



Organisational Policy Manual



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HISTORY SUMMARY

Version	Manual updated	Adopted Changes
4	April 2020	<ul style="list-style-type: none"> Complete Organisational Policy Manual V4 review [adopted April2020 OCM]
5	Dec 2024 Manual updated with OCM adopted changes made between 2020 & 2024	<ul style="list-style-type: none"> Policy 11.2 Removal Expenses (amended - CEO) [C2020-0911] Policy 7.7 Donations & Sponsorship (amended - St Johns) [C2020-0914] Policy 7.9 Education Scholarships & Donations (amended) [2020-1011] Policy 11.1.2 CEO Performance Review Policy (amended) [C2020-1211] Policy 13.4 Restricted Access Vehicles... (amended) [C2021-0313] Policy 13.5 Heavy Vehicle Cost Recovery (amended) [C2021-0313] Policy 12.2 Community Bus (amended – Primary School) [C2021-0314] Policy 1.13 Standards for CEO recruitment.... [C2021-0412] Policy 1.1 Code of Conduct Council members... [C2021-0413] Policy 1.1b Code of conduct behaviour management... [C2021-0414] Policy 13.6 Permanent Closure of Road (new) [C2021-0515] Policy 11.1.3 Acting CEO Appointment (new) [C2021-0611] Policy 9.2 Wild Dog Bounty (new) [C2021-0617] Policies 1.1, 1.1b, 1.2, 1.3, 1.4, 1.4b, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.14b - complete review of section 1 [C2021-0709] Policy 3.1 Customer Service Charter (new) [27 August21 OCM resolved] Policy 7.2 Corporate Credit Cards (replaced) [C2021-1009] Policy 11.12 Employee Code of Conduct [2022-01-14] Policy 1.14b Attendance at Events (amended - Walga) [2022-01-15] Policy 7.10 Christmas Party for Children.... (amended) [2022-01-15] Policy 7.11 Investment Policy (amended) [2022-01-15] Policy 5.7 Hire of Land borne Inflatable devices (new) [2022-01-16] Policy 7.1 Purchasing Policy (amended) [C2024-06-11] Policy 2.8 Sundry Debtor Recovery (new) [2024-11-13]
6	Jan 2025	<ul style="list-style-type: none"> Complete Organisational Policy Manual V6 review [C2025-01-16]
7	Feb 2025	<ul style="list-style-type: none"> Policy 1.19 Recording Council Meetings (new) [C2025-01-14] Policy 1.10 Related Party Disclosures (new) [C2025-01-15] Policy 2.3 Affixing Common seal (new) [C2025-01-13] Policy 1.18 Agenda Briefings (new) [C2025-01-12] General Layout & numbering realigned to improve readability History of changes prior to Apr 2020 removed

INTRODUCTION

This Policy Manual has been prepared to complement the Delegations Register adopted by Council.
Should a discrepancy exist between Delegation and Policy, the Delegation is to be followed.

Statutory Context

Policy is subordinate to Delegations, which have a statutory context in which they are made, whereas Policy does not.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to various officers.

Delegation gives authority or instructs a particular action to be carried out. Generally, policy details how a function is to be carried out, or the standards to be met, where the action is considered to be normal duties of a position.

Definitions

The LG Act has not defined the term “delegation” or “delegated power”, however:

s.5.16 refers to “... the exercise of any of its powers and duties ...”

s.5.42 refers to “... the exercise of any of its powers or the discharge of any of its duties ...”

The term “policy” is not defined anywhere in the LG Act.

Accordingly, throughout this document, the following terms apply, insofar as they are consistent with all enabling legislation referred to within each of the specific delegations.

- “Authority” means the permission or requirement for a Committee or an officer to act in accordance with:
- the Local Government Act or other legislation or regulation,
- a delegation made by Council,
- a policy made by Council, or
- a specific decision by Council.

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

“Policy”, as the context requires, means either:

- a procedural direction to officers to implement Council’s wishes or instructions in a specific way; or
- the authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.

“Instruction” means the requirement for a staff member to act in accordance with a direction given by a senior officer of Council.

DLGRD Guidelines No.17 – Delegations

The Department of Local Government and Regional Development has published Guidelines for the formation of Delegations.

Of note, the Guidelines outline the concept of “delegation” and “acting through” in parts 3 and 4, particularly in paragraph 13 where it is stated –

... the key difference between a delegation and “acting through” is that a delegate exercises the delegated decision- making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the “acting through” concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

In effect, “acting through” is an action that could reasonably be expected to be carried out as the result of a decision by Council (e.g. advertising of a tender), or as a function reasonably expected of the position that a person holds.

Not all matters which will be recorded in Policy are “acting through” matters, similarly, not all “acting through” matters will have listed. Policy describes how that action or some other action, is to be carried through.

New Policies

Council may make new policies at any time by council resolution. The resolution should include a direction to include the said policy in the Policy Manual.

NB: New or updated policies are also to be updated in any appropriate Management guidelines and manuals as appropriate (refer to the diagram on the following page)

Review Frequency of Policies

Policies are to be reviewed based on the Review Frequency applied to each policy (between 1 and 4 years) and the reviewed policy is to be approved by council resolution. If a Review Frequency has not been stated, then a period of 4 years will apply.

When deciding on a Review Frequency for a policy the following should be considered:

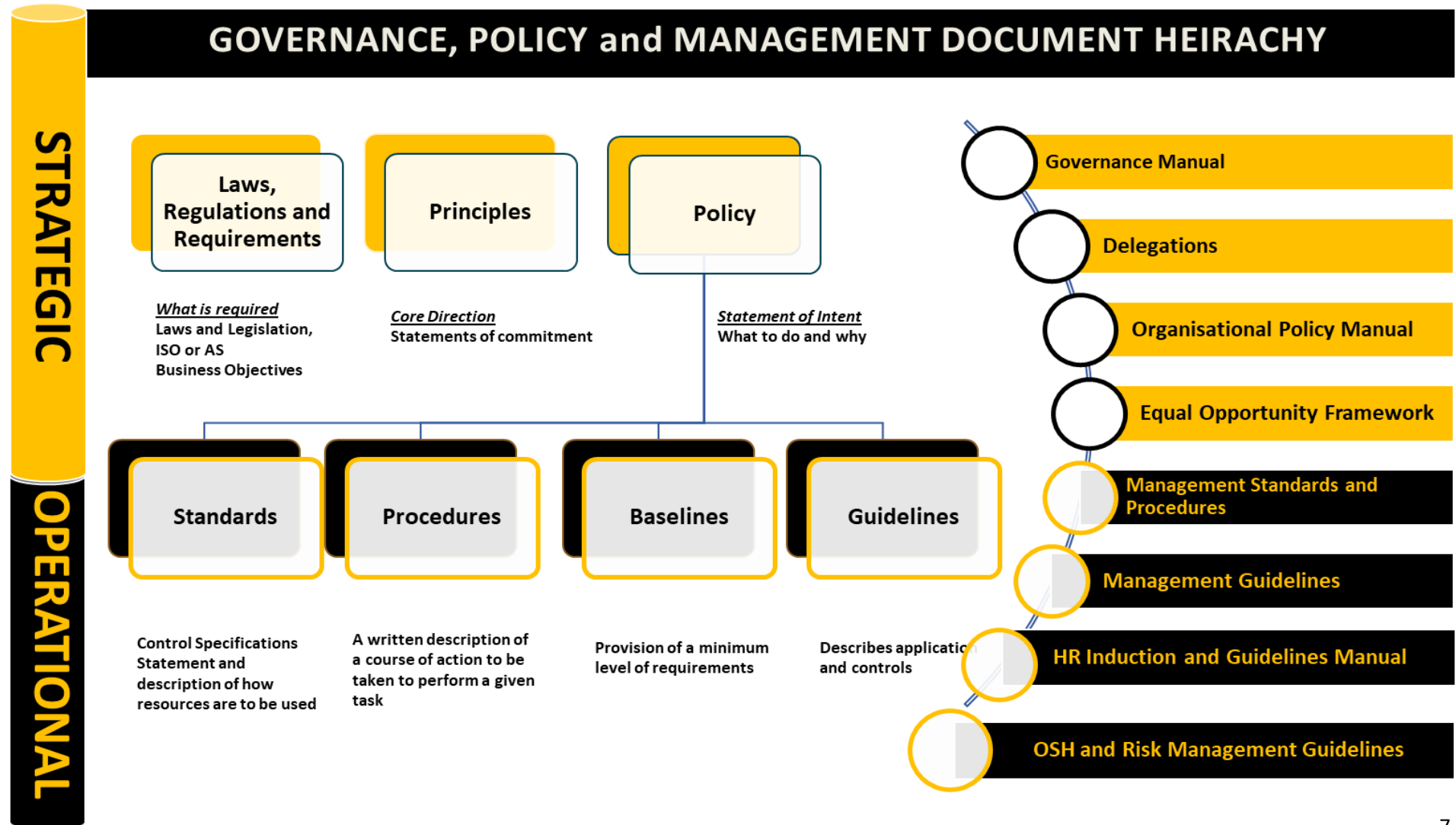
- any statutory requirements impacting review timeframes
- potential risks:
 - Financial
 - Health & Safety
 - Reputational
 - Compliance
- Is change likely to occur often

Policies can be reviewed/updated at any time before the stated Review Frequency date if changes are required.

NB: The policies in Section One of this Council Policy Manual have been duplicated in the Elected Members Governance Manual used for inductions of new Councillors and must be updated there when changes are made, or new Governance Policies approved.

POLICY HEIRACHY 2019

The policies outlined in this document have been classified for review and approval using the following hierarchy to demonstrate effective and appropriate governance and management of policies and procedures



1. COUNCIL

1.1 Shire of Yalgoo Code of Conduct for Council Members, Committee Members and Candidates

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Apr 21 – review adopted [C2021-0413] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Policy Statement

This Policy is adopted in accordance with section 5.104 of the Local Government Act 1995.

Division 1 — Preliminary provisions

1. Citation

This is the Shire of Yalgoo Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

- (1) A council member, committee member or candidate should —
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

- (1) A council member, committee member or candidate —
 - (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
 - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and

- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

(1) In this clause —

electoral purpose means 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*;

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

(1) A council member must not make improper use of their office —

- (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
- (a) direct or attempt to direct a local government employee to do or not to do anything in their 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 local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

- (1) In this clause —
- 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, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
- document** includes a part of a document;
- non confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent 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.

22. Disclosure of interests

- (1) In this clause —
- interest** —
- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council 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) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
 - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

Complaint About Alleged Breach Form -

Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

NOTE: A complaint about an alleged breach must be made —

- (a) in writing in the form approved by the local government
- (b) to an authorised person
- (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:
Name: _____ <div style="display: flex; justify-content: space-around;"><u>Given Name(s)</u><u>Family Name</u></div>

Contact details of person making the complaint:
Address: _____
Email: _____
Contact number: _____

Name of the local government (city, town, shire) concerned:

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

Date of alleged breach:

_____ / _____ / 20_____

SIGNED:

Complainant's signature:

Date of signing: _____ / _____ / 20_____

Received by Authorised Officer

Authorised Officer's Name:

Authorised Officer's Signature:

Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

**Signed complaint form is to be forwarded to: ceo@yalgoo.wa.gov.au or
37 Gibbons St, YALGOO WA 6635**

1.2 Code of Behaviour Complaint Management Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Apr 21 – review adopted [C2021-0414] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Policy Objective

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and the Shire of Yalgoo Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Yalgoo Code of Conduct for Council Members, Committee Members and Candidates.

To give effect to the Shire of Yalgoo's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Policy Scope

This Policy applies to complaints made in accordance with Clause 11 of the Shire of Yalgoo Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

Definitions

Act means the *Local Government Act 1995*.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

Behaviour Complaints Officer means a person authorised in writing *[by Council resolution or by the CEO exercising delegated authority]* under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.

Breach means a breach of Division 3 of the Shire of Yalgoo's Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Code of Conduct means the Shire of Yalgoo's Code of Conduct for Council Members, Committee Members and Candidates.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member means a Council Member, employee of the Shire of Yalgoo's or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

Complaint Assessor means the Behaviour Complaints Officer or a person appointed by the Behaviour Complaints Officer in accordance with Part 2.2 and Part 3.8 of this Policy.

Complaint Documents means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form means the form approved under clause 11(2)(a) of the Code of Conduct *[by Council resolution or by the CEO exercising delegated authority]*.

Council means the Council of the Shire of Yalgoo.

Council or Committee Meeting means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Policy Statement

1. Principles

1.1. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;

the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and

any findings made will be based on proper and genuine consideration of the evidence.

1.2. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

1.3. Confidentiality

There is no direct statutory provision for confidentiality of behaviour breach allegations under the Act or Local Government (Model Code of Conduct) Regulations 2021. However the Shire of Yalgoo will take the following steps to protect both the Complainant and Respondent.

In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides reasons this should not occur.

The Complainant's contact information will not be provided to the Respondent.

The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.

The Complainant should be aware that Complaint Documents may be subject to an FOI request, noting that they must be consulted before any documents are released, and exemptions may apply.

1.4. Accessibility

The Shire will ensure that information on how to make a complaint, including this Policy, is available at the Shire's Administration Building and on the Shire's website. The Shire will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

The Shires Behaviour Complaints Officer is the Chief Executive Officer who can be contacted on 0417 484 840 or ceo@yalgoo.wa.gov.au

2. Roles

2.1. Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

2.2. Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 3.8 of this Policy if, by their own opinion, the Behaviour Complaints Officer believes they are unable to act as a Complaint Assessor due to an actual or perceived bias.

The Complaint Assessor will be an impartial third party who will undertake the functions specified in this Policy if the Behaviour Complaints Officer does not believe they can act impartially or that they have sufficient time or experience to carry out an investigation. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Behaviour Complaints Officer may appoint a Complaint Assessor at any point during this process with notice to all parties that this has occurred.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

A Complaint Assessor should request a written response from the Respondent and review all documents provided (the Complaint Documents, any Local Government Records identified by the Behaviour Complaints Officer, and Response Documents). If they believe an investigation is required the scope of the investigation shall be determined by the Behaviour Complaints Officer in accordance with the Shires Budget and Purchasing Policy.

2.3. Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in the Complaints Committee Terms of Reference.

Behaviour Complaints Committee Terms of Reference

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the *Local Government Act 1995* (the Act) for the purpose of dealing with Behaviour Complaints made under Division 3 of the Shire of Yalgoo's Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

The extent of authority provided to the Behaviour Complaints Committee is specified in the relevant Delegated Authority, and includes:

- Dismissing a behaviour complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur [*clause 12(3) of the Code of Conduct*].
- Determining reasons for such a Finding.

- Where a Finding is made that a breach has occurred, determining:
 - To take no further action; or
 - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

The extent of authority of the Behaviour Complaints Committee is limited by Condition of the Delegated Authority.

Membership

The Complaints Committee is a Committee of Council Members only in accordance with s.5.9(2)(a) of the Act.

Membership of the Behaviour Complaints Committee will comprise of all Council Members with the following condition:

The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology. From the remaining Committee Members the Presiding Member of the Committee is determined by the following order; Shire President, Shire Deputy President, Councillor with longest continuous service or as nominated by the committee, with a blind draw if contested.

Meeting Schedule

Meetings are to be scheduled as required by the CEO as Behaviour Complaints Officer in consultation with the Committee Presiding Member.

Delegated Authority

The Behaviour Complaints Committee will act under Delegated Authority in accordance with s.5.16 of the Act. The delegation is recorded in the Shire Register of Delegations.

It is a Condition of Delegated Authority that the Behaviour Complaints Committee will be unable to exercise delegated authority if the Complainant or Respondent attend as a Complaints Committee Member.

Committee Governance

Complaints Behaviour Committee meetings are required to:

- be called and convened by the CEO, as required, in consultation with the Committee's Presiding Member;
- make the Committee Notice Papers and Agenda publicly available [s.5.94(p), s.5.96A(f)], with the exception of agenda content that relates to that part of the meeting which will be closed to members of the public under s.5.23(2) [Admin.r. 14]; and
- make Committee minutes publicly available [s.5.94(n), s.5.96A(h)], with the exception of Minutes content that relates to that part of the meeting which was closed to the public or was determined as confidential under s.5.23(2).

3. Procedure

3.1. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct *[clause 11(1) of the Code of Conduct]*.

A Complaint must be made within one (1) month after the alleged Breach *[clause 11(2)(c) of the Code of Conduct]*.

A Complaint must be made by **completing the Behaviour Complaint Form in full** and providing the completed forms to the Behaviour Complaints Officer.

A Complaint must be made in accordance with the Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

A Complaint is required to include the name, signature and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made *[clause 11(2)(c) of the Code of Conduct]*.

3.2. Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and

To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with *[clause 15(1) of the Code of Conduct]*.

3.3. Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint *[clause 14 of the Code of Conduct]*.

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

3.4. Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of limited confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information; and
- an offer as outlined in this policy to accept and participate in or decline an Alternative Dispute Resolution.

If the Complainant agrees to an Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5. Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6. Alternative Dispute Resolution

The Shire of Yalgoo recognises that Alternative Dispute Resolution may support both parties to reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to

withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

In any case the Behaviour Complaints Officer will act as intermediary and specify a time/cost threshold. For example if no agreement between the parties occurs within a reasonable timeframe, then the Alternative Dispute Resolution will be deemed as unsuccessful, and the formal complaints procedure will resume.

3.7. Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

3.8. Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a suitably qualified and experienced Complaint Assessor, in accordance with the Shire's Purchasing Policy.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

The Behaviour Complaints Officer will undertake procurement in accordance with the Local Government's Purchasing Policy, based on sufficiently detailed guidance on suitable qualifications and experience, if Part 2.2 of this Policy requires them to do so.

3.9. Search of Local Government Records

The Complaint Assessor may request the Behaviour Complaints Officer to search for any relevant records in the Shire's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

the behaviour occurred at a Council or Committee Meeting,
the behaviour was dealt with by the person presiding at the meeting, and/or
the Respondent has taken remedial action in accordance with the Shire of Yalgoo Standing Orders.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10. Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations. Indicatively the Respondent should provide a response within 14 days in writing unless another format is reasonable. The Complaints Assessor is to exercise their professional skill and judgment in that regard.

3.11. Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to include the Complaint Report in the Agenda for a meeting of the Complaints Committee. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

The Respondent is to be provided with the draft Complaint Report so that they can make one final submission within 7 days, before the Complaint Assessor finalises the Complaint Report.

3.12. Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

The Local Government is required to include reasons when providing notice of its decisions under clauses 12(4), 12(7) and 13 of the Code of Conduct. The Complaint Report is required to provide reasons for each of its recommendations, which become the Officer Recommendations.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach **did not** occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5)* of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

*In actioning clause 12(5) of the Code of Conduct, the Respondent may be invited to make an oral submission or provide a written response. If the final decision to implement a Plan is referred to a subsequent meeting of the Committee, the Complaints Assessor or Behavioural Complaints Officer may provide a report attaching the written response and potentially make an associated recommendation as to the effect of a Plan.

3.13. Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

4.1. Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2. Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the Shire of Yalgoo Meeting Procedures and Standing Orders.

4.3. Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [*clause 12(3) of the Code of Conduct*].

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4. Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5. Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

4.6. Relevant Legislation

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

1.3 Authorised Meetings Payment Claim

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The Local Government Act 1995 provides two different classifications of expenses that can be reimbursed to members. They are those that “shall” be paid and those that “may” be paid

Objective To establish the basis upon which Council will reimburse travel and other expenses (accommodation and meals) pursuant to section 5.98 of the Local Government Act 1995 (Discretionary Expenses)

1. Council will reimburse travel and other expenses where Members of Council have been appointed as delegates by resolution of Council as well as where there is a requirement for a Councillor to attend interviews for senior staff or CEO positions.

1.4 Portraits in Council Chambers

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective To ensure appropriate portraits are displayed in the Council Chambers

That, subject to the agreement by the immediate families, the portraits of Presidents and members of fifteen years service or more of the Council of the Shire of Yalgoo or the Yalgoo Roads Board be exhibited in the Council Chambers.

1.5 Councillors Recognition of Service

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The Minister for Local Government must give Councillors written exemption from the requirement to declare a financial interest prior to any change to this Policy.

This Policy is a Financial Interest as defined by the Local Government Act s.5.60 and 5.60A and an exemption from the Minister under s.5.69, is therefore required prior to any amendment, alteration or revocation of the Policy whatsoever.

Although Councillors can claim travel, meeting expenses etc as of right, it is considered appropriate that there be some recognition from the Shire on behalf of the community, for their commitment to the district. Where qualifying, enquiries should also be made through the Department of Local Government to obtain a Certificate of Appreciation from the Minister.

Objective To recognise the service of, and show appreciation to, departing Councillors.

1. Each departing Councillor shall receive an appropriate plaque or certificate of service.
2. The CEO is to arrange a suitable gift for departing Councillors, as per section 34AC of the Local Government (Administration) Regulations 1996.
3. Presentation of the plaque or certificate and gift will generally be made at the final meeting being attended by the Councillor, or at the Annual Shire Christmas function.
4. Multiple terms of service as a member of Council are to be considered individually according to each period, and not cumulatively.
5. Where qualifying, application for a Certificate of Appreciation from the Minister is to be made through the Department of Local Government.

1.6 Council Representation in External Organisations and Committees

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Council nominated representatives to several external organisations from time to time, but the nominated person may not always be available.

Objective To ensure that Council is represented by an authorised nominee at meetings, by specifying the organisations and order of precedence to represent Council.

1. Council nominates people to the external organisations or committees listed in the table below at the first meeting following an Ordinary Election or from time to time as required.
2. Nominations as Council representatives to external organisations are to be reviewed at the first meeting following the ordinary Local Government elections, and new nominations to be delegates until the meeting following the next ordinary Local Government elections, subject to the provisions of the Local Government Act.
3. Should a representative or deputy representative resign their nomination or become disqualified to continue as a Councillor, their nomination lapses immediately, and Council will decide a new nomination at the next meeting.
4. Subject to the Constitution or Rules of the Organisation, if precedence needs to be determined due to unavailability or for some other reason, the order of priority will be –
 - a) Council's nominated representative/s
 - b) Council's nominated deputy representative/s
 - c) President
 - d) Deputy President
 - e) Councillors or the CEO as determined by the President

This table is to be updated post Elections each year (administrative change)

Note: Last updated in Policy Manual V6 based on April24 OCM [C2024-05-03]

Organisation or Committee	Delegates
External - Murchison Vermin Regional Council	Cr S Willock Cr T Hoder
External - Murchison Country Zone of WALGA	Cr R Valenzuela Cr G Trenfield Cr S Willock

External - Mid West Regional Road Group	Cr R Valenzuela Cr S Willock Cr A Nichols
External - Murchison Sub Group of the MWRRG	Cr R Valenzuela Cr S Willock Cr A Nichols
External - Gunduwa Conservation Association (EGRCA)	Cr S Willock Cr T Hodder
External - Development Assessment Panel	Cr R Valenzuela Cr S Willock Alternate Cr Trenfield Alternate Cr T Hodder
External - Murchison Executive Group	CEO
Shire of Yalgoo Finance and Audit Committee (Audit and Risk)	All Councillors
Chief Bushfire Control Officer	CEO
Brigade Captain and Deputy Bushfire Control Officer Yalgoo (North)	Craig Holland
Brigade Captain and Deputy Bushfire Control Officer Paynes Find (South)	David Rocke
Fire Control Officer	Gail Pilmoor Richard Ryan (CESM)
External - Mid-West Local Government Emergency Management Network (MWLGEMN) & LEMC	LEMC Chair - Cr R Valenzuela Cr G Trenfield Officer appointed by the CEO
CEO Performance Committee	All Councillors who have completed the required WALGA training as per policy

Development Assessment Panel members are by Ministerial appointment following council nomination, with compulsory training required. Members of this committee are not put forward for re-nomination.

Delegates of Committees and Representatives to external Bodies should be aware of the policies and reference documents guiding the operation of those groups.

1.7 Elected Member Records Capture and Management

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective To meet the obligations imposed on elected members and the organisation by the State Records Office (SRO) under the State Records Act.

1. State Records Office policy which imposes the obligations on elected members and the organisation under the State Records Act, as advised on 30 July 2009, is –

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

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

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

2. Each elected member is responsible for determining which records are required for capture and management, and submission of the record to the CEO, for storage.
3. The Shire as an organisation, in meeting its obligations to facilitate the capture and management of elected member records will –
 - provide a collection point readily accessible to each elected member to deposit the required materials
 - materials collected will be separated according to elected member and financial year of deposit
 - for electronic records (emails, digital photos etc), a CD suitable for backup of all electronic records will be provided at least once per year,
 - the CD then to be deposited with other required materials,
 - where a copy of the record is to be retained by the elected member, photocopying or other duplicate as necessary, will be provided without charge.
4. Access to the records created may be required, and is to be facilitated by the CEO –

- as permitted under various legislation such as the Local Government Act, the Freedom of Information Act etc,
- by order of an authorised body such as the Standards Panel or a Court of law etc,
- by a representative an authorised body such as the Ombudsman or Crime and Corruption Commission etc.

In effect, any form of record which may affect accountability or contribute to a decision or action made as a Councillor must be retained. These records may be –

- physical – a letter, a handwritten note, a photo someone sends to you to in explanation/complaint, an agenda where you have made notes on various items, etc
- electronic – an email or document sent as an attachment to an email, digital photo, an e-file that is sent for review or comment
- audio – message left on your answering machine, although this is likely to be unusual, since rarely are many details left in a message, but it is a record.

The records are not only those you receive, but also those that you create, such as –

- a note of a conversation where someone asked you to pursue a particular matter,
- a letter that you write in the capacity of Councillor,
- an email you send as a Councillor

The records only need to relate to those *“affecting the accountability of the Council and the discharge of its business ... up to and including the decision- making processes of Council”*. It is the elected members decision and judgement as to what extent this applies, and it is suggested that this not be further defined.

The principles of relevance and ephemerality apply, for example –

- a note to remind you to phone a person is ephemeral, but notes of the conversation may not be
- a copy of an agenda that has no notes made is irrelevant, as the document can be reproduced by the Shire
- a promotional brochure or conference information is not relevant

- End of Policy

1.8 Standing Orders

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction There is no requirement for a local government to adopt standing orders (as a local law) though it is hard to imagine a Council meeting functioning smoothly without rules of debate. The Shire of Yalgoo recognises this as a broad need and has opted down the path of an abbreviated version of rules in policy format rather than a formal local law.

Objective To set down rules of debate for Council or Committee meetings that satisfy the needs of the Shire of Yalgoo.

Policy Statement

The following Policy Schedule 1.2 – Standing Orders is adopted, and forms part of this Statement.

– End of Policy

POLICY SCHEDULE 1.2 – STANDING ORDERS

1. Interpretation

In this policy, unless the contrary intention appears,

“absolute majority”

“CEO”

“committee”

“council”

“councillor”

“local government”

“motion”

“meeting”

“member”

“president”

“presiding member”

“prescribed,”

shall be interpreted as defined in the Local Government Act 1995.

“Agenda” means a customary list of matters for consideration by the Council or Committee.

“Clause” means each numbered clause of this policy.

“Deputation” means any persons appearing before the Council or a Committee on specific business, other than within the time set aside at the commencement of the meeting for submissions and questions from members of the public.

“Reports” means committee or officer reports supported by a précis, administrative comment (where appropriate) and recommendations that are included in the agenda for Council consideration.

“Standing Orders” means this text.

2. Proceedings to be Conducted According to Standing Orders

The proceedings and business of the Council shall be conducted in accordance with Act, the regulations and any other State law, and where not specifically prescribed, according to this policy.

3. Notice of Meeting – Members to Receive Notice

Notice of a Council or Committee meeting shall be given by CEO in accordance with the Act by means of an agenda setting out the matters for consideration.

4. Notices of Motion – Councillor

A councillor may bring forward business in the form of a written motion, which shall be given to the Chief Executive Officer, either at the meeting previous to the meeting at which it is intended to move the motion, or at any time thereafter, up to 24 hours before the close of the agenda.

5. Agenda

Notice required in clause 3 shall be in the form of an agenda setting out the matters for consideration and decision by the council which shall be closed by the CEO at such a time so as to ensure compliance with the requirements of the Act.

6. Urgent Business

General business will not be admitted to Council.

In cases of urgency or other special circumstances, where a matter cannot or should not be deferred until the next meeting, urgent items may, with the consent of a majority of Councillors present, be heard and dealt with. Any such business shall be in the form of a clear motion, and the President may require such a motion to be written and signed by the Councillor or officer proposing the motion or recommendation.

7. Deputations

Persons wishing to appear before Council or a Committee as a deputation should apply to the CEO at least one week before the date of the meeting, specifying the purpose of the deputation and the number of persons in the deputation. Deputations may be permitted at the discretion of the Presiding Member or by a resolution of the Council or Committee (as the case may not be). Not more than two members of a deputation may address the Council or Committee, except to answer questions from members of the Council or Committee. The Presiding Member may receive deputations at any time to suit the order of business, general convenience or good conduct of the meeting.

8. Ordinary Meeting – Order of Business

As far as practicable, proceedings of the ordinary meeting of the Council shall be:

1. Declaration of Opening/Announcement of Visitors
2. Record of Attendance/Apologies/Leave of Absence

3. Disclosures of Interest
4. Public Question Time
 - Response to Questions Taken on Notice
 - Questions Without Notice
5. Petitions/Deputations/Presentations/Submissions
6. Notice of Matters to be Discussed Behind Closed Doors
7. Applications for Leave of Absence
8. Announcements Concerning Meetings Attended
9. Confirmation of Minutes
10. Minutes of Committee Meetings
11. Reports of Officers
12. Notices of Motion
 - Previous Notice received
 - For Consideration at the Following Meeting
13. Urgent Business
14. Matters for which the Meeting may be Closed
15. Next Meeting
16. Meeting Closure

9. Public Conduct at Meetings

- a) Any person or persons may attend meetings of Council provided that there is no expression of dissent, approval or level of conversation that interrupts the proceedings of Council (except by any person making public statements or asking a question in accordance with clause 7).
- b) In the event of an interruption, the Presiding Member may request that the person or the persons cease to do so. If they do not comply, the Presiding Member may direct that the person or persons immediately withdraw from the meeting room. Failure to comply with such a direction shall constitute an offence against these Standing Orders.

10. Role of the Presiding Member

- a) The Presiding Member may direct attention to any matter of interest or relevance to the business of the meeting or propose a change to order of business. Any member may move that a change in order of business proposed by the Presiding Member not be accepted and if carried by majority of members present, the propose change in order will not take place.
- b) The Presiding Member may take part in a discussion upon any question before the council, subject to the same conditions as applicable to any Councillor.
- c) To preserve order, when the Presiding Member indicates a wish to speak during the progress of a debate, any member then speaking shall immediately cease. Every person present shall observe silence in order that the Presiding Member may be heard without interruption. This clause is not to be used by the Presiding Member in the exercise of the right to take part in Council discussion.
- d) A Councillor may move a motion to disagree with a ruling made by the Presiding Member. The Presiding Member must immediately call for a seconder and put the motion without debate.

11 Maintenance of Order

- a) Members shall speak of each other and staff during this meeting by their respective titles of President, Councillor or CEO. Members shall not impute motives or use offensive or objective expressions in reference to any member, officer of the council, or any other person.
- b) If a member commits a breach of the preceding clause, the Presiding Member, or the Council by resolution, may require that member to withdraw unreservedly any offending comment and to make a satisfactory apology. If the member refuses to do so, the Presiding Member shall direct the member to cease speaking.
- c) A Councillor wishing to address a meeting shall indicate by raising a hand. When invited by the Presiding Member to do so the councillor may address the Council through the Presiding Member.
- d) Councillors shall restrict remarks to the matter under discussion, or to an explanation or point of order.
- e) All addresses shall be limited to maximum of five minutes. Extension of time is permissible only with the agreement of the majority of members.
- f) No member shall interrupt another member whilst speaking unless to raise a point of order or call attention to the absence of a quorum.

12 Procedures for Debate of Motions

- a) It shall be the function of the Presiding Member to determine the majority opinion of the Councillors present at a meeting of any motion placed before the meeting.
- b) As determined by the Presiding Member, recommendations presented on the business paper and serially numbered, may be offered to the meeting as a block for Council endorsement and such motions, with or without amendment, may be moved and seconded as a whole as a motion of the Council. Each item adopted by the Council shall become a resolution of the Council and shall be recorded in the minutes.
- c) Block voting shall not apply in cases where an absolute majority voting is required by the Act.
- d) Before debate is opened, the motion must be moved and seconded. A motion not being seconded is to be considered and recoded as lapsed.
- e) The elected member moving a motion is not under any obligation to move the recommendation of an Officer but shall give due consideration to the Officer's recommendation on the matter, which may be moved verbatim, or with changes to the wording. If the Officer's recommendation is varied, either in the original motion or by formal amendment, the elected member moving the motion must also provide the reason for variation, to be recorded in the Minutes, as required by the Act.
- f) When a motion is under debate, no further motion shall be accepted.
- g) The Presiding Member will call speakers to a motion in the following order:
 - (i) The mover to state the motion
 - (ii) A seconder to the motion
 - (iii) The mover to speak to the motion
 - (iv) The seconder to speak to the motion
 - (v) A speaker against the motion
 - (vi) A speaker for the motion
 - (vii) Other speakers against and for the motion, alternating in view, if any
 - (viii) Mover takes right of reply which closes debate

- h) If the Presiding Member believes enough discussion has taken place even though all members may not have spoken, he may offer the right of reply to the mover to close the debate.

13. Procedural Motions

To expedite meetings of Council, procedural motions are not required to be in writing but must be moved and seconded –

- a) *“That the Council do now adjourn until (state time and date).”* If carried, will clause the meeting to stand adjournment as specified to any other time not more than seven days from date of adjournment.
- b) *“That the motion be now put.”* If carried without amendment requires the Presiding Member to offer the mover the right of reply, and then immediately put the motion to the meeting. If carried during debate on an amendment requires the Presiding Member to put the motion without any right of reply.
- c) *“That the Councillor be heard no longer heard.”* If carried this motion requires the Presiding Member not to allow the speaker to speak any further on the motion, excepting the right of reply if the speaker was the mover of the motion.
- d) *“That the ruling of the Presiding Member be disagreed with.”* If carried this will cause the ruling of the Presiding Member to be reversed, and for the meeting to proceed accordingly. Such a motion cannot be moved in the case of the Presiding Member’s adjournment of the meeting to regain order.
- e) *“That the Council meet behind closed doors.”* If carried this will cause the public and any officer or employees the Council determines to leave the room, unless remaining with the consent of Council.
- f) *“That Standing Order (clause or clauses to be stated) be suspended.”* If carried will cause the procedure of these standing orders to be suspended in part or in the whole.
- g) *“That the matter lay on the table until (specify meeting).”* If carried, has the effect that all consideration and discussion of the matter is deferred until the meeting specified.

14. Decision Making Processes

- a) Amendments – Any number of amendments may be proposed to a motion, but whenever any amendment is made upon a motion, no second or subsequent amendment shall be moved or considered until the first amendment has been disposed of.
- b) Foreshadowed Motion – During the course of debate on an amendment to a motion, a member may give notice of intention to move a motion or amendment when the question before the meeting is decided.
- c) Motion – If an amendment to a motion is carried, the motion as amendment shall then be submitted as the motion and shall become the question before the meeting upon which any member may speak and any further amendment may be moved.
- d) Consent of Secunder Required to Accept Alteration of Wording – The mover of a motion may not alter the wording of the motion without the consent of the seconder.
- e) Withdrawal of Motion and Amendments – Council may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment shall not continue.

- f) Limitation of Motion and Amendments – Where an amendment has been proposed to a motion, the motion shall not be withdrawn, except by consent of the, majority of members present, until the amendment proposed has been withdrawn or lost.
- g) Right of Reply – The mover of a motion shall have the right to reply. After the mover of the motion has commenced the reply, no other member shall speak on the question. The reply must be confined to rebutting arguments raised by previous speakers and no new matter may be introduced.
- h) All Members to Vote – Save where the Act otherwise provides, at every meeting of the Council every member shall vote, and if any member who is entitled to vote fails to vote, the Presiding Member shall call upon the member to vote.
- i) Method of Taking Vote – In putting the questions to the council, the Presiding Member may ask whether there is no objection to the motion, and if not, the motion is deemed carried unanimously. If objection is raised to the motion, the Presiding Member shall put the question as often as necessary to determine the decision from a show of hands before declaring a decision.
- j) Declaration of Vote – The Presiding Member shall declare the vote to be carried or lost, stating the number of votes in favour and against the motion.

15. Points of Order

- a) Procedure – Upon a matter of order a Councillor may raise a point of order including interrupting the speaker. A Councillor shall immediately cease speaking while the Presiding Member considers the point of order.
- b) Definition – The following definitions shall constitute a point of order –
 - Discussion of a matter not before the Council or Committee.
 - Use of offensive or insulting language.
 - Violation of any provision of this policy, provided that the Councillor raising the point of order states the standing order believed to be breached.
- c) Ruling – The Presiding Member shall give a decision on any point of order after the point has been raised by upholding or rejecting it. The ruling of the Presiding Member shall final, unless a majority of the members support a motion of dissent with the ruling.
- d) Precedence – All points of order take precedence over any other debate and until decided and suspends the consideration of every other matter.

16. Committees of Council

- a) The Council shall, at the first meeting held after each ordinary election day, review all appointed committees.
- b) Power and Duties – The power and duties of Committees shall be defined and delegated to them by resolution carried by absolute majority of the Council and recorded in the Delegations Register. The constitution and practice of the Committees shall accord with the Act.
- c) Recommendations of Committees – The recommendations of a Committee shall be presented to the next appropriate Council meeting.
- d) Inspection of Plans – All plans referred to in any recommendation of the Committee shall lay on the table of the Council Chamber for inspection by Councillors at the meeting at which the matter is being considered.

- e) Rights and Responsibilities of Councillors who are not Committee Members – Councillors who are not members of a committee may attend all meetings of all Committees and may participate only at the invitation of the Presiding Member but may not vote. Travel expenses are payable only to Councillors who are members of the Committee unless specifically authorised by Council by resolution prior to the committee meeting.

17. Chief Executive Officer – Duty

It is the duty of the Chief Executive Officer to draw the attention of the Council, any breach or likely breach of these standing orders even if it requires interrupting any person who may be speaking.

– End of Schedule

1.9 Community Engagement and Consultation

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objectives

To provide guidance to Councillors and Officers in planning, implementing and reviewing community engagement and consultation for key projects, strategic planning and policy development. This will ensure informed decision-making, transparency, timely and effective communication with key stakeholders and the general community.

This policy sets out the governing principles for community engagement and consultation that underpin the Integrated Planning and Reporting framework to ensure the strategic direction of the organisation is with in keeping with community values and aspirations.

Policy Statement

- Council is committed to providing leadership and a strong commitment to information sharing, consultation and active participation of the community in contributing to the decision making process.
- Council acknowledges the right of the community to access information, provide feedback, be consulted and actively participate in strategic planning or in key projects of service development. Council's obligations to respond to the community when exercising these rights will be clearly stated in specific consultation processes.
- Objectives for, and limits to, information, consultation and active participation during planning, project and key service development will be defined from the outset. The respective roles and responsibilities of the community (including individuals and groups) and Council (including Councillors and officers) will be made clear as well as to who makes final decisions once the information is analysed.
- The approach for specific consultations will be tailored to the target audiences and consider all other factors outlined in this policy.
- Consultation will be undertaken as early in the planning process as possible to allow to widen the scope of consultation and to improve the outcomes. Adequate time will be made available for consultation to be effective.
- Information provided by Council during planning, project and key service development will be objective, complete and accessible. All those involved in a consultation process will have equal treatment when exercising their rights of access to information and participation.

Council will ensure adequate financial, human and technical resources are available to make a consultation initiative effective. The allocation of resources will be considered in relation to Further policies and other relevant information to be discovered or developed as appropriate.

- Broader budgetary restraints and the implications to existing priorities. Council will support its officers in consultation initiatives.
- Consultation on specific planning, project and key service development will be coordinated across Council to enhance knowledge management, ensure policy coherence, avoid duplication and reduce the risk of “consultation fatigue” within the community.
- Council will be accountable for the use made of input from a consultation process. Council will ensure consultation processes are open, transparent and amenable to external scrutiny and review.
- Council will actively and openly evaluate its consultation processes and practices in planning, project and key service development. The results of evaluation will directly impact upon future consultation initiatives.

Associated Policies, Frameworks and Legislation

DLGC WA Integrated Planning and Reporting Framework 2011

Local Government Act (1995) – Regulation S5.56(2)

Outcomes

Measures of success of consultation will include assessments of whether:

- The interests of all parties have been served;
- Expectations concerning the process have been met;
- Consensus, consent and commitment have emerged;
- The process has encouraged generation of the best options;
- Objective criteria have been used to assess the different options under consideration;
- Understanding has been enhanced;
- Relationships between Council and the community and within the community have been enhanced.
- The decision resulting from the consultation has been stable and enduring.

Responsibility

Responsibility for the implementation of this policy rests with the Council, CEO and staff of the Shire.

1.10 Related Party Disclosures

Approval History:	Jan25 – new policy [C2025-01-15]
Review Frequency:	4 Yearly

Objective	Local Government (Financial Management) Regulations 1996, require local governments to comply with the Australian Accounting Standards (AAS). This policy explains the application of The Australian Accounting Standard Board 124 Related Party Disclosures (AASB 124) on the Shire of Yalgoo and outlines the required mechanisms to meet the disclosure requirements.
Scope	This policy explains what a Related Party disclosure is, identifies who is required to make a Related Party Disclosure, what is disclosed and the process to facilitate this.

Policy Statement

Background

The objective of AASB 124 is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances with such parties. Disclosures including related party relationships, transactions and outstanding balances are to be recorded in it's Annual Financial Reports.

Related Party Disclosure differs from a conflict of Interest in that a conflict need not exist for a related party relationship to be present. That is, the presence of the relationship alone warrants its disclosure and is regardless of whether a transaction has occurred or not. This is to foster transparency and accountability.

For each financial year, the Shire of Yalgoo must make an informed judgement to identify who it considers to be key management personnel. It is these personnel who are then required to complete the disclosure of related parties and transactions.

The purpose of this procedure is to identify key management personnel, related parties and transactions in the assessment process of AASB 124.

Identification of Key Management Personnel (KMP)

The Western Australian Department of Local Government and Communities define KMP as personnel who have the authority and responsibility to plan, direct, control and influence the activities of Council, either directly or indirectly.

The Shire of Yalgoo has identified the following persons as meeting the definition of a KMP:

- An elected member of Council or a Committee member.
- Persons employed under section 5.36 of the Local Government Act 1995 (the Act) in the capacity of the Chief Executive Officer or Deputy Chief Executive Officer; and

All local government entities are required to capture the related party disclosure of all identifiable KMP's for the previous financial year reporting period. This is irrespective if the personnel are no longer a current employee or elected member.

Identification of Related Parties

The KMP must identify related parties with whom their relationship may have an element of significant influence that can potentially impact the reporting entity (Shire of Yalgoo) a KMP or a close family member of the KMP. The impact may be real, perceived or potential. The extent of the influence must be significant and not minor.

The Shire of Yalgoo has identified the following parties as meeting the definition of a related party:

- **Close members of family** include the person's child, spouse, parents, siblings or domestic partner, and the children, parents, siblings or dependents of a spouse or domestic partner.
- **Entities that are controlled** or jointly controlled by a KMP or their close family members, such as companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

Declarations involving these related parties will have any associated transactions assessed.

Identification of Transactions

Related Party Transactions

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

For the purpose of determining whether a Related Party Transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Use of Shire of Yalgoo owned facilities, including Townhall, Art Centre, Railway Station, Core Stadium, Men's Shed (whether charged a fee or not)

- 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
- Sale or purchase of any property or asset to or from the Shire
- Application fees paid to the Shire for licenses, approvals or permits
- Trading Arrangements - Monetary and non-monetary transactions with the Shire in exchange for goods and/or services provided by/to the Shire
- Contracts and agreements for construction, consultancy or services
-
- Paying rates
- Fines
- Employee compensation whether it is for KMP or close family members of KMP
- Loan Arrangements

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided with 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 Town 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.

Ordinary Citizen Transactions (OCT)

Transactions with related parties of Council which are of a nature that any ordinary citizen would undertake will not be captured and reported. These transactions are not material transactions because of their nature. However, if the OCT occurs on terms and conditions that are different to those offered to the general public the transaction may become material and subsequently disclosed.

OCTs include:

- Paying Rates
- Fines
- Use of Shire owned facilities (whether charged as fee or not) at arm's length
- 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 Members and KMP's will be required to make a declaration in the 'Related Party Disclosures – Declaration Form' (appendix A) about the nature of any discount or special terms received.

Disclosure Requirements

KMP's are required to complete the 'Related Party Disclosure Declaration Form' (appendix A) annually for the previous financial year. The form is to be provided by 31 July and not before 1 July. KMP may

additionally be required to complete the declaration form at other intervals such as elections coinciding with a change in elected members and the employment commencement and cessation of senior management (and no later than 30 days in these circumstances). All KMP have an ongoing responsibility to advise the Shire of Yalgoo immediately of any Related Party Transactions.

The declaration form will be collated and assessed by the Shire of Yalgoo.

OCT transactions involving a related party and all non-OCT transactions must be specified on the declaration form.

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

The Shire will maintain and keep up to date a record of Related Party "Transactions declared by KMP's. The records include details of:

- Description of the Related Party Transaction
- Name of the Related Party Transaction
- Nature of the related party's relationship with the Shire of Yalgoo
- Whether the notified Related Party Transaction is existing or potential
- A description of related documents that are the subject of the related party

Confidentiality and Privacy

All information contained in a disclosure form will be treated in confidence. All data stated in the annual financial reports will be described in an aggregate, non-identifiable manner (subject to any disclosure requirements of AASB 124). The Shire has discretion to request additional information from a KMP in regard to the disclosure of a transaction to determine materiality.

The following persons are permitted to access, use and disclose the information provided in a related party disclosure or contained in the Shire of Yalgoo records:

- Chief Executive Officer;
- Deputy Chief Executive Officer;
- An Auditor of the Shire of Yalgoo;
- Other Officers as determined by the Chief Executive Officer.

The above persons may access, use and disclose information in a Related Party Disclosure or contained in records of Related Party Transactions to assess and verify the Related Party Transaction, reconcile identified Related Party Transactions against those disclosed or contained in records or to comply or verify compliance with the disclosure requirements of AASB 124.

Materiality

The Shire will review and determine the materiality of disclosed transactions. Consideration will be given to both the size and nature of the transaction, individually and collectively.

Definitions

Close members of KMP

Those members who may be expected to influence⁴, or be influence⁴ed by, the KMP in their dealings with the reporting entity

Committee Member

A person appointed to committees by Council in accordance with section 5.10 of the Act.

KMP

Key Management Personnel who have the authority and responsibility to plan, direct, control and influence the activities of Council, either directly or indirectly.

Material (Materiality)

The assessment of whether a transaction, either individually or in aggregate with other transactions, by omitting it or misstating it, could influence decisions that users make on the basis of an entity's financial statements.

Related Party

A person or entity that is related to the entity preparing its financial statements (referred to as the 'reporting entity')

Related Party Transaction

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

OCT

Ordinary Citizen Transactions, that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature are:

- Paying rates and utility charges; and
- Using Council's public facilities after paying the corresponding fees.

Relevant Legislation

- *The Australian Accounting Standard Board 124 Related Party Disclosures (AASB124)*
- Local Government (Financial Management) Regulations 1996
- *Local Government Act 1995*

S5.36 Local Government Employees

Appendix A

Related Party Disclosures Form (see next page)

RELATED PARTY DISCLOSURES DECLARATION FORM

To be completed by Key Management Personnel
(Elected Members, CEO & Deputy CEO – due 31 July)



Name:			
Position:		Full Year Ending:	

Council is required to disclose transactions with its Key Management Personnel (KMP) in the annual, audited Financial Statements each year. (per Australian Accounting Standard AASB124 Related Party Disclosures) as such this form is required to be completed yearly for the previous financial year.

Please refer to Councils *Related Party Disclosure Policy* for further information.

RELATED PARTY DISCLOSURES: *please complete the following & return to the CEO, Shire of Yalgoo.*

1. USE OF COUNCIL OWNED FACILITIES – Town Hall, Core Stadium, Art Centre etc

Prompt question - did you, a close family member or related entity use a council owned facility AND receive a discount or other special term that would not be otherwise offered to another member of the public?

Name of person/entity using the facility	Facility Used	Nature of transaction	Nature of discount or special condition

2. A. LEASE AGREEMENTS - residential & Commercial

2. B. PURCHASE/SALE OF PROPERTY OR ASSETS – land, buildings, vehicles, plant etc

Example - housing lease as part of employment or buying a vehicle from council

Prompt question - did you, a close family member or related entity (a) have a residential or commercial lease agreement with the Shire (either as lessee or lessor) or (b) purchase/sell property or assets from/to the shire?

Name on the lease	Property address	Term of lease & rental value	Detail of any non-arm's length conditions

3. FEES & CHARGES - paid to Council

Prompt question - did you, a close family member or related entity make 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/ entity	Application Type	Value	Application/receipt number

4. A. TRADING ARRANGEMENTS - provide or receive goods or services**4. B. CONTRACTS/AGREEMENTS – construction contracts, service contracts like cleaning, maintenance**

Prompt question - did you, a close family member or related entity (a) provide goods or services to the Shire with differing terms to those available to the general public or (b) enter into a contract or agreement with Shire?

Name of person/ entity	Goods or services provided	Approx. value for the reporting period	Terms & Conditions

5. OTHER

Example – close family members working for council

Prompt question – please list any other agreement or arrangement you believe is a related party transaction and should be declared.

Name of person/ entity	Description	Value	Terms & Conditions

DECLARATION

I declare that, to the best of my knowledge, the above information is a complete and accurate record of related party transactions with Council involving myself, close family members or entities controlled or jointly controlled by myself or close family members. For any close family members noted above, I have informed them about the purpose of this declaration and how the information will be used and disclosed. I make this declaration after reading the Shire of Yalgoo *Related Party Disclosures Policy*.

Signature:		Date:	
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1.11 Media Communications Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Objectives

This policy details legislative obligations and establishes protocols applicable to the Shire's official communications with our community, to ensure the Shire of Yalgoo is professionally and accurately represented and to maximise a positive public perception of the Shire of Yalgoo

Policy Statement

This policy applies to:

1. Communications initiated or responded to by the Shire of Yalgoo with our community; and
2. Council Members when making comment in either their Shire of Yalgoo role or in a personal capacity about matters relevant to the Shire of Yalgoo.

Official Communications

The purposes of the Shire's official communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the Community.
- Promoting Shire of Yalgoo events and services.
- Promoting Public Notices and community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The Shire will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Advertising and promotional materials;
- Media releases prepared for the Shire President, to promote specific Shire of Yalgoo positions;
- Social media; and

- Community newsletters, letter drops and other modes of communications undertaken by the Shire's Administration at the discretion of the CEO.

Speaking on behalf of the Shire of Yalgoo

The Shire President is the official spokesperson for the Shire of Yalgoo, representing the Local Government in official communications, including; speeches, comment, print, electronic and social media. [s.2.8(1)(d) of the Local Government Act 1995]

Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson. [s.2.9 and s.5.34 of the Local Government Act 1995]

The CEO may speak on behalf of the Shire, where authorised to do so by the Shire President. [s.5.41(f) of the Local Government Act 1995]

The provisions of the Local Government Act 1995 essentially direct that only the Shire President, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire of Yalgoo.

Communications by Council Members and employees, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the Shire of Yalgoo into disrepute, [Rules of Conduct Reg.3(d)];
- compromise the person's effectiveness in their role with the Shire in line with the relevant code of conduct;
- imply the Shire's endorsement of personal views [s.2.8(1)(d) of the Local Government Act 1995];
- imply the Council Member or employee is speaking on behalf of the Shire unless authorised to do so; [s.2.8(1)(d) of the Local Government Act 1995]; or
- disclose, without authorisation, confidential information [s.5.93 of the Local Government Act 1995].

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Yalgoo. [State Records Act 2000 / Local Government Record Keeping Plan, s's 5.23(2) and 5.93 of the Local Government Act 1995].

Council member communications must comply with the Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007.

Responding to Media Enquires

All enquiries from the Media for an official Shire of Yalgoo comment, whether made to an individual Council Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire.

Council Members may make comments to the media in a personal capacity – refer to clause 7.1 below.

Website

The Shire of Yalgoo will maintain an official website, as our community's on-line resource to access to the Shire's official communications.

Social Media

The Shire of Yalgoo uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire of Yalgoo maintains the following Social Media accounts (delete / add as relevant to each local government):

- Social networks, including - Facebook
- Media Sharing networks, including – Instagram, and YouTube

The Shire of Yalgoo may also post and contribute to Social Media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Shire of Yalgoo will moderate its Social Media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Promotional, soliciting or commercial in nature;
- Unlawful or incites others to break the law;
- Information which may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- Content that violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Shire.

Where a third party contributor to a Shire of Yalgoo social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

The Shire will use appropriate forms of social media to communicate and advise its community in relation to emergency management.

Presidential Social Media Official Accounts

The Shire supports the President in using official social media account/s to assist the President in fulfilling their role under Section 2.8 of the Local Government Act 1995, to speak on behalf of the Shire. The content will be administered and moderated in accordance with this Media Policy,

by the Chief Executive Officer. (These official social media accounts of the Shire of must not be used by the President for personal communications.

Record Keeping and Freedom of Information

Official communications undertaken on behalf of the Shire, including on the President and Shire's social media accounts and third-party social media accounts, must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the State Records Act 2000. These records are also subject to the Freedom of Information Act 1992.

Council Member communications that relate to their role as a Council Member are subject to the requirements of the Shire's Record Keeping Plan and the State Records Act 2000. Council Members are responsible for transferring these records to the Shire's administration. Council Member records are also subject to the Freedom of Information Act 1992.

Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Council Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007.

Council Member Statements on Shire Matters

A Council Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Yalgoo.

Any public statement made by a Council Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of the Shire of Yalgoo.
2. Be made with reasonable care and diligence [Rules of Conduct Reg.3(a)];
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct [Rules of Conduct Reg.3(b) and (f)];
5. Avoid damage to the reputation of the local government [Rules of Conduct Reg.3(d)];
6. Not reflect adversely on a decision of the Council [Local Government's Meeting Procedures and Code of Conduct>>];
7. Not reflect adversely on the character or actions of another Council Member or Employee [Rules of Conduct Reg.10(3), [Local Governments Meeting Procedures and Code of Conduct];
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [Local Government Code of Conduct].

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the Local Government (Rules of Conduct) Regulations 2007, may constitute a minor breach of the Local Government Act 1995 [refer s.5.105] and may be referred for investigation.

That with authority from the Shire President or the Chief Executive Officer, individual Councillors are authorised to make press releases or act as spokesperson on behalf of Council.

That the Chief Executive Officer regularly keeps rate payers and residents informed of Council activities via the Local Newspaper.

That the Chief Executive Officer advertises in the Local Newsletter the names and telephone numbers of each Councillor at least once a year.

1.12 Councillors IT Equipment Condition of Use and Purchase

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Objective

iPads are assigned to Shire of Yalgoo Councillors, where needed for effective and efficient communication, essential to the conduct of Council business.

Policy Statement

This Policy defines the boundaries for the 'acceptable use' of Council provided tablets, laptops, iPads.

1. General Use Conditions

- All iPads are the property of the Shire of Yalgoo and must be used in compliance with applicable licences, notices, contracts and agreements.
- Council provided IT equipment must not be used for electioneering purposes.
- Theft or loss of the Shires IT equipment is to be reported immediately to the CEO.
- Councillors should read the care and maintenance instructions in the User Guide included with their iPads.
- iPads are provided for Council work, limited personal use is acceptable.
- Councillors must not install or download or transmit software programmes, screensavers, system components, graphics, pictures, movies, audio files or similar files without permission from the Chief Executive Officer. Virus protection measures to be implemented.
- Councillors are not allowed to use the issued iPad in an illegal, illicit or offensive manner.
- Councillors must report immediately to the Chief Executive Officer any incorrect or inappropriate communication transmitted and or received.
- If the Councillor is not returned to office, all Council provided equipment must be returned to Council on the first business day following Council elections.
- The Shire of Yalgoo is responsible for insurances, support, maintenance and repairs of the iPads.

2. Purchase of Equipment.

A retiring elected member on expiry of office has an option to purchase the equipment supplied at its written down value (based on a 25% annual depreciation rate) or \$250 whichever is the greater.

1.13 Standards for CEO Recruitment, Performance and Termination

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Apr 21 – review adopted [C2021-0414] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective

This Policy is adopted in accordance with section 5.39B of the Local Government Act 1995.

Policy Statement

Division 1 — Preliminary provisions

1. Citation

These are the Shire of Yalgoo Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Yalgoo;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the Local Government (Administration) Regulations 1996 regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the Local Government (Administration) Regulations 1996 regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO
 - (1) In this clause —
independent person means a person other than any of the following —
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
 - (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
 - (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.
9. Recommendation by selection panel
 - (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
 - (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
 - (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
 - (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
 - (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.
- 10. Application of cl. 5 where new process carried out
 - (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
 - (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

commencement day means the day on which the Local Government (Administration) Amendment Regulations 2021 regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.

- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

1.14 CEO Performance Review Process Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Dec20 – amended [C2020-1211] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective

A consistent, transparent and accountable performance review process.

Scope

This policy position applies to the conduct of the CEO performance reviews.

Policy Statements

1. Rationale

This process is documented and adopted by Council to ensure a consistent approach to the Shire of Yalgoo CEO performance review.

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

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

Councillors participating in the review must:

- Show an ability to be fair and objective;
- Use good communications skills;

- Possess preparation and evaluation skills;
- Avoid bias;
- Be able to concentrate on outcomes;
- Provide negotiations skills;

2. Briefing Session

It is essential to gain input from Councillors into the review and appraisal process.

A briefing session will be organised to cover the performance appraisal, the procedures followed, keeping in mind current progress of the Strategic Community Plan and the skills required of the panel members; and independent person with relevant skills will be brought in to facilitate the session.

3. Contract

The CEO contract must contain the Shire's dispute resolution policy for both parties. The Shire agrees CEO review procedure shall be contained within the CEO contract (as per Part 5, Division 4, Section 39(3)(b), Local Government Act 1995).

The review procedure contained within the CEO contract can be varied by agreement between the Council and the CEO under an amendment clause between reviews.

The contract should be reviewed by a recognised practitioner to ensure legislative requirements are satisfied.

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4. Review Periods

It is a statutory requirement that the CEO's performance be reviewed annually (Part 5, Division 4, Section 38, Local Government Act 1995) and the probation period performance assessment undertaken within a month after the probation period has concluded.

The review period is to be aligned to the Shire's Strategic planning processes which run across each financial year (July to June).

For planning purposes, the entire review process should be completed by the end of July each year.

It is recommended planning for the year's key performance indicators (KPIs) commences in March of each year.

In the event that Council has concerns about the performance of the CEO, the Shire President will, at the request of Council, request the CEO Performance Review Panel undertake an interim performance review.

The Shire President must write to the CEO if Council has requested for an interim performance review, outlining the areas of concern to allow the CEO the opportunity to prepare.

The Shire President must allow the CEO a minimum of one week's notice prior to the commencement of an interim performance review.

5. Composition of the Review Panel

The CEO performance review panel will consist of:

- The Shire President; and
- Three (3) Councillors nominated by resolution of Council

The Panel is to be facilitated by an independent, external person appointed by a resolution of Council.

All Councillors seeking appointment to the CEO review panel must undertake the relevant CEO performance review training course provided by appropriate industry body within six months of

appointment to the panel; it is important for those actually involved in the appraisal interview to feel comfortable with their skill level and role.

6. Interview Process

The interview process undertaken during the formal performance meeting must be conducted in good faith for all parties.

7. CEO Key Performance Indicators (KPI's) and Key Result Areas (KRAs)

The CEO KPIs:

- Must contain a balance of both tactical and strategic KPIs.
- Must refer to the Strategic Community Plan and Corporate Business Plan.
- Must be within the CEO's control or remit; specific, clear and unambiguous; resourced appropriately; include realistic milestones and reporting requirements.
- Must mirror the expectations of Council and Community.
- Must acknowledge leadership.
- Be reviewed annually and then agreed between CEO and the Council after each review period.
- Once agreed upon, the KPIs shall not be changed. However, KPIs may be amended during a review period by mutual agreement in the event of unforeseen or extenuating circumstances rendering a KPI no longer relevant or unachievable.

Key Performance Indicators are to be based around the areas of:

1. Leadership & Strategy
2. Organisational Capability and Performance
3. Financial and Risk Management
4. Stakeholders engagement and satisfaction
5. Innovation, Accountability and Sustainability
6. Growth and Prosperity
7. Professional Development

Key result areas are to be negotiated with CEO performance review panel and the CEO and then signed off the full Council.

8. Procedure for the Review of the CEO

Once established, the CEO performance review panel will set the review procedure and timeline requirements for each year. The review procedure must contain the following elements as a minimum:

- Review panel to assign a senior employee or independent external facilitator to assist the panel and ensure the process meets governance requirements as well as facilitate the implementation of the CEO's professional development plan.
- Timely notification of all parties by the review panel of the review procedure, timeline requirements and any other relevant information such as the independent, external

facilitator.

- CEO must provide a self-assessment to all elected members. The CEO must provide the selfassessment in written report format as a minimum but may also provide it in other formats of their choice.
- Review panel must assess performance inclusive of feedback from all Councillors.
- Review panel will agree on key focus areas and conduct an appraisal interview with the CEO.
- CEO must be provided with procedural fairness throughout the process including sufficient time to prepare responses and an opportunity to respond to the interview findings.
- Review panel will share the performance review finding with full Council in a briefing session.
- Review panel to manage follow up including remuneration, KPIs, contract variations, review outcomes and analysis of interview feedback.
- Full report must be distributed to all Elected Members and the CEO.

9. Completion of Review

The Shire President, as head of the review panel, must provide the Shire Councillors and the CEO with a formal report that summarises the finding of the review including recommendations of the review panel to Council.

The CEO is to be invited to provide comment.

Council is to consider each review of the performance of the CEO carried out under Part 5, Division 4, Section 38, Local Government Act 1995 and is to accept the review, with or without modification, or to reject the view.

The KPIs for the following review period must be completed and signed off within 28 days of the CEO review process having been completed.

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10. Completion of Process

The performance review panel must deliver a report to Council that outlines:

- What worked in the process;
- The new KPIs for the next 12 months;
- Recommended changes, if necessary, to this process over the next 12 months.

11. Record Keeping

The Shire President is to hold the record of the performance review, or request the documents to be held by the Human Resource department as confidential documents.

All documents relating to the review process must be registered on the Shire's records management system

Legislative and Strategic Context

Relevant Federal or State legislation, directives, guidelines, Acts or Regulations and/or the strategic context (Strategic Community Plan and Corporate Business Plan) that provide the broad framework within which the policy operates and/or with which it needs to comply.

- Local Government Act 1995;
- Local Government (Administration) Regulations, 1996, Part 4, Regulations 18D.

Review Position and Date

This policy is to be reviewed annually by Council.

Associated Documents

Related strategies, procedures, references, guidelines or other documents that have a bearing on this policy and that may be useful reference materials for users of this policy, follow:

- CEO Employment Contract

1.15 Council Member Continuing Professional Development Policy

Approval History:	Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective

To give effect to the Shire's commitment to facilitate continuing professional development of Council Members, which enhances their knowledge and develops their skills, thus augmenting Council's capacity for well-informed decision-making and the provision of good government for our community.

This policy provides a framework to assist Council Members to identify and access relevant training and defines the expenses that will be paid by the Shire.

This policy supports compliance with sections 5.127 and 5.128 of the Local Government Act 1995 (the Act), which require Local Governments to prepare and adopt a policy in relation to the continuing professional development of Council Members, and to provide annual reports on training.

This policy applies to Council Member training and continuing professional development, including mandatory training required under s.5.126 of the Act.

Policy Statement

1. Budget Allocations

The Shire of Yalgoo Annual Budget will include an annual allocation to provide the opportunity for Elected Members to participate in appropriate training and development, including the minimum requirements for mandatory training as legislated.

The allocation is to be used for:

- Council Member Induction, dealt with under Part 2 of this Policy;
- Mandatory Council Member Training, dealt with under Part 3 of this Policy, and
- Council Capacity Building, dealt with under Part 4 of this Policy.

An allocation for each Council Member to be used for individual Continuing Professional Development, as specified under Part 5 of this Policy. Council Members may select training and

professional development to be funded from this allocation, subject to approval in accordance with this Policy.

Unexpended allocations at the end of a financial year will not be carried forward to the next financial year.

Any professional development proposal that exceeds an individual Council Member's allocation will be referred for Council decision. Alternatively, the Council Member may choose to privately fund any shortfall. This will not be eligible for reimbursement from a future budget allocation.

2. Council Member Induction

Following each election, the Shire of Yalgoo will conduct a comprehensive induction program, providing newly elected Council Members with information that will support them to understand Council Member roles and responsibilities; legislative obligations; personal responsibilities; and strategic direction of the Local Government. Continuing/previously elected Council Members are encouraged to participate in nominated elements of the induction program, to assist in fostering a team culture and to refresh their understanding.

3. Mandatory Council Member Training

Council Members are required to complete the Council Member Essentials Course within 12-months from the day on which they are elected, unless exempt under Regulation 36 of the Local Government (Administration) Regulations 1996. Council Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

The Shire's preferred provider is WALGA, and course delivery is available electronically. Council Members will be provided with enrolment options and the Shire will coordinate bookings and arrangements to implement their selection.

Where a majority of Council Members would prefer face to face training, the Shire may arrange on-site or regional delivery and may coordinate this in cooperation with neighbouring Local Governments to achieve cost savings.

Council Members who are not yet required to complete the Mandatory Training may still choose to participate, with associated costs attributed to the Whole of Council Training and Development budget allocation.

4. Council Capacity Building

Within 6 months after an election, a Council Workshop prior to an ordinary meeting will be convened to enable Council Members to collaboratively develop a program of Council Capacity Building. Courses and conferences are to be discussed to guide eligibility under part 5.

The program developed at the workshop will form the basis for regular training provided to all Council Members as a group, to encourage Council to focus on continuous improvement in its function as a governing body and to address the outcomes set out in Part 6 of this policy.

The CEO will coordinate training in accordance with the agreed program, with details of dates and delivery modes to be determined in consultation with Council Members.

5. Continuing Professional Development

Attendance at the annual Western Australian Local Government Association Convention will be included in the Annual Budget for all Councillors. It is expected that up to 4 Councillors attend

this event as per the Attendance at Conferences Policy however other delegates may be decided by Council Resolution.

Council generally authorizes the following list of conferences and workshops where sufficient budget allocation has been made and the events are Western Australia based:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government
- Association and/or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- Municipal Training Service's Councillor Induction Program.
- West Australian Local Government Association Elected Member Training and Development.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, Strategic Community Plans, Financial Reporting etc.

Providers

Continuing Professional Development should be delivered by industry recognised training providers, peak bodies or professional organisations.

Outcomes

In order to be eligible for approval under this policy, Continuing Professional Development must be relevant to the role of a Council Member, and offer demonstrable benefit to the Council as a governing body, the Shire as an organisation, and the broader community.

This includes Continuing Professional Development that:

- Enhances the understanding of Council Member roles and responsibilities, and/or the role and function of Local Government;
- Assists Council Members to develop knowledge and skills in relation to the strategic objectives of the Shire;
- Enables Council Members to further develop personal and professional skills necessary for excellence in performance of the Council Member role; or
- Supports Council Members in developing and maintaining positive and healthy communication, team culture and relationships, to facilitate excellent teamwork to achieve outcomes that deliver good government for the Shire of Yalgoo community.

5.1 Application and Approval

Request for approval

Council Members who wish to attend training or professional development may make application by providing the following details to the CEO and Shire President in writing:

- a) Course or event title, provider or organiser name, location and date;
- b) Copy of, or link to program, course outline or other summary of content;

- c) An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
- d) Total estimated costs including accommodation, travel and sundry expenses.

Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the Shire will seek to take advantage of reduced prices for early registration.

Approval

Approval for Council Member attendance may be granted by:

- (a) the Chief Executive Officer where the:
 - (i) application complies with this policy and the course has been discussed in the workshop described in Part 4;
 - (ii) event is to be held within Western Australia; and
 - (iii) the Council Member has sufficient funds available in their professional development allocation to meet all costs of attendance.
- (b) resolution of Council where the:
 - (i) application has been refused by the Chief Executive Officer;
 - (ii) application does not comply with this policy;
 - (iii) estimated costs of attendance exceed the available balance of the Council Member's annual professional development allocation; or
 - (iv) event is to be held outside of Western Australia.

Limitations

Training and continuing professional development is for the purpose of enhancing a Council Member's performance of their role. Therefore, in some instances, approval may not be granted where attendance conflicts with scheduled Council or Committee meetings (i.e. a meeting where important strategic decisions are required or where the meeting may lack a quorum), unless Council has otherwise resolved.

Where attendance at a particular training or professional development event would require an extended absence, no more than two Council Members may attend, unless Council has otherwise resolved.

Approval will not be granted for training or continuing professional development that is scheduled to occur in the last six months of a Council Member's term of office.

5.2 Sharing of knowledge

In order to realise the maximum benefit for the Shire Council Members will provide a report on their attendance, key features and benefits of the training or professional development within one month after completion. Council Members may include ideas and innovations identified through the professional development for discussion at future Council Member workshops, where the matter relates to the Shire's strategic objectives.

Knowledge sharing may be provided as a presentation or verbal update to an informal Council workshop, or a written report provided to the Chief Executive Officer and circulated to all Council

Members. Where relevant, copies of resources obtained at the event may also be provided to the Chief Executive Officer for circulation to all Council Members.

6. Registration, travel and expenses

The Shire will be responsible for the costs associated with training or professional development approved in accordance with this policy, as detailed in this section.

Event Registration and Bookings

Travel, registration fees and accommodation are to be arranged directly by Shire administration. Council Members are not to pay such costs and seek reimbursement, except in the case of an emergency or unique circumstances and subject to the Chief Executive Officer's prior approval.

Travel

Where travel is involved, the actual costs of travel to and from the event venue are to be met by the Shire in accordance with the current WA Salaries and Allowances Tribunal Determination for Local Government CEOs and Elected Members (the Determination).

Travel arrangements are to be by the most cost effective and reasonably convenient mode.

A Council Member may seek approval to travel within Western Australia by private motor vehicle and be reimbursed for vehicle costs in accordance with the Determination. Approval may only be granted where the cost is approximately equivalent to the most cost effective mode of travel.

A Council Member may choose to upgrade the mode of travel, however additional costs incurred are to be paid to the Shire by the Council Member before the Shire confirms the booking/s.

Registration

Registration fees may include, where applicable, event registration, conference program dinners, technical tours and accompanying workshops identified within the event program.

Accommodation

Reasonable accommodation will be booked for the Council Member for a room at or in close proximity to the event venue and within the expenditure limitations prescribed in the Determination.

If it is not reasonable to expect travel to occur on the day of the event, the booking may allow for arrival the day prior to commencement, and departure the day following the close of the event.

A Council Member may choose to upgrade their accommodation standard or extend their visit for personal reasons, however additional costs are to be paid to the Shire by the Council Member (including any additional associated or travel costs) prior to the Shire confirming the booking.

Loyalty Program and Reward Points

Council Members are not to obtain personal benefit from expenditure of Shire funds and must not claim personal frequent flyer or accommodation loyalty points for air travel or accommodation paid for by the Shire.

Meals and Incidental Expenses

Funding for meals and incidental expenses is to be provided in accordance with the Determination.

Meal expenses are to be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch and dinner where these meals are not provided at the event or in travel. When meals are included and have been paid for as part of the registration fee or accommodation costs, claims for alternative meals at venues other than the event will not be paid by the Shire.

Incidental taxi, economy ride share or public transport modes of transport (i.e. to / from airport, event venue) may be claimed for reimbursement on submission of receipts.

In lieu of reimbursement, Council Members may request a cash advance prior to departure. This is conditional upon the Council Member providing a written acquittal and supporting receipts to the CEO within 7 days of return from travel. If a Council Member fails to provide a reasonable and satisfactory acquittal inclusive of unspent funds, the value of the un-acquitted funds will be incurred as a debt invoiced to the Council Member.

Travel Insurance – Intrastate, Interstate and International

Subject to policy wording and conditions, Council Members are covered by the Shire's corporate travel protection for the duration of their travel relevant to attendance at the approved event, including any incidental private travel taken either side or during the event.

Council Members should review the conditions of the Shire's corporate travel protection policy and member certificate to determine whether it is adequate for their personal needs and circumstances, and so that the Shire and/or the Council Member can make any necessary alternative arrangements.

Accompanying persons/entertainment costs

Council Members are responsible and will be required to pay all costs associated with an accompanying person attending an event (including conference dinners and functions).

The Shire may coordinate accompanying person bookings and registrations for travel, accommodation and the event / function, with costs incurred to be paid to the Shire by the Council Member prior to the Shire confirming the booking/s.

Booking Change / Modification Costs

Costs incurred for changing or modifying a booking for travel or accommodation, where the change or modification is:

- a. At the request of the Council Member, are to be paid by the Council Member; or
- b. A requirement or for the convenience of the Shire are to be paid by the Shire.

Cancellations

Costs incurred for cancellation of registration, travel or accommodation, where the cancellation is:

- a. At the request of the Council Member, are to be attributed to the Council Member's individual allocation; or
- b. A requirement or for the convenience of the Shire are to be paid by the Shire.

7. Report on training

The Shire is required to produce a report detailing the training completed by Council Members during each financial year, in accordance with s.5.127 of the Act.

The report will include the following details of both mandatory training and continuing professional development completed by Council Members:

- Name of Council Member;
- Date of election;
- Whether the Council Member is required to complete Mandatory Training, and if applicable, the due date for completion and date of completion;
- Title of each training course or module completed or event/conference attended;
- The date attended or completed;
- The training provider or event/conference organiser;
- The cost of attendance; and
- Location of the training or event.

The report will be provided to Council Members for their information, before being published on the Shire's website within one month of the end of the financial year.

8. Council Member Commitment

Council Members are committed to:

- a. Take a positive approach to identifying opportunities for improvement and professional development.
- b. Prepare for, participate in and complete professional development and training approved/booked under this policy.
- c. Apply the benefits of professional development to fulfilling their Council Member role, including by sharing their knowledge with other Council Members.
- d. Make reasonable efforts to confirm their availability, or otherwise, to the CEO before booking deadlines.
- e. When requested, advise the CEO of alternative dates / times that they would be available to facilitate their participation in training.
- f. Advise the CEO, at the earliest opportunity, if they are unable to attend planned / booked training. Where training costs are unable to be refunded, applicable costs will be debited to the individual Council Member's allocation.

9. Policy Review

In accordance with s.5.128 of the Act, this policy will be provided for Council's review following each ordinary election. The Shire will ensure the policy review occurs within the first 6-months following each ordinary election.

1.16 Attendance at Events Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Apr 21 – review adopted [C2021-0413] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan22 – Amend Walga Convention reference [2022-01-15] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

The Policy should be read in conjunction with Policy 1.14 Council Member Continuing Professional Development Policy

Objectives

- To introduce policy to address section 5.90A. of the Local Government Act 1995 Policy for attendance at events
- To provide elected members and staff with consistent guidelines to ensure transparency, relevance, and value for money for ratepayers.

Policy Statement

In developing the Attendance at Events Policy, council needs to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council. The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings.

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the Chief Executive Officer (CEO).

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

LEGISLATION

5.90A. Policy for attendance at events

In this section — event includes the following —

- a) a concert
- b) a conference
- c) a function
- d) a sporting event,

- e) an occasion of a kind prescribed for the purposes of this definition.

A local government must prepare, and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —

- a) the provision of tickets to events; and
- b) payments in respect of attendance; and
- c) approval of attendance by the local government and criteria for approval; and
- d) any prescribed matter.

A local government may amend* the policy.

*Absolute majority required.

When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section. The CEO must publish an up-to-date version of the policy on the local government's official website.

Provision of tickets/admittance to events - Invitation

All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Chief Executive Officer. Invitations made directly to an Elected Member are to be handed to the Chief Executive Officer for action to be taken in accordance with this Policy.

Any other invitation or offer of tickets not addressed to an Elected Member or the Chief Executive Officer in general is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.

A list of events and attendees authorised by the local government in advance of the event is recorded in Attachment A.

Approval of Attendance

In deciding on attendance at an event, the Council will consider:

- who is providing the invitation or ticket to the event,
- the location of the event in relation to the local government (within the district or out of the district),
- the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- whether the event is sponsored by the local government,
- the benefit of local government representation at the event,
- the number of invitations / tickets received, and
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy or policy 1.14 Council Member Continuing Professional Development Policy.

Payments with Respect to Attendance

Where an invitation or ticket to an event is provided free of charge, the local government may contribute to reasonable expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.

- 6.1 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 6.2 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 6.3 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

Limits on the WALGA Convention

- Accommodation by capped to the amount of the event registration
- Meal amounts be limited to \$60 per councillor for each breakfast, lunch and dinner where a meal is not provided as part of the event registration
- Accommodation will only be provided on the night before a conference or event that starts prior to 1pm the following day.
- Accommodation will only be covered where registered training or activities occur after 1pm or it exceeds 8.5 hours including travel.
- A verbal or written report is required at the following Council Meeting for tours or sessions attended that are not part of the main program.

An information sheet is to be provided to all staff and Councillors prior to attending.

Attachment A

Event Description	Date of event	Approved Attendee/s	Approved contribution
Western Australian Local Government Association (WALGA) Annual Conference and AGM	Annual Event	President, Deputy President 2xElected Members CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses such as parking and laundry. Alcohol will only be covered if it is purchased with a meal and is worth less than 50% of the cost of the whole meal.
Zone Conferences	Periodical	President, Deputy President Elected Members CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses such as parking and laundry. Alcohol will only be covered if it is purchased with a meal and is worth less than 50% of the cost of the whole meal.
State Government events such as Budget announcements or regional tourism launches	Ongoing	President Deputy President CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses such as parking and laundry. Alcohol will only be covered if it is purchased with a meal and is worth less than 50% of the cost of the whole meal.
WALGA Road Conference	Annual Event	President Deputy President 2xElected Members CEO Works Foreman	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses such as parking and laundry. Alcohol will only be covered if it is purchased with a meal and is worth less than 50% of the cost of the whole meal.

Form 4 Register of gifts and contributions to travel - Section 5.82 of the Local Government Act 1995

Section 5.83 of the Local Government Act 1995Name of relevant person making disclosure		Description of gift		Name of person who made gift		Address of person who made gift		Date gift was received		Estimated value of gift at time it was made		Nature of relationship between relevant person and person who made gift	
Section 5.83 of the Local Government Act 1995Name of relevant person making disclosure		Description of contribution		Name of person who made contribution		Address of person who made contribution		Date contribution was received		Estimated value of contribution at time it was made		Nature of relationship between relevant person and person who made contribution	
												Description of travel	
												Date of travel	

1.17 Agenda Briefings

Approval History:	Jan25 – new policy [C2025-01-12]
Review Frequency:	4 Yearly

Objective For proper decision-making, Councillors must have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for Councillors to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following Ordinary Council Meetings. The objectives of Councillor Agenda Briefing Sessions are:

1. For the Executive to brief Councillors on Agenda items; and
2. For Councillors to ask questions of the Executive, to better inform themselves in relation to Agenda items.

Scope This policy applies to Agenda Briefing Sessions

Policy Statement

Definitions

Act means the *Local Government Act 1995*

Policy means this Shire of Yalgoo policy

Principles

It is imperative that the presiding person applies appropriate procedures between Councillors when agenda items are being covered and that the following principles are applied:

- Accountability
- Openness and Transparency
- Probity and Integrity
- Authority for the Chair
- Meeting Notification

Guidelines for Agenda Briefings

The following guidelines aim to ensure proper standards of probity and accountability at Councillor Agenda Briefing Sessions:

1. There is to be no decision-making during Agenda Briefing Sessions.
2. Agenda Briefing Sessions are to be held in the Council Chamber (or other nominated venue) and are open to the general public, unless discussing confidential items.
3. Agenda Briefing papers will endeavour to be distributed to all Councillors at least three days (72 hours) prior to the meeting.

4. Agenda Briefing documents will be loaded on the Shire's website 2 days (48 hours) prior to the briefing session.
5. The Agenda Briefing Session Chair is to be the Shire President. If the Shire President is unavailable, the Deputy Shire President shall be the Chair. If the Deputy Shire President is unavailable, the attending Councillors shall select a Chair.
6. Relevant Managers, staff and other parties, as required by the Chief Executive Officer for the provision of information to Councillors, shall attend Agenda Briefing Sessions.
7. Councillors, employees, consultants and other participants shall disclose their financial and conflicting interests in matters to be discussed.
8. Interests are to be disclosed in accordance with the provisions of the Act as they apply to Ordinary Council Meetings. Persons disclosing a financial interest will not participate in that part of the briefing relating to their interest and will leave the meeting room.
9. There is to be no opportunity for a person with an interest to request that they continue in the briefing.
10. As no decisions will be made during the Agenda Briefing Session there is no requirement to keep a formal record (minutes) for each meeting.
11. Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings.
12. Briefings will only be given by staff or consultants for the purpose of ensuring that Councillors are more fully informed; and
13. There will be no debate-style discussion as this needs to take place in the Ordinary Meeting of Council when the issue is set for decision. Councillors are to avoid expressing their opinions for or against a proposal and should stick to asking questions.

Relevant Legislation

Local Government Act 1995

Local Government (Administration) Regulations 1996

1.18 Recording of Council Meetings

Approval History:	Jan25 – new policy [C2025-01-14]
Review Frequency:	4 Yearly

Objective	<p>To provide guidance in relation to the recording of Shire of Yalgoo (Shire) Ordinary Council Meetings (OCM), Special Council Meetings of Council (SCM) and Annual General Meeting of Electors (AGM).</p> <p>To ensure open and transparent engagement with the community and accessibility to Council decision-making through the recording of the Shire OCM, SCM and AGM meetings.</p>
Scope	<p>This policy applies to the Recording of OMC, SCM and AGM meetings, and all requests for such recordings.</p>

Policy Statement

Definitions

Act means the *Local Government Act 1995*

Meeting means any Shire of Yalgoo Ordinary Council Meeting, Special Council Meeting, Annual General Meeting of Electors or Electors meetings.

Policy means this Shire of Yalgoo policy

Recording means any recording made by an electronic device capable of recording audio

Regulations means the *Local Government (Administration) Regulations 1996*

Recording of Meetings

- 1) Meetings will be audio recorded and will be made available via the Shires website.
- 2) Meetings will be recorded until the meeting ceases. In the case of a meeting being closed to the public, a separate audio recording for the closed portion of the meeting will be required.
- 3) Records will be made available through the Shires website as soon as practical following the meeting. It is to be noted that should any unforeseen technical difficulties arise, the audio recording may not be available or maybe delayed.
- 4) The recording will provide an unedited broadcast of the meeting proceedings, including discussions and the decision-making process.
- 5) The recording will include audio components, capturing Elected Members and Shire staff.
- 6) The recording of the meeting will remain accessible to the public through the Shires website for a period of five years after the meeting date.
- 7) Closed proceedings will be audio recorded, and the recording will be retained for a period of five years after meeting date. Audio recordings of closed proceedings will not be made publicly available.
- 8) The official recording of the meeting will be the written minutes prepared in a accordance with the requirements of the Act and the Regulations.

- 9) Council may resolve to close a meeting to the public in accordance with section 5.23 of the Act.
- 10) Clear signage will be placed in the council Chamber advising members of the public that the meeting will be recorded, and the Presiding Member will announce that the meeting is recorded at the commencement of the meeting.
- 11) By participating in the public meeting, those members of the public in attendance consent to being recorded.
- 12) Recordings will not be transcribed.
- 13) Other than in accordance with this Policy, a person, must not use any recording device or instrument to record the proceedings of a meeting without the written permission of the Presiding Member.
- 14) Under section 9.57A of the Act, the Shire is not liable for defamation in relation to a matter published on its website as part of recording a meeting. Elected Members and Shire staff are not liable for defamation for any statements made in good faith or to which a defence is available under the *Defamation Act 2005*.

Record Keeping

- 1) The Shire retains copyrights over its recordings of its meetings.
- 2) Closed proceedings will be audio recorded, and the recording will be retained for at least a period of five years after the meeting date. Audio recordings of closed proceedings will not be made publicly available.
- 3) Current Elected Members may request from the Chief Executive Officer (CEO) an audio recording hearing of a meeting at no charge. All Elected Members are to be notified when requests for recordings have been received and the recording is required to be heard in attendance with the CEO at the Shire Administration building.
- 4) Recordings will be stored and disposed of in accordance with the *State Records Act 2000*.

Relevant Legislation

Local Government Act 1995

Local Government (Administration) Regulations 1996

State Records Act 2000

Defamation Act 2005

1.19 Selection Panels

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Introduction Councillors from time to time sit on interview panels for selection of the CEO and may sit on a panel for other executive staff if invited by the CEO.

Objective To ensure that Councillors who sit on interview panels are trained to carry out the task in keeping with equal employment opportunity and other professional considerations.

Councillors who sit on, or who are likely to be required to sit on, staff interview panels are to have relevant professional experience or undertake relevant Selection Panel training.

2. GOVERNANCE

2.1 Shire Logo

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jun21 – second logo adopted [C2021-0616] Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The Shire's logo is copyright to the Shire.

Objective This Policy is intended to provide guidance concerning use of the logo.

1. **The logos of the Shire are displayed on this page.** The first should be given precedence and progressively replace the second in new revisions of publications.



2. **The logo should be used –**
 - on all Shire publications, letterheads, promotional materials etc
 - where the Shire has provided sponsorship or support for a program, activity or advertisement
 - o e.g. – scholarship programs, ICP support etc
3. **Private use of the logo is not permitted unless approved.**
 - Private use of the logo will only to be permitted where there is some identifiable benefit to the Shire or community. The proposed use benefits the Shire or community through promotion of the district, directly or indirectly, for example –
 - permitted on a tourism promotion brochure indicating a facility or event is located within the Shire
 - not permitted on private communications, advertising etc
 - on materials which are provided by the Shire, or
 - without the prior approval of the CEO
4. Approval for use of materials provided by the Shire or for private use of the logo may be withdrawn if Council is of the opinion that it is being misused or is for an inappropriate purpose.

For example – to imply Shire support of a specific service, activity etc in preference to others, where no such support has been given; or

- to imply Council authorisation or endorsement of a specific person or position, where no such endorsement has been given.

2.2 Organisational Risk Management

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jul21 - complete review of section 1 Council/Governance adopted [C2021-0709] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective

The purpose of risk management is to develop a culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It also is designed to reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control. Risk management is a key process in developing the strategic direction of the shire.

The key drivers for risk management are the councillor's responsibility for due diligence as good corporate governance practice and the due diligence requirements by the insurance industry which impacts on the cost of insurance.

Policy Statement

This Policy should be read in conjunction with the Shire of Yalgoo Organisational Risk Management Plan.

The Council is committed to managing risk in the Shire and will implement the principles of the ISO 31000: 2018 Risk Management – Guidelines, as the minimum standard.

It is understood by the Shire that risk management is the systematic application of management policies, procedures and practices to the tasks of establishing the context, identifying, analysing, evaluating, treating, monitoring and communicating risk.

The Audit and Risk Committee will be responsible for ensuring there is a Risk Management Plan for the Shire. The Council recognises that adequate resources are needed to implement the risk management program.

The officer responsible for the Risk Management systems and processes of the Shire must ensure that all risk management processes and assessments are fully documented and managed through the records management system.

References

AS / ISO 31000: 2018 _ Risk Management – Guidelines.

Scope

This policy covers all the operations of the Shire, including corporate governance, legal compliance, infrastructure, business risks, capital assets, finances, information technology, human resources, service delivery and events management.

Risk Management Objectives

- To develop and implement the principles and practices of the risk management standard. Management
- To define the Shire's tolerance to risk and communicate it throughout the Shire.
- To communicate with the community about the Shire's approach to risk.
- To protect and enhance the reputation of the council.
- To develop a risk management plan which is aligned to the integrated planning processes.

Responsibilities

Audit and Risk Committee is responsible for:

- Ensuring there is a risk management plan for the Shire,
- Establishing the risk tolerance level of the Shire adopted by council.

CEO: is responsible for:

- Reporting to the Council on the implementation progress of the risk management standard and ongoing management of risks in the organisation on a pre-determined frequency basis.
- Communicating the policy to all Councillors, employees, contractors and consultants
- full implementation of risk management throughout the Shire,
- ensuring that the Risk Management Policy is adopted, communicated throughout the Shire, and included in induction programs.
- ensuring that the Risk Management Policy and Plan are reviewed annually
- Displaying a copy of the policy on staff notice boards or through other relevant communication mediums
- Ensuring that risk management is a standard agenda item at all meetings including toolbox meetings.
- Development of risk management skills through training and education.
- Development of risk management skills through training and education.
- Identifying and measuring performance indicators for risk management that cascade from the risk management plan to position descriptions and performance appraisals.
- Establishing and maintaining the central risk register (hardcopy or electronic)
- Establishing and maintaining the strategic risk planning register

Management are responsible for:

- Identifying and assessing all the potential risks in their area of responsibility.
- Collating, assessing, treating and reporting to the risk management committee of all areas and tasks under their responsibility.

Employees are responsible for:

- To comply with the Shire's risk management policy and procedures.
- To attend the risk management training.
- Actively participate in the risk management program and organisational performance review and evaluation program.
- Actively participate in the Shire's continuous improvement program

Documentation

The Council, CEO and Officers will ensure that all risk management processes, assessments and plans are fully recorded throughout the Shire.

Organisational Risk Management Plan

Guidance Note

This Risk Management Plan is to be used by the Council, Executive and Line Managers, Staff, Contractors and Volunteers to ensure the effective management of Strategic and Operational Risk across the Organisation in decision making, project management, operations and events.

2.3 Execution of Documents and Affixing of Common Seal

Approval History:	Jan25 – new policy [C2025-01-13]
Review Frequency:	4 Yearly

Objective	To ensure that the Shires Common seal is used, and documents are executed in accordance with the provisions of the <i>Local Government Act 1995</i> (Act)
Scope	This policy applies to all shire of Yalgoo officers who have been authorised through the provisions of this policy to execute documents on behalf of Council and the Shire of Yalgoo.

Policy Statement

The Council is required to comply with sections 9.49A (Execution of Documents) and 9.49 (Documents, how authenticated) of the Act. These sections detail the requirements for documents to be duly executed by a local government.

Under the Act, for a document to be considered duly executed, the document must be executed in one of the following ways:

1. **By affixing the Common Seal** of the Shire in the presence of the Shire President and Chief Executive Officer [s9.49A(3) of the Act]; or
2. **Without affixing the Common Seal** by the Chief Executive Officer, another employee or agent of the Shire who has been authorised by resolution of Council to sign documents on behalf of the Shire. [s9.49A(4) of the Act]

COMMON SEAL – WHEN REQUIRED

The affixing of the Common Seal is authorised for documents that are ceremonial in nature, where there is a statutory requirement or where the other party requires the use of the Common Seal.

These documents require a specific resolution of Council to execute the document with the Common Seal and are as follows:

- Local Laws – new and amendments
- Local Planning Schemes – new or amendments
- Mortgages and loan documents
- Landgate transfer of Land forms
- State or Commonwealth Government Funding Agreements
- Documents required by other party to be duly executed by Common Seal
- Documents of a Ceremonial Nature

Procedure for affixing the Common Seal

Ceremonial Certificates, including Australian Citizenship	Mayor
All other documents that were the subject of a Council decision including, but not limited to, procurement contracts, service agreements, non-disclosure agreements, enterprise bargaining agreements and employee contracts	CEO
All other documents that are not the subject of as Council decision, but are part of the ordinary operations of the local government including, but not limited to, casual hire agreements, procurement contracts (non-Council decision), short term lease and sponsorship agreements	CEO Deputy CEO

Relevant Legislation

Local Government Act 1995

s9.49A Execution of documents

S9.49 Documents, how authenticated

S5.44 CEO may delegate powers and duties to other employees

2.4 Designated Staff

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Section 5.37 of the Local Government Act states that a local government may designate employees or persons belonging to a class of employee to be senior employees

Objective To nominate the Designated Staff positions in accordance with the Local Government Act s.5.37.

In accordance with the Local Government Act s.5.37, the following positions are Designated Staff as defined –

- Chief Executive Officer, as required by the Act,
- Persons belonging to the class of staff known as Executive Managers (C2013-0523).
- Environmental Health Officer

– End of Policy

COMMENT

Employee class	Council involvement	Committee involvement	CEO involvement
CEO	<u>Required</u> . May delegate selection and interview to a Committee, but appointment must be by Council	<u>Permitted</u> to interview and recommend to Council. <u>Not permitted</u> to appoint, manage or direct.	As directed by Council, usually limited to process, research and reporting.
Designated staff LG Act s.3.57	<u>Required</u> to consent to appointment or dismissal. Interview & recommendation can be done by CEO alone or with Council/or input. <u>Not permitted</u> to manage or direct.	<u>Permitted</u> to interview and recommend to Council. <u>Not permitted</u> to appoint, manage or direct.	<u>Required</u> to consent to appointment or dismissal. <u>Statutory</u> function to manage and direct.
EHO	<u>If designated senior officer</u> – as above, otherwise, as below <u>In all cases</u> – approval of Commissioner for Health required for appointment or dismissal.		
Other (non-designated) staff	<u>Prohibited</u> – no involvement permitted in appointment, management or direction.	<u>Prohibited</u> – no involvement permitted in appointment, management or direction.	<u>Statutory</u> function to appoint, manage, direct etc.

To be reviewed when changes to the Local Government Act 1995 are formalised from the 2020 Review

3. ADMINISTRATION / ORGANISATION

3.1 Customer Service Charter

Approval History:	Aug21 - adopted at August 2021 OCM Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

For all compliments, suggestions, concerns or complaints please contact the Shire of Yalgoo Chief Executive Officer

Telephone (08) 9962 8042

Email pa@yalgoo.wa.gov.au

Post or in person

37 Gibbons Street

Yalgoo WA 6635

Monday to Friday 9:00am to 4:00pm

The Shire of Yalgoo is committed to continuing to review our service provision to ensure ongoing effectiveness and efficiency. We believe strongly in accountability and encourage feedback on how our services can be improved for all users.

We are committed to:

- Respond to your enquiries promptly
- Treat all customers with courtesy, respect and fairness
- Deal with enquires and complaints fairly and professionally
- Keep you informed and provide non confidential information when requested in accessible formats
- Provide informative local knowledge and seek advice

For written and email correspondence we will acknowledge correspondence or provide a written or email reply within 5 working days.

For complex matters we will advise on a timeline and make sure the officer with which your are dealing provides a name and contact details.

We will answer all phone calls and return telephone messages by the end of the next working day.

We will welcome and acknowledge you within 2 minutes of arrival at the Shires Administration Officer.

Our reception areas will be clean and tidy, smoke free safe environments.

You can help us to meet our commitment to you by:

- Treating our staff with courtesy and respect
- Being open and honest in your dealings with us and provide accurate information
- Letting us know when things change such as your address or contact details
- Providing us with feedback
- Make an appointment for a complex enquiry
- Follow the general directions or rules at all Shire Facilities including COVID-19 SafeWA check-ins

Complaints

A complaint is an expression of dissatisfaction with a decision, level or quality of service or behaviour of an employee or agent which can be investigated and acted upon where no right of appeal or review is available under any other legislation

Where a matter cannot be directly addressed or referred the complainant will be provided with a copy of the Shires Complaints Policy and informed of the timeline which will apply.

3.2 Attendance at Events Policy 2020

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

OBJECTIVES

- To introduce policy to address section 5.90A. of the Local Government Act 1995 Policy for attendance at events
- To provide elected members and staff with consistent guidelines to ensure transparency, relevance, and value for money for ratepayers.

POLICY STATEMENTS

- In developing the Attendance at Events Policy, council needs to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council. The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings.
- This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the Chief Executive Officer (CEO).
- Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

LEGISLATION

5.90A. Policy for attendance at events

In this section — **event** includes the following —

- a) a concert
- b) a conference
- c) a function
- d) a sporting event,
- e) an occasion of a kind prescribed for the purposes of this definition.

A local government must prepare, and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —

- a) the provision of tickets to events; and
- b) payments in respect of attendance; and
- c) approval of attendance by the local government and criteria for approval; and
- d) any prescribed matter.

**Absolute majority required.*

A local government may amend* the policy.

**Absolute majority required.*

When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section. The CEO must publish an up-to-date version of the policy on the local government's official website.

PROVISION OF TICKETS TO EVENTS

Invitation

- All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Chief Executive Officer. Invitations made directly to an Elected Member are to be handed to the Chief Executive Officer for action to be taken in accordance with this Policy.
- Any other invitation or offer of tickets not addressed to an Elected Member or the Chief Executive Officer in general is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- A list of events and attendees authorised by the local government in advance of the event is recorded in Attachment A.

APPROVAL OF ATTENDANCE

In deciding on attendance at an event, the Council will consider:

- who is providing the invitation or ticket to the event,
- the location of the event in relation to the local government (within the district or out of the district),
- the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- whether the event is sponsored by the local government,
- the benefit of local government representation at the event,
- the number of invitations / tickets received, and
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.

The CEO is authorised to determine matters relating to staff attending conferences, seminars or training (in addition to those listed at Attachment A) that form part of the ongoing operational requirements of the Shire using the considerations as outlined in Training and Development Policy in the Employee Orientation and Induction manual.

PAYMENTS IN RESPECT OF ATTENDANCE

Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.

- 6.1 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 6.2 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 6.3 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

Attachment A – Attendance at Events Policy

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
Western Australian Local Government Association (WALGA) Annual Conference and AGM	Annual Event	President, Deputy President 2 x Elected Members CEO	Elected Members & CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	Elected Members – Adopted March 2020 Staff – CEO discretion – Approval of attendance
Zone Conferences	Periodical	President, Deputy President Elected Members CEO DCEO	Elected Members & CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. .	Elected Members – Adopted March 2020 Staff – CEO discretion – Approval of attendance
State Government Budget announcement, launches and other events	Ongoing	President, Deputy President CEO	Elected Members & CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	Elected Members – Adopted March 2020 CEO discretion – Approval of attendance
WALGA Road Conference	Annual Event	President, Deputy President 2 x Elected Members CEO Works Foreman	Elected Members & CEO Works Foreman	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	Elected Members – Adopted March 2020 CEO discretion – Approval of attendance

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
Local Government Professionals Annual Conference	Annual Event	CEO DCEO	CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	CEO discretion – Approval of attendance
Synergy Soft or Ozone/Datacom IT Annual User Group Conference	Annual Event	CEO	CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	CEO discretion – Approval of attendance
Moore Stephens Annual Budget Finance Conferences	Annual Event	CEO	CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. .	CEO discretion – Approval of attendance
Works Supervisors Annual Conference	Annual Event	CEO Works Foreman	CEO Works Foreman	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.	CEO discretion – Approval of attendance

3.3 Destruction of Records

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

The CEO may authorise the destruction of records in line with the Local Government General Disposal Authority as prepared by the State Records Office

– End of Policy

3.4 Professional Advice

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective To obtain appropriate advice when necessary for the proper management of the Shire's affairs

Policy Statement

1. The CEO may obtain from Council's solicitors, auditors, workplace relations representatives etc, such advice and opinion as is considered to be necessary to enable the proper administration of the Shire's business.
2. The advice sought may be in support of a report or submission to the Council or a Committee or to clarify any other matter that requires specialist advice.

– End of Policy

3.5 Legal Representation Costs Indemnification

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction From time to time, Members and Officers of Council may need legal representation.

Objective This policy is designed to protect the interests of council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

1. Introduction

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 district.

2. General Principles

- a) The local government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government, contrary to the local government's Code of Conduct or otherwise in bad faith.
- b) The local government may provide such assistance in the following types of legal proceedings:
 - i) Proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
 - ii) Proceedings brought against 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 a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions); and
 - iii) Statutory or other inquiries where representation of members or employees is justified.
- c) The local government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the local government'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 approved by local government.

3. Applications for Financial Assistance

- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- 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 (CEO).
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the *Local Government Act 1995*.
- 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 \$10,000
- f) Where it is the Chief Executive Officer who is seeking urgent financial support for legal services the President shall deal with the application.

4. Repayment of Assistance

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by local government.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government, contrary to the local government's Code of Conduct or otherwise in bad faith: or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such monies in a court of competent jurisdiction. – *End of Policy*

3.6 Usage of Information Technology

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

1) **Objective**

This policy deals with the provision of information technology resources by the Council and the associated responsibilities of authorised users when accessing these resources.

2) **Policy**

Introduction

Information technology resources are provided to support the Council's administrative and operational activities. These resources include the Council's network, desktop computer systems and software, internet access, electronic mail (email) and related services.

Users of these systems are expected to comply with the following policy which is written with the intent of protecting the integrity of these systems so as to provide reliable IT services to users, and also to protect the right of each employee to work in a healthy and safe environment.

Ethics

Respect the rights of others, and comply with other policies regarding sexual, racial, and other forms of harassment. Do not engage in behaviour, which violates these policies.

Occupational Safety and Health

Employees have a duty not to adversely affect their own or any other person's health and safety at work. Distribution of offensive material that may cause trauma or distress to other employees through the Council's IT systems, or the use of these systems to bully or intimidate other employees may be construed as a breach of the Occupational Safety and Health legislation. This carries a penalty of \$10,000 for an employee who breaches section 19 and \$100,000 for an employer who breaches section 20 of the Occupational Safety and Health Act.

Equal Opportunity

The Equal Opportunity Act 1984 WA prohibits discrimination (on grounds including gender, race and religion) and sexual harassment. Examples of discrimination and harassment include but are not limited to the following:

Referring in emails to a particular class of persons based on their race would be in breach of the EO Act. The sending of pornographic material to a fellow employee via email constitutes sexual harassment and is in breach of the EO Act.

Defamation

A person defames another if they publish a statement or comment (written or verbal) which is likely to cause an ordinary, reasonable member of the community to think less of that other or to shun or avoid that other. Generally any comments which disparage another person's business or professional acumen, suggest that a person may have committed a crime or refer in a disparaging way to a person's sexual chastity would be considered to be seriously defamatory. Any person who is party to the publication of defamation may be liable for payment of substantial damages.

Personal Use

Reasonable personal use of Council IT resources is permitted (in the user's own time) provided that it does not negatively impact upon the users work performance, hinder the work of others nor make any modification to any IT resource.

Such use shall not cause additional cost to the Council.

Reasonable use in a particular circumstance will be a matter to be determined by the user's supervisor.

Restrictions

Users are not permitted to use Council IT Resources to conduct private commercial activities including eBay and similar online auction sites.

Users are not permitted to utilise Council IT resources to access pornographic material or to create, store or distribute pornographic material of any type.

Users are not permitted to utilise the Council's IT resources to gamble or play games.

Users are not permitted to use MP3 download sites such as Kazaa, iTunes, LimeWire.

Consequences

Users found to have breached this policy will be subject to disciplinary action.

Criminal offences will be reported to the Police.

Monitoring

The Council reserves the right to monitor email, internet activity, logs and any electronic files for any reason, including but not limited to, suspected breaches by the user of his or her duties, breaches of Council policy, unlawful activities. The DCEO will monitor use of IT systems.

Maintenance

Maintenance of the Council's IT systems is solely the responsibility of the DCEO. Under no circumstance should any other employee attempt to repair hardware or software faults without the express permission of afore mentioned persons.

3) Access Control

Granting of Access to Information Systems

Access to information systems is controlled by the DCEO. Users are granted access on the basis that their use of IT resources shall be responsible, ethical and lawful at all times.

The Supervisor must advise the DCEO, before a new employee commences, of the level of system access required to carry out their daily tasks.

As a condition of employment all new employees who have requested access to Internet and/or Internet email are required to complete the policy acceptance form.

4) Computer Systems

Work Purpose

Computer systems are provided as a tool to support the operations of the Council. Each computer is installed with a standard operating environment plus additional user specific tools.

Personal Use

Limited personal use of computer systems is allowed provided such use is reasonable in terms of time and cost.

Prohibited Use

Under no circumstance are users to install software or utilities on Council computers that are not licensed and work related. Permission must be obtained from the DCEO before installing applications on Council computers.

Under no circumstance are users to install software or utilities sourced from the internet. This includes but not limited to: ICQ, Gator, Neopets, Bonzibuddy, Internet flowers, Web shots and other screensavers.

Under no circumstances are users to install software on Council computers without the prior permission of the DCEO.

5) Internet

Internet costs are incurred based upon the amount of data that is received from the internet and can be significant. The internet also presents a security risk to the Council's operations. The following points are aimed at reducing the cost and risk of providing internet access.

It should be noted that downloading does not mean only copying a file or document over the internet to a computer. It is all information coming into the system from another computer. The Shire is charged for all data received. Being a satellite system, all information sent out is also charged.

Accordingly, there is no free access to the internet.

Work Purpose

Users are permitted to access the internet for work related purposes as outlined in each user's internet usage application.

Personal Use

Limited personal use of internet facilities is allowed, such as online banking, travel bookings, browsing, provided such use is reasonable in terms of time and cost.

Prohibited Use

- Streaming voice and video media is prohibited unless it is proven to be work related – e.g.: on-line radio
- Online games are prohibited.
- Use of instant messaging applications is prohibited.
- Use of personal Web Mail is prohibited.

User responsibility

It is the user's responsibility to ensure that any internet site they access is within the bounds of acceptable usage, legal and does not pose a risk to the security of the Council's operations.

Web based applications must be approved by the CEO and the DCEO informed of the intended use of the application so that appropriate security measures are taken.

6) Email

Work Purpose

Email is provided to allow electronic communication with the Council's partners, clients and staff.

Personal Use

Limited personal use is allowed provided such use is reasonable in terms of time and cost and does not interfere with Council business or present a security risk.

Prohibited Uses

- a) Users shall not use Council email accounts to conduct a private business.
- b) Users shall not execute any attachments received via email that are not work related. Any executable attachment including but not limited to, movies, sound files, documents containing macros, screen savers can harbour viruses.
- c) Users shall not use their Council provided email address to subscribe to any subscription service, unless approved by the DCEO.
- d) Users shall not send forged messages.
- e) Users shall not use someone else's mail address without authorisation.
- f) Users shall not send aggressive, rude or defamatory messages.
- g) Users shall not transmit sexually explicit material.
- h) Users shall not send unsolicited emails (SPAM).
- i) Use of personal Web Mail is prohibited.

User Responsibilities

Users shall take care to protect their email address and not unwittingly provide it to any party that may include it in mass mailing lists (SPAM). Correspondence via email should be of the same standard for written communication.

Email, which contains offensive or discriminatory material or language, should be reported to the CEO or DCEO.

Users shall maintain compliance with any records procedures regarding email.

Copyright

Respect the legal copyright rules. Copyright provisions also relate to downloading of software and documents. Do not distribute or install software without first obtaining approval from the DCEO. Always assume website content to be subject to copyright unless stated otherwise.

Records Management

Respect the need to maintain other internal systems. All incoming email should be treated the same as other correspondence that is public record. Emails should be forwarded to the Executive Assistant for processing and referenced for filing purposes. Outgoing emails should also be printed, and treated the same as normal correspondence.

Responsibility

It is the responsibility of the Chief Executive Officer to ensure that this policy is disseminated to staff and properly applied.

3.7 Press releases - revoked Jan25

Former Policy 3.7 Press Releases – revoked Jan25 [C2025-01-16]

3.8 Complaints

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction This policy applies to resolution of disputes arising between an external person or organisation and the operations of the Shire of Yalgoo or its staff. Section 3.8 (A) and (B) refers to internal staff.

Objective All persons affected by the operations of the Shire of Yalgoo are entitled to a fair and timely procedure for resolution of complaints.

All persons, whether making a complaint or the subject of a complaint, are entitled to present their case and be heard with respect and courtesy. The laws of natural justice will apply.

Where a complaint is outside the jurisdiction of the Shire or is covered by another process, the complainant will be advised to refer their complaint to the appropriate authority or have the matter dealt with under the appropriate process. Examples include:

- Complaints against Councillors for minor breaches of the Local Government Act s5.121, s5.110(6)(b).
- Other matters that have in place an existing resolution or appeal procedure through legislation or other instrument – eg: planning and development approvals or
- Internal staff disputes – these are covered by the Shire of Yalgoo staff grievance procedures
- Disputes relating to pay and conditions – these are covered under the Shire of Yalgoo Comprehensive Enterprise Agreement
- Matters outside the jurisdiction of the Council – eg: a criminal or civil law matter.

The Shire may refuse to deal with complaints that are scurrilous or vexatious and may seek advice from the Department of Local Government in such cases.

Procedure for managing complaints

- 15) A complaint must be in writing to be formally considered under this policy. However:
 - a) Where a verbal complaint is made, good customer service dictates that the officer to whom the complaint is made will take reasonable measures to resolve, or refer, the complaint.
 - b) Persons with an unresolved verbal complaint will be advised of their right to lodge a written complaint.
- 16) The CEO is responsible for receiving written complaints and ensuring that the appropriate complaint procedure is followed. The CEO may nominate an appropriate senior officer to deal with some or all complaints.
- 17) All written complaints dealt with under the policy/procedure will be recorded in a register of complaints kept by the CEO.
 - a) A complainant has the right to withdraw the complaint at any time by giving notice in writing and if this occurs, the CEO will not record the matter as a formal complaint.
- 18) The complaint will be acknowledged in writing within 7 days of receipt, with a copy of the Council's complaint policy.
 - a) The complainant may be asked to provide further information and/or invited to suggest how they would like the complaint resolved.
 - b) If it is unclear whether a matter is a complaint or not, the correspondent will be asked to confirm in writing whether they want the matter to be considered as a formal complaint.
- 19) The complaint will be referred within 14 days of receipt to the other party/ies for comment. The other party/ies will be invited to provide written comment within 14 days of receipt of the request.
- 20) The CEO will consider the information of all parties and may elect to interview the complainant and/or the other party/ies to obtain further details.
- 21) The CEO will take action to satisfactorily resolve the complaint. Any such action should occur within 14 days of receiving the information of all parties.
- 22) The CEO will advise the complainant and other party/ies in writing within 14 days of any decision regarding the complaint, including advising that any party, if not satisfied with the decision, has the right to have the matter further considered by the Council.
 - a) If requested in writing by the complainant or any party, the CEO will present the matter to the next Council meeting for a decision of Council
 - i) The CEO will inform the complainant in writing of any decision made by the Council
 - b) The CEO may decline to place a matter before the Council that in the CEO's opinion is:
 - i) Trivial or of a minor operational nature;
 - ii) Frivolous, vexatious or not made in good faith;
 - iii) The complainant does not have enough personal interest or direct knowledge of the matter raised in the complaint.
- 23) In any case, the Chief Executive Officer shall advise complainant of their right to present their complaint to the Parliamentary Commissioner for Administrative Investigations (Ombudsman) or other appropriate authority.

3.9 Grievances, Investigations and Resolution Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16] Jan25 – numbering changed, formerly policy 3.8A
Review Frequency:	4 Yearly

Introduction This policy applies to resolution of grievances arising between staff, contractors, Volunteers and Council.

1. Definitions:

“Grievance” - any work-related disagreement, complaint, or matter which someone believes is unfair or unjustified, and which is causing that person concern or distress. The problem may be real or perceived. The grievance may be between an employee (staff, contractors, volunteers or elected members) and the Shire as a whole, or be between employees, and may involve a union.

Grievances may relate to such matters as:

- Transfer and promotion
- Rosters and assignment of work location
- Approval or taking of leave
- The physical work environment
- Health or safety in the workplace
- Performance appraisal
- Employment conditions
- Changes to human resources policies or procedures
- Disciplinary action
- Discrimination
- Harassment
- Bullying

“Discrimination” - where an employee (staff, contractors, volunteers or elected members) experiences adverse action (such as losing their job, not receiving their correct leave or pay entitlements, having their job changed to their disadvantage, or being treated differently from other employees) because of their race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer responsibilities, pregnancy, religion, political opinion, national extraction or social origin. Discrimination may be direct, indirect or systemic.

“Harassment” - any unwelcome, offensive, abusive, humiliating or threatening comment or action, usually linked to the characteristics of the person being harassed (age, race, sex, religion, etc.). Threats, insults, abuse and taunts.

“Bullying” - repeated unreasonable or inappropriate behaviour directed towards an employee or group of employees that creates a risk to health and safety.

2. General Principles

- Where bullying involves assault or threat of assault, it should be referred to the police.
- The Shire will endeavour to resolve grievances through mediation, consultation and discussion.
- All grievances will be dealt with confidentially. Only those individuals who are directly involved will have access to information (extracts) about the complaint.

- All grievances will be handled impartially and fairly. No action will be taken until all relevant information has been collected, investigated and considered.
- No repercussions or victimisation of the person making the complaint will be tolerated.
- Complaints will be dealt with in a timely manner.
- Trivial or vexatious complaints will not be pursued through this policy.
- Where the process for lodgement and resolution of a grievance is prescribed by legislation, that process will be followed.

3. Making a Complaint

All employees have the right to make a complaint to their supervisor; manager; or the Chief Executive Officer.

Employees may seek advice or assistance from a union or professional association.

Employees may seek advice from, or complain to, an external body (such as the Equal Opportunity Commission or the Fair Work Ombudsman).

Employees must ensure that any complaint they make is factual.

4. Employees who are the Subject of a Complaint

An employee who is the subject of a complaint has the right to –

- Be informed verbally of what behaviour they are being accused of.
- Respond to the allegations and provide witnesses, if appropriate.
- Be treated fairly and impartially.
- Be heard by an unbiased person.

5. Employees Receiving / Dealing with a Complaint

CEO has a responsibility to ensure grievances are dealt with confidentially, impartially, promptly and with a high priority. They must ensure that the principles of natural justice are applied throughout the process.

Throughout the process, the person receiving a complaint is required to ensure that the employee making the complaint is informed of the process to be undertaken and possible time frame. If the time frame is delayed, all parties to the grievance must be informed.

Reported grievances will be dealt with in accordance with the Grievance Management Procedure in the Employee Human Resources Manual.

6. Related Corporate Documents

- | | |
|--|--|
| • Discrimination, Harassment, & Bullying Policy | • Occupational Safety and Health Act 1984 WA |
| • Code of Conduct | • Occupational Safety and Health policy |
| • Employment Equal Opportunity framework | |
| • Employee Human Resources Manual – Grievances Resolution Procedure & Discrimination, Harassment and Bullying in the workplace | |
| • Local Government Act | |
| • Fairwork Australia | |

3.10 Discrimination, Harassment and Bullying Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction This policy is to ensure employees are aware of what constitutes workplace bullying, harassment and discrimination and their responsibilities in preventing and managing such incidents.

Policy Statement

1. Workplace bullying, harassment and discrimination are prohibited and will not be tolerated by the Shire. Disciplinary action, which may include termination of employment, will be taken against any person found to have breached this policy.

This policy applies to:

- All Shire employees; and
- Any consultant, volunteer or contractor engaged by the Shire whilst working at a Shire workplace or site.
- Elected Members

2. Definitions

Bullying – is repeated behaviour that a reasonable person, having regard to all of the circumstances, would anticipate being humiliating, intimidating, undermining or threatening and which causes risk to health and safety. Types of behaviour that may amount to bullying include:

- Verbal abuse
- The use of offensive language
- Exclusion or isolation
- Persistent teasing, joking or holding a person up to ridicule
- Repeatedly speaking in a manner which is sarcastic or designed to humiliate
- Repeatedly sending offensive or humiliating emails
- Assigning meaningless tasks unrelated to the job
- Deliberately changing working hours to inconvenience staff
- Deliberately withholding information that is vital for effective work performance; or
- Sabotaging another's work

Some instances of bullying can also amount to unlawful discrimination and/or sexual harassment.

Legitimate, appropriate and reasonable management actions (i.e. managing workplace performance or disciplining a team member), undertaken appropriately, do not constitute bullying.

Code of Conduct – standards of behaviour and conduct that are expected of all Shire of Yalgoo employees, elected members, consultants and contractors.

Discrimination – occurs if a person is treated less favourably than how another person would be treated in comparable circumstances. Discrimination can be direct or indirect.

Direct Discrimination – occurs when a person is treated less favourably than another person due to a specific attribute or characteristic that is protected under anti-discrimination laws.

Indirect Discrimination – occurs when a person with an attribute or characteristic that is protected under anti-discrimination laws cannot comply with a particular policy or condition, with which the majority of persons not having that attribute or characteristic or having a different attribute or characteristic are able to comply (and that policy or condition is unreasonable).

The attributes or characteristics protected by anti-discrimination laws includes sex, marital status, pregnancy, family responsibility, family status, race, religious or political convictions, gender history, impairment, age or sexual orientation.

Harassment – unwelcome behaviour (verbal, written or physical) that has the effect of making a person feel humiliated, intimidated or offended based on an attribute or characteristic (such as race). Harassment may be a single example of offensive behaviour or repeated examples of such behaviour regardless of whether it has been indicated by the individual as unacceptable. Harassment is not just sexual.

Sexual Harassment – includes any verbal, written or physical behaviour of a sexual nature that is unwelcome and uninvited where the harasser in all the circumstances should have reasonably anticipated that the other person would be offended, humiliated or intimidated.

The person does not need to intend to offend, humiliate or intimidate, or even to know that this was the effect of the behaviour for this conduct to be against the law.

Depending on the circumstances, the following kinds of behaviour may be deemed sexual harassment:

- Jokes or cartoons about someone's appearance, body shape, or any other personal matters that may cause embarrassment and make people feel uncomfortable
- Sexual or physical contact such as putting your arm around someone, slapping them, kissing, touching or patting them
- Staring or leering in a sexual manner (looking someone up and down)
- Standing too close to someone or brushing him or her as you walk past
- Verbal abuse or comments that put down or stereotype people because of their sex, appearance or sexual preference. These gestures may not need to be obviously crude for the behaviour to be deemed sexual harassment
- Offensive gestures and "wolf" whistling
- Displaying in the workplace or in personal belongings material that is sexist, sexually explicit or homophobic (anti-gay). This includes offensive emails, screensavers or PC wallpaper
- Repeated sexual invitations and
- Intrusive questions or remarks about a person's sexual activities or private life.

Vexatious Claims – an allegation that is brought without enough grounds, purely to cause annoyance, disruption or worry to another employee.

Victimisation – occurs where a person is treated or threatened to be treated in an adverse manner as a result of making or threatening to make a complaint. Victimisation also occurs when there is adverse treatment because a person has supported the complaint of another. As with discrimination generally, motive is irrelevant.

It is unacceptable and against the law for any person to be treated differently for the reason that he or she decided to exercise his or her legal rights under anti-discrimination laws or to help someone else to do the same.

Manager – a person at the level of Team Leader, Supervisor, Coordinator, Manager or Executive with one or more direct reports.

3. Unlawful Conduct

Conduct that is a breach of this policy may be **unlawful** under the following legislation:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Fair Work Act 2009 (Cth)
- Equal Opportunity Act 1984 (WA); or
- Occupational Safety and Health Act 1984 (WA).

Persons who engage in conduct that is bullying, harassment and/or discrimination under the above legislation can be held personally liable and penalised. Furthermore, the Shire can be held vicariously liable for breaches of the above legislation by its employees.

4. Accountabilities

Manager are accountable for:

- Promoting a workplace culture free from bullying, harassment and discrimination and may be held personally liable for such conduct of direct reports unless they have taken all reasonable steps to prevent or eliminate the behaviour
- Ensuring their team members are made aware of their obligations and know what action to take if they believe they have been subjected to or witnessed inappropriate behaviour as defined within this Policy
- Actively monitoring the workplace to ensure acceptable standards of conduct are always observed and acting upon either their own concerns and observations, or those that are brought to their attention
- Treating all complaints seriously and confidentially in a timely manner
- Undertaking appropriate training/education to ensure their knowledge in this area is current
- Regularly promoting this Policy and the code of conduct to direct reports (i.e. toolbox meetings, staff forums and the general working environment); and
- Ensuring that no victimisation occurs against the person who makes a complaint.

Employees are accountable for complying with this Policy by:

- Not bullying, harassing, discriminating or victimising other employees
- Ensuring their behaviours and actions are aligned to the Shire's Code of Conduct
- Completing mandatory training on appropriate workplace behaviours as assigned to them
- Reporting to their Manager any concerns they have in relation to other staff who may be the victim or be the perpetrator of bullying, harassing or discriminating behaviours and
- Cooperate with the Shire with respect to any action taken to comply with requirements under all relevant legislation, including if they are called by the CEO or their Manager to participate in any investigation.

5. Complaints Procedure

Complaints about bullying, harassment or discrimination will be treated seriously and dealt with promptly, confidentially, and impartially in accordance with the Shire's Grievances Resolution Procedure.

6. Additional Support

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

7. Related Corporate Documents

- Grievances, Investigation and resolution Policy
- Code of Conduct
- Employment Equal Opportunity Framework
- Occupational Safety and Health policy
- Employee Human Resources Manual – Grievances Resolution Procedure & Discrimination, Harassment and Bullying in the workplace
- Local Government Act

3.11 Social Media Policy

Approval	Mar20 – new policy adopted
History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Policy overview and purpose:

Social media is changing the way we communicate. This policy provides practical guidance allowing all parties to benefit from the use of social media, while minimising potential risks and protecting those involved. This policy contains guidelines for the Shire to engage in social media use. It also includes details of breaches of the policy. This policy applies to all persons who are involved with the activities of the Shire

Scope:

Social media refers to any online tools or functions that allow people to communicate and/or share content via the internet. This policy is applicable when using social media as:

1. an officially designated individual representing the Shire on social media; and
2. if you are posting content on social media in relation to the Shire that might affect the Shire's name, business, services, events, Elected Members, Management or Officers reputation.

Using social media in an official capacity:

You must be authorised by President or the CEO as appropriate to the powers of delegation before engaging in social media as a representative of the Shire.

To become authorised to represent the Shire in an official capacity, you demonstrate you have reviewed the education resources at <https://esafety.gov.au/>

As a part of the Shire's personnel you are an extension of the Shire brand. As such, the boundaries between when you are representing yourself and when you are representing the Shire can often be blurred. It is important that you always represent both yourself and the Shire appropriately online.

Guidelines

You must adhere to the following guidelines when using social media related to the Shire:

- **Use common sense**

Whenever you are unsure as to whether or not the content you wish to share is appropriate, seek advice from others before doing so or refrain from sharing the content to be on the safe side.

- **Protecting your privacy**

Be smart about protecting yourself and your privacy. Refrain from posting any content online that you would not be happy for anyone to see, even if you feel confident that a particular individual would never see it. Where possible, privacy settings on social media platforms should be set to limit access. You should also be cautious about disclosing your personal details.

- **Honesty**

Do not say anything that is dishonest, untrue or misleading. If you are unsure, check the source and the facts before uploading or posting anything – if in doubt, do not post or upload. Do not post anonymously, using pseudonyms or false screen names. Be transparent and honest. Use your real name, be clear about who you are and identify any affiliations you have. If you have a vested interest

in something you are discussing, point it out. If you make an endorsement or recommendation about something you are affiliated with, or have a close relationship with, you must disclose that affiliation.

The web is not anonymous. You should assume that all information posted online can be traced back to you. You are accountable for your actions both on and offline, including the information you post via your personal social media accounts.

- **Use of disclaimers**

Wherever practical, include a prominent disclaimer stating who you work for or are affiliated with (e.g. member of <club name>) and that anything you publish is your personal opinion and that you are not speaking officially. This is good practice and is encouraged, but don't count on it to avoid trouble — it may not have legal effect.

Reasonable use

If you are an employee of the Shire you must ensure that your personal use of social media does not interfere with your work commitments or productivity.

Respect confidentiality and sensitivity

When using social media, you must maintain the privacy of the Shire's confidential information. This includes information that is not publicly accessible, widely known, or not expected to be shared outside of the Shire. Remember, if you are online, you are on the record—much of the content posted online is public and searchable.

Within the scope of your authorisation by the Shire, it is perfectly acceptable to talk about the Shire and have a dialogue with the community, but it is not okay to publish confidential Shire information. Confidential information includes things such as details about litigation, unreleased product information and unpublished details about our Shire services, practices, financial information and information about staff or Elected Members.

When using social media you should be considerate to others and should not post information when you have been asked not to, or where consent has not been sought and given. You must also remove information about another person if that person asks you to do so.

Permission should always be sought if the use or publication of information is not incidental, but directly related to an individual. This is particularly relevant to publishing any information regarding minors. In such circumstances, parental or guardian consent is mandatory.

Gaining permission when publishing a person's identifiable image

You must obtain express permission from an individual to use a direct, clearly identifiable image of that person. You should also refrain from posting any information or photos of a sensitive nature. This could include accidents, incidents or controversial behaviour. In every instance, you need to have consent of the owner of copyright in the image.

Complying with applicable laws

Do not post or link to content that contains illegal or indecent content, including defamatory, vilifying or misleading and deceptive content.

Abiding by copyright laws

It is critical that you comply with the laws governing copyright in relation to material owned by others and the Shire's own copyrights and brands.

You should never quote or use more than short excerpts of someone else's work, and you should always attribute such work to the original author/source. It is good practice to link to others' work rather than reproduce it.

Discrimination, sexual harassment and bullying

The public in general, and the Shire's employees and elected members, reflect a diverse set of customs, values and points of view. You must not post any material that is offensive, harassing, discriminatory, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate. When using social media you may also be bound by the Shire's values Bullying and Harassment and Equal Employment Opportunity Policies.

Avoiding controversial issues

Within the scope of your authorisation, if you see misrepresentations made about the Shire in the media, you may point that out to the CEO or President. Always do so with respect and with the facts. If you speak about others, make sure what you say is based on fact and does not discredit or belittle that party.

Dealing with mistakes

If the Shire makes an error while posting on social media, be up front about the mistake and address it quickly. If you choose to modify an earlier post, make it clear that you have done so. If someone accuses the Shire of posting something improper (such as their copyrighted material or a defamatory comment about them), address it promptly and appropriately and if necessary, seek legal advice.

Conscientious behaviour and awareness of the consequences

Keep in mind that what you write is your responsibility, and failure to abide by these guidelines could put your employment at risk. You should always follow the terms and conditions for any third-party sites in which you participate.

Branding and intellectual property of the Shire

You must not use any of the Shire's intellectual property or imagery on your personal social media site

- trademarks
- logos
- slogans
- imagery which has been posted on the Shire official social media sites or website.

You must not create either an official or unofficial the Shire presence using the organisation's trademarks or name without prior approval from the Shire.

You must not imply that you are authorised to speak on behalf of the Shire unless you have been given official authorisation to do so by the CEO or the President. Where permission has been granted to create or administer an official Shire social media presence you must adhere to the Shire Branding Guidelines.

Policy breaches

Breaches of this policy include but are not limited to:

- Using the Shire's name, motto, crest and/or logo in a way that would result in a negative impact for the organisation, clubs and/or its members.
- Posting or sharing any content that is abusive, harassing, threatening, demeaning, defamatory or libellous.
- Posting or sharing any content that includes insulting, obscene, offensive, provocative or hateful language.
- Posting or sharing any content in breach of the Shire's anti-discrimination, racial discrimination, sexual harassment or other similar policy.
- Posting or sharing any content that is a breach of any state or Commonwealth law.
- Posting or sharing any material to our social media channels that infringes the intellectual property rights of others.
- Posting or sharing material that brings, or risks bringing the Shire, its affiliates, Elected Members or Officers into disrepute. In this context, bringing a person or organisation into disrepute is to lower the reputation of that person or organisation in the eyes of the ordinary members of the public.

Reporting a breach

If you notice inappropriate or unlawful content online relating to the Shire or any of its Elected Members or Officers, or content that may otherwise have been published in breach of this policy, you should report the circumstances immediately to the CEO or President as appropriate. For a complaint about the misuse of social media that is general in nature, and/or ongoing or personal refer to the Shire's Grievance Policy Process.

Investigation

Alleged breaches of this social media policy may be investigated according relevant policies or regulations. Where it is considered necessary, the Shire may report a breach of this social media policy to police.

Disciplinary process, consequences and appeals

Depending on the circumstances breaches of this policy may be dealt with in accordance with the disciplinary procedures of the Shire. Employees who breach this policy may face disciplinary action up to and including termination of employment in accordance with the disciplinary procedures of the Shire.

Appeals

Any person who is sanctioned under a disciplinary process for breach of this policy may have a right of appeal.

Other legal considerations that may be applicable include but are not limited to:

- Defamation
- Intellectual property laws, including copyright and trade mark laws, Privacy, confidentiality and information security laws
- Anti-discrimination laws
- Employment and Equal opportunity laws
- Advertising standards
- Charter of Human Rights and Responsibilities Act 2006
- Information Privacy Act 2000

4. BUILDING / DEVELOPMENT

Deletion date not known

5. PUBLIC FACILITIES

5.1 Library

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. Lost or damaged books must be paid for by the offending party. Librarian must be notified on return of item or library membership may be suspended and library card suspended.
2. An invoice is to be raised for the lost or damaged item.
3. If more than three Inter Library Loans are returned after due date, then the Inter Library Loan Service is suspended to that borrower for an indefinite period. The borrower is to be liable to pay to the Shire the full costs associated with the late return of any inter-library loan books.
4. Not more than three items at a time are to be issued to a user, except at the discretion of the librarian who may issue up to ten items to bona fide borrowers who require books for research purposes or to borrowers who live at some distance from the Yalgoo townsite.

5.2 Shire Facilities – Hiring

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. For the Yalgoo Sporting Complex, Paynes Find Sporting Complex and Shire Hall the following conditions apply –
 - the person hiring the facility is required to do any major cleaning.
 - if equipment is required to be shifted from one facility to another or one room to another, then it is the responsibility of the user to shift the equipment and then return it to its original place of keeping.
 - the appropriate hire fee and security bond is to be paid before the hirer receives the keys.
2. On written application, the CEO is authorised to give permission to hirers of Council property to consume and sell liquor on such premises, under such conditions and in such areas as considered appropriate.
3. Each permit for consumption/sale of alcohol issued is to be advised to Yalgoo Police.

– End of Policy

COMMENT

Policy to be displayed in the buildings.

5.3 spare

5.4 Shire Facilities – Tables & Chairs

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. The tables and chairs at Shire facilities are not generally available for public hire for use off-premises. All applications for private use off-premises are to go to Council for decision, and will be subject to such considerations as considered necessary
2. In exceptional circumstances where the function being held is for the community, and is not a private event, the Chief Executive Officer has the discretion to allow their use off-premises.

5.5 Swimming Pool – Criteria for Planning

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction	The community has desired the construction of a swimming pool for many years, however, in early 2009, Council made the decision that it was economically unsustainable.
Objective	This Policy is intended to provide guidance concerning future consideration of construction of a swimming pool in Yalgoo.

1. Consideration will not be given to the construction of a swimming pool, or enclosure courts facilities until such time as all construction funding is firmly committed or in hand.
2. Once capital funding is fully secured, construction will not commence until such time as a minimum of 50% replacement cost of the swimming pool and enclosed courts –
 - is actually held in Reserve specifically for replacement or refurbishment of the facilities, or
 - the funds necessary are secured by enforceable agreement.
- In recognition of changing circumstances, Council has not discarded the concept entirely, but has set in place a number of criteria to be met before further consideration or construction of a swimming pool.

5.6 Event Management Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The Shire of Yalgoo recognises that a public event is a great way of bringing the community together and achieving the objectives of community focussed persons and groups.

Objective The Shire of Yalgoo is required by legislation to ensure events within the district comply with basic requirements and is responsible for guaranteeing environmental sustainability and public safety.

1. The role of the Shire of Yalgoo, as the approving body for events held on Shire of Yalgoo land (public spaces) or other location (public or private), is to ensure all reasonable and practical precautions are taken by any event organiser regarding risk and so to protect the health and safety of patrons, and the amenity of surrounding residents.
2. Whether an event is private or accessible to the public, if the event takes place in any of the Shire's public spaces or other location, the event organiser is required to obtain the relevant approval. This includes an approval from the Shire and the relevant state government authority if applicable.
3. A public space is land (including buildings or other structures and features) owned by or managed by the Shire and can include:
 - Sports grounds and facilities
 - Public reserves, gardens or open spaces where the public are permitted access
 - Thoroughfares including streets, footpaths, laneways or carparks
 - Crown land (except Family Centres and Government Schools).
4. Any place of assembly is a public building. This includes most buildings and places where numbers of people assemble or gather for one or more purposes named in the Health Act and the Health (Public Building) Regulations -does not include hospitals.
5. This policy does not apply to regular community facility hire or regular public open space users such as sporting groups.
6. The Comments and Policy Schedule 5.6 forms part of this policy statement, which is to be reviewed every two years.

– End of Policy

COMMENT

Definitions:

- Amenity: Has a wide meaning including the comfort, pleasantness and attractiveness of a place, the benefit of a property and its quality and environmental good or even access to facilities.
- Public Event: An event conducted by the Shire or another person or organisation in any place of assembly (which is defined under the Health Act and the Health (Public Building) Regulations as a public building).

Relationship to other Policies:

The Event Management Policy is to be read in conjunction with the other policies regarding public facilities.

Relevant legislation, standards and guidelines (including codes of practice) regarding holding an event includes the following:

- AS/NZS 3002 Electrical Installations – Shows and Carnivals
- *Bushfire Regulations 1954* governs the use of fireworks
- *Caravan Parks and Camping Grounds Regulations 1997* regarding camping in relation to an event
- *Civil Aviation Safety Regulations 1998* – Matters regarding fireworks.
- Department of Health's Guidelines for concerts, events and organised gatherings regarding compiling an event application including what would be considered an "event management plan"
- *Environmental Protection (Noise) Regulations 1997* – regarding allowing a CEO of a local government to approve noise emissions exceeding assigned noise levels
- *Food Act 1984, its regulations* and the *Australian Food Safety Standards* regarding the selling of food
- *Health Act 1911* regarding what is, and the use of, a public building. This includes a place of assembly and is the only approval that applies to every event and the *Health (Public Buildings) Regulations 1992* regarding temporary electrical installations and other structures
- *Liquor Control Act 1988* regarding the consuming and selling of alcohol at an event,
- *Misuse of Drugs Act 1981 and the Industry Code of Practice*
- *Occupational Safety and Health Act 1984* and its regulations regarding the construction of structures as well as amusement structures (Shows, carnivals and fairs)
- *Radiation Safety (General) Regulations 1983* and the associated standard and the 'Code of practice for the safe use of lasers in the entertainment industry (1995)';
- *Road Traffic Act 1974, the Road Traffic (Events on Roads) Regulations 1991* regarding holding an event on a main and/or local road and the Main Roads WA Code of Practice: Traffic Management of Events for the holding of road-based events on both main and local roads and matters regarding parking;
- *Tobacco Products Control Regulations 2006*.

Event Management Policy Schedule –

The Shire of Yalgoo will process an **event application** to hold an event subject to the following criteria:

General Requirements

1. If the event is to be held on a public space or other location, the Shire via an application process will assess and issue a permit, which will outline information on availability, regulations and other approvals required. This includes the matters provided in **Policy Schedule 5.6** and **Guideline A - What Should Be in an Event Application** along with consideration of the following:
 - a. The responsibilities listed for local government approval under the checklist for holding an event listed in Table 1 in the Department of Health's Guidelines for concerts, events and organised gatherings.
 - b. An application may be required for an event on a Shire road and/or a main road. The requirements are detailed in the Main Roads WA Code of Practice: Traffic Management of Events. For a Shire road, the application (Refer to the *Road Traffic (Events on Roads) Regulations 1991* - Form 1) will need to be signed off by the Shire CEO and the local Police. If the event is on a main road, Main Roads WA will also need to sign off on the application.
2. An event application should be submitted at least 8 weeks prior to your event. Should the event be considered large or high risk, an application can be made up to 12 months in advance.

Public Building Approval

3. The *Health Act 1911* requires a local government such as the Shire to issue a Certificate of Approval for an event in a public building. This is so that all health and safety issues are addressed, so that the capacity of the event can be set and whether the event can be closed, or ticket sales prevented.

The Health Act defines any assembly as a public building. The requirements for the issue of a Certificate of Approval include:

- a. Existing building. A Shire building would generally have a Certificate of Approval for its normal type of use, so a Certificate of Approval would not be required
- b. Temporary extension to an existing building. This is considered something that will allow the increase in attendees to an event including a minor alteration to the building, the implementation of temporary toilet facilities, the installation of additional lighting and so on
- c. Temporary structure such as a marquee, tent, spectator stands. Under the Health Act, or the Building Regulations regarding a temporary structure, the CEO may waive the requirement for public building design regarding low risk structures
- d. An event application is considered to meet the requirements regarding a public building approval.

Planning Approval

4. If an event is to be conducted on a site that is not in compliance with the Local (Town) Planning Scheme, the Shire may require a separate planning approval. A formal planning application is not required to approve one-off events.

Temporary Structures

5. With temporary structures used at an event, the CEO will require a certificate of construction/installation to verify that the person erecting the structure has constructed it in accordance with all manufacturer's recommendations and guidelines. However, if it is a low risk structure, the CEO can waive this requirement.

Electrical Installation Approval

6. A Certificate of Electrical Compliance (Form 5) signed off by a licensed electrical contractor is required by the CEO regarding the temporary electrical installations at events in accordance with the *Health (Public Buildings) Regulations 1992*. However, the CEO can apply a concession to this requirement. A concession is defined under the AS/NZS 3002 Electrical Installations – Shows and Carnivals as applying to low risk structures including any booth, display or any other single entertainment unit.

Liquor Licence

7. Commercial and non-commercial events held on Shire public property or other location, where alcohol will be served and consumed by attendees, must submit an application to the Shire for consent to consume liquor. The Shire's fee (including GST) must accompany the application. Note: A separate approval is also required from the Office of Liquor, Gaming and Racing if alcohol is to be sold at the event.

Serving of Food

8. Events held on public spaces or temporary venues owned by the Shire or other location that will sell or serve food or provide food vendors at an event will need to ensure that food standards meet the requirements of the Food Act and its regulations and any other matters required by the Department of Health.

Noise Management and Other Nuisances

9. Generally, noise emitted from a premise must comply with the *Environmental Protection (Noise) Regulations 1997*. A Noise Regulation 18 application should be submitted to the CEO. If the noise emissions from an event are likely to exceed assigned noise levels and the event would lose its character or usefulness in order to meet the assigned levels, the CEO can issue an approval and set conditions for a non-complying event. An application must be made to the Shire at least 60 days before the event and the CEO can charge a \$500 application fee.

Regulation 16 stipulates that noise from "agricultural shows, fairs, fetes, exhibitions and like events" is "exempt noise" that is not required to meet the allowable noise limits. A Noise Regulation 18 approval is therefore not required in these circumstances.

10. The use of any lasers is subject to the requirements of the Radiation Safety (General) Regulations and the associated standard and the 'Code of practice for the safe use of lasers in the entertainment industry (1995)'.
11. The use of pyrotechnics must be encapsulated within the applicant's risk management plan (if applicable). Regulation 39E of the *Bush Fires Regulations 1954* also governs the use of fireworks. Further to this, persons or organisations who wish to conduct firework activities at a place within 3 nautical miles of an aerodrome (including an airfield or helipad) or if using projectiles capable of reaching more than 400 feet above ground level are required to notify CASA at least 2 working days prior to the conduct of

such activities. The notification must be provided to CASA by the operator of the display - that is, the person or organisation that places or fires off the fireworks.

Camping and Recreational Vehicles

12. With regard to camping in relation to an event, the *Caravan Parks and Camping Grounds Regulations 1997* require local governments to approve and manage designated camping areas. However, for short-term use, the CEO may approve alternative arrangements.

Additional public space may be made available to accommodate recreational vehicles (caravans, motor homes).

Guideline A - What Should Be in an Event Application

Event applications should at the very least contain (but not be limited to) the following information:

- A description of the event (type of event, date, time, number of attendees, is alcohol available and so on);
- A letter of consent from the landowner (or owner's agent) stating that the owner has approved the use of the property
- Promoter's previous experience in similar events, together with letters of reference or referees
- A layout plan of the venue which depicts locations of proposed stages, lighting towers, temporary structures, water, toilets, first aid, safety services and muster points, entry & exit points, and other features or attractions
- A risk management plan:
 - Mandatory under the Health (Public Building) Regulations for events over 5,000 people
 - May be required by the Shire for events where alcohol is present
 - May be required by the Shire for other medium and high-risk events
- How waste management will be handled including whether the Shire's assistance is required
- Whether any camping is applicable and/or additional space is required for recreational vehicles
- Prior to the Shire considering any application for the staging of a concert, written comments should be obtained from the Officer in Charge (OIC) of the relevant police station. These comments should be submitted to the Shire with the application for approval
- Parking arrangements should be made with the Shire and an approved parking layout submitted with the application. Parking control measures need to also be advised and can include the use of emergency services personnel, sports groups and other community organisations
- Event organisers must make a separate application to the Shire if road or street closures are required (*Road Traffic (Events on Roads) Regulations 1991* - Form 1); and
- Provide sufficient information to allow approving officers to understand critical safety issues that may be associated with any event structure.

Note: All events are required to be drug free and smoke (i.e. tobacco free)

The CEO is responsible for implementing and administering an Event Management Application Form for the purposes of this guideline and policy.

– End of Schedule

5.7 Hire of Land-borne Inflatable Devices Policy

Approval	Jan22 – new - adopted [2022-01-16]]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective To address and hazard created by Inflatable amusement devices if they are not set up and operated according to relevant instructions.

Upon engagement with the Shire, Amusement Companies are required to present their Public Liability Certificate of Currency along with proof that their equipment is either registered with Work Safe or is not required to be registered.

A declaration that Australian Standards are followed with respect to a leasing companies type of equipment.

Inflatable amusement devices can be a hazard if they are not set up and operated according to relevant instructions. Poor inflatable set-up or operation can lead to:

- the amusement device becoming airborne during strong wind gusts.
- the amusement device collapsing and trapping patrons.
- injury to patrons on amusement devices where they can move freely without supervision e.g. an inflatable device (continuously blown) like a jumping castle.

The Hiring Officer or a more senior staff member should check and confirm the following prior to use. All inflatable devices should be:

- secured and anchored with anchor points provided according to the manufacturer's instructions and relevant technical standards.
- evacuated when wind gusts exceed the manufacturer's guidelines or when the wind gusts are over 40 km per hour.
- installed with suitable impact absorbing mats if they are in areas where patrons can fall off the unfenced platform of the inflatable e.g. entrance and exits.
- supervised at all times by people who are competent to operate the device safely.
- monitored so a device is not used at the same time by more than the recommended maximum number of patrons.
- monitored so electrical or other powered components of the inflatable cannot be interfered with by patrons, in particular children.
- patrons should be monitored so only those of similar size and weight are on the amusement device at the same time. This will reduce the risk of injury to smaller patrons. Somersaults, flips or tackling other patrons should not be permitted.

6. DONATIONS

6.1 Donations and Sponsorship

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Sept20 – amended [C2020-0914] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction From time to time, requests are received for Council to donate to particular causes or events, or to support individuals financially.

Objective To establish a framework for the consideration of requests for donations, sponsorship or in-kind support

1. As a general practice, Council will restrict making donations of cash, materials and/or works to organisations which benefit the local community.
2. Sponsorship of individuals will not be considered, unless it is determined by Council that –
 - the person is representing the Shire as a community,
 - is acting for the Shire's benefit to some extent, and
 - is authorised by a non-profit and non-government organisation which benefits the community.
1. The Shire will support the following organisation by way of donation:
 - Yalgoo St John Ambulance Sub Branch volunteer services - \$2500 annually [C2020-0914]
2. The following Policy Schedules are adopted, and form part of this Statement –
 - 7.7 (a) – Request for Support.
 - 7.7 (b) – Criteria for Assessment of Requests

Policy Schedule 7.7 (a) Request for Support

Donation requests should be made before 1 April each year for funding in the next financial year.

Priority is given to new initiatives which enhance the lifestyle of those living within the area.

Previously successful applicants should not assume that funding will always be granted. Other sponsorship priorities and eligibilities are listed on an attached sheet.

This information form is designed to assist you in making your application for donation and to enable us to efficiently deal with your request.

Please return to: **Chief Executive Officer Shire of Yalgoo**
37 Gibbons Street YALGOO WA 6635

Name of Organisation		
Postal Address		
Contact & Position		
Telephone	(W)	(H)
Aims of Organisation		
When was your organisation established?		
Is your group a non-profit organisation?	YES / NO	
Is your group a registered association?	YES / NO	
Does your group have an ABN?	YES / NO If yes, ABN	

DONATION AGREEMENT

If donation is approved, I agree:

- To provide the Shire of Yalgoo with a tax invoice for the amount granted
- To present the Shire with a report on the event including a financial report of the sponsorship expenditure, copies of material which feature the Shire's logo and a brief assessment of the projects' success (donations over \$500 only)
- Notify Council immediately, if the donation amount granted is used differently to what was listed in the application form.

I certify that the information supplied in this form is correct, and that I am authorised to make application for assistance on behalf of the organisation named

Signature		Name	
Position		Date	

PREVIOUS ASSISTANCE

Details of any previous assistance of your organisation by either direct donation or by waiving service costs

Date	
Amount	
Purpose	

PRESENT APPLICATION

If you have any further information you would like to include with your application form please attach.

Amount requested	
Date when support is required	
Project description	
How will the event/project benefit the Shire of Yalgoo community?	
Is this a regular project or a one-off event? Please provide detail	
Please detail how the support of Shire will be used	
What acknowledgement will the Shire receive for its support?	

BUDGET SUMMARY

Please attach a detailed budget for the project if appropriate.

INCOME	Shire support requested	\$
	Other sources –	\$
		\$
	Total	\$

EXPENDITURE		\$
		\$
		\$
		\$
	Total	\$

– End of Schedule

Policy Schedule 7.7 (b) – Criteria for Assessment of Requests

Applicants should note that donations will be made at the absolute discretion of Council and that Council may use the following criteria when addressing applications.

Donation requests will not be considered where:

- The applicant is a private and for-profit organisation or association
- The applicant is an individual person
- The applicant is in relation to general fundraising
- The application is for funding for conferences and conventions

Priority will be given where;

- The applicant is a registered not for profit organisation and has a base or visible presence in the Shire of Yalgoo.
- The applicant is a community group based in the Shire of Yalgoo or has visible presence within the Shire of Yalgoo or has a significant impact on residents of the Shire of Yalgoo.
- The applicant can demonstrate that the funds will provide some benefit to the Shire of Yalgoo residents.
- The funds are required for a new initiative or significant once off project.
- The applicant has not received a donation from Council within the previous two years.
- If the donation is for an event, entry to the event is free of charge to Shire of Yalgoo residents to attend and participate.
- The application is made in the financial year prior to the funds being required in time for inclusion in the coming year's budget deliberations.

– End of Schedule

6.2 Shire of Yalgoo Education Scholarships and Donations

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Oct20 – amended [2020-1011] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The purpose is to provide some financial support for deserving students attending Years 7, 8, 9 and 10.

Objective This Policy is intended to support administrative and other secondary school expenses for Yalgoo Primary School students, and recognition of achievement for a Meekatharra School of the Air student

- The following amounts are to be included in the 2009-2010 Annual Budget, and thereafter –
 - Yalgoo Primary School – two scholarships of \$150 each.
 - Meekatharra School of the Air – donation of **\$100** towards graduation gifts/prizes.
- The 2009-2010 base year amounts are to be indexed each year by the same percentage as the rates increase, rounded up to the next \$5.
- Yalgoo Primary School Year 6 Scholarships –
 - are intended to be a rolling three-year scholarship program, with two new scholarships to be awarded each year,
 - to be awarded to up to two graduating year 6 students, selected by the Yalgoo Primary School staff, and not limited solely to academic achievement,
 - the School staff are not required to award either or both scholarships each year,
 - any scholarship not awarded is not cumulative,
 - the scholarship will continue each year for the first three years of secondary education, subject to the student remaining in education,
 - the scholarship will be paid direct to the institution the successful recipient attends, upon notification/claim by the school, to assist paying for items such as fees, books, uniform etc,
 - although the recipient will not receive payment direct, a letter from the Shire confirming the award of the scholarship to the student and the arrangements, should be handed to the student at the time of announcement of the scholarship award,
 - if the student discontinues their education the scholarship will no longer be payable.
- Meekatharra School of the Air Graduation Gifts/Prizes –
 - to be used at the discretion of MSOA, is not limited to graduating students
- The Shire include in its annual 2020-21 budget and thereafter a minimum of \$800 to accomplish points 1-4 as priority and any remaining amounts may be used at the discretion of the CEO to fulfil the policy objective, where a request has been received from an educational institution in the Shire of Yalgoo or supporting students who reside in the Shire of Yalgoo.

6.3 Christmas Party for Children Residing in the Shire

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan22 – amended [C2022-01-15] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objectives

The purpose of this policy is to provide funds from the Shire budget for the purpose of providing a Christmas party for families with children to come together and share the Christmas spirit. The event is an alcohol-free event that may include a Carols by Candlelight theme and a meal is to be provided.

Policy Statement

Projected costs are to be included in the Annual Budget and Administration are to seek grant funding where possible.

The allocated budget will be used for food, beverages, entertainment and appropriate Christmas gifts for children residing in the Shire of Yalgoo.

A gift up to the value of \$30 or as set by the CEO dependent on the budget will be provided to each eligible child.

The primary purpose of this event to promote social inclusion and wellbeing and add value to the community and:

- Not seek to promote a product, service or company (sponsorship excepted).
- Entry to the event is free and appropriately inclusive
- This event may be supported by a local community group.
- This event is not to promote religious or political ideas.

Parents or carers are encouraged to contact the Shire to confirm eligibility and attendance.

All residents will be notified of the time and date of the event each year via Social Media or the Bulldust. Advert to include – let Santa know who will be in Yalgoo.

Eligibility – Children under 16 years of age who either:

- Currently or have resided in the Shire of Yalgoo that calendar year

An extra allocation of up to 8 gifts for children 8 years or younger will be purchased for children that are in attendance and have not been captured by the Shire but are still eligible. Any surplus will be donated to GRAMS or a charity organisation.

The focus of any gift for school aged children will be educational, artistic or sporting related.

A short summary to be compiled post event relating to costs and attendance to guide management planning in subsequent years.

7. FINANCIAL MANAGEMENT

7.1 Purchasing Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jul20 – review/amended [C2020-0708] Nov20 – review/amended [C2020-1107] Oct 21 – review/amended [C2021-1009] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Introduction The LGA Financial Management Regulations prescribe the financial management duties of the CEO and bind the CEO to establish efficient systems and processes to ensure proper authorisation for the incurring of liabilities and the making of payments.

Employees must be properly authorised before they can commit funds / incur a Shire expense to purchase goods and services that they require to carry out their functions and duties.

Objective To limit the authority and allow certain employees to commit budgeted funds / incur a Shire expense for the purchase of goods and services that they require to carry out their duties.

Statutory Context Local Government (Financial Management) Regulations 1996

- r.5.(1) (e) Financial Management Duties of the CEO – systems for proper authorisation for the incurring of liabilities
- r.11 (2) – A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant *debt was incurred by a person who was properly authorised to do so.*
-

Legislation and Exemptions

The requirements that must be complied with by Local Governments, including purchasing thresholds and processes, are prescribed within the Local Government (Functions and General) Regulations 1996 and in addition for the Shire of Yalgoo this Purchasing Policy. This Policy should be read in conjunction with the Local Government Act 1995 and associated legislation.

Purchasing that is below \$250,000 in total value (excluding GST) must utilise a Request for Quotation process, either direct to the market or through a panel of pre-qualified suppliers (such as a WALGA Preferred Supply Contract).

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public Tender unless a regulatory Tender exemption is utilised by the Local Government. Tender exemptions apply in the following instances:

- An emergency situation as defined by the Local Government Act 1995;

- The purchase is from a WALGA Preferred Supply Contract or Business Service. All WALGA Preferred Supply Contracts have been established utilising a competitive public procurement process to pre-qualify suppliers that meet compliance requirements and offer optimal value for money to the Local Government sector.
- The purchase is supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or a Regional Local Government or another Local Government;
- The purchase is under auction that has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 that apply.

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

1. The actual or expected value of a contract over the full contract period (including all options to extend); or
2. The extent to which it could be reasonably expected that the Local Government will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased.

WALGA Note: When making a decision about whether to conduct a public Tender or utilise a Tender exempt arrangement, the Local Government should compare the cost and benefits of both processes.

The compliance requirements, time constraints, costs and risks associated with a public Tender should be evaluated against the value delivered by such a process. This should then be compared with the costs and benefits of using a Tender exempt arrangement which include direct access to pre-qualified suppliers, full regulatory compliance, risk mitigation, administrative efficiencies and cost savings.

Officer Considerations when Incurring Liability

Ethics

Officers are to follow their applicable Code of Conduct, Yalgoo Shire Policies and comply with relevant legislation or audit requirements.

Officers are to act in an honest and professional manner that encompasses the following principles:

- Impartiality – fairness and consistency that results in a competitive process
- Accountability – based on value for money (efficient and effective use of public money)
- Transparency - adequate reporting of decisions that is free from bias (actual or perceived conflicts of interest are appropriately managed)
- Privacy – supplier information is commercial-in-confidence unless permission is obtained from the supplier or dictated by legislation

Value for Money – Cost, Quality and Sustainability

Best value for money is the most advantageous combination of Cost, Quality and Sustainability. A Life Cycle Assessment that is appropriate to the scale of a purchase should be performed.

Cost

An Officer shall consider all relevant Whole of Life Costs for both goods and services. These may include but are not limited to; transaction costs associated with acquisition, delivery, distribution, holding costs, consumables, deployment, maintenance and disposal. It is important to note that obtaining the lowest price is not more important than Specification or Sustainability.

Quality

Officers are to assess 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. Products and suppliers should be assessed on the following basis:

- The product or service is fit for purpose
- The supplier has a demonstrated financial viability and capacity to deliver the goods or services without risk (or an acceptable mitigated risk)
- That the goods or services offered are competitive when compared to the market (a sufficient number of quotations needs to be obtained)

Sustainability

The Shire of Yalgoo is committed to sustainable procurement of goods and services that have less environmental and negative social impacts than competing products and services.

Officers shall endeavour to procure products and services that –

- Demonstrate environmental best practice in efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling (Energy, Water, Emissions)
- 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 to produce
- 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

Renewable energy options and safe, energy efficient materials should be seriously considered for any new construction or building redevelopments.

Motor vehicles shall be fit for purpose and within budget. Significant weighting shall be given to fuel efficiency, emission type and volume.

Buy Local

Where the opportunity exists to purchase goods or services of a comparable quality locally, the officer is to have due regard for additional costs arising from a non local purchase such as:

- Freight
- Fuel
- Staff travel
- Project/staff downtime

Support shall be provided to local businesses in the following way:

1. Ensure that specifications are not determined which unfairly disadvantage local business, unless those specifications could be perceived as avoidance of a tender and would contravene Section 12 of the Local Government (Functions and General) Regulations 1996 – Anti-avoidance provision.

2. Ensure that procurement plans address local business capability and local content.
3. Regularly approach local businesses to bid for work and actively seek capability statements so that opportunities to provide work locally are not missed.
4. All weighted criteria used for the evaluation of a tender will include a category of no less than 10% for Tenderers to demonstrate utilization of local labour or purchases through local businesses.

Purchasing Thresholds - Requirements

Below is the purchasing process that must be followed based on the actual or expected value of each purchase by the Local Government:

Purchasing Thresholds (ex GST) Up to \$1,000

Obtain one (1) verbal or written quotation from suppliers supported by evidence of the quotation (eg email, fax, website print screen or record of quotation) in each instance. Verbal quotations should be written on the Purchase Order by the Officer. Officers should regularly test the market by obtaining other quotes or by comparing to similar requests for goods or services.

Purchasing Thresholds (ex GST) \$1,000 - \$9,999

Obtain at least two (2) verbal or written quotations from suppliers supported by evidence of the quotation (eg email, fax, website print screen or record of quotation) in each instance. All quotations from suppliers should be in writing.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts using a simple quotation process either through eQuotes or directly in writing.

Purchasing Thresholds (ex GST) \$10,000 - \$249,999

Obtain at least three (3) written quotations (eg email, fax or original copy) from suppliers containing price and specification of goods and services. The procurement decision is to be based on all value for money considerations in accordance with the definition stated within this Policy.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

Purchasing Thresholds (ex GST) \$250,000 and above

Conduct a public Tender process in accordance with this policy and the WALGA Procurement Toolkit (if there is no access to the Toolkit refer to the Local Government Act 1995 and Tender specific Regulations). The procurement decision is to be based on value for money considerations in accordance with the definition stated within this Policy.

OR

Obtain quotations directly from a Tender exempt and pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

The Tender Process is to be conducted in accordance with the Local Government Act 1995 and subsidiary legislation – Specifically Part 4 – Provision of Goods and Services of the Local Government (Functions and General) Regulations 1996.

The preparation of tender documents and calling of a tender must be conducted by way of delegated authority. This decision should be based on a previously adopted Council Resolution which includes the adoption of a budget capital project.

Purchase Orders and Incurring Liability

WALGA Notes

Incurring liabilities is not described in the Local Government Act or Regulations as an express power or duty, rather it is only described as a requirement for the Local Government and the CEO to control by developing “systems and procedures” [see FM Regs 5 and 11].

Incurring liabilities is therefore not an express (written) power or duty which is capable of being delegated.

Therefore the CEO must establish systems and written procedures which give effect to compliance with legislation and purchasing policy and provide appropriate internal controls and risk mitigation for incurring liabilities.

Issuing a Requisition – the Requisition is only a proposal to purchase (FM Regs 5 & 11), describing the goods or services required to enable a decision to issue a Purchase Order. It does not incur a liability as the goods / services may only be provided on the basis of an appropriately issued Purchase Order.

A decision to issue a requisition and therefore Purchase Order, is informed by other, previous Council decisions, for example – the Budget adopted by Council, Council decisions to approve projects or implement policies.

The decision to incur a liability is in fact and in operation a method of implementing a Council decision and therefore accords with the CEO’s duties under s.5.41(c) to cause council decisions to be implemented.

Issuing a Purchase Order – The Purchase Order, creates a contract between the supplier and the Local Government. It incurs a liability (FM Regs.5 & 11), provided that the goods or services are ultimately supplied in accordance with the requirements specified in the purchase order. Administrative procedures should establish which positions are authorised to issue Purchase Orders, with pre-requisite requirements for a Purchase Order to only be issued, where due diligence confirms:

- a) Compliance with the Purchasing Policy
- b) The committal value of the Purchase Order is within an appropriate and available budget allocation.
- c) The proposed goods / services are within the scope of implementing a Council decision either specific or generally.

Using Credit or Transaction Cards (store card, fuel card or corporate credit card) are a method of incurring a liability, with the goods or services received and a monthly statement provided to the Local Government for acquittal (verification of a liability) on a monthly basis. Please refer to the Credit Card Policy.

Verification of Liability

Goods / Services Received – Officers are required to check packing slips and follow up directly any discrepancies. Reports and evidence of goods/services are to be kept as per the Shires Record Keeping Plan.

Verification of Invoice or Transaction Card Statement – Officers, their Manager or the CEO are to ensure that charges align with the accepted quote or the contracted schedule or rates and are to sign all such invoices as being both Received and Authorised for payment.

Council through its Audit Committee, may form an opinion as to its satisfaction with the procedures prepared in accordance with FM 11, when it undertakes the review of Internal Controls in accordance with Audit Reg. 17(1)(b).

Internal Controls

The Shire of Yalgoo utilises a Synergy Purchase Order Software Module distributed by Ready Tech.

All Municipal and Trust Payments require dual authorisation so that if a payment batch contains an invoice approved by an officer with Delegation of “Payments from the Municipal or Trust Funds” there is a second officer separating the roles of verifying the liability and approving the payment.

Payment batches require each of the following for a payment to a creditor:

- Quotes or exemption explanations
- A valid purchase order
- Invoice
- An “authorising/received” signature from the issuer of the Purchase Order or their Manager/ the CEO.
- A “checked” signature showing that a second officer has entered the Invoice and compared it to the Purchase Order.
- A signature and date from a Financial Manager or Chief Executive Officer agreeing with the total amount of the batch and its allocations including the allocation of GST.

All purchase orders require the following:

- (i) The date authorised (prior to the services, goods and invoice being received).
 - (ii) The appropriate number of supporting quotes or the relevant contract as per the Purchasing Policy. This includes a description of an exemption if it applies such as “Fuel”.
 - (iii) An allocation that is within budget or variance. Officers are required to regularly check and operate within adopted budget allocations.
 - (iv) The cost of the work (goods or services) - actual or a maximum estimation that is below that particular officers liability threshold.
 - (v) A brief description of the services and an itemised list of goods – reference can be made to a quote for itemised descriptions but all other requirements (i) to (v) must be included on the purchase order.
 - (vi) The signature of the officer showing that they accept, on behalf of the Shire of Yalgoo, liability for the purchase of the detailed goods or services.
- If instances arise where it is impractical to obtain the requisite number of quotations, the reasons should be recorded and attached to the purchase order at the time of the purchase being made.
 - Any quotes obtained verbally should be recorded by the officer on the purchase order that is made out to the successful supplier.

Purchase Order Threshold

Position thresholds based on position titles may be updated via memo by the CEO and placed on an employees file. This excludes the CEO threshold or positions that do not exist under the workforce plan.

≤ \$300,000	≤ \$150,000	≤ \$20,000	≤ \$9,999	≤ \$500
CEO	Works Manager / Foreman	Community Development Officer	Rates Officer	Admin Assistants
	DCEO	Executive Assistant	Administration Officer	Supervisor Parks, Gardens & Town Maintenance
			Caravan Park Manager	

The CEO is to report at the first potential meeting any purchasing near or above the Tender threshold. Any lump sum purchase over the tender threshold including from preferred suppliers will be the decision of Council.

An Officer may, with the verbal or written permission of another officer provide Purchase Orders above their threshold for requested items, that will be countersigned by the requesting officer at the earliest possible opportunity and is not above the Purchase Threshold for the requesting officer.

Officers may provide a Purchase Order above their threshold for a payment that was directly approved via minuted Council Resolution at the verbal or written request of the CEO.

The Council Resolution number and/or WALGA preferred supplier contract number must appear in the purchase order description.

Nothing in this policy authorises an employee to commit the Shire to a loan of money.

Authorising officers are responsible for attaching all supporting documentation to a purchase order.

7.2 Corporate Credit Card

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Oct21 – replaced [C2021-1009] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Introduction This policy should be read in conjunction with the Shires Purchasing Policy.

Objectives

The purpose of the Corporate Credit Card Policy is to establish rules for their use and the responsibilities of cardholders using the Shire's corporate credit cards. The policy ensures that operational and administrative costs and the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

Policy Statement

Shire of Yalgoo Corporate Credit Cards may be issued to the Chief Executive Officer and Deputy Chief Executive Officer where it is inappropriate or inconvenient to use the Shire's normal payment system.

The Council must approve the issue of a credit card to the Chief Executive Officer and Deputy Chief Executive Officer and any change to the credit card limit. The following limits apply:

\$10,000 CEO

\$5,000 DCEO

The Local Government Act 1995 does not allow for the issue of Credit Cards to Council members of Local Governments. Councillors are entitled to allowances or the reimbursement of expenses incurred on Council business.

Legislation

The Local Government Act 1995 does not specifically mention the use of Corporate Credit Cards by officers in a Local Government. However, Section 6.5(a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the Local Government are kept in accordance with regulations. In addition, the Local Government (Financial Management) Regulation 11(1)(a) requires Local Government to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisation in place for the use of credit cards.

Purchases

The Shire's Corporate Credit Cards shall only be used for purchases of goods and services in the performance of official duties for which there is a budget provision. Under no circumstances are they to be used for personal or private purposes or for the withdrawal of cash through a bank branch or any automatic teller machine. Most internet transactions provide this ability and any telephone or facsimile communications provide the opportunity to make such a request. If no invoice or receipt is available, as much detail about the transaction should be recorded and used to support the payment when required. (Date, Company, Address, ABN, amount, any GST included). Where a payment is made for entertainment, it is important to note on the

invoice/receipt the number of persons entertained and the names of any Shire of Yalgoo employees in that number. This is required to ensure the Shire pays the correct amount of Fringe Benefits Tax.

Settlement

The provider of the credit card will supply the Shire with a statement for each card each month. This statement will be forwarded to each cardholder for certification and the supply of receipts and tax invoices to support the Shire's claim for the GST component of purchases and services obtained. The Chief Executive Officer will approve the expenses by signing all statements. The credit shall be linked to Council's Municipal bank account and a recoup of expenditure be made, on a monthly basis, via funds transferred from the Shire of Yalgoo Municipal Account.

Lost or Stolen

Cards that are lost or stolen must be reported immediately by the cardholder to the issuing banker by telephone or internet. At the earliest opportunity, written notification must also be given to the Chief Executive Officer so that the cancellation of the card may be confirmed and a reconciliation of the card account from the date the card was lost or stolen may be performed.

Misuse and recover of unauthorized Expenditure

Cards which show unreasonable, excessive or unauthorised expenditure will be subject to audit and may result in the withdrawal of the card from the cardholder. Unauthorised expenditure or expenditure of a private nature that is proved to be inappropriate will be recovered by deductions from the officer's salary.

Internal Audit

The Chief Executive Officer will monitor the use of all credit cards and the adherence to the policy and procedures. The Shire President will also monitor monthly expenditure and sign each monthly statement.

Reward/Bonus Points

Where the Corporate Cards carry rewards or bonus points, usually to encourage the use of the card by the issuing institution, these rewards or points will be accumulated in the name of the Shire of Yalgoo. The Chief Executive Officer will decide how these points are to be utilised and may include a charitable, social or sporting distribution. Under no circumstances are rewards or bonus points to be redeemed for an officer's private benefit.

Return of Card

When the Chief Executive Officer or other Managers cease to occupy a position that is authorised to be issued with a corporate credit card they must return the card to the Chief Executive Officer or Shire President prior to vacating the position so that the card may be cancelled and the account settled.

Administration Responsibilities

The CEO is responsible for arranging the issue of the Corporate Credit Card. The Shires Financial Management Staff or Contractor is responsible for the following:

1. Maintain a Card Register of all cardholders.
2. Arrange the issue/cancellation of the Corporate Cards.
3. Arrange for all cardholders to sign the Card User Instruction Agreement (see Appendix A) on receipt of the new card and ensure the signed agreement is filed with the Card Register.

4. Verify payment of card expenditure on receipt of the card statement from the Bank after certification from the cardholder. Ensure that all receipts and tax invoices are in place prior to authorisation for payment.
5. To keep cardholders informed of any changes to policy and procedures on the use of the Corporate Cards.

Cardholders Responsibilities

Officers who are issued with Corporate Cards must:

1. Ensure the care and safe keeping of the card.
2. Adhere to the policy and procedures in relation to use of the card and its financial limits.
3. Ensure receipts and tax invoices are received when the card is used and to produce them as evidence for settlement with the Bank.
4. Ensure the monthly card statement is certified correct and approved for payment when received from the Administration section and return to the Administration section together with the receipts and tax invoices.
5. To provide an early response to enquiries that may be made by the bank, creditors or related parties, as the case may be.

Appendix A

Card issued To: _____ Title: _____

Date: _____

CORPORATE CARD USER INSTRUCTIONS

You have been provided with a Shire of Yalgoo sponsored Corporate Card in line with your official duties. The limit of this card is \$_____.

The following guidelines are provided for your information.

1. The card is issued in your name. It is a corporate card and all transactions made with it are the responsibility of the Shire of Yalgoo.
2. The card is to be used for official expenditure in the performance of official duties for which there is budget provision. Under no circumstances is it to be used for personal or private purposes.
3. Being in your name, you are responsible for the care and safe keeping of the card and therefore held accountable to the Shire for its proper use.
4. The card is not to be used to withdraw cash even for official functions.
5. Any unauthorised, excessive or unreasonable use of the card will result in an enquiry and appropriate disciplinary action.
6. When using the card, the holder is required to obtain Tax Invoices to support all purchases. A credit card statement or credit card transaction slip is not acceptable as support for purchases. (Only a Tax Invoice allows the Shire to reclaim the GST component of purchases from the Australian Taxation Office). A Tax Invoice should provide a description of the goods or services supplied, the suppliers Australian Business Number and identifies any GST component of the amount paid. If a Tax Invoice is not available, lost or stolen a statutory declaration is to be provided to the Shire President for acceptance or rejection.
7. When a Statement of Account is provided, you are required to certify the correctness of the expenditure and return the Statement to the Administration section together with all supporting Tax Invoices.
8. If the card is lost or stolen, you must immediately notify the issuing bank by phone or internet. The CEO should be notified on the next working day.
9. The card must be returned to the Shire via the CEO if you vacate the position. This must be done prior to your last working day so the card can be cancelled and accounts settled.
10. Please acknowledge the above by signing and returning the duplicate copy of this statement to the CEO to be placed on the Credit Card Folder.

Signature: _____

7.3 Outstanding Rates

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Introduction The Local Government Act 1995 provides for a local government to impose rates and charges on land in its district.

Objective To establish a formal standard for the recovery of outstanding rates and charges levied under the Local Government Act 1995.

1. The Chief Executive Officer may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person. Special payment agreements may be entered into for cases of special hardship for payment of rates, service charges, and domestic rubbish removal charges.
2. Subject to an agreement, the following process is to be followed for the recovery of outstanding rates and service charges. Legal proceedings will continue until payment of the rates and service charges are made in full –
 - a) Issue Final Notices –
 - (i) A Final Notice is to be issued 14 days after the due date, 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 ratepayer/s have seven (7) days to pay in full or to enter into a special repayment arrangement.
 - (ii) Final Notices are not to be issued to eligible persons registered to receive the pensioner 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.
 - b) Debt Collections –
 - (i) After (7) days has expired and no action has been recovered all rates and charges are to be sent to Council's debt collector.
 - (ii) The debt collector will follow a process to collect outstanding monies.
 - (iii) The debt collector, if unable to collect outstanding rates and charges will advise the rates officer.
 - (iv) The rates officer will present this to the Deputy Chief Executive Officer who, in liaison with the Chief Executive Officer, will issue the debt collector an instruction to proceed with legal action.
 - (v) Should the debt collector not be able to collect the rates and charges then:
3. Local Government Act 1995 section 6.64 – Sale of Land

If any rates and charges which are due to Council in respect of any rateable land have been unpaid for at least 3 years, Council may take possession of the land under the provisions of Section 6.64 of the Local Government Act 1995. The approval of Council is to be obtained before this course of action is undertaken.
4. Should the arrangement negotiated with the CEO not be kept, the provisions of (2) above may implemented. – *End of Policy*

COMMENT

7.4 Annual Budget – Rates Calculation

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction To determine the percentage by which rates in the dollar and minimum rates should be increased to meet the increasing expenditure demands of a rapidly growing local government and to balance the budget.

Objective

1. To provide clear direction to members of Council, staff and community members on the process of determining rate changes.
2. To allow sufficient time for ratepayers and electors to make submissions and comment on rate setting as required by the Local Government Act 1995.
3. To ensure that the budget preparation and adoption procedure follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

1. As a base standard for preparation of the annual budget, staff apply the following principles to establish the rate yield:
2. Using Local Government Cost Index (LGCI), calculate rate yield based on the previous years rate in the dollar or in a revaluation year, calculate rate yield on the previous years rate yield.
3. With reference to section 6.35 of the Local Government Act 1995, the minimum rates set by the Council are the minimum payments due in respect of any assessable property held for any part of the rating year and no refunds or allowances are to be made merely because a property has been surrendered, forfeited or otherwise disposed of during the course of a rating period. This policy recognises the considerable expense incurred by the Council in administering the rating system, and the disproportionate cost of collecting the small sums due as minimum rates.
4. Where land that becomes rateable during the year attracts a minimum rate, the minimum rate be apportioned on the number of days left in the year except where the amount is less than \$20 then the charge not be raised in that year, but be raised in the next subsequent year.
5. Council may adopt or vary the rate used for calculations, to suit Budget considerations.
6. Needs to be aligned with the long term financial plan that council adopted in September 2013

7.5 Annual Budget – Preparation timetable

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction In past years difficulties have arisen in regard to members of Council and staff not being aware when various sections of the budget process are required to be completed to enable a smooth transition to the adoption of the budget. There is a need to ensure that the budget preparation and adoption process follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

Objective

- To provide clear direction to members of Council, staff and community members on the budget adoption process to be followed, to ensure adoption of the annual budget in compliance with the Local Government Act 1995.
- The policy relates to the need to have guidelines for the adoption of the Budget and Plan for the Future to ensure its smooth transition.

1. All requests for items to be included in the draft budget must be made in writing and be submitted prior to 31 January each year.
2. Provision for ongoing commitments and fixed costs are to be included in the draft budget without reference to a committee.
3. The following Schedule 7.6 – Budget Preparation Timetable is applicable to the Long Term Financial Plan and Budget adoption, and forms part of this Statement.
4. In preparation for Budget, the following inspections are to be arranged by the CEO –
 - roads – date/s to be agreed at the March Council meeting.
 - plant and equipment – on the day of the March Council meeting,
 - public facilities – on the day of May Council meeting
 - Shire Office, Shire Hall, Old Railway Station, Caravan Park, Depot Workshop, Cemetery, St Hyacinth's Chapel etc
5. In preparation for Budget, the EHO is to inspect Shire housing, and buildings, and provide a report to the May Council meeting

– End of Policy

7.6 Investment Policy

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan22 – amended [C2022-01-15] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	2 Yearly

Policy Objective

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

Statutory Environment

Local Government Act 1995 – Section 6.14

Trustees Amendment Act 1997 – Part 111 Investments;

Local Government (Financial Management) Regulations 1996 – Regulations 19, 19C, 28, and 49; and

Australian Accounting Standards.

Policy Statement

Whilst exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes management of credit and interest risk within identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash-flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

Delegation of Authority

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

Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of the Shire's investment portfolio. This Policy requires Officers to disclose any conflict of interest to the CEO.

Approved Investments

Without approval from Council, investments are limited to:

- State/Commonwealth Government bonds with a term maturity not exceeding 3 years;
- Fixed term deposits placed with an authorised institution for a term not exceeding 3 years; and
- Interest bearing deposits placed with an authorised institution.

Authorised banks or institutions

- National Australia Bank
- Bank of Western Australia Ltd
- Commonwealth Bank of Australia
- Westpac Banking Corporation
- Australia and New Zealand Bank
- WA Treasury Corporation
- Bendigo Bank

Prohibited Investments

This Investment Policy prohibits any investment carried out for speculative purposes including:

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

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

In accordance with the Local Government (Financial Management) Regulations 1996, Regulation 19C, this Policy also prohibits the following:

- Deposits with any institution other than an authorised institution;
- Deposits for a fixed term of more than 3 years;
- Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Investment in bonds with a term maturity of more than 3 years; and
- Investment in a foreign currency.

Risk Management Guidelines

Investments obtained are to comply with three key criteria relating to:

1. Portfolio Credit Framework – limit overall exposure of the portfolio;
2. Counterparty Credit Framework – limit exposure to individual counterparties/institutions; and
3. Term to Maturity Framework – limits based upon maturity of securities.

Overall Portfolio Limits

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

S&P LONG TERM RATING	S&P SHORT- TERM RATING	DIRECT INVESTMENT MAXIMUM
AAA	A-1+	100%
AA	A-1	100%
A	A-2	100%

Credit Ratings

The short term (0-365 days) rating as defined by Standard and Poor's Australia Ratings is:

A+ Extremely strong degree of safety regarding timely payment

A1 A strong degree of safety for timely payment

A2 A satisfactory capacity for timely payment

Counterparty Credit Framework

The Shire will invest funds with authorised financial institutions that provide a service to the local community by establishing branches or agencies in the Shire. Such institutions must maintain a minimum Standard and Poors rating of A for short term investments.

Performance

Performance benchmarks will be as follows:

INVESTMENT	PERFORMANCE BENCHMARK
Cash	Cash Rate
Enhanced/Direct investments	UBSWA Bank Bill Rate
Diversified Funds	CPI + appropriate margin over rolling 3 year periods (depending on composition of fund)

Report and Review

A monthly report will be provided to Council. The report will detail investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value. This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of the investments held on the Shire's behalf as at 30 June each year and reconciled to the Investment Register.

7.7 Non-Current Asset Accounting Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Non-Current Asset Accounting Policy

Objective This policy is intended to outline the prescribed requirements to be followed by Council employed in the acquisition, accounting, control, transfer and disposal of non-current physical assets recognised as property, plant and equipment, and to ensure compliance with the Local Government Act 1995 (Financial Management Regulations 1996 and relevant Australian Accounting Standards

This policy applies to all decision making in respect to current, proposed and future property, plant and equipment which are classified under the land, buildings, plant and equipment, mobile vehicles and plant, furniture and office equipment, recreation equipment and infrastructure

1. Legislative / Local Law Requirements

Council employees you will follow the prescribed treatment for property plant and equipment as per the relevant Australian accounting standards and government legislation.

2. Capitalisation of assets

any acquisition or construction costs incurred over the life of the asset must be recognised as capital expenditure expense. Capitalisation threshold must be established for the recognition of non-current assets in the statement of financial position i.e. to determine which assets will be capitalised and which ones will be expensed.

2.1 capitalisation thresholds

the capitalisation threshold set the value of expenditure for items of property plant and equipment above which the expenditure is deemed to be material and recognised as capital expenditure, and below which expenditure is deemed to be immaterial and charged as expenses in the reporting period which expenditure is incurred.

Capitalisation threshold amounts are to be reviewed annually to ensure they remain relevant and effective in the face of inflation.

Capitalisation thresholds for each asset class are shown below:

Asset class	Capitalisation threshold
Land	Nil
Building	\$5000
Plant and equipment	\$5000
Mobile vehicles and plant	\$5000
Furniture and office equipment	\$5000
Infrastructure	\$5000
Software	\$50,000

The benefit of setting a threshold is to ensure efficient use of Shire's resources balanced against the needs to 'expense' items through depreciation against more than one financial year therefore present financial information accurately.

3. Definitions

Asset: a resource which is controlled as a result of past events and from which future economic benefits are expected to flow

Capitalisation Threshold: the minimum amount whereby the value of the non-current asset must be capitalised. Amounts below the recognition threshold are to be treated as an expense

Non-current asset: an asset held for use rather than exchange which provides an economic benefit for a period greater than one year

4. Relevant management documents

Australian Infrastructure Financial Management Guidelines

WALGA Local Government Accounting Manual (Edition Three)

CPA Guide to Valuation and Depreciation 2013

5. Legislation / Local Law Requirements

State Government Legislation

Local government act 1995

Local Government (financial management) Regulations 1996

Australian Accounting Standards

AASB5 Non-Current Assets Held for Sale and Discontinued Operations

AA SP13 fair value measurement

AA SP 101 presentation of financial statements

AA SP 116 property plant and equipment

AA SP 116 Australian implementation guidance (heritage and cultural assets)

AA SP 16 impairment of assets

AA SP 1031 materiality

AA SP 116 Australian implementation guidance (heritage and cultural assets)

UIG 1030 appreciation of long-lived physical assets

Relevant AA SP interpretations

7.8 Acquisition and disposal of land

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. Although enquiries may be made prior in accordance with Council's interests and general direction, all proposals to purchase or sell land, even if disclosed in the Budget are to be referred to Council for direction, prior to any commitment being given, as required by Delegation 2.2 clause (4).
2. All leasing or rental of property for more than 12 months to be referred to Council for decision, except for staff in Shire owned housing.
3. The CEO may determine leases, licences or rental of land or property for periods of less than 12 months or less, in accordance with any guidelines or conditions as set by Council from time to time.

– End of Policy

8. FIRE CONTROL

8.1 Bush Fire Brigade Vehicles

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. Fire appliances are to be kept fully fuelled including auxiliary motors and fire-lighters, and fire-fighting water tanks are to be kept full to ensure operational readiness.
2. Fire trucks are not to leave town until authorised by the incident controller. This is to protect personnel and ensure that the trucks are available for fire-fighting service when required.
3. In the case of a rural bush fire, the actual location of the fire will first have to be determined and then a decision made by the incident controller as to the appropriate deployment of resources.
4. Fire appliances are to be equipped to the standard stowage configuration and all equipment is to be regularly serviced, maintained and cleaned to ensure operational readiness.
5. All fire appliance equipment is to be secured appropriately.
6. Fire appliances are to be regularly serviced, maintained and cleaned to ensure operational readiness.

– End of Policy

9. NATURAL RESOURCE MANAGEMENT

9.1 Native Flora and Fauna

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Approval of the Shire is required before DEC will issue permission to people wishing to pick wildflowers, collect seeds or take native fauna.

Local Government Act 1995 –

s.3.54 – management of reserves vested or placed under Council’s control

Wildlife Conservation Act –

protection of native flora and fauna

1. On written application, the CEO may provide permission to pick wildflowers and / or collect seed on lands under Council’s control, under the following conditions –
 - it is for their own domestic or hobby use
 - permission is given for a period not exceeding one week
 - the area of picking and/or collection is strictly limited
 - not more than one collector is permitted in any one location
 - a maximum of 10% of seed only to be taken in any one area
2. All applications for commercial picking of wildflowers or collection of seed are to be referred to Council, for consideration of –
 - collector’s credentials and purpose (collector includes the permit holder and up to 2 assistants),

- duration of approval, if any,
 - the area of picking and/or collection
 - not more than one collector being permitted in any one location
 - a maximum of 25% of seed only to be taken in any one area
3. All applications for the collection of reptiles, amphibians and birds from lands under Council's control, are to be referred to Council for consideration, having regard to –
 - collector's credentials
 - purpose of collection – domestic, hobby, display, educational, commercial
 - fauna to be collected – rarity, locality, need for preservation etc
 - locality of collection – ease of access, likelihood of general public-knowledge or access
 - period of duration
 4. Where Council has previously permitted an application, the CEO may issue permission in subsequent consecutive years under identical terms and conditions, without further reference to Council.
 5. The approval of the Department of Environment and Conservation is mandatory, and Shire permission is invalid without the Department's consent

COMMENT

DEC may issue a permit for a maximum of 1 year.

9.2 Wild Dog Bounty Scheme Policy

Approval	Jun21 – new – [C2021-0617]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Purpose

To determine the circumstances in which the Shire of Yalgoo will pay individuals or companies a set bounty for the eradication of a wild dog and the supply of remains for data logging with Meekatharra Rangelands Biodiversity Association.

Objectives

To support the reduction of wild dogs (being a declared pest) within the Shire of Yalgoo. Effective wild dog management requires an integrated approach utilising all available management practices including poison baiting, trapping, exclusion fencing and opportunistic shooting.

The Shire wishes to value add to eradication efforts and not subsidise existing staff or pastoral arrangements. This bounty aims to promote safe and legal opportunistic shooting of wild dogs.

Eligibility:

- a) No payment may be received by the applicant from any other source (before or after) for the destruction, trapping or shooting of any wild dog claimed. Paid positions such as Licensed Pest Management Technicians/Doggers, DBCA employees and Shire Rangers are not eligible.
- b) The wild dog is to have been destroyed within the Shire of Yalgoo, legally and with the written permission of the landholder on which it was destroyed.

- c) The Claim Form is completed correctly and submitted to the Shire of Yalgoo confirming that all eligibility criteria has been met.
- d) The applicant is the person who destroyed the wild dog/s humanly and legally.
- e) Scalps and tails are supplied in an appropriate condition to the Shire of Yalgoo Office or Depot during normal operating hours as per this policy.
- f) Claims are received by the Shire within 2 months of being destroyed.
- g) The Shire has not exhausted its budgeted funds for a particular financial year and applications will be determined in order of receipt.
- h) The dog has at no point been your or an immediate family members pet or the offspring of any such pet.

Acceptable Condition of Wild Dog Body Parts

Applicants must submit pieces of wild dog skin and fur, incorporating both ears and the strip of skin joining them in one piece and the tip of the tail as a second piece, to the Shire of Yalgoo Office at 37 Gibbons Street or the Shire Depot Stanley Street.

- The skin must be submitted in a manner that enables it to be easily identified as a wild dog; for example, being flat and air-dried.
- No blocks of frozen wild dog skins will be accepted.
- Frozen material must be defrosted prior to being submitted.
- No putrefying or rotting material will be accepted.
- No other body parts other than that specified will be accepted.

Legal Considerations

All legislation regarding the use of firearms, poisons, traps, and animal welfare must be adhered to at all times. Shooting must be conducted in an ethical manner that reduces the likelihood of unnecessary suffering of animals.

The scheme supports the use of the National Model Code of Practice for the Humane Control of Wild Dogs and associated Standard Operating Procedures.

Payment of Bounty

The following terms of payment will be carried out per application. The annual scheme will be deemed closed once the budgeted funds have been exhausted and until a new budget is adopted.

- Acceptable wild dog skin pieces, being the ears and the strip of skin joining them and the tip of the tail, will be rewarded at \$100 each exclusive of any GST
- Payment will be made within 30 days of receipt of a claim form. No payments will be made on submissions that are received after funds have been exhausted.
- Eligible applicants will be paid by electronic fund transfer to their nominated account. Payment will not be made on the day of collection.

General Conditions

- No scalps will be accepted after annual funds have been exhausted. Skins will not be taken pro-rata. Council may review the funds allocated per annum at their discretion.
- The Shire of Yalgoo CEO reserves the right to reject material submitted for bounty reward if the CEO deems the submitted material does not meet this policy.
- The decisions of the CEO to accept or reject entire wild dog skin pieces submitted for bounty reward are final and non-negotiable.

Note

1. Payment will not be authorised unless all paperwork is presented and completed correctly.
2. 'CEO' means the Chief Executive Officer, Shire of Yalgoo.
3. 'DBCA' means the Department of Biodiversity, Conservation & Attractions.
4. Some information within this scheme is referenced from other sources.

10. ORGANISATIONAL POLICIES

10.1 Occupational Health and Safety

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. The following Policy Schedule 10.1 – Occupational Health and Safety Statement is adopted, and forms part of this Statement.
2. Policy Schedule 10.1 is to be reviewed and adopted annually as required by the Occupational Health and Safety Act.
3. Policy Schedule 10.1 is to be distributed to all new employees as part of their induction

Policy

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

- An annual reduction of workplace injury and disease.
- The provision and maintenance of a safe workplace, plant and systems of work.
- The identification, elimination and control of workplace hazards.
- The provision of information, supervision and training to employees to ensure work is performed safely and to a high standard

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

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

Shire President

Chief Executive Officer

Employee Representative

Date: _____

Review Date: _____

COMMENT

10.2 Employees Health and Safety Policy – Included in HR Manual

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

7. The following Policy Schedule 10.2 – Employees Health and Safety is adopted and forms part of this Statement.
8. The Schedule is to be reviewed annually as required by the OSH Act, adopted and circulated to all staff.

– End of Policy

Policy

The Shire of Yalgoo is committed to providing and maintaining a safe working environment. We have an accident-free record of which we are extremely proud. The aim of this policy is to ensure the safety and welfare, so far as is practicable, of employees and contractors whose services are engaged by the Shire of Yalgoo. It is also to ensure the safety of members of the public who may drive through or visit our worksites.

The Chief Executive Officer is responsible for the management of occupational safety and health. The Shire of Yalgoo identifies the requirements and responsibilities under the Occupational Safety and Health Act 1984, the Occupational Safety and Health Regulations 1996, approved Codes of Practice, Guidance Notes and relevant Australian Standards.

To ensure that the Shire of Yalgoo is a safe place in which to work, the following areas of responsibility must be accepted:

1. All staff, contractors and volunteer workers must take reasonable care to ensure their own safety and health at work and that of other persons in the workplace.
2. All staff, contractors and volunteer workers must observe safe work practices and use personal protective equipment. All staff and volunteer workers are to be provided with personal protective equipment as required. Contractors are to provide, at their own expense, personal protective equipment that meets the conditions of the Shire of Yalgoo.
3. It is the duty of all staff, contractors and volunteer workers to report any incidents, accidents and hazardous situations arising or having been observed in the course of work.
4. It is the duty of all staff, contractors and volunteer workers to maintain a copy of the Occupational Safety and Health Policy and Safety Rules. Contractors must also maintain a copy of the Contractor Check List.

The Shire of Yalgoo seeks the co-operation of all people associated with working for the council in upholding a high standard of personal safety and accident prevention procedures and in maintaining our accident-free record.

This policy will be reviewed annually to ensure relevance, comprehensiveness and clarity of purpose.

Safety Rules

The safety and health of all people working for the Shire of Yalgoo is of primary concern. The following rules are to be observed and complied with to reduce the risk of injury to any person:

1. Safe working practices must be observed at all times. If there is doubt, speak to your supervisor.
2. Report any injury or incident immediately.
3. Safe and appropriate clothing and personal protective equipment (including seatbelts) must be worn while performing work tasks.
4. Council vehicles, machinery, equipment and facilities are to be used only by authorised personnel.

5. Lift all objects safely and correctly. If in doubt, ask someone to assist you or ask your supervisor.
6. In the event of fire or other emergency, follow the instructions of the council emergency procedures.
7. Alcohol and drugs, other than prescribed drugs, must not be consumed at any worksite or work location unless officially authorised. Workers must be free of the influence of alcohol and drugs throughout working hours. Failure to observe this requirement may result in dismissal or suspension without pay.
8. Speed limits on public roads and at work locations must be observed at all times.
9. Machinery, equipment, materials and tools must be secured whilst in transit.
10. Any unsafe working conditions must be reported immediately to the supervisor. You must not work in unsafe conditions.
11. Appropriate road signs must be placed at all points of entry to construction zones, and all machines must have their yellow beacons operating within the works zone.
12. All road works must comply with the MRWA standards as found in the General Field Guide MRWA Traffic Management for Road Works.
13. All plant and equipment is to be inspected regularly to ensure that it is well maintained and in safe condition. These inspections should be carried out at least daily and an inspection checklist should be completed at least fortnightly. Particular attention must be paid to safety devices such as beacons and reversing alarms. Any faults must be brought to the immediate attention of the Supervisor. Any equipment which is unsafe will be stood down until repaired or replaced.
14. Greasing, refuelling or cleaning machinery, plant and equipment that is running is strictly prohibited.

These Safety Rules apply to Contractors as well as to Shire Employees

Safety Guidelines with regard to Contractors

1. Before commencing work on any Shire contract, contractors will be provided with a copy of the Occupational Safety and Health Policy and the Safety Rules, Contractor Safety Checklist and Contractor Safety Agreement.
2. Before commencing work on any Shire contract, contractors will provide the Shire with certificates of currency with regard to Public Liability insurance and, where applicable, Workers Compensation insurance, Plant insurance and Personal Accident insurance.
3. Before commencing work on any Shire contract, contractors provide to the Shire copies of their employees drivers licences and certificates of competency as appropriate.
4. Before commencing work on any Shire contract, contractors will satisfactorily complete and sign both the Contractors Safety Checklist and Contractors Safety Agreement. These documents acknowledge that the Contractor is bound by the Shire's Occupational Safety and Health Policy and Safety Rules and that the contractor is complying with its safety and health responsibilities.
5. All tender documents for Shire works will contain appropriate safety and health provisions.

– End of Schedule

10.3 Sexual Harassment Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

The following Policy Schedule 10.3 – Sexual Harassment Policy is adopted and forms part of this Statement.

Objective

Council strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment. Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.

Scope

This policy applies:

- To everyone who works at the Shire, including elected members, employees, potential employees, trainees, volunteers and contractors, regardless of whether they work full time, part-time or as casual staff.
- In the workplace and at any other place where a person is a representative of Shire of Yalgoo including work outside normal work hours and at work related events such as conferences, training events and social functions like Christmas party or other functions.

The Equal Opportunity Act 1984 (WA) and the Sex Discrimination Act 1984 (Cth) provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Some examples of sexual harassment include, but are not limited to:

- Physical contact (touching, rubbing, patting, embracing, brushing up against etc);
- Gestures of a sexual nature
- Leering or staring
- Offensive telephone calls, emails, text messages or notes
- Sexual suggestive jokes or comments
- Tales of sexual exploits
- Repeated requests for a date
- Unwelcome comments or questions about a person's sex life, appearance or dress; and
- Sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).
- Other acts or behaviours that may amount to an offence of sexual assault under the relevant criminal legislation.

The Shire of Yalgoo is an Equal Opportunity Employer committed to providing a safe workplace that is free from harassment, discrimination and bullying and one where diversity is valued and encouraged.

Elected Members who engage in misconduct as outlined in this policy may be suspended or disqualified from holding office. Employees who engage in misconduct as outlined in this policy may be subject to disciplinary action, which may include instant dismissal.

Responsibilities:**Elected Members**

Shire of Yalgoo's Elected Members must be aware of this policy.

They are responsible for ensuring that:

- Their behaviour in the workplace complies with this policy.
- They must inform the Chief Executive Officer or Shire President as soon as possible if they observe behaviour in the workplace that may contravene this policy.
- They seek assistance from the Chief Executive Officer if they have any questions in relation to this policy. They respect confidentiality in relation any complaint made or any suspected inappropriate conduct.

Elected Members may be personally liable for their actions if they do not comply with the above requirements.

Council recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including general training of the workplace and specific training for officers identified to deal with complaints.

Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons as per the HR Grievances Resolution procedure.

Any person making a claim of sexual harassment will be protected at all times.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

A formal complaints/grievance procedure will be utilised to effectively resolve complaints of sexual harassment.

COMMENT - EMPLOYEES COMPONENT OF SEXUAL HARASSMENT POLICY HAS BEEN TRANSFERRED TO HR MANUAL UNDER DISCRIMINATION, HARASSMENT AND BULLYING IN THE WORKPLACE POLICY.

– End of Schedule

10.4 Drugs, Alcohol and Fatigue

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The Shire of Yalgoo is committed to a zero tolerance of alcohol and drugs in the workplace and may conduct random drug and alcohol screening to ensure compliance.

Objective The aim of this policy is to ensure a safe workplace free from the effects of drugs and alcohol.

The Shire of Yalgoo's commitment

The Shire of Yalgoo 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 Yalgoo in any capacity.

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

Elected Members Responsibility

Elected Members should be aware of their standing as community leaders and ensure that alcohol consumption is kept to a minimum, particularly at functions hosted by the Shire. Alcohol should not be consumed prior to or during any Council or Committee meeting. Elected Members behaviour is not to be impaired by mind affecting substances and therefore the use of or consumption of any drug or drug related substance is prohibited.

Reporting Requirements

Employees, Volunteers, Contractors or Elected Members must report to their employer or Shire President (Elected Members) any situation where they genuinely believe that an employee, volunteer/contractor or elected member may be affected by alcohol and/or other drugs.

Drug Use on the Premises

Employees, Volunteers, Contractors or Elected Members who buy, take, or sell drugs on Shire of Yalgoo premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal.

Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their manager or CEO and disclose any side effects that these medication/drugs may cause.

Consumption of Alcohol on the Premises

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

Drug/Alcohol Treatment Programs

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, Shire of Yalgoo will aid the employee.

- Shire of Yalgoo will allow an employee to access any accrued personal or annual leave whilst they are undergoing treatment. And;
- Shire of Yalgoo will take steps to return the employee to its 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.

Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions

Team 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 and water - Beverages: Tea, Coffee and Food;
- if the manager believes a person may be over the BAC 0.05 limit, assist the person with safe transport home (including contacting a family member or arranging a taxi); and
- if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

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.

Identification of Impairment & Testing

The Shire reserves the right to conduct pre-employment, random, blanket and suspicion alcohol and drug testing throughout the whole organisation. A qualified Testing Service Provider will perform those tests. The outcome may or may not affect the perception of an employee's fitness for duty on that day and may entail disciplinary action. If the Shire of Yalgoo has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it 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 Shire of Yalgoo suspects that an employee is under the influence of drugs and/or alcohol it 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 Yalgoo
- direct an employee to go home.

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. A Testing Service Provider will conduct this form of testing by breathalysing/oral testing the employee first. A urine test may be ordered as a result of the first tests to determine the presence of a serious misconduct, such as a criminal offence or a serious breach of Council's policy providing reasonable grounds for terminating employment (in accordance with the Local Government Act and/or relevant Awards).

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the Shire of Yalgoo 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 Shire of Yalgoo may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

The subject employee will be entitled to full payment of entitlements until such time as the medical examination determines that the employee is unfit for work.

If the employee is deemed fit for work, the employee will be returned to work immediately.

If the employee is deemed unfit for work, the employee will be placed on leave without entitlements until such time as a medical examination determines fitness for duty.

All testing results will be kept private and confidential wherever possible. Refusal to an alcohol and drug testing may result in dismissal.

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, undertake an Alcohol and Drug test 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 employee tested and the supervisor (or respective employer) will be informed of the result;
- A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Shire of Yalgoo and HR Drug and Alcohol in the workplace guidelines.

An employee who returns a positive test will be in breach of this policy. A breach of this policy may result in disciplinary action being taken against the employee up to and including the termination of employment.

Other Fitness to work issues

Fatigue

Fatigue can be the result of many different situations. Accordingly, this procedure will directly reflect the implications of fatigue through the following external triggers (but are not limited to):

- lack of sleep due to illness or other personal issues
- voluntary work

- external work commitments

In the interest of safety and health it is important that employees remain alert and function at full capacity whilst at work. When affected by fatigue, actions may be impaired through lack of concentration and poor judgement, therefore increasing the potential to cause injury or harm to themselves, personnel or members of the public.

It is the Shire of Yalgoo policy to provide a safe place of work for its employees. It is the employee's responsibility to report to their supervisors any other work commitments or voluntary commitments outside their employment with the Shire of Yalgoo that may impact accordingly.

Depending on the circumstances, the Shire of Yalgoo may agree to come to a compromise with the employee to ensure there is an equilibrium between regular hours worked at the Shire of Yalgoo, sleep/rest and additional hours worked elsewhere (including paid and voluntary work).

If deprivation of sleep is the cause of fatigue due to other external circumstances (that are not listed above), a drug and alcohol screen may be required. If a positive result occurs, disciplinary action may apply.

If sleep deprivation is due to illness or personal issues the Shire of Yalgoo will endeavour to find a short-term compromise and support the employee in whatever capacity is appropriate.

In circumstances where the employee is unfit to remain at work as to the judgement of their employer, the employee may be stood down from work for the remainder of the day and depending on the circumstances this may occur with or without pay and/or a medical assessment may be requested.

Education, Training & Awareness

The Shire of Yalgoo will provide education and training to all employees at the workplace about the effects of alcohol and other drugs and their risks to safety and health.

Line managers will be given training that they may identify situations where an employee is potentially misusing alcohol or drugs.

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 Yalgoo engages the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling

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.

Related Corporate Documents

- Counselling, Disciplinary and Dismissing staff guidelines (Employee Orientation and HR Manual)
- Grievances Resolutions Procedure (where applicable) (Employee Orientation and HR Manual)
- Drugs and Alcohol in the workplace (Employee Orientation and HR Manual)

– End of Schedule

10.5 Integrated Planning: Workforce Planning and Management Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction

Definition of Workforce Planning:

Workforce planning is a continuous process of shaping the workforce to ensure it is capable of delivering organisational objectives into the future.

It provides the framework for assessing the demand and supply of the workforce and aims to have the right people in the right place at the right time to affect the delivery of organisational goals, resourced through effective long term financial and business plans.

Objective

The intent of this policy is to demonstrate that the Council of the Shire of Yalgoo is committed to ensuring that strategic, operational and legislative objectives are met by effective workforce planning and resourcing to demonstrate compliance with the Integrated Planning requirements of the Local Government Act (1995) Regulation S5.56(2)

Principles – Framework - Process

1. Council considers workforce planning to be an essential management function in its operations.
2. Council recognises that the achievement of all goals and objectives are reliant on the appropriate capacity, skills, knowledge of the workforce.
3. Council recognises that the responsibility for managing people lies with the person who has the executive responsibility for the objectives of the service/activity/ function of their division.
4. Council is committed to resourcing workforce requirements through its integrated planning processes.
5. Council will ensure that its Workforce Plan addresses current and future best practice human resource management practices that include:
 - effective and efficient recruitment and retention
 - role and responsibility definition and appropriate performance management
 - support and encouragement for staff to perform
 - staff training and development
 - legislative compliance
 - staff health and wellbeing (occupational safety and health known as OSH)
 - flexibility in employment and work practices to meet organisational and employee needs.

Responsibilities

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

6. The corporate services team will collect and monitor relevant workforce data and statistics.
7. The relevant organisational planning and performance monitoring personnel will research and relevant workforce data, demographics and trends as part of the integrated planning cycle.

Monitor and Review

1. The Shire's executive will implement a reporting and recording system that will be monitored to ensure human resource supply and demand management is appropriately implemented and sustained across the organisation and there is ongoing identification of issues and trends.
2. Workforce planning key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored by the Shire's Executive and Council as appropriate and reported as required, being mindful of human resource management confidentiality requirements.

– End of Policy

COMMENT

This policy is the first of a new suite of policies to underpin the Shire's Integrated Planning processes.

In due course the CEO will arrange for a full review of policies such that policies set by Council (strategic) will be separated from operational policies.

The overall policy format will be reviewed at this time but in the meantime the policy manual will be maintained in its current format in the interest of consistency and expediency.

10.6 Integrated Planning: Asset Management Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Asset Management is inextricably linked with service delivery. The primary goal for the Shire of Yalgoo in managing its assets is to provide the services, and levels of service, consistent with the desires of the community, and within the financial resources of the Shire.

Objective The intent of this policy is:

- To ensure that the Shire's services and infrastructure are provided in a sustainable manner, taking into consideration the whole of life costs of assets and ensure the appropriate levels of service are provided to customers in line with the Shire's Community Strategic Plan and Corporate Plan;
- To safeguard Shire assets, including physical assets and employees, by implementing appropriate asset management strategies and allocating appropriate financial resources for those assets;
- To create an environment where all Shire employees take an integral part in overall management of Shire assets by creating and sustaining asset management awareness throughout the organisation;
- To meet legislative requirements for asset management in accordance with the Integrated Planning requirements of the Local Government Act (1995) Regulation S5.56(2);
- To ensure resources and operational capabilities are identified and responsibility for asset management is allocated;
- To demonstrate transparent and responsible asset management processes that align with demonstrated best practice.

1. Council considers Asset Management to be an essential management function in its operations.
2. A consistent asset management improvement strategy shall be developed for implementing systematic and best practice asset management practices in all of the Shire's operations.
3. All relevant legislative requirements together with political, social and economic environments shall be taken into account in asset management.
4. The asset management process shall be integrated within existing planning and operational processes and supported by a cross functional, multidisciplinary Asset Management Working Group.
5. Asset management plans shall be developed for all major service/asset categories. The plans shall be informed by community consultation and statutory requirements for local government financial planning and reporting;
6. Reviews of current services and service levels shall be undertaken in consultation with the community;
7. An inspection regime shall be used to ensure agreed service levels are maintained and to identify asset renewal priorities;
8. Asset renewals required to meet agreed service levels shall be identified in adopted asset management plans and long-term financial plans and shall form the basis of annual budget estimates, with the service and risk consequences of variations in defined asset renewals and budget resources to be reported annually;

9. Service levels shall be defined in adopted asset management plans and shall form the basis of annual budget estimates with the service and risk consequences of variations in defined services levels and budget resources to be reported annually;
10. Asset renewal plans shall be prioritised and implemented progressively based on agreed service levels and the capacity of the current assets to provide that level of service;
11. Systematic and cyclic reviews shall be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards;
12. Future whole of life costs shall be reported and considered in all decisions relating to new services or assets and upgrading of existing services and assets.
13. Preference will be given to renewing infrastructure assets before acquisition of new assets is considered.
14. Training in asset and financial management shall be provided for councillors and relevant staff.

10.7 Integrated Planning: Long Term Financial Planning Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction This Policy is intended to provide clear direction on expectations for long term financial planning and applies to elected members, employees and contractors/consultants engaged by the Shire.

Objective The objective of this Policy is to establish a framework for the establishment of Long- Term Financial Planning.

Policy Statement

As one of the key informing strategies of the Integrated Planning and Reporting Framework, the Long Term Financial Plan takes into consideration the strategic vision and desired outcomes of the Strategic Community Plan and integrates the financial impact of Asset Management Plans, the Workforce Plan, Capital Works Plans and any other service plans to provide a 10 year (or greater) financial forecast of the local government's operations.

The first four forecast years of the Long Term Financial Plan provide the financial context for the Corporate Business Plan and the first year of the Corporate Business Plan provides the financial context for the annual Budget.

The Shire will plan for the long term financial, resources to be used efficiently and effectively by:

- Preparing a long term financial plan annually;
- Establishing principles for the appropriate use of financial resources such as loans and reserves;
- Establishing principles for the level of revenue generated from rates and fees and charges;
- Consider workforce expenditure requirements detailed in the Workforce Plan;
- Consider asset management renewal, upgrade and replacement needs detailed in the Asset Management Plan;
- Reporting progress against indicators and ratios of financial performance; and
- Undertaking sensitivity analysis to determine the financial impact of various assumptions.

COMMENT

Definitions

The following definitions are relevant to this Policy.

Budget/Annual Budget is a statutory requirement outlining the financial estimates to deliver the Corporate Business Plan.

Corporate Business Plan is a local government's internal business planning tool that translates Council priorities into operations within the resources available. In its entirety, it details the services, operations and projects a local government will deliver over a defined period, the processes for delivering these and the associated cost.

Integrated Planning and Reporting is a framework for establishing community priorities and linking this information into different parts of a local government's functions.

Long Term Financial Planning is the mechanism that enables local governments to determine their capability to sustainably deliver the assets and services required by the community. It allows the local government to set priorities, within its resourcing capabilities, to deliver short, medium and long term community priorities.

References

WA Department of Local Government: *Integrated Planning and Reporting Framework and Guidelines*, October 2010.

WA Department of Local Government: *Long Term Financial Planning Framework and Guidelines*, May 2011.

11. PERSONNEL and STAFF HOUSING

11.1 Acting CEO Appointment

Approval	Jun21 – new [C2021-0611]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

COMMENT

The appointment of an Acting CEO cannot be delegated by Council, however if Council have already identified the remuneration and that an individual is suitably qualified to Act in the Position of Chief Executive Officer then the date and specifics can be left to the CEO to organise through a policy such as the following.

PURPOSE

To provide for the appointment of one of the Shire's Employees or other Suitable Individuals as Acting Chief Executive Officer during limited absences of the Chief Executive Officer. Under Section 5.36 of the Local Government Act 1995 a local government is to employ a person to be the Chief Executive Officer of the local government along with other persons as the council believes are necessary to enable the functions of the local government and council to be performed.

POLICY SCOPE

1. Council has determined that individuals holding the following positions within the Shire of Yalgoo and the individuals nominated within this policy are considered to be suitably qualified to act in the position of Chief Executive Officer.

Deputy Chief Executive Officer or Individuals Nominated by Council Resolution in accordance with Section 5.36 (Including a review and/or expiry date)

2. Employees or individuals nominated by Council under this policy will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer, subject to performance.

3. Appointment to the role of Acting Chief Executive Officer shall be made in writing for a defined period that is longer than 5 ordinary working days and does not exceed 6 weeks. A Council resolution is required for periods exceeding 6 weeks and cannot be for a term exceeding 1 year.

4. The Remuneration/Contract for the position of Acting Chief Executive Officer is to be determined by Council for Nominated Individuals and ninety percent (90%) of the CEO cash component for the employee positions listed in this policy.

5. If the CEO is unavailable or the policy is unable to be followed the Shire President will be required to call a special meeting to determine an appropriate outcome.

11.2 Removal Expenses

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Sep20 – amended [C2020-0911] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. New employees, with the exception of the Chief Executive Officer, are entitled to reimbursement of reasonable removal expenses to the value of \$6,000 –
 - 50% on commencement, and
 - balance after 12 months service
2. Where a removal company is used –
 - quotes are to be obtained and the CEO's approval for the preferred company sought
 - if the CEO's prior approval is not obtained, the lowest of any quotes received may be used as the basis of reimbursement
 - the Shire will meet the cost of one accompanying vehicle, one way.
3. Should the employee undertake their own relocation, the Shire will meet the costs of –
 - hire of truck or trailer, and fuel for one return trip (i.e. relocation, return of truck / trailer)
 - fuel cost of one accompanying vehicle, one way,
 - where relocation is in excess of 600 km, one night's accommodation only for the employee and dependent persons being relocated.
4. The following applies regarding removal expenses in respect of the appointment of a new Shire CEO:
 - Newly appointed CEO's will provide three quotations for the furniture removal and the Shire of Yalgoo will pay the selected quotation upfront for the furniture removal cost within WA.
 - The newly appointed CEO is required to sign an informal agreement to reimburse half (50%) of the removal cost to the Shire if he/she does not successfully complete the six month probation period or if he/she leaves the Shire employment within twelve months of commencement.

– End of Policy

COMMENT

11.3 Shire Housing – Tenancy Conditions

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. All tenancies of Shire residences are subject to the requirements of the Residential Tenancies Act, and the agreement shall provide for the termination of the tenancy on termination of employment with the Shire.
2. Persons other than the direct family of the person renting a Council house, with direct family being their spouse/partner or children, are permitted to stay in the house for a maximum of two weeks after which Chief Executive Officer's approval is required.
3. Unless stipulated in their employment contract, a security bond equivalent to 4 weeks rent is to be paid, and held in accordance with the Residential Tenancies Act.
4. Where the tenants propose to keep pets, a pet bond of \$100 is required.
5. The security bond may be paid by payroll deduction out of their first two full pays, and the pet bond (where applicable) shall be taken out of their third full pay.
6. Shire housing will not generally be available to non-employees, but may be agreed by the CEO in appropriate circumstances, such as –
 - where a terminating employee wishes for members of their family to complete their own employment, school year etc,
 - as short term accommodation for contractors providing services to the Shire,provided that –
 - the residence is not currently required for other employees, but is to be vacated within two weeks if subsequently needed,
 - the period of residence as a non-employee is strictly limited,
 - the period of "non-employee" residence is at prevailing market rental, and is not subject to staff subsidies.

– End of Policy

COMMENT

20 February 2014: this policy requires extensive review to simplify, correct out of date matters and provide reward to staff who are in their own home

The Residential Tenancies Act applies to all rental situations, even to those of Shire owned housing to Shire employees. Accordingly, it is a requirement that the Shire comply with this Act, which provides the tenant with rights of use, stipulates periods of notice for inspection, maintenance, or termination etc.

11.4 Staff Housing – Subsidies

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. Shire Rental – Rental of Shire owned accommodation occupied by an employee is set at \$50 per week for both units and houses.
2. Water –
 - a) The Council will pay water consumption charges at Shire owned housing having individual meters, occupied by an employee –
 1. where the lawns and gardens are not maintained by the tenant, the first 700 kilolitres per year,
 2. where the tenant maintains the lawns and gardens, the first 1200 kilolitres per year,
 3. the allocated kilolitres are to be calculated pro-rata for each billing period or period of occupancy.
 - b) Council will pay all water charges where meters are shared between units / residences.
3. Electricity –
 - a) an employee residing in Shire owned housing shall be entitled to the rental reduction to the value of the following –

- first 2 years of service	40 units per week
- between 2 & 5 years of service	70 units per week
- between 5 & 10 years	100 units per week
- more than 10 years of service	120 units per week
 - b) where an Aerobic Treatment Unit is powered by electricity and supplied through their meter shall be entitled to a further reduction of 50 units per week
 - c) non-salaried staff residing in non-Shire accommodation shall be entitled to be paid the amounts in (a) above, plus their marginal tax rate (including any Medicare or similar levy).
4. Gas –
 - a) the Shire will meet the annual cost of rental for 2 cylinders only, for each Shire-owned residence using gas
 - b) gas consumption is at the employee's cost, as it is considered that energy subsidy is provided through electricity subsidy
5. Private Rental, where Shire accommodation is not available –
 - a) upon production of evidence of rental payments, employees residing in non-Shire accommodation will have their rent subsidised, to the extent that the net cost to the employee is equivalent to staff in Shire owned accommodation
 - b) the subsidy is subject to the rental being charged the employee, not being more than market value for similar accommodation in Yalgoo
 - c) the market value is to be reviewed annually and apply for the following 12 months.
6. Only one staff member per household shall be eligible for staff housing subsidies.
7. The subsidies are not available –
 4. for “cashing up” for inclusion as part of an employee's salary package,
 - to non-employees, or to part-time or casual employees.

– End of Policy

11.5 Superannuation – Revised Policy

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. Council will contribute towards an employee's personal superannuation as follows –
 - a) where required by the Superannuation Guarantee Levy, as per the Superannuation Guarantee (Administration) Regulations 2018 AG and Superannuation Guarantee (Administration) Act 1992 AG.
 - b) where the employee makes voluntary contributions, either by deduction from pay after tax or by salary sacrifice –
 - up to an additional maximum of 5% of salary/wages,
 - to be on a dollar for dollar basis to the 5% maximum,
 - this contribution is in addition to council's compulsory payment in respect of non-contributory superannuation.
 - c) or as otherwise negotiated in an employee's contract
- (2. Deleted Refer council decision C2012-0418).

– End of Policy

COMMENT

11.6 Interview Travel Cost

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. An applicant attending an interview at the Shire's request, who has to travel in excess of 100 km return, is to be offered a contribution towards their travel cost calculated as follows –
 - distance travelled – the shortest practical route from place of residence, to the site of interview, and return, in excess of 100 km,
 - rate per kilometre – at the rate provided in Item 13.3 of the Shire of Yalgoo Comprehensive Enterprise Agreement - Travel. (Note: If no Comprehensive Enterprise Agreement is current then the amount reverts to the Australian Taxation Office ruling D1 – Work Related Car')
 - reimbursement – distance travelled by rate per kilometre.

Example – Geraldton based applicant attending an interview in Yalgoo

$$= (225\text{km} \times 2) - 100 \text{ km} \times 73.7 \text{ c/km} = \$257.95.$$

2. Where necessary, Council will pay for travel by public transport (in lieu of contribution above) and accommodation.

– End of Policy

COMMENT

11.7 Severance and Redundancy Pay

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. The following Policy Schedule 11.7 – Severance and Redundancy is adopted, and forms part of this Statement.
2. In accordance with the Local Government Act s.5.41 (g), the CEO is to –
 - negotiate all matters relating to “Designated Staff” and report to Council for decision prior to implementation (unless otherwise authorised);
 - negotiate and resolve all matters other than those relating to “Designated Staff”.

– End of Policy

COMMENT

Policy Schedule 11.7 – Severance and Redundancy

Part A – Severance Pay

1. Local Government Act

The purpose of this Policy is to set down the maximum severance payable to terminating employees for the purpose of the Local Government Act section 5.50 (1) (the “Act”). Note however these severance payments may be exceeded in accordance with clause 7 at the discretion of Council.

2. Terminating Employee

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

- a) Any federal or state award or industrial agreement applicable to that employee;
- b) Any applicable provisions within the employee’s contract of employment;
- c) 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 appeal;
- d) 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.

Settlement with a dismissed employee

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.

Matters to be taken into consideration by Council as to whether it will seek settlement and if so, the extent of any financial offers may include:

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

Part B – Redundancy Benefits

Payment of Redundancy Benefits

Redundancy benefits shall be made pursuant to Council's Redundancy Policy. This does not preclude Council from agreeing to a higher severance benefit where clauses 2 or 3 above apply.

Redundancy benefits are-

- a) A maximum period of notice possible but in any event no less than 4 weeks or payment in lieu of notice to maximum of 4 weeks;
- b) Payment of 2 weeks pay;
- c) Plus 2 weeks pay for each completed year of service with the local government;
- d) The maximum payable under (b) and (c) shall be 2 ~ weeks pay;
- e) Where an employee has been employed with the Local Government for a minimum of 5 years, pro rata long service leave shall be provided if the employee is not otherwise entitled to pro rata long service leave under the Local Government Long Service Leave Regulations;
- f) All other pro rata entitlements payable under the appropriate award or agreement to a terminating employee;
- g) Where the employee was originally engaged from a distant location, reasonable relocation assistance may be provided to the place of engagement or another place (at a cost no more than relocation to original point of hire). Relocation assistance will be Council's discretion and considered according to circumstances;
- h) Where the circumstances of a retrenched employee are such that it will be extremely difficult for that employee to find another job, Council may exercise its discretion to provided additional benefits to such employees. In this event details of the total redundancy package for such an employee shall be published in accordance with section 5.50(2) of the Act.

Mutual settlement with Employees

Council may decide to settle in a situation where an employee, due to illness or impairment is unable to perform his/her job and there has been mutual agreement that employment must end.

Matters to be taken into consideration by Council in determining the extent of any financial offers may include:

- a) the length of service;
- b) the conscientiousness of the employee over the past employment;
- c) the value of the employee's service having regard to position(s) held and the regard given by Council to the employee's contribution;
- d) the length of time to retirement;
- e) the personal circumstances of the employee including family responsibility, future employment prospects and alternative sources of income; and
- f) possible exposure to litigation if the employee was dismissed having regard to obligations of Council under the State Equal Opportunity Act, the Commonwealth Disability Discrimination Act and the Commonwealth Workplace Relations Act.

Definition of a week's pay

The term "weeks pay" means the normal weekly salary or wage payable to the employee including any penalty rates normally paid but excluding overtime or intermitted payments. The term also includes salary or wages specifically sacrificed for additional non-award benefits but does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle in case of a senior position, the normal superannuation provided to all employees etc).

Additional monies payment in exceptional circumstances

Nothing in this Policy prevents Council from determining that in special circumstances, terminating employees may be paid additional monies or provided additional benefits where justified.

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

Part C – Redundancy

Background

The need for a proforma redundancy policy arises because of changes and challenges faced by Local Government –

- a) “Hilmer”, the National Competition Policy, accountability for delivery, cost efficient services demanded by electors, competitive tendering and contracting-out.
- b) New trends in WA Local Government requiring a re-evaluation of existing structures and services, and ways and means of reacting to demands from the State Government and the electors.
- c) The possibility of future amalgamations of local governments, splits of existing large local governments and changes in boundaries.

Commission TCR Standard

The commission’s standard award minimum is the so-called “TCR” standard arising from the Full Bench Termination, Change and Redundancy Decisions. Some organisations have recently chosen to apply higher benefits which have been included in some enterprise agreements. Nevertheless the appropriate award provisions will continue to apply and this policy is to be read in conjunction with those award provisions – see clause 47 of the Local Government Officers’ (WA) Award and clause 6B of the Municipal Employees’ (WA) Award.

Consultation

- a) The Local Government will consult employees likely to be affected by any proposed change as to the need for and/or reason for the change and no definite decision will be made until this process has been followed.
- b) Where an employer has made a definite decision that the employer no longer wishes the job the employee has been doing to continue, and this is not due to the ordinary and customary turnover of labour and the decision may lead to the termination of employment, the employer shall hold discussions with the employees directly affected and with their union or unions.
- c) The discussions shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provisions of paragraph (b) hereof, and shall cover, inter alia, any reasons for the proposed terminations, measures to avoid or minimise the terminations and measures to mitigate any adverse effects of any terminations on the employees concerned.
- d) For the purposes of discussion the employer shall as soon as practicable provide in writing to the employees concerned and their union(s), all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected and the number of workers normally employed and the period over which the terminations are likely to be carried out.

Provided that any employer shall not required to disclose confidential information, the disclosure of which would be inimical to the employer’s interests.

(NOTE: paragraphs (b), (c) and (d) have been taken directly from the awards and reflect the TCR requirements as to discussion prior to termination).

Transfers Within the Organisation

Wherever possible and practical, appropriate employees should be offered a transfer to other positions within the enterprise and also offered the necessary and reasonable training to effect a successful transition.

Where an employee is transferred to other duties for the purpose of avoiding retrenchment and those duties attract a lesser rate of pay than the incumbents previous position, the Local Government will make up the difference between the two rates of pay for the period of twelve months (or 2 years in the case of employees covered by clause 6 below). After this time, the lesser rate will apply.

Severance Benefits

Where a position has been made redundant and a suitable transfer has not been possible, an employee may be retrenched on the following basics:

- a) A maximum period of notice possible but in any event no less than 4 weeks or payment in lieu of notice to a maximum of 4 weeks;
- b) Payment of 2 weeks pay;
- c) Plus 2 weeks pay for each completed year of service with the local government;
- d) The maximum payable under (b) and (c) shall be 26 weeks pay provided that the severance payments shall not exceed the amount which the employee would have earned if employment with the employer had proceeded to the employee's normal retirement date;
- e) Where an employee has been employed with the Local Government for a minimum of 5 years, pro rata long service leave shall be provided if the employee is not otherwise entitled to pro rata long service leave under the Local Government Long Service Leave Regulations;
- f) All other pro rata entitlements payable under the appropriate award or agreement to a terminating employee will be paid;
- g) During the notice period the employee shall be allowed reasonable time off from the job without loss of pay to attend employment interviews or other similar activities to assist the employee find employment.
- h) (Optional provisions for local governments in remote locations). Where the employee was originally engaged from a distant location, reasonable relocation assistance may be provided to the place of engagement or another place (at a cost no more than relocation to original point of hire). Relocation assistance will be at Council's discretion and considered according to circumstances;
- i) Where the circumstances of a retrenched employee are such that will be extremely difficult for that employee to find another job, Council may exercise its discretion to provided additional benefits to such employees. In this event, details of the total redundancy package for such an employee shall be published in accordance with section 5.50(2) of the Local Government Act.
- j) The terms "weeks pay" means the normal weekly salary or wage payable to the employee including any penalty rates normally paid but excluding overtime or intermitted payments. The term also includes salary or wages specifically sacrificed for additional non-award benefits but does not include the value of any non-award benefits but does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle in the case of a senior position, the normal superannuation contribution provided to all employees etc).

Local Government Boundary Change Amalgamations and Break-ups

- a) Where a restructuring of Local Government boundaries (such as a break up of a Local Government or an amalgamation of Local Governments) results in a surplus of employees. Schedule 2.1 clause 11(4) of the Local Government Act provides for two years guaranteed employment except where employer and employee are able to agree to a mutually acceptable severance package.
- b) Clauses 3 and 4 above will apply. If a transfer is arranged, the “no reduction” provision in clause 4(b) will apply for two years.
- c) Where a transfer is not possible, retrenchment will be offered on the basis of clause 5 above. Additional benefits may be offered in accordance with clause 5(i) in an endeavour to reach a mutually acceptable severance package.
- d) If agreement on a severance package is not possible, the employee will be offered work for two years on conditions no less favourable than the existing contract of employment.
- e) At any time during the two years additional employment the Local Government and employee may re-open negotiations in an endeavour to reach agreement on a mutually acceptable severance package.
- f) Where an employee remains in employment for two years pursuant to schedule 2.1 of the Local Government Act and is then made redundant, there will be no entitlement to the redundancy benefits provided in clause 5. Redundancy benefits in accordance with the appropriate award will still apply.

Counselling

Counselling by a professional counselling service shall be available for any employee who has been or is to be retrenched. In appropriate circumstances an outplacement service may also be offered. In this event no payment in lieu of such service will be made.

Termination During Notice

An employee who has been given notice of retrenchment in accordance with clause 5 may terminate during the period of notice and shall be entitled to the same benefits and payments as if he/she had remained until the expiry of the notice. Provided that in such circumstances, the employee shall not be entitled to payments in lieu of notice.

Alternative Work

Should the Local Government have made suitable arrangement for alternative employment and the employee is not consequently unduly prejudiced, the additional benefits over and above the appropriate award arising from this Policy shall not apply. In addition the Local Government may make application to the Commission to have the award severance pay prescription varied in the case of such an employee according to the particular circumstances.

Exclusions

- a) Benefits provided under this Policy which go beyond the appropriate award shall not apply where employment is terminated as a consequence of conduct that justifies Instant dismissal, including malingering, inefficiency or neglect of duty.
- b) This Policy does not apply in the case of casual or temporary employees who were engaged for a specific time period or for a specific reason or specific task, project or program.
- c) This Policy does not apply to an employee engaged on a fixed term contract where the term of the contract expires.

– End of Schedule

11.8 Offer of Employment – Included in HR Manual

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. All letters offering employment shall be signed by the Chief Executive Officer, or the CEO's authorised delegate.
2. All letters offering employment will contain the following details (as and if appropriate to the position):
 - a) The details of any probationary period
 - b) The name of the position
 - c) That the position has been designated "senior" pursuant to s.5.37 of the Act
 - d) The pay rate and hours of work (and salary review provisions)
 - e) A statement as to whether overtime will be paid
 - f) A statement that Council reserves the right to reduce overtime where circumstances warrant
 - g) A statement as to whether Rostered Days Off apply to the position and, if so, the conditions pertaining thereto
 - h) A statement as to any regular allowances that will be paid
 - i) A statement as to award coverage (or workplace agreement coverage)
 - j) A statement concerning travelling and camping
 - k) A statement concerning superannuation
 - l) A statement concerning housing, including the need to enter a written tenancy agreement, the rent payable, the right of council to review rents, the bond payable, and how the bond instalments will be deducted from pay
 - m) A statement of subsidies to be paid
 - n) A detailed statement as to leave, including a statement as to leave entitlement, whether or not leave loading applies (and the rate), a statement that annual leave must be taken at a mutually agreed time, and a statement of obligation to notify as soon as possible concerning unexpected absences.
 - o) A statement concerning relocation expenses
 - p) A statement that a medical examination will be required
 - q) Proposed commencement date
 - r) Any other matter the CEO considers relevant
3. All letters of offices of employment shall have enclosed with them:
 - a) Copy of the current Shire of Yalgoo Code of Conduct
 - b) A copy of the Occupational Health and Safety Policy and Rules
 - c) A copy of the relevant entry in the Delegations Register (where applicable)
 - d) Any other applicable information, such as – Use of Information Technology, Confidential Information etc.
4. All letters of offer of employment shall require the addressee to respond by signing and returning an acceptance that the offeree:
 - a) acknowledges and accepts the conditions of employment set out in the letter
 - b) acknowledges and agrees to abide by the Code of Conduct
 - c) acknowledges and agrees to abide by the Safety Policy and Rules

- d) (where applicable) acknowledges and agrees to act within the delegated authorities of the position

– End of Policy

COMMENT

Included in HR manual under recruitment and selection policy

11.9 Gratuitous Payments to Employees

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction

Amendments to this Policy must be advertised and submissions considered in accordance with the Local Government Act, prior to being confirmed.

Policy 11.7– Severance and Redundancy Pay only goes so far as to set out circumstances whereby payments may be made for severance and redundancy. This additional policy addresses the situation of gratuitous payments to departing employees who have provided satisfactory service.

Objective

To show appreciation to valued employees, who are leaving the Shire’s employ and to comply with section 5.50 (1) of the Local Government Act 1995.

1. That for the purpose of section 5.50 (1) of the Act, and on the recommendation of the CEO, the following approximate amounts be spent on a presentation gift to employees who retire or resign after a period of satisfactory service –

5 – 10 years \$200	15 – 20 years \$600
10 – 15 years \$400	20 years plus \$1,000
2. The CEO may at his/her discretion make a presentation gift where an employee leaves prior to 5 years service, at a value not exceeding \$25 for each year of service.
3. The Council reserves the right to pay an additional amount to that set out in this policy, where it considers circumstances warrant, in which event local public notice will be given.

– End of Policy

COMMENT

11.10 Gifts to Employees by Third Parties

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Various aspects relating to the declaration and receipt of gifts is covered by –

- Local Government Act s.5.82
- Administration Regulations 25 and
- Rules of Conduct Regulations 12

Objective To clarify Council's expectations relating to receiving, notification and declaration of gifts by employees

Insofar as is practicable –

- Local Government Act s.5.82
- Administration Regulations 25 and
- Rules of Conduct Regulations 12

are extended so as to apply to –

- o designated officers as per Policy 11.1,
- o employees either exercising a purchasing function, as per Policy 7.1, or making recommendations regarding purchasing to those employees.

– End of Policy

COMMENT

Local Government Act s.5.82 –

- (1) – details of the gift to be disclosed in annual return
- (2) – exclusions from disclosure: if the cumulative total of gifts does not exceed the prescribed amount, or the gift/s is from a relative
- (3) – value of the gift is the value at the time the gift was made
- (4) – definition of “gift”

Administration Reg.25 –

- this regulation deals with the declaration of gifts in annual returns – not notification of gifts to CEO, nor whether or not a gift may or may not be received
- requires that a “relevant person” (elected member or designated employee – refer LG Act s.5.74) must declare any gift over \$200 in an Annual Return
 - o declaration is not limited by the qualifications of Rules of Conduct Regs 12 (2) and (3) – it applies to all gifts
 - o designated employees are the CEO and those as determined by Council. They are required to complete primary and annual returns, and are usually those who prepare reports and recommendations for Council decision,
 - o some employees may prepare reports, exercise a purchasing function, or have effective control of purchasing for a particular area, but not be designated employees

Rules of Conduct Reg.12 –

- this regulation applies to “council members” (i.e. elected members) not employees

- r.12 (2) – over \$300 is prohibited, if from someone who now or in the future, may seek a discretionary decision of Council.
- r.12 (3) – a gift between \$50 and \$300 is notifiable, if from someone who now or in the future, may seek a discretionary decision of Council.
- corollary of (2) and (3) – if the person giving the gift does not, has not, and is never likely to approach Council for a decision, and is not subject to any Shire authority, the gift does not need to be declared, and is not subject to any limits.
 - o **Extreme care** needs to be taken with this corollary, as it would be reasonable to expect that almost every person giving a gift would be likely to have some commercial or regulatory contact with Council at some point that may require a decision to be made.

A gift is not a single occurrence and multiple gifts do not have to be of similar character – it is the total gifts received from a single source within a period of 6 months.

- a gift of \$30 is considered token and does not have to be declared, but if 2 gifts of \$30 in a six-month period are received from the same source, both must be declared.
- the ultimate source of a gift must be considered. A company may have several different business names but be essentially the same entity. The Regulations must not be evaded by declaring different donors when, to all intents and purposes, it is the same person/company.

11.11 Emergency Services – Call Outs During Work Hours

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction Many staff are involved in either the Volunteer Fire Brigade or St John's Ambulance Sub-Centre, and can be called out to attend an emergency during or after work hours.

Objective This Policy is intended to ensure that employees are not penalised for volunteering for emergency services.

1. Employees who are required to respond to an emergency service call is to be paid for the duration of the call out that overlaps with usual work hours, as though they are at work, so as not to penalise them for their contribution as a volunteer to the community.
2. Where the employee was called out on a weekend or overnight, the principles of the Awards requiring a minimum time off of 10 Hours is to apply.

Example – if after a callout, the employee does not get back to town until 2.00am, they are not expected to commence work until midday, thus giving them a break of 10 hours. As the works crew commences work at 6.30 am, the time between 6.30am and midday would be paid as though worked. This principle also complies with Council's Fitness for Work Policy.

3. In the case of Volunteer Bush Fire Brigade members, as the organisation is the responsibility of the Shire, payment will be continued for the hours "worked" for duration of the emergency, unless the CEO considers it necessary to withdraw or stand-down employees from the emergency duty for whatever reason.
4. In the case of St Johns Ambulance volunteers, as the organisation is not the responsibility of the Shire, the payment will be limited to those hours which would normally have been worked.
5. Where employees may be called out for other purposes (e.g land search, flood evacuation etc), the CEO is to decide whether the principles of (3) or (4) above, are to apply.

6. Should the CEO withdraw or stand-down employees, this does not prevent the person continuing as an unpaid volunteer in their private capacity.

– End of Policy

COMMENT

20 February 2014: cross check against DFES policies for fatigue management

11.12 Employee Code of Conduct

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan22 – amended [2022-01-14] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction

The Shire of Yalgoo Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:

- (a) *better decision-making by local governments;*
- (b) *greater community participation in the decisions and affairs of local governments;*
- (c) *greater accountability of local governments to their communities; and*
- (d) *more efficient and effective local government.*

Statutory environment

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

Application

For the purposes of the Code, the term employees includes persons employed by the Shire of Yalgoo or engaged by the Shire of Yalgoo under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts), does not apply to the CEO.

Values/vision/mission

Please refer to the Shires Values, Vision and Mission as adopted in the Governance and Organisation Policy Manual.

Code of Conduct

Role of Employees

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of the Act.

5.41. Functions of CEO

The CEO's functions are to:

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (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 section 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.*

Local Government Act 1995

Principles affecting employment by the Shire

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

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its 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 City 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.*

Local Government Act 1995

Personal Behaviour

Employees will:

- (a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Shire;
- (b) perform their duties impartially and in the best interests of the Shire, uninfluenced by fear or favour;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire and the community;
- (d) make no allegations which are improper or derogatory (unless true and in the public interest);
- (e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (f) always act in accordance with their obligation of fidelity to the Shire.

Honesty and Integrity

Employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) be frank and honest in their official dealing with each other; and
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Manager, CEO or Shire President in accordance with this Code and the Shire's policies.

Performance of Duties

While on duty, employees will give their whole time and attention to the Shire's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.

Compliance with Lawful and Reasonable Directions, Decisions and Policies

- (a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Manager or the CEO.
- (b) Employees will give effect to the lawful decisions and policies of the Shire, whether or not they agree with or approve of them.

Administrative and Management Practices

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

Intellectual Property

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

Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Shire's Recordkeeping Plan.

Dealing with Other Employees

- (a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- (b) Employees must be aware of, and comply with their obligations under relevant law and the Shire's policies regarding workplace behaviour and occupational safety and health listed in this Policy Manual and the Human Resources Manual and Occupational Safety Portal (Safe Working Methods).
- (c) Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.

Dealing with community

- (a) Employees will treat all members of the community with respect, courtesy and professionalism.
- (b) All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.
- (c) Wherever practical employees should aim to meet the timeframes and level of service outlined in the Shire's Customer Service Charter.

Professional Communications

- (a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire's activities should reflect the status, values and objectives of the Shire
- (b) Communications should be accurate, polite and professional.

Personal Communications and Social Media

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
- (b) Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the Shire, its Council Members, employees or contractors, which breach this Code.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the *Corruption, Crime and Misconduct Act 2003*.

Personal Presentation

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the Shire's relevant policies and procedures.

Gifts

- (a) Application

This clause does not apply to the CEO.

(b) Definitions

In this clause –

activity involving a local government discretion has the meaning given to it in 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;

[r.19AA of the *Local Government (Administration) Regulations 1996*]

associated person has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

associated person means a person who —

- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion

[r.19AA of the *Local Government (Administration) Regulations 1996*]

gift has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

gift —

- (a) has the meaning given in section 5.57 [of the *Local Government Act 1995*]; but
- (b) does not include —
 - (i) a gift from a relative as defined in section 5.74(1); or
 - (ii) a gift that must be disclosed under the *Local Government (Elections) Regulations 1997* regulation 30B; or
 - (iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
 - (iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

[r.19AA of the *Local Government (Administration) Regulations 1996*]

gift means —

- (a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution;

travel includes accommodation incidental to a journey;

travel contribution means a financial or other contribution made by 1 person to travel

undertaken by another person

[Section 5.57 of the Local Government Act 1995]

relative, in relation to a relevant person, means any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;
- (b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

[Section 5.74(1) of the Local Government Act 1995]

prohibited gift has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

prohibited gift, in relation to a local government employee, means —

- (a) a gift worth the threshold amount or more; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

[r.19AA of the Local Government (Administration) Regulations 1996]

reportable gift means:

- (i) a gift worth more than \$50 but less than \$300; or
- (ii) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than \$50 but less than \$300.

threshold amount has the meaning given to it in the *Local Government (Administration) Regulations 1996*, subject to the CEO's determination under subclause (c);

threshold amount, for a prohibited gift, means \$300 or a lesser amount determined under regulation 19AF.

[r.19AA of the Local Government (Administration) Regulations 1996]

(c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996*, the CEO has chosen not to determine a lesser amount.

- (d) Employees must not accept a prohibited gift from an associated person.
- (e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.
- (f) The notification of the acceptance of a reportable 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 one of two or more accepted from the same person within a period of one year:
 - (1) a description;
 - (2) the estimated value; and
 - (3) the date of acceptance,
 of each other gift accepted within the one year period.
- (g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).
- (h) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire's official website.
- (i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

Conflict of Interest

- (a) 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 Shire, without first disclosing the interest to the CEO. 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) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
- (e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

Secondary Employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

Disclosure of Financial Interests

- (a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- (b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

Disclosure of Interests Relating to Impartiality

- (a) In this clause, **interest** has the meaning given to it in the *Local Government (Administration) Regulations 1996*.

interest —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

[r.19AA of the *Local Government (Administration) Regulations 1996*]

- (b) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee 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.
- (c) An employee 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 employee is required to disclose the nature of any interest the employee 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.
- (d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.
- (e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not now and could not reasonably be expected to know:
 - (i) that they had an interest in the matter; or
 - (ii) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.
- (f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), 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) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.
- (g) If:
 - (i) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee'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.

Use and Disclosure of Information

- (a) Employees must not access, use or disclose information held by the Shire except as directly required for, and in the course of, the performance of their duties.

- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Shire's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another 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 Shire.
- (d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
- (e) Nothing in this section prevents an employee from disclosing information if the disclosure:
 - (i) is authorised by the CEO or the CEO's delegate; or
 - (ii) is permitted or required by law.

Improper or Undue Influence

- (a) Employees will not take advantage of their position to improperly influence Council 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.
- (b) Employees must 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.
- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

Use of Shire Resources

- (a) In this clause –

Shire resources includes local government property and services provided or paid for by the Shire;

local government property has the meaning given to it in the Act.

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government

[Section 1.4 of the *Local Government Act 1995*]

- (b) Employees will:
 - (i) be honest in their use of Shire resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
 - (ii) use Shire resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
 - (iii) not use the Shire's resources (including the services of employees) 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 CEO).

Use of Shire Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances.
- (b) Employees will use Shire finances only within the scope of their authority, as defined in position descriptions and policies and procedures.
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with the Shire's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Shire finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire's Recordkeeping Plan.

Reporting of Suspected Breaches of the Code of Conduct

Employees may report suspected breaches of the Code to their Manager, DCEO or the CEO, in accordance with the Shire's Complaints Policy.

Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the relevant Shire policies and procedures, depending on the nature of the suspected breach.

Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their supervisor or the CEO in accordance with the Shire's complaints or human resources policies.
- (b) In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
 - (i) the Corruption and Crime Commission, in the case of serious misconduct; or
 - (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (a) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using Shire's Public Interest Disclosure Procedures, published on the Shire's website.

Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be dealt with in accordance with the appropriate Shire policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

12. PLANT and EQUIPMENT

12.1 Private use of Council Vehicles

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective To establish parameters for private use of all vehicles purchased, leased or hired by Council. This includes conditions of use for private use.

The primary use of Council vehicles is for the purpose of providing works, services and facilities to the community to achieve corporate and program objectives. Any other use is classified as secondary use for these vehicles.

Supply of Vehicles for Private Use – Senior Staff

Council will provide vehicles for private use to various senior employees. The positions held by employees to whom this refers to are:

- Chief Executive Officer
- Senior Officers as required or appropriate

The type of vehicle supplied for private use will be determined by Council or the Chief Executive Officer., in relation to Executive Officers.

The private use of vehicles for the above-mentioned applies as part of a salary package/contract which has been approved by Council as part of that package.

Supply of Vehicles for Private Use – Other Staff

No private use of any vehicle by all other staff may be approved without the express approval of the Chief Executive Officer, prior to any use.

General Conditions of Use

- a) Where an employee is provided with private use, he/she will ensure the adequate security of the vehicle whilst in private use and carry out regular routine maintenance and cleaning to ensure the vehicle is kept in a safe and clean condition, to agreed standards.
- b) The motor vehicle shall be available for business during normal working hours, except whilst the employee is absent on leave (apart from the CEO's).
- c) The vehicle may be used by any member of staff at the discretion of the Chief Executive Officer.
- d) Council prohibits any member or employee of Council, from smoking in any Council vehicle at any time.

Other Conditions of Use

- a) Unrestricted private use of the vehicle shall be limited to the participating employee and his/her partner. Members of the employee's immediate family who have a current driver's license, may also drive the vehicle, however under no circumstances shall they to use the vehicle for their own private use.

b) In the event of a Council officer having their license suspended, the officer is forbidden to drive any Council vehicle.

c) Vehicles are not to be used for rally or endurance racing.

Vehicle Replacement

The replacement of passenger vehicles is to be carried out to provide the most cost-effective return to Council, within budget, as determined by the Chief Executive Officer.

– End of Policy

12.2 Community Bus

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Mar21 – amended [C2021-0314] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

The following Policy Schedule 12.2 – Community Bus Conditions of Use is adopted and forms part of this Statement.

– End of Policy

COMMENT

Policy Schedule 12.2 – Community Bus Conditions of Hire

1. Applications for use are to be in writing on forms available from the Shire Office, Lot 173 Gibbons Street, Yalgoo.
2. Each application is treated on its own merits and authority to approve or refuse rests with the Chief Executive Officer.
3. Groups wishing to make permanent bookings may do so only for one calendar year in advance. The applications are then processed according to individual merit having regard to the financial and social needs of the group.
4. Only nominated authorised drivers may operate the bus. Authorised drivers must be nominated at the time of booking the bus. If it is proposed to travel more than 500kms in a single day, at least two authorised drivers must be nominated.
5. To be authorised as a driver, a person must –
 - Hold and produce a valid driver's licence of an appropriate class (i.e. minimum Class LR).
 - Undertake a satisfactory familiarisation session in the operation of the vehicle, under the supervision of a senior officer of the Council.
 - Have a good driving record, and be seen to be a responsible driver within the community of Yalgoo.
6. Approved groups may apply for permission to use their own authorised driver. Organisations wishing to provide their own drivers must provide identification details and proof of licence. All drivers may be required to pass a test run to the satisfaction of a nominated Council representative, if not known to the Shire.
7. All groups using the vehicle shall be required to complete the appropriate forms and abide by the terms and conditions of use.
8. Users shall pay in advance the daily hire fee for use of the bus. The daily charge will be as adopted by the Council from time to time in its Schedule of Fees and Charges.

9. Users shall also pay in advance a security deposit as adopted by the Council from time to time in its Schedule of Fees and Charges. This deposit will be refunded in full only if the bus, on return, is clean, undamaged, and fully refuelled.
10. User groups shall be responsible for any costs incurred for damage to the vehicle while the vehicle is in their care. The cost of any damage (including any insurance excess), will be deducted from the security deposit. In the event that the security deposit is insufficient to meet the costs of damage, the hirer is liable for the value of any damage in excess of the security deposit.
11. Users are to be responsible for cleaning the bus and returning it to the Council in the same condition as they found it. Failure to do so will incur a cleaning cost which will be deducted from the security deposit.
12. The bus will be full of fuel at the commencement of every hiring. It is to be fully refuelled prior to its return at the end of the hiring. Failure to return the bus full of fuel will result in the value of any fuel deficiency being deducted from the security deposit.
13. The vehicle is to be returned on the nominated day and time. Additional fees may be charged for late return of the vehicle. Such additional fees may be deducted from the security deposit.
14. Nothing in these conditions is to be construed as relieving users of any liability in the event that the security deposit is insufficient to cover any or all of additional hire fees, charges for fuel, cleaning charges and charges in respect of damage.
15. Passenger numbers shall not exceed authorised seating. Where seat belts are provided, they are to be worn by occupants.
16. Availability of the vehicle shall be subject to collection/return at times advised by the Booking Officer of the Council.
17. The Vehicle is to be returned in a clean and tidy condition, with any vehicle difficulties to be reported immediately.
18. The vehicle may only be driven on sealed public roads unless specific permission is given to the contrary. Permission may be granted to use the bus on public unsealed roads if there is no practical sealed route to the hirer's destination. Under no circumstances is the vehicle to be used off public roads (except for designated parking areas).
19. Users of the vehicle shall always obey traffic laws . The Shire of Yalgoo is not responsible for penalties or fines levied on vehicle users under any circumstances.
20. Any accidents shall be immediately reported to the Chief Executive Officer or his nominee and the appropriate form is to be completed and forwarded to the Chief Executive Officer.
21. Drivers are required to complete checklist card prior to operating the vehicle and complete the Log form after each use of the vehicle.
22. The vehicle and keys shall be picked up and returned to the location designated at the time of booking and within the specified time.
23. Fares shall not be sought by user groups from their passengers.
24. Donations may be invited of user groups and/or passengers.
25. The vehicle may only be used for the purpose stated on the application form.
26. Smoking and consumption of food and drinks on the bus is strictly prohibited.
27. The Yalgoo Primary School will be allowed a maximum of 21 days use of the community bus per year at no charge.

– End of Schedule

12.3 Plant Replacement Cycles

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Objective This Policy is intended to provide guidance as to the timing of changeover of plant and equipment

1. The following Policy Schedule 12.4 – Plant Replacement Cycles is adopted, and forms part of this Statement.
2. The cycles are intended as a guide and are subject to annual review and decision by Council, during the Budget process.

– End of Policy

COMMENT

Policy Schedule 12.3 – Plant Replacement Cycles

Description	Recommended cycle earlier of -	Recommended by	Comments
ROAD PLANT and TRAILERS			
Grader	7 Yrs / 10,000hrs	GTS	
Wheel loader	7 Yrs / 10,000hrs	GTS	
Track loader	6 Yrs / 10,000hrs	GTS	
SP Vibrator Roller	6 Yrs / 4,000hrs	GTS	
SP Multi tyre Roller	6 Yrs / 4,000hrs	GTS	
Towed M/T roller	20+ yrs	CEO	
TRUCKS and TRAILERS			
Prime mover	6 years / 300,000km	GTS	
Side Tipper	12-15 yrs	CEO	
Drop deck semi trailer float	8-10 yrs	CEO	
Tri-axle water tanker	12-15 yrs	CEO	
Tandem Dolly	6-7 yrs	CEO	
Service Truck – crew cab	4 Years / 80,000 km	GTS	
Town truck – standard cab	5 Years / 150,000 km	GTS	
FIRE VEHICLES			
Light Tanker	4 Years / 80,000 km	GTS	Subject to FESA
Heavy tanker 3.4	4 Years / 80,000 km	GTS	Subject to FESA
OTHER PLANT			
Backhoe	7 Years / 8,000 hrs	GTS	
Forklift	10 yrs	CEO	
Ride on mower – front deck	5-7 yrs	CEO	
Ride on mower – mid mount	2 yrs	CEO	
Bitumen Sprayer	15-16 yrs	CEO	
TRAILERS			
Box trailers	8-10 yrs	CEO	
Car Trailer	8-10 yrs	CEO	
Fuel Trailer	8-10 yrs	CEO	
LIGHT VEHICLES			
CEO Car	1 yr / 40,000km	CEO	GTS recommend 6 months / 40,000 km
CDO Vehicle	2 Years / 80,000km	GTS	
Dual Cab Work Ute	1 yr / 50,000km	CEO	GTS recommend 2 Years / 80,000km
Gardeners Ute	2 Years / 40,000km	GTS	GTS recommend 2 Years / 80,000km
Community Bus	8 Years / 130,000km	GTS	10 years under funding contract

GTS – indicates recommendation by Greenfields Technical Services 10 September 2009, after contacting representative dealers for the type of vehicle described.

– End of Schedule

13. WORKS and SERVICES

13.1 Extraction of Gravel and Other Materials

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. That the Shire approach Department of Environment for permits to clear vegetation as applicable.
2. That, where the Shire intends to extract gravel or other materials from land over which a pastoral lease or some sort of mineral tenement exists, the Shire should liaise with the person or persons holding the other rights over the land in order to maintain good relations and to cause minimum disruption to the operations of the person or persons holding those rights.
3. Where the Shire opens up a gravel pit, it will budget for and carry out the rehabilitation of the pit at the conclusion of extraction operations.
4. In relation to subparagraph (2) above, where further use of gravel or other material has not been identified and scheduled, the extraction operations shall be deemed to have concluded and the pit should be promptly rehabilitated."

13.2 Airstrip Grades

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

1. All private homestead airstrips within the Shire of Yalgoo receive one free grade annually provided that the work is carried out at a time when the council graders are working within the area.
2. Only one airstrip for each holding, individual station or collective, is eligible for grading.
3. The CEO is to compile a list attached to this policy, and amend the details as advised from time to time.
4. That airstrips located on privately run stations be graded once per calendar year, when the Shire of Yalgoo work teams are in the area.
5. DPAW/Government owned/managed stations are to be graded as "private works" at the current charge rate if requested.

A register of the airstrips to be graded (as a Listing to this Policy) to be developed.

Station	Advised	Located	RFDS?
Burnerbinmah	04.07.08	Near homestead	n/s
Jingemarra	30.06.08	Near homestead	Possibly
Warriedar	02.07.08	Near homestead	n/s
Carlaminda or Noongal (TBC)	11.07.08	Carlaminda – near shearing shed Noongal – near homestead	No – need to be longer
Thundelarra	22.07.08	Western side of homestead	n/s
Gabyon / Pindathuna	Phone	Pindathuna	
Ninghan	11.09.08		
Wagga Wagga		PHONE FIRST	

13.3 Road Asset Management Priorities

Approval	Apr20 - complete Policy Manual V4 adopted [April20 OCM]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The purpose of this policy is to clarify the level of maintenance and attention that is to be given to roads under the Shire's responsibility.

Objective This Policy is intended to provide guidance as to –

- the level of importance of each road, to assist with planning of future construction and general maintenance of the road system
- the frequency and level of maintenance for each road
- priority of works

1. The following Schedules are adopted, and form part of this Statement –
 - Policy Schedule 13.3 (a) – Main Roads WA Road Listing
 - Policy Schedule 13.3 (b) – Road Use and Priority Listing
 - Policy Schedule 13.3 (c) – Road Use and Priority Codes
 - Policy Schedule 13.3 (d) – Main Roads Cross Section Types
2. The general order in which works should be undertaken are –
 - 1st urgent works where road conditions are unsafe, or could be considered to be unsafe
 - 2nd flood / storm damaged roads brought to an adequate standard (i.e. fit for use as defined by MRWA), but not necessarily being up to the desired standard
 - 3rd construction works funded wholly or in part by grants or contributions
 - 4th construction works required prior to grant works being done
 - 5th general maintenance
3. Generally, the higher priority road, as defined by Policy Schedule 13.3 (b) should take precedence over lower priority roads.
4. The Frequency and Priority assigned to the roads in Policy Schedule 13.3 (b) are guides, not fixed requirements, and vary according to conditions and need.
5. It is acknowledged that –
 - the Shire has a responsibility to maintain all roads in the Shire that are open to public use, not just the main access routes
 - conditions can vary over the whole of the Shire, and roads may need to remain or be left in a rough but safe condition, in order to attend to higher priority works needed elsewhere
 - simply being rough is not sufficient reason to incur the extra costs in relocating the works crew from one road to another, out of the cycle of the planned work
 - flood / storm damage, additional tied funding for works etc, will interfere with the general cycle of maintenance grading, and will necessarily delay general maintenance works

– End of Policy

COMMENT

Policy Schedule 13.3 (a) – MRWA Road Listing

Source – Main Roads WA (February 2006)

Road No	Road Name	Length (km)	Start Terminus	End Terminus
1	Gibbons St	0.68	M15	Henty St No.5
2	Shamrock Rd	0.27	Henty St No.5	Yalgoo Town Boundary
3	Campbell St	0.46	M15	Queen St
4	Weeks St	0.12	Gibbons St	Campbell St
5	Henty St	0.50	Gibbons St No.1	Dead End
6	Stanley St	0.30	King St No.65	Res 29476 East Corner
7	Queen St	0.13	Gibbons St No.1	Campbell St No.3
8	Yalgoo - Ninghan Rd	137.35	H050	H6
9	Yalgoo North Rd	109.40	Yalgoo North T/S Boundary	Meka-Mt Wittenoom Rd No.46
10	Gabyon - Tardie Rd	76.30	M15	Shire Boundary (Murchison)
11	Mellenbye - Kadji Rd	7.03	Yalgoo-Morawa Rd S78	Shire Boundary (Morawa)
12	Paynes Find - Sandstone Rd	7.60	H6	Shire Boundary (Sandstone)
13	Dalgaranga – Cue	18.00	Dalgaranga-Cue Rd	Shire Boundary (Cue)
14	Old Warriedar Rd	16.30	Paynes Find-Yalgoo Rd 8	New Warriedar Rd 69
15	Warriedar - Perenjori Rd	5.40	Warriedar Rd No.69	Shire Boundary (Perenjori)
16	Burnerbinmah - Nalbarra Rd	50.63	Paynes Find-Yalgoo Rd No.8	Shire Boundary (Mt Magnet)
17	Paynes Find - Wagga Wagga Rd	44.00	M15	Paynes Find-Yalgoo Rd No.8
18	Dalgaranga Rd	53.70	Yalgoo North Rd	Dalgaranga -Cue Rd No.13-Rd51
19	Barnong - Wurarga	23.70	Gabyon Tardie Rd No.10	Yalgoo Morawa Rd S78
20	Meka - Noondie Rd	17.59	Junction Rd 9-Meka Stn	Shire Boundary (Murchison)
21	Barnong Rd	9.20	Yalgoo-Morawa Rd S78	Barnong-Wurarga Rd No.19
22	Gabyon - Pindathuna Rd	50.00	Yalgoo North Rd No.9	Gabyon-Tardie Rd No.10
23	Bunnawarra Rd	11.60	Yalgoo-Morawa Rd S78	Bunnawarra Station
25	Maranalgo Rd	47.90	H6	Shire Boundary (Mt Marshall)
26	Ninghan Rd	11.40	H6 (East)	H6 (West)
27	Mt Gibson	28.00	H6	Mt Gibson Station
28	Woogalong Rd	14.79	Yalgoo North Rd No.9	Out Camp
29	Noongal Rd	10.00	Yalgoo North Rd No.9	Noongal Station
30	Warriedar Copper Mine	4.17	New Warriedar Rd No 69	Copper Mine
31	Badja Rd	12.70	Paynes Find-Yalgoo Rd No.8	Badja Station Homestead
32	Badja Woolshed	20.90	M15	Badja Woolshed
33	Jingemarra - Murgoo Rd	3.20	Yalgoo North Rd No.9	Shire Boundary (Murchison)
35	Pindabunna Rd	16.49	Se Boundary With Sandstone	Road No 25
36	Goodingnow Rd	12.87	H6	Station Outcamp
37	Narndee West Rd	24.40	H6	Shire Boundary (Sandstone)
39	Edah Rd	4.83	M15	Edah Station
40	Carlaminda Woolshed	6.50	M015 Geraldton-Mt Magnet Rd	Woolshed
41	Narloo - Yuin	14.23	Gabyon Tardie Rd No.10	Narloo-Tardie Rd No.42
42	Narloo - Tardie Rd	16.80	Narloo Yuin Rd No.41	Gabyon-Tardie Rd No.10
43	Tardie - Woogalong Rd	33.45	Narloo Tardie Road No 42	Old Out Camp
44	Melangata	21.40	Yalgoo North Rd No.9	Dalgaranga Rd No.18
45	Burnerbinmah Rd	4.50	Burnerbinmah-Nalbarra Rd No.16	Burnerbinmah-Nalbarra Rd No.16

Road No	Road Name	Length (km)	Start Terminus	End Terminus
46	Meka - Mt Wittenoom	8.85	Yalgoo North Rd No.9	Shire Boundary Murchison
47	Oudabunna Access Rd	3.20	H6 Great Northern Hwy	Oudabunna Station
48	Thundelarra Rd	3.27	Paynes Find-Yalgoo Rd No.8	Paynes Find-Yalgoo Rd No.8
51	Dalgaranga - Mt Magnet Rd	28.50	Dalgaranga Rd No.18	Shire Boundary
52	Dalgaranga - Meteorite Rd	23.20	Dalgaranga-Cue Rd No.13	Dalgaranga-Mt Magnet Rd No.51
53	Uanna Hill Rd	11.00	Dalgaranga Meteorite Rd South	Dalgaranga Meteorite Rd North
54	Golden Grove Nth Acc Rd (P)	3.50	Paynes Find-Yalgoo Rd No.8	Scuddles Rd No 73 (P)
56	Joker Mine Rd	1.80	Paynes Find-Yalgoo Rd No.8	Joker Mine
57	Warriedar Access Rd	2.60	Warriedar-Perenjori Rd No.15	Warriedar Station Homestead
58	Paynes Find Battery Rd	4.20	Paynes Find Town Rd No 75	Battery
59	Gnows Nest Rd	1.40	Paynes Find-Yalgoo Rd No.8	Minesite
60	Melville Mines Rd	3.50	Yalgoo North Rd No 9	Mine
61	Fields Find Rd	2.00	Paynes Find Yalgoo Rd No 8	Mine
64	Milligan St	0.30	Gibbons St No.1	Townsite Boundary
65	King St	0.23	Queen St No.7	Stanley St No.6
66	Wanarra East Rd	5.20	H6	Shire Boundary (Perenjori)
67	Paynes Find - Yalgoo Deviation	2.50	Paynes Find-Yalgoo Rd	Badja Woolshed Rd
68	Selwyn St	0.21	Gibbons St No.1	King St No.65
71	Mouroubra Rd	5.40	Paynes Find-Marshall Rd No.25	Paynes Find-Marshall Rd No.25
72	Mellenbye Station Access Rd	3.40	Yalgoo-Morawa Rd S78	Mellenbye Station H/Stead
73	Scuddles Rd	5.68	Scuddles Mine	Golden Grove Townsite
74	Old Paynes Find Hwy Rd North	2.00	Paynes Find Town Rd No 75	No Through Rd
75	Paynes Find Town Rd	0.80	H6 North	H6 South
76	Morawa - Yalgoo Rd	82.95	Shire Boundary	Geraldton-Mt Magnet Rd
77	Paynes Find - Thundelarra Rd	86.40	Yalgoo-Ninghan Rd	H006

– End of Schedule

Policy Schedule 13.3 (b) – Road Use and Priority Listing

Road No.	Road Name	Start SLK	End SLK	Length (Km)	Cross Section	Frequency	Loading	PRIORITY
1	Gibbons St	0	0.68	0.68	6	T	H	4
2	Shamrock Rd	0	0.14	0.14	6	T	H	3
		0.14	0.27	0.13	4	T	M	3
3	Campbell St	0	0.46	0.46	4	D	L	3
4	Weeks St	0	0.12	0.12	4	D	L	1
5	Henty St	0	0.50	0.50	4	D	L	2
6	Stanley St	0	0.30	0.30	5	D	L	2
7	Queen St	0	0.13	0.13	4	D	L	2
8	Yalgoo - Ninghan Rd	0.00	55.00	55.00	6	C	RT	4
		55.00	80.00	25.00	6	C	RT	4
		80.00	137.35	57.35	2	C	RT	4
9	Yalgoo North Rd	0	109.40	109.40	2	T	M	3
10	Gabyon Tardie Rd	0	76.57	76.30	2	T	L	1
11	Mellenbye - Kadji Rd	0	7.03	7.03	1	S	L	1
12	Paynes Find - Sandstone Rd	0	7.60	7.60	3	C	RT	4
13	Dalgaranga - Cue	0	18.00	18.00	2	T	L	2
14	Old Warriedar Rd	0	16.30	16.30	1	S	L	1
15	Warriedar - Perenjori Rd	0	5.40	5.40	2	S	L	1
16	Burnerbinmah - Nalbarra Rd	0	50.63	50.63	2	S	L	1
17	Paynes Find - Wagga Wagga Rd	0	44.00	44.00	1	S	L	1
18	Dalgaranga Rd	0	53.70	53.70	2	S	L	2
19	Barnong - Wurarga	0	23.70	23.70	1	S	L	1
20	Meka - Noondie Rd	0	17.59	17.59	1	S	L	1
21	Barnong Rd	0	9.20	9.20	1	S	L	1
22	Gabyon - Pindathuna Rd	0	50.00	50.00	1	S	L	1
23	Bunnawarra Rd	0	11.60	11.60	1	S	L	1
25	Maranalgo Rd	0	17	17	1	T	M	3
		17	22	22	0	U	U	0
		22	47.90	25.90	1	T	M	3
26	Ninghan Rd	0	11.40	11.40	1	S	L	1
27	Mt Gibson	0	28.00	28.00	1	S	L	1
28	Woogalong Rd	0	14.79	14.79	1	S	L	1
29	Noongal Rd	0	10.00	10.00	1	S	L	1
30	Warriedar Copper Mine	0	4.17	4.17	0	U	L	0
31	Badja Rd	0	12.70	12.70	1	S	L	1
32	Badja Woolshed	0	20.90	20.90	1	S	L	1
33	Jingemarra - Murgoo Rd	0	3.20	3.20	0	U	U	0
35	Pindabunna Rd	0	16.49	16.49	0	U	U	0
36	Goodingnow Rd	0	12.87	12.87	1	S	L	1
37	Narndee West Rd	0	24.40	24.40	1	S	M	2
39	Edah Rd	0	4.83	4.83	1	S	L	1
40	Carlaminda Woolshed	0	6.50	6.50	1	S	L	1

41	Narloo - Yuin	0	14.23	14.23	1	S	L	1
42	Narloo - Tardie Rd	0	7	7	0	U	U	0
		7	16.80	9.80	1	S	L	1
43	Tardie - Woogalong R	0	33.45	33.45	0	U	U	0
44	Melangata	0	21.40	21.40	1	S	L	1
								1
45	Burnerbinmah Rd	0	4.50	4.50	1	S	L	
Road No.	Road Name	Start SLK	End SLK	Length (Km)	Cross Section	Frequency	Loading	PRIORITY
46	Meka - Mt Wittenoom	0	8.85	8.85	2	T	M	3
47	Oudabunna Access Rd	0	3.20	3.20	1	S	L	1
48	Thundelarra Rd	0	3.27	3.27	1	S	L	1
51	Dalgaranga - Mt Magnet Rd	0	22	22.00	2	S	L	2
		22	28.50	6.50	3	S	L	2
52	Dalgaranga - Meteorite Rd	0	3	3.00	3	S	L	2
		3	20	17.00	0	S	L	0
		20	23.20	3.20	3	S	L	2
53	Uanna Hill Rd	0	11.00	11.00	3	S	L	2
54	Golden Grove Nth Acc Rd (P)	0	3.50	3.50	4	C	RT	Mine?
56	Joker Mine Rd	0	1.80	1.80	1	S	L	1
57	Warriedar Access Rd	0	2.60	2.60	1	S	L	1
58	Paynes Find Battery Rd	0	4.20	4.20	0	U	L	0
59	Gnows Nest Rd	0	1.40	1.40	0	U	U	0
60	Melville Mines Rd	0	3.50	3.50	1	S	L	1
61	Fields Find Rd	0	2.00	2.00	1	S	L	1
64	Milligan St	0	0.30	0.30	4	D	L	1
65	King St	0	0.23	0.23	4	D	L	2
66	Wanarra East Rd	0	5.20	5.20	1	S	L	1
67	Paynes Find - Yalgoo Deviation	0	2.50	2.50	Unknown			
68	Selwyn St	0	0.21	0.21	6	T	M	3
71	Mouroubra Rd	0	5.40	5.40	2	T	M	3
72	Mellenbye Station Access Rd	0	3.40	3.40	1	S	L	1
73	Scuddles Rd	0	5.68	5.68	4	C	RT	Mine?
74	Old Paynes Find Hwy Rd North	0	2.00	2.00	4	S	D	1
75	Paynes Find Town Rd	0	0.80	0.80	4	C	RT	4
76	Morawa - Yalgoo Rd	0	53	53	2	C	RT	4
		53	82.95	29.95	4	C	RT	4
77	Paynes Find - Thundelarra Rd	0	86.40	86.40	2	T	M	3
	Town Streets	Estimated						

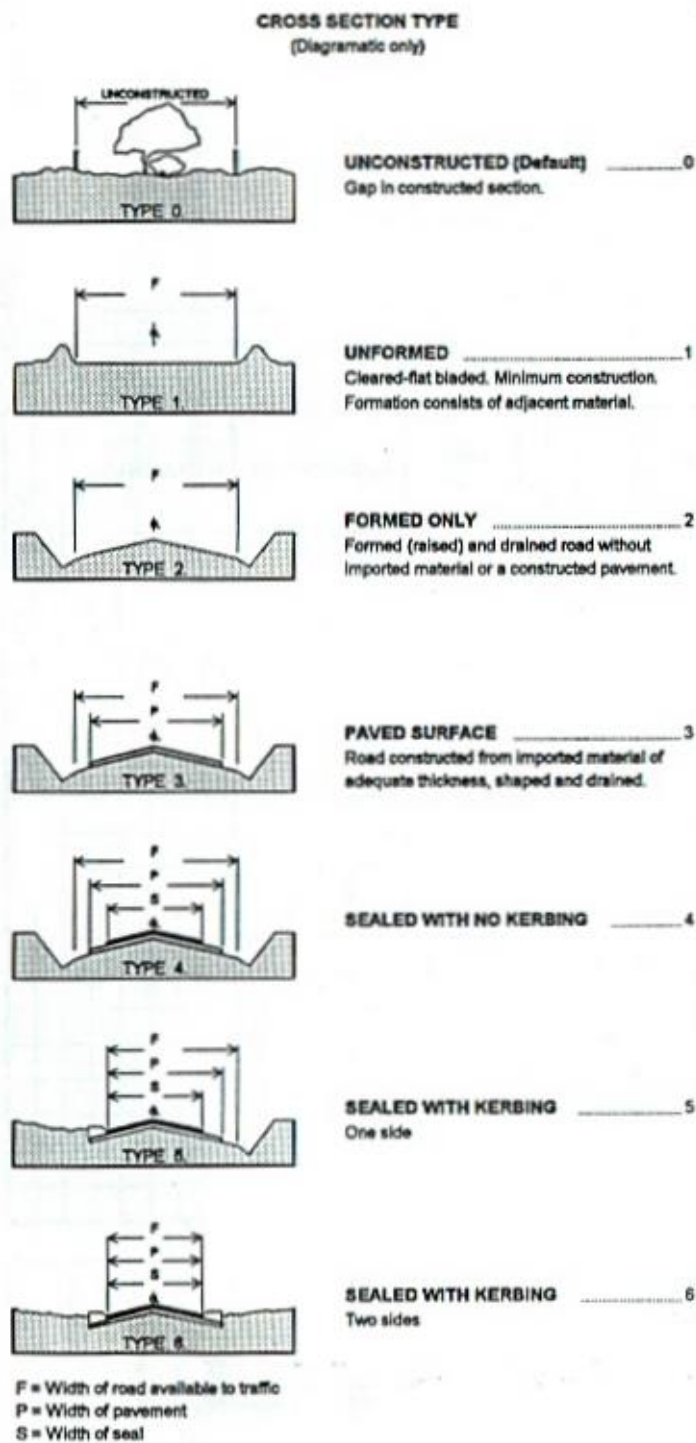
– End of Schedule

Policy Schedule 13.3 (c) –Road Use and Priority Codes

CROSS SECTION – MRWA	
0	Unconstructed
1	Unformed
2	Formed
3	Paved (gravelled)
4	Sealed – not kerbed
5	Sealed – kerbed one side
6	Sealed – kerbed both sides
	<i>Where sealed – shoulders should be pulled up and compacted once a year– patching of potholes done twice a year</i>
FREQUENCY	
U	Unconstructed
S	Station traffic only
T	Through route – occasional heavy transport
D	Town – mainly domestic
C	Constant
LOADING	
U	None – unconstructed
L	Light – essentially cars and 4WD
M	Medium – rigid trucks not uncommon, occasional semi or road train
H	Heavy – frequent semi trailer, occasional road train
RT	Road Trains – regular users
PRIORITY – Number of times to be maintenance / grading each year	
0	None – unconstructed
1	Low – when needed
2	Normal
3	High
4	Peak

– End of Schedule

Policy Schedule 13.3 (d) – MRWA Cross Section Types



– End of Schedule

13.4 Assessing Applications to Operate Restricted Access Vehicles (RAV) on Shire of Yalgoo Roads

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Msr21 – amended [C2021-0313] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction

A Restricted Access Vehicle (RAV) is a vehicle that exceeds a statutory mass or dimension limit as prescribed in the Road Traffic (Vehicles) Regulations 2014. RAVs can only operate on roads approved by Main Roads, under either an Order (Notice) or a permit. A Notice is an instrument of approval that is published in the Government Gazette and grants access for certain types of RAVs on defined networks of roads. All RAVs require a permit unless they are authorised under a Notice.

There are three types of restricted networks; the Standard RAV Network, Concessional Loading RAV Network and the Tri – drive Restricted Access Vehicle Network.

Operators may apply to add or amend a RAV route. It is Main Roads WA policy to consult with Local Governments before adding or amending a RAV route. Local Governments may request that Main Roads WA consider certain conditions for the RAV route. Once a Local Government has provided their conditional approval for a RAV route, Main Roads WA conducts a route assessment and prepares a summary report. The Main Roads Heavy Vehicle Services (HVS) considers the application before the RAV Network is updated.

Objective

The objective of this policy is to provide guidance to Local Government when assessing an application to add or amend a road on the Restricted Access Vehicle network.

Notice: A Notice (or Order) is an approval instrument published in the Government Gazette by the Commissioner of Main Roads that grants access or provides mass or dimension modifications to RAVs.

Permit: A Permit is an approval instrument issued by the Commissioner of Main Roads to grant access or provide mass or dimension modifications to RAVs.

Accredited Mass Management Scheme (AMMS): AMMS is a Main Roads concessional loading scheme that allows vehicles to operate above statutory Mass Limits. Once a transport operator has the appropriate loading control method in place they can apply for an AMMS permit which allows them to operate at the higher mass limits. AMMS allows for three (3) concessional mass levels which provide up to an additional 3.5 tonnes per tri-axle and 1.0 tonne per tandem axle combination.

Policy Statement

The Local Government seeks to achieve a sustainable road network that balances the needs of the community and the provision of an efficient freight network to support economic growth and development. The most recent RAV network routes for the Shire can be found on the Main Roads WA Heavy Vehicles website.

Assessing a RAV Access Application

It is Main Roads' policy that support from the relevant road owner is obtained before an application for RAV access is assessed. Main Roads HVS will forward all applications to the road owner for support. If the Local

Government is supportive of the application, then they must undertake a preliminary assessment before endorsing the application. The Main Roads RAV Network Access Strategy is aimed at establishing and maintaining a Strategic Road Freight Network (SRFN). The SRFN consists of roads, agreed on by Main Roads and Local Government, which carry the bulk of freight vehicles. When considering access decisions, Local Governments should be mindful of network wide considerations relating to efficiency, connectivity, sustainability, asset protection, public safety and public amenity. Where a more appropriate route is available, linking to the SRFN, it is reasonable to propose alternative routes to the applicant via the response to Main Roads WA. Approvals for RAV access outside of the SRFN should generally be limited to where access is required to a particular origin and / or destination or loading and unloading locations.

Assessing Support

The Local Government must first determine if it supports the application. The assessment to determine support must be performed by a suitably qualified and experienced Local Government officer or consultant. The assessor must record the basis for the decision and these records should accompany the application when it is referred to Council for approval.

The following criteria should be considered.

1. Is the road identified as a link on the Strategic Road Freight Network on a regional or local plan?
2. What is the designated Main Roads hierarchy?
3. Does the route provide connectivity to activity centres?
4. Does the route provide connectivity to the State road network?
5. Is the proposed RAV rating consistent with the connecting routes?
6. If the route crosses into adjacent Shires, have they been consulted?
7. Are there alternative routes that would be preferable for the RAV access?
8. Does the route impact community facilities e.g. schools, hospitals and town sites?
9. Will the proposed access impact public safety?
10. Is the proposed access likely to result in extraordinary damage to the road pavement? Consult the Local Government Heavy Vehicle Charging Policy.
11. Are there any bridges or other structures that are clearly below the standard required for the proposed access or likely to result in dangerous operating conditions?
12. Are there any known physical or topographical constraints?
13. Is the road listed in ROADS 2030?

Further to this, consideration needs to be given to the benefits of approving RAV access. While a RAV may be a larger vehicle, the routes are assessed to ensure the vehicle can operate safely amongst other traffic. Approving RAV access will potentially reduce vehicle movements for the same transport task, which in turn reduces congestion, emissions, noise, community impact and road wear.

Preliminary Assessment

If the Local Government supports the application, then a preliminary assessment must be performed by the Local Government. If the application is for a road on the Tandem Drive Network to be added to the Tri Drive or Concessional Networks then no preliminary assessment is required by the Local Government. Guidance on performing a preliminary assessment is provided by MR HVS, Framework – Adding a Local Government Road to a Redistricted Access Vehicle Network.

The Guide states that the following criteria should be considered:

- An assessment of the road width to ensure the road is suitable for the level of RAV access being requested.
- An assessment of the steepness of longitudinal grades to ensure they are within the specified limits.
- An assessment of the stacking and sight distance of any railway level crossings on the route.
- Sight distances at intersections must be checked to ensure they comply with the guideline requirements

Operating Conditions

Standard Operating Conditions

Based on the Assessment of Support and the Preliminary Assessment, the Local Government may review their support for the application or recommend a selection of operating conditions to be applied as a condition of permit. Main Roads will apply all or some of the conditions below to very low traffic volume roads when the road's width does not meet the minimum requirements as shown in their reference material below.

These and other similar operating conditions may be applied to the assessment of other roads.

1. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover. Where RAVs are limited to 40km/h advisory signs must be installed for safety to other vehicles who may unexpectedly catch up a vehicle at night.
2. No operation on unsealed road segment when visibly wet, without Road Owners approval.
3. Headlights must be switched on at all times.
4. Speed restrictions. (*40 km/h or 60 km/h in accordance with the Main Roads WA Low Volume Rural Road Minimum Widths of the Standard Restricted Access Vehicle (RAV) Route Assessment Guidelines).
5. Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).
6. Road not to be entered until driver has established by radio communication that there is no other RAV on the road travelling in the opposing direction.
7. Operation is not permitted while the school bus is operating on the road. Operators must obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop offs/ pickups have been completed on the road.
8. The Operator must obtain written approval from the Road Owner. The approval letter must be carried in the vehicle and produced upon request. Commonly referred to as a CA07 condition.

Other Operating Conditions

The Local Government may consider the need for additional operating conditions for example:

- Road not to be used as a through route. For local delivery and pick up only. Driver must carry proof of local delivery or pick up
- Empty travel only
- Single lane operation only
- Laden ascent travel only
- Speed restrictions
- Warning signs to be installed in accordance with Australian Standards and removed when haulage completed
- One truck movement at a time
- Truck entering signs to be erected by the Local Government and removed when not in use
- Turning restrictions

- No operation during specified months or periods
- No operation on certain days e.g. Saturdays, Sundays or Public Holidays
- No movement permitted between specified times.

The Local Government must justify the need for the additional conditions, which will be approved and applied at Main Roads discretion. Only conditions applied by Main Roads are enforceable.

Restricted Local Access Period Permit

If the road is deemed unsuitable for addition to the RAV network, the assessor may consider the alternative of recommending to Main Roads that the application be considered for “Restricted Local Access”. The “Restricted Local Access” Period Permit provides access to the final destination of a particular transport task. This may include access to a farm gate, local business or pine plantation. A safety assessment is conducted by Main Roads taking into consideration the specific vehicle type and operation. The permit may be issued to a particular vehicle combination and/ or length with particular operating conditions. The assessor should consider the required operating conditions and make recommendations when referring the application back to Main Roads.

Timeframes

The Local Government will endeavour to return the assessment to Main Roads within 4 weeks of receipt. Should Main Roads not receive support from the Local Government within three (3) months, Main Roads reserves the right to undertake an assessment of the road and add to the relevant network if deemed suitable without Local Government support.

Authority

Support of an application to amend a RAV Route shall be a decision of Council unless otherwise delegated.

Reference Material

The RAV assessment process is managed and approved by Main Roads Western Australia. This policy must be applied in accordance with the relevant Main Roads guiding documentation. The latest reference material is listed below however Main Roads may review and change the process from time to time and Officers applying this policy should ensure they have familiarised themselves with the latest guidelines. The Guidelines can be viewed on the Main Roads website under Heavy Vehicles, RAV Network Access.

1. Restricted Access Vehicles: Prime Mover, Trailer Combinations: Operating Conditions
2. Framework – Adding a Local Government Road to a Restricted Access Vehicle Network
3. Guidelines for Approving RAV Access
4. Framework for Using Consultants to Assess Local Government Roads for Inclusion on a Restricted Access Vehicle Network
5. Standard Restricted Access Vehicle (RAV) Route Assessment Guidelines
6. Tri – Drive Route Assessment Guidelines
7. Concessional Loading Route Assessment Guidelines.

CA07 Applications

Applications are to be issued with a letter from the Shire of Yalgoo permitting the use of the road/s for 1 year, provided that the Shire does not consider the freight task to be extraordinary. In the case that the Shire considers the freight task to be extraordinary please refer to Policy 13.5 Heavy Vehicle Cost Recovery.

13.5 Heavy Vehicle Cost Recovery

Approval History:	Apr20 - complete Policy Manual V4 adopted [April20 OCM] Mar21 – amended [C2021-0313] Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction

The serviceable life of a road is dependent on the quantity and type of heavy vehicle passes. A road will typically be designed to last for a defined time period (typically between 20 to 50 years) during which time it will be subjected to a predicted quantity of heavy vehicle passes. The road is designed and constructed to fit its intended purpose. If an industry or mining operation proposes a transport task that increases the volume of heavy vehicles well above the quantity that it was designed and constructed to carry, then the life of the road will be consumed at a much higher rate than anticipated. The road will require additional maintenance and may fail prematurely leaving the local government with the cost to reconstruct the road. It is unreasonable for the community to bear this additional cost and the proponent should be charged at a fair rate to offset the cost of additional maintenance and reduction in the life of the road.

Objective

The objectives of this policy are to present a methodology and framework for heavy vehicle charging for a defined task on a sealed Local Government Road. This includes the calculation of heavy vehicle charges, qualifying scenarios, funding administration and development of agreements.

This Policy is intended to be using in conjunction with the WALGA User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks.

Definitions

Agreement: An agreement between the Local Government and a proponent defining the conditions of access including charges for a defined transport task

Proponent: The party that is requesting to use a Local Government road for a defined freight task

Equivalent Standard Axle (ESA): The number of standard axle loads which are equivalent in damaging effect on a pavement to a given vehicle or axle loading. Every vehicle combination can be expressed as a number of ESA.

Annual Design ESA (ADESA): The predicted annual ESA that was used to design a road pavement structure. If this is unknown it may be estimated based on the average annual ESA from historic traffic counts or the annual ESA that would reasonably be expected for a particular Category of road under normal circumstances.

Extraordinary Load: An Extraordinary Load is defined as a freight task that will result in a significant increase in the ADESA resulting in damage to the road pavement and reduction in the structural design life of the road

giving rise to extraordinary expenses as a result of increased routine and planned maintenance and premature failure necessitating rehabilitation or reconstruction of the road.

Routine maintenance: Unplanned activities that maintain the serviceability of the road e.g. repairing potholes, cleaning drainage structures, repairing edge breaks and sweeping pavements.

Preservation: Planned maintenance and rehabilitation that are designed to preserve or extend the serviceable design life of the road e.g. crack sealing, resealing with a bituminous sprayed seal, rehabilitation of gravel shoulders and replacing culverts and kerbs.

Statutory Power

- Road Traffic (Administration) Act 2008 Part 7, s.132 & s.136 ; Road authority may recover expenses of damage caused by heavy traffic.

In particular; s.132 (2) states: “Where it appears to the road authority that has functions in relation to the repair of road infrastructure that, having regard to the average expense of repairing road infrastructure in the vicinity, extraordinary expenses have been incurred by the road authority in repairing the road infrastructure because of damage caused by heavy traffic, the road authority may recover the amount of the expenses as may be proved to the satisfaction of the court to have been incurred by the road authority because of damage caused by heavy traffic.”

and s.132(4) states: “A person against whom expenses are or may be recoverable under this section may enter into an agreement with the road authority for payment to it in respect of heavy traffic, and on making the payment as agreed the person is not to be subject to any proceedings under this section.”

- Revised State Planning Policy 3.6 – Development Contributions for Infrastructure, developed under the authority of Planning and Development Act 2005, Section 26.
- Local Government Act 1995 Part 6 – Financial Management, Div 5 – Financing Local Government Activities, Subdivision 2 – Fees and charges, 6.16 – Imposition of fees and charges.

Application

This policy applies to any party that plans to run a defined vehicle freight task on a Local Government Road(s). The task must be deemed to be of such a volume (extraordinary load) that it is likely to cause damage resulting in “extraordinary expenses”, which is damage that is well beyond what would normally be anticipated for the category of road(s) concerned. If the Local Government considers that the defined freight task is likely to also effect roads in adjacent Shire(s) it will notify them accordingly.

Extraordinary Load

An Extraordinary Load is defined as a task that will result in a significant increase in the Annual Design ESA (ADESA) and will result in damage to the pavement and reduction in the structural design life of the road leading to extraordinary expenses.

The ADESA shall be determined by Council based on the most appropriate method or combination of methods:

Method 1. Historical pavement design information

Method 2. Engineering assessment based on traffic counts, pavement structure and condition performance

Method 3. Nominal 50% ADESA for sprayed sealed Local Government roads as per WALGA & ARRB 2015, adapted from Table C.1

The Shire is to approach heavy vehicle users upon receiving a CA07 application or group of applications to determine if a Road Use Agreement is Appropriate.

Cost Calculation

The relevant charge shall be calculated using the User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks (WALGA & ARRB 2015). The Proponent shall provide the following information to the Local Government:

1. The type and axle configuration of the vehicles to be used for the task.
2. The annual freight tonnage for the task and the vehicle payload.
3. The number daily vehicle passes.
4. The duration of the task.
5. The task routing and distance.

The total annual ESA used to calculate the charge shall be the proposed annual ESA minus the applicable 50% ADESA or other appropriate percentage. Note that this method was designed for sprayed sealed roads. Asphalt roads will require a modified or different approach. Unsealed roads should be assessed so as to develop them into sealed roads or negotiation should take place for the proponent to maintain the unsealed road.

Negotiation

The following conditions may necessitate negotiation with the Proponent to adjust the calculated charge or to use an alternative methodology:

1. If the Category of road has been purposely constructed to a level that is markedly different to the ADESA, then an appropriate ADESA shall be determined using available engineering data and judgement. The road category shall also be appropriately adjusted for the determination of cost from the User Guide.
2. If the road is in a very poor or failed condition then the Local Government shall negotiate with the proponent on a strategy and cost to bring the road to a serviceable condition before calculating an annual charge.
3. If the magnitude of the freight task is of such a volume that the road is likely to experience structural failure in a short period, then the Local Government shall negotiate an appropriate strategy and charge to upgrade the structural capacity of the road in advance. This will result in an increased ADESA which will then be used to calculate the ongoing charges.
4. The rates in the User Guide are current for 2015 and the Local Government and the proponent shall agree on a suitable method to calculate escalation.
5. If the proposed ESA are excessively above the limits in the User Guide or if for any other reason this method is deemed inappropriate then the Local Government may elect to calculate the charge using an alternative method.

Funding and Service

Funds collected from the Proponent shall be placed into a dedicated fund and shall only be used for routine maintenance, preservation and structural strengthening activities on the section of road concerned. The Local Government shall keep records of all works and costs. The Local Government will contribute a portion of the cost of works out of its own funds according to what they would have reasonably allocated to the road if the proponents activities were not present. After termination or expiry of an agreement, any remaining funds shall be kept for a period of 12 months (or other agreed time period) after which the road will be inspected and the remaining funds shall be used to repair any defects so that the road is in a similar condition to when the agreement began.

Agreement

The Local Government and the proponent shall enter into an Agreement that includes the following:

- The type and axle configuration of the vehicles to be used for the task.

- The annual quantity of vehicle passes and the payload tonnage. If seasonal then this must be described
- The routing including return journeys
- The duration of the task
- The annual and unit rate charge and method of calculation
- Payment terms and conditions
- The obligations of the parties including works records, expenditure, evidence and audit requirements in relation to the determination of actual payload tonnages and notifications of changes to vehicles, payload or routing
- Conditions on expiry of the agreement
- Hours and conditions of operation
- Breaches and terms of remedy for the Local Government and Proponent
- Duties of Local Government and the Proponent

Duties of Local Government

The Local Government will take all reasonable steps to keep the road in a serviceable condition for the duration of the agreement. The Local Government will keep proper records to ensure transparency of expenditure of all collected charges

Duties of the proponent

The proponent will provide timely (to be determined by the Local Government in Agreement) notification to the Local Government if there are any changes to the type of vehicles and axle configurations, annual payload and routing.

Authority

The authority to enter into an agreement with a Proponent under this policy shall be approved by Council.

13.6 Permanent Closure of a Road (or Road Reserve) Policy

Approval	May21 - new [C2021-0515]
History:	Jan25 - complete Policy Manual V6 adopted [C2025-01-16]
Review Frequency:	4 Yearly

Introduction The closure of roads in the district will over time reduce funding received from the grants commission who provide funding based on the length of sealed, unsealed and formed roads but funding will also no longer be required for that section of road.

Objective This Policy sets out the process required to be undertaken before council consider relinquishing roads.

Policy Statement

1. Advertisement in a newspaper circulating in the district calling for submissions within 35 days of the date of advertisement.
 2. Notices on the Shires Website and Notice Board
 3. Letters advising of the proposal and seeking comments within 35 days sent to:
 - a) Department of Planning, Lands and Heritage (Planning Division);
 - b) All service authorities, ie Water Corporation, Western Power etc;
 - c) All adjoining owners;
 - d) Any other relevant government department or agency.
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4. At the close of the advertising period, the proposal (including submissions) is presented to Council for their consideration.
 5. If Council resolves to refuse the application, the road reserve cannot be closed.
 6. If Council supports the closure, it forwards its recommendation to DPLH.
 7. If the Minister for Lands agrees to closure, the land from the closed road reserve becomes unallocated Crown land before being on-sold by the DPLH to adjoining owner(s).