number and severity of crashes involving road users, drawing on the results of crash investigations.

**Road Safety Inspection** means a formal examination of an existing road or road related area in which a qualified team report on the crash potential and likely safety performance of the location, (formerly known as an 'Existing Road Safety Audit').

**Safe System** means a road safety approach adopted by National and State Government to generate improvements in road safety. The Safe System approach is underpinned by three guiding principles; people will always make mistakes on our roads but should not be killed or seriously injured as a consequence; there are known limits to the forces the human body can tolerate without being seriously injured; and the road transport system should be designed and maintained so that people are not exposed to crash forces beyond the limits of their physical tolerance.

**Specialist Advisor** means a person approved by the client who provides independent specialist advice to the audit team, such as, road maintenance advisors, traffic signal specialists, police advisors and individuals with specialist knowledge.

Guidelines

AustRoads Guide to Road Safety Part 6: Road Safety Audit  
Main Roads WA/IPWEA-WA checklists



Person Responsible	Chief Executive Officer
History	New Policy August 2021 (M9756) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 6. Planning



## 6.1 Sheds on Residential Land – Building Permits

Policy	Approval for the erection of out buildings on residential land will be granted only when: <ol style="list-style-type: none"> <li>1. A dwelling is in existence on the lot, or</li> <li>2. Plans for the overall development of the lot, including a dwelling, are submitted to Council in conjunction with the plans for the outbuilding.</li> </ol>
Objective	This policy enables officers to approve the erecting of outbuildings in certain circumstances, without reference to Council.  All other scenarios will be referred for Council determination.
Guidelines	Local Planning Scheme No.2

Person Responsible	Manager Planning & Development Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 6.2 Parking of Chemical Spray Units in Townsite

Policy	<p>The parking of chemical spray units on land within a townsite boundary (as defined in TPS No 2) is generally not permitted. Council may however, issue its planning consent for such usage within a townsite boundary under the following circumstances:</p> <ul style="list-style-type: none"> <li>• Where the land, the subject of the application is classified/zoned Commercial, Industrial or Rural;</li> <li>• Where it can be demonstrated that such usage is not likely to have a detrimental impact upon the general amenity of the locality;</li> <li>• Where such usage will not result in the contamination of soils within a townsite boundary.</li> </ul> <p>In issuing any approval to the development of land for this purpose, Council may require the establishment and maintenance of approved landscaping to screen the activities from public view.</p>
Objective	To provide for the safe storage of equipment and visual amenity of the town.
Guidelines	Local Planning Scheme No.2

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



### 6.3 Development of Moveable Buildings – Including Relocated Buildings

POLICY REVOKED – JULY 2020 (M9588)



## 6.4 Use of Sea Containers & Other Similar Transportable Structures

Policy	The use of sea containers and similar transportable structure is to be controlled in accordance with the policy as detailed in the Local Planning Scheme No 2 and Policy 8 Sea Containers.
Objective	To control the use of such structures.
Guidelines	Local Planning Scheme No.2

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 6.5 Town Planning Scheme Policies

Policy	<p>The Dalwallinu Shire under and by virtue of the provision and powers conferred upon it by clause 7.6 of its Local Planning Scheme No 2, has adopted the following Scheme Policies:</p> <ol style="list-style-type: none"> <li><del>1. Offensive Uses</del>—Revoked October 2022</li> <li>2. Fences</li> <li>3. East Pithara Road</li> <li>4. Stables</li> <li><del>5. Moveable Buildings</del>—Revoked July 2020</li> <li><del>6. Aged Accommodation</del>—Revoked April 2022</li> <li>7. Veranda’s over footpaths</li> <li>8. Sea Containers</li> </ol>
Objective	<p>To enable Council to more accurately prescribe in fine details, its requirements in areas where it feels the broader definitions of its scheme is lacking.</p>

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended July 2020 (M9588) Reviewed March 2021 (M9688) Amended March 2022 (M9885) Reviewed March 2023 (M10059)





**SHIRE OF DALWALLINU  
LOCAL PLANNING SCHEME NO.2  
(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 1 – OFFENSIVE USES**

REVOKED – October 2022 (M9983)



**SHIRE OF DALWALLINU**  
**LOCAL PLANNING SCHEME NO.2**  
**(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 2 – FENCES**

Date Advertised: 29 April 2014

Date Finally Adopted: 3 June 2014

**Definition** For the purposes of this policy a fence shall include a fence, wall, barrier, barricade or any other construction that defines an alignment or protects an area. A boundary fence includes a fence constructed on the boundary of a property.

**Background** In most developed areas there is a desire, and sometimes a need, to fence a property or part of a property. The desire comes from a wish to define ones ownership, or exaggerate a boundary for maintenance reasons, aesthetics, privacy or amenity. The need comes from security or safety point of view where it may be necessary to preclude trespassers or criminals.

The two results can vary considerably. The amenity aspect will often produce a symbolic boundary definition that may look aesthetically pleasing or will be consistent with traditional and common materials compatible with the urban environment.

The need to protect a property for security reasons requires a more serious attempt to prevent criminals entering the property. This may often entail the construction of security measures considered incompatible with the existing residential and commercial fabric.

**Objective** The objectives of this policy are:

1. To protect the residential and commercial amenity from fences that are incompatible with the scale and visual amenity of an area normally frequented by residents, shoppers and pedestrians;
2. To protect the visual amenity of areas that may have a direct view of fences that the Council deems to be incompatible with a reasonable expectation from a residential or commercial area. This includes the development of fences on land that abuts, adjoins or faces residential and commercial areas.
3. To control the type of material used in the construction of fences to ensure some degree of integration and to minimise the creation of potential nuisance factors such as reflection, heat or noise.



Policy

1. All fencing within the townsites of the Shire shall require the Council's planning consent, except where the fence meets the provisions of the Residential Design Codes of Western Australian Planning Commission.
2. The Council will only grant its planning consent for fences over 1.8 metres where it considers that circumstances justify a departure from this policy. These circumstances may include:
  - a) areas where a potential danger exists;
  - b) areas where plant and equipment are required to be protected;
  - c) areas where a desire for privacy can be justified;
  - d) situations where the materials and scale of the fence are considered appropriate for the circumstances by the Council.

In these cases the Council may impose conditions relating to the style and appearance of the fence.



**SHIRE OF DALWALLINU**  
**LOCAL PLANNING SCHEME NO.2**  
**(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 3 – RURAL LAND – PITHARA EAST ROAD Pt Location 2611, Lots 51-55, KALANNIE**

Date Advertised: 29 April 2014

Date Finally Adopted: 3 June 2014

**Definition** For the purposes of this policy rural land includes all that land within Pithara East Road, Kalannie, as shown within the Local Planning Scheme Map No.2 Kalannie as Rural Land. The land is bounded by the town boundary west to Jones Road and includes that portion specifically mentioned as Lots 51-55 part Location 2611 Pithara East Road.

**Background** In most developed areas there is a desire to ensure that small rural and hobby farm areas are maintained to a standard which complements the general tidiness of the community and instils a sense of pride in the manner to town is presented to the community and the travelling public. Additionally well maintained rural and hobby farm areas can present less of an aesthetic concern and require less inspectorial control.

Hobby farm areas must be maintained to minimise storage areas for disused machinery and materials, harbourage for vermin and pests and should present as a well managed operation with a sense of pride in the community.

The policy addresses the development of a small rural and hobby farms sites, particularly setbacks, waste disposal and general maintenance of the site.

**Objectives** The objectives of the policy are:

- a) To protect the hobby farm style development and residential amenity from uses that are incompatible with the rural lifestyle of the community and the visual amenity of an area which represents the main approach to the town of Kalannie;
- b) To provide for proper development of Ninghan Location 2611, Lots 51-55, in keeping with the hobby farm and semi rural pursuits originally approved by Council in keeping with the objectives of the defined rural zone.
- c) To ensure the objectives of the defined rural use are maintained and to ensure that future residential development is in keeping with hobby farms and semi rural pursuits and are uniform in size
- d) To protect the visual amenity of areas that may have a direct view of the hobby farm and semi rural are or frequent the area for personal or business purposes
- e) To control the type of development within the defined rural area to ensure a degree of integration to minimise the creation



of nuisance factors such as visual pollution, disused material accumulation, offensive odours and operations and noise.

- f) To provide developers with a minimum acceptable standard of operation within the defined rural area which complements the rural lifestyle of the community and enhances the visual amenity of the area.

#### Policy

- a) All applications for development shall submit a planning application detailing building envelope area, landscaping, off street delineated parking, disused materials and waste storage areas, and proposed industry to be established.
- b) The front set back area (minimum setback to be determined) may be used only for the purposes of landscaping, access and visitors parking. Natural vegetation existing within the setback area is to be maintained. Proposed landscaping is to include local flora.
- c) Natural vegetation within 3 metres of the rear boundary is to be maintained and supplemented with local flora where required. Natural vegetation within 1 metre of the side boundaries shall be maintained and supplemented with landscaping.
- d) Side and rear setback distances are as determined by Council dependent on wall heights of structure, modes of access and the requirements of Table II Development Table, of the Local Planning Scheme No.2.
- e) No material or products may be stored or displayed within the front setback area.
- f) A minimum of 10% of the lot shall be landscaped and areas within 1 metre of side boundaries shall be landscaped.
- g) A second dwelling may be constructed on the lot within the building envelope for the purposes of staff accommodation or other purpose approved by Council
- h) Lot sizes are to be maintained at 2.9ha or larger

#### Building Construction

- a) Maximum plot ratios are to be determined by Council upon receipt of each application. As a guide, development is limited to 0.5. Applications for development in excess of this ratio should provide supporting documentation to assist Council's determination.
- b) The use of second hand materials in construction of the buildings is not permitted. Second hand dwellings may be erected on the site with the written permission of Council. All applications are to provide supporting documentation regarding improvements to the second hand dwelling such as repainting, waste disposal and shall include two recent photographs and a floor plan.



- c) Where the developments propose to display or on sell goods, shop fronts and offices shall not encroach into the front setback area.
- d) Materials to be used shall be new. Where steel framed construction and cladding is utilised, the wall cladding shall be coloured and roof cladding may be galvanised.
- e) Waste disposal systems shall be constructed to the requirements of the *Health Act 1911 (as amended)* and leach drains shall be trafficable.
- f) Fencing requirements shall be in accordance with Policy No.2 – Fences. All boundary lines are to be fenced during the construction phase of the building. Plastic coated mesh is to be utilised for front setbacks or alternatively, decorative fencing may be installed with the written approval of Council.

The Council may require a bond or bank guarantee from a developer to ensure landscaping, second hand dwellings and/or other development works are designed and carried out to the satisfaction of the Council.

Where Council considers a particular development or use to be incompatible with the predominant uses within that zone, additional requirements may be necessary.



**SHIRE OF DALWALLINU  
LOCAL PLANNING SCHEME NO.2  
(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 4 - STABLES**

Date Advertised: 29 April 2014

Date Finally Adopted: 3 June 2014

**Definition** For the purposes of this policy a stable means a premises used for the keeping, breeding, agistment and rearing of horses and ponies and may include the use of associated building, corrals and compounds.

A fence shall include a fence, wall, barrier, barricade or any other construction that defines an alignment or protects an area. A boundary fence includes a fence constructed on the boundary of a property.

**Background** With the establishment of stables within townsites and particularly residential areas, there is a need to maintain a minimum acceptable standard which complements the general tidiness of the area and maintain the stables such that vector, odour and diseases are eliminated and do not pose a nuisance or health concern to residents of the area.

Stables must be maintained to provide a healthy environment for all residents and constructed to a standard which is easily cleaned and maintained. All health issues are governed by the Shire of Dalwallinu Health Local laws 1996 and in particular Division Two and Three – Keeping of Animals and Large Animals. Applicants should liaise with the Council to determine minimum acceptable standards. Construction of stables are governed by the Building Code of Australia and detailed plans must be submitted to the Council for approval.

The Policy addresses the development of stables, minimum lot sizes, setbacks, waste disposal and general maintenance of the site.

**Objectives** The Objectives of the policy are:

1. To protect the residential amenity and ensure that siting and construction of stables are compatible with the rural lifestyle of the community and the visual amenity of the residential areas where stables are permitted;
2. To control the type of development within the residential area to ensure a degree of integration to minimise the creation of nuisance factors such as visual and faecal pollution, disused material accumulation, offensive odours and noise.



3. To provide applicants with minimum acceptable standard of operation prior to consideration and construction.

Policy

**Planning Requirements**

- a) All applicants for the construction of stables shall submit a planning consent application detailing the building envelope area, landscaping, waste storage areas and proposed number of horses;
- b) Planning consent applications shall be accompanied by letters from adjoining landowners/residents stating they are aware of the proposal and have sighted the plans;
- c) The setbacks from side and rear boundaries shall be a minimum of 5 metres. No stables shall be constructed within 20 metres of the front setback or within 15 metres of a dwelling or a water course;
- d) The minimum lot size shall be 2,000m<sup>2</sup>;
- e) The number of horses shall be limited to one horse for every 1,000m<sup>2</sup>, with a maximum of three horses per lot;
- f) Disused materials and floats must be stored such that they are not visible from the front boundary of the property and are stored to minimise harbourage of vermin;
- g) Adequate shade shall be provided for the animals;
- h) All fences may be electrified except boundary fences;
- j) Noise and dust emissions from the property shall be minimised by appropriate methods, and where required, the paddocks shall be watered to prevent the spread of dust;
- k) All food containers (including but not limited to wheat, barley, oats and other grain foods) shall be sealed to prevent ingress of rodents and pests. It is accepted that hay bales may be stored outside of sealed containers.

**Building Requirements**

- a) Stables shall be constructed of new materials. No second hand materials are permitted to be used except for recycled wood for framing purposes only.
- b) Fencing requirements shall be as required by Local Planning Policy No.2 and the Fencing Local Laws. Boundary fences shall be constructed to minimise the risk of injury to the animal but shall be of sufficient strength to contain the animal within the property.
- c) Waste disposal systems shall be constructed to dispose of water used for all wash down areas in accordance with the requirements of the *Health Act 1911 (as amended)*.





- d) Plans shall be submitted as required by the *Building Regulations 1989* or such other legislation which may replace the regulations.
- e) Waste containers shall be supplied as required by the Shire of Dalwallinu Health Local Laws and be of sufficient size to contain all waste materials in a sealed environment.
- f) Compliance with all Health Local Laws is required at all times.

Where the Council considers a particular development or use to be incompatible with the predominant uses within the zone, additional conditions and requirements may be imposed.

The Council reserves the right to refuse a planning consent application which is incomplete or in incompatible with the predominant uses within the zone.



**SHIRE OF DALWALLINU  
LOCAL PLANNING SCHEME NO.2  
(District Scheme)**

**POLICY NO. 5 – MOVEABLE BUILDINGS**

REVOKED – July 2020 (M9588)



**SHIRE OF DALWALLINU  
LOCAL PLANNING SCHEME NO.2  
(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 6 – AGED ACCOMMODATION DEVELOPMENT**

REVOKED – April 2022 (M9895)



**SHIRE OF DALWALLINU**  
**LOCAL PLANNING SCHEME NO.2**  
**(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 7 – VERANDAH OVER FOOTPATH – DESIGN & MATERIALS CRITERIA**

Date Advertised: 29 April 2014

Date Finally Adopted: 3 June 2014

**Discussion** Since 1994, Council has prepared and submitted for public consultation, a Dalwallinu Town Centre Study, which includes details of proposed aesthetics and infrastructure improvements to Johnston Street. As part of this planning process, proper planning of visual improvements to shops and premises is considered integral with the town centre development.

This policy is proposed to ensure that the expectations of the owners already established are not adversely affected by the construction of verandahs over footpaths. It is considered reasonable to protect the visual integrity of the main street concept, and existing landowner's investments in the town from development that may detract from the amenity of the character of Johnston Street.

**Background** The construction and design of verandahs is limited by the imagination of the designer. The proposal to visually improve Johnston Street to provide encouragement to locals and visitors, will ensure a uniform approach is taken to the overall design and a policy relating to verandahs will ensure harmony between the structures and the proposed improvements.

To ensure that Council can review and provide constructive comment of the verandah design, all applications for verandah's over footpaths and road reserves, shall require the Council's planning consent prior to the issue of a building licence.

**Policy**

1. All applications for verandah's over footpaths shall require the Council's planning consent prior to the issue of a building licence;
2. The Council shall not permit the construction of a verandah from second hand materials or materials which are flammable;
3. All applications must show existing verandahs or shop fronts adjacent to the property for which the application is made;
4. Verandahs shall not interfere with the rights of the adjoining property including advertising and access;
5. All applications shall be supported by a structural engineers report on the affixment methods and durability of the existing structure to withstand loads applied by the verandah and to show details of walls to which the verandah shall be affixed;



6. All applications shall include a statement from the insurer advising that the proposed verandah and road reserve area shall be included permanently within the public liability insurance premium applicable to the verandah. The landowner is to ensure that the policy remains current and all new tenants or owners are advised of the requirement accordingly;
7. The application must be lodged with statements from adjoining property landowners that they have sighted the plans of the verandah;
8. Columns shall be located a minimum of 600mm from the footpaths edge;
9. A minimum of 2400mm clear area beneath the verandah shall be provided for public thoroughfare.

#### Objectives

1. To maintain high amenity standards of buildings, especially within the commercial precinct;
2. To ensure that the visual aesthetics of the commercial precinct are not compromised by the introduction of substandard structures that are out of character with the majority of the precinct;
3. To ensure that verandah's when constructed do not use materials or a design considered unacceptable by Council;
4. To protect the visual amenity of the main street of Dalwallinu by not permitting the establishment of visual barriers which are not in keeping with the general intent of the Town Centre Study and values of established businesses.



**SHIRE OF DALWALLINU**

**LOCAL PLANNING SCHEME NO.2  
(District Scheme)**

The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in the behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

**POLICY NO. 8 – SEA CONTAINERS**

Date Finally Adopted: 28 July 2020

**Definition** Sea Containers are defined as being redundant shipping containers that have been repurposed. Sea Containers are often being used on land in a manner that is unsightly and that is detracting significantly from the amenity of the locality in which the land is situated. Sea containers are used in Residential areas as an alternative to sheds and in Commercial and Industrial areas for storage and other purposes.

**Objectives** Ensure that the use of Sea Containers is not unsightly and does not detract significantly from the amenity of the locality in which it is situated.

Establish guidelines for the assessment of applications for a permit to establish Sea Containers within the whole of the Shire local government area.

Set acceptable standards for an application to obtain Shire approval to establish a Sea Container on a particular property relevant to the land use.

**General Provisions** The following provisions, if adopted, will apply to all Sea Containers located within any land use zone.

**Sea Containers:**

- are only to be used in conjunction with an approved use on the lot
- must not be located over effluent disposal areas/systems
- must not be located over water mains, waste water or storm water drains, or underground power lines.
- must be setback from overhead power lines in compliance with the requirements of the relevant electricity authority
- will not be permitted in a Heritage Conservation Area.
- must not contain sanitary facilities (ablutions)
- must not be used for human habitation
- must not be placed on verges, or road reserves or other public places

**Specific Zone Provisions**

Land use zones are incorporated into the Scheme to distinguish allowable land uses that do not detract from the amenity or character of a given area. The following provisions (specified criteria), if adopted, will apply to their respective land use zones.

**Residential Zone**

- A maximum of one Sea Container per allotment is allowable provided that it can be demonstrated that it meets the criteria as an



‘Outbuilding’ as defined in the *State Planning Policy 7.3 – Residential Design Codes Volume 1*

- Sea Containers will not be permitted in the Residential Zone on land where there is no existing dwelling or where there is no dwelling under construction
- Sea Containers are not to be located within the front setback of the property
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening
- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding
- Refrigerated Sea Containers are not permitted on Residential zoned land anywhere within the Shire
- With the exception of an approved Home Occupation, the Sea Container shall not be used for any commercial or industrial purpose.

#### **Commercial Zone**

- A maximum of one Sea Container per allotment is allowable provided that their use is ancillary to the approved land use
- Sea Containers must not be located in areas designated as car parking
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening
- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding
- Refrigerator motors and other cooling devices must be modified to ensure that noise emitted from the unit complies with the *Environmental Protection (Noise) Regulations 1993*.

#### **General Industrial Zone**

- An unlimited number Sea Containers is allowable provided that their use is ancillary to the approved land use
- Sea Containers must not be located in areas designated as car parking or landscaping
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme

#### **Townsite Zone**

- A maximum of one Sea Container per allotment is allowable provided that their use is ancillary to the approved land use
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening



- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding

#### **Rural Residential Zone**

- A maximum of two Sea Containers per allotment is allowable provided that their use is ancillary to the approved land use
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme
- Is used for domestic storage purposes only
- Refrigerated Sea Containers are not permitted on Rural Residential zoned land anywhere within the Shire
- Sea Containers must not be stacked

#### **Rural Zone**

- An unlimited number Sea Containers is allowable provided that their use is ancillary to the approved land use
- Where located within 200m of a boundary of a lot or road, Sea Containers are to substantially screened from the road, neighbouring properties or public vantage points

#### **Exemptions**

All proposals for the placement of Sea Containers require the planning approval of the Shire prior to being sited on a lot, except where the Sea Container is:

- Placed within a fully enclosed buildings
- Associated with the temporary storage of building materials and/or equipment during approved building work being undertaken. The building works must have substantially commenced and the construction works do not lapse for more than 30 consecutive days.
- Placed temporarily on the property for the purposes of furniture and/or goods removal or delivery where they are located for seven days or less
- Proposed to be modified for a dwelling or commercial building. Once a Sea Container has been modified, it is no longer considered as a Sea Container for the purposes of this Policy.

#### **Public Consultation**

- Sea Containers that do not comply with the specified criteria will be advertised for public comment before being determined by the Council.
- Owners of property adjoining a proposed development site are to be invited to make comment on all applications for Sea Containers.
- All public consultation is required to be undertaken for a period no less than 14 days.

#### **Related Local Law / Legislation**

- *Planning and Development Act 2005*
- *State Planning Policy 7.3 – Residential Design Codes of WA*
- *Shire of Dalwallinu Local Planning Scheme N<sup>o</sup> 2 (The Scheme)*





Person Responsible	Chief Executive Officer Manager Planning & Development Services
History	New Policy July 2020 (M) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 6.6 Trading in Public Places

**Policy** This policy is designed to assist the Shire in the facilitation and management of businesses operating as street traders on a temporary basis and to regulate this type of activity to ensure equity and fairness to all business proprietors.

### 1.1 Types of street trader permits

Three types of street trader permits may be issued to accommodate the various street traders that may wish to operate within the Shire:

1. Mobile food vending eg. Ice cream vending
2. Fixed food vending site eg. Burger van, fruit & vegetables van
3. Non-foodstuff vending eg. Flowers

### 1.2 Period of Validity

Permits will be issued for a maximum twelve (12) month period ending on 30 June and reviewed annually.

### 1.3 Fee

An annual fee for the issue of a Street Trader Permit is in the Schedule of Fees and Charges and is set and reviewed by Council each year.

### 1.4 Conditions of Permit

The following conditions, where applicable, will form part of the Street Trader Permit and will be issued under the authority of clause 6.3 of the *Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law*:

1. The permit holder agrees to indemnify the Shire from all actions and damages whatsoever that may be brought against them for any wilful or negligent act;
2. The permit holder shall take out and keep current in respect of the vending activity, a public risk insurance policy in the name of the permit holder for a sum of not less than \$20 million against all actions and damages whatsoever connected with the vending activities;
3. A permit will not be issued until evidence of such public risk insurance policy is given to the Shire;
4. The permit holder is only permitted to operate within the section of the Shire to which the permit applies and shall not operate on any declared arterial road or highway;
5. Food vendors to be currently registered under the provisions of the *Food Act 2008*;
6. Music or other audible means, eg. Bell, used for attracting custom is to be kept to a minimum so as not to create a nuisance to residents. The music or bell is not to be used:
  - a. When the vehicle is stationary;
  - b. Before 9.00am or after 9.00pm on any day



7. The permit holder will comply with all laws of the Commonwealth, State and Shire local laws;
8. Permit holders are only to operate between 10.00am and 7.00pm during the months of April to October (inclusive) and between 9.00am and 9.00pm at other times. This can be varied subject to an application in writing to the Shire for approval;
9. Permit holders must ensure that any trading sites are left clean and tidy with all rubbish removed;
10. The permit does not allow vending on a reserve, parkland or adjacent car park;
11. A copy of the permit is to be retained within the vehicle whilst trading within the Shire and produced on demand when requested by an authorised officer;
12. All vehicles including the tow vehicle must be road authority registered and be maintained in a clean non-offensive manner to the satisfaction of the Shire;
13. The permit holder is required to notify the Shire in writing within seven (7) days of any change of address of the business;
14. The permit is non-transferable;
15. The Shire may revoke the permit by written notice to the Permit holder;
16. All permits will expire at the close of business on 30 June in the year in which they are issued.

**Objective**

The purpose of this policy is to provide direction to Shire staff in the processing of applications for trading in public places to ensure an appropriate balance between the interest of the Shire, street traders and residents of the Shire of Dalwallinu. The objectives of the policy include:

The designation of areas where vendors will be allowed to operate;

An appropriate spatial separation between an itinerant vendor and a similar business operating from approved commercial premises.

Person Responsible	Chief Executive Officer
History	New Policy March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7. Administration



## 7.1 Harvest Bans

Policy	Harvesting shall be prohibited on Christmas Day, Boxing <u>Day</u> and New Year’s Day within the Shire of Dalwallinu.
Objective	To minimise the likelihood of an emergency on Christmas Day, Boxing Day or New Year’s Day.

Person Responsible	Manager Corporate Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Amended March 2023 (M10059)



## 7.2 Building Facilities

Policy	<p>The Shire will provide a stove and refrigerator of up to 450 litre capacity in each of its halls/supper rooms.</p> <p>(Community Groups may provide other facilities in halls or buildings, at their cost, with the prior approval of Council).</p>
Objective	To define the limit on facilities provided by Council.

Person Responsible	Manager Corporate Services
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



### 7.3 REVOKED - Caravan Parks

POLICY REVOKED – MAY 2020 (M9556)

REASON – Council no longer operates caravan parks in the Shire.



## 7.4 Liquor on Council Public Property

Policy	<p>No liquor of any type shall be permitted to be stored or consumed on Council controlled public property without the application for and granting of a permit by the Chief Executive Officer or other designated officer.</p> <p>Clubs may apply for a seasonal permit for the consumption of liquor with all dates shown on the permit.</p>
Objective	To provide clarification of the process for the storage/consumption of liquor on Council owned public proprieties.
Guidelines	<p>The Police are to be advised each time a permit for the consumption of liquor is issued.</p> <p>If liquor is to be sold, either by individual sale or as part of a ticket price, a separate permit from the Department of Local Government, Sport and Cultural Industries is necessary.</p>

Person Responsible	Manager Planning & Development Services
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>





## 7.5 Freedom of Information Officers

Policy	<p>For the purposes of the <i>Freedom of Information Act 1982</i>:</p> <p>The Chief Executive Officer is the Principal Officer and the Internal Review Officer for the purposes of the Act; and</p> <p>The Manager Corporate Services is the Freedom of Information Co-ordinator for the purposes of the Act.</p>
Objective	To ensure that the legislative requirements for Freedom of Information are carried out in accordance with the Act.
Guidelines	In accordance with the <i>Freedom of Information Act 1982</i> , s 13.39 and Schedule 2.

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Amended May 2020 (M9556)</p> <p>Amended March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 7.6 REVOKED - Record Keeping Plan

POLICY REVOKED – MAY 2020 (M9556)

REASON – Council policy not required as it is a requirement under the *State Records Act 2000*.



## 7.7 REVOKED – Pension Rebate Review Officers

POLICY REVOKED – APRIL 2017

REASON – Not required as covered in the *Rates and Charges (Rebates and Deferments) Act 1992*.



## 7.8 Dalwallinu Caravan Park Overflow

Policy	Should the Dalwallinu Caravan Park reach full capacity, the overflow facility is to be at the Dalwallinu Recreation Grounds.
Objective	To establish a protocol for the implementation of the overflow facility for the Dalwallinu Caravan Park.
Guidelines	<p>The maximum capacity of the Dalwallinu Caravan Park is set at 44 caravans/motorhomes. Once this number is reached the overflow facility at the Dalwallinu Recreation Grounds may be utilised.</p> <p>Patrons who make use of the overflow facility will be escorted from the caravan park to the Recreation grounds by the Manager of the caravan park who will assist with the safe positioning of the caravans/motorhomes.</p> <p>Patrons shall not be permitted to utilise the overflow facility for a time period greater than three (3) consecutive days at any one time.</p> <p>Fees for the overflow facility are stated in Council’s Fees &amp; Charges Schedule.</p>

Person Responsible	Chief Executive Officer
History	Former Policy Reviewed April 2016 Reviewed April 2017 (M8814) Reviewed April 2018 (M9129) Revoked March 2019 (M9342) Reinstated May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7.9 Temporary Camping Site

Policy	The Dalwallinu Recreation Grounds may be used as a temporary camping site during approved community events.
Objective	To establish a protocol for the implementation of the use of Recreational Sports Grounds as a temporary camping site during approved community events.
Guidelines	<p>Council may permit the use of the Recreational Sports Grounds for the purposes of a temporary camping site provided approval is sought and granted. Community event organisers may seek approval from Council on behalf of participants at their events, by means of the event application process. Such temporary stays shall be no longer than five (5) consecutive days per event and will be approved on a case by case basis.</p> <p>Event organisers will be responsible for the management of campers during the approved period in accordance with any conditions as stipulated within the approval.</p>

Person Responsible	Manager Planning & Development Services
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7.10 Non-Employee Housing Rental

<b>Policy</b>	<p>For all non-employees renting Shire housing, the following conditions apply:</p> <p>Prior to renting:</p> <ul style="list-style-type: none"> <li>• A police clearance (less than six (6) months old) is to be provided;</li> <li>• A proven rental history is to be provided;</li> <li>• Bond of four (4) weeks rental is to be paid prior to moving in;</li> <li>• Two (2) weeks rental in advance is to be paid prior to moving in.</li> </ul> <p>While renting:</p> <ul style="list-style-type: none"> <li>• Rent is to be two (2) weeks in advance at all times (or the Shire reserves the right to terminate the rental agreement);</li> <li>• The gardens are to be maintained to at least the standard that they were at the commencement of the lease.</li> </ul> <p>Some of the conditions may be waived by the Chief Executive Officer in specific circumstances (e.g. aged accommodation, joint venture accommodation)</p>
<b>Objective</b>	<p>To determine the requirements for non-employee housing rentals.</p> <p>To ensure that the community's financial interest in the Shire are protected.</p>

Person Responsible	Chief Executive Officer
History	Reviewed April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7.11 Risk Management

Policy	<p>To achieve best practice (aligned with AS/NZS ISO 31000:2018 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.</p> <p>Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire’s Integrated Planning Framework.</p> <p>The Shire’s Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.</p> <p>Every employee, Councillor, volunteer and contractor within the Shire is recognised as having a role in risk management, from the identification of risks, to implanting risk treatments and shall be invited and encouraged to participate in the process.</p> <p>Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.</p>
Objectives	<p>To ensure that the legislative requirements for risk management are carried out in accordance with the Act and Regulations.</p>

Person Responsible	Chief Executive Officer
History	<p>Reviewed April 2017 (M8814)</p> <p>Reviewed March 2018 (M9129)</p> <p>Reviewed March 2019 (M9342)</p> <p>Reviewed May 2020 (M9556)</p> <p>Reviewed March 2021 (M9688)</p> <p>Reviewed March 2022 (M9885)</p> <p>Reviewed March 2023 (M10059)</p>



## 7.12 Computer and Mobile Devices

Policy	All Shire employees, Elected Members, contract personnel and volunteers whose access to computer resources are provided by, facilitated by or funded by the Shire or is made available through equipment owned or leased by the Shire must abide by the guidelines listed below.
Objective	<p>To provide guidelines for the acceptable usage of all Shire of Dalwallinu's Information Technology Systems including mobile devices;</p> <p>To ensure the security and integrity of the Shire's electronic data and technology infrastructure.</p>
Guidelines	<p><b>Purpose</b></p> <p>The purpose is to protect the security and integrity of the Shire of Dalwallinu's electronic data and technology infrastructure. It outlines the requirements that all mobile devices must adhere to before being allowed access to the Shire's electronic resources.</p> <p>In addition, the purpose is to ensure that:</p> <ul style="list-style-type: none"> <li>• Users understand that mobile devices are easily lost or stolen and this presents a risk to the Shire of Dalwallinu;</li> <li>• Mobile devices that are provided by the Shire of Dalwallinu are secured appropriately;</li> <li>• Access allowed by personal mobile devices is restricted and documented;</li> <li>• Users are aware of the consequences if their mobile device is lost or stolen;</li> <li>• Users are aware of the implications and consent to the possibility of the mobile device being wiped.</li> </ul> <p><b>Devices and Support</b></p> <p>Mobile devices include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Smart phones such as iPhones, Androids or Windows Mobile phones;</li> <li>• Tablets such as iPads, Android or Windows devices;</li> <li>• Laptop or notebook computers</li> </ul> <p>Technical support will only be provided for Shire owned devices.</p> <p>Employees with personal devices should contact the device manufacturer or their carrier for operating system or hardware related or mobile data network issues.</p> <p><b>Purchasing</b></p> <p>All purchases of devices, accessories or software applications (apps) whether capital, operational or grant funded, must be by the Shire's Administration Department to ensure compatibility with the Shire's IT systems and suitability for its intended purpose.</p>





Shire provided mobile devices are only to be used for fulfilling business responsibilities. Users are prohibited from incurring any fees or charges as a result of personal use of Shire provided mobile devices and subsequently billing those fees and charges to the Shire.

#### **Option to keep Devices by Retiring Councillors**

Retiring Councillors who are supplied with a device such as an iPad for example may keep the device subject to the following conditions:

- The device has been completely cleansed of any confidential or sensitive data relating to the Shire of Dalwallinu;
- Passwords issued to the user are deleted;
- Any access to Shire emails or password protected areas is removed;
- Should a Councillor retire before completing their term the iPad would be returned to the Shire or made available at a cost determined by using current depreciation calculations.

#### **Device Access**

All Shire owned devices must be registered with the Shire's contract IT supplier and configured by them with device updates and standard apps, such as office productivity software and security tools, before they can be permitted to access the network.

Users are prohibited from installing offensive apps or ringtones on Shire provided devices. Any software or apps installed on the device must not restrict the ability of the device to be used for normal work purposes and must not incur additional charges to the Shire by exceeding the device's data allowance.

Personal mobile devices will not be permitted to access the Shire's network or email using the devices native mail client unless the Chief Executive Officer has given written permission.

No employee may connect, dock or otherwise synchronise an unapproved mobile device, whether owned personally by the employee or provided by the Shire, with any Shire computer, laptop, server, system or network, without the prior consent of the Chief Executive Officer.

#### **Security**

Users provided with mobile devices by the Shire are wholly responsible for the security of those devices. Users are to keep the devices on their person at all times when travelling.

Additionally, the following applies to Personal and Shire owned devices:

- No sensitive or confidential information is to be unnecessarily stored on mobile devices
- All users must be aware that the user's device may be remotely wiped by the IT Contractor if:
  - The device is misplaced, lost or stolen;



- The employee or Councillor terminates his or his employment, or
- The IT Contractor detects a data or policy breach, a virus or similar threat to the security of the company’s data and technology infrastructure.
- In the event that a mobile device is lost, stolen or misplaced, the Administration Department must be notified immediately so that appropriate steps can be taken;
- While the IT Contractor will take every precaution to prevent the users personal data from being lost, in the event it must remote wipe a device, it is the users responsibility to take additional precautions, such as baking up their email, contacts, photo’s etc;
- A remote wipe can delete all data (including personal data, applications, pictures, files etc) and restore the mobile device to factory default settings.

Person Responsible	Chief Executive Officer
History	New Policy April 2017 (M8814) Reviewed March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7.13 Social Media

Policy	<p>This policy is intended for use by Councillors, staff members and other representatives of the Shire of Dalwallinu to apply to any online medium where information may reflect back on the image of the Shire of Dalwallinu. Therefore this Social Media policy applies to all forms of social media including, but not limited to, blogs, Facebook, Wikipedia or other wikis, Twitter and LinkedIn. These guidelines also apply to any comments representatives of the Shire of Dalwallinu may leave on other’s blogs or Facebook/Twitter pages, edits to wikis, postings on message boards/forums and opinion on online polls.</p> <p>Most conversations on social media platforms are held in an informal manner, so the normal professional writing style is not required for social media communications, however, professional discourse is expected.</p> <p>All social media accounts, blogs and web pages carrying the Shire of Dalwallinu brand identity are to be endorsed by the Shire of Dalwallinu. If the Shire of Dalwallinu is referenced in any media by its representatives, the social media guidelines of this policy apply.</p>
Objective	<p>To give guidelines for engaging in online conversations as representatives of the Shire of Dalwallinu.</p> <p>As a Local Government Authority, the Shire of Dalwallinu and its representatives must follow certain rules when participating in social media.</p>
Guidelines	<ol style="list-style-type: none"> <li>1. <b>The internet is not anonymous, nor does it forget</b> Everything written on the Web can be traced back to its author one way or another and very easily.</li> <li>2. <b>There is no clear line between your work life and your personal life. Always be honest and respectful in both capacities</b> With the ease of tracing authors back from their posts and the amount of information online, finding the actual identity of a poster from a few posts and a screen name is not impossible. This creates an avenue for outside parties to link your personal writings to the Shire of Dalwallinu. Always write as if everyone knows you. Never write anything you wouldn’t/couldn’t say out loud to all parties involved.</li> <li>3. <b>Avoid hazardous materials</b> Do not post or link to any materials that are defamatory, harassing or indecent.</li> <li>4. <b>Don’t promote other brands with our brand</b> Do not promote personal projects or endorse other brands, causes or opinion when posting.</li> </ol>



5. **Maintain confidentially**  
Do not post any confidential information in regards to the Shire of Dalwallinu including personal information of employees, Councillors and other individuals associated with the Shire of Dalwallinu.
6. **Always acknowledge**  
When reposting/referencing a post or some else’s comments provide a link to the original item or acknowledge the author.
7. **Identify yourself**  
When relevant, identify your affiliation with the Shire of Dalwallinu to add credibility to your profile and to increase the visibility of the Shire of Dalwallinu.
8. **Do not qualify your work**  
Do not post statements regarding the quality or quantity of your work/load.
9. **Do not return fire**  
If a negative post or comment is found online about the Shire of Dalwallinu or one of its representatives, do not counter with another negative post. Publicly offer to remedy the situation through positive action.
10. **Do not action requests made through social media**  
Actioning requests must be done only through our regular procedures to avoid conflicts and other ethical problems.

It should be noted that comments considered to be offensive or defamatory will be removed by the Administrator and repeat offenders will be blocked.

Person Responsible	Chief Executive Officer
History	New Policy March 2018 (M9129) Reviewed March 2019 (M9342) Reviewed May 2020 (M9556) Reviewed March 2021 (M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)



## 7.14 24/7 Gymnasium

**Policy** The gymnasium is provided for the enjoyment of all who use it, irrespective of whether it is recreational for keeping fit, rehabilitation from injury, or as part of a training programme for an individual sport. The gymnasium is available for use 24 hours a day and seven days a week.

### Terms of Use

- No persons under the age of twelve (12) shall be permitted into the Shire of Dalwallinu gymnasium;
- Persons between the age of twelve (12) and eighteen (18) must be accompanied by a member of the gymnasium at all times;
- All members are to complete a membership form to obtain an access swipe fob;
- The gymnasium is for **members only**. Sharing of fobs and allowing non-members access into the facility will not be tolerated and may result in cancellation of the membership;
- Members will be required to complete a Pre Exercise Screening Tool and are urged to seek advice from their Doctor prior to commencing any form of physical activity;
- CCTV will be monitoring the facility at all times;
- The following memberships are available and have a 48 hour cooling off period:
  - Twelve (12) months (with a 10% discount applicable)
  - Six (6) months
  - Three (3) months
  - Casual (non-residents of the Shire of Dalwallinu)
  - Corporate Memberships
- Memberships may be eligible for suspension (eg. Annual leave) at the discretion of the Chief Executive Officer.
- After the 48 hour cooling off period, members may only terminate their membership if they leave the Shire of Dalwallinu or have a medical issue (medical certificate required).

### Fees

- Fees will be set as annual (to include a 10% discount), monthly or fortnightly;
- Monthly and fortnightly fees are to be via direct debit facility only;
- A casual weekly fee will be available. The casual option is only available for non-shire residents;
- An access fob is applicable;
- A replacement access fob fee is applicable.

**Objective** This policy is designed to promote, protect and regulate the use of the Shire of Dalwallinu gymnasium.



Person Responsible	Chief Executive Officer
History	New Policy December 2018 (M9297) Reviewed March 2019 (M9342) Amended May 2020 (M9556) Amended March 2021 (M9688) Reviewed March 2022 (M9885) Amended March 2023 (M10059)



## 7.15 Closed Circuit Television (CCTV)

### Policy

#### Introduction

New CCTV systems are to be introduced in consultation with staff, community groups and Council as appropriate, with consideration towards relevant statistical information wherever available.

Where systems are already in operation, these are to be reviewed regularly in consultation with staff, community groups and Council, with consideration to relevant statistical information wherever available.

#### Principle Areas

Wherever relevant, applicable legislation shall be followed. Broadly, this policy aims to clarify the Shire's intent when providing CCTV across the following principle areas:

##### 1. Purpose, Privacy and the Public Interest

All CCTV's are to be fairly, within applicable law, and for the purposes unto which they were established or subsequently agreed to. Operation should occur with due regard towards the privacy and civil liberties of individual members of the public, and particularly with a view to minimising false association. The public interest in the operation of CCTV's is to be recognised by ensuring the security, review and integrity of operational procedures is maintained.

- i. The purpose of CCTV installation and operation occurs in accordance with this policy;
- ii. The provision of CCTV is intended to assist in the prevention of crimes against a person or property, as well as offences and non-compliance where appropriate under the Local Government Act 1995;
- iii. CCTV's may utilise intelligent surveillance and/or behaviour analysis software. This is to assist Council in the detection of suspicious behaviour, intrusion, crowd and traffic managements, vehicle and facial recognition processes (identification);
- iv. Cameras regulated under this policy may be used by WA Police during emergency situations such as a siege, riot, bomb blast, threat or other controlled operation;
- v. Cameras may be used to monitor individuals, groups or locations where a Shire operator has reason to believe that an offence has been committed, is being committed or is about to be committed in the monitored area;
- vi. Shire operators are to use all reasonable efforts to prevent the occurrence of false association arising from the operation or utilisation of CCTV systems;
- vii. CCTV cameras are not placed with the expectation that all conceivable areas are covered. Rather, cameras are installed at priority locations that take into account a range of criteria. This includes, but is not limited to history of crime, public requests, illumination of area to ensure



quality of images, and ability to integrate with existing or planned infrastructure whilst maintaining cost/benefit ratios.

- viii. CCTV cameras installed in locations that are later deemed to be a non-priority area, or are not assisting the Shire to achieve policy objectives, may be removed or relocated.

## **2. Ownership of CCTV's, Responsibilities and Accountability**

The Shire is responsible for complying with the objectives of CCTV provision articulated within this policy, and the protection of public interests that may otherwise be impacted by that provision.

- i. Information is to be publicly available on the Shire's website, where relevant to the effective operation and management of the CCTV program and systems;
- ii. The Shire will either operate the system, or give authority to an appointed contractor to operate the system;
- iii. The Shire has the right of inspection of all CCTV facilities, procedural documentation, files, registers, records and live and recorded material associated with the CCTV program;
- iv. Request from third parties to install CCTV on Shire land or in/on Shire owned facilities can be considered. In all instances, the request must comply with relevant legislative requirements, as well as demonstrate a need and purpose consistent with the Policy objectives. Any request must not exceed a three (3) month period and come at no cost to the Shire.
- v. Where hirers of Shire facilities are subject to being recorded, this should be articulated within the conditions of hire.

## **3. Shire of Dalwallinu CCTV and Police involvement**

As a partner to the Shire's CCTV Program, WA Police are to act in accordance with this policy and related documents. This includes, but is not limited to any Memorandum of Understanding, Agreements, or legislative conditions between the Shire and WA Police.

Contact related to the CCTV Program between Shire staff, any delegated contractors and the Police, is to be conducted in accordance with relevant legislation. The Shire may request information for the Police to:

- i. Identify crime 'hot spots' where cameras may be required;
- ii. Contribute to the Business Operating Procedures and/or Manuals that support this policy;
- iii. Assist in determining the level of responses to incidents identified on monitoring screens, according to available resources and existing priorities;
- iv. Provide ongoing information and advice to the Shire on the nature and level of crime in the monitored areas; and
- v. To evaluate the effectiveness of any CCTV provision.

It is noted that Police do not have the ability to record footage shown on the Shire's CCTV system and separate applications will need to be made in line with relevant legislation.





**4. Public Information and Community Consultation**

**The public is to have access to clear and easily obtained information** relevant to the operation of the CCTV Program and systems, without jeopardising or impeding its objectives.

- i. Signs advising that CCTV cameras are operating are to be displayed as legislatively required. This may include, but is not limited to information such as:
  - General advice of CCTV presence
  - Footage is recorded 24 hours a day, 7 days per week; and
  - Identifying the Shire as the owner of the CCTV system.
- ii. The Shire is to retain records of all new, additional, altered or removed cameras.

**5. Evaluation of CCTV Provision**

Regular evaluation of the CCTV Program shall be undertaken to identify whether the purpose and relevance of CCTV provision is current.

The evaluation of the CCTV Program should include, but is not limited to a review of:

- Specific locations and associated purpose of CCTV provision;
- Authorised Shire Officer and/or relevant contractors at each CCTV location;
- New or amended legislation relevant to the provision of CCTV;
- Business improvement opportunities;
- Actions that could safeguard or enhance the CCTV Program;
- Feedback received and/or public perception surveys;
- Requests for recorded material;
- System and technology related challenges or opportunities.

**6. Management of CCTV Monitors, Control Rooms and Associated Infrastructure.**

Staff and contractors, who have responsibilities related to viewing and/or controlling CCTV monitors or equipment are to meet and apply the highest standards of probity.

Access to any control room or equipment is to be restricted to relevant or authorised operating staff. Unauthorised access is not acceptable, and opportunities for inadvertent viewing of any screens or CCTV images by other persons are to be minimised.

- i. Access to control rooms and recordings captured by CCTV are not available to members of the public;
- ii. The circumstances in which visitors are able to access control rooms and equipment is to be limited to extenuating circumstances only such as approved maintenance);
- iii. Shire and/or its security provider/contractors are to main the system;
- iv. Suitable qualifications and licensing requirements for staff to meet all relevant legislation and regulatory requirements;



- v. Clear parameters and documentation for staff that outlines the disciplinary proceedings (including dismissal) for any breach related to the provision and management of CCTV;
- vi. Confidentiality clauses enforceable during and after termination of employment;
- vii. Appropriate systems so as to keep a record for all requests for footage, as well as the response provided.
- viii. CCTV cameras should be installed and housed in manners that minimise ongoing maintenance costs, such as within weather protective casings or domes. However, they are to be clearly apparent to the public and not unduly concealed.
- ix. Cameras are not to be used to look into adjacent or nearby premises, building, commercial premises or private residences unless under special request by WA Police for the purpose of:
  - Following participants of a crime
  - Following participants suspected of being involved in a crime
  - Specific WA Police intelligence gathering or covert operation;
  - Monitoring persons or motor vehicles suspected of being involved in a crime; and/or
  - Monitoring property suspected of being used to accommodate criminal activity.

**7. Retention of and Access to Recorded Material**

All requests for access to recorded material, other than by authorised representatives of the Shire, must be made by means of a CCTV Access Application pursuant to the *(WA) Surveillance Device Act 1998*. CCTV Access applications are to be determined by the Shire's authorised officers in accordance with the provision of that Act.

The retention of and access to recorded materials is only for the purposes articulated within this Policy and not to be kept longer than is necessary. Recorded material no long requires is to be disposed of using approved disposal methods.

- i. Recorded material is not to be sold or used for commercial purposes;
- ii. The showing of recorded material is only permitted in accordance with the needs of WA Police and/or the Shire security provider/contractors in connection with the investigation of a crime or other circumstances provided by law. This includes the release of recorded material to the media, where public information is being requested to identify a person/s wanted.
- iii. Any material released to the media under the above provision is to be accompanied by a signed release that clearly states what the material will be used for and sets out the limits on its use;



- iv. Appropriate security measures are to be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material;
- v. Footage is generally retained for no less than thirty (30) days, unless identified as containing an incident and required to be retained as relevant to the investigation of a crime;
- vi. Footage and images may be recorded and retained for a period less than outlined in (v.) above during times of upgrade, repair, changeover of IT or related CCTV infrastructure;
- vii. If in rare circumstances that there is a failure within the CCTV system and recorded images within the stipulated thirty (30) day period are deleted, all reasonable efforts to repair or replace equipment will be made;
- viii. The Shire retains ownership of and had copyright of all recordings, photographs and documentation pertaining to the provision and management of its CCTV program.

#### Objective

To establish clear parameters for the use of Closed Circuit Television (CCTV) systems across the Shire of Dalwallinu to assist in:

1. Creating a safer environment for residents and visitors to the Shire of Dalwallinu;
2. Protect Shire assets and other assets under the control and care of the Shire

Whilst CCTV cameras bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety and property in particular areas, it is recognised that crime will ever totally be prevented.

This policy applies to fixed CCTV cameras that are installed in and on Shire owned infrastructure.

It is acknowledged that CCTV cameras installed in public place locations as part of Shire infrastructure, will capture images of the general public and staff performing work tasks. The provision of CCTV within the Shire of Dalwallinu is not designed to intentionally provide workplace surveillance unless specifically stated.

CCTV cameras are also installed from time to time by tenants or licensees of Shire land and buildings in accordance with the terms of leases and/or licenses, as a separate safety measure by the tenant or licensee. Unless identified as a key site, where the vision is clearly recorded and held by the Shire, such cameras lie outside the scope of this policy. Accordingly all references to CCTV cameras within this policy refer only to cameras operated and monitors by, or on behalf of the Shire of Dalwallinu.

Mobile or temporary cameras that are used in the same manner as fixed CCTV cameras to achieve said objective of CCTV provision, are incorporated into the scope of the policy. This policy does not relate to mobile or temporary cameras (including dash cams or body worn cameras) that are primarily used for activities associated with enforcement by



authorised Shire officers in their designated tasks; or for personal safety measures relevant to those tasks.

**Guidelines**

*Western Australia Legislation for Video Surveillance Devices*

**Definitions**

**Closed Circuit Television (CCTV):** an audio visual system in which signals are not publicly distributed but are recorded & monitored, primarily for surveillance and security purposes. CCTV relies on strategic placement of cameras and observation of the camera’s input on monitors at some location.

**CCTV Program:** collective provision and administration of the Shire of Dalwallinu’s CCTV system/s.

Person Responsible	Chief Executive Officer
History	New Policy March 2021(M9688) Reviewed March 2022 (M9885) Reviewed March 2023 (M10059)

