



Register of Policies

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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>	
11	26 March 2019	Amendment of Policy 1.6 – Members Travel Expenses (M9342) - <i>Removed reference to the Committee meetings</i>	



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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“No longer applicable.”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 & Development Services’ to ‘Manager Planning & 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



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1. Governance



1.1 Policy Manual Amendments

Person Responsible: Chief Executive Officer
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Additions, deletions or amendments 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.



1.2 Elected Members Fees & Allowances

Person Responsible: Deputy Chief Executive Officer
History: Former Policy
Amended September 2005
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Elected Members Fees and Allowances are set annually during budget deliberations.
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.

Objective To ensure that the Elected Members Fees & Allowances are paid at regular intervals.

Guidelines Payment arranged by the Deputy Chief Executive Officer
Payment to be made quarterly

Local Government Act – Section 5.98(5)
Local Government (Administration) Regulations – Reg 33



1.3 Council Committee Reception Area

Person Responsible: Chief Executive Officer
History: Former Policy 1.6, 1.5
Amended September 2005
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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



1.4 Administration Centre Opening Hours

Person Responsible:	Deputy Chief Executive Officer
History:	Former Policy 1.9 Amended September 2005 Amended March 2008 Amended May 2013 (Motion 7741) Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	The Administration Centre shall be open to the general public from 8.30am to 4.30pm, five days per week, excluding weekends and public holidays.
Objective	To ensure electors and clients have maximum opportunity to undertake council business.
Guidelines	The Chief Executive Officer may, when considered appropriate, vary the hours of access.



1.5 Christmas/New Year Closure of Council Facilities

Person Responsible: Chief Executive Officer
History: New Policy - April 2017 (Motion 8814)
Amended March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

Policy The Administration Centre, Discovery Centre/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.

Shire staff will take leave entitlements during this closure period for those days that are not designated public holidays.

An outside crew skeleton staff is to be on duty during this closure period.

Objective This policy is for the authorisation for the Council facilities, i.e. administration, engineering, Discovery Centre/library and depot site, to close over the Christmas and New Year period.



1.6 Members Travel Expenses

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 1.1, 1.8
Amended September 2005
Amended October 2013 (Motion 7857)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

Policy

Council shall reimburse Members for travel to Council meetings and other Council business approved by Council or the President.

Reimbursement of travel expenses, if claimed by the Councillor, is to be made in accordance with the Public Service Award 1992 Schedule F.

The rates in Schedule F – Motor Vehicle Allowance are to be as per the South West Land Division.

Claims will be reimbursed on a quarterly basis in the months of July, October, January and April.

Objective

To set Councillor's expense parameters when travelling on official business.

Guidelines

Claims for expenses are to be forwarded to the Deputy Chief Executive Officer.



1.7 Members Conference/Course Attendance and Partners Expenses

Person Responsible:	Chief Executive Officer
History:	Former Policy 1.2, 1.9
	Reviewed April 2016
	Reviewed April 2017 (Motion 8814)
	Reviewed March 2018 (Motion 9129)
	Reviewed March 2019 (Motion 9342)

Policy	Council shall pay registration fees for members attending approved conferences.
	Council shall not pay conference registration fees for partners.

Objective	To clarify what costs can be incurred/recouped by Members.
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Guidelines	Members wishing to attend a course/conference will obtain Council resolution at a convened meeting of Council prior to committing to attend.
	In circumstances requiring a decision before the next monthly Council meeting, members will seek authority from the Shire President and Chief Executive Officer before committing approval of registration.



1.8 Members Accommodation/M Meal Expenses

Person Responsible: Chief Executive Officer
History: Former Policy 1.2, 1.10
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	<p>Council shall pay all accommodation costs for 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 Members and partners subject to prior approval by Council.</p>
Objective	<p>To clarify what costs can be incurred/recouped by Members.</p>
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, members will seek authority from the Shire President and Chief Executive Officer.</p>



1.9 Code of Conduct

Person Responsible: Chief Executive Officer
History: Former Policy 1.11
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	The Code of Conduct for Elected Members and Employees on the following pages is adopted as policy.
Objective	Council is required under the provisions of the Local Government Act to adopt such a policy.
Guidelines	Local Government Act 1995-s5.103 Code of Conduct Local Government Act 1995-s5.82 Gifts Local Government (Administration) Regulations 1996 – reg. 34B Notifiable gift – worth between \$50 and \$300.00 Local Government Rules of Conduct Regulations 2007



CODE OF CONDUCT

Preamble

The Code of Conduct provides elected members and staff of the Shire of Dalwallinu with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability.

The Code is complimentary to the principles adopted in the Local Government Act 1995 and regulations which incorporates four fundamental aims to result in: -

- a) Better decision making;
- b) Greater community participation in the decisions and affairs of the Council;
- c) Greater accountability of the Council to its community; and
- d) More efficient and effective local government

The Code provides a guide and a basis of expectations for elected members and staff. It encourages commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

Statutory Environment

The Code of Conduct observes statutory requirements of the Local Government Act 1995 (s5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

Rules of Conduct

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

1. ROLES

1.1 Role of Elected Members

A Councillor's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Shire of Dalwallinu will be the focus of the Councillor's public life.

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

"A Councillor —

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



A Councillor is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected members' activities will focus on:

- Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- Achieving sound financial management and accountability in relation to the Council's finances;
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- Working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- Having an awareness of the statutory obligations imposed on Councillors and on the Shire of Dalwallinu.

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

1.2 Role of Employees

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

"The CEO's functions are to —

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

1.3 Role of Council

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

"(1) The council —

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.



- (2) Without limiting subsection (1), the council is to —
- (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies."

1.4 Principles affecting the employment of employees by the Shire

The following principles, set out in section 5.40 of the Act, apply to the employment of the Shire's employees:

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and
- (c) employees are to be treated fairly and consistently; and
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and
- (e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and
- (f) such other principles, not inconsistent with this Division, as may be prescribed.

1.5 Relationships between Council Members and Employees

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

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

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- a) Members and employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Members and employees will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Dalwallinu or which may otherwise conflict with the Council's functions (other than purchasing the principal place of residence);
- d) Members and employees who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- e) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

Members and employees will adopt the principles of disclosure of financial interests as contained within the Local Government Act 1995.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

"interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) A person who is an employee and who has an interest in any matter to be discussed at a Council or Committee meeting attended by the person is required to disclose the nature of the interest -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in Section 5.60 of the Local Government Act 1995.

-
- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
- (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
- (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
- (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3 PERSONAL BENEFIT

3.1 Use of Confidential Information

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

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Council members and/or employees of the Shire (and in the case of employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a Council member or officer from disclosing confidential information:

- to a legal practitioner for the purpose of obtaining legal advice; or
- if the disclosure is permitted by law.

3.2 Intellectual Property

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



3.3 Improper or Undue Influence

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

Members and employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body. Similarly, Council members, and employees shall not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.4 Gifts - Employees

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

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

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

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

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

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

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

- (a) a gift worth \$300 or more; or
 - (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.
-
- (a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
 - (b) A person who is an employee and who accepts a notifiable gift from a person who -
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion, is to notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

-
- (c) The notification of the acceptance of a notifiable gift must be in writing and include -
- (i) the name of the person who gave the gift; and
 - (ii) the date on which the gift was accepted; and
 - (iii) a description, and the estimated value, of the gift; and
 - (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,of each other gift accepted within the 6 month period.
- (d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4 CONDUCT OF MEMBERS

4.1 Personal Behaviour

- (a) Members and employees will:
- act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - perform their duties impartially and in the best interests of the Shire of Dalwallinu and the community;
 - act in good faith (i.e. honestly, for the proper purpose and without exceeding their powers) in the interests of the Shire of Dalwallinu and the community;
 - make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any conduct, in the performance of their official duties, which may cause any reasonable person unwarranted offence or embarrassment; and,
 - always act in accordance with their obligation of fidelity to the Shire of Dalwallinu.
- (b) Members will represent and promote the interests of the Shire of Dalwallinu, while recognizing their special duty to their own constituents.



4.2 Honesty and Integrity

Members and employees will:

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

4.3 Performance of Duties

Members and employees will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- a) Members and employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- b) Members and employees will give effect to the lawful decisions and policies of the Shire of Dalwallinu, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Members and employees will ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Council Members and employees are expected to comply with neat and responsible dress standards at all times. Accordingly –

- (i) Council Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

(b) Communication and Public Relations

- (i) All aspects of communication by employees (including verbal, written or personal), involving the Shire of Dalwallinu's activities should reflect the status and objectives of the Shire. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;



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

4.8 Appointments to Committees

As part of their respective role Members are often asked to represent Council on external organisations.

It is important that Members:

- Clearly understand the basis of their appointment; and
- Provide regular reports on the activities of the organisation.

5 DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Members will:

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

5.2 Travelling and Sustenance Expenses

Members and employees will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Shire of Dalwallinu in accordance Council policy, awards and the provisions of the Local Government Act 1995.

5.3 Access to Information

- (a) Employees will ensure that Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members;
- (b) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.



SHIRE OF DALWALLINU

Register of Policies



Western Australia

Local Government Act 1995

Local Government (Rules of Conduct)
Regulations 2007



Local Government Act 1995

Local Government (Rules of Conduct)
Regulations 2007

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Local Government Act 1995

Local Government (Rules of Conduct)
Regulations 2007

Part 1 — General

1. Citation
These regulations are the Local Government (Rules of Conduct) Regulations 2007 1.
2. Commencement
These regulations come into operation as follows:
 - (a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;
 - (b) the rest of the regulations — on the day on which the Local Government (Official Conduct) Amendment Act 2007 section 11 comes into operation.
3. General principles to guide the behaviour of council members
 - (1) General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should —
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information;
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.
 - (2) The general principles referred to in sub-regulation (1) are for guidance of council members but it is not a rule of conduct that the principles be observed.
4. Contravention of certain local laws
 - (1) In this regulation —
local law as to conduct means a local law relating to conduct of people at council or committee meetings.
 - (2) The contravention of a local law as to conduct is a minor breach for the purposes of section 5.105(1)(b) of the Act.

Part 2 — Rules of conduct

Division 1 — Preliminary

[Heading inserted in Gazette 4 Mar 2016 p. 659.]

5. Rules of conduct
 - (1) This Part contains the rules of conduct referred to in section 5.104(1) of the Act.
 - (2) The rules of conduct apply to a council member whether or not acting as a committee member.

Division 2 — Rules of conduct: general

[Heading inserted in Gazette 4 Mar 2016 p. 660.]

6. Use of information

(1) In this regulation —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;

non-confidential document means a document that is not a confidential document.

(2) A person who is a council member must not disclose —

- (a) information that the council member derived from a confidential document; or
- (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subregulation (2) does not prevent a person who is a council member from disclosing information —

- (a) at a closed meeting; or
- (b) to the extent specified by the council and subject to such other conditions as the council determines; or
- (c) that is already in the public domain; or
- (d) to an officer of the Department; or
- (e) to the Minister; or
- (f) to a legal practitioner for the purpose of obtaining legal advice; or
- (g) if the disclosure is required or permitted by law.

7. Securing personal advantage or disadvantaging others

(1) A person who is a council member must not make improper use of the person's office as a council member —

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person.

(2) Subregulation (1) does not apply to conduct that contravenes section 5.93 of the Act or The Criminal Code section 83.

8. Misuse of local government resources

A person who is a council member must not either directly or indirectly use the resources of a local government —

- (a) for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918; or
- (b) for any other purpose, unless authorised under the Act, or authorised by the council or the CEO, to use the resources for that purpose.

9. Prohibition against involvement in administration

-
- (1) A person who is a council member must not undertake a task that contributes to the administration of the local government unless authorised by the council or by the CEO to undertake that task.
 - (2) Sub-regulation (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
 10. Relations with local government employees
 - (1) A person who is a council member must not —
 - (a) direct or attempt to direct a person who is a local government employee to do or not to do anything in the person's capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a person who is a local government employee in the person's capacity as a local government employee.
 - (2) Subregulation (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
 - (3) If a person, in his or her capacity as a council member, is attending a council meeting, committee meeting or other organised event and members of the public are present, the person must not, either orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use offensive or objectionable expressions in reference to a local government employee.
 - (4) Subregulation (3)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.
 11. Disclosure of interest
 - (1) In this regulation —
interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
 - (2) A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
 - (3) Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
 - (4) Sub-regulation (2) does not apply if —
 - (a) a person who is a council member fails to disclose an interest because the person did not know he or she had an interest in the matter; or
 - (b) a person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
 - (5) If, under subregulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then—

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.
 - (6) If —
 - (a) under subregulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b) under subregulation (5)(b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting,
 - (i) the nature of the interest is to be recorded in the minutes of the meeting.
12. Gifts
- (1) In this regulation —
 - (a) activity involving a local government discretion means an activity —
 - (a) that cannot be undertaken without an authorisation from the local government; or
 - (b) by way of a commercial dealing with the local government;

“gift” has the meaning given to that term in section 5.82(4) of the Act except that it does not include —

- (a) a gift from a relative as defined in section 5.74(1) of the Act; or
- (b) a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
- (d) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876) or the Local Government Managers Australia WA Division Incorporated (ABN 91 208 607 072);

“notifiable gift”, in relation to a person who is a council member, means —

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

“prohibited gift”, in relation to a person who is a council member, means —

- (a) a gift worth \$300 or more; or
 - (b) a gift that is one of 2 or more gifts given to the council member by the same person within a period of 6 months that are in total worth \$300 or more.
- (2) A person who is a council member must not accept a prohibited gift from a person —
 - (a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake, an activity involving a local government discretion.
 - (3) A person who is a council member and who accepts a notifiable gift from a person —
 - (a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake,

an activity involving a local government discretion must, within 10 days of accepting the gift, notify the CEO of the acceptance in accordance with subregulation (4).

- (4) Notification of the acceptance of a notifiable gift is to be in writing and is to include —
- (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and the estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is a council member and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,of each other gift accepted within the 6 month period.
- (5) The CEO must maintain a register of gifts in which details of notices received under subregulation (4) are recorded.

[Regulation 12 amended in Gazette 20 Jan 2017 p. 649-50.]

Division 3 — Rules of conduct: transitional period

[Heading inserted in Gazette 4 Mar 2016 p. 660.]

13. Terms used

In this Division —

address has the meaning given in section 5.74(1) of the Act;

assent day means the day on which the City of Perth Act 2016 receives the Royal Assent;

designated employee has the meaning given in section 5.74(1) of the Act;

gift has the meaning given in section 5.82(4) of the Act;

political party has the meaning given in section 5.83(4) of the Act;

relative has the meaning given in section 5.74(1) of the Act;

transitional period means the period beginning on 1 July 2015 and ending at the close of assent day;

travel has the meaning given in section 5.83(4) of the Act;

travel contribution, in relation to a person, means a financial or other contribution that has been made to any travel undertaken by the person.

[Regulation 13 inserted in Gazette 4 Mar 2016 p. 660-1.]

14. Disclosure of gifts

- (1) A person who is a council member must disclose each gift received by the person during the transitional period.
- (2) The disclosure is to be made in writing to the CEO.
- (3) The disclosure is to be made within 28 days after assent day.
- (4) The disclosure is to include the following —
 - (a) a description of the gift;
 - (b) the name and address of the person who made the gift;
 - (c) the date on which the gift was received;
 - (d) the estimated value of the gift at the time it was made;

-
- (e) the nature of the relationship between the person who is a council member and the person who made the gift.
 - (5) Nothing in this regulation requires a person to disclose a gift received by the person if —
 - (a) the amount of the gift did not exceed \$200 unless —
 - (i) the gift was one of 2 or more gifts made by one person at any time during the year; and
 - (ii) the sum of those 2 or more gifts exceeded \$200;
 - or
 - (b) the donor was a relative of the person.
 - (6) For the purposes of subregulation (5)(a), the amount of a gift comprising property, other than money, or the conferral of a financial benefit is to be treated as being an amount equal to the value of the property or the financial benefit at the time the gift was made.
 - (7) The CEO must maintain a register of gifts received during the transitional period in which details of disclosures made under this regulation are recorded.
[Regulation 14 inserted in Gazette 4 Mar 2016 p. 661-2.]
 - 15. Disclosure of travel contributions
 - (1) A person who is a council member must disclose each travel contribution received by the person during the transitional period.
 - (2) The disclosure is to be made in writing to the CEO.
 - (3) The disclosure is to be made within 28 days after assent day.
 - (4) The disclosure is to include the following —
 - (a) a description of the contribution;
 - (b) the name and address of the person who made the contribution;
 - (c) the date on which the contribution was received;
 - (d) the estimated value of the contribution at the time it was made;
 - (e) the nature of the relationship between the person who is a council member and the person who made the contribution;
 - (f) a description of the travel;
 - (g) the date of travel.
 - (5) Nothing in this regulation requires a person to disclose a travel contribution if —
 - (a) the contribution was made from Commonwealth, State or local government funds; or
 - (b) the contribution was made by a relative of the person; or
 - (c) the contribution was made in the ordinary course of an occupation of the person which is not related to the person's duties as a council member; or
 - (d) the amount of the contribution did not exceed \$200 unless —
 - (i) the contribution was one of 2 or more contributions made by one person at any time during the year; and
 - (ii) the sum of those 2 or more contributions exceeded \$200;
 - or
 - (e) the contribution was made by a political party of which the person was a member and the travel was undertaken for the purpose of political activity of the party, or to enable the person to represent the party.



- (6) For the purposes of subregulation (5)(d), the amount of a contribution (other than a financial contribution) is to be treated as being an amount equal to the value of the contribution at the time the contribution was made.
- (7) The CEO must maintain a register of travel contributions received during the transitional period in which details of disclosures made under this regulation are recorded.

[Regulation 15 inserted in Gazette 4 Mar 2016 p. 662-4.]

Notes

- ¹ This is a compilation of the Local Government (Rules of Conduct) Regulations 2007 and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
Local Government (Rules of Conduct) Regulations 2007	21 Aug 2007 p. 4203-16	r. 1 and 2: 21 Aug 2007 (see r. 2(a)) Regulations other than r. 1 and 2: 21 Oct 2007 (see r. 2(b) and Gazette 21 Aug 2007 p. 4173)
Local Government (Rules of Conduct) Amendment Regulations 2016	4 Mar 2016 p. 659-64	r. 1 and 2: 4 Mar 2016 (see r. 2(a)) Regulations other than r. 1 and 2: 5 Mar 2016 (see r. 2(b))
Local Government Regulations Amendment (Gifts) Regulations 2017 Pt. 3	20 Jan 2017 p. 648-50	21 Jan 2017 (see r. 2(b))



Defined terms

[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]

Defined term
Provision(s)

activity involving a local government discretion	12(1)
address	13
assent day.....	13
closed meeting	6(1)
confidential document	6(1)
designated employee	13
gift	12(1), 13
interest	11(1)
local law as to conduct	4(1)
non-confidential document.....	6(1)
notifiable gift	12(1)
political party.....	13
prohibited gift.....	12(1)
relative.....	13
transitional period	13
travel	13
travel contribution	13



1.10 Legal Representation Cost Indemnification

Person Responsible:	Chief Executive Officer
History:	Former Policy 1.12
Amended:	September 2005
	Reviewed April 2017 (Motion 8814)
	Reviewed March 2018 (Motion 9129)

- | | |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy | <p>a) The Shire may provide financial assistance to 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.</p> <p>b) The Shire may provide such assistance in the following types of legal proceedings:</p> <ul style="list-style-type: none">i) 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).ii) 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 application) or where the conduct of an Elected Member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions)].iii) statutory or other inquiries where representation of an Elected Members or employees is justified. <p>c) 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 their 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.</p> <p>d) 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.</p> |
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Applications for financial assistance

- a) Subject to item e) below, decisions as to financial assistance under this policy are to be made by the Council.
- b) 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. [See (f) below].
- c) 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.
- d) 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.
- e) 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 an authorisation to the value of \$5,000.
- f) Where it is the Chief Executive Officer who is seeking urgent financial support for legal services the Council shall deal with the application.
- g) 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

- a) 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.
- b) Assistance will be withdrawn where the Council determines, upon legal advice that a person has acted dishonestly.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Shire may take action to recover any such monies in a court of competent jurisdiction.

Objective

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



SHIRE OF DALWALLINU

Register of Policies

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. This policy applies in that respect.



1.11 Honorary Freeman of the Municipality

Person Responsible: Chief Executive Officer
History: Former Policy 1.13
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Amended December 2017 (Motion 9070)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 organisation, 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 (of 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 Council members will be informed and the matter will lapse.
- e) Once a nomination has been accepted by Council, the nominee 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 at 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 at a reception held 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' of '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 who has been bestowed certain privileges by the Shire.



The information contained in this document is strictly confidential

President
Shire of Dalwallinu
PO Box 141
DALWALLINU WA 6609

Dear Sir/Madam,

I hereby
nominate.....
(Full name)

of
.....
(Address)

for the conferring of the title of "Freeman of the Municipality".

In support of this recommendation, I supply the information set out in pages 2 and 3 of this document.

Yours faithfully

.....

Date:.....



DETAILS OF PERSON SUBMITTING NOMINATION

The following information about the person submitting this nomination is needed to enable Officers of the Shire of Dalwallinu to seek further details if required.

Name (In Full)

Address

.....

.....

Phone No.

DETAILS OF PERSON BEING NOMINATED FOR THE TITLE

Please provide a biographical profile of the person you are nominating by completing the section below and by providing the details requested on the next page. If insufficient space is available on page 3 of the form, please attach a separate statement.

Surname

Given Names

Address

.....

Phone No.

Occupation

Awards etc Date

of Birth



The names and addresses of individuals and/or organisations able to support your recommendation should also be provided.

[illegible]



1.12 Use of Common Seal

Person Responsible: Chief Executive Officer
History: Former Policy 1.14
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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. (Local Government Act 1995 – Section 9.49A (2))



1.13 Council Blazers

Person Responsible: Chief Executive Officer
History: Former Policy 1.15
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 eight (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.



1.14 Occupational Health and Safety

Person Responsible: Manager Planning & Development Services

History: Former Policy
Amended September 2005
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy The Shire of Dalwallinu regards the promotion of sound and effective occupational Safety and Health practices as a common objective for the Chief Executive Officer, Managers, Supervisors, Employees and Contractors.

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.

Objective

- Providing and maintain a safe working environment;
- Providing adequate training and instruction to enable employees to perform their work safely and effectively;
- Investigating all actual and potentially injurious occurrences in order to eliminate the cause, and reduce the level of risk;
- Compliance with As/NZS 4801 Occupational Health and Safety management Systems audit tool;
- Compliance with Occupational Safety and Health (OSH) Act 1984, 2005 amendments and Regulations 1996, relevant OSH Australian Standards, Codes of Practice and Guidance Notes.

Guidelines Local Government Insurance Services Occupational Safety and Health Management Systems Manual.



1.15 Media and Communications

Person Responsible: Chief Executive Officer
History: Former Policy 1.17
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 The role of President is to speak on behalf of the Local Government (Local Government Act 1995 – Section 2.8(1)(d))

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.

The role of the Chief Executive Officer is to officially advise 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 Shire spokesperson on all administration matters.

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.



1.16 Gravel Quarry Pits

Policy Owner:	Governance
Person Responsible:	Manager Works and Services
History:	Former Policy 1.18 - April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

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">• The removal, storage and retention of the topsoil• The proposed replacement of the topsoil at the end of the useful pit life• The expected rehabilitation outcome.



2. Community Support



2.1 Charitable Works

Person Responsible: Chief Executive Officer
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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.



2.2 School Bus Subsidy – Swimming Lessons

Person Responsible:	Deputy Chief Executive Officer
History:	Former Policy 3.7 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	Council will reimburse half (50%) of the cost of bus hire to and from the Dalwallinu Aquatic Centre for the transportation of school children attending schools within the Shire.
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Objective	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.
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Promote the Dalwallinu Aquatic Centre.

Guidelines	Receipts for paid bus hire are to be provided.
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2.3 Concessions – Hall Hire Charges – Not for profit groups

Person Responsible: Deputy Chief Executive Officer
History: Former Policy May 2004
26 February 2008 (Motion 5983)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy 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 extenuating circumstances apply, in which case the application will be considered on its merits by Council.
Council may at its discretion authorise a donation to offset the hall hire charges.

Objective To maintain the integrity of the Fees and Charges set in Councils annual budget.

Guidelines Council heavily subsidises its fees and charges for the use of recreation facilities and is of the view that no additional subsidy is warranted.

Local Government Act 1995 – Section 6.16
Shire of Dalwallinu Fees and Charges Schedule



2.4 Community Grants Scheme

Person Responsible: Deputy Chief Executive Officer
History: Former Policy May 2004
Amended April 2012
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

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 improvement 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 Council's 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 Community Support 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, event or activity 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 Community Support Officer.



2.5 Collocation of Sporting Clubs

Person Responsible: Deputy Chief Executive Officer
History: New Policy August 2009
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 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.

In cases where collocation provides a net benefit, the Council will generally not support stand alone applications for facilities.

2.6 Business Investment

Person Responsible:	Deputy Chief Executive Officer
History:	Former Policy April 2010 Amended April 2012 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	<p>The Shire will support new business ventures to start up within the Shire boundaries provided it meets the below criteria. The business must:</p> <ul style="list-style-type: none"> • Not be able to use participation in program to influence competition in the market place, and • Offer services that are in high demand.
Objective	To encourage business investment in the Shire and ensure that all new businesses (in line with the above criteria) are supported during their start-up phase.
Guidelines	<ul style="list-style-type: none"> • When businesses show interest in setting up within the Shire boundaries they approach the Shire administration staff to be part of the program. • The business owner is assisted with their application which is put to the next Ordinary Council Meeting. • Council is to decide whether the business will be accepted onto the program and which of the following areas they are willing to assist: <ul style="list-style-type: none"> ▪ Rates Concession ▪ Marketing and Promotional Pack ▪ "Open Day" for the new business ▪ Assistance with Site Works ▪ Discounted Application Fee.
Terms & Conditions	<ol style="list-style-type: none"> 1. All applications will be assessed on a case by case basis in which Council has the authority to refuse entry onto the Business Investment Program at any time. 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:



- a) 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.
 - b) Marketing & Promotional Pack – assistance and advice by the Special Projects & Marketing 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.
 - c) Open Day – held by the business at the new businesses 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.
 - d) 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.
 - e) Discounted Application Fees – a discount of up to 50% of application fees will be offered to the business at Councils discretion.
- 3. If the applicant is not granted approval onto the Business Investment Program they will be advised in writing.
 - 4. Application must also be coupled by a cover letter outlining the businesses details and including their corporate logo.



2.7 Harvest & Movement of Vehicles in Paddock Ban

Person Responsible: Deputy Chief Executive Officer
History: Former Policy December 2010 (Motion 6966)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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



2.8 Pioneers' and Past Residents' Wall – Content of Plaque

Person Responsible: Deputy Chief Executive Officer
Date of Approval: New Policy September 2010 (Motion 6869)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 the 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>



3. Finance



3.1 Self-Supporting Loans

Person Responsible: Deputy Chief Executive Officer
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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.

3.2 Significant Accounting Policies

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 3.8, 3.9
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Amended March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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, 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 sources.

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 equivalents 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 of 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 an 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 Council's 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 revalue 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
P&E	30/6/16	30/6/2020	4 years
L&B	30/6/17	30/6/2022	5 years
Roads & Other Infrastructure	30/6/18	30/6/2023	5 years

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

Land under control

In accordance with Local Government (Financial Management) Regulation 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 dates

All assets are initially recognised at cost and subsequently revalued in accordance with the 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 the 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 decreases 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) Regulation 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) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations 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	40 years
Furniture and Equipment - Electrical	5 years
Furniture and Equipment - Other	10 years
Motor Vehicle - Passenger	5 years
Light Vehicle - Commercial	5 years
Trucks	5 years
Graders, Loaders & Other Plant	10 years
Infrastructure Assets – Roads, Streets & Kerbing	
• clearing and earthworks	Not depreciated
• pavement	40 years
• seal	15 years
• kerbing	50 years
Infrastructure Assets - Gardens	Not depreciated
Infrastructure Assets – Parks & Ovals	10-40 years
Infrastructure Assets – Other Structures	20-50 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.

Capitalisation 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 the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As 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 values 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 principal 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 assets 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 values 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 prices 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 unobservable 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 the 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 or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and subsequent measurement

Financial instruments 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 principal repayments and any reduction for impairment; and
- (c) Plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.

The effective interest method is used to allocate interest income or 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 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 principal 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 the 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 the fair value of the consideration paid, including the transfer of non-cash assets or liabilities, is recognised in profit or 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 of 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. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.



For 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 employees' 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 employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months 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 to be made to employees. 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 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 qualifying 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 to 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 the fair value of the leased property or the present value of the minimum lease payments, including any 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 in 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 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 not 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 venturers 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 the 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 government's operation for the current reporting period.

(r) Superannuation

The Shire contributes to 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 operational 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 twelve 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 to release for sale.

(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 with 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 classification and measurement of financial assets compared with the requirements of AASB 139. Given the nature of the financial assets of the Shire, it is not anticipated the Standard will have any material effect.
(ii) AASB 15 Revenue from Contracts with Customers	December 2014	1 January 2018	<p>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 revenue and cash flows arising from a contract with a customer.</p> <p>The effect of this Standard will depend upon the nature of future transactions the Shire has with those third parties it has dealings with. It may or may not be significant.</p>



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Title	Issued/Compiled	Applicable (1)	Impact
(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>



Title	Issued/Compiled	Applicable (1)	Impact
(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">- Assets received below fair value;- Grants received;- Prepaid rates;- Leases entered into at below market rates; and- Volunteer services <p>Whilst it is not possible to quantify the financial impact (or if it is material) of these key areas until the details of future transactions are known, they will all have application to the hire's operations.</p>



3.3 Regional Price Preference

Person Responsible:	Deputy Chief Executive Officer
History:	November 2004 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)
Policy	<p>Council's Regional Price Preference for locally produced goods and services will apply to all goods and services for which tenders are let, unless the Shire of Dalwallinu determines otherwise, and is to be:</p> <ul style="list-style-type: none">• Up to 10% when the contract is for goods and services, up to a maximum price reduction of \$50,000.• Up to 5% when the contract is for construction (building) services, up to a maximum price reduction of \$50,000.• 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.
Objective	To establish Council's support for local businesses.
Guidelines	Local Government Act 1995 – Section 3.57 Local Government (Functions & General) Regulations 1996 – Part 4A Local Government (Administration) Regulations 1996



3.4 Investment of Surplus Funds

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 3.5
Amended September 2005
Amended November 2013 (Motion 7894)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 The Deputy Chief Executive Officer 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.

Local Government Act 1995
Local Government (Financial Management) Regulations 1996



3.5 Purchasing

Person Responsible:	Deputy Chief Executive Officer
History:	New Policy February 2007 Amended 15 December 2015 (Motion 8495) Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	<p>Why do we need a Purchasing Policy?</p> <p>The Shire of Dalwallinu is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities.</p>
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This policy:

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

Ethics and Integrity

All officers and employees of the Shire of Dalwallinu shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the local government.

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

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

Value for Money

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

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);



- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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

Sustainable Procurement

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

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

Practically, sustainable procurement means the Shire of Dalwallinu shall endeavour at all times to identify and procure products and services that:

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

Supporting local industry

The Shire of Dalwallinu recognises that it has a role in the economic development of the local community and in assisting local industry in accessing opportunities to conduct business with the Shire.



In supporting or encouraging local industry, matters relating to:

- Value for money;
- Environmental performance;
- National Competition Policy; and
- Transparency of decision-making must be addressed.

In order to assist local industry to conduct business with the Shire, the following steps shall be undertaken:

- Procurement shall be undertaken in accordance with the Procurement Management Procedure and within the guidelines for "Purchasing Thresholds" of this policy.
- All tenders and requests for expressions of interest shall be advertised in Totally Local and Kalannie Kapers, placed on noticeboards in the Shire's libraries and administration centre.
- All tenders and requests for expressions of interest will be available to access and, where applicable, download through the Shire's website.
- A Request for Quotation process shall be investigated that will enable effective communication with the local business community of the Shire's upcoming requests for quotation.

The major considerations in accepting any tender or quotation for provision of goods or service shall be:

- Capacity to deliver the goods or services according to the Shire's specification and the contract conditions; and
- Value for money.

Any canvassing of the Shire's Elected Members or staff shall disqualify businesses seeking to do business with the Shire.

Purchasing Thresholds

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

Amount of Purchase	Policy
Up to \$ 10,000	Direct purchase from suppliers.
\$10,001 - \$39,999	Obtain at least two verbal or written quotations.
\$40,000 - \$149,999	Obtain at least three written quotations.
\$150,000 and above	Conduct a public tender process if an exemption does not apply.



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

Purchasing value not greater than \$10,000

Where the value of procurement of goods or services does not exceed \$10,000, purchase is subject to budget allocation. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Purchasing value between \$10,001 and \$39,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$10,001 and \$39,999.

At least two verbal or written quotations are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement/specification is clearly understood by the Shire of Dalwallinu employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies.

Purchasing value between \$40,000 and \$149,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$149,999, it is required to obtain at least three (3) written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

For this procurement range, the selection should not be based on price alone, and consideration shall be given to qualitative factors such as quality, stock availability, environmental performance, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

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

The general principles for verbal and written quotations shall be followed as noted in this Policy.

General principles for obtaining verbal quotations

- Ensure that the requirement / specification is clearly understood by the Shire of Dalwallinu employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- The responsible officer shall demonstrate due diligence when seeking quotes and shall comply with the Shire's record keeping policies and audit requirements.

All documents relating to the quotation process must be saved in the Shire's Electronic Management System (i.e. SYNERGY).

General principles relating to written quotations

- The request for written quotation should include as a minimum: An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied

- Price Schedule
- Conditions of responding
- Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Ordering Thresholds

The following Officers are authorised to sign orders on behalf of Council within the limits stated provided such proposed purchases are contained within the Budget and are within the officer's area of activity:

Position	Amount
Chief Executive Officer	Unlimited
Deputy Chief Executive Officer	\$50,000
Manager Works & Services	\$50,000
Manager Planning & Development Services	\$50,000
Works Supervisor	\$20,000
Mechanic	\$ 5,000

Regulatory Compliance

- Tender Exemption

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

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



SHIRE OF DALWALLINU

Register of Policies

- Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply.

Sole Source of Supply (Monopoly Suppliers)

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

Note:

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

Anti-Avoidance

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

Tender Criteria

The Shire of Dalwallinu shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

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

For requests with a total estimated (excluding GST) price of:

- Between \$40,000 and \$149,999, the panel must contain a minimum of two members.
- \$150,000 and above, the panel must contain a minimum of three members.

Advertising Tenders

Tenders are to be advertised in a state wide publication, e.g. The West Australian under the "Local Government Tenders" section, with preference on a Wednesday or Saturday.

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

The notice must include:

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

Issuing Tender Documentation

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

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

Tender Deadline

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

Opening of Tenders

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

Tenders are to be opened in the presence of the Chief Executive Officer's and one other Senior Manager. The details of all tenders received and opened shall be recorded in the 'Tenders Register'.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as



“commercial-in-confidence” to the local government. Members of the public are entitled to be present.

The tenderer’s offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at the two Shire of Dalwallinu Officers present at the opening of tenders.

No Tenders Received

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

- a sufficient number of quotations are obtained
- the process follows the guidelines for seeking quotations between \$40,000 and \$149,999 (listed above)
- the specification for goods and/or services remains unchanged
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

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

Tender Acceptance

That the Chief Executive Officer be authorised to accept tenders/purchases up to \$99,999.99; and that all tenders/purchases above \$100,000 are to be referred to Council (including all WALGA preferred suppliers).

Addendum to Tender

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

Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Dalwallinu and tenderer have entered into a contract, a minor variation may be made by the Shire.

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



Notification of Outcome

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

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

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

Records Management

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

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

For a direct purchasing process this includes:

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

Record retention shall be in accordance with the minimum requirements of the State Records Act 2000, and the Shire of Dalwallinu's internal records management policy.



3.6 Payment of Fees – Dalwallinu and Kalannie Caravan Parks

Person Responsible:	Deputy Chief Executive Officer
History:	New Policy May 2011 (Motion 7087)
	Reviewed April 2016
	Reviewed April 2017 (Motion 8814)
	Reviewed March 2018 (Motion 9129)
	Revoked March 2019 (Motion 9342)

Fees for Kalannie are a honour system.



3.7 Direct Electronic Payments and Electronic Investments

Person Responsible:	Deputy Chief Executive Officer
History:	New policy November 2011 (Motion 7279) Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	Payments made by electronic transfer through the Shire bank accounts which include payroll, monthly fees, contracts, loan repayments and purchases made through 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:
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Shire President
Deputy Shire President
Chief Executive Officer
Deputy Chief Executive Officer
Manager Works & Services
Manager Planning & Development Services

In the absence of the Chief Executive Officer, then payment by electronic transfer shall be made by the Deputy Chief Executive Officer and one other from the list above.

Any surplus funds in the Municipal Account are to be invested by transferring electronically to a Business TeleNet Saver Account.

Objective	To ensure payment of accounts are made in an efficient and timely manner. To maximise the return on invested funds.
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Guidelines	The Deputy Chief Executive Officer is to maintain control over payments and investments as per Delegation 3001 And Policy 3.4.
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3.8 Corporate Credit Card Usage

Person Responsible: Chief Executive Officer
History: New Policy September 2014 (Motion 8146)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	Sets out buying conditions that relate to purchases made with any corporate credit cards that carry the Shire of Dalwallinun 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">• In person, across the counter retail purchases,• Facsimile/telephone/internet business related purchases,• Mail order purchases and subscriptions,• Official travel, accommodation and related expenses,• Entertainment and business hospitality expenses. <p>The Corporate credit card must not be used for –</p> <ul style="list-style-type: none">• Personal or non-work related expenditure,• Purchase of fuel (unless the relevant fuel card is not able to be used),• Obtaining cash advances, <p>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).</p>



3.9 Overdue Rates and Charges Collection

Person Responsible: Deputy Chief Executive Officer
History: New Policy 27 June 2017 (M8841)
Reviewed March 2018 (Motion9129)
Reviewed March 2019 (Motion9342)

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 fourteen (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 Magistrate 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 payments 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 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 debtor's 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 ratable 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 transferred 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.



3.10 Medical Centre Billing

Person Responsible: Chief Executive Officer
History: New Policy 27 June 2017 (M8842)
Amended/Modified 25 July 2017 (M8864)
Reviewed March 2018 (Motion 9129)
Revoked March 2019 (Motion 9342)

No longer applicable.



3.11 Related Party Disclosures

Person Responsible: Chief Executive Officer
History: New Policy 22 August 2017 (M8891)
Reviewed March 2018 (Motion9129)
Reviewed March 2019 (Motion9342)

Objective This policy outlines what is expected of elected members and staff of 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
 - Deputy Chief Executive Officer
 - Manager Works and Services
 - Manager Planning and Development Services
 - General Practitioner
 - Mechanic
 - 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, dependents of that person or person's 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. (refer Appendix 1 – “Related Party Disclosures” – Declaration).

It is the responsibility of the Chief Executive Officer to seek a declaration upon a 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 Deputy Chief Executive Officer 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 purposes 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)

Management will put forward a draft resolution to Council annually, declaring that in its opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. 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 any 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 judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

5. Materiality



SHIRE OF DALWALLINU

Register of Policies

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.



AASB 124 – "Related Party Disclosures" - Declaration

Appendix 1

RELATED PARTY DISCLOSURES - DECLARATION

As per requirements of AASB 124 Related Party Disclosures, and Councils Related Party Disclosures Policy. For additional information to assist you in making a declaration, please refer to the Appendices to this form.

The following declaration must be completed by all Council members, the CEO and Designated Management staff of the Shire of Dalwallinu who were elected or employed at any time during the financial year.

Disclosure Period (Year Ended):	
Person making disclosure:	
Position held by person: e.g. Councillor	

1. CLOSE MEMBERS OF THE FAMILY (See Guidance Notes)

Name of Family Member	Relationship to you
<i>If there has been no change since your last declaration, please complete "No Change"</i>	



Name of Entity

Name of person who has control/nature of control

[illegible]



AASB 124 – "Related Party Disclosures" - Declaration

3. ORDINARY CITIZEN TRANSACTIONS – NOT PROVIDED AT ARMS LENGTH

Did you or any member of your close family use facilities provided at Recreation Centre, attend any event at the Civic Centre, or use any other council provided facility AND you received a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person using the facility	Service/Facility used	Nature of transaction	Nature of discount or special conditions received.

Note: Recreation Centre membership provided as part of employment has been provided under the same terms as those memberships provided to the public.

4. LEASING AGREEMENTS - DOMESTIC RESIDENTIAL

Did you, a close family member or related entity, enter into a lease agreement with the Shire (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Shire and privately owned properties sub-leased through the Shire from a real estate agent)? Did you receive or provide a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

5. LEASING AGREEMENTS - COMMERCIAL

Did you, a close family member or related entity, enter into a commercial leasing agreement with the Shire for the provision of a commercial property? Did you receive a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

6. TRADING ARRANGEMENTS

Were you or a close family member (as defined above) the owner of any business (or in a position to substantially control the business) that provided goods or services to the Shire? Were those goods or services provided on the same terms and conditions as those available to any other customer? If not, please provide details of the specific terms provided to the Shire.

Business name	Goods or services provided	Approximate value for the reporting period	Terms & conditions



AASB 124 – "Related Party Disclosures" - Declaration

7. OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)

Did you, a close family member or related entity, enter into any other agreements/arrangements with the Shire (whether or not a price was charged)?

This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).

For e.g. a company that a close family member controls, was awarded a contract with the Shire for building a new office facility.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions



AASB 124 – "Related Party Disclosures" - Declaration

7. OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)

Did you, a close family member or related entity, enter into any other agreements/arrangements with the Shire (whether or not a price was charged)?

This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).

For e.g. a company that a close family member controls, was awarded a contract with the Shire for building a new office facility.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions



AASB 124 – “Related Party Disclosures” - Declaration

8. PURCHASE OF PROPERTY

Did you, a close family member or related entity, purchase any property or other assets from the Shire? (This may include vehicles or other plant items, land or buildings).

Was the purchase made at arm’s length (for e.g. at public auction), and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided to you.

Name of person or entity name	Property purchased	Value of the purchase	Terms & conditions

9. SALE OF PROPERTY

Did you, a close family member or related entity, sell any property or other assets to the Shire? (This may include vehicles or other plant items, land or buildings).

Was the sale made at arm’s length and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided.

Name of person or entity name	Property Sold	Value of the Sale	Terms & conditions



AASB 124 – "Related Party Disclosures" - Declaration

10. FEES & CHARGES FOR APPLICATIONS

Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?

Name of person or entity name	Application type	Application and/or receipt number

11. SELF SUPPORTING LOANS

Did you, a close family member or related entity, enter into a loan agreement with the Shire?

For e.g. a club for which you have control (See Guidance Notes for example)

Name of person or entity name	Loan details	Value of the loan	Terms & conditions



AASB 124 – "Related Party Disclosures" - Declaration

12. OTHER AGREEMENTS

Please list any other agreement or arrangement you believe is a related party transaction and should be declared.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted.

I have made this declaration after reading the information supplied by Council which details the meaning of the definitions to which this declaration relates.

Signed: _____ Date: ____/____/____

Once signed please provide to the Chief Executive Officer



3.12 Purchasing Shire Owned Residential Properties

Person Responsible:	Chief Executive Officer
History:	New Policy 26 September 2017 (M9007) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)
Policy	<p>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 will apply:</p> <p><u>Properties for Sale</u></p> <p>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.</p> <p><u>Process for Purchase</u></p> <ol style="list-style-type: none">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 "fairvalue";4. Should Council accept the offer, the Chief Executive Officer is to dispose of the property as per Section 3.58 of the <i>Local Government Act 1995</i>.
Objective	<p>To provide clarity as to the process of purchasing residential properties from the Shire of Dalwallinu by employees.</p> <p>To provide an incentive to attract and retain employees.</p> <p>To proactively turnover the Shire of Dalwallinu residential assets.</p>
Guidelines	<i>Local Government Act 1995</i> – Section 3.58



3.13 Debt Collection – Sundry Debtors

Person Responsible: Deputy Chief Executive Officer
History: New Policy March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

Policy	<p>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.</p> <p>Legal proceedings will continue until full payment has been received.</p> <p>The Shire provide trade debtors and miscellaneous debtors thirty (30) days from the invoice date to settle any outstanding accounts.</p> <p>The Chief Executive Officer may allow persons experiencing financial difficulties to make suitable arrangements for payment of sundry debtor charges only (this does not include medical centre invoices).</p> <p>Where no alternative arrangements have been made, the following actions are to occur:</p> <p>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 Debtor's record.</p> <p>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.</p> <p>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 that failure to pay will result in the matter being placed in the hands of the Shire's debt collection agency.</p> <p>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.</p> <p>The debtor will not be allowed to incur any further debt with the Shire.</p>
Objective	<p>This policy is designed to provide guidelines for the timely collection of money owed to the Shire of Dalwallinu.</p>



4. Staff



4.1 Voluntary Service

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 4.12
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

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

Conditions of volunteering

- i. 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.
- ii. 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.
- iii. 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 from duty. Should the operation continue, then he/she will be a volunteer.



- iv. Volunteers for St John Ambulance may only attend ambulance call outs for priority calls (not patient transfers) during normal working hours.
- v. Should the Shire employee volunteer outside of 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.



4.2 Housing Incentive – Owner Occupied Housing

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 2.35
Amended March 2008
Reviewed April 2016
Amended June 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy 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:

A once only payment of \$2,600; and

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 per fortnight).

To qualify for the once only payment of \$2,600, an employee must first complete twelve (12) months continuous service.

The subsidy is payable once the eligible staff member meets the required owner and occupier status.

Objective To encourage staff to stay in Dalwallinu Shire and to assist employees to purchase a land asset.

Guidelines This policy applies to employees who commence employment with the Shire after 12 January 1998.

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.

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.



4.3 Staff Housing – Rental Subsidy

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 2.10
Reviewed April 2016
Amended June 2016 – Motion 8634
Reviewed April 2017 (Motion 8814)
Amended March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

Policy Council staff housing, when available will be provided to permanent full time staff members and a subsidy of \$75 per week will be deducted from the current market rental value of the property.

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.

This subsidy is available to part time employees on a pro rata basis (calculated on base part time hours).

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.

Shire housing is subject to six monthly rental inspections.

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 Residential Tenancy Act 1987.



4.4 Designated Senior Employees

Person Responsible: Chief Executive Officer
History: Former Policy 2.27
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

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



4.5 Water Consumption for Council Staff Houses

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 2.11
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Amended March 2019 (Motion 9342)

Policy Council will meet the full cost of water usage for Council owned staff housing.

Objective To ensure that Council housing gardens are maintained.

Guidelines 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).

4.6 Severance Pay

Person Responsible:	Chief Executive Officer
History:	Former Policy 2.30 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	<p>Voluntary Terminations</p> <p>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.</p> <p>Entitlement</p> <p>A terminating employee is entitled to severance pay and benefits in accordance with:</p> <ol style="list-style-type: none">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 or 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. <p>Dismissal</p> <p>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).</p> <p>Redundancy</p> <p>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.</p> <p>Unforeseen Circumstances</p> <p>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</p>
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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 person's 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 1995 and Local Government (Administration) Regulations 1996 – Reg 19A.

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



4.7 Sick Leave “Cash Out” Scheme

Person Responsible:	Deputy Chief Executive Officer
History:	Former Policy 2.11 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

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.
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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.
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Guidelines	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.
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Therefore, an employee having five (5) or more sick days during the twelve (12) month period will not be eligible for the cash out option.

The cash out is to be taxed at the appropriate rate as determined by the Taxation Office.

The employee's accrued sick leave entitlement is to be amended, reducing sick leave accruals by the number of days cashed out.

Permanent part time employees receive the same benefit based on the daily rate for each day taken.

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.

Employees are to be given the option, in writing, whether to cash out or not.



4.8 Staff Superannuation

Person Responsible: Deputy Chief Executive Officer
History: Reviewed April 2017 (Motion8814)
Reviewed March 2018 (Motion9129)
Reviewed March 2019 (Motion9342)

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 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.

Variation to Policy

Council may vary this policy from time to time with respect to legislative changes and any other mitigating circumstances.



4.9 Study Assistance

Person Responsible: Chief Executive Officer
History: New Policy April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Study assistance relates to any qualification gained through University/TAFE/College which has a national recognisable attainment.

Permanent employees who have completed their probationary period may be eligible for study assistance subject to the conditions of this Policy.

Approval may be granted only where there is clear relevance between current or prospective duties and the studies to be undertaken.

The Chief Executive Officer is authorised to approve Study Assistance based on advice from the relevant Manager.

Applications for study assistance must be made annually.

The Shire will allocate in the Annual budget a sum to assist with the costs associated with employee study assistance.

This assistance is provided for training that is over and above the normal training that employees are required to do to perform their job.

Objective 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.

Guidelines Financial Assistance
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):

- 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;

- Employees must pay for the approved unit(s) up front and pass the unit(s), prior to any reimbursement claim being made.
- 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.
- 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.

Time off for Study

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):

- 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.



4.10 Drug and Alcohol

Person Responsible: Chief Executive Officer
History: New Policy 27 June 2017 (M8846)
Amended March 2018 (Motion 9129)
Amended August 2018 (Motion 9231)
Reviewed March 2019 (Motion 9342)

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 become an occupational safety and health issue if a worker's ability to exercise judgment, 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 or with 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 and not endanger the 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 social 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 employment 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 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 of 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

Managers shall:

- 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 the 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 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 a 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. Refusal 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 result 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 employee’s 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 organisation’s 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 organisation's 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 definitions 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 therefore 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 any drugs that may have adverse effects causing impaired work performance.

Fit for Work – means not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance, or not being fatigued.

Employee – 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 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*.



4.11 Staff Uniforms

Person Responsible: Deputy Chief Executive Officer
History: New Policy March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy 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.

Uniforms purchased under this policy must have the Shire Logo or the logo of the approved supplier on the clothing.

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.

Objective This policy provides guidelines in respect to the maximum allowance given to employees not provided uniforms as part of their role.



4.12 Disciplinary Action

Person Responsible: Chief Executive Officer
History: New Policy August 2018 (MOTION 9231)
Reviewed March 2019 (Motion 9342)

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 taken.

- **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 and 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 a 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 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 omission, 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 respond 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 Procedure.

8.0 INVESTIGATION PROCEDURES FOR ALLEGED MISCONDUCT

Investigations into alleged misconduct should follow the processes detailed in the Shire of Dalwallinu's Grievances, Investigations, and Resolutions Policy and Procedure.

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 and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

10.0 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.

4.13 Grievances, Investigations & Resolution

Person Responsible: Chief Executive Officer
History: New Policy August 2018 (Motion 9231)
Reviewed March 2019 (Motion 9342)

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 “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Dalwallinu in any capacity.

Roles

Complainant – A 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 a 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 (Policies), 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 their 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 substantiated facts; and
 - the Complainant and the 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 any 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 consultation 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.



4.14 Secondary Employment

Person Responsible: Chief Executive Officer
History: Adopted 24 September 2019 (M9439)

Policy	<p>The Shire of Dalwallinu recognises that its employee's may engage in secondary employment outside of their employment at 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 of interest 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	<p>To provide guidance to employees when considering secondary employment.</p>
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>

Conflicts of Interest with the Local Government

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.

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:

- the creation of an actual or perceived conflict of interest between official and private business interests;
- misuse of Shire of Dalwallinu resources, especially telephone, email and office stationery and material;
- unauthorised use of information and intellectual property;
- absenteeism due to competing commitment;
- diminished work performance resulting from tiredness, distraction or time pressures;
- increased load 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 make 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 arrangement requires further investigation.

The Chief Executive Officer may delegate his/her authority to deal with all or any part of this policy and procedure to an appropriate Officer.

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 Office 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.



5. WORKS



5.1 Private Works

Person Responsible: Deputy Chief Executive Officer
Manager Works & Services

History: Former Policy 4.17
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy All private works are to be subject to a written agreement between the private party and the Shire.

At the discretion of the Manager Works & 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.

Objective To ensure a proper record of works undertaken and to substantiate the Shire's obligation.

To ensure that the Shire is not left with unpaid debts for private works.

Guidelines A request in the prescribed form is to be completed by the applicant and lodged with the Manager Works & Services/Works Supervisor.



5.2 Shire Equipment – Private Use

Person Responsible:	Chief Executive Officer
History:	Former Policy 6.14, 5.3 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

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">• the employee being trained in the use of the equipment (where necessary);• the use being limited to work associated with the employee's /Shire property;• the employee meeting the cost of consumables e.g fuel, disc etc.
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 work 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>



5.3 Hire of Shire Plant

Person Responsible:	Chief Executive Officer
History:	Former Policy 5.4 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)
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.
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



5.4 Garden & General Refuse Pick Up

Person Responsible: Chief Executive Officer
Date of Approval: Former Policy 5.5
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	A bi-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) week notice.



5.5 Road Making Materials

Person Responsible: Chief Executive Officer
History: Former Policy 5.6
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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, as prescribed in Council's Fees & Charges and is to be evidenced by a written agreement (see attached), signed by the landowner and the Works Supervisor and countersigned by the Chief Executive Officer.

Objective To ensure there is written evidence of Council's obligations.

Guidelines

- To document agreements with landholders for the supply of road making materials
- To outline any conditions relating to the taking of road making materials
- Property owner not required to obtain Extractive industries licence as it is the Shire that is operating the pit
- To specify compensation payable
- To prescribe rehabilitation requirements
- To prevent disputes arising from removal of road making materials



5.6 Street Trees (New Subdivisions)

Person Responsible: Chief Executive Officer
History: Former Policy 4.7 & 4.8
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 to be issued free of charge to householders with the species determined by Council.



5.7 Property Access and Crossovers

Person Responsible: Manager Works & Services
History: Former Policy 4.1, 4.2, 5.8
Amended April 2012 (Motion 7391)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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.



ATTACHMENT 5.7 (A)
PROPERTY ACCESS AND CROSSOVER

SPECIFICATIONS

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

1)

BA

SIC 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 metres 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 R.O.W. within a town site

No access to be located within 50 metres of an intersection for rural cross overs

Council subsidy of rural access is limited to one (1) per farm

All variations to be paid in full by owner/applicant

** See attached diagrams



Property Access and Crossovers cont.

CROSSOVERS (Specifications)

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

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

Commercial

As above

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 cross over or access point an application shall be filled out and approval to commence the works sought from the Manager Assets & Works.



BEFORE any access or cross over works commence, the Shire's Manager Assets & Works 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 Assets & Works shall be contacted to inspect the preparation works for approval BEFORE the concrete and bitumen are laid.

Once the concrete or bitumen has been laid the Manager Assets & Works shall be contacted to inspect the crossover for a 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 Assets & Works shall inform the proponent the size of the drainage pipes (and headwalls) required.

The Shire shall also provide levels for the pipes to be installed at.

BEFORE any drainage works are covered the Manager Assets & Works shall be contacted to inspect (and approve) the alignment, levels and installation of the drainage products.

All variations from the specifications to be paid in full by owner/applicant
Maximum dimensions of access apply

Council Contributions

Council shall pay a 50% contribution for the installation of a crossover or access point providing that the following has been undertaken and submitted:

An application for a cross over 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.

Council shall only contribute up to a maximum of \$2,000 (including GST) per crossover.

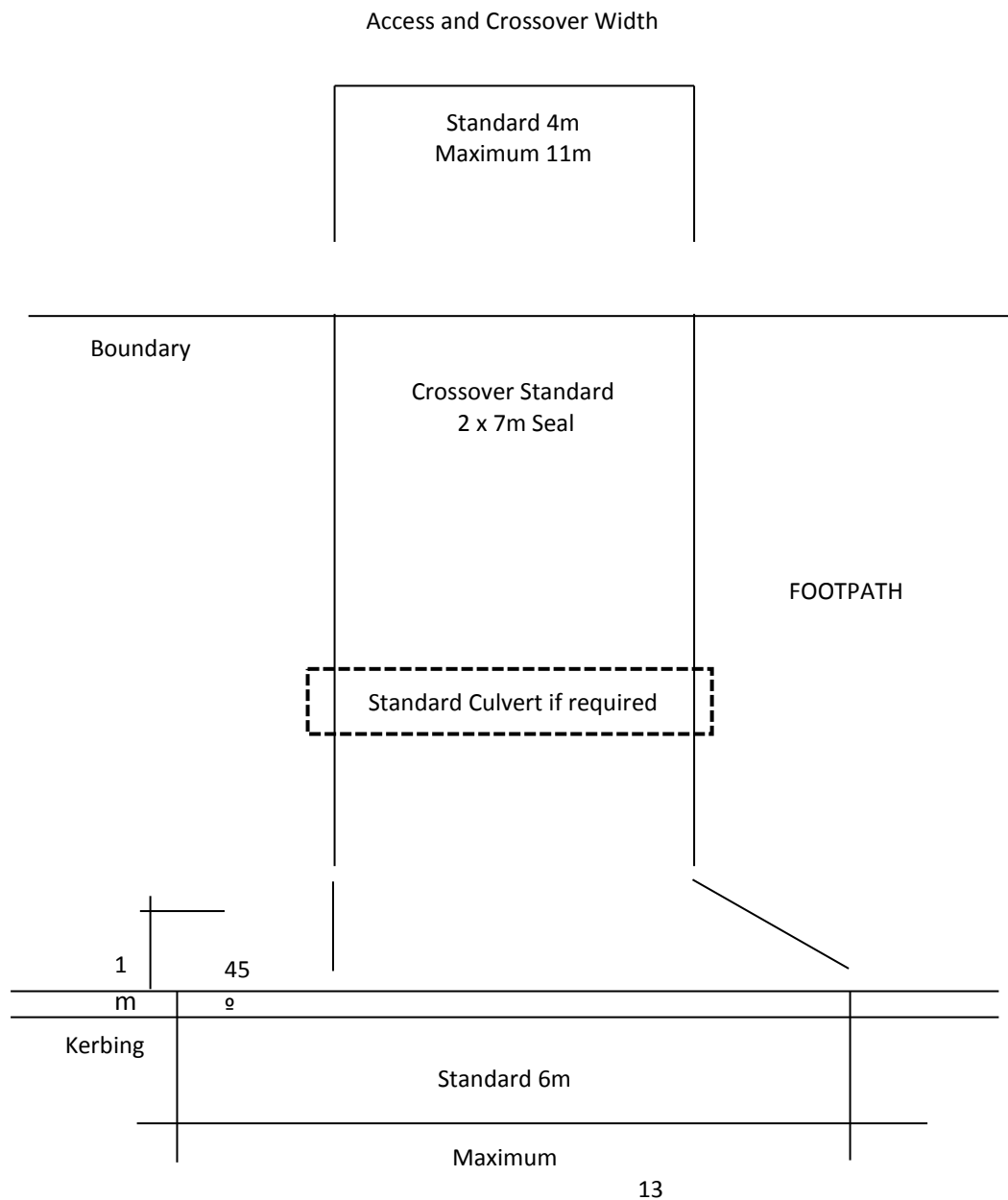
The contribution shall be based on the standard dimensions as per the attachments (5.8A, 5.8B and 5.8C).

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.

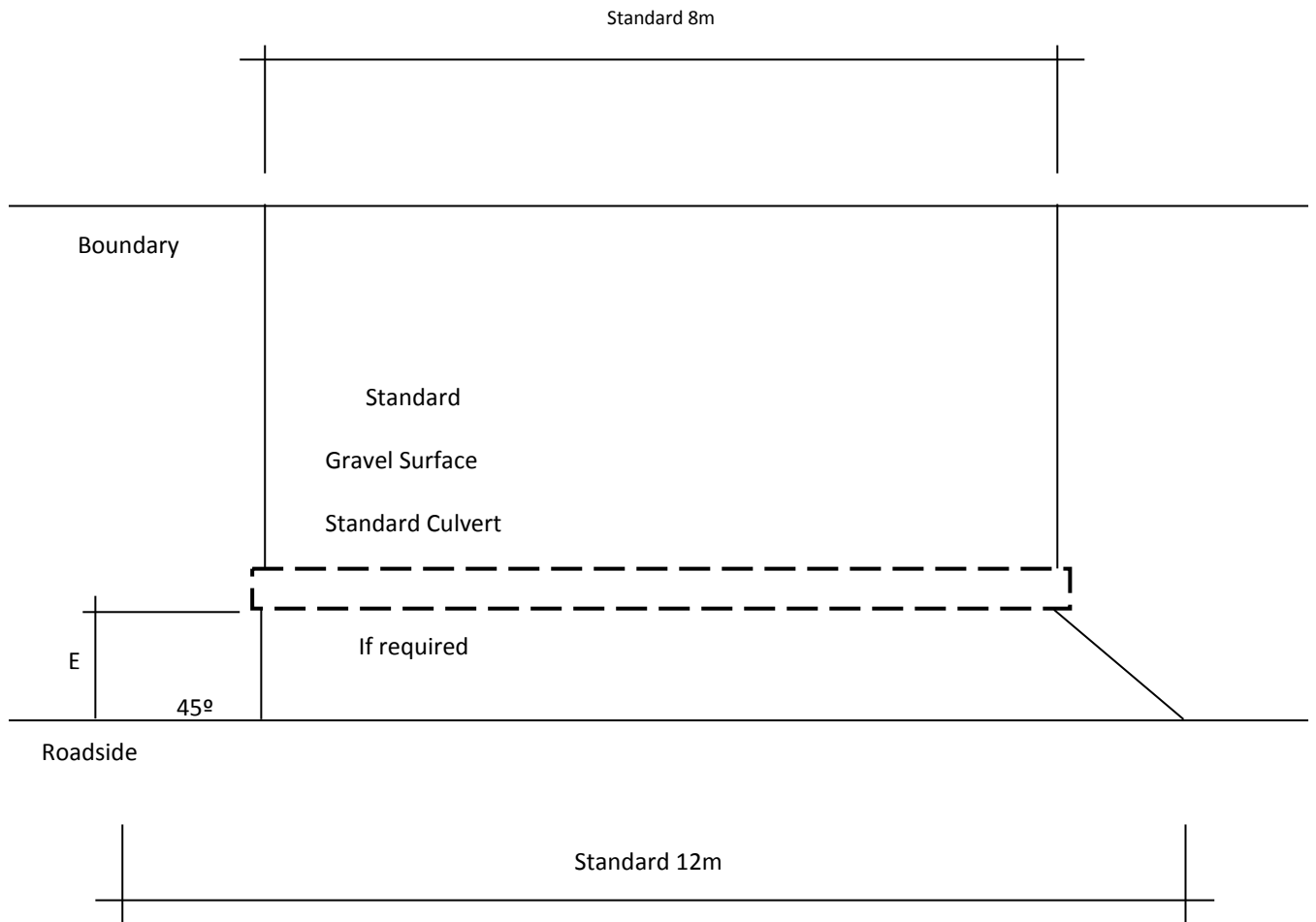
Council will not contribute to the maintenance of crossovers, maintenance to crossovers (no matter what standard) is the responsibility of the landowner.

ATTACHMENT 5.7A
DIAGRAM INDUSTRIAL AND COMMERCIAL CROSSOVER



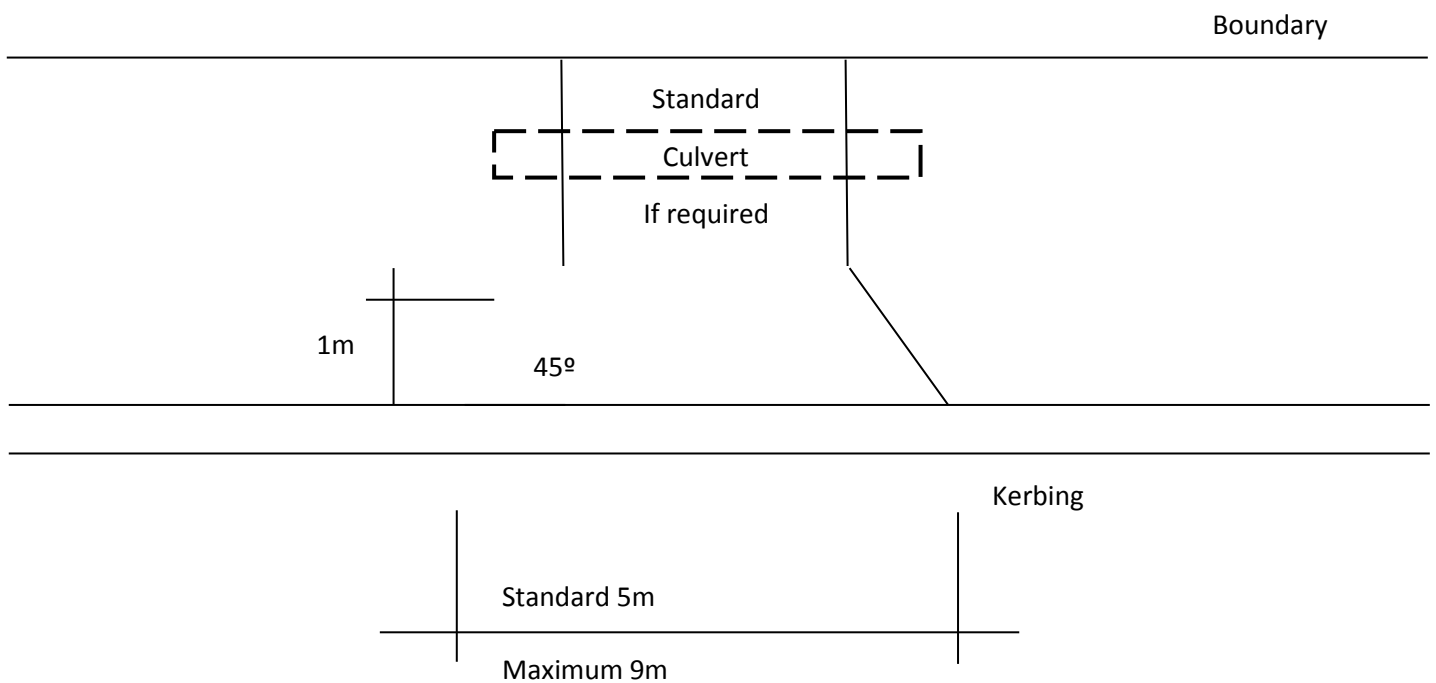
ATTACHMENT 5.7B
DIAGRAM RURAL CROSSOVER

Access and Crossover





ATTACHMENT 5.7C
DIAGRAM RESIDENTIAL CROSSOVER





APPLICATION FOR A CROSSOVER

Application to be completed in consultation with Council Policy 5.7 Property Access & Crossovers

Name of Applicant (Land owner): _____

Address:

Proposed construction of crossover (gravel, bitumen, paving, asphalt, etc):

Location map (show distances from boundaries and intersections, show nearest intersections with road names, show crossover width and length from edge of road to lot boundary, show location of services (water, Telstra, etc) and show house/building; include north point):

OFFICE USE ONLY

Application received: _____

Location sited before approval by: _____

Application APPROVED / DENIED

By: _____

Title: _____

Signature: _____

Date: _____



COPY OF APPLICATION TO BE SUPPLIED TO APPLICANT AND ORIGINAL PLACED ON FILING SYSTEM

5.8 Road Classification

Person Responsible: Chief Executive Officer
Manager Works & Services

History: Former Policy 4.5, 5.9
February 2011 (Motion 6989)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Shire roads, as depicted on the Road Classification Listings (refer attachment 5.8a) and Road Classification Plan (refer attachment 5.8b) are categorised into “A”, “b”, “c”, “d” and “E” class roads and will be afforded the following work 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 – 3.7m wide seal and 3m 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 To identify priority roads.



ATTACHMENT 5.8 (a) ROAD CLASSIFICATION LISTINGS

Class "A" Roads

Council recognises the following 'A' Class 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
Wubin-Gunyidi Rd (0243)	All

Class "B" Roads

Council recognises the following 'B' Class Roads:

Road Name	Section
Dalwallinu West Rd (0005)	Locke Rd to Shire Boundary
Sanderson Rd (0014)	Warren Road 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)	Great Northern Highway to Dalwallinu-Kalannie Rd
Warren Rd (0113)	Sanderson Rd to Goodlands Rd
Glamoff Rd (0116)	RPF Rd to Goodlands Rd

Class "C" Roads

Council recognises the following 'C' Class 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 Rabbit Proof Fence 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
Dalwallinu North Rd (0050)	All
Richards Rd (0059)	All
Wasley Rd (0060)	All
Dinnie Rd (0063)	All
Woolf 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
Road Name	Section
Warren Rd (0113)	Goodlands Road to Great Northern Highway
Lehmann 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
Carot Well Rd (0231)	All



Class "D" Roads

Council recognises the following 'D' Class Roads:

Road Name	Section
Wilgie Hills Rd (0006)	All
Pearse Rd (0007)	Buntine-Marchagee Rd to West Rd
Carter Rd (0010)	RPF Rd to Mitchell Rd
Cail Rd (0013)	All
Sanderson Rd (0014)	Leeson Rd to GNH
Tomsett Rd (0019)	All
Road Name	Section
DAL North Rd (0020)	All
Kenny Rd (0022)	All
Petrudor Rd (0022)	Hodgson Rd to Jones Rd & Dal-Kal Rd to Goatcher Rd
Courtlea Rd (0025)	All
Powell Rd (0028)	All
Wubin East Rd (0030)	RPF Rd to Mitchell Rd
Gatti Rd (0035)	All
Welburn Rd (0036)	All
Moller Rd (0037)	Great Northern Highway 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



SHIRE OF DALWALLINU

Register of Policies

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
Road Name	Section
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 (112)	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
Reynold 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



Class "E" Roads

Council recognises the following 'E' Class Roads:

Road Name	Section
Jibberding Hall Rd (0011)	All
Howie Rd (0012)	All
Scally Rd (0016)	All
Holywell Rd (0017)	All
Road Name	Section
Thornton Rd (0018)	All
Wubin East Rd (0030)	Mitchell Rd to Struggle St
Pithara West Rd (0033)	Dickins Rd to Shire Bdy
Moller Rd (0037)	Dickins Rd to western terminus
Woods Rd (0042)	All
Treasure Rd (0052)	All
Harris Nth 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
Nixons 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	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 (0151)	All
Van Driel Rd (0152)	All
Nugadong Town Rd (Osborne Rd) (0152)	All
Day Rd (0153)	All



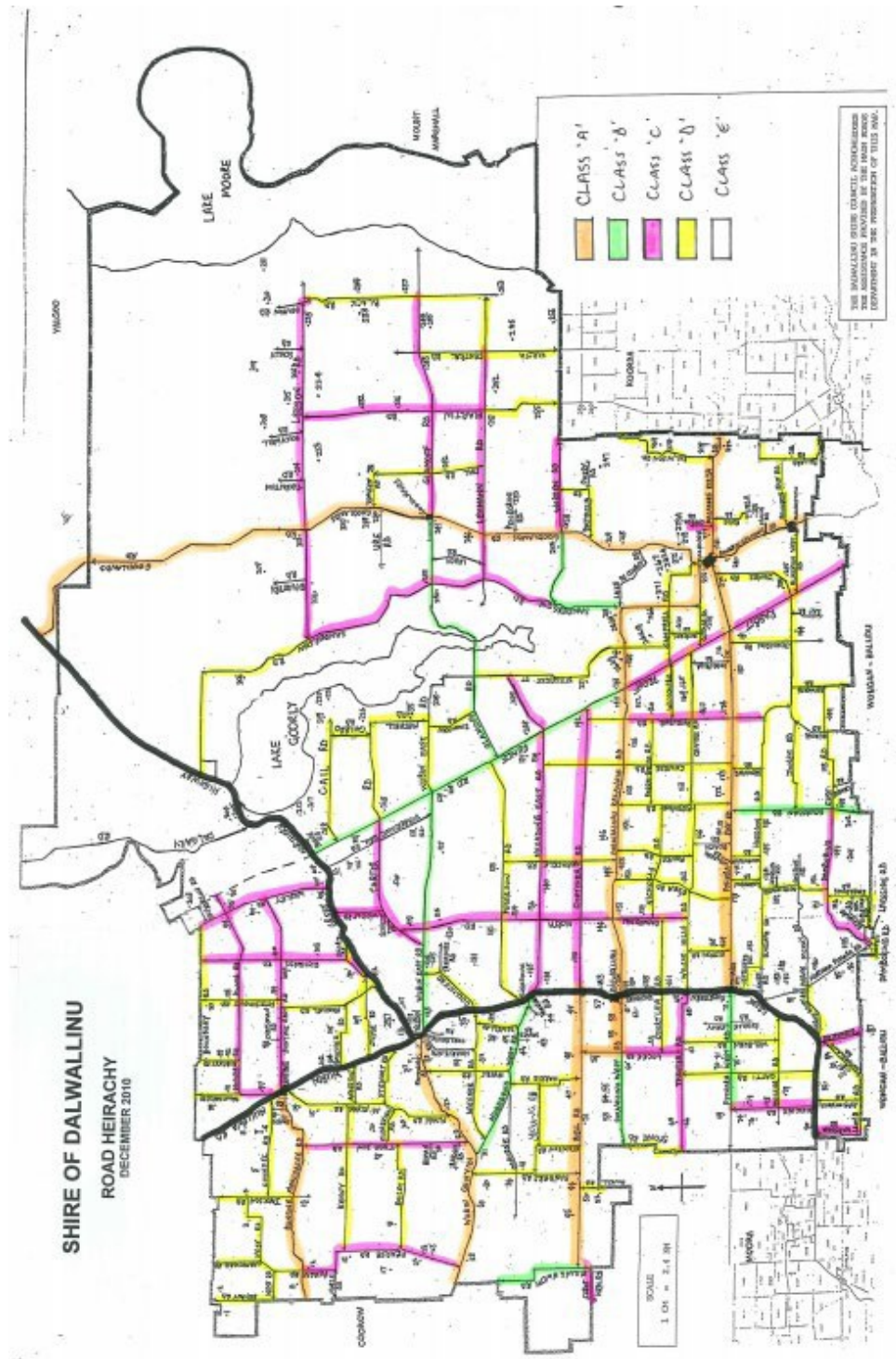
SHIRE OF DALWALLINU

Register of Policies

Schulze Rd (0155)	All
Liebe Rd (0156)	All
Mottolinis Rd (0162)	All

Carlhausen Wy (0163)	All
Carlhausen Rd (0164)	All
Wellpark Rd (0165)	All
Pipes Rd (0168)	All
Moore Rd (0169)	All
Road Name	Section
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
Pelligrinin 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

ATTACHMENT 5.8 (b)
ROAD CLASSIFICATION PLAN





5.9 Gravel Pavement/Curve Design

Person Responsible:	Chief Executive Officer
History:	Former Policy 5.10 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	When reconstructing road curvatures, the gravel pavement curve design radius will be up to 500 metres with a minimum of 300 metres, wherever possible.
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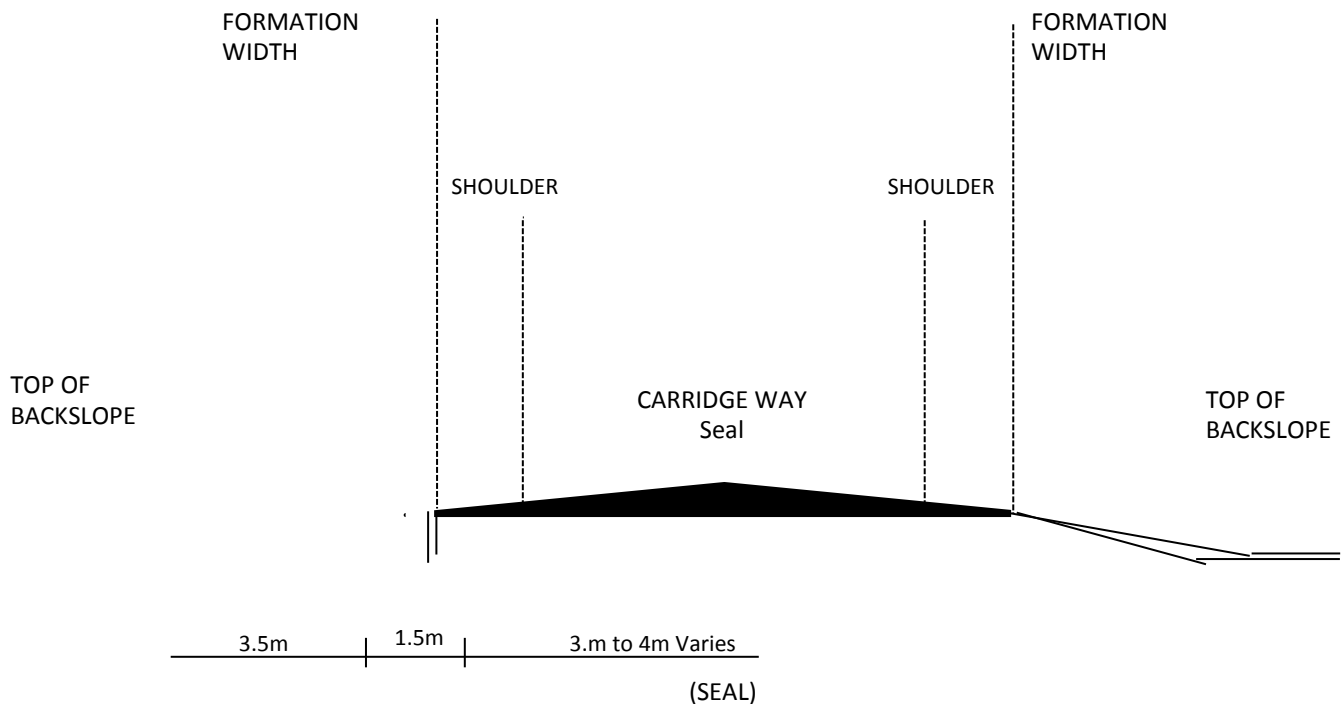
Objective	To ensure minimum standards of safety.
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5.10 Unsealed Roads - Standards

Person Responsible:	Chief Executive Officer Manager Works & Services
History:	Former Policy 4.5, 5.11 Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)
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 “A” & “B” Class roads. See Attachment 5.10b – Road Profile and Specifications for “C” Class Roads.

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.

Carridgeway Width 7.00m
Shoulders 1.5m

2 x

Traffic Lanes

3.5

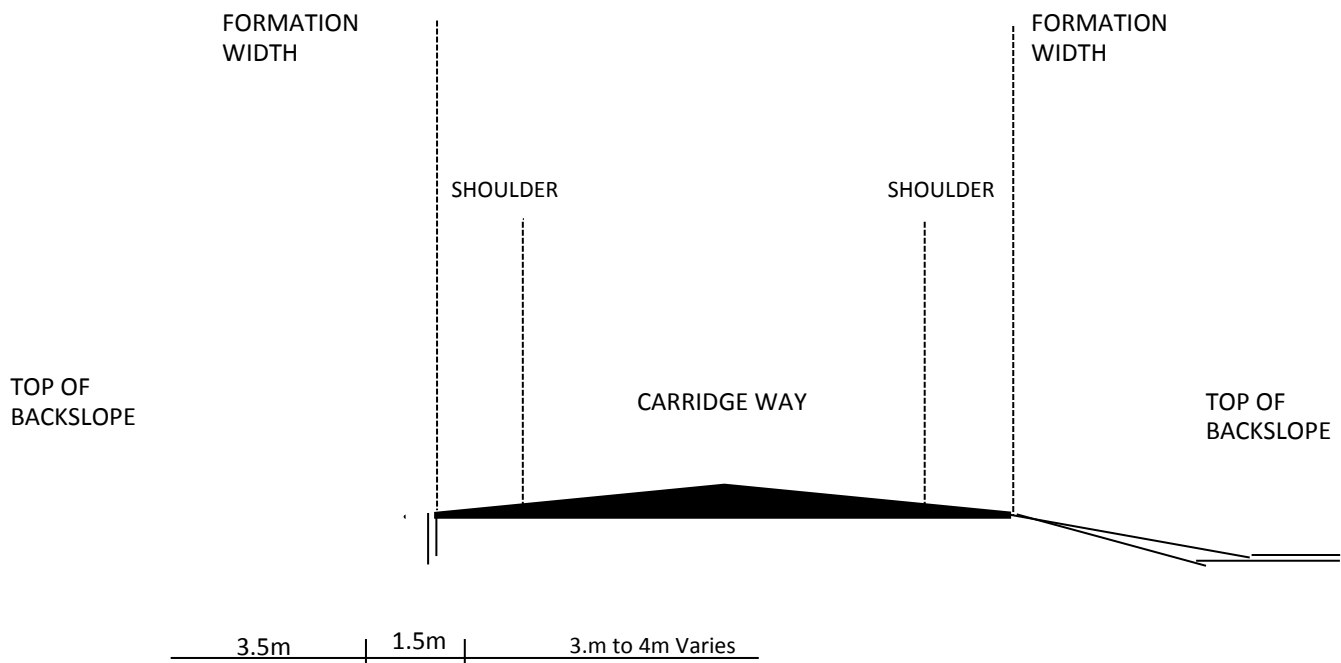
0m

Cross Fall 4% minimum
5% maximum
Batters 1-3 minimum
1-4 maximum

Road Reserve is 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 backslope.
Shoulders on all bitumen roads need to be graded and chemical sprayed annually.

Note: Extent of clearing to be top of backslope

**ATTACHMENT 5.10(b) UNSEALED ROADS
ROAD PROFILE AND SPECIFICATIONS "C" CLASS ROADS**



Specifications		
Formation Width	15-18m	
Pavement Width	8.00m	
Carriageway Width		Measurement of the back slope to be decided by the Manager Works & Services and 6.00m
Services taking into account the locality.		
Shoulders		2 x
1.0m		
Traffic Lanes		3.00m
Cross Fall	4% minimum	Road Reserve is 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. Shoulders on all bitumen roads need to be graded and chemical sprayed annually.
	5% maximum	
Batters	1-3 minimum	
	1-4 maximum	

Note: Extent of clearing to be top of back slope.



5.11 Storm Water Drainage

Person Responsible: Chief Executive Officer
Manager Works & Services
History: Former Policy 4.6, 5.12
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	Property owners shall be permitted to drain storm water from their properties into the main roadside drainage system 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 of Council's Manager Works & services and Manager Regulation & Development Services. It is the property owner's responsibility to maintain in good repair, pipes across and under road verges.



5.12 Deep Drainage Policy

Person Responsible: Chief Executive Officer
Manager Works & Services
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy The installation of culverts across road reserves is to be the responsibility of the landowner.

Objective This policy is designed to guide Officers in relation to applications for deep drainage that directly affects Shire controlled lands and infrastructure (i.e Shire roads, reserves and townsites).

This policy is designed to allow input to drainage proposals that affect Shire infrastructure and private land and inform the community about proposals.

Guidelines 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 Agriculture pursuant to Soil and Land Conservation Regulations 1992.

Unless otherwise approved by Council, all drains and associated embankments must not encroach onto Shire managed land.

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.

If the installation does not proceed within twenty four (24) months of approval by Council, the approval lapses, and the application must be resubmitted.

Structure of culvert

The width of the culvert crossing is to be a minimum of twelve (12) metres each side from the centre of the constructed road.

Headwalls and silt traps to be installed and located within the boundary of the proponent's property.

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.

Insurance

Any proposal to carry waters through Council infrastructure must include the preparedness of the proponent, at the proponents cost, to indemnify the Council of any liability incurred from any action of law resulting from the development.

Maintenance

The developer shall enter into an agreement with the Shire of Dalwallinu that future maintenance costs of the drainage conveyance shall be at the developer's cost and recorded as an absolute caveat on the affected 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 of extra-ordinary events that may cause damage to the integrity of the drainage conveyance.

Procedure

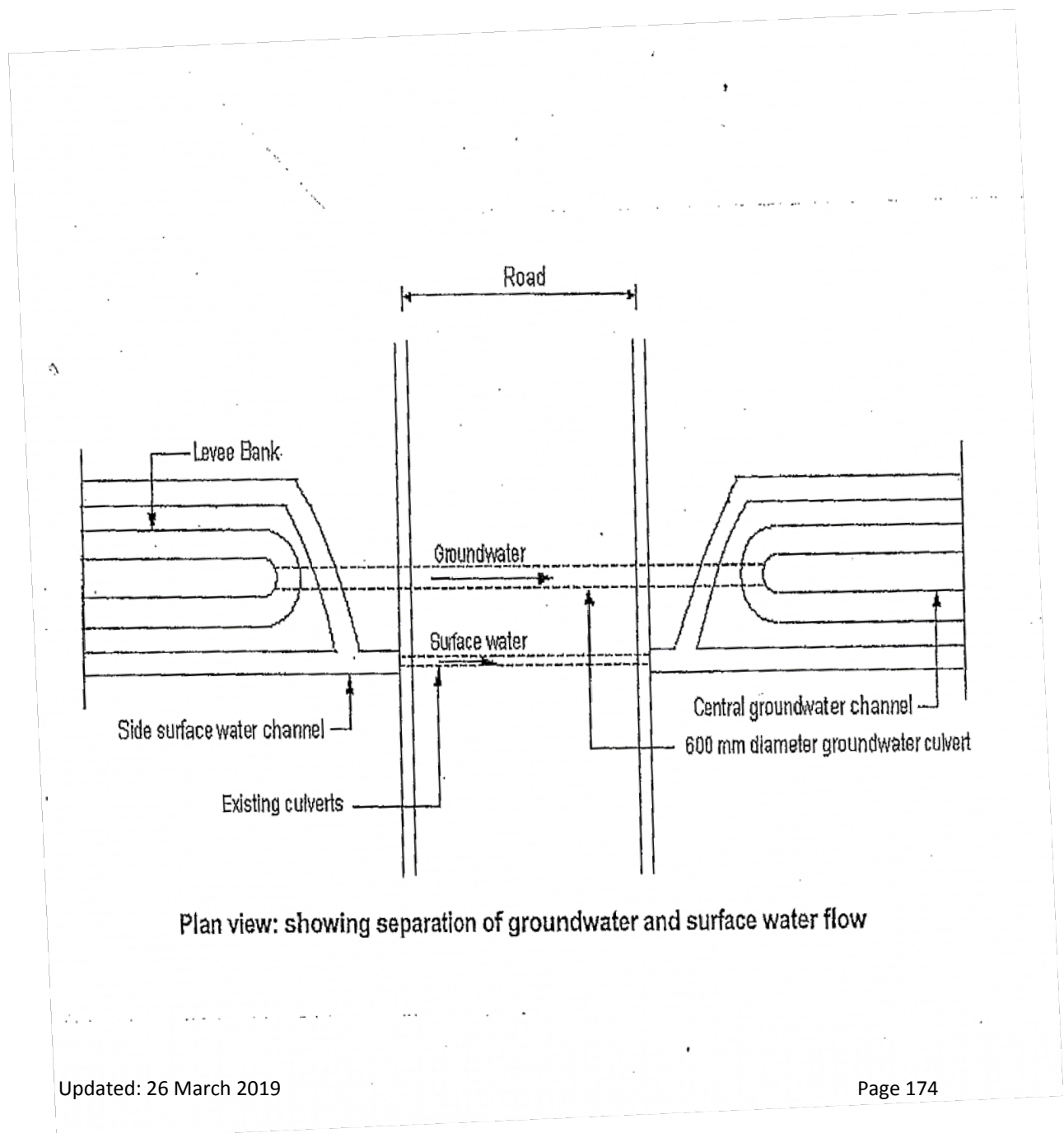
All construction and remedial costs, including traffic management of the drainage conveyance structure, shall be at the proponents/landowners cost.

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's Works Supervisor a minimum of seven (7) day's notice regarding Traffic Management.
- 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 pipes 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 is subsidence is incurred
- Liaise with the Shire to reseal trench

Landowners must provide a copy of the letter of no objection provided by the Department of Agriculture to the Shire, prior to the contractor commencing works.

ATTACHMENT 5.12(A) ENGINEERING DESIGN





5.13 Water Pipeline

Person Responsible: Chief Executive Officer

History: Former Policy 5.14
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Officers will consider application of installing water pipes under local roads.

Objective To establish guidelines for installation of water pipelines.

Guidelines

- The pipe is to be buried 600mm beneath the roadway
- The pipe is to be placed inside a larger diameter pipe
- White post marked "Water Pipe" is to be placed at either end of the line where it crosses the road reserve
- The landowner is responsible for any damage that may occur

5.14 Temporary Closure of Unsealed Road During/After Rainfall Events

Person Responsible:	Chief Executive Officer Manager Works & Services
History:	Former Policy 5.15 Adopted September 2011 (Motion 7202) April 2016 (Motion 8574) Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

Policy	Unless otherwise stated, Council shall practice its rights and obligations to partially or wholly close, and subsequently re-open any road under its responsibility in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.
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Objective	To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire's assets during and/or after adverse weather conditions.
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Guidelines	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.
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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.

Notifications of weather related road closures will be made to adjoining Shires, and notices will be posted at the Shire Administration, on the Shire Web site and Facebook page.

A media release will be sent to media outlets.

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 Local Government Act 1995. Where a road closure inadvertently exceeds a period of twenty eight (28) days, the Council shall meet its obligations under 1.7 & 3.50(4) of the Local Government Act 1995 and S4, Part 2 of the Local Government (Functions and General) Regulations 1996.



5.15 Sealing of Unsealed Roads at Sealed Road Intersections

Person Responsible: Manager Works & Services
History: Former Policy 5.16 February 2013
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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.

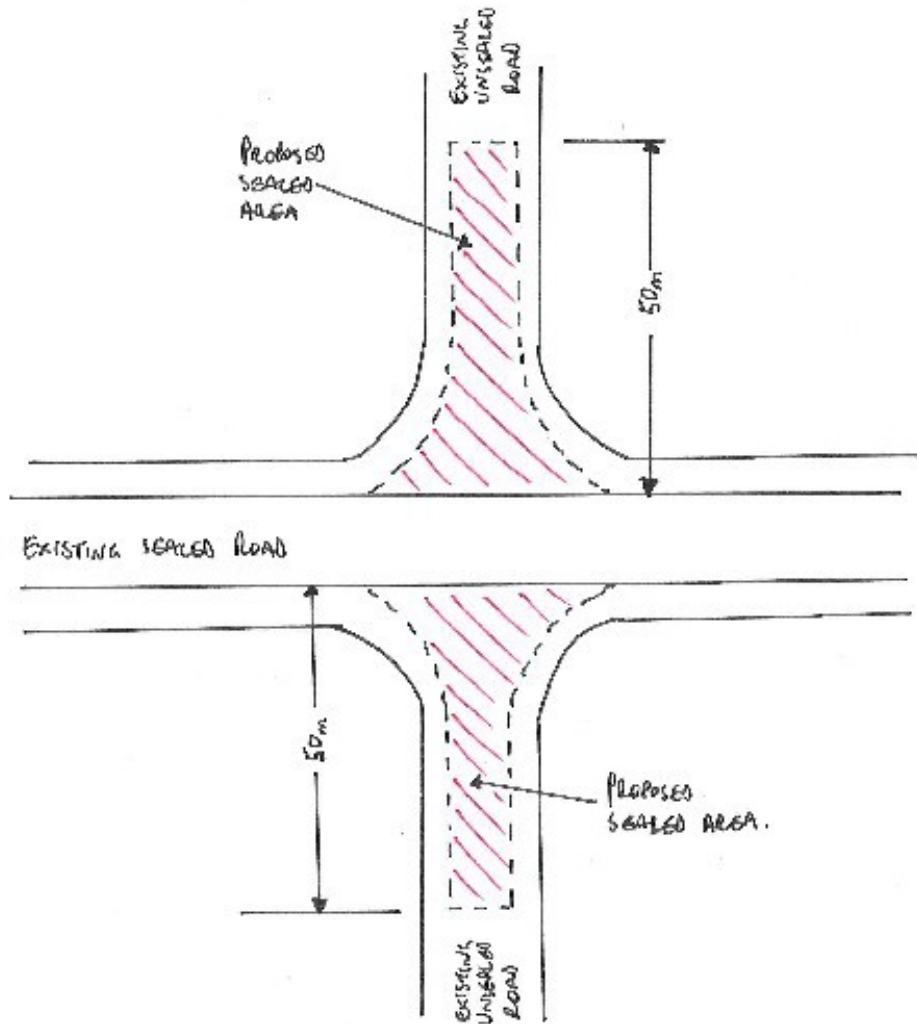
Objective To reduce maintenance costs of unsealed roads at sealed road intersections.

Guidelines Any sealing works is only to occur at the time of resealing the sealed road or when the unsealed road is re-sheeting up to a sealed road intersection.

The new seal on the unsealed intersection road (under this policy) shall not be wider than the seal width of the existing sealed road.

Each occurrence should be considered on its merits based on traffic volumes and maintenance history.

ATTACHMENT 5.15 (A)
DIAGRAM





5.16 Waste Management

Person Responsible: Chief Executive Officer
History: New Policy 28 November 2017 (M9054)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 organisations 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).

Definitions

- **Collection Contractor:** Contractor/s that collects MGBs on behalf of the Shire of Dalwallinu.
- **Collection Day:** Residential Waste
 - Monday - Pithara and Dalwallinu Commercial
 - Wednesday – Wubin, Buntine, Kalannie
 - Thursday – Dalwallinu Recycling
 - First week: Dalwallinu and Pithara
 - Second week: Wubin, Buntine and Kalannie Recycling Commercial (bulk)
 - Each fortnight - Thursday - Wubin and Dalwallinu Commercial Waste
 - Monday – Dalwallinu
 - Thursday - Dalwallinu
- **Commercial bins:** Bins with more than 240litre capacity that are collected by a front or rear loading waste collection vehicle.
- **MGB:** Mobile garbage bin.
- **Resident:** Person or persons occupying the premises, not necessarily the property owner.
- **Shire:** The Shire of Dalwallinu.



Policy

The Shire of Dalwallinu will provide:

1. Residential Waste (Refuse) Collection Services

- 1.1. The Shire shall provide a weekly waste collection service to all residential premises in the Shire. A green coloured MGB will be provided on the basis of one 240 litre MGB per single residential premises.
- 1.2. MGBs will be collected between the hours of 6:00am and 6:00pm each collection day.
- 1.3. MGBs 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. MGBs should be placed out for collection no earlier than 5:00pm the day prior to collection.
- 1.4. All MGBs must be removed from the verge by 7:00pm on the day of collection, and stored within the property.
- 1.5. The following items are prohibited for disposal in the waste MGB:
 - Hot/burning ash.
 - Oil/other flammable liquids.
 - Liquids/paints/solvents.
 - Bricks/concrete/building rubble/sand.
 - Personal medical waste (unless in a sealed container)
 - Commercial medical wastes
- 1.6. MGBs 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.
- 1.7. MGB lids should be closed at all times to prevent litter and odour. MGBs will 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.
- 1.8. The resident should notify the Shire if a MGB is not collected on the scheduled collection day.
- 1.9. All MGBs 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 MGBs are stamped with a unique identifying bin number to which the residents can refer to identify the MGB allocated to them.

- 1.10. To account for general wear and tear, the Shire will replace MGBs without charge on a 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.
- 1.11. 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.
- 1.12. 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.
- 1.13. The Shire reserves the right to cancel additional MGB services as it deems necessary, however the standard service will not be cancelled.

2. Residential Recycling Collection Services

- 2.1. 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.
- 2.2. Recycling MGBs will be collected between the hours of 6:00am and 6:00pm each collection day.
- 2.3. MGBs 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. MGBs should be placed out for collection no earlier than 5:00pm the day prior to collection.
- 2.4. All MGBs must be removed from the verge by 7:00pm on the day of collection, and stored within the property.
- 2.5. Only the following items are acceptable for disposal in the recycling MGBs:
 - Paper and Cardboard
 - Aluminium and steel cans
 - PET containers (Code 1 plastics)
 - HDPE containers (Code 2 plastics)
 - Glass Bottles and Jars
- 2.6. 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.

- 2.7. Recycling MGBs 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.
- 2.8. MGB lids should be closed at all times to prevent litter and odour. MGBs will 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.
- 2.9. The resident should notify the Shire if a MGB is not collected on the scheduled collection day.
- 2.10. All MGBs provided are the property of the Contractor 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 MGBs are stamped with a unique identifying bin number to which the residents can refer to identify the MGB allocated to them.
- 2.11. To account for general wear and tear, the Shire will replace MGBs without charge on 10 year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen, or irreparably damaged the premises occupant should notify the Shire so that replacement MGB can be provided. The occupant will be required to pay a MGB replacement fee.
- 2.12. 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.
- 2.13. 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.
- 2.14. The Shire reserves the right to cancel additional recycling services as it deems necessary.

3. Commercial Waste (Refuse) Services

- 3.1. 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 invoice is raised against the property owner.

- 3.2. MGBs will be collected between the hours of 6:00am and 6:00pm.
- 3.3. MGBs 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. MGBs should be placed out for collection no earlier than 5:00pm the day prior to collection.
- 3.4. All MGBs must be removed from the verge by 7:00pm on the day of collection, and stored within the property.
- 3.5. The following items are prohibited for disposal in the waste MGB:
 - Hot/burning ash.
 - Oil/other flammable liquids.
 - Liquids/paints/solvents.
 - Bricks/concrete/building rubble/sand.
 - Personal medical waste (unless in a sealed container)
 - Commercial medical wastes
- 3.6. MGBs 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.
- 3.7. The occupant should notify the Shire if a MGB is not collected on the scheduled collection day.
- 3.8. All MGBs 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 MGBs are stamped with a unique identifying bin number to which the occupants can refer to identify the MGB allocated to them.
- 3.9. To account for general wear and tear, the Shire will replace MGBs without charge on 10 year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen, or irreparably damaged, the occupant should notify the Shire so that a replacement MGB can be provided. The occupant will be required to pay a MGB replacement fee.
- 3.10. Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the occupant. The occupant shall notify the Shire when repairs are required.

- 3.11. Commercial premises can request additional 240 litre waste MGBs 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.
- 3.12. Additional waste collection services are optional; the Shire reserves the right to cancel them at its discretion.

4. Commercial Recycling Services

- 4.1. 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.
- 4.2. MGBs will be collected between the hours of 6.00am and 6.00pm.
- 4.3. MGBs 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. MGBs should be placed out for collection no earlier than 5:00pm the day prior to collection.
- 4.4. All MGBs must be removed from the verge by 7:00pm on the day of collection, and stored within the property. Failure to do so may result in the Health local Laws being applied.
- 4.5. Only the following items are acceptable for disposal in the recycling MGBs:
 - Paper and Cardboard
 - Aluminium and steel cans
 - PET containers (Code 1 plastics)
 - HDPE containers (Code 2 plastics)
 - Glass Bottles and Jars
- 4.6. 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 occupant, 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.
- 4.7. MGBs 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.

- 4.8. The occupant should notify the Shire if a MGB is not collected on the scheduled collection day.
- 4.9. All MGBs 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 MGBs are stamped with a unique identifying bin number to which the occupants can refer to identify the MGB allocated to them.
- 4.10. To account for general wear and tear, the Shire will replace MGBs without charge on 10 year cycle (equivalent to 10% of the Shire's MGB stock per year). If a MGB is lost, stolen, or irreparably damaged the occupant should notify the Shire so that replacement MGB can be provided. The occupant will be required to pay a MGB replacement fee.
- 4.11. Repairs to MGB lids and wheels will be undertaken by the Collection Contractor free of charge to the occupant. The occupant shall notify the Shire when repairs are required.
- 4.12. Commercial premises can request additional 240 litre recycling MGBs if a single service provides insufficient capacity for the quantity of recycling generated on a premises. Fees and charges will apply for additional recycling MGB services.
- 4.13. 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 MGBs is that the commercial bins are owned by the contractor, and the 70kg weight limit will not apply. Fees and charges apply.
- 4.14. Additional recycling collection services are optional; the Shire reserves the right to cancel them at its discretion.

5.17 Infrastructure Bonds

Person Responsible: Manager Regulation & Development Services
History: New Policy March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 license 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 the completion of 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>



6. Planning Policies



6.1 Sheds on Residential Land – Building Permits

Person Responsible: Manager Planning & Development Services
History: Former Policy 6.2
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy Approval for the erection of out buildings on residential land be granted only when:

1. A dwelling is in existence on the Lot, or
2. Plans for the overall development of the Lot, including a dwelling, are submitted to Council in conjunction with the plans for the outbuilding.

Objective This policy enables staff to approve the erection of outbuildings in certain circumstances, without reference to Council.

All other scenarios will be referred for Council determination.

Guidelines See Local Planning Scheme No.2

6.2 Parking of Chemical Spray Units in Townsite

Person Responsible:	Manager Planning & Development Services
History:	Former Policy Amended February 2008 Motion (5983) Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)

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">• Where the land, the subject of such application is classified/zoned "Commercial, Industrial or Rural)• Where it can be demonstrated that such usage is not likely to have a detrimental impact upon the general amenity of the locality• Where such usage will not result in the contamination of soils within a townsite boundary <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



6.3 Development of Movable Buildings – Including Relocated Buildings

Person Responsible: Manager Planning & Development Services
History: Former Policy 6.4
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	The development of movable buildings, including relocated buildings to be controlled in accordance with the Development of Movable Buildings Guidelines detailed in the Local Planning Scheme No 2 and Planning Policy 5 Moveable Buildings.
Objectives	To control and guide the overall finished appearance of all relocated dwellings.
Guidelines	Local Planning Scheme No 2



6.4 Use of Sea Containers & Other Similar Transportable Structure within the Scheme Area

Person Responsible: All Executive Managers
History: Former Policy 6.5
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 5 Moveable Buildings.

Objectives To control the use of such structures.

Guidelines Local Planning Scheme No 2



6.5 Town Planning Scheme Policies

Person Responsible: Manager Planning & Development Services
History: Former Policy 6.6
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy The Dalwallinu Shire under and by virtue of the provisions and powers conferred upon it in that behalf by clause 7.6 of its Local Planning Scheme No 2 has adopted the following Scheme Policies:

1. Offensive Uses
2. Fences
3. East Pithara Road
4. Stables
5. Moveable Buildings
6. Aged Accommodation
7. Veranda's over footpaths

Objectives To enable Council to more accurately prescribe in finer details its requirements in areas where it feels the broader definitions of its scheme is lacking.



SHIRE OF DALWALLINU

Register of Policies

Shire of Dalwallinu



Draft Policies under the Shire of Dalwallinu
Local Planning
Scheme No.2



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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 that behalf by Local Planning Scheme No.2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No. 2
POLICY No. 1 OFFENSIVE USES

DATE ADVERTISED: 29 April 2014

DA

TE FINALLY ADOPTED: 03 June 2014

INTERPRETATION	An offensive use includes, an offensive trade as defined under the Health Act, and any other activity that produces a nuisance considered by the Council to be offensive to the continued operation of normal residential and commercial uses. The offensiveness may include undue emission of smell or odour, noise, dust, vapour, smoke, steam, fumes, light, electrical interference, vibration, soot, ash, waste water or other waste products.
AREA OF CONTROL	The Council shall not permit offensive uses within 2 kilometres of a townsite boundary within the Shire, or within a distance of an existing residential or commercial operation such that it causes a nuisance to the normal continuation of that activity.
POLICY	The Council will oppose any development involving an offensive use that it considers will unduly affect the continued operation of an existing use within the Shire.



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 that behalf by Local Planning Scheme No. 2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No.2
POLICY No. 2 FENCES

DATE ADVERTISED: 29 April 2014

DA

TE FINALLY ADOPTED: 03 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 an 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.

OBJECTIVES

The objectives of this policy are:

- a) 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.
- b) 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.



- c) 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

- a) All fencing within the Townsites of the Shire shall require the Council's Planning Consent, except where;
 - i) the fence meets the provisions of the Residential Design Codes of Western Australian Planning Commission.
- b) 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;
 - i) areas where a potential danger exists;
 - ii) areas where plant and equipment are required to be protected;
 - iii) areas where a desire for privacy can be justified
 - iv) 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 that behalf by Local Planning Scheme No 2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No.2
POLICY No.3 RURAL LAND – PITHARA EAST ROAD Pt Location 2611
Lots 51 - 55, KALANNIE

DATE ADVERTISED: 29 April 2014

DA

TE FINALLY ADOPTED: 03 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 compliments the general tidiness of the community and instils a sense of pride in the manner the 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 farm 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 area 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 minimize 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

Planning Requirements

- 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 setback 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 developments propose to display or onsell 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 to be 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. 7 - Fencing. 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 Shire of Dalwallinu under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 2, more particularly clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No.2

POLICY No. 4 STABLES

DATE ADVERTISED: 29 April 2014

DATE FINALLY ADOPTED: 03 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 buildings, 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 disease 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 & Large Animals. A copy of those sections are attached. 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 stable 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 2,000 m².
- e) The number of horses shall be limited to one horse for every 1,000 m² 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 minimize harbourage of vermin.
- g) A potable water supply connected to the mains is required to be provided adjacent to the stable with suitable hoses to permit cleaning of all areas.
- h) Appropriate vector control procedures must be in place at all times to minimize or eliminate insects and rodents.
- i) Adequate shade shall be provided for the animals.
- j) All fences may be electrified except boundary fences.
- k) Noise and dust emissions from the property shall be minimized by appropriate methods, and where required, the paddocks shall be watered to prevent the spread of dust.
- l) 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 is incompatible with the predominant uses within the zone.



SHIRE OF DALWALLINU
LOCAL PLANNING SCHEME No. 2

The Shire of Dalwallinu under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No.2
POLICY No. 5 MOVEABLE BUILDINGS

DATE ADVERTISED: 29 April 2014

DATE FINALLY ADOPTED: 03 June 2014

DISCUSSION

The Council is experiencing an increase in the demand for more affordable housing types within the Shire. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures. The Council is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to the standard of existing housing stock, and the expectations of residents or owners already established in the area. The Council considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

DEFINITIONS

A PERMANENT building is generally not designed to be moved and includes the following:

- a) 'Site Built' structures are built on location as new permanent structures. They are of traditional appearance with pitched rooves and typical house layout, designed to accommodate families.
- b) 'Relocated' dwellings are structures that have previously been constructed on a site elsewhere. The structures that are relocated are not necessarily designed to be relocated.

A MOVEABLE building is generally any structure capable of being transported from one location to another. There are three basic types as follows:

- a) 'Transportable' structures are those designed and constructed at a location other than where they are intended to be established. For example, dwellings prefabricated in Perth, transported in sections to their building site, and assembled on location.
- b) 'Donga Type' structures are those usually designed to provide for workforce accommodation in small individual units. The structures are generally those (such as ATCO, Western Portables or Durabuilt units) with skid mountings, metal sandwich panel and flat roof design. These portable modular structures are also used for other purposes.
- c) 'Containers'. These structures, although considered 'buildings' by definition under the Building Code of Australia, are solely constructed to transport other goods. They are not in themselves designed, nor suitable, for storage of goods in an

urban environment. A container includes 'seatainers' and other large vessels designed to carry, and be carried on specially designed vehicles or transporters.

BACKGROUND

Due to the historic uncertainty in the permanence of mining activities, and the mobility of mining operations, the establishment of permanent workforce accommodation in the region may not always be desirable or viable.

The use and reuse of moveable buildings is common. The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality. Many other Councils are not permitting buildings within their districts, which contain asbestos. Without the appropriate controls, Dalwallinu could become a 'dumping ground' for such structures.

To ensure that the Council has the opportunity to consider such proposals, all applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence.

The Council has delegated authority to its Community Services Manager to determine Applications for Planning Consent for all applications for transportable and relocated dwellings in zone of the Scheme where dwellings are permitted.

POLICY

2.1 Council Policy on Moveable Buildings

- a) All applicants for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence. Generally, the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however, the Council will consider each application on its merits.
- b) The Council shall not permit the establishment, occupation or erection of donga type structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a campsite for accommodating a workforce. In these circumstances it may be argued that the development is not a permanent improvement, and may justify the use of such structures. In this case, the Council must be satisfied that the development will not detract from the amenity of the surrounding area.
- c) The Council will only permit donga type structures for uses other than residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.
- d) The Council will only permit site built and relocated structures where it is satisfied that the standard and quality of building can satisfactorily be integrated into a residential area, and that the buildings do not contain unacceptable materials.

- e) The Council will not permit the storing or use of a container, as defined above, within a townsite area, other than in the areas zoned 'industrial'. The Council considers the appearance scale, and materials of these structures to be inappropriate for use in an urban environment, and are therefore in conflict with the objectives of the Scheme.
- f) The Council may give special consideration for the use of containers outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of the containers will not detract from the amenity of the locality.

2.2 Measures to ensure Compliance with Planning Consent

When an application for Planning Consent for a Moveable Building is considered by the Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- a) lodge a bond or bank guarantee with the Council. The bond or bank guarantee will provide the surety for the completion of the moveable building to a standard acceptable to the Council;
- b) specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Council;
- c) obtain a special building licence of a specified duration.

OBJECTIVES

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that the moveable buildings, established within the Shire, do not use materials considered by the Council to be unacceptable (e.g. asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other business or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other use structures that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of containers within the non-industrial areas of the townsite.



SHIRE OF DALWALLINU LOCAL PLANNING SCHEME No. 2

The Shire of Dalwallinu under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No. 2

Policy No. 6 **Aged Accommodation Development**

Lots 126, 127 & 128 McNeill Street Dalwallinu

Development of Buildings and Land Policy

DATE ADVERTISED: 29 April 2014

DATE FINALLY ADOPTED: 03 June 2014

DEFINITION For the purposes of this policy the Development comprises that land within McNeill Street, Dalwallinu, comprising Lots 126 – 128 McNeill Street and located adjacent to the existing development known as “Pioneer House”. Further development of lots 123 – 125 McNeill Street, Dalwallinu, will also be bound by this policy.

BACKGROUND In most developed regions there is a desire and need to ensure that grouped residential development is controlled, maintained and constructed, in a manner which promotes additional development, is aesthetically pleasing, well presented and provides sufficient infrastructure to support the target population to develop the Aged Accommodation.

Census information provided shows that the average age of farmers within Dalwallinu is increasing and there is a lack of suitable accommodation to attract potential retirees to settle within the District. Aged development is occurring outside the region and infrastructure must be in place to retain this target group.

The development must encourage residential development which meets the standards set for aged housing including access and mobility, ease of access to all areas, common themes of construction materials, and address community activities within the Development. This policy addresses the development of residences within the prescribed area, particularly setbacks, landscaping, car parking, building construction materials and access and mobility.

OBJECTIVES The objectives of the Policy are:

1. To protect the residential development from construction that is not compatible with aged development general standards. For example 720mm door widths, double storey construction, access via ramps (not steps) and materials not in keeping with a predetermined general theme.

(14)

2. To protect the visual amenity of areas that may have a direct view of the residential area or frequent the area.
3. To control the type of materials used within the construction of accommodation to ensure a degree of integration to utilised an adhoc undisciplined development of varying colours and materials utilised.
4. To provide developers of the lots of land with a minimum acceptable standard of planning and construction which compliments existing buildings and enhances the visual amenity of the area.
5. To provide potential purchasers with a Policy for development of the Aged Accommodation precinct which compliments the proposed use of the area and ensures a planned approach to development.
6. To permit individuals to provide aged accommodation without the financial support of government, which permits individuals to consider retirement within Dalwallinu.

POLICY PRINCIPLES

Planning Requirements:

The Shire of Dalwallinu Local Planning Scheme No. 2 does not require the submission of plans for a residence for planning approval. As such development within the Aged Precinct is controlled by this policy.

- All applications for development within the area shall include a planning application detailing a building envelope, front setbacks, proposed landscaping and materials to be used within the building. Information including elevations, colour schemes shall be included.
- All applications shall confirm compliance with Australian Standards relating to Design for Access and Mobility such as door widths, level access and bathroom layouts.
- Setbacks shall be determined by the development proposed and in accordance with the Residential Planning Codes, however it is acknowledged that block sizes will require a reduction in setbacks (minimum 3.5m without Council approval). Side setbacks and rear setbacks shall be a minimum of 750mm (eaves – side boundary) and 2,000mm (eaves – rear).
- Fences shall be post and rail colorbond construction with side and rear fences permitted to 1,800mm, and front fences limited to 900mm height.
- Pathways and entrances shall be ramped. Where steps are necessary the provisions of Australian Standards relating to Design and Access and Mobility are applicable.
- Building construction shall only occur between the hours of 7.00am & 6.00pm weekdays and 8.00am – 1.00pm Saturdays.
- Sheds shall be permitted and located behind the dwelling.

BUILDING CONSTRUCTION

- The use of second hand materials or placement of second hand buildings within the development is not permitted.

- Materials to be used are not strictly controlled, however the use of galvanised iron is not approved. Colorbond materials for roofs and roof plumbing shall be utilised. Tiled roofs are permitted.
- Wall materials can be steel framed and clad z (painted), brick veneer or double brick.
- All bedrooms shall be provided with the infrastructure to install a paging system in the future. Infrastructure comprising a blank wall plate with conduit access from the roof space is required.
- All residences shall be connected to the Sewer system.
- All storm water shall be discharged to McNeill Street via the internal road access.

The Council may require a bond or bank guarantee from a Developer to ensure development works are designed and carried out to the approved plans and conformity with this Policy.

Where Council considers a particular development to be incompatible with the predominant character of the overall development, additional requirements may be necessary.



SHIRE OF DALWALLINU
LOCAL PLANNING SCHEME No. 2

The Shire of Dalwallinu under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 2, more particularly Clause 2.2, hereby adopts the following Policy.

LOCAL PLANNING SCHEME No.2

POLICY No. 7 VERANDAH OVER FOOTPATH – DESIGN & MATERIALS CRITERIA

DATE ADVERTISED: 29 April 2014

DATE FINALLY ADOPTED: 03 June 2014

DISCUSSION

Since 1994, Council has prepared and submitted for public consultation a Dalwallinu Town Centre Study, which includes details of proposed aesthetic 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.

The policy is proposed to ensure that the expectations of the owners already established are not adversely affected by the construction of verandas over footpaths. It is considered reasonable to protect the visual integrity of the main street concept, and existing landowners investments in the town from development that may detract from the amenity of the character of Johnston Street.

BACKGROUND

The construction and design of verandas 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 verandas will ensure harmony between structures and the proposed improvements.

To ensure that Council can review and provide constructive comment of the veranda design, all applications for veranda's over footpaths and road reserves, shall require the Council's planning consent prior to the issue of a building licence.

POLICY

The following policy is applicable to verandas over footpaths: -

- a) All applications for verandas over footpaths shall require the Council's planning consent prior to the issue of a building licence.
- b) The Council shall not permit the construction of a veranda from second hand materials or materials which are flammable.
- c) All applications must show existing verandas or shop fronts adjacent to the property for which the application is made.
- d) Verandas shall not interfere with the rights of the adjoining property including advertising and access.

- e) All applications shall be supported by a structural engineers report on the affixement methods and durability of the existing structure to withstand loads applied by the veranda and to show details of walls to which the veranda shall be affixed.
- f) All applications shall include a statement from the insurer advising that the proposed veranda and road reserve area shall be included permanently within the public liability insurance premium applicable to the veranda. The landowner is to ensure that the policy remains current and all new tenants or owners are advised of the requirement accordingly.
- g) The application must be lodged with statements from adjoining property landowners that they have sighted the plan of the veranda.
- h) Columns shall be located a minimum of 600mm from the footpaths edge.
- i) A minimum of 2400mm clear area beneath the veranda shall be provided for public thoroughfare.

OBJECTIVES

- a) To maintain high amenity standards of buildings, especially within the commercial precinct.
- b) 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.
- c) To ensure that verandas when constructed do not use materials or a design considered unacceptable by Council.
- d) 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.

6.6 Trading in Public Places

Person Responsible: Manager Planning & Development Services
History: New Policy

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:

Mobile food vending eg. Ice cream vending

Fixed food vending site eg. Burger van, fruit & vegetables van

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 willful 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; (see map – Appendix 1).
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 and 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



7. Administration



7.1 Harvest Bans

Person Responsible: Deputy Chief Executive Officer

History: Former Policy 6.3 & 6.24

Reviewed April 2016

Reviewed April 2017 (Motion 8814)

Reviewed March 2018 (Motion 9129)

Reviewed March 2019 (Motion 9342)

Policy Harvesting shall be prohibited on Christmas Day and New Year's Day within the Shire of Dalwallinu.

Objective To minimise the likelihood of an emergency on Christmas Day or New Year's Day.



7.2 Building Facilities

Person Responsible: Manager Planning & Development Services
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy The Shire will provide a stove and refrigerator of up to 450 litre capacity in each of its halls/supper rooms.

(Community Groups may provide other facilities in halls or buildings, at their cost, with the prior approval of Council.

Objective To define the limit on facilities provided by Council.



7.3 Caravan Parks

Person Responsible: Deputy Chief Executive Officer
History: Former Policy 6.5
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	<p>In respect to Caravan Parks owned and operated by the Shire of Dalwallinu, the following policies will apply:</p> <ol style="list-style-type: none">1. Dogs will be accepted overnight only and must be on a lead;2. Lighting of fires within the Park is not permitted without approval of the caretaker;3. Any tenant creating a disturbance may be asked to leave.
Objective	<p>To clarify the Shire's position in regards to these matters.</p>
Guidelines	<p>These policies are at the discretion of the Shire and compliment the requirements of the Caravan Parks and Camping Grounds Regulations 1997.</p>



7.4 Liquor on Council Public Property

Person Responsible: Manager Planning & Development Services
History: Former Policy
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy 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.

Clubs may apply for a seasonal permit for the consumption of liquor with all dates shown on the permit.

Objective To provide clarification of the process for the storage/consumption of liquor on Council owned public properties.

Guidelines The Police are to be advised each time a permit for the consumption of liquor is issued.

If liquor is to be sold, either by individual sale or as part of a ticket price, a separate permit from the Department of Racing, Gaming & Liquor is necessary.



7.5 Freedom of Information Officers

Person Responsible:	Chief Executive Officer
History:	Former Policy Reviewed April 2016 Reviewed April 2017 (Motion 8814) Reviewed March 2018 (Motion 9129) Reviewed March 2019 (Motion 9342)
Policy	For the purposes of the Freedom of Information Act 1982: <ol style="list-style-type: none">1. The Chief Executive Officer is the Principal Officer and the Internal Review Officer for the purposes of the Act; and2. The Deputy Chief Executive Officer is the Freedom of Information Coordinator for the purposes of the Act.
Objective	To ensure that the legislative requirements for freedom of information are carried out in accordance with the act.
Guidelines	In accordance with the Freedom of Information Act 1982, s13.39 and Schedule 2.



7.6 Record Keeping Plan

Person Responsible: Deputy Chief Executive Officer

History: Former Policy 7.7

Reviewed April 2016

Reviewed April 2017 (Motion 8814)

Reviewed March 2018 (Motion 9129)

Reviewed March 2019 (Motion 9342)

Policy The Shire is to maintain a Record Keeping Plan in accordance with the requirements of the State Records Act 2000.

Objective The purpose of the Record keeping Plan is to define the principles that underpin the Shires record keeping function and the roles and responsibilities of those individuals who manage or perform record keeping processes on behalf of the Shire.

The Plan and its associated procedures establishes a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

Guidelines State Records Act 2000



7.8 Dalwallinu Caravan Park Overflow

Person Responsible:	Deputy Chief Executive Officer
History:	Former Policy
	Reviewed April 2016
	Reviewed April 2017 (Motion 8814)
	Reviewed March 2018 (Motion 9129)
	Revoked March 2019 (Motion 9342)

No longer required.



7.9 Temporary Camping Site

Person Responsible: Manager Planning & Development Services
History: May 2012 (Motion 7423)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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 the 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>



7.10 Non-Employee Housing Rental

Person Responsible: Chief Executive Officer
History: September 2014 (Motion 8146)
Reviewed April 2016
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy	To determine the requirements for non-employee housing rentals.
Objective	To ensure that community's financial interest in the Shire are protected.
Guidelines	<p>For all non-employees renting Shire housing the following conditions apply:</p> <p>Prior to renting:</p> <ul style="list-style-type: none">• A Police clearance (less than six (6) months old) is to be provided;• A proven rental history is to be provided;• Bond of four (4) weeks rental is to be paid prior to moving in;• Two (2) weeks rental in advance is to be paid prior to moving in. <p>While renting:</p> <ul style="list-style-type: none">• Rent is to be two (2) weeks in advance at all times (or the Shire reserves the right to terminate the rental agreement);• The gardens are to be maintained to at least the standard that they were at the commencement of the lease. <p>Some of the conditions may be waived by the Chief Executive Officer in specific circumstances (e.g. aged accommodation, joint venture accommodation).</p>



7.11 Risk Management Policy

Person Responsible: Chief Executive Officer
History: December 2014 (Motion 8218)
Reviewed February 2013
Reviewed April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy 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.

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.

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.

Every employee, Councillor, volunteer and contractor within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

Objectives To ensure that the legislative requirements for risk management are carried out in accordance with the act and regulations.



7.12 Computer and Mobile Devices

Person Responsible: Deputy Chief Executive Officer
History: New Policy April 2017 (Motion 8814)
Reviewed March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

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

1. To provide guidelines for the acceptable usage of all of the Shire of Dalwallinu's Information Technology Systems including Mobile Devices.
2. To ensure the security and integrity of the Shire's electronic data and technology infrastructure.

Guidelines

Purpose
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.

In addition the purpose is to ensure that:

- Users understand that mobile devices are easily lost or stolen and this presents a risk to the Shire of Dalwallinu.
- Mobile devices that are provided by the Shire of Dalwallinu are secured appropriately.
- Access allowed by personal mobile devices is restricted and documented.
- Users are aware of the consequences if their mobile device is lost or stolen.
- Users are aware of the implications and consent to the possibility of the mobile device being wiped.

Devices and Support

Mobile devices include but are not limited to:

- "Smart" phones such as iPhones, Android or Windows Mobile phones,
- Tablets such as iPads, Android or Windows devices,
- Laptop or notebook computers

Technical support will only be provided for Shire owned devices.

Employees with personal devices should contact the device manufacturer or their carrier for operating system or hardware-related or mobile data network issues.

Purchasing

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.

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.

All Shire provided devices, accessories and/or software applications remain the property of the Shire of Dalwallinu.

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 device's native mail client unless the Chief Executive Officer has given written permission.

No employee may connect, dock or otherwise synchronize any 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 her 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 backing 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.



7.13 Social Media

Person Responsible: Chief Executive Officer
History: New Policy March 2018 (Motion 9129)
Reviewed March 2019 (Motion 9342)

Policy

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 others' blogs or Facebook/Twitter pages, edits to wikis, postings on message boards/forums and opinions on online polls.

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.

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.

Objective

To give guidelines for engaging in online conversations as representatives of the Shire of Dalwallinu.

As a Local Government Authority the Shire of Dalwallinu and its representatives must follow certain rules when participating in social media.

- Guidelines**
- 1. The Internet is not anonymous, nor does it forget**
Everything written on the Web can be traced back to its author one way or another and very easily.
 - 2. There is no clear line between your work life and your personal life. Always be honest and respectful in both capacities**
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.

3. Avoid hazardous materials

Do not post or link to any materials that are defamatory, harassing or indecent.

4. Don't promote other brands with our brand

Do not promote personal projects or endorse other brands, causes or opinions when posting on behalf of the Shire of Dalwallinu. The endorsement of the Shire can be sought if required. If a personal opinion must be posted, clearly state that it does not represent the opinions of the Shire.

5. Maintain confidentiality

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 someone 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 representative, 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.



7.14 24/7 Gymnasium

Person Responsible: Chief Executive Officer
History: New Policy December 2018 (M9297)
Reviewed March 2019 (Motion9342)

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 eighteen (18) shall be permitted into the Shire of Dalwallinu gymnasium;
- All members to complete a membership form to obtain an access swipe card;
- The gymnasium is for **members only**. Sharing of cards 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;
- Memberships are for a twelve (12) month period from 1 July – 30 June, and have a 48 hour cooling off period;
- 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 card fee is applicable
- A replacement access card fee is applicable

Objective

This policy is designed to promote, protect and regulate the use of the Shire of Dalwallinu gymnasium.