

SHIRE OF PERENJORI

# POLICY MANUAL



Shire of  
**Perenjori**  
Embrace Opportunity

# 2024

Version 2024/1

WWW.PERENJORI.WA.GOV.AU

**ADOPTED ON**

2 May 2024

**LAST REVIEWED**

2 May 2024  
(Full Review)

**NEXT REVIEW**

MARCH 2025

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## DOCUMENT CONTROL

<b>Document Name</b>	Shire of Perenjori Policy Manual		
<b>Current Version</b>	2024/1		
<b>File Number</b>	ADM0311		
<b>Record Number</b>	NPP234367		
<b>Location</b>	T:\ADMIN\SoP CURRENT MANUALS & PLANS\Policy Manual <a href="#">Documents in General- Policy Manuals » Shire of Perenjori</a>		
<b>Document Revision History</b>			
<b>Version</b>	<b>Description</b>	<b>Date</b>	<b>Council Resolution Number</b>
2009/1	Full Review	18 June 2009	9066.6
2014/1	Part 1 Review of Document	20 February 2014	14022.11
2014/2	Part 2 Review of Document	17 April 2014	14042.5
2014/3	Part 3 Review of Document	20 November 2014	14112.3
2017/1	Full Review	16 March 2017	17022.5
2023/1	Partial Review arising from the 2022 Financial Management Review	23 January 2023	230123.4
2024/1	Full Review	2 May 2024	020524.2

## SCHEDULE OF RESCINDED POLICIES

Policy No.	Title	Council Decision	Council Meeting
1005	Employee Internet Use	230123.4	Special Council Meeting 23 January 2023
1024	Appointment of Acting Chief Executive Officer	230123.4	Special Council Meeting 23 January 2023
1026	Working From Home Policy	230123.4	Special Council Meeting 23 January 2023
2001	Workshop and Use of Plant by Employee	230123.4	Special Council Meeting 23 January 2023
3016	Provision of Refreshments	230123.4	Special Council Meeting 23 January 2023
4002	Rates Collection, Payment and Discount	16.2.2	Ordinary Council Meeting 19 November 2020
4005	Payment of Accounts at Post Office	230123.4	Special Council Meeting 23 January 2023
4009	Electronic Funds Transfer (EFT) and Direct Debits	230123.4	Special Council Meeting 23 January 2023
4010	Cheque Signing Policy	230123.4	Special Council Meeting 23 January 2023
4011	Investment Policy	230123.4	Special Council Meeting 23 January 2023
4012	Authorising of Journals	230123.4	Special Council Meeting 23 January 2023
7002	Policy Objective	230123.4	Special Council Meeting 23 January 2023
7010	CCTV Policy	230123.4	Special Council Meeting 23 January 2023
8005	Influenza Vaccinations for Employees	230123.4	Special Council Meeting 23 January 2023
8007	New Employee Medical Examinations	230123.4	Special Council Meeting 23 January 2023
10001	Code of Conduct * Code of Conduct for Council Members, Committee Members and Candidates & Employee Code of Conduct were adopted on 21 August 2022	230123.4	Special Council Meeting 23 January 2023 T:\ADMIN\SoP CURRENT MANUALS & PLANS\Code of Conduct 2022
1015	Employee Recognition Policy	020524.2	Special Council Meeting 2 May 2024
2002	Community Use of Shire Plant	020524.2	Special Council Meeting 2 May 2024
3017	Prohibited and Restricted Burning Times	020524.2	Special Council Meeting 2 May 2024
4004	Material Variances	020524.2	Special Council Meeting 2 May 2024
4013	Investment Policy (New Investment of Surplus Funds Policy 4018)	020524.2	Special Council Meeting 2 May 2024
4014	COVID-19 Financial Hardship Policy	020524.2	Special Council Meeting 2 May 2024
5001	Bonds	020524.2	Special Council Meeting 2 May 2024
5003	Housing Renovations by Tenant	020524.2	Special Council Meeting 2 May 2024
5004	Housing Tenancy Agreements	020524.2	Special Council Meeting 2 May 2024
5013	Farm Forestry (Replaced by Policy 5016)	020524.2	Special Council Meeting 2 May 2024
6006	(Previously Policy No. 8005) Employee Study Expenses		Special Council Meeting 2 May 2024
7008	(Previously Policy No. 9008) Elected Member Representation Committees, Community	020524.2	Special Council Meeting 2 May 2024
7014	(Previously Policy No. 9014) Caretaker Policy	020524.2	Special Council Meeting 2 May 2024

## SCHEDULE OF AMENDED POLICIES

Policy No.	Title	Council Decision	Council Meeting
4007	Purchasing Policy	190522.13	Ordinary Council Meeting 19 May 2022
1022	Occupational Safety & Health	190522.14	Ordinary Council Meeting 19 May 2022
5005	Staff Housing	201022.10	Ordinary Council Meeting 20 October 2022
5002	Employee Rental Subsidy for Private Rentals	231123.14	Ordinary Council Meeting 23 November 2023
1003	Feedback and Complaints Management	020524.2	Special Council Meeting 2 May 2024
1023	Temporary Appointment of Chief Executive Officer	020524.2	Special Council Meeting 2 May 2024
1026	(Prev 8002) Performance Review Chief Executive Officer	020524.2	Special Council Meeting 2 May 2024
3001	Private Works and Outstanding Debts	020524.2	Special Council Meeting 2 May 2024

## 1000 – GOVERNANCE



## 1001 – PREPARATION OF COUNCIL MEETING AGENDAS AND MINUTES

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To ensure compliance with the Act allowing elected members sufficient time to consider the items in the agenda.

### Policy Statement

The agenda, including reports and financial statements for the ordinary monthly meetings of Council, is to be posted to elected members no later than the Friday prior to the Council meeting.



## 1002 - LEGAL REPRESENTATION COSTS INDEMNIFICATION

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

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

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 Council. This policy applies in that respect.

### Policy Statement

#### General Principles

- The Council may provide financial assistance to councillors and employees in connection with the performance of their duties provided that the councillor or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the Council or otherwise in bad faith.
- The Council may provide such assistance in the following types of legal proceedings:
- Proceedings brought by councillors and employees to enable them to carry out their Council functions (e.g. where a councillor or employee seeks a restraining order against a person using threatening behaviour);
- Proceedings brought against councillors or employees [this could be in relation to a decision of the Council or an employee which aggrieves another person or where the conduct of a councillor or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions)]; and
- Statutory or other inquiries where representation of councillors or employees is justified.
- The Council will not support any defamation actions seeking the payment of damages for individual councillors or employees regarding comments or criticisms levelled at their conduct in their respective roles. Councillors or employees are not precluded, however, from taking their own private action. Further, the Council may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- The legal services the subject of assistance under this policy will usually be provided by the Shire's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest, then the service may be provided by other solicitors approved by the Council.

#### Applications for Financial Assistance

- Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- A councillor 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.
- 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).
- A councillor 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.
- Where there is a need for the provision of urgent legal services before an application can be considered by the Council, the CEO may give an authorisation to the value of \$5,000 (subject to budget allocation being made to



support this expenditure) provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.

- Where it is the CEO who is seeking urgent financial support for legal services, the Council shall deal with the application.

#### **Repayment of Assistance**

- Any amount recovered by a councillor or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the Council.
- Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the Council or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- 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 moneys in a court of competent jurisdiction.

## 1003 – FEEDBACK AND COMPLAINTS MANAGEMENT

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Amended:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To establish a framework to guide the Shire of Perenjori in its management and handling of feedback and complaints.

### Policy Scope

This Policy applies to feedback and complaints received from members of the public about the Shire's services, facilities, employees and contractors, or about decisions made by Council and Committees of Council.

For the purpose of this Policy, the following are not classified as complaints:

- Request for Shire service e.g. pothole or damaged infrastructure
- Request for information, documents, or explanation of policies or procedures
- Reports of hazards or damaged infrastructure
- An appeal against an infringement or fine issued for non-compliance of State Acts, Regulations or Local Laws
- Complaints by one member of the community about another member

In this policy, a complaint means the expression or dissatisfaction with a process or service such as:

- Insufficient information communicated about services or policies
- Customers not receiving a service when they expected it
- Delivery of services which do not meet customer's expectations.

Feedback means information provided by a customer about their experience with a facility, employee or service

### Policy Statement

The Shire of Perenjori is committed to the delivery of high quality facilities and services, and strives to provide the best possible customer experience through every customer interaction.

We welcome feedback about our facilities and services and use insights to enhance our services and facilities wherever possible.

Where customers are dissatisfied with our services, facilities, actions or decisions and make a complaint, the Shire is committed to managing these complaints in a consistent and unbiased manner, ensuring an open and responsive complaint handling process.

### Feedback

The Shire will encourage feedback from its customers, and will use this feedback to identify opportunities for continuous improvement. Any feedback received will be communicated to the relevant parties within the Shire; and acknowledged and responded to in a timely manner.

### Making a Complaint

Any person can make a complaint. Complaints can be made by:

- Telephone: 08 99730100

- Email: [reception@perenjori.wa.gov.au](mailto:reception@perenjori.wa.gov.au)
- Post: PO Box 22, PERENJORI WA 6620
- In Person: Shire Administration Building, 56 Fowler Street, Perenjori WA 6620.

It is helpful if customers provide the following information when making a complaint:

- Name and contact details (phone and email preferred). Complaints can be made anonymously, but this may limit how the Shire responds to you
- Identify the action, decision, service or policy you are complaining about, and why you are dissatisfied
- Provide relevant details, such as dates, times, location or reference numbers, name of any witnesses or employees that have assisted you previously and documents that support your complaint
- The outcome being sought from making the complaint
- Whether you have any particular communication needs.

## Complaints Handling

The Shire uses a four-tiered approach to resolving complaints.

### Tier One – Initial Assessment and First Actions

In the first instance, a complaint will be assessed and recorded on the Shire's record management system and complaints register. After the initial assessment, the Shire may:

- Take direction action to resolve the complaint
- Refer your complaint to the relevant Manager for investigation
- Decline to investigate the complaint (refer to 'complaints that will not be investigated').

The action taken following the initial assessment will be formally communicated to the complainant and updated on the Shire's complaints register.

### Tier Two – Investigation

The investigative activities undertaken will depend on the nature of the complaint made but may include speaking with other Shire employees or contractors, inspecting documents, and reviewing relevant legislation.

The Shire will aim to complete tier two within 10 working days and will advise the complainant if the the investigation will take longer.

Any actions or processes taken during the investigation period will be recorded on the Shire's record management systems and complaints register.

### Tier Three – Internal Review

An internal review will take place should the complainant not be satisfied with the process or outcome of tier two. An internal review will consist of the following:

- The complaint will be referred to the CEO to investigate the matter. The CEO will be provided with a report detailing the history of the complaint and the actions taken to resolve the issue(s)
- The CEO will determine the appropriate resolution of the outstanding complaint

### Tier Four – External Review

In circumstances where internal processes are unable to resolve a complaint or satisfy a complainant, the Shire may refer the complainant to an appropriate external agency, such as the State Administrative Tribunal or State Ombudsman Office. Resolution timeframes will depend on the responsible organisation.

### Complaints that will not be investigated

The Shire may determine that a complaint will not be investigated where that complaint:

- is considered to be malicious or vexatious
- relates to a matter that is subject to an existing mediation or investigation process
- relates to the appointment or dismissal of an employee or contractor, or an industrial or disciplinary issue
- relates to a decision, recommendation, act or omission which is more than one year old

Should the Shire decide not to investigate a complaint, the complainant will be advised of the reason for the decision.

#### **Privacy and Confidentiality**

Staff involved in the complaints handling procedures will take all reasonable steps to protect the confidentiality of complainants. Personally identifiable information concerning the complainant will not be made publicly available except to the extent required in law and/or with the express consent of the complainant.

Complainants seeking anonymity should note that the Shire cannot guarantee that they will not be identified during investigation, and as such, it is the complainant's right to decide if they would like to proceed with the complaint.

#### **Recordkeeping**

All complaints and actions within the complaint handling process will be recorded in the Shires records management system as a 'complaint' and added to the Shire's complaint register.

## 1004- COMMUNICATIONS AND SOCIAL MEDIA POLICY

<b>Adopted:</b>	15 November 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

This policy establishes protocols for the Shire of Perenjori's official communications with our Councillors, employees and community to ensure the Shire of Perenjori is professionally and accurately represented and to maximise a positive public perception of the Shire.

### Policy Scope

This policy applies to:

- Communications initiated or responded to by the Shire of Perenjori with our Councillors, employees and community; and
- Councillors when making comment in either their Shire of Perenjori role or in a personal capacity.

### Policy Statement

#### 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 Perenjori 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 Perenjori 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 Perenjori

The Shire President is the official spokesperson for the Shire of Perenjori and may represent the Shire 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 of Perenjori, 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 Perenjori.

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

- Bring the Shire of Perenjori into disrepute,
- Compromise the person's effectiveness in their role with the Shire,
- Imply the Shire's endorsement of personal views,
- Imply the Councillor or employee is speaking on behalf of the Shire, unless authorised to do so; or
- Disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Perenjori.

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

### Responding to Media Enquiries

All enquiries from the Media for an official Shire of Perenjori comment, whether made to an individual Councillor 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 of Perenjori.

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

### Website

The Shire of Perenjori 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 Perenjori 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 Perenjori maintains the following Social Media accounts:

- Social networks - Facebook,
- Media Sharing networks – Instagram

The Shire of Perenjori may also post and contribute to Social Media hosted by others, 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 Perenjori 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 Perenjori's 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 or permanently.

The Shire of Perenjori will observe the following Local Emergency Management Arrangements protocol to communicate and advise our community regarding Emergency Management.

Communities threatened or impacted by emergencies have an urgent and vital need for information and direction. Such communities require adequate, timely information and instructions in order to be aware of the emergency and to take appropriate actions to safeguard life and property. The provision of this information is the responsibility of the Controlling Agency through the Incident Management Team.

At the time of handover of the incident to the Shire, the responsibility of sign-off of communication material is to be handed over to the Shire's Local Recovery Coordinator.

### **Record Keeping and Freedom of Information**

Official communications undertaken on behalf of the Shire of Perenjori, including on the 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*.

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

### **Councillor 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, Councillors 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*.

### **Councillor Statements on Shire Matters**

A Councillor may choose to make a personal statement publicly on a matter related to the business of the Shire of Perenjori.

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

- Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Perenjori.
- Be made with reasonable care and diligence;
- Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
- Be factually correct;
- Avoid damage to the reputation of the local government;
- Not reflect adversely on a decision of the Council;
- Not reflect adversely on the character or actions of another Councillor or Employee;
- Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor, Employee or community member.

A Councillor 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* and may be referred for investigation.



### **Councillor Email Communications with Shire of Perenjori Employees**

All Councillor email requests to and from Councillors to and from Shire Employees are to be directed through the CEO's office.

Email communication between Councillors and Shire of Perenjori staff is to be confined to;

- The Chief Executive Officer.
- Senior Employees as designated by Council under S.5.37 of the Local Government Act 1995;
- The Executive Assistant;
- and is to relate solely to Council business or a request for works or services.

Email communication between Councillors and Shire of Perenjori staff shall;

- Not reflect adversely on a decision of the Council;
- Not reflect adversely on the character or actions of another Councillor or Employee;
- Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor, Employee or community member.



## **1007 – ADDITIONAL OFFICE CLOSURES**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Statement**

Shire office closures, outside of gazetted closures or normal office hours may be authorised by the Chief Executive Officer in exceptional circumstances.



## 1008 – USE OF SHIRE CREST AND LOGO

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

This Policy is to ensure that the Shire crest and logo is used for authorised purposes only.

### **Policy Statement**

The Shire's logo is copyright and its use is restricted to bona fide Shire situations as set out in the Shire Style Guide. The logo is to be used for administrative purposes as authorised by the Chief Executive Officer.

Candidates at elections are to be expressly advised that the Shire logo is not authorised to be used for electoral purposes.

Similarly, the Shire crest can only be used on authorised Shire documents and for bona fide Shire purposes.

## **1009 – COMMON SEAL EXECUTION OF DOCUMENTS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

To maintain controlled use of the Shire Common Seal.

### **Policy Statement**

Only authorised documents can be validly executed with the common seal affixed and the President and the Chief Executive Officer are to attest the affixing of the seal.

## 1010 – VOLUNTEERS

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The Shire of Perenjori values the contribution and enthusiasm of the community and recognises its responsibility to provide an environment where volunteers, working on Shire projects, are not exposed to hazards

This Volunteer Policy endeavours to minimise the risk and potential of accident or injury to voluntary workers through the implementation of some basic control measures.

### Policy Statement

The Shire will maintain a register of volunteers to ensure;

- That individuals are covered under the Shire’s personal accident insurance policy during their time of work;
- That any injuries to a third party, resulting from work carried out by volunteers working on Shire projects are covered by the Shire’s public liability insurance provided that they have complied with responsibilities described in the Volunteers Policy;
- The Shire will provide a brief induction for volunteers when they begin their voluntary tasks to advise of any safe working and emergency procedures and identify any hidden hazards. This induction may be given by a volunteer who has been suitably trained and is authorised to provide such training;
- Volunteers are expected to adhere to any such procedures and to keep an attendance record of the date, duration and location of works;
- Shire insurance only provides cover for volunteers working on Shire approved projects;
- To minimise the risk and potential of accident and/or injury to voluntary workers, volunteers are required to undertake a short induction session before commencing any works.

## 1011 – DONATIONS AND GRANTS

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The Council is committed to building strong and resilient communities in Perenjori and to maximising social wellbeing for all citizens. One means of achieving these goals is to provide assistance being financial or in kind in the form of donations to individuals and groups to help develop leadership skills, increase community participation in civic life and address identified social issues.

Given that the Council receives requests from community groups and organisations throughout the year for donations, sponsorships and the waiver of Council fees and charges, a procedure for the assessment of applications ensures:-

- Transparency and accountability to the community;
- An effective reporting mechanism to the Council regarding the total value of donations approved in any one financial year;
- An equitable assessment of each application or request received; and
- A standard process for applicants to follow when requesting donations or sponsorships from the Council.
- The responsibility for the disbursement of funds will be with the Council, whilst Shire officers will undertake the management of these processes.
- The total value of the fund will be determined each year during the Council's annual budget deliberations.
- The donations program will be advertised across the whole community annually.
- Groups who receive support in one year do not automatically receive ongoing funding in future years.
- Policy Statement

Donation – provision of financial or in-kind support by Council to an individual or group.

Fees and charges- those imposed by the Shire on an organisation or group for the use of a Shire owned facility or the staging of a particular event or activity.

Shire facilities- all Shire owned and operated facilities and reserves across the Shire that are included as available for hire or use in the Shire's annual Schedule of Fees and Charges.

### Donations within Perenjori

Donations will generally only be provided for individuals who reside in the Perenjori local government area, or to community organisations that operate within the Perenjori local government area and/or for the benefit of Perenjori residents.

### Eligibility

- Any Not for Profit, Community service, groups or welfare or charitable organisations or groups providing programs or services to residents of Perenjori.
- Any activity, event or program that is supported by the Council's existing Strategic Plan and policies.
- Young people who are aged 10 to 20 years who have their primary residence in Perenjori.
- All schools in the Shire of Perenjori.
- Contractors who are conducting work on behalf of the Shire of Perenjori (applicable to waiving or reducing of fees only and in relation to accommodation)
- Agree to complete an acquittal and evaluation report where requested. Failure to do so may render the applicant ineligible for future funding.

### Assessment Criterion will Include

- The status of the applicant organisation (e.g. charity, not for profit).
- The numbers of people benefiting.
- The availability of the event, service to the community.
- The alignment of the event, service or activity with the Council's philosophies and strategic direction.
- The perceived benefit of the event or activity to the Perenjori community.
- Alternative funding sources that may be applicable.
- Contribution to the event or activity made by the applicant organisation or individual/s.
- Commitment to acknowledgement of the Shire of Perenjori.

### General Community Donations

The Council will consider donations to the community, subject to the adoption of a budget for that purpose on an as need basis. Applicants for a Council donation must be able to demonstrate that they can:

- Meet an identified social need of the Perenjori community in accordance with the Council's community strategy or other relevant social planning documents;
- Effectively deliver the project; and
- Provide value for money.

### Youth Donations

The Council may provide donations to young people for the purposes of developing leadership skills and encouraging active civic participation. The amount of the donations can be up to:

- \$100 for regional level activities (taking place within WA).
- \$200 for national level activities (taking place within Australia other than in WA).
- \$500 for international level activities (taking place outside Australia).

### School Donations

The Council may make available donations to each school in Perenjori to be given as a prize, in cash or goods, to a student who has excelled in citizenship, academic studies, artistic endeavours or sporting proficiency.

Schools will be able to notify Shire staff of their interest in these donations and the prize will be given at the annual awards ceremony or equivalent. The prize will be presented by the Shire President (or delegate).

### Sports Donations

The Council may provide donations to individuals and teams from Perenjori in representative sports for which they have qualified. The amount of the donations can be up to:

- \$200 for regional representation.
- \$500 for state representation.
- \$500 for international representation.
- \$500 for team representation.

### Events and Activities

The Council may also provide financial and or in-kind support for community events through corporate sponsorship. This can include the covering of costs associated with the hire and use of Shire facilities, community bus, equipment and staff.

### Donations outside Perenjori

#### Events

There are events which occur in places outside Perenjori which the Council determines should be supported by a donation of cash or in-kind. Events such as natural disasters and wars create much human suffering which requires a widespread and concerted aid effort. Whilst the national government and to a lesser-extent State Governments have greater resources to be able to provide assistance, local government in Perenjori and elsewhere can also play a key role. A cash or in-kind



contribution from the Council increases the total overall aid effort and sends a very important message of solidarity and goodwill from the people of Perenjori to those suffering the misfortune.

### **Cash**

Council may resolve to provide any amount it deems reasonable to assist people affected by a national or international event that causing human suffering. It is recommended that an amount of up to \$2,000 be considered in such instances.

Depending on the total amount of such donations, the Council may be required to top up the budget for the program.

### **In-Kind**

The Council may also wish to consider providing material, equipment or human resources support for an event or group. In some instances, sending an engineer or community services worker, a truck or a load of material might be of more benefit than a cash contribution. Any such in-kind donation would need to consider the impact on the essential work of the Council through consultation with the CEO before being committed. Any materials to be provided in-kind would be sourced locally where possible, to support local businesses.

In kind donations will be costed and the cost allocated to the Donations Account to ensure the total cost of Shire donations is correctly accounted for.

## 1012 – LOCAL LAWS POLICY

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The following policy sets the criteria under which the Council would consider adopting Local Laws. Reference should also be made to the Council's Code of Conduct.

### Policy Statement

That council make, publicise and review its local laws according to the guidelines below:

That local law-making powers are used sparingly and only after applying the following test:

- Can Council achieve the objective without making a law?
- Has Council the will and resources to enforce the law?
- Will practical benefits result from the law?
- That local laws be worded as simply as possible.
- That penalties for contravention of the local law be stated.
- That the method and the means by which fines imposed are to be paid and collected be specified.
- That a list of all the local government's local laws be kept posted on the notice board at the Shire office.
- That where local laws are site specific, e.g.: laws relating to the town hall, a copy of the laws be posted, where feasible at the site concerned, or where not considered feasible by the CEO, than an abbreviated version be kept posted at the site stating – offences and penalties.
- That the full laws can be inspected at the Shire office.
- That the President considers making the exercise of legislative powers by the local government a component of the President's annual report, as a means of identifying district problems and steps Council is taking to combat these.

## **1013 – SIGNING OF OUTWARDS CORRESPONDENCE**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

To ensure the integrity of Shire information and a high standard of external correspondence.

### **Policy Statement**

Any formal correspondence to politicians, ministers, government departments or other customers that contain key information or responses to questions will be signed by the CEO.

## 1014 – RECORDS MANAGEMENT POLICY

<b>Adopted:</b>	21 September 2017
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

- To ensure that the Shire meets the statutory requirements of the State records ACT 2000 and associated legislation.
- To provide record keeping principles and processes that identify, capture and protect the Shire’s corporate records of continuing value for legal, financial, administrative accountability and historical purposes.

### Policy Statement

Corporate records provide fundamental evidence of the decisions and actions undertaken by the Shire whilst also serving as a tool for planning for the future. It is for these reasons that legislation exists to ensure that records are properly maintained and preserved for future generations.

Records are recognised as an important information resource for the Shire of Perenjori, and it is accepted that sound record management practices will contribute to the overall efficiency and effectiveness of the Shire.

The shire’s corporate records are to be managed in accordance with the Shire’s Record Keeping Plan. All elected members, officers and contractors are responsible for maintaining complete, accurate and reliable records as evidence of the actions, decisions and transactions they make or undertake whilst performing their duties on behalf of the shire.

### Ephemeral Records

- Duplicated records and/or those that have only short-term values to the Shire of Perenjori, with little or no on-going administrative, fiscal, legal, evidential or historic value. They may include insignificant drafts and rough notes, records or routine enquires.
- Officers and contractors may dispose of such ephemeral records when reference to them ceases (in accordance with the General Disposal Authority for Local Government Records).

### General Disposal Authority (GDA)

Is a list of mandatory minimum retention periods for different classes of corporate records which has been approved by the State Records Commission. This document identifies the minimum periods of time different classes of electronic and/or hardcopy records must be kept (retention periods) before they may be legally disposed or permanently archived.

### Government Organisation Employee Means

- A person who, whether an employee, alone or with others governs, controls or manages a government organisation;
- A person who, under the Public Sector Management Act 1994, is a public service officer of a government organisation;
- A person who is engaged by a government organisation, whether under a contract for services or otherwise;
- And includes, in case of a government organisation referred to in item 5 or 6 of Schedule 1, a ministerial officer, (as defined in the Public Sector Management Act 1994) assisting the organisation, (State Records Act 2000).

### Government Records

Is a record created or received by or for a government organisation or a government organisation employee or contractor in the course of the work for the organization (State Records Act 2000).

## Local Government Office

The civic and administration office of the Shire of Perenjori.

## Records

Information recorded in any form created or received and maintained by an organisation in the transaction of business and kept as evidence of such activity.

## State Archive

Records that is to be retained permanently (State Records Act 2000).

## Vital Record

Record that is essential for the ongoing business of an agency, and without which the agency could not continue to function effectively. The identification and protection of such records is a primary objective of records management and disaster planning.

## Roles and Responsibilities

### Chief Executive Officer

The Chief Executive Officer is to ensure that an organisational system for the capture and management of corporate records is maintained by the Shire which is compliant with current legislative requirements and best practice standards.

### Managers

All managers are to ensure record keeping policy and procedures are known and adhered to in their area of responsibility.

### All staff

All staff (including contractors) are required to create, collect and retain records relating to the business activities they perform on behalf of the Shire. These records shall be handled in a manner appropriate with the Shire's record keeping requirements and captured into the Shires Record Keeping Systems.

### Elected Members

Elected members are required as representatives of the Shire of Perenjori to capture or create records of any significant activities, interactions and advice they provide to, or receive from, the community and forward these records onto the shire.

## Capture and Control of Records

All elected members, staff and contractors will capture or create full and accurate records, in required formats, of the business decisions, actions and transactions they make or undertake on behalf of the Shire. Records created and received in the course of Shire business are to be captured with required metadata, into the Shire's recordkeeping systems, and managed in accordance with sound recordkeeping principles.

Contractors shall be required to forward onto the shire any records they create or receive which are of significant relevance to be the contract or service they are providing on behalf of the Shire.

These records shall be forwarded on completion of the contract or service or at the request of the Shire's contract representative.

Elected members are required to forward on to the Shire records they create or receive which document significant discussions, actions or advice provided as representatives of the Shire. This includes written and verbal communications such as work diaries, presentations, speeches, emails, community submissions, complaints and requests relating to Shire matters. Hardcopy records should be forwarded on a monthly basis to the Shire via the CEO's Executive Assistant in packets provided, and electronic records forwarded as received or created to [ea@perenjori.wa.gov.au](mailto:ea@perenjori.wa.gov.au)

## Appraisal and Retention of Records

Where permitted, all records held by the Shire of Perenjori will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA, following authorisation from the Chief Executive Officer.

Records are assessed and categorised according to their functional classification as they are captured into the Shire's records management system.

### **Security & Access to Records**

All records held by the Shire of Perenjori shall be stored in electronic and/or hardcopy formats in accordance with legislative requirements and protected from violation, unauthorised access or destruction.

Access to Shire of Perenjori records will be controlled in accordance with the level of security and classification of the record, regardless of format (electronic or hardcopy).

Access to the Shire of Perenjori's records by the general public will be in accordance with the Freedom of Information Act 1992 and Shire of Perenjori's Freedom of information Statement.

Access to the Shire of Perenjori's records by elected members will be via the Chief Executive Officer in accordance with the Local Government Act 1995.

## 1016 – ASSET MANAGEMENT

<b>Adopted:</b>	16 March 2017
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

This Policy provides clear direction in the provision and management of all Shire assets. It seeks to ensure that assets support the Council's strategic vision and objectives, deliver sustainable service outcomes provided at appropriate levels of service for present and future stakeholders.

### Policy Scope

The Shire considers assets (such as infrastructure, land, plant and equipment) to be any that support the deliver one or more services requiring the following assets;

- Property
- Recreation
- Transport
- Plant, Vehicles & Equipment
- Information Technology
- Waste Management

This Policy applies to all assets which are required to be managed by the Shire where their components have a useful life of more than two years and a replacement cost greater than \$5,000.

The Shire's Asset Management Vision shall be achieved through the implementation of an integrated planning and reporting framework.

As a minimum;

- The Asset Management Strategy shall define the Shire's asset management vision, objectives, outcomes, enablers (e.g. Roles, responsibilities, training etc.), and performance monitoring and implementation plan.
- The Asset Management Plan shall be driven by community-involved service levels, future demand, long term sustainability and risk management.

### Policy Statement

The Shire will provide and manage assets that support the delivery of services in line with the Strategic Community Plan. Through a commitment to continuous improvement in its organisational asset management, the Shire will develop, adopt and implement a Vision, a Strategy and Management Plans.

The Shire will manage its assets in a whole-of-life and economically, environmentally, culturally and socially sustainable manner. Asset management decisions will consider other key Shire policies and priority will be given to existing assets and services over new ones. Long term resource needs (Asset Management plans) will be balanced against capacity (Long Term Financial Plan).



## **1017 – DESIGNATION OF SENIOR EMPLOYEES**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

The following policy defines the positions of designated Senior Employees in accordance with s5.37 of the Local Government Act.

### **Policy Statement**

The following positions are designated as Senior Employees of the Shire of Perenjori:

- Manager Corporate Community Services
- Manager Infrastructure Services

## 1018 – FREEDOM OF INFORMATION

<b>Adopted:</b>	19 April 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The policy is designed to meet the following objectives:

- To ensure the Shire of Perenjori has a current Information Statement in accordance with the statutory requirements of the Freedom of Information Act 1992
- To ensure the Shire of Perenjori has a procedure in place that allows the public to apply for access to documents as stipulated under the Freedom of Information Act 1992

### Policy Statement

The Shire of Perenjori will adopt the *Freedom of Information Procedures* when dealing with a request for documentation that is not routinely available. This procedure will ensure that staff responds to requests for information in accordance with the Freedom of Information Act 1992.

This procedure will outline:

- What type of information is, and is not, available for access by the public?
- Include an application form and outline the process for applying for documentation.
- Include the associated costs of applying for documents.
- Detail processes for the review of decisions made by the Shire in response to requests lodged under the Freedom of Information Act 1992.

The Shire will comply with Section 96(1) of the Freedom of Information Act 1992 which requires each government agency, including local governments, to prepare and publish annually an Information Statement. The Information Statement must set out:

- The Agency's Mission Statement.
- Details of legislation administered.
- Details of the agency structure.
- Details of decision-making functions.
- Opportunities for public participation in the formulation of policy and performance of agency functions.
- Documents held by the agency.
- The operation of FOI in the agency.

## 1019 – COMMUNITY ENGAGEMENT POLICY

<b>Adopted:</b>	17 May 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

- To ensure Shire staff refer to the Shire of Perenjori’s Community Engagement Framework before implementing any projects, or making any decisions, that may impact the community;
- To ensure that the Shire of Perenjori undertakes a satisfactory level of Community Engagement Planning at the initial stages of developing a project;
- To obtain Council approval of any Community Engagement Plan’s developed for projects, initiatives or decisions that are classified as being of a Moderate-High or High level of community impact;
- The Policy also seeks to improve the Shire’s engagement processes and outcomes through encouraging a consistent approach and continual learning through evaluation, and through expanding the range of engagement methods used.

### Policy Statement

This Community Engagement Policy is a formal expression of Council’s commitment to engaging the Perenjori community through the use of appropriate, effective and inclusive practices.

#### ‘Community Engagement’

is Community engagement is defined as the range of opportunities for public involvement in Council decision-making, relationship building and community strengthening. Community engagement is achieved when the community is and feels part of a process.

#### ‘Community Engagement Framework & Toolkit’

a document endorsed by council that will assist Shire staff to effectively plan and deliver community engagement activities. If used accordingly, the framework and toolkit will ensure that the purpose of Shire engagement is clear, relevant and the methods used are well suited to generate highly effective community engagement.

The Shire **must** refer to the *Community Engagement Framework and Toolkit* and use community engagement methods when:

- It is required by legislation
- An issue or proposed project may have potential impacts on the health, safety or well-being of any community member

The appropriate Shire of Perenjori staff member/s will develop and present to council for endorsement a Community Engagement Plan for all proposed projects, initiatives and issues that are deemed to be of having a MODERATE-HIGH or HIGH level of impact on the Perenjori Community. This level of impact can be ascertained using the table contained in the *Community Engagement Framework and Toolkit*.

The Community Engagement Plan once endorsed by Council will be implemented and evaluation of the plan will be reported on to council.

The official community consultation period, during which the council will receive submissions on documents, strategies and policies, will be a minimum of four weeks. This is in addition to the community engagement period that may be conducted prior to the development of the document.

The community will receive a minimum of two weeks’ notice for any community engagement methods that planned for activities that are deemed to be of having a MODERATE-HIGH or HIGH level of impact on the Perenjori Community.

## 1020 – COMMUNITY CITIZEN OF THE YEAR

<b>Adopted:</b>	20 December 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To provide a process by which the council can formally recognise individuals in the community who have made a noteworthy contribution during the current year or given outstanding to the local community over several years through active involvement.

### Policy Statement

#### Australia Day Active Citizenship Award

The award is to be advertised in September, inviting nominations for awards in the following categories:

- Citizen of the Year (no age limit)
- Active Citizen Award (for community groups or events)

### Selection Criteria

(All or any of the following)

- Significant contribution to the community
- Demonstrated leadership on a community issue resulting in the involvement of community life
- Personal, academic, sporting and professional achievements
- Voluntary Work

Award Recipients to be chosen at a meeting of the Shire of Perenjori Council and the results kept confidential until presentation.

Presentation of awards to be at a local function celebrating Australia Day (January 26).

## 1021 – WELCOME TO COUNTRY POLICY AND PROCEDURE

<b>Adopted:</b>	20 August 2015
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The purpose of this policy is to acknowledge the traditional owners of the land upon which the Shire of Perenjori is situated and demonstrate respect for the original custodians. The policy provides direction to the Shire of Perenjori in outlining how this acknowledgement is conducted.

### Policy Statement

The Shire of Perenjori values its Aboriginal and Torres Strait Islander residents and staff. Observing Welcome to Country protocols demonstrates respect for Aboriginal traditional cultural practices and recognises the Aboriginal people as Traditional Owners in the cultural history of Perenjori.

A Welcome to Country should be observed at all official major Shire of Perenjori events including but not limited to:

- All events celebrating Aboriginal and Torres Strait Islander people and culture, for example NAIDOC and Reconciliation Week celebrations;
- Australia Day Awards and Citizenship Ceremonies; and
- Opening of major facilities and community events.

Welcome to Country ceremony gives traditional owners, the Badimia people, the opportunity to formally welcome people to their land. This ceremony should be undertaken by Elders acknowledged as such by their family and community.

The Shire of Perenjori acknowledges the importance of having Elders who are recognised in the local community as being the most appropriate people to conduct a Welcome to Country for the Shire.

Where a local Badimia Elder is not available, it may be acceptable for a Badimia Elder from another area to give the Welcome to Country. (see attached protocols for more detail).

An Acknowledgement of Country is a way for people to show respect for Badimia heritage. An Acknowledgement of Traditional Owners should be used by a delegated Shire of Perenjori Officer or elected member at significant events, meetings and ceremonies prior to the commencement of the activity.

### Policy Scope

This policy applies to all staff and elected members involved in initiating and running public functions and events in the Shire of Perenjori.

Welcome to Country is a ceremony of welcome onto land by traditional custodians in recognition of indigenous people as the original owners and inhabitants.

Acknowledgement of Country is a statement that recognises the traditional owners and elders of the area in which an event is taking place.

The Shire of Perenjori is in 'Badimia Country' with the Traditional Owners of the Mid West being the Yamatji people. these language groups, the Whadjuk and Yued people live in and share cultural areas in the Mid-West.

Within the Midwest region there are various localised Aboriginal language groups which are collectively known as Yamatji and include the Amangu people, Naaguja people, Wadjjarri people, Nanda people, Badimia people and additionally the region includes the Western Desert people known as the Martu people.

The area encompassed by the Shire of Perenjori has a significant Aboriginal cultural history and an active community.

It is important to acknowledge the traditional Badimia owners of the land on which the Shire's events and activities are conducted.

Holding a Welcome to Country or an Acknowledgement of Country recognises the unique position of Aboriginal people in Perenjori's culture and history. It enables the wider community to share in Aboriginal culture and heritage and facilitates improved relationships between Aboriginal and non-aboriginal people.

### **Implications (Financial, Human Resources)**

In providing cultural services such as a Welcome to Country, Aboriginal people are using their intellectual property and may be appropriately remunerated. Fees will be negotiated with the Elder who is engaged to provide a Welcome to Country, where required.

Financial allocations for Welcome to Country Protocols to be observed will be included in the Shire's budget on an annual basis.

### **Welcome to Country**

Welcome to Country should always occur as the first item in a ceremony or event. There is no specific wording or format for a Welcome to Country and it may include speech, dance, music, song and/or other cultural rituals.

Arrangements for a Welcome to Country are to be made by the officer/s responsible for the event or activity. Organisers need to ensure the Traditional owner/s have some information on the theme and purpose of the event.

Organisers should respectfully request that the welcome in language be translated into English so that the audience understands the welcoming message.

### **Response to Welcome to Country**

It is necessary for the speaker who follows immediately after the Welcome to Country ceremony to provide a response.

Part of the response should acknowledge the person who delivered the Welcome to Country. It is inappropriate for every speaker to provide a response to acknowledge country.

The following text can be used:

***I respectfully acknowledge the past and present traditional owners of the land on which we are meeting, the Badimia people. It is a privilege to be standing on Badimia country.***

### **Acknowledgement of Traditional Owners**

An Acknowledgement of Traditional Owners can be undertaken by an Aboriginal person who is not a Traditional Owner of the area or any non-Aboriginal person.

An Acknowledgement of Traditional Owners is to be organised by the officer/s responsible for the event or activity.

Acknowledgement of Country is a way that the wider community can demonstrate respect for Aboriginal protocol and is dedicated to the traditional custodians of the land or sea where the gathering of participants is conducted.

An Acknowledgement of Traditional Owners can also occur at functions where a Welcome to Country is not taking place in order to recognise the traditional owners and elders of the area in which the activity is being held.

### **Roles and Responsibilities**

The CEO is responsible for publication, implementation, enforcement and compliance as well as interpretations in the event of the need for clarification or when there is a dispute.

## 1022 – OCCUPATIONAL SAFETY & HEALTH

<b>Adopted:</b>	16 July 2015
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Amended:</b>	10 May 2022
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

This policy outlines the Shire of Perenjori's commitment to establish and continuously improve, through the establishment of measurable objectives and targets, an occupational safety and health management system intended to identify and control hazards with the goal of reducing illness and injury within our workplace.

The shire is committed to managing occupational safety and health, including the development and implementation of an Occupational Safety and Health Management system that complies with or exceeds legislative requirements.

### Policy Statement

**The Policy of the Shire of Perenjori is to ensure that every employee works in an environment where every effort is made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.**

- Provide and maintaining a safe working environment.
- Providing adequate training, instruction and supervision to enable employees to perform their work safely and effectively.
- Investigating all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace
- Comply with AS/NZS 4801-2001 Occupational Health and Safety Management Systems audit requirements.
- Compliance with current Occupational Safety and Health Act 1984, and the Occupational Safety and Health Regulations 1996, relevant Australian Standards including AS/NZS ISO 31000, 2009 and relevant Approved Codes of Practice
- Engage and consult stakeholders and representatives (including Volunteers and contracted Service Providers) in matters regarding occupational safety and health in the workplace.

### Employees have a duty of care to:

- Working with care for their own safety and that of other employees, contractors, volunteers and public who may be affected by their acts or omissions.
- Reporting hazards, accidents, incidents and near misses to their Line Manager
- Co-operating positively in the fulfillment of the obligations placed on their employer.
- Assisting in the reporting and investigation of any accidents with the objective of:

A safe and efficient place of work is our goal, and we must all be committed by working together to reach this outcome.



## **1023 – TEMPORARY APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

<b>Adopted:</b>	22 April 2021
<b>Reviewed:</b>	2 May 2024
<b>Amended:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Purpose Objective**

To outline the process for the appointment of an Acting Chief Executive Officer to cover periods of leave up to 8 weeks in duration.

### **Policy Scope**

This policy applies in respect of periods of leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for periods of leave up to 8 weeks in duration.

### **Policy Statement**

The Local Government Act 1995, section 5.36 requires that a Local Government is to employ a person to be the Chief Executive Officer of the local government.

Section 5.39C requires that the Local Government must prepare and adopt a policy that sets out the process to be followed in relation to the employment of a person in the position of Chief Executive Officer for a term not exceeding 1 year and the appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding 1 year.

### **Application for Leavy by the Chief Executive Officer**

An application for annual leave, long service leave, personal leave or an extended absence made by the Chief Executive Officer is to be approved by the President.

### **Appointment of an Acting Chief Executive Officer**

Where there are periods of annual leave, long service leave or other periods of extended absence of the Chief Executive Officer, it is appropriate for a person to perform the duties of the Chief Executive Officer to enable the efficient functioning of the local government's administration.

Designated Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer, subject to officer performance and dependent on availability and operational requirements.

Appointment to the role of Acting Chief Executive Officer must be made in writing by the Chief Executive Officer.

Appointment to the role of Acting Chief Executive Officer may only be made by the Chief Executive Officer for periods of leave up to 8 weeks.

A Council resolution is required for periods exceeding 8 weeks.

Where the Chief Executive Officer appoints a Designated Senior Staff member to the position of Acting Chief Executive Officer, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment covers.

### **Unexpected Leave or Vacancy**

In the event that the Chief Executive Officer is otherwise incapacitated, or the position falls unexpectedly vacant, and no appointment of an Acting Chief Executive Officer has been made, the Council shall appoint an Acting Chief Executive Officer.

## 1025 – CITIZENSHIP CEREMONIES DRESS CODE

<b>Adopted:</b>	19 November 2021
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To ensure the Citizenship Ceremonies Dress Code outlines the Shire of Perenjori’s expectations for conferees and guests attending the Shire of Perenjori Citizenship Ceremonies to reflect the significance of the occasion.

### Policy Scope

This policy applies to all conferees and guests attending a Shire of Perenjori Citizenship Ceremony.

### Policy Statement

The Citizenship Ceremonies are an important event where people make a commitment to Australia, therefore the attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

The Shire of Perenjori encourages Citizenship Ceremony attendees to wear, as a minimum, smart casual attire. Attendees are also welcomed to wear their own national/traditional/cultural dress as an acceptable standard.

Attendees should also ensure they dress appropriately for the venue and season in which the ceremony is being held.

The following attire is not considered appropriate and should not be worn to ceremonies:

- Beach wear
- Rubber thongs
- Bare feet
- Slippers/Ugg boots
- Offensive shirts
- Sports training apparel
- Hi-Vis clothing

## 1026 – PERFORMANCE REVIEW CHIEF EXECUTIVE OFFICER

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	21 June 2018 2 May 2024
<b>Amended:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	8002

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### Policy Objective

A consistent, transparent and accountable performance review process.

### Policy Scope

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

Local Government Act 1995, s5.38:

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

### Policy Statement

#### Rationale

This process is documented and adopted by Council to ensure a consistent approach to the Shire of Perenjori (the Shire) Chief Executive Officer (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 Plan and/or Business Plan. Councillors must be prepared to take a corporate view of this process.

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

Councillors participating in the review process must:

- Show an ability to be fair and objective
- Use good communication skills
- Possess preparation and evaluation skills
- Avoid Bias
- Be able to concentrate on outcomes
- Provide negotiation skills

#### Objectives

The Performance Review Committee (the Committee) comprising all members of the Council is established to fulfil the following functions:

- Undertake an annual assessment of the CEO’s performance in accordance with the provisions of the CEO’s contract of employment as well as relevant statutory requirements;
- In conjunction with the CEO, develop key result area (KRA) measures and key deliverables to progress Council’s key strategic priorities based on those reflected in the Shire’s Corporate Business Plan;

- Review the CEO's Total Reward Package annually and make recommendations to Council in relation to remuneration in accordance with the relevant terms of the contract of employment, taking into consideration the CEO's performance, the existing level of remuneration, and the applicable Salaries and Allowances Tribunal Determination.
- Provide positive communication opportunities between Council and the CEO; and
- Provide guidance to Council in accessing the CEO's performance.

### Committee Structure

- The Committee shall consist of all Councillors.
- An independent facilitator, who is not a member of the Committee, shall be appointed under delegation to the Committee by Council to assist with the performance review process.
- The Committee is supported by the Shire's Executive Assistant.
- All Committee members are encouraged to undertake the relevant CEO performance review training course provided by WALGA within six months of appointment to the panel; it is important for those involved in the performance review to feel comfortable with their skill level and role.

### Term of Appointment

- The Committee shall be established by Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

### Review Periods

- It is a statutory requirement that the CEO's performance is reviewed annually.
- For planning purposes, the appraisal is to be undertaken in the month of July immediately following adoption of the annual budget.
- The Shire President (the President) must write to the CEO if Council has requested an interim performance review, outlining the areas of concern to allow the CEO the opportunity to prepare.
- The President must allow the CEO a minimum of two weeks' notice prior to the commencement of an interim performance review.

### CEO Key Result Areas (KRAs)

- Must contain a balance of both tactical and strategic KRAs
- Must refer to the Strategic Community Plan & Corporate Business Plan.
- The annual review of the Strategic Community Plan & Corporate Business Plan must be included as part of the KRAs that defines realistic milestones and reporting requirements.
- Must mirror the expectations of Council and Community.
- Must acknowledge leadership.
- Be reviewed annually and then agreed between the CEO and Council after each review period.
- Once agreed upon, the KRAs and Key Performance Indicators (KPIs) shall not be changed.

### Presiding Member

- The Committee is to determine the Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable;
- Following the appointment of the Presiding Member, the Committee is to determine a Deputy Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable;
- If the Presiding Member is absent from a meeting, the Deputy Presiding Member is to preside at that meeting.

### The role of the Presiding Member includes

- Overseeing and facilitating the conduct of meetings in accordance with the *Local Government Act 1995* and the Shire's Meeting Procedures Local Law (2016);
- Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
- Where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the matter resolved.

## Meetings of the Committee

- The Committee will meet as required to facilitate an annual review of the CEO's performance taking into account the Review Process and Process Flowchart provided as Appendix 1 to this policy.
- A meeting of the Committee is to be held:
  - if called for by either the Presiding Member or the required number of members in accordance with the Shire's Meeting Procedure Local Law (2016) in a notice to the CEO setting out the date and purpose of the proposed meeting; or
  - if so, decided by the Committee; or
  - if called for by Council.
- The Committee shall also meet with the CEO at least six monthly on such dates and at such times as the Committee determines to receive and discuss an update on the progress of KRAs (KPIs) or other matters.
- The Committee may invite Shire Officers, the appointed facilitator or others to attend meetings and provide pertinent information, where necessary.

## Powers of the Committee

- The Committee is a formally appointed Committee of Council and is responsible to that body.
- The Committee does not have any delegated authority.
- The Committee recommendations are to be referred to Council for consideration and decision before implementation.

## Voting

- Each member of the Committee at a meeting will have one vote.
- The Presiding Member, in the event of an equality of votes, will have a casting vote.

## Review Process

The review process comprises the following steps:

- Council appoints an independent facilitator to assist the Committee with the performance review process. The facilitator is to be acceptable to both parties, i.e. CEO and Council.
- Committee meets to confirm process with independent facilitator.
- CEO provides a written report and self-rating to the Committee against the KRAs and KPIs.
- All Councillors will have opportunity to participate in the performance review process.
- All Councillors shall individually and independently rate and comment on the performance of the CEO against each of the KRAs and KPIs and provide such assessment directly and confidentially to the independent facilitator.
- The independent facilitator will consolidate all scores and comments to present a 'reviewer report' to the Committee to discuss and validate overall ratings.
- The CEO meets with the Committee and independent facilitator for feedback and discussion;
- The Committee determines final ratings.
- The Committee and CEO determine KRAs and KPIs for the forthcoming review period.
- The independent facilitator completes the final report, with final ratings and specific comments against each KRA and KPI.
- The CEO meets with the Committee and independent facilitator for discussion of the remuneration package in accordance with the contract of employment.
- The final report, new KRAs and KPIs and any remuneration package recommendations are provided to Council for consideration each year in accordance with the CEO Contract of Employment.

## Dispute

Where the CEO disagrees with the feedback, he/she is entitled to request Council to re-consider the rating.

Completion of the process

The Committee must deliver a report to Council that outlines:

- What worked in the process.

- The new KRAs and KPIs for the next 12 months.
- Recommended changes to this process over the next 12 months.

### **Record Keeping**

The President is to hold the record of the performance review. All documents relating to the review process must be registered on the Shire's records management system.

## 1027 – RISK MANAGEMENT

<b>Adopted:</b>	16 October 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The Shire of Perenjori (“the Shire”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

### Policy Scope

This policy affects all Councillors, employees, volunteers and contractors within the Shire of Perenjori who is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

### Policy Statement

It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire’s Integrated Planning Framework.

The Shire’s Executive Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Definitions (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk

- Risk Management Objectives Optimise the achievement of the Shire’s vision, experiences, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within the Shire’s risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

## **Risk Appetite**

The Shire defined its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Plan and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment and approved by a member of the Executive Management Team.

## **Roles, Responsibilities & Accountabilities**

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Plan.

## **Monitor & Review**

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.



## 1028 – POLICY FRAMEWORK

<b>Adopted:</b>	2 May 2024
<b>Reviewed:</b>	
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The objective of this Policy is to guide the development and oversight of an effective, lawful and relevant suite of policies to contribute to the good governance of the Shire of Perenjori (“Shire”).

### Policy Scope

This policy affects all elected members and employees of the Shire.

### Policy Statement

#### Statutory Provisions

The development and oversight of the Shire’s policies is guided by the provisions of the Local Government Act 1995 (“Act”) relating to:

- the role of a council in determining a local government’s policies [See s. 2.7 (2) (b)] of the Act]; and
- the functions of the chief executive officer (“CEO”) [See s. 5.41 of the Act].

All matters relating to the functions of the CEO should be separated from the suite of council policies. In practical terms, 2 key functions of the CEO are most relevant to the application of this Policy. Those functions are the CEO’ functions to:

- manage the day-to-day operations of the local government [See s. 5.41 (d) of the Act]; and
- be responsible for the employment, management, supervision, direction and dismissal of employees [See s.5.41 (g) of the Act].

Therefore, policy matters of an operational nature or those relating to the local government’s human resource, other than the CEO, are the responsibility of the CEO.

### Types of Policies

The Shire will have 2 types of policy, namely:

- Council Policies; and
- CEO Policies.

The purpose of a Council Policy should be to:

- set out limits or conditions applying to matters requiring a decision under delegation or actions generally;
- guide the Council in making sensible, lawful and consistent decisions;
- satisfy the requirements of legislation to establish a policy on a certain matter;
- or
- establish an advocacy position on an important external issue facing the local government.

A Council Policy is to be adopted and reviewed by the Council.

The purpose of a CEO Policy should be to establish “business rules”, systems or directions:

- to provide for a consistent and efficient approach to operational matters;
- to give effect to a Council Policy; or
- to underpin a reasonable, lawful and consistent approach to the Shire’s human resources

A CEO Policy is to be approved and reviewed by the CEO.

### Local Planning Policies

This Policy does not apply to local planning policies. Provisions for making, amending and revoking local planning policies are set out in legislation. [See Schedule 2 of Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015].

### Making Council Policies

The adoption of a new Council Policy is an important and significant matter.

The following process should be followed prior to the adoption of a new policy:

- the Council is to have previously resolved to endorse a proposal to develop a new policy;
- feedback from the community and relevant stakeholders should be sought;
- a draft policy document accompanied by advice and recommendation from the CEO should be given consideration; and
- the format of the new policy should follow the template in appendix A of this Policy.

### Reviewing Council Policies

Council Policies are to be reviewed every 3 years. In March of each year, one third of Council Policies will be reviewed. The review date of each Council Policy is to be allocated so as approximately one third is reviewed each year.

### Example of Shire of Perenjori Council Policy Format

**Adopted:**

**Reviewed:**

**Next Review:**

**Prev Policy Number/s:**

- 
- Policy Objective
  - Policy Scope
  - Policy Statement

## 2000 – PLANT & EQUIPMENT



## 2003 – MATERIALITY OF PLANT AND EQUIPMENT PURCHASES

Adopted:	20 February 2014
Reviewed:	16 March 2017
	2 May 2024
Next Review:	March 2025
Prev Policy Number/s:	Nil

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### Policy Statement

All plant and equipment purchased by the Shire with a useful life of over two years and over the value of \$5,000, be classed as material and be entered upon the Shire's asset register.

## 2004 – BUS HIRE CHARGES

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To provide consistency in applying hire costs for the bus.

### Policy Statement

Charges for the hire of the bus will be set by the Council each year when it adopts the schedule of fees and charges. The hire rates reflect a full cost recovery rate which applies for commercial hire of the bus. The Council may also determine a discount rate available to residents of the Shire of Perenjori.

The discount rate will apply to:

- Perenjori residents hiring the bus for personal use;
- Sporting or community groups based in the Shire of Perenjori;
- Delivery of Home and Community Care (HACC) services to Perenjori residents;
- Use by Perenjori or Latham Primary Schools; and
- Community activities sponsored by the Shire of Perenjori.

The discount rate will not apply to:

- Commercial use of the bus by Perenjori residents (for example on behalf of a government agency or mining company); and
- Sporting of community groups NOT based in the Shire of Perenjori.

Hire fees charged for use of the community bus will be used for:

- Maintenance of the bus; and
- A reserve for replacement of the bus.

## 2005 – LIGHT VEHICLE PURCHASING POLICY

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

This policy relates to the Shire’s light vehicle fleet where vehicles are supplied for work purposes and private use, which will normally be a part of individual employment contracts or work arrangement.

The choice of vehicle, accessories and changeover time should all be made to enable the Shire to take advantage of purchase price and trade value.

Generally, the vehicle colours chosen should be the safe colours and which are most popular attracting the best trade prices.

### Policy Statement

#### Preferred Engine / Gearbox

- Diesel (if available in the range)
- Automatic

#### Vehicle Classification / Model

The vehicle type and model supplied will be dependent on the line position of the employee and work-related requirements. The recommended vehicle models will be offered to the following position(s):

- Chief Executive Officer – Mid Range 4-wheel drive – GXL
- Managers / Senior Staff – As negotiated via individual employment contracts but no more than a small SUV.
- Works Supervisor/Manager – dual cab utility.

#### Safety Standard

All vehicles will have an ANCAP safety rating of 5 stars.

#### Vehicle Accessories

All vehicles are to be fitted with the following accessories:

- Factory supplied & fitted bull bars if available in the range;
- Spotlights;
- Headlight protectors;
- Body protectors for well bodies (where required);
- Floor mats & dash mats;
- Well body cover;
- Towing accessories;
- Side steps for larger vehicles; and
- GPS where necessary, prior approval required from the CEO.

### **Vehicle Allocations**

Each vehicle will be assigned to a position and this vehicle will stay with that position until it is time to replace the vehicle.

### **Replacement Schedule**

Vehicles will be replaced at a time when the vehicle is at its best changeover value which varies with the used car market, but the change should occur no later than three (3) years or 90,000 kilometres, whichever comes first or as directed by the Chief Executive Officer.

The changeover of vehicles is also subject to budgeting approval by the Council which overrides this Policy.

## **2006 – SERVICING AND TESTING OF SHIRE MANAGED GENSETS**

<b>Adopted:</b>	21 July 2022
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

To ensure safe and effective operation of shire managed Gensets when required either in an emergency or normal operations.

### **Policy Statement**

The Manager Infrastructure Services is to ensure that all Shire Managed Gensets in townsites Perenjori and Latham are tested and serviced:

- All the gensets are to be started and run in the first week of each month
- During this testing the gensets are to be tested to a running capacity of 70%
- Gensets that are auto start are to be checked by an electrical contractor to ensure that they will cut in when required
- All gensets are to be fully serviced annually as per manufacture's logbook service
- All Gensets are to be kept full of fuel at all times and in a state of readiness at all times
- All Genset testing is to be recorded

## 3000 – WORKS



### 3001 – PRIVATE WORKS AND OUTSTANDING DEBTS

Adopted:	20 February 2014
Reviewed:	16 March 2017
	2 May 2024
Amended:	2 May 2024
Next Review:	March 2026
Prev Policy Number/s:	Nil

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#### Policy Objective

To reduce the risk of carrying out private works for individuals, organisations or agencies unable or unwilling to pay for such works.

#### Policy Scope

This policy applies to any individual, organisation or agency who has rates or debtor arrears with the Shire of Perenjori.

#### Policy Statement

The Shire will not undertake any private works for any individual, organisation or agency that is in debt to the Shire unless prepayment is made on submission of a written quote to minimise financial risk to the Shire. All private work applications are to be authorised by the Chief Executive Officer in accordance with the Fees and Charges set by Council.



### **3002 – DAMAGE TO ROADS AND SAND DRIFT**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

Persons causing damage to Shire roads will be held liable for the cost of the repair and reinstatement.

Where landowners allow sand drift from private property onto Shire roads, they may be held responsible for the cost of the removal.

### 3003 – DRAINAGE CULVERTS – COST SHARING

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### Policy Objective

Deep drainage has been accepted as a viable strategy for protecting land from salt degradation or recovering salt affected land.

The management of surface water to prevent water logging and erosion is also an important land management practice in agricultural land.

The Shire of Perenjori supports sound land management practice within the agriculture industry.

The Council is keen to facilitate water management measures providing Shire infrastructure, private land and other public assets are not compromised.

#### Policy Statement

##### Application to Council:

Property owners are encouraged to assess and plan the overall drainage issues pertaining to the catchment in which they are located and where appropriate work with the relevant Catchment Management Group.

This includes mapping catchment needs prior to any applications to implement drainage is considered by the Council.

Where shire infrastructure, reserves or property is likely to be affected, the Shire will assess the merits of a drainage application prior to agreement.

To facilitate this decision-making process landowners are encouraged to lodge a copy of the Notice of Intent to Drain with the Shire at the same time as with the Department of Agriculture.

NOTE: When assessing a Notice of Intent to Drain the Department of Agriculture will consult with the local government prior to approving the application.

##### Requirements for Road Crossings:

- All drainage installations are to extend the whole width of the road reserves, with ends to be positioned inside land holder's fence lines. For road reserves greater than twenty (20) metres in width an option maybe negotiated whereby, the fence lines be altered to enclose the drain ends.
- Headwalls are to be installed at the ends of each road crossing.
- White posts to be placed on both sides of the drain and road, to indicate to passing motorists that a hazard exists.
- Road crossings are the responsibility of the landowners and shall be maintained by the landowner. In the event that a landowner does not maintain the culvert the Shire may undertake the maintenance and recover the cost from the landowner.
- All road crossing drains requested that are primarily for deep drainage treatments shall be a minimum of:
  - 600mm diameter Rib lock polyethylene pipes
  - 600mm diameter steel wall and concrete lined pipes
- All road crossings are to be installed at the same time as the drainage excavations being undertaken.
- Drainage systems are to be designed and located to achieve optimal performance and should not be altered to utilise existing road crossings without the express permission of the Shire.

- Deep drains are not to be installed in such a manner that the drainage effluent flow is dammed or retarded unless it can be demonstrated that Shire infrastructure will not be compromised.
- The landowner must provide a minimum of 14 days' notice of the date and time at which any excavation of a Shire road is to occur.

**Contribution by Landowner is to be:**

- All costs associated with mapping and directing water across any particular road reserve.
- The supply, excavation and installation of the drainage pipes or culverts.

**Contribution by the Shire of Perenjori:**

The Shire will contribute to the cost of road crossings only if the above conditions have been satisfied. The Shire will not contribute to road crossings that have been constructed without the Shire's prior approval and may require unapproved crossings to be removed and reinstated. Subject to budget constraints the Shire will contribute up to \$2,000 towards the cost of any road crossing. This contribution may be cash or in kind. In kind contributions can include:

- Compaction and backfilling of the road crossing excavations.
- Reinstatement of the road surface.
- Supply and installation of the headwalls to the drainage pipes or culverts.

### **3004 – ROAD SIGNS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

All road signposts are to have caps fitted to minimise rust and a bottom brace to prevent rotation.

## 3005 – ROAD MAINTENANCE POLICY

<b>Adopted:</b>	18 October 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The purpose of the Road Maintenance Policy is to outline the Shire of Perenjori's level of service and response to a range of road related issues.

The policy is based on a risk-management approach that is intended to provide a systematic method of identification, evaluation and prioritisation of road maintenance works and to assist in the Council's decision-making process and adoption of the annual budget.

### Policy Scope

This policy applies to all roads described in the Shire of Perenjori's Road Asset and Maintenance Management data base (RAMM).

The Shire of Perenjori has an extensive road network, consisting of some 1453 km of unsealed and 237 km of sealed roads.

This policy provides guidance to the Council, Shire staff and the community on the level of service that the Shire will provide in managing these assets and the procedures that the Shire will follow in making decisions on road related issues.

The Shire has also recognised that potential hazards to road users resulting in public liability claims or injuries, place a significant burden on the community.

The Shire believes that it should endeavour to manage the road network to assist in minimising these potential hazards.

### Policy Statement

The Road Maintenance Policy outlines the Shire's level of service for road maintenance activities and details its procedures for the management of its road network and road related infrastructure and activities.

The policy covers the following areas:

- Road hierarchy
- Road maintenance

The policy aims to achieve the following objectives:

- To provide a systematic method of identification, evaluation and prioritisation of maintenance works for the Shire's road network that will assist the Shire's decision-making process; and
- To establish procedures that provide a simple, systematic and readily usable risk-management approach to the maintenance of public roads and to determine road maintenance methods within road reserves under the care and control of the Shire.

The following further objectives are consistent with this Policy;

- Provide for efficient movement of people and goods throughout the Shire area according to social and economic needs;
- Preserve the transport assets of the Shire area in a useable condition;
- Minimise the adverse environmental impacts of roads; and
- Treat road users equitably in the allocation of road maintenance services.

This policy and associated procedures cover maintenance works on road pavements and any other physical item that has a foreseeable impact on the safety and amenity of road users within the road reserves under the care and control of Shire.

Procedures developed for this purpose are derived from industry best practice as provided by the Australian Road Research Board.

## Procedures

### Road Hierarchy

The Shire will classify all roads under its control. The road classification will be used in conjunction with other factors to determine the level of service provided to each road and the road standard to be maintained. Road classification will be based on the following factors:

- Traffic volumes
- Road significance in road network
- Bus routes

### Road Maintenance

As a basis for programming works the following general maintenance standards will be adopted subject to the overall co-ordination of all road maintenance and the risk-management approach detailed in Shire's Road Maintenance Risk Management Procedures.

This policy, together with the procedures provides the guidelines for identifying the location, nature, inspection frequency, treatment options and repair priorities of potential hazards to road users. The implementation of this policy is intended to minimise public liability exposure and provide a best-value service to the community in relation to the provision of road infrastructure services.

As a rule, the Shire will seek to undertake restoration works on a priority basis as identified during regular inspections and reporting utilising the Shire's Road Maintenance Risk Management Procedure up to the funding levels made available each financial year.

### Sealed Roads

The Shire's objective is to repair potholes and minor pavement failures within the timeframes documented in Shire's Road Maintenance Risk Management Procedures. This timeframe will be dependent on:

- Road classification;
- Defect severity;
- Workforce workload;
- Climatic conditions; and
- Available funding.

### Unsealed Roads

An initial road maintenance schedule for unsealed roads will be prepared based on the criteria shown in the following table Unsealed Road Classification Grading Frequency, and will be dependent on:

- Climatic conditions; and
- Available funding.

### Unsealed Road Classification Grading Frequency

Primary Distributor	Up to 3 times per year
Regional Distributor	Up to 3 times per year
Local Distributor	Up to 2 times per year
Access Road	Up to 2 times per year

The initial grade will consist of a grader with a free roller, an additional roller if available and a water cart if required.

Subsequent grading will be assessed on the condition of the road and may be limited to a grader and/or gravel patching.

A road grading schedule will be developed annually for the maintenance of unsealed roads.

The Shire's Road Maintenance Risk Management Procedures may vary the priorities identified by the schedule should road conditions demand the earlier or additional maintenance of a road.

It should be noted that in periods of severe weather conditions the Shire may cease or alter grading activities due to lack of available water for grading activities (e.g. due to drought) or until road conditions allow the Shire to recommence its maintenance program (e.g. due to floods or periods of extended rainfall).

### **Budgeting**

The Council will assess, in formulating its annual road budget within the context of its overall budget, the appropriate level of funding for road maintenance works in such a way as to generally achieve the best possible long-term overall condition of the road network while balancing competing needs within the Shire for the limited funds.

The Shire will allocate sufficient human and financial resources to conduct inspections and assessments for the implementation of the policy and procedures within the Shire's budget constraints.

### **3006 – ROADS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Objective**

To ensure that street and road names are not changed without the general acceptance of those affected by such changes.

To ensure that unnecessary street and road name changes are prevented, to provide for stability of such names and the minimising of the costs of name plates.

#### **Policy Statement**

1. That prior to any road name change being considered the proposed road name must comply with the Department of Land Administration's requirements.
2. The proponent must provide the Shire with a written agreement (petition/ correspondence) showing that a majority of adjoining land holders on the road are in favour of the name change and that upon the Council accepting the proposal the name change to be advertised, with a 21 day submission period, seeking public comment prior to the Council's final decision.
3. The CEO is to obtain preliminary approval for the proposed road name from the Geographic Names Committee.
4. A non-refundable administration and implementation full cost fee, as stated in the Council's Fees and Charges, shall be paid by the applicant if the Council agrees to proceed with the name change.
5. The administration fee is to be paid before the proposal is advertised. This fee will be paid regardless of the eventual acceptance or rejection by the public of the proposal.
6. The Department of Land Administration charges a fee for any road or street name change. This fee shall be fully paid by the applicant and is separate to any Shire administration fee.



## 3007 – POLICY FOR ASSESSING APPLICATIONS TO OPERATE RESTRICTED ACCESS VEHICLES (RAV) ON SHIRE OF PERENJORI ROADS

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	21 February 2021
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The objective of this policy is to provide guidance to Shire of Perenjori when assessing an application to add or amend a road on the Restricted Access Vehicle network.

### Policy Statement

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 Shire of Perenjori before adding or amending a RAV route. The Shire of Perenjori may request that Main Roads WA consider certain conditions for the RAV route. Once the Shire of Perenjori 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.

**Restricted Access Vehicle (RAV)** A Restricted Access Vehicle (RAV) is a vehicle that exceeds any of the following:

- a width of 2.5 metres;
- a height of 4.3 metres;
- a length of 19 metres for a vehicle combination;
- a length of 12.5 metres for a rigid vehicle;
- a gross mass of 42.5 tonnes;
- any other mass or dimension limit prescribed in the Road Traffic (Vehicles) Regulations 2014.

**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.

### RAV Network for the Shire

The Shire of Perenjori 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.

### RAV Networks

There are three types of RAV Networks:

### Standard Restricted Access Vehicle Network

The 'standard' RAVs are those vehicle combinations specified as Category 1 to 10 vehicle combinations under the Prime Mover, Trailer Combinations and Truck, Trailer Combinations Notice.

The RAV Categories have been grouped into four (4) assessment levels, as follows:

- Level 1- RAVs Categories 2-4 (e.g. pocket road train, B-Double, and other RAVs with a maximum length of either 25.0 m or 27.5 m);
- Level 2 – RAVs Categories 5-6 (e.g. RAVs with a maximum length of 36.5 m and a maximum mass of 87.5T);
- Level 3 – RAVs Categories 7-8 (e.g. RAVs with a maximum length of 36.5 m and a maximum mass of 107.5T); and
- Level 4 – RAVs Categories 9-10 (e.g. RAVs with a maximum length of 53.5 m).

### Concessional Loading Restricted Access Vehicle Network

Concessionally loaded RAVs are grouped in the following categories:

- Level 1- RAVs operating under a concessional loading scheme allowing up to 17 tonnes on a tandem axle group and 21.5 tonnes on a tri axle group.
- Level 2 – RAVs operating under a concessional loading scheme allowing up to 17 tonnes on a tandem axle group and 22.5 tonnes on a tri axle group.
- Level 3 – RAVs operating under a concessional loading scheme allowing up to 17.5 tonnes on a tandem axle group and 23.5 tonnes on a tri axle group.
- Level 4 – RAVs operating under other concessional loading schemes.

RAV operators require a relevant AMMS permit to carry a concessional load.

### Tri – drive Restricted Access Vehicle Network

The Tri – drive RAV Categories have been grouped as follows:

- Level 1 – Tri Drive RAV Category 1 (e.g. a vehicle that would otherwise be a general access vehicle if it was tandem drive, This category has access to the tandem drive RAV Network 2)
- Level 2 – Tri Drive RAV Category 2 (e.g. RAVs with a maximum length of 25.0 metres).
- Level 3 – Tri drive RAV Category 3 (e.g. RAVs with a maximum length of 27.5 metres).
- Level 4 – Tri drive RAV Category 4 (e.g. RAVs with a maximum length of 36.5 metres).
- Level 5 – Tri drive RAV Category 5 (e.g. RAVs with a maximum length of 53.5 metres).

### 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 Shire of Perenjori 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 Shire of Perenjori, which carry the bulk of freight vehicles. When considering access decisions, the Shire of Perenjori 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 Shire of Perenjori must first determine if it supports the application. The assessment to determine support must be performed by a suitably qualified and experienced Shire of Perenjori 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? See Hierarchy Definitions and recommended roles in relation to the RAV Network in Appendix B.
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 Shire of Perenjori 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 Shire of Perenjori supports the application, then a preliminary assessment must be performed by the Shire of Perenjori. 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 Shire of Perenjori. Guidance on performing a preliminary assessment is provided by MR HVS, Framework – Adding a Shire of Perenjori 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 Shire of Perenjori 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 Appendix C.

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 Appendix C 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/ pick- ups 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 Shire of Perenjori 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 Shire of Perenjori 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 Shire of Perenjori 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 Shire of Perenjori will endeavour to return the assessment to Main Roads within 4 weeks of receipt. Should Main Roads not receive support from the Shire of Perenjori 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 Shire of Perenjori support.

#### **Authority**

Support of an application to amend a RAV Route shall be a decision of Council unless otherwise delegated.

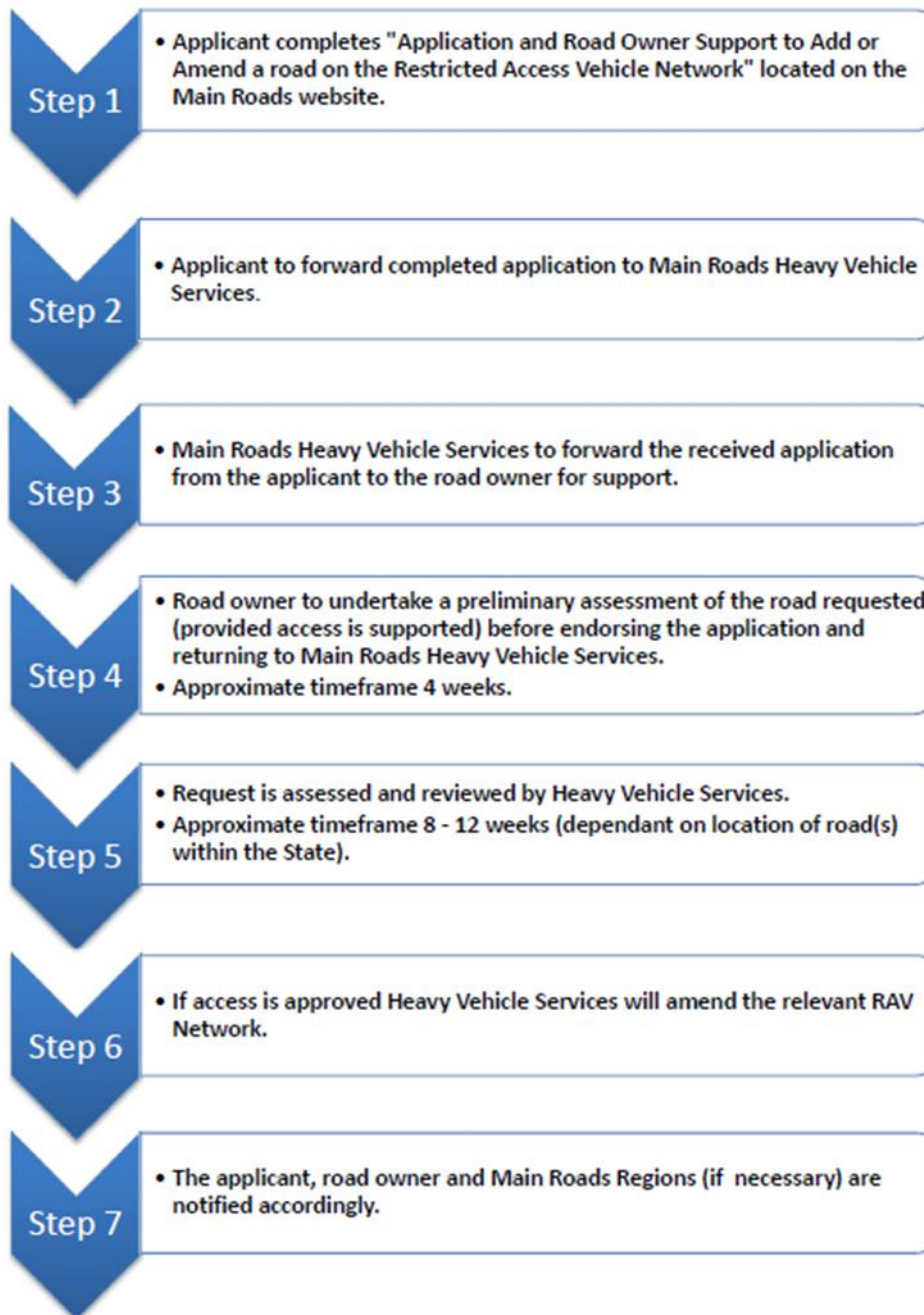
#### **Reference Material**

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 Shire of Perenjori Road to a Restricted Access Vehicle Network
3. Guidelines for Approving RAV Access
4. Framework for Using Consultants to Assess Shire of Perenjori 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.

Appendix A

RAV Network Application Process



## Appendix B

### Road Hierarchy Considerations

A hierarchy of roads has been established to designate the role of all roads, funding allocations and to encourage uniform management of roads of the same type. This hierarchy is used as part of the decision-making process to determine if it is appropriate to add a road to a RAV network.

#### *Primary Distributor*

Primary Distributor roads provide for major regional and inter-regional traffic movement and carry large volumes of generally fast moving traffic. These roads are State Roads and form part of the Strategic Freight Network. They are managed by Main Roads Western Australia and will generally be considered to be vital links of the Strategic Freight Network.

#### *Regional Distributor*

Regional Distributor roads, which are not primary distributor roads, link significant destinations and are designed for efficient movement of people and goods within and beyond regional areas. They are managed by local government and will generally be considered as the preferred route for RAV network access. Regional Distributor roads may form part of the Strategic RAV Network.

#### *District Distributors*

District Distributor A and B roads run between built up areas (generally not through them), forming a grid which would ideally space them about 1.5 kilometres apart. They are managed by local governments.

- District Distributor A

Carries traffic between industrial, commercial and residential areas and generally connect to Primary Distributor roads. These are likely to be truck routes and provide only limited RAV access to adjoining property.

- District Distributor B

Performs a similar function to District Distributor A roads, but with reduced capacity due to flow restrictions caused by frequent property accesses and roadside parking in many instances. These are often older roads with a traffic demand in excess of that originally intended and access conditions are generally applied to limit the RAV access to local operators.

District Distributor roads may on occasion form part of the Strategic Freight Network, however as they most likely provide local access they will generally only form part of the local freight network.

#### *Local Distributor*

Local Distributor roads are managed by local governments. Their role is similar in both built up areas and rural areas, but traffic volumes and traffic management requirements differ significantly.

#### *Built Up Area*

Roads that carry traffic within a cell and link District Distributor roads or Primary Distributor roads at the boundary, to access roads. The route of Local Distributor roads should discourage through traffic so the cell formed by the grid of higher order distributor roads only carries traffic belonging to, or serving, the area. Local Distributor roads should accommodate buses, but discourage general truck movements. RAV access on these roads will be generally supported provided the local government conducts adequate community consultation and access conditions applied to limit RAV access to local operators.

#### *Rural*

Roads that connect to other Rural Distributor roads and to Rural Access Roads. They are not Regional Distributor roads but are designed for the efficient movement of people and goods within regional areas. RAV access on these roads will be supported provided the local government conducts adequate community consultation and access conditions applied to limit RAV access to local operators.

### *Access Road*

Access roads provide access to abutting properties with safety aspects having priority over the vehicle movement function and are managed by local governments. In urban areas, these roads are generally bicycle and pedestrian friendly. RAV access on these roads will only be supported for local access and not as through routes.

Local Distributor and Access roads provide local access and will generally only form part of the local freight network.



## 3008 – GRAVEL SUPPLY POLICY

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Statement

Section 3.27 of the *Local Government Act 1995* addresses particular things Local Governments can do on land that is not Local Government property.

Schedule 3.2 (3) of the Local Government Act permits the local government to take from land any native growing or dead timber, earth, stone or gravel that in its opinion is required for the making or repairing of a thoroughfare, bridge, culvert, fence or gate.

Refer also to the Shire of Perenjori Extractive Industries Local Law 2013 which excludes the Shire from requiring an Extractive Industries License when the gravel or other product is for the benefit of the local community.

### Cost Attribution to Works

Gravel used on projects and maintenance will be charged against the job at \$2.50 per cubic metre and will be made up as follows:

- \$0.90 per cubic metre to cover the cost of having the gravel pushed up;
- 10c per cubic metre to a rehabilitation reserve to cover the cost of rehabilitating exhausted pits;
- \$1.50c per cubic metre towards the cost of royalty to landowners.

### Acquisition Guidelines

When seeking to secure access to gravel supplies, the Shire of Perenjori attempt to identify deposits on land that is already cleared. To acquire road building materials on private land the following process will apply:

- The Chief Executive Officer and/or Manager Infrastructure Services shall approach landowners and request permission to search for materials.
- If suitable materials are located, a written agreement (as attached) is to be reached with the landowner for compensation for materials removed.
- Payment for road building materials acquired from the landowner will be in accordance with the Councils schedule of payments, which form part of this policy.
- Should agreement for the removal of road building material not be reached with the landowner, procedures to take such materials in accordance with the Legislation detailed in the Local Government Act, 1995 will be considered by the Shire prior to commencement.
- Once gravel has been pushed, it legally becomes the property of the Shire.
- Payment for gravel will be in accordance with the measurements undertaken by the Manager Infrastructure Services at the time gravel is removed from the property.

### Compensation

The Shire will negotiate a price per cubic metre royalty payment with the land holder. The level of royalty payment will depend on the quality of the gravel and ease of access to the pit.

### Private Works

The Council will not permit exchanging private works for gravel supplies.

Any private works for the landowner will be in accordance with the private works rate and practices set by the Council and will be invoiced in the usual way.

### **Borrow Pit Rehabilitation**

The Shire shall rehabilitate borrow pits which are no longer suitable for use.

The following method of rehabilitation is the default standard. The Manager Infrastructure Services may negotiate alternative rehabilitation with the landowner provided the cost is comparable with the default practice.

- Cross rip the pit floor at 1 metre spacing prior to reinstating overburden, etc.
- Level/batter the pit with sides no steeper than a gradient of 1 in 4.
- Reinstating overburden.
- Reinstating topsoil.
- Cross rip again at 1 metre across contours.
- Reinstating stockpiled vegetation (if any).

### **Other Property Rehabilitation**

At the time the Shire is acquiring gravel, it gives an assurance to the landowner that the following matters will be addressed:

- Internal haul roads will be reinstated.
- All fences disturbed will be reinstated.

### **Agreement**

An agreement (copy attached) will be provided to the landowner detailing the following matters:

- Owner's details.
- Materials required.
- Estimated volume required.
- Locations.
- Compensation.
- Additional rehabilitation requirements (other than those listed in the Policy).
- An area for the landowner to sign their consent.
- An area for the Shire to accept.

### **Excavation**

All existing internal tracks, where possible, are to be utilised and will be maintained by the Shire for the duration of the works and on its completion.

Excavation is not to encroach any closer than 10 metres from any fence line.

### **Delegated Authority**

The Shire delegates authority to the Chief Executive Officer to implement Council's Gravel Acquisition Policy.

### **3009 – USE OF COUNCIL STANDPIPE**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

Standpipes attached to the Water Corporation provided to the Shire for the purposes of emergency firefighting, drought relief and Shire use only.

Any other use of water from Shire operated standpipes is only permitted with the express permission of the Water Corporation.

To ensure that standpipes are only used in accordance with these requirements the following arrangements will apply:

- Standpipes will be secured by padlocks;
- Keys to the Perenjori standpipe will be held by The Shire of Perenjori (office and depot) and the Perenjori volunteer fire brigade;
- Keys to the Latham Standpipe will be held by The Shire of Perenjori (office and depot) and the Latham Volunteer Fire Brigade;
- The CEO may appoint local agents to hold spare keys subject to appropriate arrangements for ensuring access only for agreed purposes; and
- Requests for supply of water for commercial or farming use will be referred to the Water Corporation for consideration.

## 3010 – CROSSOVERS

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Scope

The Shire of Perenjori will enter into arrangements with private landowners to construct crossovers from its thoroughfares to the boundary of private property in accordance with the Local Government Act if it is requested.

The Shire wants to ensure uniformity in such crossovers and to ensure that the crossover will function as it should in dispersing of water in heavy rain.

### Policy Statement

1. A standard crossing as referred to by section 9.1, CL. 7 (4) *Local Government Act* and *Regulation 15 of the Local Government (Uniform Local Provisions) Regulations 1996* consists of a 150mm compacted and water bound gravel and bitumen sealed crossover, running from the kerb to the property boundary and tied in or made contiguous with abutting structures (kerbs, footpaths and driveways).
2. The minimum width of the standard crossing shall be 3.0m for residences, 4.0m for commercial, 4.5m for light industrial, 6.0m for heavy industrial and 7.5m for service stations each with a 1.5m radius fishtail into the kerb line.
3. The gradient shall be positive 2% for the first 1.5m from the kerb line, then not exceed plus or minus 2% to the property line.
4. The Shire will share the costs of such a standard crossing to a land holding on a 50/50 basis for the first such crossing only and subject to available funding.
5. Where the ratepayer elects to construct greater than the standard crossover as defined in (1) above the shire's contribution shall not exceed the cost of a standard crossing as defined in 1 and 2 above.
6. A budget allocation is to be made in each year's budget to allow for the shire's contributions to crossovers.

### **3011 – TREES AND MATERIALS OVER PUBLIC ROADS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Objective**

This Policy is a guide to effectively use all resources including private individuals, to remove road obstructions in the most economical way and with due consideration for public and individual safety. (Schedule 3.1, 5B (8), 14(1)).

#### **Policy Statement**

Trees that have fallen across public roads will not be removed by un-authorized persons. In instances where Shire employees are not able to remove the tree in a reasonable time or there is an immediate safety concern that the Shire cannot expediently correct, the CEO may approve the removal of such trees by other than Council employees or contractors.

The CEO may delegate the Manager Infrastructure Services to ensure that any removal is carried out by a suitably experienced person, that all Occupational Safety and Health requirements are being met, that there is appropriate signage in place and that any partial road closures are appropriately managed.

The CEO may approve reasonable expenses and remuneration to persons who are requested to remove trees which have fallen across roads, on the basis that the removal site has been inspected, approval given, and the required safety and protection signs will be in place.

Council will not pay costs claimed by persons who have removed such trees without receiving permission or arranging the level of payment to be made prior to such work being carried out.

### **3012 – EXCAVATING ON LAND THAT IS NOT LOCAL GOVERNMENT LAND**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

In accordance with the Local Government Act 1995 Schedule 3.2 (3) the CEO may authorise the taking from land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion is required for the making or repairing a thoroughfare, bridge, culvert, fence, or gate.

If an existing entry to the site is not conducive to the economical access to the site, or if the existing entry inconveniences the landowner or occupier, the Shire may open a fence and install a gate provided the owner or occupier of the land is given 3 days written notice of this intention. (Refer also 3.27(3) and 3.36 of the Act).

### **3013 – REMOVAL OF MATERIAL FROM ROAD RESERVES**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Objective**

To ensure the protection of road verge vegetation and the retention of road verge remnant native flora to act as connection corridors for flora and fauna.

#### **Policy Statement**

No road making materials are to be excavated from Shire road verges by Shire employees or any other agency unless

In proven cases when no alternative road building materials exist in the area, after the Shire has examined the site and determined rehabilitation methods applying to the site, or

The road verge has no native vegetation on it and full rehabilitation/tree planting techniques are used on the site after excavation is completed, and;

Material on the road verge constitutes a safety problem to road users e.g.; an outcrop on a curve blocking sight distance;

No road construction materials of any type shall be permitted to be removed from road reserves by private individuals or companies other than by Shire controlled contractors and only then if the points in Item (1) apply.

### **3014 – REMOVAL OF TREES – SHIRE PROPERTY**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

No established tree is to be removed from Shire controlled land without the approval of the Council.

A tree may be removed without Council approval if it is reasonably considered that the tree may be a danger to either persons or property if it remains in situ.

When a tree is removed another tree should be planted in its place if practicable otherwise a tree should be planted in a nearby suitable location.



### **3015 – ROADSIDE MEMORIALS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

The Main Roads Western Australia’s “Roadside Memorials Policy and Guidelines” will be the basis of the Policy when receiving applications for the erection of memorials on Shire controlled roads, subject to –

- I. Removal of any obligation on the shire to provide or subsidise the materials, plants etc., used in any memorial; and
- II. Removal of the memorial after a period of 5 years.

### **3018 – PIPELINES UNDER SHIRE ROADS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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#### **Policy Statement**

Landowners are required to obtain Council approval prior to placing a pipeline under a Shire roadway. Approval shall be conditional on:

1. A minimum depth of 450mm below the road surface or at the same level as the table drain;
2. The location of the pipe being marked on both sides of the roadway by a steel peg bearing a disc legibly bearing the word "pipe"; and
3. Approval being required whether it is proposed to trench the line or install it in a culvert pipe.

## **3019 – RESPONSE TO AND PROVISION OF SHIRE PLANT AND EQUIPMENT IN BUSH FIRE SITUATIONS**

<b>Adopted:</b>	20 February 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Objective**

This Policy recommends several protocols to be adhered to when Shire plant and equipment is required in bushfire situations (principally graders).

### **Policy Statement**

The Shire will:

- 1 Respond to calls from the incident manager controlling fires in the Shire or within close proximity of the Shire.
- 2 Provide graders and other plant and equipment (with operators) as expediently as possible to attend fires within the Shire of Perenjori and in surrounding Shires when fires are in close proximity to the Shire boundaries.
- 3 Roster staff leave arrangements to ensure that a competent grader operator is on duty during normal working hours throughout the year. This will improve the response to the call for a grader during the peak fire season.
- 4 Authorise overtime at any time and when necessary, for staff who are adequately trained and who are willing to attend fires, to do so.
- 5 The Shire will utilise plant and equipment at fires, under the direction of the incident controller subject to the following conditions:
- 6 Adequate duty of care is exercised to minimise the risk of injury to staff and damage to machines; and
- 7 Machines are accompanied by four-wheel drive support vehicles, capable of quickly evacuating the fire scene if life is endangered.

## 4000 – FINANCE



### 4001 – SELF – SUPPORTING LOANS

Adopted:	17 April 2014
Reviewed:	16 March 2017
	2 May 2024
Next Review:	March 2026
Prev Policy Number/s:	Nil

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#### Policy Statement:

Requests for assistance for self-supporting loans will be considered according to the following criteria:

- All applications will be considered on their merits and the Council reserves the right to approve or decline any application;
- Applicants will provide current financial statements and any other supporting information requested by the CEO or the Council;
- Applicants may be required to supply some form of security which may include for example a charge over assets or a guarantor; and
- Previous decisions by the Council on any other similar application should not be viewed as a precedent.

## **4003 – MANAGING COUNCIL BUDGETS**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Statement**

#### **Responsibilities of Senior Officers**

As part of budget preparation, each Senior Officer will prepare budget estimates for programs and projects for which they are responsible. Senior Officers will seek advice from relevant Council Committees and the CEO in preparation of these estimates.

When the Council has adopted its annual budget, Senior Officers shall be responsible and accountable for the delivery of these programs and projects within these budget constraints.

#### **Managing Expenditure**

Wherever possible authorising officers will issue an electronic purchase order on Synergy with costs estimates, quoted prices or tendered prices, whichever is the more appropriate.

The Shire shall maintain a system of carbon triplicate Purchase Order books which will be used only if an electronic purchase is not possible or practical.

These books shall be registered and when an order book is issued to an officer, the numbers of the Purchase Orders therein shall be recorded.

#### **Budget Variations**

Any necessary budget variations should be brought to the attention of the Council at the earliest possible opportunity. Senior Officers, when seeking budget variations, should identify variations in other projects or programs within that same schedule that could offset any shortfall or surplus.

Where no surplus or adequate surplus can be identified in the same schedule area, senior staff and the CEO need to identify surpluses in other schedule areas.

## 4006 – REGIONAL PRICE PREFERENCE

<b>Adopted:</b>	15 February 2018
<b>Reviewed:</b>	29 August 2019
	19 May 2022
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The policy is designed to meet the following objectives:

- To be applied in the purchasing of goods or services over \$10,000
- To contribute to regional sustainability by supporting local businesses;
- To enhance the social impacts by assisting local employment and retaining population; and
- Define the preferences that may be given when evaluating quotations and when evaluating tenders.

When acquiring quotes or tenders the specifications must include a clause stating that a Regional Price Preference will or will not apply.

### Policy Statement

#### Quotations

Regulations on regional price preferencing refers to Tenders and this Policy outlines the application of regional price preferencing on quotations defining the maximus allowed to be considered where quotations are called and incorporates the Buy Local Policy.

Local Business: is a business that maintains its primary place of business in the Shire of Perenjori (for at least 6 months) or has 80% of its business activity in the Shire of Perenjori.

Sub Regional Business: is a business that maintains its primary place of business in the sub-region (for at least 6 months) or has 80% of its business in the sub-region. For the purposes of this policy, sub regional businesses are those located within Shires of the North Midlands Zone of WALGA, or the Shire of Dalwallinu.

Regional Business: is a business that maintains its primary place of business in the region (for at least 6 months) or has 80% of its business activity in the region. For the purposes of this policy the region consists of those shires located within the Mid-West.

Local Content: when the goods or services sought are purchased within the Shire (Local), Sub-Region or Region.

#### Tenders

##### Discounts Permitted for Regional Price Preferences for Tenders:

Clause 24D (3) of the Function & General Regulations states that price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept.

Clause 24D permits the application of regional price preferencing as if the bids were reduced by;

- a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or
- b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or
- c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods

or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

However, when evaluating a tender for regional price preferencing the evaluation must be in compliance with Clause 24D (2) of the Regulations in that only the goods and services identified in the tender as being from regional sources may be included in the discounted calculations.

### **Social Impact Statement:**

Social procurement builds on initiatives already undertaken by the Shire in enhancing sustainable and strategic procurement practises, enabling procurement to effectively contribute to building a stronger community and meeting the social policy objectives of the Shire.

Some of the benefits of incorporating social procurement into procurement decisions include:

- Strengthening the local economy and ensuring its financial sustainability.
- Promoting equal opportunity for disadvantaged and vulnerable community groups.
- Creating local employment opportunities.
- Ensuring all businesses have the same opportunity to tender or quote for Shire contracts.
- Ensuring council supply chains adhere to local, national and international labour standards.

Tenderers claims of social impacts are not to be aspirational but measurable deliverables, just as the provision of goods or services are core to the contract.

Social impact clauses should include:

- Reference to measurable performance indicators;
- How the impacts will be monitored by the Shire (including reporting requirements);
- The management processes that are in place to evaluate the contractor's performance in relation to achieving the agreed impacts.

When procuring through quotations or tenders the Shire must specify that a Social Impact qualification will be included in the assessment of the quotation or tender, to what extent it will apply and that tenderers must provide measurable benefits in their submission to be considered for a social benefit.

The Shire will specify a predetermined number or percentage that will be considered as a social impact when evaluating the submissions.

This may include that a specific number or percentage of local (preferably already unemployed) people will be employed;

The tenderer will specify targets and will include in the tender or quotation what targets are proposed and how they will ensure measurability to the satisfaction of the local government.

If social benefits form part of the basis for selection of a particular service provider, the benefits should be clearly articulated in terms of benefit to the community and financial benefit in a manner that demonstrates the contribution of the benefit to the council's objectives under the Act.

Compliance with trade practices law should be monitored by the local government in relation to all procurement. Provided that the activity is "the carrying out of a function of government in the interests of the community" the activity will not be considered to be trade and the trade practices law will not apply. This will be the case for most local government procurement.

Social procurement encourages the best overall result for the money spent. In some cases, it may appear to be an expensive option based on the provision of a good or service alone. It is important to assess the meaning of '**best value**' when purchasing, as the overall benefits can outweigh the costs if both benefits and costs are assessed in more than monetary terms.

The optimum outcome for the local community will be considered when contemplating value for money.

### **Who is a Regional Tenderer?**

A regional supplier is regarded as a supplier of goods or services who:

- a) has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
- b) some or all of the goods or services are to be supplied from regional sources. (Regulation 24B (2))

The tenderer seeking a price preference as a regional supplier must identify those goods and/or services that are from regional sources.

**Monetary Discounts – Tenders & Quotations:**

When comparing bids from suppliers of goods and services, prices may be reduced for evaluation purposes only, to the maximums set out in the table below:

**Goods and Services (Excluding Works)**

Supplier	% Reduction	Maximum Differential
Local Business	10%	\$20,000
Sub Regional Business	4%	\$5,000
Regional Business	2%	\$2,000

**Works, Construction, Building – Total Bid Price**

Supplier	% Reduction	Maximum Differential
Local Business	10%	\$50,000
Sub Regional Business	2%	\$20,000
Regional Business	1%	\$10,000

Suppliers should be aware that price might be only one of a number of criteria used to determine the best value for money for the Shire of Perenjori.



## 4007 – PURCHASING POLICY

<b>Adopted:</b>	15 February 2018
<b>Reviewed:</b>	29 August 2019
	19 May 2022
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Scope

The Shire of Perenjori (the “Shire”) is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire’s strategic and operational objectives.

### Policy Objectives

The Shire’s purchasing activities will:

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

### Ethics and Integrity

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

### Value for Money

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

### Assessing Value for Money

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance, and disposal;
- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of

compliances, the supplier’s resource availability, capacity, and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.

- (c) The supplier’s financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier’s operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit; and
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

### Purchasing Thresholds and Practices

#### 1.4.1 Defining the Purchasing Value

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

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

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

##### 1. Strategic Purchasing Value Assessments

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

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

##### 2. Individual Purchasing Value Assessments

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

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

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

#### 1.4.2 Table of Purchasing Thresholds and Practices

##### (1) Supplier Order of Priority

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

<b>Priority 1:</b>	<b>Existing Prequalified Supplier Panel or other Contract</b> Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire’s supply requirements can be met through the existing contract. If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.
<b>Priority 2:</b>	<b>Local Suppliers</b>

	Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the District as a priority, and those permanently located within surrounding Districts as the second priority. If no relevant local supplier is available, then a relevant WALGA PSA may be used.
<b>Priority 3:</b>	<b>Tender Exempt- WALGA Preferred Supplier Arrangement (PSA)</b> Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold. However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include: <ul style="list-style-type: none"> <li>i. Local supplier availability (that are not within the PSA); or,</li> <li>ii. Social procurement – preference to use Aboriginal business or Disability Enterprise.</li> </ul> If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.
<b>Priority 4:</b>	<b>Tender Exempt- WA State Government Common Use Arrangement (CUA)</b> Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold. However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO. If no relevant CUA is available, then a Tender Exempt [F&G Reg.11(2)] arrangement may be used.
<b>Priority 5:</b>	<b>Other Tender Exempt arrangement [F&amp;G Reg. 11(2)]</b> Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.
<b>Priority 6:</b>	<b>Other Suppliers</b> Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

(2) Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Purchase Value Threshold (ex GST)	Purchasing Practice
Less than \$10,000 (Ex GST)	No quotations required.  Officers are to use professional judgment and discretion to determine if prices or rates are value for money.
\$10,001 to \$50,000 (Ex GST)	one (1) written quotation to be sought from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).  The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$50,001 and up to \$100,000 (ex GST)	Seek at least Two written quotations and obtain 1 (one) written quotation with copies of emails or file notes to be attached to the requisition or reference made to the relevant record number. OR  Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.
From \$100,001 and up to	Seek at least 3 (Three) written quotations and obtain 2 (two) written quotations with copies of emails or file notes to be attached to the requisition or reference made to the relevant record number. Or

Purchase Value Threshold (ex GST)	Purchasing Practice
\$150,000 (ex GST)	Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.
From \$150,001 and up to \$250,000 (ex GST)	<p>Three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required; and</li> <li>• pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire of Perenjori's Record Keeping Plan.</p>
Over \$250,000 (ex GST)	<p><b>Tender Exempt</b> arrangements (i.e., WALGA PSA, CUA or other tender exemption under <i>F&amp;G Reg.11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).</p> <p><u>OR</u></p> <p><b>Public Tender</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to:</p> <ul style="list-style-type: none"> <li>• A detailed specification; and</li> <li>• Pre-determined selection criteria that assess all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases (Within Budget) Refer to Clause 1.4.3	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases (No budget allocation available) Refer for Clause 1.4.3	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
LGIS Services	The suite of LGIS insurances is established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the

Purchase Value Threshold ( <i>ex GST</i> )	Purchasing Practice
Section 9.58(6)(b) Local Government Act	owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.  Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.

#### 1.4.3 Emergency Purchases

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

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

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

#### 1.4.4 Inviting Tenders Though Not Required to do so

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

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [*F&G Reg.13*].

#### 1.4.5 Expressions of Interest

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

- (a) Unable to sufficiently scope or specify the requirement;
- (b) There is significant variability for how the requirement may be met;
- (c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created, or delivered;
- (d) Subject to a creative element; or
- (e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

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

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

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

- (a) purchasing value is estimated to be over \$5,000; and
- (b) purchasing requirement has been documented in a detailed specification; and
- (c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and

- (d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.
- (e) An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

#### 1.4.7 Anti-Avoidance

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

#### 1.4.8 Contract Renewals, Extensions and Variations

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

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

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

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

### Sustainable Procurement

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

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

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

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

### Local Economic Benefit

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

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

(g) provide adequate and consistent information to local suppliers.

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

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

## **SOCIALLY SUSTAINABLE PROCUREMENT**

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

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

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

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

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

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

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

### **(2) Australian Disability Enterprises**

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

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

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

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

## **Environmentally Sustainable Procurement**

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

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

- (a) demonstrate policies and practices that have been implemented by the business as part of its operations;
- (b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- (c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

## Panels of Pre-qualified Suppliers

### Objectives

The Shire will consider creating a Panel of Pre-qualified Suppliers (“Panel”) when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

- (a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of ‘value for money’;
- (b) the Panel will streamline and will improve procurement processes; and
- (c) the Shire has the capability to establish a Panel and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

### Establishing and Managing a Panel

If the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/ Executive Director.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

### Distributing Work Amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the Shire intends to:

- (a) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- (b) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- (c) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In considering the distribution of work among Panel members, the detailed information will also prescribe whether:

- (a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- (b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under *Functions and General Regulation 24AD(5)(f)* when establishing the Panel.
  - i. The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.
  - ii. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.



- iii. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause 1.4.2(2) of this Policy.
- iv. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

### **Purchasing from the Panel**

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

### **Communication with Panel Members**

The Shire will ensure clear, consistent and regular communication with Panel Members.

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured in accordance with the Shire's Record Keeping Plan. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

### **Record Keeping**

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

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

### **Purchasing Policy Non-Compliance**

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

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

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

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

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

Where a breach is substantiated, it may be treated as:

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

### **Policy Links**

4006 – Regional Price Preference Policy

4008 – Corporate Credit Card Policy

## 4008 – CORPORATE CREDIT CARD POLICY

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	21 October 2021
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To provide clear directions for the use of corporate credit cards and compliance with financial regulations.

### Policy Statement

The Shire of Perenjori provides a Corporate Credit Card facility through Bankwest. The credit limit and any outstanding balance is disclosed in the Annual Financial Statements each year.

Purchase orders are not required to be produced for credit card purchases, but employees must comply with the requirements for quotations.

1. The facility is provided by way of a card to the Chief Executive Officer and Manager Corporate and Community Services
2. A record is kept of all current card holders with details including the card number, expiry date, credit limit and details of goods and services the cardholder has authority to purchase.
3. All Shire credit cards are only to be used for purchasing goods and services on behalf of the Shire of Perenjori.
4. Personal expenditure using the corporate credit card is not allowed.
5. The corporate credit card is not to be used for cash withdrawals.
6. Should the card be lost or misplaced the cardholder is to notify the Bank immediately so that the card can be stopped.
7. If the cardholder ceases employment with the Shire of Perenjori the card is to be returned by the cardholder to the Chief Executive Officer, or in the case of the Chief Executive Officer ceasing employment, to the Shire President prior to the cardholder's final day at work.
8. Receipts must be obtained for all purchases by the cardholder and given to the finance officer for reconciliation to the credit card statement.
9. If no receipt is available, a screen print of the purchase details or a written declaration of the purchase must be made by the cardholder and given to the finance officer AT THE TIME OF PURCHASE. The monthly credit card statement must be signed by the respective cardholder and another verifying officer.
10. The credit card monthly statement is to be used as a post-approval voucher to verify and allocate the expenditure.
11. If the cardholder fails to comply with any of the above policies the card facility will be withdrawn and if necessary disciplinary action may be taken.

(Refer also to the Local Government Operational Guidelines for the use of Credit Cards).

## **4015 – ANNUAL RESOLUTIONS REQUIRED**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### **Policy Statement**

In accordance with Local Government (Financial Management) Regulations 1996 clause 11 the Council authorises:

- The advance of Petty Cash of \$500.00;
- The advance of till float of \$100.00
- Caravan Park float of \$50.00

## 4016 – REGIONAL PRICE PREFERENCE

<b>Adopted:</b>	
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

The purpose of this policy is to stimulate economic activity and growth in the Shire by maximising the use of competitive local business in supplying goods, services and works purchased or contracted on behalf of the Shire of Perenjori.

### Policy Statement

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

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

### Local Economic Benefit

As much as practicable, the Shire will:

- Consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);

### Regional Price Preference

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire in relation to all quotations/tenders invited by the Shire for the supply of goods, services and construction (building) services.

The Regional price preference enables suppliers to be evaluated as if the proposed tender / quotation bid price were reduced in accordance with permitted price preferences as specified below in this policy.

This Policy will operate in conjunction with the purchasing considerations and procedures as outlined in the Council's 'Purchasing Policy' when evaluating and awarding tender contracts.

### QUALIFYING CRITERIA

#### Local / Regional Supplier

A supplier of goods or services who submits a tender/quotation is regarded as being a local tenderer if:

- i) The supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire / region;
- ii) A business having permanent staff that are based at the business premises located within the Shire / region;
- iii) Management or delivery of the majority of the outcomes will be carried out from the business premises located in the shire / region;
- iv) Has been operating a business continuously for at least six (6) months prior to the closing date of tender/quotation sought.

In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

#### Regional Price Preference Value – Local Supplier – (Perenjori Shire)

The following levels of preference will be applied under this policy:

- 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000 excluding GST;

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

#### Regional Price Preference Value – Regional Supplier

The following levels of preference will be applied under this policy:

- a) 5% - where the contract is for goods or services, up to a maximum price reduction of \$50,000 excluding GST;
- b) 2.5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000 excluding GST; or
- c) 5% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000 excluding GST, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Only those goods and services identified in the tender as being supplied locally will be included in the discounted calculation that forms a part of the assessment of a tender.

A regional price preference applies whenever tenders are called, unless the local government, or the Chief Executive Officer by delegated authority, resolves otherwise in reference to a particular tender.

It should be noted that price is only one factor or criteria when considering tenders. Value for money principals will be used to achieve the best possible outcome for the tender.

#### Terminology

**Construction (building Services):** is defined as the construction of and improvement to buildings (including housing) on or over any area of land, lake, river or ocean and any services related to that activity in the Shire Region.

**Goods:** include tangible, quantifiable material requirements usually capable of being moved or transported that are purchased, rented, leased or hired by the Shire.

**Shire:** for the purpose of this policy the Shire is specified as the entire geographical area encompassed within the boundaries of the Shire of Perenjori.

**Region:** for the purpose of this policy the Region is specified as the entire geographical area encompassed localities that boundaries with the Shire of Perenjori.

**Services:** means any task, consultancy work or advice to be performed or provided that is procured by the Shire. Included are services such as management consultancies, outsourcing, maintenance contract/agreements, cleaning, waste removal, equipment repairs, external auditors, utilities and services, public infrastructure construction and repair etc.

**This policy is to be given Local Public Notice.**

## 4017 – GRATUITY PAID TO EMPLOYEES ON RETIREMENT OR RESIGNATION

<b>Adopted:</b>	16 March 2017
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2026
<b>Prev Policy Number/s:</b>	8003

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### Policy Objective

The Local Government Act (s5.50) requires a local government to have a policy that describes and regulates any payments made to an employee finishing employment with the local government.

The Policy is to be advertised locally before being adopted by the Council.

### Policy Statement

The Local Government Act (s5.50) requires a local government to prepare a policy on payments to employees who are finishing employment, setting out the circumstances and manner of assessment of payments to employees that are additional to Awards or contracts.

The local government must also give local public notice in relation to the Policy.

- When an employee leaves their employment or is made redundant, they may be given a material item or a service as a token of appreciation for their commitment and service to the Shire.
- This gratuity policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the Local Government Act 1995 and Local Government Administration Regulations 1996, specifically regulation 19a.
- A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument.
- This policy does not form a contractual entitlement for any employee of the Shire. CEO'S and designated senior employees are governed by their respective contracts.

### Commitment

The Shire is committed to recognising long serving employees within the parameters set by the Local Government Act 1995 and the associated regulations.

### Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Shire for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Shire);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Shire for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy

The Chief Executive Officer is authorised to approve Petty Cash claims in accordance with the limits prescribed by this policy.

Funds will be allocated as part of the Shire's budget preparation process and unexpended amounts will be returned to general revenue.

### Prescribed Amounts for Gratuity Payments

Number of Years' Service	Amount of Gratuity
Continuous service greater than 2 years and up to 5 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$100
Continuous service greater than 5 years and up to 10 years	Certificate of Appreciation and a gift to the value of \$250  Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a function to be determined by the Chief Executive Officer.
10 to a maximum of 15 Years Continuous Service	\$100.00 per year of continuous service up to a maximum of \$5,000.00  Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer.
15 to a maximum of 20 Years Continuous Service	\$120.00 per year of continuous service up to a maximum of \$5,000.00.  Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer.
Above 20 Years' Service	\$150.00 per year of continuous service up to a maximum of \$5000.00  Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer.

The Shire acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by legislation or a relevant industrial instrument.

The Shire has considered these provisions when setting the prescribed amount of any gratuity payment in this policy.

### Determining Service

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, continuous service shall not include:

- Any period of unauthorised absence from duty unless the Shire determines otherwise;
- Any period of unpaid leave unless the Shire determines otherwise; or
- Any period of absence from duty on parental leave unless the Shire determines otherwise.

### Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on a gratuity payment and agrees to fully indemnify the Shire in relation to any claims or liabilities for taxation in relation to the gratuity payment.

### **Payments in addition to this Policy**

The Shire agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Shire has caused local public notification to be given in relation to the variation.

### **Financial Implications**

- The Shire acknowledges that at the time the policy was introduced, the financial implications to the Shire were understood and that these financial implications had been investigated based on the workforce position current at that time.
- The Shire will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

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

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment.

Any breaches of the policy may lead to disciplinary action.

This policy is intended to provide guidance.

There may be circumstances where the Council considers that an employee deserves a higher level of consideration or a more substantial reward for their contribution.

If the Council considers an individual case appropriate, it may exercise its power under the Local Government Act 1995 and Local Government Act (Administration) Regulations, 1996 whereby, if so resolved by the Council, Local Public Notice will be given in relation to any such additional payments to any specific employees outside of the Policy outlined above.



## 4018 – INVESTMENT OF SURPLUS FUNDS

<b>Adopted:</b>	2 May 2024
<b>Reviewed:</b>	
<b>Next Review:</b>	March 2025
<b>Prev Policy Number/s:</b>	Nil

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### Policy Objective

To provide guidance to the CEO as to Council's requirements when investing funds on behalf of the Shire not required for immediate operational purposes.

### Policy Scope

To provide the CEO with guidance to collect outstanding monies owed to the Shire, including rates and service charges.

Funds can only be invested in accordance with Regulation 19C of the Local Government (Financial Management) Regulations 1996.

All investment transactions are to be reported to each ordinary Council meeting, including- a) amount invested, b) interest rate applicable, c) security provided, d) transactions during the period.

### Policy Statement

Payment of rates and service charges is dealt with by the Local Government Act and Regulations. Where rates and service charges are more than 30 days overdue:

- a. The CEO is to issue a final notice giving a further 21 days for payment.
- b. If payment is still not forthcoming, the CEO is to take appropriate action in accordance with sections 6.54 – 6.75 of the Local Government Act 1995 to recover the amounts due.
- c. Final notices are not to be issued to eligible persons registered to receive the a 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.

Payment of all other monies owed to the Shire is to be within 30 days of the date of an invoice.

The CEO is to take all measures considered necessary to recover miscellaneous debts owed to the Shire including:

- a. Issuing of a reminder statement if payment of a debt has not been made after falling due;
- b. Referral to a debt collection agency if payment remains outstanding after 90 days (or earlier if considered appropriate by the CEO);
- c. Agreement with a debtor as to a time period to settle a debt;
- d. Initiation of legal action where the outstanding sum involved is significant; and
- e. Where full recovery appears unlikely (e.g. where a creditor is in liquidation), agree to terms such as partial payment.

As part of a monthly financial report to Council, the CEO is to submit a report detailing debts owed to the Shire, and which may include action taken or recommended to be taken in relation to recalcitrant debtors or where recovery action to date has been unsuccessful and requires escalation.

## 5000 – COUNCIL BUILDINGS, RESERVES, PARKS & GARDENS



## 5002 – EMPLOYEES RENTAL SUBSIDY FOR PRIVATE RENTALS

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Amended:</b>	23 November 2023
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	Nil

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### Policy Statement

To provide equity between Shire employees who rent Shire housing and employees who are unable to, the Council will consider for an employee's principal place of residence:

- Waiving rubbish collection charges for a single 240 litre bin; and
- Negotiate housing benefits from time to time through the Enterprise Bargaining process.

## 5005 – STAFF HOUSING

<b>Adopted:</b>	20 October 2022
<b>Reviewed:</b>	2 May 2024
<b>Amended:</b>	20 October 2022
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	Nil

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### Policy Statement

To provide an incentive to attract, retain, and provide equity between Shire employees.

### Policy

Employee housing shall be based on the following principals:

- The requirements of the *Residential Tenancies Act 1987* are met.
- The requirements of the Shire of Perenjori Enterprise Agreement 2019 are met.
- All housing allocations are approved by the CEO as determined by staff requirements in relation to housing availability at any given time.
- This policy does not apply to Managers or employees where housing is negotiated as part of their employment terms and conditions.
- That where a Manager relinquishes their negotiated housing as per the above point, then this policy will apply.
- Council staff housing, when available, will be allocated and prioritised for full time employees.
- Council shall set the market value of the rental properties annually throughout the budget process.
- A housing allowance in accordance with the 2019 Shire of Perenjori Enterprise Agreement will apply to **all** full time and part time employees (currently \$4.69 per ordinary hour, not applied to overtime) and be incorporated into Council's budget.
- A permanent part-time employee is classified as:
  - Working less than 38 ordinary hours per week.
  - Has reasonably predictable hours of work; and
  - Receives, on a pro rata basis, pay and conditions equivalent to those of full-time employees who do the same kind of work.
- Should the Council housing not be maintained to an acceptable standard (both inside and outside), the Chief Executive Officer reserves the right to discontinue the housing allowance.
- All employees shall sign a Residential Tenancy Agreement at the commencement of any rental arrangement.
- It is the responsibility of the tenant to regularly water and maintain gardens to an acceptable standard.

### Housing Inspections

Annual inspections of Council housing, including yards, shall be conducted by a person authorised by the CEO. These inspections shall coincide with the annual inspection of all Council dwellings to determine the budget allocation for the housing maintenance program. The tenant will receive a minimum of 7 days written notice and a maximum of 14 days of such inspection.

## **5006 – ERECTION OF MEMORIALS**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7001

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### **Policy Statement**

Memorials may be relocated from other cemeteries to the Latham and Perenjori cemeteries subject to the following:

- The proponent applies for a right of burial in respect of the affected gravesites;
- The memorials meet the requirements of Part 7 of the Shire of Perenjori Local Laws Relating to the Perenjori and Latham Cemeteries;
- A discreet plaque be affixed to the reverse of the memorials to indicate that they have been relocated from another cemetery.

A fee for the grant of a right of burial for 25-years is to be included in the Council's list of fees and charges.

## 5007 – CAMPING AT OTHER THAN A CARAVAN PARK OR CAMPING GROUND

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7003

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### Policy Statement

- The Shire of Perenjori Town Planning Scheme 2, Planning & Development Act 2005 and the Caravan Parks and Camping Grounds Regulations 1967.
- EXTRACT FROM THE CARAVAN PARKS AND CAMPING GROUNDS REGULATIONS 1997
- *Part 2 — Caravanning and camping generally* - Regulation 11. Camping other than at a caravan park or camping ground.

A person may camp —For up to 3-nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3-nights on such land if he or she has written approval under sub regulation (2) and is complying with that approval;

- For up to 24 consecutive hours in a caravan or other vehicle on a roadside rest area;
- For up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;
- On any land which is —
  - Held by a State instrumentality in freehold or leasehold; or
  - Dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality, in accordance with the permission of that instrumentality; or
  - On any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.

Written approval may be given for a person to camp on land referred to in sub-regulation (1)(a) for a period specified in the approval which is longer than 3-nights —

- By the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;
- By the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or
- Despite paragraph (b), by the local government of the district where the land is situated:
  - if such approval will not result in the land being camped on for longer than 12 consecutive months; and
  - if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.

## 5008 – APPROVING MOVEABLE BUILDINGS

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7004

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### Policy Objective

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

### Policy Statement

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

#### LOCAL PLANNING POLICY No. 1

##### MOVEABLE BUILDINGS

#### Discussions

The Council is experiencing an increase in the demand for more affordable housing types within the Shire. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures.

The Council is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to, the standard of existing housing stock, and the expectations of residents or owners already established in the area.

The Council considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

#### Background

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

The use and reuse of moveable buildings is common.

The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality.

Many Councils are not permitting buildings within their districts which contain asbestos.

Without the appropriate controls Perenjori could become a 'dumping ground' for such structures.

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

The Council has delegated authority to its Building Surveyor to determine Applications for Planning Consent for all applications for **transportable** and **relocated** dwellings in zones of the Scheme where dwellings are permitted.

The Building Surveyor may impose appropriate conditions including the requirement for a bond or bank guarantee.

**Donga type** and **Containers** are subject to Council consideration.

### Council Policy on Moveable Buildings

All applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence.

Generally, the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however the Council will consider each application on its merits.

The Council shall not permit the establishment, occupation or erection of **donga type** structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a camp site for accommodating a workforce.

In these circumstances it may be argued that the development is not a permanent improvement and may justify the use of such structures.

In this case the Council must be satisfied that the development will not detract from the amenity of the surrounding area.

The Council will only permit **donga type** structures for uses other than residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.

The Council will only permit **site built** and **relocated** structures where it is satisfied that the standard and quality of building can satisfactorily be integrated into a residential area, and that the buildings do not contain unacceptable materials.

The Council will not permit the storing or use of a '**container**', as defined above, within a townsite area, other than in the areas zoned 'Industrial'.

The Council considers the appearance, scale, and materials of these structures to be inappropriate for use in an urban environment and are therefore in conflict with the objectives of the Scheme.

The Council may give special consideration for the use of '**containers**' outside the townsite areas of the Shire

In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of the '**containers**' will not detract from the amenity of the locality.

### Measures to ensure Compliance with Planning Consent

When an application for planning consent for a moveable building is considered by the Council, or the Building Surveyor, that consent may be granted subject to conditions requiring the applicant, or owner, to:

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

### Key Terms/Definitions

A **PERMANENT** building:

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

- '**Site Built**' structures are built on location as new permanent structures. They are of traditional appearance with pitched roofs and typical house layout, designed to accommodate families.

- **'Relocated'** dwellings are structures that have previously been constructed on a site elsewhere. The structures that are relocated are not necessarily designed to be relocated.

A **MOVEABLE** building is:

generally, any structure capable of being transported from one location to another. There are three basic types as follows;

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



## 5009 – RELOCATED (SECOND HAND) DWELLINGS INTO THE TOWNSITE

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7005

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### Policy Statement

To relocate a second-hand dwelling into the townships an application for Planning Approval under the Town Planning Scheme shall be a prerequisite to a building licence for such dwellings. The application is to be accompanied by plans, photographs of each elevation, and a report of the condition of the dwelling to be relocated.

To relocate a dwelling from one location to another within a township a Building Application is required.

When considering applications for approval, particular attention will be paid to the impact of relocating a dwelling on the residential amenity of the area, and the extent to which similar housing exists. This emphasis is in addition to all other matters the Shire is to consider.

The Shire may refuse to approve the transportation of a relocated second-hand dwelling if, in its opinion, the proposed building would have an adverse effect on the amenity of the locality.

The Shire shall have regard to, but not be limited to, the following:

- The external appearance of the second-hand dwelling and any associated structures and landscaping;
- The design of all elevations of the second-hand dwelling where applicable, particularly those visible from a public road;
- The dimensions and proportions of the second-hand dwelling;
- The use of compatible building and landscape materials, taking into consideration tone, texture, scale, shape and colour;
- The effect on existing buildings on nearby properties and on the occupants of those buildings;
- The environment resulting from the second hand dwelling itself and the effect of that environment on the occupants of the building and the Shire's intentions for the development of the surrounding locality.
- The effect of the building on existing and future services and community facilities. In particular, drainage, sewerage, water reticulation and existing or proposed community facilities such as schools, parks, civic buildings and pedestrian links;
- The effect on the landscape and environment generally; and
- Any other matter which, in the opinion of the Shire, is relevant to the amenity of the locality.

### Removal of Asbestos

Removal of asbestos materials from dwellings is to be carried out in compliance with Health (Asbestos) Regulations 1992, by a licensed contractor in accordance with:

- Should the dwelling require transport from a location outside of the Shire boundaries all asbestos materials are to be removed from the dwelling before transport is undertaken.
- Should the dwelling require transport from a location within the Shire every reasonable effort must be made to remove the asbestos materials from the dwelling before transport is undertaken. If the removal of asbestos materials prior to transport is not possible, permission from the Shire must be obtained prior to transport of the dwelling.
- All asbestos materials disposed within the Shire shall be at an authorised disposal facility.

### Legal Agreement Requiring the Payment of Bonds

A legal agreement at the cost of the applicant is required to be entered into to ensure that there is a bank guarantee of \$15,000 relating to specific stages of the building project that will need to be subsequently completed, which can then be progressively extinguished when reached, as follows:

#### Stage One:

Release \$3,000 if, within 6 months of the date of planning approval being issued:

- The dwelling is correctly positioned on site as depicted on the approved plan issued with Shire's planning approval;
- The dwelling is correctly stumped or suitably affixed to the ground and the site is filled and/or drained satisfactorily, such that as it is structurally adequate in accordance with the engineer's certification; and
- The dwelling is up to lock up stage (all external windows, doors and fittings / fixtures installed / repaired).

#### Stage Two:

Release \$3,000 if, within 8 months of the date of planning approval being issued:

- All gutters, fascia and downpipe work are completed to the satisfaction of the Shire;
- All roof end / roofing work is completed (flashings on ridge and gable ends installed); and
- All external surfaces are painted or re-clad to a tradesman-like standard in accordance with the painting and building approvals (including wall, doors, and windows).

#### Stage Three:

Release \$6,000 if, within 10 months of the planning approval being issued:

- Compliance with planning conditions has taken place;
- Approved effluent disposal system has been installed. System has been inspected by the Shire's Environmental Health Officer and a permit to use has been issued;
- Completion and certification of all electrical work;
- Completion and certification of all plumbing work;
- All wet area tiling completed in accordance with the Building Code of Australia;
- Kitchen fit-out completed (cupboards / benches and stove / hotplate installed, etc.); and
- Building has reached practical completion stage.

#### Stage Four:

Release \$3,000 if, within 12 months of the planning approval being issued:

- Landscaping is planted and established to an officer of the Shire's satisfaction.
- Landscaping has measures in place to ensure its maintenance to an officer of the Shire's satisfaction.

### Compliance with Planning Conditions

Shire officers shall ensure that the progress and maintenance of all conditions imposed on any approval for the relocation of a second-hand dwelling are fully advanced, and in accord with the intent of the Policy.

The relocated dwelling shall be completed to the satisfaction of the Shire within twelve (12) months of the date of planning approval.

The Shire will include the following conditions, when appropriate, in planning approvals for relocated dwellings:

- The removal of asbestos materials from dwelling in compliance with Health (Asbestos) Regulations 1992.
- Certification by suitably qualified persons shall be submitted prior to the issue of a building licence, to confirm that the dwelling is structurally suitable for transportation.
- Electrical wiring (including installation of hard-wired smoke alarms), plumbing modifications, and insulation to external walls and roof spaces, shall be installed before re-cladding dwellings with new material.

- The external surfaces of the dwelling shall be painted to the Shire's satisfaction or re-clad in materials approved by the Shire.
- The relocated dwelling shall be completed to the satisfaction of the Shire within twelve months of the date of planning approval.
- A legal agreement at the cost of the applicant is prepared to have a bank guarantee of \$15,000 provided to the Shire. The amount of the bank guarantee to be refunded progressively extinguished when specified stages of the building project are reached.

The Shire shall ensure that the progress and maintenance of all landscaping requirements associated with the Approval are fully advanced, and in accord with the intent of the Policy.

As a condition of considering an application for a relocated dwelling the Shire's Building Surveyor will inspect the building in its current location prior to a report being considered by the Shire.

## **5010 – LITTER CONTROL ON BUILDING SITES**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7006

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### **Policy Statement**

All building licenses issued for major works include a requirement of the application to:

- (a) Prevent rubbish from blowing from the building site; and
- (b) Control dust on the building site; so as not to create a nuisance to neighbours.

## **5011 – DUST AND SAND NUISANCE**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7007

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### **Policy Statement**

All building and planning approvals made must be endorsed with the notation that it is the responsibility of the developer / builder / owner to take whatever action is necessary to ensure adequate containment and suppression of dust and sand movement on and from the site of the development being undertaken.

Delegated authority will be given to the Chief Executive Officer and/or the Building Surveyor to sign notices for service upon any landowner/s or their agent/s where instances of inadequate dust or nuisance suppression on building or development sites provided such notice is reported at the next Ordinary Meeting of Council with a recommendation as to any further action being required.

## 5012 – PRIVATE PROPERTY STORED ON PUBLIC LAND

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7008

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### Policy Statement

The Shire of Perenjori will not permit the storage of private property on public land, including verges and laneways.

The Shire will take immediate action to have property owners remove all rubbish, vehicles, equipment and various other items currently stored on public land and be relocated to within and remain contained within the offending owner's boundaries.

Any breaches or non-compliance are to result in the Shire invoking penalties under the Local Government Act 1996 s 3.25 and s3.26 and the Local Government (Uniform Local Provisions) Regulations 1996 – 6 & 7.

The Chief Executive Officer may notify the owner of the material of the need to remove the material from the public land.

The Chief Executive Officer is authorised to remove the offending material to the rubbish tip site with costs charged to the owner of the materials, [In accordance with the *Local Government Act 1995 s3.25 & s3.26* and *Local Government (Uniform Local Provisions) Regulations 1996 clauses 6 & 7*].

## 5014 – MOBILE AND ITINERANT VENDORS POLICY

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	7011

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### Policy Objective

- To accommodate appropriate vendor activities in order to provide services that enhance the resident/visitor experience.
- To regulate the level and intensity of vendor activities on road reserves and other public places necessary to ensure that the site is retained primarily for its purpose (like community/traffic use and not commercial).
- To ensure visiting vendors are not likely to offer substantial competition to local businesses.
- To accommodate Mobile Food Vendors that practice safe food handling in accordance with the Food Act 2008 and consider the needs of all users in the area, including the safety of consumers and pedestrians.

### Policy Statement

The Mobile Food, Mobile and Itinerant Vendors Policy applies to any person conducting business as an itinerant or mobile vendor on public land within the Perenjori Shire.

The purpose of this policy is to ensure that no person occupies community land, buildings or a public road for business purposes unless authorised to do so by permit issued by Council and that such authorised use is conducted in such a manner without compromising the safety and health of the general community.

### Definitions

‘Itinerant Vendor’:

is a person, group or company who travels along a road looking for customers and who sells, hires or provides a product or service from a vehicle which is parked temporarily to customers who stop the vendor or come to the vendor while the vehicle is parked.

‘Mobile Vendor’:

is a person, group or company engaged in a business activity which provides goods and/or services operating on a temporary basis in one place.

‘Mobile Food Vendor’:

is defined as the use of the public places for preparing and dispensing food products by means of caravan, vehicles, trailers, carts and/or trucks.

‘Public place’:

includes a street, way or place, which public are allowed to use, whether the street, way, or place is or is not on private property. It shall also include parklands, squares, reserves and other land set apart for the use and enjoyment of the residents of Perenjori and includes all land vested in, or under, the control, care or management of the Shire.

### Application

This policy applies to itinerant, mobile food, and mobile vendors who wish to conduct business on public land within the Shire of Perenjori. This does not include:

- Selling of newspapers.

- Where the vendor is part of an event, carnival, market or fete, or the like. Where the activity is a one-off occurrence such as an open day for a business or a cake stall.
- Community health mobile clinics and other government/community like uses.
- The sale of goods of any type of food from a mobile vending vehicle or cart on commercial or industrial land (only if the vehicle or food cart is parked wholly within the boundaries of the private land, serves for short periods of time and then moves on to another location).

This policy is to be read in conjunction with the Activities on *Thoroughfares and Public Places and Trading Local Law*

### General

- Itinerant vendors should be limited to the predominant sale of ice-cream and subsidiary products.
- The use of mechanical chimes or amplified music which could cause noise nuisance is not permitted.
- Itinerant vendors are to move on when all customers at a particular location have been satisfied.
- Public liability insurance cover of \$10 million is required when activity occurs on local government managed land.
- Any advertising signs must be located in the area that the trader is permitted to operate from and limited to one sign per business and the signage must be approved by council at the time of applying for the permit.
- Vendors must seek council approval for any furniture or structures erected (e.g. tables and chairs).
- Vendors must remove and thoughtfully dispose of all waste generated by their activities (including any grey water).

### Site Requirements

A trading place will only be approved if:

- It is considered safe and accessible to customers;
- Provides adequate parking for customers;
- Does not present a traffic hazard or danger to public;
- Has adequate rubbish disposal facilities;
- Doesn't breach any regulatory or signposted car parking restrictions;
- Takes place where goods are displayed, and the gathering of customers will not impede pedestrians or vehicle movements or cause conflict with other activities and
- Will not interfere with access to other facilities and/or businesses (including occupying car parking facilities to the detriment of the public).

Trading must not occur within 500m of any existing shops or license holders which offer for sale the same commodities, unless written permission has been obtained from the shop or license holder, or unless hours of operation are outside those offered by the existing business

No trading is permitted on any land under the control of Main Roads WA.

### Permit Application

- All Mobile Food, Mobile and Itinerant Vendors wishing to conduct business within the Shire of Perenjori on public land must apply for a permit to do so in writing.
- Applications must include/be accompanied by:

Completed application form which includes:

- Details of goods/merchandise and or services offered;
- Times, days and dates of trading sought
- Preferred trading location
- Details of vehicle/mobile equipment intended to be used for trading (and accompanying photographs)
- Any structures to be erected
- Details and Description (including photographs) of advertising signage to be displayed
- A Certificate of Currency/ Evidence of Public Liability Insurance to the value of \$10 million dollars,



- For Mobile Food Vendors, evidence of registration of a food business with the vendors local council (or where the majority of the food handling and preparation is to take place)

Council shall not issue a permit until it has received payment of the appropriate permit fee as determined by council. Fees shall be charges as per Council's Schedule of Fees and Charges.

Council at its discretion may reduce or waiver the permit fee on request by the applicant.

Under the Shire of Perenjori's Activities on thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001 5.25 (2) (d) (e) the Local government has the right to refuse to approve an application for a permit under this Division on the following grounds:

- That the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall; or
- Such other grounds as the local government may consider to be relevant in the circumstances of the case.

### **Trading Periods**

Trading periods for mobile food and mobile vendors are generally restricted to:

- A maximum of 3 days a week (regardless of number of sites visited), with no more than 3 consecutive days of operation at any time; and
- No more than 4 hours in any one location each day.
- No more than one visit per week.

Trading for itinerant vendors is to take place between 7.00- 19:00 (no trading is to take place during hours of darkness).

## **5015 – PICKING WILDFLOWERS**

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	6001

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### **Policy Statement**

Permission to collect flora (including firewood and seed harvesting) from land under control of the Shire (i.e. road reserves, vested reserves, freehold etc.) may only be granted by resolution of the Council, and will be subject to the applicant obtaining the necessary approval from the Department of Environment and Conservation or its successor.

## 5016 – OUTBUILDINGS LOCAL PLANNING POLICY

<b>Adopted:</b>	20 October 2022
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	Nil

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### Policy Purpose

Local Planning Policies assist the local government in making decisions under the Scheme.

It is not intended that a policy be applied rigidly, but each planning application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, will be limited to the policy provisions and that mere compliance will result in an approval.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances, the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### Policy Scope

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. The Scheme prevails should there be any conflict between this Policy and the Scheme.

### Policy Objectives

1. To provide development standards for outbuildings specific to the Shire of Perenjori, as appropriate.
2. To provide a clear definition of what constitutes an “outbuilding”.
3. To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
4. To limit the visual impact of outbuildings.
5. To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.
6. To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.

### Definitions

**‘Outbuilding’** means an enclosed non-habitable structure that is detached from any dwelling. For the purpose of this policy an open sided, roofed patio completely detached from the dwelling is also considered an outbuilding. For the purpose of this policy a non-enclosed addition to an existing outbuilding (e.g. verandah, patio, lean-to or carport etc.) shall constitute an extension to that outbuilding.

**‘Front Building Line’** means the closest point of a house to the front boundary, drawn parallel to that boundary. In the case of a corner lot, the front building line applies to both streets.

## Policy Provisions

### General

1. Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, outdoor cat cage) less than 9m<sup>2</sup> in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.
2. An outbuilding shall be primarily for general domestic storage purposes, an outbuilding shall not be used for any commercial or industrial use without prior approval from the local government.
3. The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.

### Height, Size and Setbacks

Outbuildings within the Residential or Rural Townsite zones shall;

- a) be single storey;
- b) be located behind the Front Building Line of any dwelling on site;
- c) meet all setback requirements set out in the Local Planning Scheme and this policy;
- d) not be approved by the local government on a lot not containing a dwelling;

The following maximum standards apply to outbuildings:

**Table 1- Site Layout Requirements**

Zone	Maximum Total Aggregate area	Maximum wall height*	Maximum roof height*
Rural	Exempt from the area and height requirements of this policy		
Rural Residential	240m <sup>2</sup>	4.5m	5.5m
Residential & Rural Townsite	80m <sup>2</sup>	4m	5m

(\* Heights to be measured at natural ground level)

### Consultation

Applications that propose variation to any part of the Policy may require consultation with effected owners and/or occupiers, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 14 days, prior to the application and any received submissions being placed before a meeting of Council for consideration.

*Notes: The advertising of a received application that proposes variation to any part of the Policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.*

*The local government in determining the application will take into account the submissions received but is not obliged to support those views.*

### References

Shire of Perenjori Local Planning Scheme No.3

State Planning Policy 7.3 Residential Design Codes

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015



## 5017– LOCAL PLANNING POLICY NO 1 – TREE FARMS

**Adopted:** 21 March 2024  
**Reviewed:** 2 May 2024  
**Next Review:** March 2025  
**Prev Policy Number/s:** Nil

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Policy 5017 – Local Planning Policy No 1 – Tree Farms can be found under [Appendix 1](#) of this Policy Manual.

## 6000 – COMMUNITY



### 6001 – DISABILITY POLICY

<b>Adopted:</b>	17 April 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	8001

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#### Policy Objective

To provide Physical Access:

- To ensure that access will be a major design consideration for public facilities provided by the Shire;
- Investigate and refit existing Shire buildings and facilities where such expenditure is considered warranted; and
- To encourage and promote such design considerations for private buildings and facilities that will require public access.

#### Policy Statement

The Shire recognises that access is the key in independence and will actively plan for and promote the provision of reasonable access to public domain buildings;

- To be a greater standard than 'legal minimum' so as to afford ease of use, comfort, amenity and independence to people with disabilities;
- To be promoted and coordinated with planners, architects, building owners, engineers and building surveyors.
- To precipitate discussions between Shire officers, property developers, architects, designers, builders, building owners, and business proprietors as each are required on its merits.
- To give due consideration to Building Code AS 1428 - 1993 (as amended) in the design of all its buildings and facilities, parking, curbs, paths, ramps, steps, entrances, landings and utilities, provided additional expenses do not affect the overall viability of a particular building or facility.
- Where warranted, directional information will be established for shire facilities requiring public access.
- To apply Building Code AS 1428 - 1993 (as amended) and, where warranted impose conditions of development approval to buildings and facilities which, in the opinion of the Shire, will require general public usage.
- To encourage inclusion of the provisions of Part 2 to Australian Standard AS 1428 and subsequent Parts to AS 1428, wherever practical and viable for future new projects or alterations/amendments.
- To ensure projects are designed and completed to take into consideration adjoining and other local land uses, topographical features or other possible detrimental effects.

#### Disability Plan

The Shire of Perenjori adopted a disability service plan aimed at ensuring that people with disabilities can access shire facilities, functions and services.

It is subject to annual review and may be amended and extended as priorities and needs change.

The plan includes:

- Information on shire functions, facilities and services;
- A policy statement about the shire's commitment to addressing the issue of access for people with disabilities, their families and carers;
- A description of the process used to consult with people with disabilities, their families and carers and disability organisations and relevant community groups;

- The identification of objectives and strategies to overcome barriers that people with disabilities identified during the consultation process;
- A method of review and evaluation of the plan; and
- Information about how the plan is being communicated to staff and people with disabilities.

## 6004 – PUBLIC INTEREST DISCLOSURE POLICY

<b>Adopted:</b>	16 March 2017
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	8004

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### Policy Objective

To facilitate the disclosure of public interest information, to provide protection for those who make disclosures and for those the subject of disclosures, and, in consequence, to amend various Acts, and for related purposes.

This Policy relates to the Public Interest Disclosure Act 2003 and describes conditions whereby a matter should be disclosed, to whom the matter should be reported, protection of an individual and process for investigation of reported matters.

### Policy Statement

- The Shire of Perenjori does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire, its officers, employees and contractors.
- The Shire of Perenjori will take all reasonable steps to provide protection to those who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.
- The guidelines and policy provide for the manner in which the Shire of Perenjori will comply with its obligations under the Public Interest Disclosure Act 2003.

### What is public interest disclosure?

A public interest disclosure (PID) occurs when a person provides information to a proper authority about a matter that is of public interest.

This information must be about some past, present or proposed improper behaviour by a public body (public authority, public officer or public sector contractor) while carrying out a public function.

A disclosure must relate to a matter of public interest and show wrongdoing by a public body when performing a public function.

### What is a public body?

Public bodies include:

- A public authority (includes a State Government organisation, local government, regional local government, or a public university).
- A public officer (includes a State public service officer, an employee of a public authority, a minister, a member of Parliament, a judicial officer, a police officer, a holder of office under the State, or an officer of the Commonwealth exercising a function on behalf of the State).
- A public sector contractor (a person or organisation engaged by a public authority, or a subcontractor of this person, for the supply of goods and services or the performance of a public function).

### What should be disclosed (reported) under this Act?

A disclosure must show the public body's involvement in one or more of the following:

- Improper conduct (generally a breach of the standards of conduct that a reasonable person could expect of a person or body, knowing their duties, powers and authority, in the circumstances of the case);
- An offence under State Law (including corruption);
- Conduct relating to matters of State or local government administration;
- Irregular or unauthorised use of public resources;



- Substantial mismanagement of public resources; and/or
- Conduct that involves a substantial and specific risk of injury, prejudice to public safety or harm to the environment.

**NOTE:** The Act does not apply to information that someone has, or is, engaging in criminal behaviour that is unconnected with their employment.

### What is the difference between a PID and a grievance?

A public authority can receive many different types of complaints.

These can range from workplace disputes, harassment, bullying or occupational health concerns through to allegation of improper conduct or corruption.

Not all of these disclosures will be a PID to which the Act will apply.

### Who can make a disclosure?

Under the Act, any person can make a disclosure if they believe something is wrong with the way a public body is acting or going to act.

Anyone (including employees of public bodies or members of the public) who believes, on reasonable grounds, that the information that they have is true can make a disclosure.

It must always be in the public interest to report it. Before you make a disclosure, you should consider whether the subject matter could be dealt with through other channels, like a grievance procedure or by reporting it to management or other authorities.

### How to make a PID

Before making a disclosure, you should contact the Public Interest Disclosure Officer in the relevant authority to find out more about:

- How to make the disclosure and who you should disclose to.
- Your rights and responsibilities.
- The protections that will apply.
- Whether the information you have is covered by the Act.

If your information is not covered by the Act you can still make your disclosure to the public authority concerned using its grievance process (if you are or were an employee at the time the incident occurred) or its complaints management process (if you are a member of the public).

Once you have been informed about the Act and your rights and responsibilities, you must make it clear that you have chosen to make your disclosure under the Act.

Generally, the PID Officer will have a PID lodgement form for you to sign.

If you choose to make your disclosure under the Act, you must ensure you do not discuss the matter with anyone other than the PID Officer or the person conducting the investigation.

You may lose your immunity under the Act and breach the confidentiality provisions which may incur a penalty if you do.

A disclosure is more than a general complaint about dissatisfaction with a product or service or a decision by government, and it is more than a personal grievance that can be resolved by agreement between parties. In order to be covered by the Act, the information needs to relate to a matter of public interest.

**NOTE:** It is a serious offence to make a disclosure that is false, trivial, vexatious, misleading or tied to any personal agenda.

If you know the information in the disclosure is false or misleading, or you are reckless about the information, it will be considered an offence and could attract a penalty of \$12,000 or one year of imprisonment.

## 7000 – ELECTED MEMBERS



### 7001 – ELECTED MEMBERS CONFERENCES AND SEMINARS

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9001

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#### Policy Statement

At the Shire's expense each Councillor may attend seminars or conferences of their choice provided the seminar or conference is relative to local government and the Council agrees by majority to fund the Councillor's attendance.

This is generally restricted to one conference or seminar per year but may be increased with the majority of Council support.

The Shire will pay the cost of seminar registration and will accept costs associated with the seminar on the receipt of a copy of documentation.

These costs may include meals to a specified value, accommodation and/or travel to and from the conference.

Councillors should seek to acquire modest accommodation if they cannot be accommodated in a conference package with the conference accommodation provider.

On one occasion per year the Shire will pay for the Councillors partners' accommodation and meal costs at an approved conference or seminar.

If the chosen conference is the annual Local Government Convention the Shire will also pay reasonable activity costs for the Councillors partner.

## 7002 – ELECTED MEMBERS TRAINING

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9002

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### Policy Statement

The Council supports training of elected members to meet identified needs and associated further education so that elected members can adequately carry out their duties.

The President and CEO are responsible for identifying training needs and organising suitable training to fulfil those needs which may include, but is not limited to:

- Attendance at conferences and seminars organised by Local Government, Associations and/or professional employee bodies.
- Attendance at technical education centres
- Attendance at structured courses and seminars organised by appropriate training organisations
- in house on the job structured training

Training may include:

- a) Registration and course fees
- b) Travel and accommodation expenses

## **7003 – ELECTED MEMBERS USE OF SHIRE VEHICLES**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9003

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### **Policy Statement**

A Member may use a Shire vehicle for approved Shire business in which the Member would usually receive reimbursement for using other means of transport.

The use of a Shire vehicle may be approved if it is more practical to use the Shire vehicle rather than the Member receiving payment for travel.

For a Member to use a Shire vehicle prior written approval is required from the CEO or President and an agreement signed specifying the responsibilities of the Member when using the vehicle. (Reg. 34AD LG (Administration) Regulations 1996).

Generally, the same conditions that apply to employees using Shire vehicles will apply to Members using Shire vehicles.

## **7004 – ELECTED MEMBERS IPADS**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9004

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### **Policy Statement**

The Council has purchased a Shared Data Plan that encompasses the combined use of iPads by each user.

The combination of light users and heavy users should ensure there are no excessive use costs.

Should this happen the Council may determine that the heavy user/s contribute to the excess costs.

## **7006 – ELECTED MEMBER CORRESPONDENCE – RECORD KEEPING**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9006

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### **Policy Objective**

To ensure that the Shire complies with the State Records Act and Council's adopted Records Management Plan in relation to Councillor addressed correspondence.

### **Policy Statement**

This policy relates to correspondence or mail received by Elected Members at the Shire of Perenjori offices in any format (e.g. by post, fax, courier, hand-delivered)

Correspondence addressed to Elected Members at the Shire administration office is to be opened by designated officers, unless it is expressly marked Private, Confidential or Personal.

If correspondence is expressly marked Private, Confidential or Personal the correspondence is to be forwarded unopened or if a facsimile placed in a sealed envelope to the Councillor.

Councillor correspondence of continuing value as a State Record is to be incorporated into Council's record keeping system, before photocopying and forwarding to the Elected Member.

A copy of the correspondence is to be forwarded to the Elected Member or Elected Members as the case may be, within five working days of the administration receiving and registering the item of correspondence.

Correspondence of no continuing value need not be incorporated into the Council's record keeping system and may be destroyed when reference to it ceases.

## **7007 – ELECTED MEMBER HANDBOOK – LOCAL GOVERNMENT ACT**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9007

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### **Policy Statement**

All Councillors are to be issued with a copy of the Councillor’s Handbook and other suitable meeting procedures material.

All Councillors are to receive a copy of the *Local Government Act 1995* and associated *Regulations* on request although the use of electronic books is recommended.

## 7009 – ELECTED MEMBER FEES AND EXPENSES

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017
	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9009

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### Policy Objective

The purpose of this policy is to provide consistency in the setting of fees paid to Elected Members within the confines of the Local Government Act and Regulations.

### Policy Statement

An elected member is entitled to be paid when attending meetings of the Council, Regional Councils, and Council committees.

An elected member is entitled to be reimbursed for expenses incurred for activities approved by the Council and in accordance with Regulations.

The Shire President is entitled to additional payments in accordance with Regulations.

Meeting fees are set within the Local Government Administration Regulations (Reg. 30) and minimum and maximum allowable payments are declared annually by the Statutory Allowances Tribunal (SAT).

Attendance fees are determined at the time of the annual budget adoption and take effect from the day after the date of adoption and are paid on a per meeting basis (Reg 30(1)).

The Council may also appoint other persons to be members of committees (e.g. Audit Committee) and those persons are entitled to be paid as members.

Any employee of the Council who is a member of a committee is not entitled to be paid a fee as a member of the committee.

Fees are paid for;

- Members attending a committee meeting (Reg. 30(20)).
- Members attending other meetings such as WALGA Zone Meetings or Regional Road Group or other meetings determined under the Regulations (reg. 30) (3A))
- The Presidential allowance is paid at its maximum allowable in two payments (Reg. 33(1) (b) (i)).
- The Deputy President allowance is paid at the prescribed percentage of the Presidential Allowance being 25% and made in two payments (Reg33A).

The kinds of expenses that are to be reimbursed are rental charges for one telephone and facsimile, childcare services and travel costs (Reg. 31).





## 7010 – ELECTED MEMBER INFORMATION

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9010

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### Policy Statement

Information provided to Councillors relative to their position as an elected member shall not be used for purposes other than that related to their elected position.



## **7011 – ELECTED MEMBER RETIREMENT**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9011

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### **Policy Statement**

If a Councillor resigns or leaves office other than for breaches of the Act or is not re-elected and the Councillor has served for more than three years, the Councillor will be entitled to receive a Shire of Perenjori plaque.



## **7012 – SOCIAL DRINKS**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9012

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### **Policy Statement**

The Shire President or other elected members may invite, staff, members of the public and visitors to a social drink at times deemed relevant by the member/s.

## **7013 – ELECTION OF SHIRE PRESIDENT AND DEPUTY AFTER ORDINARY ELECTIONS**

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9013

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### **Policy Statement**

If after ordinary local government elections the positions of Shire President and / or Deputy Shire President are vacant and there is no Ordinary Meeting of Council planned within seven days after the election, then a Special Meeting will be called as soon as practicable to enable the Council to elect Councillors to fill those positions.

The date and time of the Special Meeting should be set by the retiring Council at the last Ordinary Meeting of the Council prior to the election.

## 7014 – CARETAKER POLICY

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9014

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### Policy Statement

During the pre-election caretaker period the Council can only deal with matters that meet provision of the *Act* and should not make any major policy decisions that bind the incoming Council.

These provisions however do not preclude the Council making decisions where the issue:

- is urgent;
- the decision is significant;
- cannot be reasonably deferred without major negative repercussions; and
- where the decision relates to the completion of an activity already undertaken and endorsed by Council e.g. via the Budget, Council Plan or long-term strategies or policies, but does not meet the definition of 'major policy'.

It shall be the responsibility of the Chief Executive Officer to determine if a matter is significant and if it is urgent.

In the context of this Policy, a 'major policy' decision is defined as:

- relating to the employment or remuneration of a Chief Executive Officer under the Act, other than a decision to appoint an acting Chief Executive Officer;
- to terminate the appointment of a Chief Executive Officer;
- to enter into a contract the total value of which exceeds whichever is the greater of \$150,000 for goods and services contracts or \$200,000 for works contracts or 1% of the Council's revenue from rates in the preceding financial year.

If Council considers that there are extraordinary circumstances where the Perenjori community would be significantly disadvantaged by the Council not making a particular major policy decision, the Council will, by absolute majority only, make such a decision

During the pre-election caretaker period Council will not intentionally adopt any new Policy, Strategy, Local Law or major planning scheme amendment.

### Public Consultation

Public consultation means a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

Public consultation may be undertaken during the pre-election caretaker period to facilitate the day-to-day business of the Shire, to ensure matters continue to be proactively managed.

Consultations will avoid express or implicit links to the election.

### Council Resources

- 1 The Council will ensure that due propriety is observed in the use of all Shire resources, and employees are required to exercise appropriate discretion in that regard. In any circumstances where the use of Shire resources might be construed as being related to a candidate's election campaign, advice will be sought from the Chief Executive Officer or the Manager Corporate and Development Services.
- 2 Councillor candidates undertake to use Shire resources, including offices, support staff, hospitality services, equipment (such as mobile phones or computers including Shire email addresses, printers etc.) and stationery

exclusively for normal Shire business during the pre-election caretaker period, and not use such resources for any electioneering activity.

- 3 Reimbursements of Councillors' out-of-pocket and travel expenses during the pre-election caretaker period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- 4 No Shire events, logos, letterheads, business cards or other material such as photographs sourced by the Shire or other Shire branding should be used for, or linked in any way to, a candidate's election campaign.
- 5 The Chief Executive Officer or any staff should not be asked to undertake any tasks connected directly or indirectly with electioneering.
- 6 No election material or active campaigning is to be conducted at Council sponsored events or displays.

### Information

- 1 The Council recognises that all election candidates have rights to information from the Shire administration. However, it is important that sitting Councillors continue to receive information that is necessary to fulfil their elected roles.

Neither Councillors nor candidates will receive information or advice from Shire staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the pre-election caretaker period.

- 2 Information and briefing material prepared by staff for Councillors during the pre-election caretaker period will relate only to items on Council meeting agendas, or to existing Shire services and programs.
- 3 An Information Request Register will be maintained by the Manager Corporate and Development Services from the opening period for nominations until the election is closed. This Register will be a public document that records all requests for any information by candidates, and the responses given to those requests. Those responses will be provided by the Manager to the Chief Executive Officer or the returning Officer if the CEO is not the Returning Officer.

Only information that can be reasonably accessed will be released. The Register will exclude queries relating to items listed on formal Council meeting agendas during the pre-election caretaker period.

- 4 The Council may suspend public question time for Council meetings conducted during the pre-election caretaker period.

### Communication

- 1 Shire communication will not be used in any way which might influence the outcome of a Council election.
- 2 Any requests for media advice or assistance from Councillors during the Election Period will be channeled through the Chief Executive Officer, Returning Officer or his/her delegate.
- 3 During the pre-election caretaker period, no employee will initiate any public statement that relates to an election issue. Contact with the local media will be restricted to the communication of normal Shire activities.
- 4 In response to media inquiries the Chief Executive Officer will only provide information that relates to current services and operations if that approval is a delegated authority.
- 5 No media advice or assistance will be provided to Councillors in relation to election campaign matters or publicity which involves specific Councillors.
- 6 Councillors should not use their position as an elected representative or their access to Shire employees and other Shire resources or information to gain media attention in support of an election campaign. This includes photos or images provided by the Shire.
- 7 Councillor participation at Council sponsored community events should not be used to gain attention in support of an election campaign.

### Assistance to Candidates

- 1 The Council affirms that all candidates for the Council election will be treated equally, fairly and without discrimination.
- 2 Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

- 3 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or an employee delegated by the Chief Executive Officer.

## 7015 – FREEMAN OF THE SHIRE

<b>Adopted:</b>	20 November 2014
<b>Reviewed:</b>	16 March 2017 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9015

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### Policy Objective

To provide a process by which the Council can formally and impartially recognise outstanding and meritorious service of an individual to the community of the Shire of Perenjori.

### Policy Statement

#### Initiator

The initiator of a petition is to be properly listed on the petition with his or her address and contact details

#### Policy

- The Council may resolve by an absolute majority, to bestow the honorary title of 'Freeman of the Shire' upon any person who is a resident of the Shire of Perenjori who has satisfied the following criteria
- provided a quality of service significantly benefiting the community for a period no less than 10 years
- has assisted in the advancement of the Shire's strategic direction
- has provided benefit for the greater community in an outstanding, distinguished and meritorious manner that exceeds contributions of most other persons
- is not a serving Councillor or President of the Shire of Perenjori

#### Entitlements

The Shire of Perenjori will:

- award the title at a specially convened civic ceremony
- issue a press statement announcing the awarding of the title
- present the endorsed nominated person with a certificate attesting his or her quality as the Honorary Freeman of the Shire
- cause the portrait of the Honorary Freeman to be displayed in a visible place in the Shire Administration Building
- cause the name of the Honorary Freeman to be engraved on the Shire's Board of Past and Present Freemen.

#### Withdrawing or declining title

The Shire of Perenjori may, by written notification to the person awarded, withdraw the title of Honorary Freeman at any time without having to provide any justification.

A nominated person may decline at any time without having to provide any justification his or her nomination for the title of Honorary Freeman.

A person holding the title of Honorary Freeman may at any time without having to provide any justification renounce the title.



## 7016 – GOVERNANCE POLICY – COUNCIL FORUM / BRIEFING SESSIONS

<b>Adopted:</b>	20 December 2018
<b>Reviewed:</b>	21 March 2021 2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9016

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### Policy Objective

To enhance councillor's participation and information exchange.

### Policy Statement

A minimum of one council forum will be held each month on the Thursday prior to the Ordinary Council Meeting commencing at 3 pm.

### Forum Procedure

1. A Council Forum is to be scheduled to be held each month on the Thursday prior to the Ordinary Council Meeting commencing at 3pm.
2. The date and time of a Council Forum can be amended at the discretion of Council to suit Council requirements (to take into account seasonal working pressures amongst other variables that may impact Councillors ability to attend forums) as required.
3. Any amendments to the time and date of a Council Forum will be published by the Shire on its website, Town notice board and Social Media (Facebook) at least four days prior to the initial forum date.
4. Forums to be attended by Councillors, the Chief Executive Officer, other senior staff, consultants and invited guests.
5. Forum Agenda shall include discussion on items included on the next Ordinary Council meeting agenda, issues that may result in agenda items for future Council meetings, concept items, matters raised by Councillors and questions/discussion on the Councillors Information Bulletin.
6. The Chief Executive Officer will ensure timely written notice and the agenda for each Forum is provided to all members, at least three days prior to the Forum.
7. The Shire President is to be the presiding member at all forums.
8. Elected members, employees, consultants and other participants shall disclose their financial and conflict of interest in matters to be discussed. Interests are to be disclosed in accordance with the provisions of the Local Government Act, 1995 as they apply to Council meetings.
9. Members of the public can attend the Forums.
10. The Presiding Person shall be guided by the principles set out in Section 5.23 of the Local Government Act when determining if to go behind closed doors.
11. A record shall be kept of all Forums. As no decisions will be made the record need only be a general record of items discussed but should record disclosures of interest with appropriate departure/return times

## 7017 – COMMUNICATION PROTOCOL

<b>Adopted:</b>	15 November 2018
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9017

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### Policy Objective

This protocol covers the following aspects of elected members and appointed staff communications.

- 1 Relationships between councillors and employees.
- 2 Relationship between councillors and Shire President.
- 3 Relationship between shire president and chief executive officer.

### Policy Statement

#### Role of President, Councillors and Chief Executive Officer

In Defining the role of the elected members and the chief executive officer the local government Act, 1995 states:

#### Role of Council

The council –

- Governs the local government’s affairs;
- Is responsible for the performance of the local government’s functions
- Without limiting subsection (1), the council is to –
- Oversee all the allocation of the local government’s finances and resources; and
- Determine the local government’s policies.

#### Role of President

The President –

- Presides at meetings in accordance with this Act;
- Provides leadership and guidance to the community in the district;
- Carries out civic and ceremonial duties on behalf of the local government;
- Speaks on behalf of the local government;
- Performs such other functions as are given to the president by this Act or any other written law; and
- Liaises with the CEO on the local government’s affairs and the performance of its functions.

#### Role of Councillors

A Councillor –

- Represents the interest of electors, ratepayers and residents of the district; Provides leadership and guidance to the community in the district; Facilitates communication between the community and the council;
- Participates in the local government’s decision-making processes at council and committee meeting; and
- Performs such other functions as are given to a councillor by this Act or any other written law.

#### Role of Chief Executive Officer

The CEO’s functions are to –

- Advise the council in relation to the functions of a local government under this Act and other written laws;

- Ensure that advice and information is available to the council so that informed decisions can be made;
- Cause council decisions to be implemented;
- Manage the day to day operations of the local government;
- Liaise with the president on the local government's affairs and the performance of the local government's functions;
- Speak on behalf of the local government if the president agrees;
- Be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
- Ensure that records and documents of the local government are properly kept for the purpose of this Act and any other written law; and
- Perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

### **Access to information by Council, Committee Members**

Relevant to good communications is acknowledgment of the right of Councillors to have access to information held by the local government.

In this regard the local government Act, 1995 states:

- A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.
- Without limiting subsection (1), a council member can have access to –
  - a) all written contracts entered into by the local government; and
  - b) all documents relating to written contracts proposed to be entered into by the local government.

### **Improper use of information**

A person who is council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law –

- To gain directly or indirectly an advantage for the person or any other person; or
- To cause detriment to local government or any other person.

### **Relationships between Councillors and Employees**

Acknowledging the roles defined in the local government Act, 1995 the following shall apply to Councillors and employees

- Councillors shall not direct or instruct employees and are prohibited from involvement in the shire's administration unless authorised by the Council or the Chief Executive Officer.
- Councillors shall undertake their day to day communications with the shire directly through the Chief Executive Officer or the Manager of Corporate and Development Services or the Manager of Infrastructure Services unless the Chief Executive Officer authorises communications on particular matters to occur directly with specified employees.
- The Chief Executive Officer shall email to all Councillors a weekly update of activities undertaken by the organisation, meetings attended by the CEO and any other relevant information.
- The content and extent of the weekly update will be determined by the Chief Executive Officer.
- The Chief Executive Officer shall, in a timely manner, grant access to or provide information on any matter requested by a Councillor.
- NO INFORMATION AFFECTING OR RELEVANT TO THE SHIRE SHALL BE KEPT CONFIDENTIAL FROM COUNCILLORS UNLESS IT IS A PERSONAL MATTER AFFECTING AN EMPLOYEE.
- The Chief Executive Officer shall undertake a review of the DCEO and MIS performance at least once per annum and shall provide a copy of the review documentation to all Councillors.

### **Councillors and employees will ensure that, in dealing with each other, they:**

- Work together as part of the corporate team:

- Maintain an environment of mutual respect and co-operation; and
- Are respectful, frank and honest in their communications.

#### **Relationship between Shire President and Councillors**

Acknowledging the role of the Shire President and Councillors defined in the local government Act, 1995, the following shall apply:

- The Shire President shall each month, for inclusion on the Ordinary Council Meeting agenda, submit to the CEO/EA a written report on activities and functions undertaken on behalf of council and meetings attended on behalf of council.
- The Shire President will make all Councillors aware of the meetings scheduled with the CEO so that at which a specific issue is going to be discussed so that Councillors can attend if they wish.
- Councillors shall also give a verbal report at the monthly ordinary council meetings on activities and functions undertaken and meetings attended on behalf of the shire. Councillor's report shall be recorded in the minutes of the meeting.
- The Shire President and all Councillors should ideally meet at least once every three months, on an informal basis and without staff members, to discuss shire and local government matters.

#### **The Shire President and Councillors will ensure that, in their dealing with each other they:**

- Work together as part of the shire's corporate team
- Maintain an environment of mutual respect and co-operation; and
- Are respectful, frank and honest in their communications.

#### **Relationship between Shire President and Chief Executive Officer**

Acknowledging the role of the Shire President and the Chief Executive Officer, as defined in the local government Act, 1995, the following shall apply:

- The Shire President and Chief Executive Officer shall meet as and when required.
- The CEO shall keep a written record of matters discussed.

#### **The Shire President and the Chief Executive Officer will ensure that, in their dealings with each other, they:**

- Maintain open and frank communication;
- Maintain regular contact;
- Exchange information in a timely matter; and
- Have regard to their individual responsibilities.

## 7018 – ATTENDANCE AT EVENTS

<b>Adopted:</b>	19 November 2020
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9018

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### Policy Objective

Section 5.90A of the Local Government Act 1995 provides that a local government must prepare and adopt an Attendance at Events policy.

This policy is made in accordance with those provisions and 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) and establish guidelines for the management of acceptance invitations to events or functions.

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.

### Policy Scope

This policy applies to all Elected Members, the CEO and all employees or the Shire of Perenjori in their capacity as an Elected Member or employee of the Shire.

This policy operates in accordance with the *Local Government Act 1995*, *Local Government (Rules of Conduct) Regulations 2007*, *Local Government (Administration) Regulations 1996*, and Shire of Perenjori Code of Conduct.

### Policy Statement

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

#### PROVISION OF TICKETS TO EVENTS

##### 1. Invitations

- 1.1. All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the President or CEO.
- 1.2. Any invitation or offer of tickets that is not addressed to the President or CEO is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- 1.3. In addition to tickets offered by third parties, the CEO in consultation with the President may purchase tickets for the purposes of Shire representation at an event.

##### 2. Approval of attendance

- 2.1. In making a decision on attendance at an event, the following matters will be considered:
  - 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.
- Any justification provided by the applicant when submitting an application for attendance at event approval.

2.2. 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.

### 3. Pre-Approved Events

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

3.2. The President, all Elected Members the CEO and employees of the shire are entitled to attend a pre-approved event. If there is a fee associated with a pre-approved event the fee will be paid for by the Shire out of the Shire's budget.

3.3. When events and attendees are pre-authorised, the attendees are authorised in order of priority, subject to the number of available invitations/tickets. Where there are insufficient invitations/tickets available for all pre-authorised attendees, the President (in liaison with the CEO) will determine final attendance.

3.4. The Shire approves attendance at the following events by the President, Elected members, the CEO and employees of the Shire:

- a) Advocacy, lobbying or Members of Parliament or Ministerial briefings;
- b) Meetings of clubs or organisations within the Shire of Perenjori;
- c) Any free event held within the Shire of Perenjori;
- d) Australian or West Australian Local Government events;
- e) Events hosted by Clubs or Not for Profit organisations within the Shire of Perenjori to which the Shire President, Elected Member, Chief Executive Officer or employee has been officially invited;
- f) Shire hosted ceremonies and functions
- g) Shire hosted events with employees
- h) Shire run tournaments or events;
- i) Shire sponsored functions or events;
- j) Community art exhibitions within the Shire of Perenjori or District.
- k) Cultural events/festivals within the Shire of Perenjori or District.
- l) Events run by a Local, State or Federal Government;
- m) Events run by schools and universities within the Shire of Perenjori;
- n) Events hosted by major professional bodies associated with local government at a local, state and federal level:
- o) Opening or launch of an event or facility within the Shire of Perenjori or District.
- p) Recognition of Service Event's within the Shire of Perenjori or District.
- q) RSL events with the Shire of Perenjori or District
- r) Events run by WALGA, LGIS or a recognised and incorporated WA based local government professional association;
- s) Where the Shire President, Elected member or Chief Executive Officer representation has been formally required.

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

#### **4. Approval Process – Events not pre-approved.**

**4.1.** Where an invitation is received to an event that is not pre-approved, it may be submitted for approval, on the form provided at Attachment A, no later than three business days prior to the event, for approval as follows:

- Events for the Shire President will be approved by the Chief Executive Officer;
- Events for Elected Members will be approved by Chief Executive Officer;
- Events for the Chief Executive Officer will be approved by the Shire President; and
- Events for employees will be approved by the Chief Executive Officer or their respective Manager.

**4.2.** Considerations for approval of the event include:

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

#### **5. Non-Approved Events**

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

- If the event is a free event to the public, then no action is required.
- If the event is ticked and the Elected Member, Chief Executive Officer or employees pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employees pays a discounted rate, or is provided with a free ticket(s), with a discounted value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$50 for employees, other than the Chief Executive Officer, and greater than \$300 for Elected Members and the CEO.

#### **6. Payments in respect of attendance**

**6.1.** Where an Elected Member has an event approved through this process and there is a fee associated with the event, then the cost of attendance and reasonable expenses, such as travel and accommodation, including for attendance of a partner, is to be paid out of the Members of Council budgets.

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

#### **7. Dispute Resolution**

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

#### **8. Other**

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

**8.2.** Free or discounted invitations / offers or tickets that are provided to the Shire without denotation as to who they are for, are to be provided to the Chief Executive Officer and attendance will be determined based on the approval process associated with this policy and in liaison with the Shire President.

## 9. Record Keeping

9.1. The CEO will record decisions and/or approvals in Appendix 1 or Appendix 2.

9.2. The CEO must publish an up-to-date version of the policy on the local government's official website.

## 10. Definitions

**CEO** – The Shire of Perenjori Chief Executive Officer or an officer subsequently delegated to manage this function by the Chief Executive Officer.

**Council** – The Shire of Perenjori Council.

**Elected Member / Councillor** - a person duly elected to the office of Councillor on a Council by way of a free election.

**District** – Is defined as the Midwest.

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

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



## 7019 – COUNCIL MEMBER CONTINUING PROFESSIONAL DEVELOPMENT & TRAVEL

<b>Adopted:</b>	19 November 2020
<b>Reviewed:</b>	2 May 2024
<b>Next Review:</b>	March 2027
<b>Prev Policy Number/s:</b>	9019

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### Policy Objective

The purpose of this policy is to provide clear guidelines to Council Members with regards to:

- Completion of training in accordance with the *Local Government Act 1995* section 5.126(1) and regulations
- Access to training and development programs that may enhance and improve the skills necessary to perform their role and function as an Council Member.
- Travel and accommodation arrangements when required to travel on Shire business.

### Policy Scope

This policy applies to all Council Members of the Shire of Perenjori (the Shire).

### Policy Statement

This policy provides a framework to all Council Members on training, professional development and travel related to Shire representation, for the benefit of the council and the community.

## 11. Professional Development

### 11.1. Commitment to professional development

- As a public face of the council and as community representatives, council members play an integral leadership role in the process for the development, communication and representation of the Council Strategic Plan and the council's policies, strategies and programs.
- Professional development for Council Members contributes towards a positive presentation of the council for the betterment of the organisation and the community.
- Council will allocate funds through its budget process to meet approved professional development needs of Council Members.

### 11.2. Mandatory Training

Each Council Member must complete training in accordance with the *Local Government Act 1995* section 5.126(1) and the *Local Government (Administration) Regulations 1996*:

#### ***Council Members Essentials***

A Council Member must undertake and successfully complete the course titled *Council Member Essentials* in accordance with the *Local Government (Administration) Regulations 1996* within a period of twelve months beginning on the day on which the council member is elected. The course consists of the following modules;

- Understanding Local government;
- Serving on Council;
- Meeting Procedures;
- Conflicts of Interest; and
- Understanding Financial Report and Budgets; and

*Is provided by any of the following bodies –*

- i. North Metropolitan TAFE;
- ii. South North Metropolitan TAFE
- iii. WALGA

- **Exemption from Mandatory Training**

A council member is exempt from the requirement in section 5.126(1) of the Local Government Act 1995 if:

- 11.2..1. the council member passed either of the following courses within the period of five years ending immediately before the day on which the council member is elected:
  - Council Member Essentials
  - 52756WA Diploma of Local Government (Elected Member); or
- 11.2..2. the council member passed the course titled LGASS00002 Elected Member Skill Set before 1 July 2019 and within a period of five years ending immediately before the day on which the council member is elected.
- 11.2..3. A person who is a council member on the day on which the Local Government Regulations Amendment (Induction and Training) Regulations 2019 regulation 8 comes into operation is exempt from the requirement in section 5.126(1) until the end of their term of office.

### 11.3. Personal development

Council members are encouraged to identify individual and group personal development needs to enhance their effectiveness. As the needs of individual council members may vary, each member is encouraged to seek the assistance of the Chief Executive Officer in analysing his or her particular requirements and in identifying appropriate courses, seminars and training to meet those needs.

### 11.4. Conferences, seminars, forums or delegations

- A Council member who is funded by the council to attend a conference, seminar, forum, delegation or similar event, shall participate as a representative of the council, not as an individual.
- Council members may participate in conferences, seminars, forums, delegations or similar events where it can be demonstrated that attendance will:
  - To maximise the effectiveness of allocated resources, the council will only meet the cost of professional development outlined in this policy, subject to approval of the President.
  - A council member is required to complete an application form (**Appendix A**) to facilitate participation in professional development.
  - If a request for professional development cannot be accommodated within the budget allocation the President, in conjunction with the CEO, will determine if additional funding may be available from another area of the budget.
  - Applications to attend any interstate and overseas conferences, seminars, forums, delegations or similar events under this policy must be discussed with the President prior to seeking council approval.
  - The President or CEO may limit the attendance of multiple council members to a conference to ensure the effective governance of the council.
- Where voting delegates are required to represent the Shire of Perenjori – i.e. Western Australia Local Government Association (WALGA) Week, this is to be approved by the council.

### 11.5. Funding for Professional Development

The council will allocate funds for professional development during the budget process each year to provide for the professional development of council members.

### 11.6. Applications for professional development funding

- To maximise the effectiveness of allocated resources, the council will only meet the cost of professional development outlined in this policy, subject to approval of the President.
- A council member is required to complete an application form (**Appendix A**) to facilitate participation in professional development.
- If a request for professional development cannot be accommodated within the budget allocation the President, in conjunction with the CEO, will determine if additional funding may be available from another area of the budget.
- Applications to attend any interstate and overseas conferences, seminars, forums, delegations or similar events under this policy must be discussed with the President or Chief Executive Officer prior to seeking council approval.
- The President or CEO may limit the attendance of multiple council members to a conference to ensure the effective governance of the council.

## **12. Report on Training**

The Shire must prepare a report for each financial year on the training completed by council members in the financial year. The report must be published on the Shire's website within one month after the end of the financial year to which the report relates.

## **13. Travel and Accommodations**

Travel and accommodation expenses incurred as part of attending professional development activities must be in accordance with Section 3 of this policy- Travel and Accommodation.

### **13.1. Travel within Western Australia**

Council Members may attend Shire Representation events within Western Australia during their term of office upon the following conditions:

- The travel falls within the definitions for conference, professional development or delegation;
- Prior approval has been granted by the President or Chief Executive Officer as applicable;
- In deciding whether approval is to be granted the President or Chief Executive Officer should take into consideration the council members remaining term of office; and
- There is sufficient budget allocation for the council members travel.

### **13.2. Travel outside Western Australia**

Council Members may attend Shire Representation events held outside WA and overseas during their term of office upon the following conditions:

- The travel falls within the definitions for conference, professional development or delegation;
- An item has been presented to the council with the exclusion of the President's and/or councillor acting in that office, interstate travel specifying:
  - the benefit to the Shire of the attendance at the conference, professional development or delegation;
  - whether, if applicable, there is a necessity to send more than one council member; and
  - whether the information to be discussed at the conference or professional development can be sourced from within Western Australia.
- Approval has been granted by council resolution; and
- There is sufficient budget allocation for the council members travel.

### 13.3. General conditions of travel

#### Bookings

Travel, accommodation and registrations will be booked by the Office of the Chief Executive Officer upon receipt and approval of the Application Form Council Member Professional Development (**Appendix A**). This will allow the Shire to take advantage of any discounts offered. Where practicable, travel requests should be provided at least one month before travel to allow adequate time for bookings to be made.

#### Travel

- 13.3..1. The cost of air travel to and from destinations is to be by the shortest most practical route unless additional travel is contemplated before or after a conference.
- 13.3..2. Where a council member chooses to arrive earlier or extend their stay at the location of a conference or deviates from the travel arrangements, then the council member will be responsible for the full cost associated with that extended stay and/or variation to travel arrangements for private purposes. The exception would be if the flight schedules determine an extended stay is required.
- 13.3..3. Air travel will be booked as economy class on the most economical flight. The cost of any upgrade to business class shall be paid from the council members personal funds or personal frequent flyer points.
- 13.3..4. The President shall have the authority to assess special, medical or extenuating circumstances and approve business travel. Such requests must be in writing and supported by appropriate evidence.
- 13.3..5. Hire cars may be booked only if required to meet the reasonable travel requirements of the conference or professional development.
- 13.3..6. Taxi fares for reasonable travel requirements relevant to the conference and/or council business:
  - will be reimbursed upon return on the production of receipts to verify the expense;
  - or
- 13.3..7. Council members who use their private vehicle for conference travel will be reimbursed for vehicle costs in accordance with the Public Service Award Motor Vehicle Allowance to a maximum amount equivalent to what it would have cost to travel by air.
- 13.3..8. A Council Member Reimbursement of Travel Expenses form (**Appendix B**) is to be completed and submitted to the Office of the CEO to process for approval and payment.
- 13.3..9. A part of the Shire's business travel insurance policy, any travel insurance for Council Members or their spouses is provided for as part of that certificate of currency.

#### Accommodation

Accommodation will be booked, where practicable, at the associated venue or, if unavailable, at premises in close proximity to the venue. Bookings will include accommodation the night before and/or after the event where necessary because of travel, airline flights and/or event timetables.

#### Meals and Incidentals

- 13.3..10. The Shire will pay to a daily and combined level for reasonable costs of meals and incidentals per annual ATO Taxation Determination for these expense amounts as denoted on attached Reimbursement of Expenses form. Such expenses which will be paid or reimbursed by the Shire include:
  - Taxi, rideshare (i.e. Uber), train, bus and tram fares to/from the airport and the venue;
  - Vehicle hire, petrol and parking fees;
  - Breakfasts, lunches, dinners not included in the registration fee.

- Reasonable telephone and internet charges and ICT expenses;
- Optional activities related to the conference/training; and
- Laundry and dry cleaning if the stay is for more than three days.

**13.3..11.** All costs are to be fully substantiated by receipts and invoices and a Council Member Reimbursement of Expenses form (**Appendix C**) is to be completed and submitted to the Office of the CEO to process for approval and payment.

**13.3..12.** All costs are to be fully substantiated by receipts and invoices and a Council Member Reimbursement of Expenses form (**Appendix C**) is to be completed and submitted to the Office of the CEO to process for approval and payment.

**13.3..13.** The Shire will not pay for or reimburse:

- Alcohol expenses of any type;
- Entertainment costs not associated with those scheduled as part of the Shire Representation event;
- Any expenses associated with matters other than those attended to while attending the Shire Representation event.
- A meal allowance if the conference provides meals as part of the package.

#### **Accompanying persons**

**13.3..14.** A partner or spouse may accompany a council member to a Shire Representation event.

**13.3..15.** All expenses incurred by the accompanying person are to be paid by the accompanying person or council member, except the following which will be paid or reimbursed by the Shire:

- Official conference meals; and
- Accommodation provided there is no increase in accommodation costs arising if the council member attending the event on their own.

**13.3..16.** Where the Shire meets an account containing any expenditure of cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Shire by the council member/accompanying person within 30 days of being invoiced for such expenditure.

#### **14. Workplace information**

Following participation in an event covered by section 1 or a Shire Representation event of more than 5 days' duration covered in section 2 (excluding Local Government Week):

**14.1.** The council member(s) is expected to submit an individual or composite report (where approval has been granted for more than one member to attend) for inclusion in the next Council Agenda, within 30 days of attendance.

**14.2.** The report should document;

- the program and major points of interest to the Shire;
- whether the objectives of the participation were met;
- the benefits to the council member, council and the community; and
- the value of future attendance or representation by council at similar events.

**14.3.** All conference and training papers remain the property of the Shire.

#### **KEY TERM DEFINITION**

**Council Member(s)** means President, Deputy President and Councillors.

**Conference** means conferences, seminars, congresses, forums, workshops, study tours, delegations and events relevant to the role of a councillor.

**Professional Development** means personal development such as undergraduate and post graduate studies, short courses, study tours, conferences, seminars, forums, or similar events that will assist a councillor in their broad civic leadership role.

**Delegation** means any formal group visit, authorised by Council, to an external organisation representing the Shire of Perenjori.

The Terms “Conference, Professional Development and Delegation” are collectively used in this policy under the term “**Shire Representation**”.

#### **ROLES AND RESPONSIBILITIES**

The Chief Executive Officer is responsible for implementing this policy.

#### **WORKPLACE INFORMATION**

*Local Government Act 1995*

*Shire of Perenjori – Code of Conduct for Elected Members and employees*

#### **POLICY REVIEW**

Pursuant to the *Local Government Act 1995, Section 5.128(5)(a)* this policy will be reviewed after each ordinary election as a minimum.

## APPENDIX

### APPENDIX 1 – POLICY 5017 SHIRE OF PERENJORI LOCAL PLANNING POLICY NO 1 – TREE FARMS



## SHIRE OF PERENJORI LOCAL PLANNING POLICY NO 1 - TREE FARMS

### 1.0 BACKGROUND

Under the Shire of Perenjori's Local Planning Scheme No. 3 ('the Scheme') planning approval is required for any proposed tree farm. This Policy has been developed as a guide for applicants and sets out the Council's position on tree farms proposed in the Rural zone.

It should be noted that the Local Planning Policy is a guide for the exercise of discretion. The Council will have significant due regard to the Policy requirements in the assessment of any new planning application.

### 2.0 POLICY BASIS

Division 2 – Local planning policies under Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows local governments to prepare local planning policies, and outlines the statutory procedure for making a local planning policy.

### 3.0 POLICY STATEMENT

This Policy applies to all land zone Rural under the Scheme.

### 4.0 POLICY OBJECTIVE

- To actively encourage the integration of tree farms with existing agricultural uses as a complementary but integrated use. Traditional agricultural activities such as cropping, grazing, and food production should generally remain the predominant use.
- To actively oppose the use of an entire lot area for tree farms (particularly where it contains a dwelling) unless the applicant has clearly demonstrated extenuating circumstances or provided significant justification warranting support for a variation to any aspect of this Policy.
- To support applications that actively integrate tree farms with existing agricultural activities on lots in recognition of the economic, environmental and social benefits.
- To encourage planting areas with linkages to existing remnant vegetation on the same lot or adjacent lots. Where appropriate encourage linkages with



vegetation on adjacent reserves however consult with the relevant reserve authority or manager.

- To protect and enhance native vegetation, wetlands and water courses and assist in the reduction of salinity, waterlogging and erosion.
- To support continuing broad acre agriculture and production as the primary and priority land use in the Rural zone, consistent with the planning framework's underlying theme to protect productive agricultural land.
- To minimise the potential for any loss of population or agricultural land through the use of the entire lot area for tree farms, and encourage tree farms that provide a supplementary income to farmers.
- To achieve tree farm layouts which do not compromise the fire safety of the local community or the biodiversity conservation and management of reserves.
- To achieve high quality bushfire management plans which are independent and self-sufficient.
- To encourage the selection of tree species that are complementary to native remnant vegetation and will assist in maintaining landscape function.

## **5.0 POLICY AIM**

- To assist applicants by providing general guidelines and a clear outline of the Shire's position.
- To assist Council in determining applications for tree farms by setting out matters to have regard for when assessing applications.

## **6.0 PLANNING APPROVAL**

### **6.1 Requirement for approval**

Under Clause 60, Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* all development requires prior approval of the local government, unless specifically exempted under Clause 61.

A planning application is required for any tree farm (involving planting in blocks more than one hectare). Council has the discretion to consider 'tree farms' within the Rural zone under the Shire of Perenjori's Local Planning Scheme No. 3 ('the Scheme').

Planning approval is not required for the planting of trees for land rehabilitation, salinity affected area, wind belts etc which are not proposed to be commercially used for harvesting or carbon sequestration.

The Scheme contains statutory requirements, and this Policy expands on and complements the Scheme requirements.

## **6.2 Need for Planning Controls**

Whilst 'Extensive' Agriculture' is a permitted use in the 'Rural' zone, there are planning controls over other rural uses including and not limited to Rural Industry and Intensive Agriculture. This is appropriate so that the Council can examine relevant planning considerations such as the objectives of the zone, land use compatibility, buffers, amenity and other relevant planning issues.

There are land use and community implications associated with tree farms uses that are controlled through the planning process such as impacts on local roads for harvesting plantations and bushfire management.

With new emerging tree farms for carbon sequestration, Council is concerned over the potential for these to be developed on whole lots. Council is particular concerned over the accumulative impact of tree farms on entire lots over time, and the potential for population loss and a reduction of food production.

Some applicants may propose long term harvesting whilst other may not nominate to harvest at all (means the land may never revert back to traditional agricultural uses.)

Whilst some of the issues are difficult to quantify, this policy aims to encourage an integrated approach of plantings with more traditional farming or agricultural uses.

The Policy recognises that the development of whole lots for tree farms discourages the continuation of broad hectare farming in a way the development of a tree farm at a smaller scale would not.

## **7.0 DEFINITIONS & EXPLANATION OF LANDUSE**

Clause 40(1)(a) of the Shire of Perenjori Local Planning Scheme No 3 states that a category of land use in the Scheme has the same meaning as it has in the Planning and Development (Local Planning Schemes) Regulations 2015.

Under Schedule 1, Part 6 of the Regulations a tree farm is defined as '*means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the carbon Rights Act 2003 section 5*'.

## **8.0 POLICY REQUIREMENTS**

In assessing any application for a tree farm Council will have regard for the following matters;

### **8.1 Continuing Agricultural Activities**

Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant land use with tree farms as an ancillary integrated and complementary use.

This Policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded.

As a general rule the Shire will assess if a tree farm area is 'ancillary' having regard for;

1. The area of each lot;
2. The proportion or percentage of the tree farm area on a lot by lot basis. Generally a 30-35% maximum planting area is construed as ancillary although each application will be assessed on its merits on a 'case by case' basis;
3. The extent of existing remnant vegetation areas; and
4. Whether a significant portion of each lot can continue to be used for traditional extensive agriculture or for food production.

Council will be able to clearly identify whether agriculture remains as the primary use, simply because detailed site plans are lodged for all applications and show the extent of planting areas.

This Policy aims to actively encourage the integration of tree farms with traditional agricultural farming activities. Whilst there are other factors contributing towards reductions of rural population, Council wishes to ensure that new land uses do not exacerbate an existing ongoing problem.

Council will not generally support the planting of whole lots for tree farms due to the potential for the displacement of agricultural pursuits and loss of agricultural land.

There is a general presumption against 'whole of lot' tree farms in the Rural zone, unless a proponent can demonstrate to the Council's satisfaction that there are exceptional circumstances that warrant a variation in accordance with Clause 8.1.1.

Council considers that the development of whole lots with tree farms is inconsistent with the Scheme's objective to protect broad acre agricultural activities in the Rural zone as:

- (a) Tree farms may not be harvested except in the long term, or in the case of carbon sequestration plantings, not at all;
- (b) The concept of broad hectare farming primarily contemplates the continuation of traditional productive agricultural activities;
- (c) The use of an entire lot for a tree farm to the exclusion of traditional productive agricultural activities does not involve an appropriate integration of rural land uses, but instead runs the risk that the entire lot will never be returned to productive use, and at the very least involves a diminution of the productive capacity of the land;
- (d) Any proposed whole lot tree farm discourages the continuation of broad hectare farming in a way the development of a tree farm at a smaller scale would not. Integrated ancillary plantings consistent with this Policy serve to encourage the retention of productive agricultural activities whereas whole lot plantings have the opposite effect;
- (e) Tree farms that are not well managed or have no on site manager (with absentee ownership) or are abandoned, can cause significant long term land use conflict with surrounding broad acre farming or intensive agricultural activities due to increased bushfire risk, lack of fire break maintenance, lack of

general property maintenance, uncontrolled weeds, and uncontrolled vermin or feral animals, including wild pigs.

### **8.1.1 Variations**

In dealing with this matter, Council will have regard for any specific circumstances where a variation to this criteria 8.1.1 may be warranted, however in those cases the onus will be on the applicant to demonstrate the particular merits of a proposal or justification for an assessment on a 'whole lot' basis.

If an applicant seeks any variation or support for a tree farm on a 'whole lot' basis then the application should be accompanied by justification such as;

- Comprehensive Land Capability Studies specific to the lot by a suitably qualified environmental consultant;
- Farm Management Plan;
- Site specific soil or water test results demonstrating areas not suitable for agricultural food production;
- Photographs clearly showing shallow soils or rocky areas which visually demonstrate that areas on a lot are not suitable for traditional agriculture. A site plan should be provided that numbers each photograph, and shows the direction that the photograph was taken.
- Demonstration that planting areas will have specific local environmental benefits for the lot(s) subject of the application (refer 8.3). For example, larger planting areas may be warranted as native vegetation block planting adjacent to a creek line, or for salinity prone areas.

Information and justification for a variation to this Policy needs to rely on site specific studies and information. General broad land capability mapping is not by itself considered to be sufficient as justification for a variation of this Policy.

### **8.2 Location and Compatibility with adjacent land uses**

Some densely planted tree farms may have a higher bushfire risk than broadacre crops, so the implications of locating tree farms close to fire sensitive land uses such as hay plants, commercial, industrial and residential development needs to be considered.

For this reason, any larger scale tree farms are discouraged in locations near any main townsites, areas with smaller lot sizes that have potential for dwellings, rural residential lots and rural townsites. Tree farms should also avoid locations near areas earmarked for future residential or rural development.

To reduce potential adverse impacts from inappropriate siting and development of tree farms, Council will consider the following matters;

1. The proximity to any land zoned or earmarked for residential development, rural residential development or smaller lots with potential for dwelling development.
2. Separation distances between the proposed use and any commercial properties, or other areas such as public recreation reserves, which may be sensitive to the exposure of pesticides (mainly if any aerial spraying is proposed).

3. Where harvesting is proposed, the suitability of the location in terms of the road network capabilities.
4. Any strategic plan contained in a local planning strategy.
5. Impact on any tourist and recreation uses.
6. Proximity to any airstrips.
7. Proximity to conservation areas and reserves. Any tree farm in close proximity to a reserve under the care and management of an authority (such as the Water Corporation, Department of Biodiversity, Conservation and Attractions or the like) will be referred to the relevant authority for comment. Council will have regard for the advice of the relevant authority.
8. The potential for increased bushfire risk associated with mature plantings, and any increase of the Bushfire Attack Level for existing dwellings or sensitive development on adjacent lots.

### **8.3 Environmental Benefits**

Council recognises that there are a variety of broad environmental benefits associated with some tree farms that have the potential to contribute to the security and quality of water resources and salinity management.

Tree farms can benefit water resources by improving water quality in catchments affected by saline surface water, reversing dryland salinity and waterlogging by controlling groundwater levels and assisting in the control of soil erosion.

In considering and any variation to the Policy, Council will have positive regard for any specific local environmental benefits to the lot being developed and any application that:

1. Uses plantings on site to assist to mitigate salinity affected areas and demonstrates through soil analysis/mapping that there are salinity affected areas on the application land.
2. Uses native plant species of local provenance.

It is recognised that species that are native to Australia are often used (such as Mallees) for carbon sequestration, due to their growth rates, stock resistance, ability to survive in medium to low rainfall areas and minimal ongoing management needs.

Where feasible (taking into account continuing agricultural activities), the incorporation of some local native plant species is encouraged particularly in areas such as;

- along watercourses including natural drainage lines and creeks.
- for revegetation of areas that do not qualify as forest sinks.
- for rehabilitation of land unsuitable for agriculture, or to provide connections between existing remnant vegetation areas remaining on site or on adjacent land.
- As a buffer or to expand / complement native vegetation corridors along Rivers.
- Along tree farm edges adjoining conservation reserves or other Crown land.

The use of local native species is not compulsory however the Shire actively encourages applicants to look for opportunities to introduce native plant species of local provenance, especially for rehabilitation of creek lines and watercourses.

3. The use of planting areas to provide vegetation corridors, linkages to remnant vegetation or assist to protect remaining cropping/grazing areas on the same property from wind erosion.
4. The use of planting areas to protect or enhance water courses, reduce waterlogging in affected areas and improvements to an existing situation (such as fencing of watercourses from stock).
5. The identification and protection of any existing local native vegetation.
6. Where commercially possible a mixture of planting species is encouraged even if it is only for a portion of the overall planting area. For example, the predominant planting areas may be Mallees but a mixture of local native species may be used along a creek line, as a wind break or adjacent to conservation / reserves areas.

#### **8.4 Code of Practice for Timber Plantations in Western Australia (as amended)**

Council will have regard for compliance with the Code of Practice for Timber Plantations in WA ('the Code') which sets out goals and guidelines for specific areas, including management plans, planning and design, plantation roads, weed and pest control, waterway protection, drainage, harvesting (if applicable), fire prevention and control, research and development, safety and investment.

This Policy does not attempt to reiterate all of the requirements in the Code of Practice however they should be addressed by each applicant.

All tree farm applications will be required to meet the minimum standards as outlined in the Code of Practice. All applications will be assessed having regard for the general (applicable) principles of the Code.

##### ***8.4.1 Management of Tree Farms***

The onus is on the owner / applicant to demonstrate to the satisfaction of Council that any tree farm will be effectively managed.

Council must be satisfied that any Management Plan has measurable requirements that can be enforced by the local government through planning conditions.

Management Plans that are generic in nature with ambiguous maintenance requirements (and no clear triggers) will not be supported.

Any Management Plan must include:

1. Clear, regular scheduled and mandatory inspections;

2. A rigorous ongoing maintenance regime with identifiable triggers, clear maintenance actions and measurable outcomes (particularly for weed control, vermin control, feral animal control and general pest control);
3. A procedure to notify neighbours in writing prior to any proposed spraying.
4. A complaint handling procedure.

It is preferable that a caretaker/manager live on site.

As a minimum there should be a local tree farm manager, employee or local based contractor who can attend the site regularly to conduct property maintenance, ensure water tanks are in working order; check fire breaks, and can attend the lot in the event of a fire.

Any local tree farm manager, employee or local based contractor should live within a 60 kilometre distance from the lot proposed to be used as a tree farm. Lesser distances are preferred so that the local tree farm manager, employee or local based contractor can attend the tree farm in a timely manner in the event of a fire emergency.

## **8.5 FIRE MANAGEMENT PLANS**

Fire Management is an important issue which needs to be addressed as part of any new proposal, and applicants need to recognise that the local government has limited resources when dealing with Strategic Fire Management.

In accordance with the Timber Code of Practice a Fire Management Plan (FMP) will be required for all tree farm applications.

Each FMP needs to be written and tailored specifically for the property subject of an application.

As a minimum all Fire Management Plans shall be compiled by a suitable qualified or experienced fire consultant and;

1. Address the Bushfires Act (1954), the FESA (now DFES) Guidelines for Plantation Fire Protection 2011 and the local government firebreak notices.
2. Generally follow the DFES Guidelines however also include;
  - Consideration of increased bushfire risk to any structure within 100 to 150 metres of any proposed planting areas and other land uses in the vicinity of the tree farm lot – refer Clause 8.5.1.
  - Identify and address bushfire hazard as if it already existed, in accordance with State Planning Policy 3.7 (SPP3.7). FMPs should identify increased bushfire risk associated with new planting areas in their most mature state using Bushfire Hazard Level assessment methodology.  
*This is consistent with State Planning Policy 2.5 Rural Planning Guidelines Version 3 December 2016 which references SPP3.7.*
  - A fire suppression response examining the ability of the local fire brigade to respond to a fire on the property, having regard for distance, existing available local equipment and the location of on-site water supply.
  - Outline the owners' responsibilities, neighbours' responsibilities, and any engaged local contractor responsibilities.



- Fire Management Plans must nominate a local contact person or contractor who can attend the tree farm in the event of a fire emergency, for installation of fire breaks and regular ongoing maintenance of the tree farm. They must live within a 60 kilometre distance of the lot – refer Clause 8.4.1.
  - The Plan to have clear scheduled regular inspections, a rigorous ongoing maintenance regime with measurable outcomes, which demonstrates a strong management commitment;
  - Owners may need to consider providing on site water trucks for use in the event of a fire having regard for the property location, and realistic fire suppression response.
3. Include a location/ context plan examining the surrounding land uses and identifying;
- Other existing or approved tree farms within the immediate vicinity.
  - Any significant surrounding industries or land uses which may impact on fire management such as Rural Industry (hay storage), wood stockpiling, fuel storage etc
  - Identify any residential, rural residential or built up townsites located within 1 kilometre.
  - Identify nearby well vegetated areas or sources which may increase the risk of fire.
  - Increased bushfire risk of mature tree farms for existing development in the vicinity of the development site.
4. Include a Fire Management Plan (site plan) addressing the guidelines for ‘fire prevention and suppression’ contained in the Code and clearly show;
- Compartments and compartment sizes.
  - Water supply / points. A rainwater tank with a minimum capacity of 50,000 litres is required.
  - Location of any powerlines passing through planting areas or in close proximity to planting areas and / or proposed firebreaks.
  - Location of fire breaks. The site plan is to clearly distinguish between boundary firebreaks, strategic firebreaks, compartment breaks, fire breaks along public roads and fire breaks along powerlines using a colour coded legend.
  - Trafficable turnaround areas for emergency vehicles.
  - Location for emergency signage.
  - Emergency access / egress points and internal accessways.
  - Existing or proposed gates where firebreaks/emergency accesses intersect with fencing that can accommodate a 4.4 fire appliance.
5. Identify the location of any existing habitable and non habitable structures and need for low fuel areas on the lot. DFES Guidelines recommend a 50 metre distance between a planted area and any non habitable structure, and a 100 metre distance to a habitable structure.
6. Comply with the relevant minimum fire break standards outlined in the Shire of Perenjori’s Fire Break Notice.

Fire Management Plans shall include a clear ‘owners responsibility’ to self-report on firebreak compliance annually to the Shire using a checklist – Annexure 1.



7. Involve consultation with the relevant authority (such as; Department of Water and Environmental Regulation; Water Corporation, the local government or the like) where the land is adjacent to a reserve, conservation area or crown land. Fire Management Plans should be independently managed unless there is a formal written agreement from an adjacent reserve owner over issues such as major burning of land outside of the application.

Council must be satisfied that the Fire Management Plan has measurable requirements that can be enforced by the local government through planning conditions. Fire Management Plans that are generic in nature with ambiguous maintenance requirements for ongoing fire management will not be supported.

### **8.5.1 Bushfire Attack Level (BAL) Contour Map**

A Bushfire Attack Level Contour Map may be required as part of any Fire Management Plan in context of any nearby existing development.

This would be particularly relevant where a tree farm may increase the bushfire risk for:

- (i) Any existing habitable dwelling on the lot that is proposed to be retained;
- (ii) Sensitive premises, short stay accommodation; workers accommodation, caravan parks, nature based parks, chalets, or any form of tourist accommodation on adjacent lots;
- (iii) Any land use on an adjacent lot that may attract members of the general public to their premises;
- (iv) Established land uses nearby to the proposed tree farm that may require a higher level of separation and protection.

This may include, and is not limited to hay plants, roadhouses, service stations, bulk storage of hazardous materials, chemical storage; farm machinery sheds, shearing sheds, vineyards, wineries, restaurants, wind farms, land fill sites, reception centres or general stores.

### **8.6 Water Quality**

Adequate buffers are required between any tree farm and watercourses on private land where the end use is not for public water supply.

Buffers can play an important role in maintaining water quality, protecting ecological values of waterways and preventing erosion or sediment movement.

Tree farm applications may be referred to the Department of Water, Environment and Regulation for advice.

### **8.7 Suitability of road systems (for harvesting only)**

Council needs to consider the adequacy of the existing road infrastructure to service any future harvest and will require the applicant to outline the preferred haulage routes to be used on public roads as part of the planning application.

In accordance to Appendix 3 of the Code of Practice, a Harvest Plan is generally produced in accordance with the haulage-management notification.

Council may also require a report on the general pre-condition of the main haulage roads as part of a Harvest Plan.

In considering adequacy of the existing road structure and harvest plan, applicants and the Council shall have regard for any proposed use of Restricted Access Vehicles.

Any application or Harvesting Plan with land parcels totalling 1000 hectares or greater and located within 10 kilometres of a state controlled road will be referred to Main Roads WA for comment, prior to determination.

## **9.0 RECORD OF COUNCIL POLICY APPROVAL AND STATUTORY BASIS**

Legislation	Description
Statutory Legislation	This Local Planning Policy has been prepared in accordance with Clause 3(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Adoption (initial)	This Local Planning Policy was adopted by Council on the 23 November 2023 for the purpose of conducting advertising to comply with Clause 4(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Adoption (final)	This Local Planning Policy was adopted by Council on the 21 March 2024 for final approval in accordance with Clause 4(3)(b) Schedule 3, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Version Control	Version 4 March 2024
Scheduled Internal Review Date	12 months after operation.

**ANNEXURE 1**

**ANNUAL FIRE COMPLIANCE CHECKLIST**

(for owners to lodge to the Shire and include in Fire Management Plans)

Lot Details: \_\_\_\_\_

Property Address: \_\_\_\_\_

Owners Name: \_\_\_\_\_

Owner Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Person Certifying Compliance: \_\_\_\_\_

Position: \_\_\_\_\_

Owner Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

Size of Tree Farm: \_\_\_\_\_

<b>Shire of Perenjori Fire Hazard Reduction and Fire Break Notice</b>			
We/ I certify that that all works have been undertaken to comply with the Shires Firebreak Notice for the year _____ / _____ as follows:			
Requirement of Fire Break Notice	Fire Break Width: _____	Vertical clearance: _____	Date installed _____  Or  N/A
We/I also Certify that all necessary works have been completed to comply with the following (as applicable): -  <input type="checkbox"/> The DFES Guidelines for Fire Plantation Fire Protection and / or; <input type="checkbox"/> The Code of Practice for Timber Plantations and /or; <input type="checkbox"/> A Fire Management Plan approved by the Shire on the ___/___/_____.			

Signed (Certifier for compliance): \_\_\_\_\_

Owners Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Please attach photographs of installed firebreaks to this checklist.