



Policy Manual

As at December 2024

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AMENDMENT / REVIEW RECORD

Amendments to the Policy Manual made after it being adopted in its entirety 20 April 2022 - **Resolution No 200422-12.**

Date	Amendment/Review Details	Amend/Reviewed By
15 June 2022	2.1.26 Councillors Professional Development Resolution 150622-20	Reviewed by Council 15/06/2022
21 September 2022	2.1.22 Senior Employment Contracts Resolution 210922-10	Revoked by Council 21/09/2022
15 November 2023	2.1.27 Councillors Continuing Professional Development Resolution 231115-25	Reviewed by Council 15 November 2023
20 March 2024	2.1.29 Attendance at Events and Functions Resolution 200324-06	Adopted by Council 20 March 2024
20 March 2024	2.1.28 Code of Conduct Behaviour Complaints Management Resolution 200324-07	Adopted by Council 20 March 2024
15 May 2024	2.1.30 Disposal of Property (Other than Land) Resolution 150524-07	Adopted by Council 15 May 2024
15 May 2024	2.1.5 Councillor Resources Resolution 150524-09	Reviewed and amended by Council 15 May 2024
15 May 2024	2.1.9 Councillor ICT Resolution 150524-09	Reviewed and adopted by Council 15 May 2024
19 June 2024	3.1.10 Petty Cash Resolution 190624-12	Revoked by Council 19 June 2024
19 June 2024	3.1.3 Corporate Credit Card Resolution 190624-13	Reviewed and amended by Council 19 June 2024
17 July 2024	2.1.15 Flag Protocol Resolution 170724-08	Reviewed and amended by Council 17 July 2024
17 July 2024	2.1.31 Closed Circuit Television (CCTV) Resolution 170724-09	Adopted by Council 17 July 2024
21 August 2024	2.1.32 Fraud & Corruption Prevention Resolution 210824-16	Adopted by Council 21 August 2024
18 September 2024	7.3.5 Consumption of Alcohol In or On Shire Owned Facilities & Reserves Resolution 180924-09	Reviewed and amended by Council 18 September 2024
18 September 2024	8.1.6 Clearing Fence Lines – Road Reserves Resolution 180924-10	Reviewed and amended by Council 18 September 2024
20 November 2024	3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities Resolution 201124-11	Reviewed and amended by Council 20 November 2024
11 December 2024	2.1.4 – Matters to be Discussed at Council Resolution 121124-09	Reviewed and no changes by Council 11 December 2024
11 December 2024	2.1.2 – Retirement/Resignation of Elected Members Resolution 111224-10	Reviewed and amended by Council 11 December 2024
11 December 2024	2.1.7 – Use of Council Administration Facilities Resolution 121124-09	Reviewed and amended by Council 11 December 2024
11 December 2024	2.1.21 – Designation of Senior Employees Resolution 121124-09	Revoked by Council 11 December 2024

11 December 2024	2.1.19 – Payments to Employees in Addition to Contract or Award Resolution 111224-11	Reviewed and amended by Council 11 December 2024
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POLICY ADOPTED AS AN ENTIRETY

Date	Details	Reviewed By
20 April 2022	Endorsed by Council at 20 April 2022 Ordinary Council Meeting	Council – Absolute Majority

DEFINITIONS AND INTERPRETATIONS

In this document, unless the contrary intention appears, the following expressions shall mean:

“**BHO**” means Building Health Officer;

“**CBFCO**” means Chief Bush Fire Control Officer;

“**CDO**” means Community Development Officer;

“**CEO**” means Chief Executive Officer;

“**COB**” means Close of Business which is 4.30pm at the Shire of Wickepin;

“**Council**” means the President and seven Councillors;

“**Council Fees and Charges**” means the statement of the Shire of Wickepin Fees and Charges as set annually;

“**DCEO**” means Deputy Chief Executive Officer;

“**DFES**” means Department of Fire and Emergency Services;

“**ESO**” means Executive Support Officer;

“**FCO**” means Fire Control Officer;

“**FO**” means Finance Officer;

“**Improperly discarded**” means sharps that are found in places other than domestic and other waste disposal bins in appropriate sharps containers;

“**LGMA**” means Local Government Managers Australia;

“**MWS**” means Manager Works Services;

“**Ratepayer**” means a person who pays rates for the Shire of Wickepin;

“**Road Formation**” means top of shoulder to shoulder;

“**Road Width**” means top of outside batter to batter;

“**SFO**” means Senior Finance Officer;

“Sharps” means objects or devices having sharp points or edges capable of cutting or piercing the skin, including hypodermic needles, scalpels and broken ampoules;

“Shire of Wickepin” refers to the corporate and legal entity that is the Local Government Authority and is comprised of both Council and employees;

“The Act” means the *Local Government Act 1995 (WA)*;

“The Shire” means Shire of Wickepin;

“WALGA” means Western Australia Local Government Association.

1 INTRODUCTION

The purpose of this document is to provide a record of all policy resolutions of the Shire of Wickepin and to promote effective, consistent administration by providing a policy framework for Councillors and employees. Policy resolutions are statements of Council's likely attitude in particular circumstances and form guidelines for employees, the community and Council itself when assessing similar matters for decision.

Sound policies reduce the need for frequent deliberations over routine matters and promote efficient and consistent administration. This is not to suggest that Council should be constrained in varying from or amending policy, but rather that by providing clear reason for any variation or amendment, Council's decision-making process becomes transparent.

Within this document the word "Council" refers collectively to the President Councillors of the Shire of Wickepin. The "Shire of Wickepin" refers to the corporate and legal entity that is the Local Government Authority and is comprised of both Council and employees.

For the community to receive the best value from the Shire of Wickepin, the Local Government Authority must achieve an exemplary level of business excellence.

These policies aim to assist the Shire of Wickepin to achieve the following objectives:

- achieve excellence in the management and operation of the local government;
- apply sound and sustainable business management principles; and
- maximise organisational effectiveness and reputation as an Local Government, employer and a community.

The Policy Manual is reviewed by Council every year to ensure its relevance and application within the community in which it serves.

This Policy Manual is to be used alongside 'Policies and Procedures for Employees' document.

2 GOVERNANCE

2.1 MEMBERS OF COUNCIL

2.1.1 COUNCILLORS ATTENDANCE AT CONFERENCES, SEMINARS, TRAINING AND INDUCTION COURSES

OBJECTIVE:

Council supports relevant training opportunities for Councillors and will meet reasonable costs associated with attending conferences, seminars, training and induction courses. To determine the nature and extent of Elected Member attendance at conferences and/or seminars, and ensure the application of this policy provides for fairness, equity and opportunity for all Elected Members.

Priority is given to induction or training courses specifically organised for the benefit of new Councillors.

All Councillors, CEO and partners may attend Local Government Week.

All Councillors and CEO may attend conferences, seminars or courses held by organisations of which Council is a member or has an interest in (e.g. Central Country Zone of WALGA) may be attended by Council's appointed representatives to those organisations or other nominated delegates.

The Council or CEO may authorise payment of costs of attending any conference, seminar, training or induction course including travel, accommodation, meals, telephone expenses, childcare and other reasonable expenses. Councillors must provide all receipts to the CEO or DCEO.

Conference Costs, Travel and Related Expenses

1. For each Council delegate authorised to attend a conference or seminar in accordance with this policy, Council would cover direct expenses with such attendances, including the cost of registration, official conference functions, dinners, tours, travel arrangements, accommodation, and reasonable out-of-pocket expenses for the duration of the conference.
2. Reasonable out-of-pocket expenses would not include excessive in-room charges; or personal costs such as dry-cleaning or personal care appointments.
3. Where the conference or seminar is held at a hotel, accommodation in the first instance will be sought from that particular hotel, or if not available, from an accommodation provider as near as practicable to the conference or seminar venue.
4. In the event that accommodation is not onsite, the Shire will reimburse Elected Members any taxi or public transport costs incurred for travel to or from the conference or seminar.
5. Where the mode of transport to attend a conference or seminar is a motor vehicle, the Shire will pay for parking costs incurred relating to attendance at the conference or seminar.

Elected Member Delegate and CEO – Accompanying Person

Where an Elected Member or the CEO is accompanied at a conference, all reasonable costs for or incurred by the accompanying person will be borne by the Shire of Wickepin.

Reasonable out-of-pocket expenses would not include excessive in-room charges; or personal costs such as dry-cleaning or personal care appointments.

Reports on attendance at any conference should be provided to Council upon return.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
210617-14	21/06/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.2 RETIREMENT OF COUNCILLORS - COUNCIL GIFT/FUNCTION

OBJECTIVES

To provide clear guidelines for the appropriate recognition of the retirement or resignation of an Elected Member.

SCOPE

This policy is only applicable to Elected Members who have served a full first term with the Shire of Wickepin.

POLICY STATEMENT

1. Eligibility for Recognition

When an Elected Member retires or resigns from service to Council of the Shire of Wickepin, the Elected Member may be entitled to a gratuity payment/gift/function as outlined within this policy.

For Elected Members who do not complete a full first term, it may be at the discretion of Council.

2. Prescribed Amount

The Gratuity referred to in this policy, provided that at least one full four-year term of office has been served, shall be:

- \$100 per year of service, up to a maximum of \$1,000, in the form of a gift card. The value of any gift provided to a retiring Elected Member is limited to the prescribed amount set out in Regulation 34AC of the Local Government (Administration) Regulations 1996.
- Shire of Wickepin plaque.
- An official presentation and function as determined by the President in conjunction with the CEO

3. Financial Liability for Taxation

The Elected Member accepts full responsibility for any taxation payable on the Gratuity Payment and agrees to fully indemnify the Local Government in relation to any claims or liabilities for taxation in relation to the Gratuity Payment.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Local Government Act 1995 S5.100A Local Government (Administration) Regulations 1996 S34AC						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	17/06/2015		170615-12				
2.	15/03/2017		150317-11				
3.	19/02/2020		180320-02				
4.	17/02/2021		170321-03				
5.	16/03/2022		200422-12				
6.	11/12/2024		111224-10				

2.1.3 COUNCILLOR TRAVELLING ALLOWANCES

OBJECTIVE

Establish guidelines for the payment of travel allowance to Councillors.

POLICY STATEMENT

Council, in accordance with Division 8, Section 5.98 of the Act may pay reasonable expenses for travelling by any Councillors for Council purposes, if claimed.

Councillors are entitled to claim travelling at the rate specified in Council's Fees and Charges for attendance at:

- an ordinary or special Council meeting;
- a committee of Council meeting;
- a community organisation meeting of which the Councillor is an elected representative or delegate of Council;
- relevant advisory meetings;
- a training course or conference authorised by Council;
- a civic reception or award ceremony on behalf of Council
- any event by the Shire of Wickepin President, or in his absence the Deputy Shire of Wickepin President, requiring representation on behalf of Council; and
- any other event determined by the CEO.

A claim for travel allowance shall be made on a Councillor Claim Sheet located in the Council Chambers.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.4 MATTERS TO BE DISCUSSED AT COUNCIL/COMMITTEE MEETINGS/TABLING OF REPORTS

OBJECTIVE

Ensure that all matters requiring a decision by Council are placed on an agenda in a timely manner and in a format which will enable Councillors to make informed decisions.

POLICY STATEMENT

The CEO or relevant Executive Officers must ensure that items requiring a resolution of Council be presented to Council/Committee meetings in such a manner that provides for proper consideration, including by circulation of a tabled report with the Agenda of the relevant meeting.

Other matters Councillors and Executive Officers wish to bring to the notice of Council may be done through the Shire of Wickepin President, or the CEO.

All reports to Council are to be tabled in written form except for emergency or late items or items for information only and must comply with Sections 5.25 and 9.59 of the Act.

Agenda items should be limited to major or important items and authority given to the CEO and Executive Officers to make decisions on repetitive and minor items.

Tabling of Councillor Reports as delegates to other organisations are to be in written form either presented to the CEO in time for forwarding with the agenda or tabled at the meeting.

Deadline for Council Agenda

Matters that require Council Resolution must be received by the CEO not less than 10 working days prior to the next ordinary Council meeting for inclusion in that meeting's agenda to ensure that employees are given adequate time to prepare and research agenda items for Council to be presented with all relevant information pertaining to that matter.

An application is considered to be lodged when all documents and information are received by the CEO.

The CEO may accept a late application to be included in any Council agenda if the CEO considers that:

- the matter is of such importance that Council may resolve to consider the matter; and
- adequate time is available to present a researched agenda item containing all relevant information pertaining to that matter.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
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7.	17/06/2015		170615-12				
8.	15/03/2017		150317-11				
9.	19/02/2020		180320-02				
10.	17/02/2021		170321-03				
11.	16/03/2022		200422-12				
12.	11/12/2024		111224-09				

2.1.5 COUNCILLOR'S RESOURCES

Objective

Specify resources to be provided to Councillors and provide guidelines on the appropriate use of Council issued equipment.

Scope

Policy Details

Upon appointment, each Councillor will be supplied with the following resources to assist them in the performance of the duties:

- a copy of the Councillors Guide;
- a copy of the current Act; and
- Digital Tablet Devices

The resources are to be used for undertaking their duties as a Councillor.

Purchase of decommissioned digital tablet devices

A Councillor who retires, resigns or is not re-elected may after serving at least one 4 year term of office may either assume ownership of the device or hand the device back to the Shire.

The Councillor may purchase the digital tablet device at depreciated written down value in the Shire of Wickepin Asset Register.

ICT equipment provided by the Shire remains the property of the Shire and will be replaced in line with the Shire's ICT equipment lifecycle.

Relevant Management Practice

Nil

Notes, Forms and Templates

Shire of Wickepin Asset Register

The Shire of Wickepin Asset Register is to be updated with details of each individual Councillor's details and the serial number allocated at the time of the appointment, update/replacement of digital tablet device.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer	Owner Business Unit:	Corporate				
Reviewer:	Chief Executive Officer	Decision Maker:	Council				
Compliance Requirements:							
Legislation:	<i>Local Government Act 1995 – Section 5.41 Functions of CEO</i>						
Industry:							
Organisational:	Shire of Wickepin Council Policy 2.1.9 – Councillor ICT Policy.						
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Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:	Synopsis:					
1.	170615-12						
2.	150317-11						
3.	180320-02						
4.	170321-03						
5.	200422-12						
6.	150524-09						

2.1.6 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

Policy Purpose:

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

Division 1 — Preliminary provisions

1. Citation

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

2. Terms used

1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

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

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

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

4. Personal integrity

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

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

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

5. Relationship with others

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

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

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

- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

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

8. Personal integrity

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

9. Relationship with others

A council member, committee member or candidate —

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

11. Council or committee meetings

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

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

12. Complaint about alleged breach

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

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

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

14. Withdrawal of complaint

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

15. Other provisions about complaints

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

Division 4 — Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

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

17. Misuse of local government resources

- (1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

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

18. Securing personal advantage or disadvantaging others

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

19. Prohibition against involvement in administration

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

20. Relationship with local government employees

- (1) In this clause —

local government employee means a person —

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

- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information


- (1) In this clause —
closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
document includes a part of a document;
non confidential document means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
 (a) derived from a confidential document; or
 (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
 (a) at a closed meeting; or
 (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 (c) that is already in the public domain; or
 (d) to an officer of the Department; or
 (e) to the Minister; or
 (f) to a legal practitioner for the purpose of obtaining legal advice; or
 (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —
interest —
 (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
 (a) in a written notice given to the CEO before the meeting; or
 (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 (a) that they had an interest in the matter; or
 (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
 (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

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

	<p>SHIRE OF WICKEPIN DISCLOSURE OF INTEREST <i>(Under section 5.65 of the Local Government Act 1995)</i></p>
<input type="checkbox"/> FINANCIAL – 5.60A <input type="checkbox"/> IMPARTIALITY- 5.60C <input type="checkbox"/> PROXIMITY – 5.60B	
<p>I advise of my financial interest in the following matter –</p>	
Meeting of	Council / Committee
Type of Meeting	Ordinary / Special
Date of Meeting	
Item Heading / Title	
Agenda Number	
Nature of Interest <small>(Additional information may be attached)</small>
Extent of Interest <small>(Monetary figure must be included)</small>
Category of Approval (FINANCIAL INTEREST ONLY)	
<input type="checkbox"/> Do not wish approval to remain at meeting	<input type="checkbox"/> Approval to participate in debate and vote
<input type="checkbox"/> Approval to participate in debate	
Signature	
Name	
Date	
<i>To be completed by the Executive Support Officer or the Chief Executive Officer</i>	
Date Received	Time Received
Noted in Minutes	Initials

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
201021-29	20/10/2021
200422-12	16/03/2022

2.1.7 USE OF COUNCIL ADMINISTRATION FACILITIES

OBJECTIVE

Establish guidelines for the hire and use of Council facilities.

POLICY STATEMENT

Use of Council Administration facilities for meetings organised by outside bodies, that otherwise benefit the District, may be permitted, subject to the approval from Chief Executive Officer.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:	Synopsis:					
7.	17/06/2015	170615-12					
8.	15/03/2017	150317-11					
9.	19/02/2020	180320-02					
10.	17/02/2021	170321-03					
11.	16/03/2022	200422-12					
12.	11/12/2024	111224-09					

2.1.8 SOCIAL MEDIA - COUNCILLORS

OBJECTIVE

Ensure all the Shire of Wickepin councillors are aware of appropriate professional and personal social media conduct to ensure the greatest benefit to the Shire of Wickepin.

This policy applies to all councillors at the Shire of Wickepin who access social media for professional or social purposes whether via personal devices or those supplied by the Shire of Wickepin.

Social Media means forms of electronic communication (e.g. Web sites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (e.g. videos). Some examples include (but are not restricted to) Facebook, Pinterest, LinkedIn, Twitter; YouTube, and Foursquare.

2.1.8.1 SOCIAL MEDIA USE FOR SHIRE OF WICKEPIN PURPOSES

If a Councillor uses social media s/he must provide information that is truthful, accurate and in the interests of the Shire of Wickepin. S/he must not disclose anything that is financial or technical information, commercially sensitive information, personal information about employees, or any information about customers, suppliers or members of the general public.

Councillors who are required to use social media must:

- Use spell check and proof read each post;
- Understand the context before entering any conversation;
- Know the facts and verify the sources;
- Be respectful of all individuals and communities with which the person interacts with online;
- Be polite and respectful of other opinions;
- Seek to conform to the cultural and behavioural norms of the social media platform being used;
- If a mistake is made, the person must correct it quickly by disclosing it was a mistake (including the particulars of the correction) and inform his/her President and/or CEO; and
- Understand and comply with any directions given by the CEO on topics that are not to be discussed for confidential, operational or legal reasons.

A person should always be aware that the Shire of Wickepin may be liable for any posts made. Accordingly s/he should always seek guidance from the Chief Executive Officer if s/he is ever unsure about stating or responding to something on a social media site.

2.1.8.2 RECORDS PERSONAL/PRIVATE USE OF THE SHIRE OF WICKEPIN'S CORPORATE SITES

An councillor cannot comment on behalf of the Shire of Wickepin unless expressly authorised by the President. If the person wishes to broadcast something (either as an initial broadcast or a response) then a request to the President (or his/her authorised delegate) must be made.

A person of the Shire of Wickepin is able to share links that the Shire of Wickepin has posted on the social media sites, or submitting a "like" action, or comment on an event, initiative and/or program, provided that it is in the best interests of the Local Government.

2.1.8.3 CONSEQUENCES OF BREACHING THIS POLICY

The policy constitutes a lawful instruction to all of the organisation's people, and breaches may be referred to appropriate external authorities where applicable. People who breach the policy may also be personally liable for their actions.

2.1.8.4 VARIATION TO THIS POLICY

This policy may be cancelled or varied from time to time. All the Shire of Wickepin's councillors will be notified of any variation to this policy by the normal correspondence method. All users of social media (be it for personal or professional purposes) are responsible for reading this policy prior to accessing social media.

RESOLUTION:	DATE OF REVIEW:
160817-24	16/08/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.9 COUNCILLOR ICT POLICY

OBJECTIVE:

- To provide clear guidance on the issuing of Council owned digital tablet devices;
- To identify the acceptable use of Council owned digital tablet devices;
- To ensure the rules relating to Council owned digital tablet devices are applied consistently across the business; and
- To set out the standards of behaviour expected of digital tablet device users, being the Councillors and Council staff, when making reference to Shire of Wickepin Council through various media platforms.

Definitions

Nil

Reference Documentation

Local Government Act 1995 – Section 5.41 Functions of CEO

This policy is to be read in conjunction with Council Policy 2.1.5 – Council Resources

Background

The Shire of Wickepin recognises that a high proportion of the community either own or have access to digital tablet devices and that the use of these devices will promote communication between Council, Councillors, and its community. Additionally, digital tablet devices have been adopted as a tool to support Council in facilitating service delivery and productivity. The digital tablet device will facilitate the electronic distribution of Shire of Wickepin Council meeting agendas, business papers and minutes. This device will allow reading, reviewing and/or commenting on large volumes of documents and will allow Councillors and senior management to perform these tasks in a paperless format. The digital tablet devices are a line of tablet computers designed, developed and marketed as a platform for audio-visual media and web content. Such devices are not substitutes for more versatile laptop computers, and shall not be purchased as such.

Policy Statement

The provision of digital tablet devices shall be restricted to Councillors of Shire of Wickepin Council, CEO, Deputy CEO and other senior managers as delegated by the Chief Executive Officer. The digital tablet devices are provided to facilitate work related use. The use of non-standard software and internet applications is prohibited; ie Teams, Skype, MySpace, Bebo, Friendster, Flickr, Yahoo Groups, Google Groups, Whirlpool, and other similar sites. Modification of standard Internet software to bypass security measures is prohibited. The maintenance of appropriate security measures is essential to ensure the confidentiality and integrity of the Council's information.

Application of Policy

This policy applies to Councillors and relevant Council senior management employees who are provided with access and usage of a Council owned digital tablet device.

Approval of a digital tablet device purchase and associated data plan will be on a case-by-case basis at the discretion of the CEO.

Provision Of Digital Tablet Devices to Councillors

The Shire of Wickepin is committed to providing efficient and effective means of supporting elected members in the decision-making processes of the Council. The Local Government Act 1995 specifies that one of the Chief Executive Officer's functions is to "ensure that advice and information is available

to the council so that informed decisions can be made". To meet this requirement Council business papers are provided to Councillors in hard copy paper format as a primary source of advice and information.

The Shire also maintains a digital business paper system which delivers agendas, minutes and other business papers via digital table devices. Tablet devices may be provided to Councillors, for the purpose of accessing Council business papers through the Shire's specified business digital business paper system.

Councillors may receive business papers in three ways:

- a) Paper only.
- b) Both Paper and digital business paper system.
- c) Digital business paper system only.

Where a Councillor elects to receive only digital business papers, the Councillor must demonstrate to the satisfaction of the Chief Executive Officer a moderate level of competency in using both the allocated digital table device and the digital business paper system.

Administration of Information Systems

The CEO is responsible to ensure the continued understanding of the policy and its protocols by relevant Council staff and elected Councillors. All digital tablet device users are to have individual passwords (pin number) for security purposes. All users are to maintain confidentiality of their login pin number. The Council appointed Administrator is the Executive Support Officer. The Executive Support Officer and IT Support will have access rights to all user passwords. These designated Officers shall not disclose Council staff user passwords and will only use these details in their responsibility of administering corporate information systems.

Technical Support

The Executive Support Officer is responsible for the management of information services and facilities; i.e. iPads, laptops and computers.

Digital Tablet Devices Usage

Council fosters an environment where the privacy of communications will be respected as long as individuals abide by the council's stated policies. While Council's information systems do allow the logging and screening of activity in certain circumstances, the Council does not support pervasive and systematic surveillance. All users are to be conscious of the fact that improper use of Digital tablet devices may pose a threat to Council information systems security and adversely impact on the potential legal liability exposure of the Council.

Conditions of Usage

- The digital tablet device is accessible to all Councillors, during their term of office.
- The digital tablet device is accessible to the CEO and DCEO, during their employment at Council.
- Digital tablet devices use is limited to reasonable use that supports the Shire of Wickepin.
- The digital tablet devices are to be used as the official means of electronic distribution of Shire of Wickepin Council Ordinary Meeting agendas, business papers and minutes of meeting.
- The digital tablet devices may be used as the means of electronic distribution of Committees of Council agendas, business papers and minutes of meeting.
- The digital tablet device may be used for web browsing for work related activities.
- The use and access to 'streaming' Internet sites on the digital tablet devices is not allowed. These sites may include media sites, Skype, music, sport and movie sites.

- Councillors and Council staff may not use the digital tablet devices to conduct business or secondary employment for personal financial gain.
- A Councillor provided with a Shire owned digital tablet device is responsible for keeping the device in good working order.
- With the exception of accessing the Shire's wireless internet system, which is available at the Shire's Administration Centre, a Councillor is responsible for the cost of accessing wireless internet at his or her home or other locations.
- Councillors may securely access the Shire's Councillor portal and the Shire's Office365 platform noting that confidential Council documents should not be downloaded from these portals onto a non-Shire of Wickepin device (such as a personal or work mobile phone).

Conditions of Usage

Council will revoke the availability and use of a digital tablet device because of misuse or serious abuse of usage as listed below:

- Conducting business other than Council business, (i.e. secondary employment) without the approval of the CEO.
- Promotion of a personal or commercial benefit.
- Violation of a copyright.
- Intentionally sending viruses or other destructive content.
- Sending and/or disclosing of inappropriate content (i.e. illegal, immoral, offensive or obscene material, pornographic, erotic images, race or religious based material).
- Sending material that uses offensive language.
- Sending, disclosing and/or distributing personal or confidential information held by Council.
- Sending, disclosing and/or distributing slanderous and/or defamatory material.
- Sending emails as a form of harassment, bullying or threatening behaviour.
- Lending the digital tablet device to a third party is strictly prohibited.
- Make disparaging or any adverse comment about Council, any policy or decision of Council or any of Council's related employees, contractors and other Councillors.
- Any act that contravenes a law or is a criminal offence.
- Any act that may have a negative impact to Council.

Digital Tablet Devices Ownership

The digital tablet device and associated accessories that have been issued by Council will at all times remain in the ownership of Council. If a Council employee resigns, retires or their employment is terminated for any reason that employee is required as part of the exit interview to return the digital tablet devices and accessories to Council. If a Councillor resigns, retires or their election tenure finishes that Councillor is required to return the digital tablet devices and accessories to the Shire of Wickepin. Council issued digital tablet devices are not the personal property of Council officials or Council staff and may be reassigned or recalled if directed by the CEO. Council reserves the right to require the return of the digital tablet devices at any time. If a digital tablet device is requested to be returned it must be handed-in to the CEO within 24 hours of the request being made.

Enforcement

Users must comply with the requirements of this Policy. Any breach of this policy may result in disciplinary action which may include termination of employment (or, for Councillors referral to a Conduct Review Committee). Other disciplinary action that may be taken includes, but is not limited to,

issuing a warning, suspension or disconnection of access to Council's digital tablet devices either permanently or on a temporary basis.

Criminal Activity

Illegal use of a digital tablet device and any related criminal activities will result in the matter being referred to the Police for investigation and / or CCC if necessary.

Responsibilities

Shire of Wickepin

Shire of Wickepin Council will be responsible for the payment of digital tablet device expenses associated with:

- The purchase of all digital tablet devices;
- Payment of monthly data plan and equipment charges, and review of the same;
- Training and support charges;
- The servicing and maintenance of the equipment;
- Repairs to the equipment.

CEO

- Ensuring that Councillors and Council staff are aware of and have an understanding of the Councillor ICT Policy and received a copy of the same;
- Ensuring that Councillors and Council staff comply with the "Conditions of Usage" requirements of the Councillor ICT Policy;
- Implementing disciplinary procedures, where there is proven misuse or improper use of Council's digital tablet devices.

IT Support

- Implementation, administration and technical support to all users of the digital tablet devices;
- Reporting misuse of Council's Councillor ICT Policy to the CEO.

Councillors and Authorised Users

- Have read and understood the Councillor ICT Policy;
- Adhere to the "Conditions of Usage" requirements as detailed herein the Council Councillor ICT Policy;
- Ensure their use of the iPad is consistent with ethical behaviour under the Council Councillor ICT Policy and Code of Conduct;
- Ensure if a digital tablet device is lost or stolen to immediately advise the CEO.

Virus Scanning

IT support shall ensure current virus scanning software is loaded onto the digital tablet device. The use of unauthorised software is strictly prohibited. Unauthorised software may be deleted from an individual's digital tablet devices.

The tablet device is provided for the Councillors continuous term of office and will only be replaced:

- a) When a change in Shire business systems or technology warrants; or

- b) When the functionality of the device and applications impairs effective communication; or
- c) Through accidental loss or breakage.

A Councillor must ensure that any personal information or software applications on the digital table device is removed or backed up prior to replacement.

Variation to this Policy

This policy may be cancelled or varied from time to time. All the Shire of Wickepin's Councillors will be notified of any variation to this policy by the normal correspondence method. All users of social media (be it for personal or professional purposes) are responsible for reading this policy prior to accessing social media.

RESOLUTION:	DATE OF REVIEW:
160817-24	16/08/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022
150524-09	15/05/2024

2.1.10 CITIZENSHIP CEREMONIES

OBJECTIVE

Council acknowledges the importance of becoming an Australian Citizen.

POLICY STATEMENT

That Council provide a small tree, native to the area, to all those people within the Shire of Wickepin receiving a Citizenship Award to recognise the importance of this occasion to new Australians.

Dress Code for Citizenship ceremonies is to be Smart Attire.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.11 RESOURCE SHARING

OBJECTIVE

Council recognises the importance of resource sharing.

POLICY STATEMENT

Council will engage in resource sharing activities with neighbouring or nearby Councils that will;

- reduce Council expenditure without reducing the service the Shire of Wickepin provides ; and
- increase the level of service the Shire of Wickepin provides.

Council acknowledges that this may result in Council relinquishing some control over the provision of services to the community however this will be offset by benefits of reduced cost or increased services.

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170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.12 INVITATIONS TO SOCIAL FUNCTIONS

OBJECTIVE

Provides guidelines as to invitations to Council sponsored civic events and functions.

POLICY STATEMENT

From time to time the Shire of Wickepin will host civic functions, ceremonies and receptions as the need arises.

Invitees may include all current Councillors, the CEO, Freeman of the Shire of Wickepin, executive employees, Presidents of the main community associations, other employees, residents and ratepayers at the discretion of the Shire of Wickepin President and all relevant partners.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.13 HONOURARY FREEMAN OF THE SHIRE OF WICKEPIN

OBJECTIVE:

Institute the position of 'Freeman of the Shire', so that from time to time, the Shire of Wickepin may honour exceptional individuals, who through their personal endeavours and commitment have made an outstanding contribution to the Shire of Wickepin and community.

2.1.13.1 Award Criteria

A person may be nominated for the honorary award 'Freeman of the Shire of Wickepin' under the following circumstances:

- their exceptional service is a matter of public record;
- they have lived in, worked and served the Shire of Wickepin for 10 years or more;
- they have identifiable and long-standing connections with the community in the Shire of Wickepin; and
- their endeavours have benefited the community.

2.1.13.2 Entitlements

An award of Freeman of the Shire of Wickepin entitles the recipient to:

- The title of 'Freeman of the Shire of Wickepin';
- Presentation of a framed certificate at a function as determined by Council; and
- Complimentary attendance at all Council sponsored civic events and functions.

2.1.13.3 Process of Nomination

A nomination may be submitted by any person at any time, provided that the nomination is in writing and addresses the criteria for the award.

Any nomination received will be validated and the findings presented at a meeting of Council behind closed doors, with recommendations to approve or disprove a nominee for the award. The decision will be based on a simple majority vote.

A nominee must be made aware of their nomination.

Acceptance of the award must be determined prior to being conferred.

Conferring the award upon an individual will take place at a meeting of Council or at a special event to be determined by Council.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.14 LEGAL REPRESENTATION AND COSTS INDEMNIFICATION

OBJECTIVE:

Protect the interests of Councillors and employees (including past Councillors and former employees) involved in civil legal proceedings regarding their official functions including meeting reasonable expenses incurred in relation to those proceedings.

2.1.14.1 General Principles

The Shire of Wickepin 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 Shire of Wickepin or otherwise in bad faith.

The Shire of Wickepin may provide assistance for:

- proceedings brought by Councillors and employees to enable them to carry out their Local Government 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 Council or an employee which aggrieves another person (e.g. refusing a development application) 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)]; or
- statutory or other inquiries where representation of Councillors or employees is justified.

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

Legal services will be provided by the Shire of Wickepin's solicitors. Where this is not appropriate, the service may be provided by other solicitors approved by the Shire of Wickepin.

2.1.14.2 Applications for Financial Assistance

A Councillors or employee requesting financial support for legal services must make 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 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 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 ensure compliance with the financial interest provisions of the Act.

Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 the Act.

Where the CEO seeks urgent financial support for legal services the Council shall deal with the application.

2.1.14.3 Repayment of Assistance

Any amount recovered by a Councillor or employee in proceedings, whether for costs or damages, will be offset against any moneys paid or payable by the Shire of Wickepin.

Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interest of the Shire of Wickepin or otherwise in bad faith, or where information from the person is shown to have been false or misleading.

Where assistance is withdrawn, the person who obtained financial support is to repay any moneys already provided to the Shire of Wickepin. The Shire of Wickepin may take action to recover any such moneys in a court of competent jurisdiction.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.15 FLAG PROTOCOL

OBJECTIVE:

The objective of this policy is to ensure that the Shire of Wickepin protocols and practice of flying, displaying and lowering flags to half-mast is exercised in a consistent, respectful and appropriate manner at Shire owned/managed premises. Whilst bestowing an honour and express a collective sense of sorrow at of loss of a person associated with the Shire of Wickepin.

SCOPE

This policy applies to flags flown at Shire buildings and reserves only. Order is relevant to the number of poles available at the site and does not constitute a requirement for additional poles.

POLICY

Introduction

The Australian National Flag is to be flown/displayed at Shire buildings during ordinary working hours on ordinary business days.

- In a two flagpole configuration, the Western Australian State Flag is to be flown.
- In a three flagpole configuration, the Western Australian State Flag and Aboriginal Flag is to be flown.
- In a four flagpole configuration, the Western Australian State Flag, Aboriginal Flag and Torres Strait Islander Flag is to be flown.

The flag configuration is to be used for Australian Citizenship Ceremonies in accordance with the Australian Citizenship Ceremonies Code.

Flying Flags

Flags will be flown in accordance with the Australian National Flag Protocols.

When flags may be flown at half-mast

The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:

- a) When advised by the Commonwealth and/or State Government.
- b) When a current or former Elected Member of the Shire passes away.
- c) When a Freeman of the Shire passes away.
- d) When a current Shire employee passes away.
- e) When a local resident who passes, a request by a family member or a local funeral services.

Approval to fly the flags at half-mast in circumstances b), c), d) or e) above is to be given by the Chief Executive Officer in consultation with the Shire President.

When the flags are flown at half-mast acknowledgment of the reason will be made via a post on the Shire's Facebook page.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	<i>Department of the Prime Minister and Cabinet – Australian Flags Booklet Department of the Prime Minister and Cabinet – Australian National Flags Protocol Australian Flags Act 1953 Local Government Act 1995</i>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	17/06/2015		170615-12				
2.	15/03/2017		150317-11				
3.	19/02/2020		180320-02				
4.	17/02/2021		170321-03				
5.	16/03/2022		200422-12				
6.	17/07/2024		170724-08				

2.1.16 AUTHORISATION TO PURCHASE GOODS AND SERVICES

OBJECTIVE: Establish guidelines for the purchasing of goods and services by employees.

The CEO is permitted to issue orders and purchase all authorised expenditure on Council's behalf.

The following employees are authorised, on delegation by the CEO, to purchase goods and services:

- Deputy CEO up to \$100,000;
- Manager of Works and Services up to \$100,000;
- Community Development Officer up to \$5,000 with other expenditure in consultation with the CEO;
- Executive Support Officer and Customer Service Officer – office expenditure up to \$1,000;
- Works Supervisor up to \$2,500; and
- Mechanic up to \$2,500.

Purchase Orders

A purchase order is required for all expenditure over \$100 and will only be raised for items within a budget.

The following information is to be included on the Purchase Order:

- Date Requested.
- Requesting Officer.
- Contact details of supplier.
- Description of goods including quantity.
- Job Code (request code from Finance Officer if not known).
- Date Required By if applicable.
- Include supporting information e.g. Council resolution in support of request, delivery location, date required etc.
- Details of verbal or written quotations or tender.

Designated forms are completed as evidence of recording the quotations to ensure there is transparency in the process with reasons for selecting specific suppliers and justification for purchase decisions. Evidence of requested quotes should be maintained such as names, telephone numbers, email addresses and written correspondence.

Quotes for goods and services may be selected based for reasons other than price alone, such as previous good service, availability and reliability. Recording the reasons for selection is required to demonstrate the probity of all purchasing decisions. Quotes and supporting documentation should be attached to the purchase order and forwarded to the Finance Officer.

On receipt of a Purchase Order the Finance Officer will check:

- The correct job or general ledger code is allocated.
- There are sufficient funds in that budget code.
- The quotation record sheet is correctly filled out.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
191016-12	19/10/2016
150317-11	15/03/2017
210617-15	21/06/2017
180320-02	19/02/2020
170321-03	17/02/2021
201021-32	20/10/2021
200422-12	16/03/2022

2.1.17 TENDERS OF BUDGETED ITEMS

OBJECTIVE

To call tenders for all items on the current adopted budget for all items above \$250,000.

POLICY STATEMENT

The CEO is authorised to call tenders for all items on the current adopted budget over \$250,000.

Upon receipt of tenders by the CEO, all tenders are to be submitted to Council for approval, including, where necessary comparative schedules setting out major aspects of each tender. Council shall give due consideration to local businesses within the Shire of Wickepin, irrespective of prices.

In addition to tender conditions set out in Part 4 of the Local Government (Functions and General) Regulations 1996 (WA), the following conditions apply:

- tenders are to arrive at the Shire of Wickepin admin office marked "Tender"; and
- tenders to close not less than 14 days prior to an ordinary meeting of Council.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
150720-09	15/07/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.18 ACTING CHIEF EXECUTIVE OFFICER

OBJECTIVE:

Set down guidelines for the employment of an Acting CEO.

POLICY STATEMENT

Prior to taking annual or other leave; the CEO must appoint an Acting CEO for the period of leave to ensure there is a designated officer responsible for the operations of Council.

When employed in the position of Acting CEO, the employee will be:

- advised in writing by either the CEO, where the CEO delegates the position to the employee or by the Shire President where Council delegates the position to the employee;
- paid at the salary level of the CEO for the term of the appointment; and
- subject to all the other existing conditions of employment.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.19 PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD

OBJECTIVES

To provide clear guidelines for when an employee who is ceasing employment with the Shire of Wickepin, may be paid an amount in addition to their entitlements under an award, workplace agreement or contract of employment.

SCOPE

This policy shall only be applicable to permanent employees of the Shire of Wickepin.

POLICY STATEMENT

1. Eligibility for Gratuity Payments

When an employee's services are ceasing with the Shire of Wickepin for any of the reasons identified below, the employee may be entitled to a gratuity payment as outlined within this policy:

- Resignation (not as a result of any performance management or investigating being conducted by the Local Government)
- Retirement; or
- Redundancy

The Gratuity Payment identified within this policy does not apply to an employee who has been dismissed by the Local Government for any reason other than redundancy.

The Shire may pay a gratuity to an employee whose employment with the Shire of Wickepin is finishing due to retirement or resignation, if full time or permanent part time employment status applies.

2. Prescribed Amount for Gratuity Payments

The Gratuity amount referred to in this policy shall be:

- \$50 per continuous year of service, up to a maximum of \$500, in the form of a gift card.

3. Determining Service

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

- Any period of absence from duty of annual leave, long service leave, paid bereavement 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 but only to the extent of three months in each calendar year but not including leave without pay or parent leave.
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

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

- Any period of unauthorised absence from duty unless the Local Government determines otherwise.
- Any period of unpaid leave unless the Local Government determines otherwise.
- Any period of absence from duty on Parental leave unless the Local Government determines otherwise.

4. Exceeding Prescribed Amounts

In some circumstances, Council may consider it appropriate to make a payment greater than that specified in this policy. In which case local public notice is required to be given in relation to the proposed gratuity in accordance with the Local Government Act s.5.50 (2), and is not to exceed the amounts as set in the Local Government Administration Regulations 1996, specifically regulation 19A.

5. Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on the Gratuity Payment and agrees to fully indemnify the Local Government in relation to any claims or liabilities for taxation in relation to the Gratuity Payment.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Local Government Act 1995 - Sect 5.50 Local Government (Administration) Regulations 1996 - Reg 19a						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	17/06/2015		170615-12				
2.	15/03/2017		150317-11				
3.	19/02/2020		180320-02				
4.	17/02/2021		170321-03				
5.	16/03/2022		200422-12				
6.	11/12/2024		111224-11				

2.1.20 PRIVATE USE OF SHIRE EQUIPMENT AND RESOURCES

OBJECTIVE

Provide clear parameters in relation to the private use of Shire equipment.

POLICY STATEMENT

Shire of Wickepin employees are not permitted private use of any Shire equipment or resources.

RESOLUTION:	DATE OF REVIEW:
160403-37	2003
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.21 DELETED – DESIGNATION OF SENIOR EMPLOYEES

OBJECTIVE

Clearly state senior employee positions in the Shire of Wickepin.

POLICY STATEMENT

The Council designates the following employees as senior employees for the purpose of Section 5.37 (1) of the Act.

- Manager of Works and Services.

DELETED

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	17/06/2015		170615-12				
2.	15/03/2017		150317-11				
3.	19/02/2020		180320-02				
4.	17/02/2021		170321-03				
5.	16/03/2022		200422-12				
6.	111224-09		Revoked				

2.1.22 DELETED - SENIOR EMPLOYEE CONTRACTS

OBJECTIVE

Provide **clear parameters in relation to senior employee contracts.**

POLICY STATEMENT

Appointments to the position of Manager of Works and Services shall be by a contract of employment, the terms of which are to be negotiated with the successful applicant by the CEO and nominated representative/s of Council.

Where contract terms include the provision of a vehicle for private use, such use is restricted to the South West Land Division unless prior authority to exceed this area has been granted by Council. Provisions of utility costs are to be a maximum of \$5,000 per annum.

Contracts negotiated with employees are to be endorsed on Council's behalf by the signatures of the CEO and Shire President.

DELETED

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022
210922-10	Revoked

2.1.23 USE OF SWIMMING POOL

OBJECTIVE

Establish the use of pool facilities as an employee benefit.

POLICY STATEMENT

Shire of Wickepin employees, their partners and school age children will be admitted to the Wickepin swimming pool at no cost during the term of their employment.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.24 ASSET MANAGEMENT

OBJECTIVE

Set guidelines for implementing consistent asset management processes through the Shire of Wickepin.

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining asset management awareness throughout the Local Government by training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

2.1.24.1 PRINCIPLES

A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.

All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.

Asset management principles will be integrated within existing planning and operational processes.

Asset Management Plans will be developed for major service/asset categories. The plans will be informed by community consultation and financial planning and reporting.

An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.

Asset renewals required to meet agreed service levels and identified in adopted asset management plans and long term financial plans will be fully funded in the annual budget estimates.

Service levels agreed through the budget process and defined in adopted Asset Management Plans will be fully funded in the annual budget estimates.

Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.

Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.

Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.

Future service levels will be determined in consultation with the community.

Training in asset and financial management will be provided for councillors and relevant staff.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.25 DEALING WITH FAMILY MEMBERS

OBJECTIVE

To set out the Shire's position in relation to dealings with family members, specifically:

- Employment of individuals who are related to another employee or member of Council is covered by the Equal Opportunities Act 1984 and Section 5.40 of the Local Government Act 1995.
- Provision of services to individuals who are related to an employee or member of Council.
- Procurement of goods or services from individuals who are related to an employee or member of Council.

Conflict of Interest

Conflicts of interest can occur when the private interests of an employee influence, or could be seen to influence, their public duties or responsibilities. The perception of a conflict of interest can be enough to undermine confidence in the integrity of the employee and the Shire of Wickepin. When dealing with family members, there is a clear potential for an employee's impartiality to be questioned by other staff and the community.

While this policy details specific dealings with family members, it should be noted that the Shire of Wickepin Employees and Councillors Code of Conduct states:

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

Elected Members shall not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

For the purposes of this policy, a "family member" is as defined in Section 6 of the Family Court Act 1997 (WA) and includes: Wife, husband, father, mother, son, daughter, grandfather, grandmother, step-father, step-mother, grandson, granddaughter, step-son, step-daughter, brother, sister, half-brother, half-sister, step brother, step-sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, aunt, uncle, niece, nephew, cousin. This also includes any legally recognised variation to these relationships, such as de facto, adoptive, ex-nuptial relationships, same sex relationships and changes resulting from separation / divorce.

Employment of Family Members

Where a family member of an existing employee or member of Council has applied for a position at the Shire of Wickepin, the employee or member of Council will not sit on any selection panel relating to the position, and will not attempt to participate in or influence the selection process or decision in any way.

Although it is preferable for family members to hold positions in different areas within the Shire, there may be occasions where this is not possible and in these circumstances, guidelines would be put in place to ensure that there is no conflict of interest in relation to the approval of leave, approval of purchasing, writing or purchase orders, performance appraisals and staff management.

Except in exceptional circumstances, no person employed by the Shire should work under the general supervision of another member of his / her family, even if one or more levels removed.

No employee will conduct a performance review of a family member, or take part in any salary, promotion, termination or disciplinary discussions or decisions in relation to the family member.

Provision of Services to Family Members

In a small rural local government it is inevitable that situations will arise where the Shire of Wickepin provides services to a family member of an employee. Wherever a discretionary power is being exercised, for example when considering a building application or granting a permit, the Code of Conduct requires the employee to declare their interest, and to disqualify themselves from dealing with their family member or close friend.

An employee should also consider if their impartiality is affected when dealing a customer who they know is a family member or friend of another employee.

Procurement of Goods and Services from Family Members

A situation may arise where the Shire of Wickepin purchases goods or services from a family member of an employee (or, in the case of a business, is owned, run or managed by an employee's family member). In order to avoid any actual or perceived conflict of interest, an employee must:

- Disclose that they are related to a prospective supplier, by informing their supervisor or manager prior to any order being placed.
- Not participate in the recommendation of, the drafting of specifications for, or the decision to purchase the goods or services involved.
- Not submit or authorise a purchase order for the goods or services involved.
- This does not prevent an entity associated with an employee's family member from being selected for supply of goods or services, where this supply would be the most advantageous to the Shire; and the Shire's Code of Conduct and Purchasing Policy has been complied with.

RESOLUTION:	DATE OF REVIEW:
210617-17	21/06/2017
200219-05	20/02/2019
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

2.1.26 CEO RECRUITMENT, PERFORMANCE AND TERMINATION

Policy Purpose:

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

DIVISION 1 — PRELIMINARY PROVISIONS

1. Citation

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

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

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

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

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

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

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

local government means the Shire of Wickepin;

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

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

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

DIVISION 2 — STANDARDS FOR RECRUITMENT OF CEO'S

3. Overview of Division

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

4. Application of Division

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

(b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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

(1) The local government must determine

the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
- (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

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

7. Job Description Form To Be Made Available By Local Government

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

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

8. Establishment of selection panel for employment of CEO

- (1) In this clause —
independent person means a person other than any of the following —
- (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
- (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local

government —

(a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and

(b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

(4) The selection panel must act under subclauses (1), (2) and (3) —

(a) in an impartial and transparent manner; and

(b) in accordance with the principles set out in section 5.40 of the Act.

(5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —

(a) assessed the applicant as having

demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

(b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

(c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

(6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

(1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.

(2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —

(a) clause 5 does not apply to the new recruitment and selection process; and

(b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

(a) the making of the offer of employment to the applicant; and

(b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

(1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

(2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

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

(1) In this clause —

Commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

(2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and
- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

DIVISION 3 — STANDARDS FOR REVIEW OF PERFORMANCE OF CEO'S

15. Overview of Division

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

DIVISION 4 — STANDARDS FOR TERMINATION OF EMPLOYMENT OF CEO'S

20. Overview of Division

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

21. General principles applying to any termination

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

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

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

24. Notice of termination of employment

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

RESOLUTION:	DATE OF REVIEW:
201021-28	20/10/2021

200422-12	16/03/2022
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2.1.27 COUNCILLORS CONTINUING PROFESSIONAL DEVELOPMENT

OBJECTIVE: To ensure that Elected Members have equitable access to a range of relevant training and professional development opportunities to enhance their ability to fulfil their roles and responsibilities as elected members.

Mandatory Training

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

Pursuant to the Local Government Act 1995, Elected Members must complete Council Member Essentials which incorporates the following training units:

- a) Understanding Local Government;
- b) Conflicts of Interest;
- c) Serving on Council;
- d) Meeting Procedures and Debating; and
- e) Understanding Financial Report and Budgets.

Certain exemptions, specified in the Regulations apply.

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

All units and associated costs will be paid for by the Shire and must be completed by 30 June in the year immediately following the elected Member's election. The training is valid for a period of five years.

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

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

Personal development

Elected 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.

Guidelines

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

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

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

- Events for the Shire President must be approved by the Deputy Shire President, in conjunction with the CEO; and

- Events for Councillors must be approved by either the Council or the Shire President, in conjunction with the CEO.

Any expenditure commitments associated with training or professional development must be performed by and authorised through the CEO.

Funding for Professional Development

The council will allocate funds for professional development during the budget process.

RESOLUTION:	DATE OF REVIEW:
150622-20	15/06/2022
231115-25	15/11/2023

2.1.28 CODE OF CONDUCT BEHAVIOUR COMPLAINTS MANAGEMENT

1. Objectives

- To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and Shire of Wickepin' Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Wickepin's Code of Conduct for Council Members, Committee Members and Candidates.
- To give effect to the Shire of Wickepin's commitments to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

2. Scope

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

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

3. Definitions

3.1 Act

means the *Local Government Act 1995*.

3.2 Behaviour Complaints Officer

means the Shire's Chief Executive Officer (CEO) or any other person authorised in writing [*by Council resolution or by the CEO exercising delegated authority*] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints.

3.3 Breach

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

3.4 Candidate

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

3.5 Candidate Complaint

means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 4.3.2 of this Policy.

3.6 Code of Conduct

Means the Shire of Wickepin' Code of Conduct for Council Members, Committee Members and Candidates.

3.7 Committee

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

3.8 Committee Member

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

3.9 Complaint

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

3.10 Complainant

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

3.11 Complaint Assessor

means a person appointed by the Behaviour Complaints Officer in accordance with Part 4.2.2 and Part 4.3.8 of this Policy.

3.12 Complaint Documents

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

3.13 Complaint Form

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

3.14 Council

means the Council of the Shire of Wickepin.

3.15 Council or Committee Meeting

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

3.16 Council Member

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

3.17 Finding

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

3.18 Plan

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

3.19 Response Documents

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

4. Policy**4.1 Principles****4.1.1 Procedural fairness**

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

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

4.1.2 Consistency

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

4.1.3 Confidentiality

The Shire of Wickepin will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent. Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information. Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

4.1.4 Accessibility

The Shire of Wickepin will ensure that information on how to make a complaint, including this Policy, is available at the Shire of Wickepin' Administration Building and on the Shire of Wickepin's website. The Shire of Wickepin will make information available in alternative formats if requested. Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

4.2 Roles

4.2.1 Behaviour Complaints officer

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

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

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

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the call and convening of Council meeting if required.

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

4.2.2 Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 4.3.8 of this Policy.

The Complaint Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor is able to request a written response from the Respondent, review all documents provided by the Behaviour Complaints Officer and conduct any necessary investigations.

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

4.2.3 Council

Council will determine matters relating to complaints, including:

- Dismissing a behaviour complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur [clause 12 of the Code of Conduct].
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
 - To take no further action; or
 - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

4.3 Procedure

4.3.1 Making a Complaint

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

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

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

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

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

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

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

4.3.2 Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 4.3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

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

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

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

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

4.3.3 Withdrawing a Complaint

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

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

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

4.3.4 Notice to Complainant

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

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 4.3.6 of this Policy.

4.3.5 Notice to Respondent

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

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;

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

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 4.3.6 of this Policy.

4.3.6 Alternative Dispute Resolution

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

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

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 4.3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

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

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

4.3.7 Order of Complaints

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

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

4.3.8 Appointment of Complaints Assessor

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

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

4.3.9 Search of Local Government Records

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

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

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

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

4.3.10 Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 4.3.4 and Part 4.3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

4.3.11 Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Council; and
- include reasons for each recommendation, with reference to Part 4.4.4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4.4 of this Policy, the Complaint Report must include a Proposed Plan.

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

4.3.12 Council Meeting

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

The Council will consider the Complaint Report and attachments and give due regard to the recommendations.

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

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Council will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.4.2 of this Policy.

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

If the Complaint is not dismissed, the Council will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.4.3 of this Policy.

If the Council finds that the alleged breach did occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4.4 of this Policy.

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

4.3.13 Compliance with Plan Requirement

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

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

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

4.4 Decision Making

4.4.1 Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and Principles included in Part 4 of this Policy.

4.4.2 Dismissal

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

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

4.4.3 Finding

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

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

4.4.4 Action

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

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

4.4.5 Plan Requirements

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

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

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

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;

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

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Local Government Act 1995 and Local Government (Model Code of Conduct) Regulations 2021						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:	Synopsis:					
1.	200324-07	Adopted					
2.							
3.							
4.							



Shire of Wickepin

**Complaint About Alleged Breach Form -
Code of Conduct for Council Members, Committee Members and Candidates**

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

NOTE: A complaint about an alleged breach must be made —
 (a) in writing in the form approved by the local government
 (b) to an authorised person
 (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:	
Name: _____	_____
<u>Given Name(s)</u>	<u>Family Name</u>

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

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

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

List the particular requirement under Division 3 of the Code that has been alleged to have been breached:

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

Date of alleged breach:
_____ / _____ / 20_____

SIGNED:
Complainant's signature:
Date of signing: _____ / _____ / 20_____

Received by Authorised Officer
Authorised Officer's Name:
Authorised Officer's Signature:
Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

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

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

Signed complaint form is to be forwarded to the Chief Executive Officer, Shire of Wickepin, via mail (PO Box 19 Wickepin WA 6370), by hand (77 Wogolin Road, Wickepin WA 6370) or via email to ceo@wickepin.wa.gov.au

2.1.29 ATTENDANCE AT EVENTS AND FUNCTIONS

Introduction

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.

1. Purpose

This policy addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government.

The purpose of the policy is to provide transparency about the attendance at events by councillors, the Chief Executive Officer (CEO) and other employees.

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

Guidance is provided below:

1. If a councillor receives a ticket in their name, in their role as councillor, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.
2. Whilst the law permits greater than \$300 to be accepted by the CEO (but not other employees), in their role with the Shire, the CEO and all other employees are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event or as a gift pursuant to Section 5.50 of the Local Government Act 1995 (gratuity on termination).
3. If the CEO or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct as per notifiable and prohibited gifts.
4. Note this policy doesn't apply to prizes won by 'games of chance' such as a lottery, raffle, business card draw or contest.
5. Nothing in this policy shall be construed as diminishing the role of the CEO in approving attendance at activities or events by other employees that in the opinion of the CEO are appropriate, relevant and beneficial to the Shire of Wickepin.

2. Legislation

Section 5.90A – Attendance at Events. In this section “event” includes the following:

- (a) a concert;
- (b) a conference;
- (c) a function;
- (d) a sporting event;
- (e) an occasion of a kind prescribed by the Local Government (Administration) Regulations 1996..

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

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

3. Scope

This policy applies to Councillors, the CEO and all employees of the Shire of Wickepin (the Shire) in their capacity as a councillor or employee of the Shire.

Councillors, 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 event 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.

Note this Policy isn't applicable to the attendance by councillors, CEO or employees at training, conferences or other professional development as such attendance is covered by separate Council policies.

4. Pre-Approved Events

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

Under this Policy Council approves attendance at the following events by councillors, the CEO and employees of the Shire:

- a) Advocacy, lobbying or Ministerial briefings;
- b) Meetings of clubs or organisations within the Shire of Wickepin;
- c) Any free event held within the Shire of Wickepin;
- d) Australian or West Australian Local Government events;
- e) Events hosted by Clubs or Not for Profit Organisations within the Shire of Wickepin to which the Shire President, councillor(s), CEO or employee(s) 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 Wickepin or Wheatbelt Region;
- k) Cultural events/festivals within the Shire of Wickepin or Wheatbelt Region;
- l) Events run by a Local, State or Federal Government;
- m) Events run by schools and universities within the Shire of Wickepin;
- n) 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 Wickepin or Wheatbelt Region;
- p) Recognition of Service events
- q) RSL events;
- r) An event run by an organisation of which the Shire of Wickepin is a member;
- s) Wickepin Business and Tourism Association events; and
- t) Where the Shire President, councillor(s), CEO or employee(s) attendance has been formally requested.

All councillors, the CEO and employees are entitled to attend a pre-approved event.

If there are more tickets than prospective attendees the Shire President and CEO will liaise to determine allocations.

5. Approval Process

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

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the CEO may be approved by the Shire President; and
- Events for employees may be approved by the CEO.

Considerations for approval of the event include:

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

Where a councillor has an event approved through this process and there is a fee associated with the event, then the cost of the event, including for attendance of a partner, is to be paid out of the applicable members governance account.

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

Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the Shire, must be reimbursed by the representative unless expressly authorised by the Council.

6. Non-Approved Events

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 ticketed and the councillor, CEO or employee pays the full ticketed price and does not seek reimbursement then no action is required.
- If the event is ticketed and the councillor, CEO or employee pays a discounted rate, or is provided with a free ticket(s), then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days.

7. Procedures

Any disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to councillors and by the CEO in relation to employees.

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

Tickets that are provided to the Shire without denotation as to who they are for, will be provided to the CEO and attendance determined by the CEO in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant councillor or employee.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Section 5.90A of the Local Government Act 1995						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	200324-06		Adopted				
2.							
3.							
4.							

2.1.30 DISPOSAL OF PROPERTY (OTHER THAN LAND) POLICY

Purpose

The purpose of this policy is to provide guidance on the management of the disposition of property (other than land) valued less than \$20,000, ensuring full compliance with applicable legislative obligations and principles of transparency.

Scope

This policy applies to all disposition of property (other than land) valued less than \$20,000.

This policy is to provide unambiguous and transparent direction for the disposal of assets and in doing so:

- Promote fair and effective competition to the greatest possible extent;
- Consider any potential benefit to the community; and
- Ensure best value for money is achieved.

Definitions

Dispose means to sell, donate or dispose of in an environmentally responsible method.

Property means any local government property (valued less than \$20,000) not including money or land.

Policy Details

The following principles are to be applied:

- Every reasonable effort will be made to dispose of assets at the best possible price and in an environmentally friendly manner.
- The cost and time associated with disposing of an asset/s should not exceed the estimated market value of the asset/s.
- Consideration should be given to donating the assets to charity or a not for profit organisation.

The disposal of property (other than land) valued less than \$20,000, based on a reasonable judgement valuation, shall be as follows:

Property Type	Method of Disposition
Fleet, plant or machinery valued less than \$20,000	The CEO shall have discretion to dispose of the property through either a: <ol style="list-style-type: none"> 1. Public auction process, or 2. Public tender process, or 3. Trade-in (in accordance with regulation 30(3)(b) of the <i>Local Government (Functions and General) Regulations 1996</i>.
Furniture, equipment or goods valued from \$5,000 and less than \$20,000	The CEO shall have discretion to dispose of the property through either a: <ol style="list-style-type: none"> 1. Public Auction process, or 2. Public tender process. In the event of there being no response to the auction or tender process, the property shall be offered to local community groups, sporting

	<p>clubs or charities through a locally advertised expression of interest process which may comprise either an expression of interest or be on a “first in, first served” response basis.</p> <p>Where more than one interest is received, the CEO shall determine the order of priority, with preference given to local not-for-profit community groups where practicable.</p> <p>If no interest is received, the property will be disposed of through a waste collection service.</p>
Furniture, equipment or goods valued from \$1,000 and less than \$5,000	<p>Property will be offered to local community groups, sporting clubs, charities or schools through a locally advertised expression of interest process which may comprise either an expression of interest or be on a “first in, first served” response basis.</p> <p>Where more than one interest is received, the CEO shall determine the order of priority, with preference given to local not-for-profit community groups where practicable.</p> <p>If no interest is received, the property will be disposed of through a waste collection service.</p>
Furniture, equipment or goods valued less than \$1,000	<p>Property will be offered to local community groups, sporting clubs, charities or schools through a locally advertised expression of interest process which may comprise either an expression of interest or be on a “first in, first served” response basis.</p> <p>Where more than one interest is received, the CEO shall determine the order of priority, with preference given to local not-for-profit community groups where practicable.</p> <p>If no interest is received, the property will be disposed of through a waste collection service.</p>

The Asset Register shall reflect the disposal where applicable.

Dispositions not outlined in this policy are prescribed by legislation.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Local Government Act 1995 Regulation 30(3) of the Local Government (Functions and General) Regulations 1996						
Industry:							
Organisational:	Delegation Register Shire of Wickepin Asset Register						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	150524-07		Adopted				
2.							
3.							
4.							
5.							
6.							

2.1.31 CLOSED CIRCUIT TELEVISION (CCTV) POLICY

Purpose

The purpose of this policy is to establish clear parameters governing the use of the Shire of Wickepin's Closed Circuit Television (CCTV) systems across the Shire to assist in:

- a) creating a safer environment for residents and visitors to the Shire of Wickepin;
- b) access to analytics software and access to recorded footage and data;
- c) protect Council's assets and other assets under the control and care of Council.

Whilst CCTV cameras bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety and property protection in particular areas, it is recognised that crime will never totally be prevented.

Scope

This policy applies to all locations where the Shire has CCTV in place. It is acknowledged that CCTV cameras installed in public place locations as part of Council infrastructure, will capture images of the general public and staff performing work tasks. The provision of CCTV within the Shire of Wickepin is not designed to intentionally provide workplace surveillance unless specifically stated.

Mobile or temporary cameras that are used in the same manner as fixed CCTV cameras to achieve said objective of CCTV provision, are incorporated into the scope of this Policy. This policy does not relate to mobile or temporary cameras (including dash cams or body-worn cameras) that are primarily used for activities associated with enforcement by authorised Council officers in their delegated tasks; or for personal safety measures relevant to those tasks.

Definitions

Nil

Policy Details

The Shire will continue to design and implement programs that enhance safety, security and wellbeing in the community. The use of CCTV and analytics software will increase the community's feelings of security, safety and wellbeing.

The Shire's CCTV system and collected data will only be accessed by Shire employees or its agents authorised for this purpose.

Original recordings or data will not be released unless required by law or if requested by WA Police or the Australian Federal Police. All requests for access may be in writing.

The Shire may use footage in the investigation of breaches of its local laws or other relevant legislation.

Metadata from analytics software may be used to provide information to assist in the efficient use and management of the Shire's facilities.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	<i>Surveillance Devices Act 1998</i> <i>Security and Related Activities (Control) Act 1996</i> <i>Evidence Act 1906</i> <i>Freedom of Information Act 1992</i>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	170724-09		Adopted				
2.							
3.							
4.							
5.							
6.							

2.1.32 FRAUD & CORRUPTION POLICY

Objective: To give effect to the Shire of Wickepin's commitments to the effective and transparent process to minimise Fraud and Corruption.

1. All Elected Members and employees have a key responsibility to safeguard against damage and loss through fraud, corruption or misconduct and have an obligation to support efforts to reduce associated risk by behaving with integrity and professionalism in undertaking their duties.
2. The Shire expects its elected members and employees to act in compliance with the Codes of Conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the Shire.
3. All suspected instances of fraudulent or corrupt conduct are to be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.
4. The Chief Executive Officer is to ensure that a Fraud and Corruption Prevention Plan is developed, reviewed by the Audit & Governance Committee, and adopted by Council at least once every two years.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	<i>Local Government Act 1995</i> <i>Corruption, Crime and Misconduct Act 2003</i> <i>Public Interest Disclosures Act 2003</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i> <i>Local Government (Financial Management) Regulations 1996</i> <i>Local Government (Audit) Regulations 1996</i>						
Industry:							
Organisational:	Policy 2.1.6 – Code of Conduct for council members, committee members and candidates Policy 3.1.6 – Purchasing Policy Employees Code of Conduct Policy & Procedures for Employees 1.19 - Disciplinary action						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:		Synopsis:				
1.	210824-16		Adopted				
2.							
3.							
4.							

3 GENERAL PURPOSE FUNDING

3.1 RATES

3.1.1 RECOVERY OF DEBTS, RATES AND SERVICE CHARGES

OBJECTIVE: To provide guidelines and to prescribe the process for the collection of outstanding debts, recovery of rates and service charges and the charging of interest in relation to those debts.

To assist finance and administration staff in end of year procedures.

3.1.1.1 POLICY STATEMENT

The Shire of Wickepin will:

- take all appropriate action to ensure the maximum amount of rateable income is received in any one financial year;
- recover all outstanding debts, rates and service charges, utilising the relevant legislation and legal processes, in accordance with the *Local Government Act 1995* and *Civil Judgements Enforcement Act 2004*, and the Guidelines and Policy Procedures;
- have regard to individuals *Serious Hardship* and/or *Exceptional Hardship/Circumstances* relating to outstanding debts, rates and service charges, when administering this Policy, Guidelines and Policy Procedures; and
- consider all requests from person's experiencing difficulties with making payments for debts or rates and service charges. Such persons will be required to make a written application to the Chief Executive Officer to enter into a Negotiated Special Payment Arrangement, detailing their *Serious Hardship* and/or *Exceptional Hardship/Circumstances* to warrant consideration and leniency.

Definitions

In the administration of this Policy, the following will be apply:

Serious Hardship and/or *Exceptional Hardship/Circumstances* has no statutory definition in case law and will normally be at the discretion of the courts to decide if circumstances warrant leniency. However, many agencies use these terms when considering applications for leniency. In effect it can mean a level of hardship that will also impact on innocent parties.

Circumstances will vary in each situation, however there are common elements which can be considered by a statutory authority/local government. These can include (but not limited to) the following:

Serious Hardship

Serious Hardship exists when a person is unable to provide adequate food, accommodation, clothing, medical treatment, education or other necessities for themselves, their family or other people for whom they are responsible. (Source: Australian Taxation Office).

Consideration will be given as to whether a person's current financial difficulties are short term, when deciding whether a person is suffering *Serious Hardship*.

Financial Assets

There are several types of assets that are generally regarded as a normal and reasonable possession. A person is not expected to sell these to meet a payment. These assets include a motor vehicle and “tools of trade”.

Also, a person will not be expected to use any cash on hand or in a bank balance which they need to meet the cost of their basic necessities, to pay a payment.

If a person has assets such as rental property, shares or other investments, this may be regarded as having the capacity to make the payment, without suffering serious hardship.

Exceptional Hardship/Circumstances

These cover any unusual or exceptional circumstances that do not qualify as *Serious Hardship*, but make it fair and reasonable for a person not to make a payment at a specific time. If a person considers that there are other special reasons why they should not have to make their payment, they should specify these in writing to the Chief Executive Officer.

Some examples of what may constitute Exceptional Hardship/Circumstances include (but not limited to):

- a serious accident;
- sudden bereavement within a family;
- severe/life threatening illness or medical condition;
- an impact on a dependent or family member who has a serious disability or health problem and who relies on the affected person for their financial support; prolonged imprisonment;
- temporary physical or mental incapacity; or
- or any other matters considered acceptable by the Chief Executive Officer.

Exceptional Hardship/Circumstances are not limited to the above examples.

Note: The temporary loss of a job will not normally in itself qualify as *Exceptional Hardship* unless a convincing case can be put forward that the impact would be so exceptional as to warrant leniency.

Negotiated Special Payment Arrangement (NSPA)

A Negotiated Special Payment Arrangement is a non legal (but binding) arrangement between the Debtor/Ratepayer and the Shire of Wickepin, whereby the debt/outstanding money is progressively paid in agreed instalments over a period of time, by amounts that are mutually agreed between the two parties.

3.1.1.2 GUIDELINES AND PROCEDURES

Debt Recovery Process

The following process is to be followed for the recovery of rates and service charges. Legal proceedings will continue until outstanding rates and service charges are paid in full or otherwise determined by the Chief Executive Officer and/or the Council.

Final Notice

- Where the rates remain outstanding fourteen (14) days after the due date shown on the Annual Rates Notice and the ratepayer has not elected to pay by the instalment option, a Final Notice shall be issued requesting payment in full within fourteen (14) days.
- Eligible pensioners registered under the *Rates and Charges (Rebates and Deferments Act) 1992* are exempt as they are entitled to pay by the 30th June under the legislation.

Notice of Intention to Summons (Demand Letter)

- Rates remaining unpaid after the expiry date shown on the Final Notice will be examined for the purposes of issuing a Demand Letter (Notice of Intention to Summons).
- The Demand Letter is to be issued within sixty (60) days of the expiry date on the Final Notice and must specify that the ratepayer has fourteen (14) days to pay in full or alternatively enter into a special payment arrangement with the Shire of Wickepin.
- Failure to enter into an agreed payment arrangement will result in the debt being referred to a debt collection agency and a General Procedure Claim being issued without further notice.

General Procedure Claim

- Where a Demand Letter has been issued and remains unpaid and the ratepayer has not elected to enter into an agreed special payment arrangement, a General Procedure Claim will be issued.
- Legal costs and the costs of proceedings will be added to the ratepayers account upon issue of a General Procedure Claim, in accordance with Section 6.56 of the *Local Government Act 1995*.
- Ratepayers are required to pay in full or by instalments once they receive a General Procedure Claim. If they choose to pay by instalments, they must sign the *Admission of Claim* on the reverse of the General Procedure Claim and state the amount they agree to pay for each instalment. This Negotiated Special Payment Arrangement is subject to acceptance by the Deputy CEO. A letter will be sent to the ratepayer to confirm this arrangement, if accepted.
- The signed *Admission of Claim* must be returned to the Shire of Wickepin for the Negotiated Special Payment Arrangement to be accepted.
- A person who is experiencing difficulty in making a payment, can apply to the Shire of Wickepin to make a Negotiated Special Payment Arrangement.
- When a ratepayer has elected to enter into Negotiated Special Payment Arrangement and instalments are not paid as per the arrangement or three consecutive payments are missed, a Default Letter will be issued for payment in full within fourteen (14) days. Rates remaining unpaid will be issued with a General Procedure Claim or the Shire of Wickepin may proceed straight to Enforcement, if a General Procedure Claim has previously been issued.
- Following the issue of a Claim and the addition of the costs of proceedings to the rates assessment, a reasonable offer to discharge a rate account will not be refused.

- If the General Procedure Claim is paid in full before entering into Judgement, then a Notice of Discontinuance (NOD) may be requested by the ratepayer and granted at the discretion of the Chief Executive Officer based on the circumstances of each case. The request must be received in writing and a NOD will only be issued to any one ratepayer once as a matter of goodwill. No further Notices of Discontinuance will be issued in any subsequent financial years to that same ratepayer, unless the Shire of Wickepin is advised circumstances.
- If a General Procedure Claim proceeds to Judgement and was not issued in error, then the matter will not be granted a Notice of Discontinuance, nor permission granted to have the matter set aside.

Non-Service of General Procedure Claim

- When a General Procedure Claim is unable to be served, the Bailiff may advise whether the property is a rental property or may provide an alternative address for the General Procedure Claim to be re-issued. In the case of a rental property, the Managing Agent will be contacted to ascertain the owner/s new residential address. If the Managing Agent is responsible for payment of rates, then a Rates Notice will be re-issued to the managing agent for payment in full within fourteen (14) days.
- If a new address is supplied for the owner/s of the property, the address will be recorded and a Rates Notice re-issued for payment within fourteen (14) days. If payment is not received, the General Procedure Claim will be re-issued to the new address.
- Where an owner resides in a property which cannot be accessed by the Bailiff or the property is vacant, a *skip trace* will be completed to verify the residential address of the owner. If required, a Substituted Service Claim can be filed at court to have the General Procedure Claim issued via post to the verified residential address of the owner.

Property Sale and Seizure Order

- Where a General Procedure Claim has been issued and served and the amount remains outstanding fourteen (14) days after the issue date of the Claim, legal proceedings will continue until payment of rates is received. This includes Judgement and Enforcement of the Claim. Enforcement of the Claim may include a Property Sale and Seizure Order of goods and or land.
- The Property Sale and Seizure Order is at first a Goods Order and if the Property Sale and Seizure Order is returned *Nulla Bona* (no goods), then a land warrant will be issued.
- If a Property Sale and Seizure Order against goods and or land is proposed to collect outstanding rates due on a property, the Council's prior approval shall be obtained before the Property Sale and Seizure Order is lodged.

Rates or Service Charges Recoverable in Court (Section 6.56)

- If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the cost of proceedings, if any, for that recovery, in a court of appropriate jurisdiction.
- Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.

Seizure of Rent (Section 6.60)

In cases where the owner of a leased or rented property on which rates outstanding cannot be located, or refuses to settle rates owed, a Notice will be served on the lessee under the provisions of the *Local Government Act 1995* - Section 6.60, requiring the lessee to pay to the Shire of Wickepin the rent due under the lease/tenancy agreement as it becomes due, until the amount in arrears has been fully paid.

Sale of Land (Section 6.64)

Where Rates and Service Charges are outstanding for a period of three (3) years or more, the Council may:

- from time to time lease the land;
- sell the land;
- have the land transferred to the Shire of Wickepin;
- have the land transferred to the Crown; or
- sell the land as per the *Local Government Act 1995* - Section 6.64. Council approval will be obtained prior to the above course of action being undertaken.

The above action under Section 6.64 of the *Local Government Act 1995*, will be reported on a confidential basis to the Council, for approval.

Outstanding Rates and Charges – Write Off/Waiver of Small Balances

Where balance of rates is owing not exceeding \$10.00 council:

- Delegate authority to the Chief Executive Officer to write-off outstanding balances on individual rate assessments of amounts not exceeding \$10.00.

3.1.1.3 DEBTS (OTHER THAN RATES AND SERVICE CHARGES)

These Guidelines and Policy Procedures will apply to all those invoices raised in respect of non-rates and service charges debtors.

Debt Management

It is acknowledged that the terms of payment for each invoice may vary depending on the goods or service rendered to the debtor.

If the invoice is not paid by the due date then the following procedure will take place:

Recovery Procedure

- A letter or Reminder Notice will be issued advising the debtor that if there exists a dispute or query to contact the Shire of Wickepin, otherwise payment is expected within fourteen (14) days of the issue date of the letter;
- If no response is received from the debtor, then following a review of the circumstances with the relevant Shire of Wickepin employees involved, a Demand Notice may be sent to the debtor advising that if payment is not made within fourteen (14) days of the date of the notice, then further action may be taken to recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.

Application for Special Payment Arrangement

Persons experiencing difficulties in paying their debts by the specified date, can apply to the Shire of Wickepin to enter into a Negotiated Special Payment Arrangement.

Write-Off

- Once all reasonable attempts to either locate the Debtor or to obtain payment have failed, or the cost of recovery exceeds the Debt amount the Finance Officer will submit a written request to the Chief Executive Officer for the invoice to be considered for write off.
- Approval will be sought from the Chief Executive Officer and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the Debtors System.

Debt Raised in Error or Debt Adjustment

If a debt has been raised in error or requires an adjustment, then an explanation will be sought from the Finance Officer. Once this has been received, a credit note request will be raised which is to be authorised by both the Finance Officer and Deputy CEO, where applicable.

Other Action Which May be Taken

The following list of actions may also be instituted at the discretion of the Chief Executive Officer, against defaulting sundry Debtors, who do not respond to normal requests for payment:

- Issue a Letter of Demand;
- Commencement of Court proceedings to recover the outstanding monies;
- Rescinding any seasonal hall/reserve booking licence (if applicable);
- Refusing further hire of facilities, private works, etc;
- Request "up-front" bonds for future dealings with the Shire of Wickepin, which may be used to offset against the outstanding debt;
- Offset of any Shire of Wickepin contributions owing to the personal entity against, any outstanding debt; and
- Report to the Council to consider cancellation of a Lease Agreement (if applicable).

3.1.1.4 INTEREST ON OVERDUE MONIES

- Interest will be calculated on the total outstanding debt/rates once it has exceeded the due date. The rate of interest imposed is that as determined by the Council as prescribed in the Annual Budget and in accordance with Section 6.13 of the Local Government Act.
- Should the ratepayer default in the Negotiated Special Payment Arrangement, the waiving of the interest will cease and interest, will be calculated from the date that the rates, or debt default occurred within the Negotiated Special Payment Arrangement.

3.1.1.5 APPLICATION FOR A NEGOTIATED SPECIAL PAYMENT ARRANGEMENTS

- Applicants are required to make a written request for a Special Payment Arrangement.

- Following an assessment by the Finance Officer, the Application will be referred to the Deputy CEO for approval.
- In the event of an Applicant being dissatisfied with the decision of the Finance Officer/Deputy CEO, they will have access rights for a review to the Chief Executive Officer.

3.1.1.6 DELEGATED AUTHORITY

The Chief Executive Officer will administer and enforce this Policy, Guidelines and Procedures, in accordance with the Council Delegated Authority Register.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
210617-21	21/06/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.2 RATES DISCOUNT

OBJECTIVE: Provide clear parameters in relation to rates discounts.

Council provides a discount for Shire of Wickepin rates paid before the close of business on the date rates are due, to provide an incentive for ratepayers to pay their rates in full by the due date.

A discount on rates will be given for:

- payments by cheque, cash or EFTPOS received and receipted; and
- all electronic payments received before close of business on the due date.

Council sets the rate discount percentage each year in Council's annual budget.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.3 TRANSACTION CARD

Policy Objective

To provide the Chief Executive Officer with a framework of principles to guide the use and management of Transaction Card facilities and which:

1. Ensures efficient and effective procurement and payment operations.
2. Minimises the risk of misuse, fraudulent or corrupt use.
3. Defines allowable and prohibited uses.
4. Defines management and oversight obligations.
5. Defines Cardholder duty of care and responsible use obligations.

Policy Scope

This policy provides an in-principle framework to guide the Chief Executive Officer when fulfilling their statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to Transaction Cards.

Policy Statement

1. Definitions

Cardholder means an employee who has been authorised by the CEO to incur expenditure by means of a Transaction Card.

Transaction Card means a card facility (which may include; credit, store and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of Wickepin's business activities only in accordance with relevant Shire of Wickepin Policies.

2. Management Oversight and Reporting

2.1 Legislation

- (1) Section 6.5(a) of the *Local Government Act 1995* prescribes the Chief Executive Officer's (CEO) duty to ensure that proper accounts and records of the transactions and affairs of the Shire of Wickepin are kept in accordance with regulations.
- (2) The *Local Government (Financial Management) Regulations 1996* prescribe:
 - a. Regulation 5, the Chief Executive Officer's duties to ensure efficient systems and procedures are established for the proper authorisation of incurring of liabilities and the making of payments.
 - b. Regulation 11(1)(a) and (2) of the requires Local Government to develop procedures that ensure effective security for the authorisation and payment of accounts and for the authorised use of payment methods, including credit cards.

2.2 Determining When Transaction Card Facilities are Appropriate

- (1) Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Wickepin operations by ensuring:
 - a. goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire of Wickepin;
 - b. financial management and accounting standards are met; and
 - c. purchasing and payment functions are secure, efficient and effective.

- (2) Transaction Card facility providers will only be acceptable where, in the opinion of the CEO, they:
- a. Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire of Wickepin to sufficiently administer the facility;
 - b. Provide the Shire of Wickepin with protection and indemnification from fraudulent unauthorised transactions; and
 - c. A store card is permitted at the discretion of the CEO only where its primary function is one of the identification of the Shire's account with the provider.

2.3 Management Oversight

The Chief Executive Officer shall determine and implement systems and procedures adequate to ensure:

- a. Assessment and selection of Transaction Card facilities suitable to the efficient and effective operations of the Shire of Wickepin;
- b. Authorisation and appointment of suitably eligible Cardholders;
- c. Cardholder duties and responsibilities are documented and Cardholders provided with training;
- d. Cards will not be transferrable and will be required to be returned on employment ceasing by an authorised sign off register; and
- e. Monitoring and auditing of Transactional Card activities is planned and reported.

2.4 Reporting

The CEO will ensure that acquitted transaction statements for each Transaction Card facility are provided to Council as part of the monthly financial reporting regime.

2.5 Misuse, Misconduct and Fraudulent Use

Any alleged misuse of Transaction Cards will be investigated, and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from Transaction Card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the *Public Sector Management Act 1994* and the *Corruption, Crime and Misconduct Act 2003*.

2.6 Principles for Transaction Card Usage

2.6.1 Allowable Transactions

- (1) Transaction Card facilities may only be used where:
- a. The expenditure is directly arising from a Shire of Wickepin operational business activity for which there is an Annual Budget provision;
 - b. The expenditure is in accordance with legislation, the Shire of Wickepin's Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
 - c. The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a Transaction Card;
 - d. Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
 - e. Official travel, accommodation and related expenses may only occur in accordance with Shire of Wickepin policies and procedures;
 - f. Accounts payable payments are made under the direction of the Deputy Chief Executive Officer;
 - g. A sufficient record of each transaction is obtained and retained in the local government record.
- (2) Allowable transaction modes include:

- a. In-person and over the counter retail purchases;
- b. Telephone or facsimile purchasing;
- c. Mail order purchasing and subscriptions;
- d. Internet purchasing.

2.6.2 Prohibited Transactions

- (1) The Shire of Wickepin prohibits the use of Transaction Card facilities for:
 - a. Cash advances;
 - b. Incurring expenses which are personal or private (i.e. any expenditure which is not an approved Local Government activity);
 - c. Making deposits onto the Card, whether to offset misuse or otherwise;
 - d. Incurring Capital expenditure over \$5,000;
 - e. Incurring expenditure for goods or services which are subject to a current supplier contract;
 - f. Incurring expenses which are not in accordance with legislation, the Shire of Wickepin Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual Cardholder;
 - g. Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
 - h. Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).
- (2) For clarity, Elected Members are prohibited from using Shire of Wickepin Transaction Cards as the *Local Government Act 1995* does not provide authority for an Elected Member to incur liabilities on behalf of the Local Government. The Act limits Local Governments to only paying Elected Member allowances and reimbursing Elected Member expenses.

2.6.3 Cardholder duty of care and responsible use obligations

- (1) A Cardholder is required to:
 - a. Keep the Transaction Card and access information in a safe manner; protected from improper use or loss.
 - b. Only use the Transaction Card for allowable purposes and not for prohibited purposes.
 - c. Obtain, create and retain Local Government records that evidence transactions.
 - d. Acquit the reconciliation of Transaction Card usage in the required format and within required timeframes. The onus is on the cardholder to provide sufficient detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
 - e. Return the Transaction Card to the Shire of Wickepin before termination of employment, inclusive of reconciliation records.
 - f. Reimburse the Shire of Wickepin the full value of any unauthorised, prohibited or insufficiently reconciled expenditure.
- (2) Benefits obtained through use of a Transaction Card (i.e. membership or loyalty rewards) are the property of the Shire of Wickepin and may only be used for Shire of Wickepin business purposes. Such benefits must be relinquished by the Cardholder to the Shire of Wickepin. Under no circumstances may such benefits be retained as a personal benefit.

2.6.4 Transaction evidence

- (1) A sufficient transaction record must include the following minimum information:
 - a. Invoice and / or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;
 - b. Where an invoice and / or receipt cannot be obtained, the Cardholder must provide a Statutory Declaration, in accordance with the *Oaths, Affidavits and Statutory Declarations Act 2005*, detailing the nature of the expense and sufficient information to satisfy the requirements of subclause (a) above.
- (2) Where a Transaction Card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity:
 - a. the number of persons entertained;

- b. the names of any employees in that number; and
 c. the purpose of providing the entertainment or hospitality.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Section 6.5(a) of the <i>Local Government Act 1995</i> Regs 5 & 11(1)(a) & (2) of the <i>Local Government (Financial Management) Regulations 1996</i> <i>Public Sector Management Act 1994</i> <i>Corruption, Crime and Misconduct Act 2003</i> <i>Oaths, Affidavits and Statutory Declarations Act 2005</i>						
Industry:	Department of Local Government, Sporting and Cultural Industries Guideline No.11 – Use of Corporate Credit Cards						
Organisational:	Shire of Wickepin Purchasing Policy Shire of Wickepin Hospitality / Entertainment Policy Shire of Wickepin Code of Conduct Shire of Wickepin Operational Procedure – Transaction Card Administration Shire of Wickepin Operational Procedure – Transaction Card User						
Document Management:							
Risk Rating:	[low / med / high]	Review Frequency:	[annual / biennial / triennial]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:		Synopsis:				
1.	170615-12		Reviewed				
2.	150317-11		Reviewed				
3.	210617-16		Reviewed				
4.	180320-02		Reviewed				
5.	170321-03		Reviewed				
6.	200422-12		Reviewed				
7.	190624-13		Reviewed				

3.1.4 WAIVING OF FEES & CHARGES FOR HIRING OF COUNCIL FACILITIES

OBJECTIVES

The objectives of this policy is to:

- Provide clear guidelines for the equitable assessment of requests to waive fees and charges for the hiring of Council facilities within the parameters set by Council under delegated authority.

SCOPE

The Shire of Wickepin receives a number of requests to waive fees and charges for the hire of Council facilities. This policy ensures:

- Transparency and accountability to the community;
- An equitable assessment of each application received;
- A standard process for applicants to follow when requesting waiver of fees.

This policy applies to all requests to waive fees within the parameters set by Council under delegated authority (refer to the Shire of Wickepin Delegated Authority Register).

POLICY STATEMENT

Definitions

Fee – means any fee or charge set out in the Shire of Wickepin’s Annual Fees and Charges Schedule.

Local Not-for-profit Organisation – means an organisation that provide services to the community and do not operate to make a profit for its members.

Funded Bodies – means organisations that are externally funded or receive their core income from Federal or State Government (including Lotterywest) and significant commercial sponsorship to assist in their operations.

1. Waiving of Fees

Waiving of fees must be undertaken in a consistent and transparent manner. The Chief Executive Officer may exercise their delegation to waive fees that:

- Promote the Shire of Wickepin’s vision and goals;
- Provides a benefit to the Shire of Wickepin community;
- Are for an activity, event or program with a community service oriented purpose;
- Are for Not-for-Profit and funded bodies; and
- Fall within the parameters set by Council under delegated authority, as detailed within the Delegated Authority Register.

Where an organisation is a Not-for-Profit and a Funded Body, a waiver of 100% of the total fees may be approved.

All applications for waiving of fees and charges must be made to the Shire by submission of an “Application to Waive Fees & Charges” form (attached) 7 days prior to use of the facility.

Wickepin and Yealering Primary Schools are entitled to use the Wickepin Community Centre and Shire halls free of charge for all school activities, as set in Council’s Annual Fees and Charges.

The following groups and functions are eligible to use the Wickepin Community Centre and Shire halls free of charge:

- Yealering Progress Association;
- Wickepin Community Resource Centre;
- Harrismith Community Centre Committee; and
- Community Christmas Functions.

2. Exclusions

The Chief Executive Officer will not consider waiving hire fees for:

- 2.1. Any activity, event or program that contravenes Council's existing policies.
- 2.2. The bond associated with use of Council facilities. Refer to Council's Annual Fees & Charges.
- 2.3. Retrospective applications.
- 2.4. Requests from non-resident individuals or organisations which do not directly serve or represent the community of the Shire of Wickepin.
- 2.5. Requests from commercial organisations unless they clearly relate to community or non-for-profit projects and/or events occurring in, and directly serving the community of the Shire of Wickepin.
- 2.6. Requests that have the potential for income generation or profit or where an entry fee is being charged (excluding a gold coin donation).
- 2.7. Waiver requests from organisations or individuals who have monies owing to the Shire which relate to past hire fees.
- 2.8. Sporting clubs and community organisation running regular fixtures, events and programs.
- 2.9. All other requests for reductions, concessions or waiving of hire charges will be considered at the discretion of Council.

3. Reporting

Where the Chief Executive Officer has exercised delegated authority to waive fees the item is to be listed within the Delegated Authority Register accordingly.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:	Shire of Wickepin Hire of Public Buildings Policy Annual Fees & Charges Delegations Register						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:	Synopsis:					
5.	17/06/2015	170615-12					
6.	15/03/2017	150317-11					
7.	19/02/2020	180320-02					
8.	17/02/2021	170321-03					
9.	16/03/2022	200422-12					
10.	20/11/2024	201124-11					

Waiving of Fees & Charges for Hiring of Council Facilities Attachment

Waiver of Fees & Charges Application



APPLICANT DETAILS/ORGANISATION DETAILS

Name of Organisation _____
 Contact Person _____
 Postal Address _____
 Phone No. _____
 Email _____
 ABN (if applicable) _____
 Is the Organisation registered for GST? Yes No

TYPE OF ORGANISATION

Community Charitable Body Not-for-Profit Educational Institution

ACTIVITY/EVENT DETAILS

Date of Activity/Event _____
 Type of Activity/Event _____
 Name of Activity/Event _____
 Location and Venue _____
 What is Council's fee and/or charge that is requested to be waived? _____

 Total of fee requested to be waived \$ _____
 Will income be generated as a result of the Activity or Event. Yes No
 Are any workers working on a volunteer basis? Yes No
 Is Council already providing your organisation with financial assistance for this Activity/Event? Yes No
 Reason for request _____

 How will your organisation acknowledge Shire of Wickepin support? _____

(continued overleaf)

DECLARATION

I declare that I am an authorised representative of the above group/organisation and certify that to the best of my knowledge, all details supplied in this application form are true and correct and that the application has been submitted with the full knowledge and agreement of the group/organisation as detailed above

Signed _____ Name: _____
 Position: _____ Date: _____

OFFICE USE ONLY

Application received by _____ Date: _____

On review of this application it has been determined the application will be:

Approved Declined

Total of fees and charges to be waived: \$ _____

If declined please provide reason: _____

Name of Authorised Officer: _____ Signature: _____ Date: _____

3.1.5 SPONSORSHIP, CONTRIBUTIONS AND DONATIONS TO SPORTING AND COMMUNITY GROUPS

OBJECTIVE: Provide guidelines for the provision of financial assistance to community and sporting clubs within the Shire of Wickepin.

A maximum of 2.5% of the previous year's levied rates may be provided for in Council's budget each year to distribute to community and sporting organisations upon application to the Council.

\$3,000 per year will be allocated to a rolling fund for grants under \$500 with the CEO being given delegated authority to authorise the grants under \$500.

3.1.5.1 FUND OBJECTIVE

Funds from Council may be made available for the following:

- establishment or improvement of playing areas or buildings
- Support for major sporting and community events
- Support for general sporting clinics, including coaching clinics :and
- To assist community groups in establishing a service or activity seen as a need for the betterment of and improvement to the enjoyment of life within the community.
- Increasing visitors to the region

Council may fund the following:

- 100% up to \$2000
- 75% between \$2,000 and \$5,000
- 50% \$5,000 and above

Voluntary labour and equipment may be included in the applicant's contribution at a value of \$25/hour.

Council employees or equipment may be used in lieu of a cash contribution from Council.

Council will favour applications that would not otherwise be funded through other government grants e.g. CSRFF.

3.1.5.2 APPLICATION PROCEDURE

Applications for funding must be received at the Shire of Wickepin Office by close of business of the due date each year to be considered in the Council budget. Applications are to be made in writing on the Shire of Wickepin Community Grants form (attached).

Applications should only be made when an applicant group is confident that all cash the applicant proposes to contribute will be readily available if a grant is approved.

The value of work undertaken by volunteers can be included in the local contribution but this value may not exceed one third of the completed value of the project. The voluntary work should be described and valued at the rate of \$25.00 per hour.

Funds are not to be used for trophies, prizes or expenses (including loan repayments) incurred in the conduct of the sport or community activities.

Council reserves the right for the CEO or his/her delegate to carry out an inspection of the project at any time prior to and at completion of the project.

3.1.5.3 GUIDELINES

All applications must be completed on the Shire of Wickepin Community Grants form attached.
Applications should be supported by 2 written quotes for materials or other goods included in the funding submission if possible.
Applications will be acknowledged as received by Council.
Council reserves the right to request further information on demand.
Council reserves the right to consider and allocate funds without the right of appeal. Money will not be allocated for completed projects. Council reserves the right to set aside large projects as longer term budget items to be funded over more than one year.
No project requiring funding shall commence without the written consent of Council.
Money granted must be spent on the project allocated.
All monies allocated must be spent and claimed by 30 June in the financial year for which it was allocated and any unspent allocation will not be carried over to the next budget year.
Council reserves the right to inspect reserves and buildings without prior notification to the respective committee.
All funded projects are to acknowledge the Shire of Wickepin through project media, community engagement and event promotions. CDO can provide support regarding signage and approved use of the Shires Logo.
Ineligible Items: <ul style="list-style-type: none"> - Private or commercial ventures or activities - Retrospective Funding - Purchase of Land - Support for an individual pursuit - Events/activities/programs that already receive financial assistance from other source of funding - Events/activities/programs that are eligible under the CSRFF grants scheme
All successful applicants must provide Council with an acquittal of all grants on an acquittal form available from the Shire Administration Office.

RESOLUTION:	DATE OF REVIEW:
151008.10/11/12/13/14/15	15 October 2008
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

Community Grants Application Package:

Located at F:\CDO\22. Community Grants

3.1.6 PURCHASING

OBJECTIVE:

To ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Shire of Wickepin;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the State Records Act 2000 and associated records management practices and procedures of the Shire of Wickepin;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Shire of Wickepin and that ethical decision making is demonstrated.

The Shire of Wickepin is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the Local Government Act 1995 (the “**Act**”) and Part 4 of the Local Government (Functions and General) Regulations 1996, (the “**Regulations**”) Procurement processes and practices to be complied with are defined within this Policy and the Shire of Wickepin’s prescribed procurement procedures.

3.1.6.1 ETHICS & INTEGRITY

All officers and employees of the Shire of Wickepin undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity.

All officers and employees of the Shire of Wickepin must act in an honest and professional manner at all times which supports the standing of the Shire of Wickepin.

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

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

3.1.6.2 VALUE FOR MONEY

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Shire of Wickepin.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

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

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Shire of Wickepin's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

3.1.6.3 PURCHASING REQUIREMENTS

The requirements that must be complied with by the Shire of Wickepin, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire of Wickepin.

Purchasing that is **\$250,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined in this Purchasing Policy.

Purchasing that **exceeds \$250,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under this Policy is not deemed to be suitable.

- Determining purchasing value is to be based on the following considerations: Exclusive of Goods and Services Tax (GST);
- The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire of Wickepin will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.
- Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

Where the Shire of Wickepin has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire of Wickepin must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

The table below prescribes the purchasing process that the Shire of Wickepin must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000	<p>Purchase directly from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire of Wickepin, by obtaining at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> - a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or - from the open market. <p>Where the purchasing requirement is of an urgent or emergency nature the purchase is permitted without undertaking the quotation process.</p>
Over \$5,000 and up to \$50,000	<p>Obtain at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> - a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or - from the open market. <p>Where the purchasing requirement is of an urgent or emergency nature the purchase is permitted without undertaking the quotation process.</p>
Over \$50,000 and up to \$250,000	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation a criterion that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> - a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or - from the open market. <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p>
Over \$250,000	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed in this Policy, conduct a public Request for Tender process in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996, this policy and the Shire of Wickepin's tender procedures.</p>

The procurement decision is to be based on pre-determined evaluation a criterion that assesses all value for money considerations in accordance with the definition stated within this Policy.

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- any of the other exclusions under Regulation 11 of the Regulations apply.
- an emergency situation as defined by the Local Government Act 1995;
- the purchase is from a Department of Finance Common Use Arrangements (where Local Government use is permitted), a Regional Local Government or another Local Government;
- the purchase is under auction that has been authorised by Council;
- the contract is for petrol, oil or other liquid or gas used for internal combustion engines; or Determining purchasing value is to be used based on the following considerations:
- The actual or expected value of a contract over the full contract period (including all options to extend); or
- The extent to which it could be reasonably expected that the Local Government will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased.

Inviting Tenders under the Tender Threshold

Where considered appropriate and beneficial, the Shire of Wickepin may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$250,000 or less in value, the Shire of Wickepin's tendering procedures must be followed in full.

Sole Source of Supply

Where the purchasing requirement is over the value of \$5,000 and is of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire of Wickepin is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Shire of Wickepin must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be endorsed by:

- Up to \$100,000 Chief Executive Officer, Deputy Chief Executive officer or Works Manager prior to entering into a contract.
- Up to \$250,000 Chief Executive Officer prior to entering into a contract.

From time to time, the Shire of Wickepin may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

Anti-Avoidance

The Shire of Wickepin shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of “splitting” the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

Emergency Purchases

An urgent or emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an urgent or emergency situation as provided for in the Local Government Act 1995. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An urgent or emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Shire of Wickepin in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

3.1.6.4 RECORDS MANAGEMENT

Records of all purchasing activity must be retained in compliance with the State Records Act 2000 (WA), the Shire of Wickepin’s Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

-
- The Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- Request for Quotation/Tender documentation;
- Copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- Copies of quotes/tenders received;
- Evaluation documentation, including individual evaluators note and clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to respondents notifying of the outcome to award a contract;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of contract(s) with supplier(s) formed from the procurement process.

3.1.6.5 SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY

The Shire of Wickepin is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR). Where appropriate, the Shire of Wickepin shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Shire of Wickepin’s sustainability objectives.

3.1.6.6 BUY LOCAL AND REGIONAL PRICE PREFERENCE

As much as practicable, the Shire of Wickepin must:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement plans address local business capability and local content;
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to potential suppliers.

To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the Shire of Wickepin, or substantially demonstrate a benefit or contribution to the local economy.

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within the Shire of Wickepin Regional Price Preference Policy.

3.1.6.7 PURCHASING FROM WA DISABILITY ENTERPRISES

Pursuant to Part 4 of the Local Government (Functions and General) Regulations 1996, the Shire of Wickepin is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on www.ade.org.au. This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

3.1.6.8 PURCHASING FROM ABORIGINAL BUSINESSES

Pursuant to Part 4 of the Local Government (Functions and General) Regulations 1996, the Shire of Wickepin is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on www.abdwa.com.au, where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold.

A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

The Shire of Wickepin is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire of Wickepin.

3.1.6.9 SHIRE OF WICKEPIN PREFERRED SUPPLIERS

From time to time, the Shire of Wickepin will seek expressions of interest from parties wanting to be Preferred Supplier. Suppliers holding Preferred Supplier Status will have been pre-qualified as being able to demonstrate the following:

- Value for Money.
- Reliability.
- Efficiency.
- Compatibility with the Shire of Wickepin administrative process. i.e. easy to deal with.
- Proven work history and/or historical knowledge of buildings, systems or issues.
- Adherence to general Shire of Wickepin policies, i.e. local business.

Purchases can be made from a Preferred Suppliers list of businesses for less than \$10,000 for a single purchase, with the cumulative total of the purchases not exceeding \$100,000 for each financial year. The Finance Officer will monitor these levels.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
211216-11	21/12/2016
150317-11	15/03/2017
210617-19	21/06/2017
180320-02	19/02/2020
170321-03	17/02/2021
201021-26	20/10/2021
200422-12	16/03/2022

3.1.7 EFT PAYMENT AND CHEQUE ISSUE

OBJECTIVE

Provide clear parameters in relation to cheque issue.

In accordance with section 6.8(1) of the Act, Council cannot incur expenditure from its municipal fund for an additional purpose except where the expenditure is:

- Incurred in a financial year before the adoption of the annual budget; or
- Authorised in advance by resolution (Absolute Majority).

A minimum of 2 authorised signatures are required to make a payment from Council's municipal, trust or reserve funds. The CEO, DCEO or MWS are authorised to authorise the payment of accounts by electronic funds transfer or sign Shire of Wickepin cheques or if two of them are absent the President shall sign in his or her place.

Each payment from the municipal, trust or reserve fund is to be noted on a list compiled for each month showing:

- the payees name;
- the amount of the payment;
- the date of the payment; and
- sufficient information to identify the transaction.

The list is to be presented to the next ordinary meeting of Council and recorded in the minutes of the meeting at which it is presented.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
191016-12	19/10/2016
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.8 REGIONAL PRICE PREFERENCE

Objective

Provide clear parameters in relation to regional price preference.

Policy

In order to promote sub-regional development the Shire of Wickepin will provide a price preference to local suppliers when evaluating and awarding contracts with Council via the purchasing process. Any price preference provided will comply with part of the Regulations.

Local suppliers are those with a physical presence in the way of a shop, depot, outlet, headquarters or other premises where the goods or services being provided are supplied from within the Shire of Wickepin or surrounding Shires.

Price preference will be given to all suppliers submitting quotations for the supply of goods and services to the Shire of Wickepin, unless Council resolves that this policy does not apply to a particular purchase.

The following price preference will be given to suppliers located in the Shire of Wickepin submitting quotations for the purchase of goods and services.

Goods and Services Amount	Details
Up to a maximum price of \$1,000 excluding GST	15% to all suppliers located within the Shire of Wickepin. 5% to all suppliers sharing a common boundary with the Shire of Wickepin.
From \$1,000 - \$10,000 excluding GST	10% to all suppliers located within the Shire of Wickepin. 3.75% to all suppliers sharing a common boundary with the Shire of Wickepin.
Valued between \$10,000 - \$50,000 excluding GST	7.5% all suppliers located within the Shire of Wickepin. 2.5% to all suppliers sharing a common boundary with the Shire of Wickepin.

Price is only one factor that Council considers when evaluating a purchase and nothing contained within this policy compels Council to accept the lowest price or any tender based solely on price offered.

The following classes of purchase are specifically excluded from the local price preference policy due to specialised skills, after sales support, special concessions to Council or other limiting factors:

- any tender called by the Shire of Wickepin;
- the purchase of diesel or petroleum products in bulk;
- changeover of council vehicles; and
- the purchase and maintenance of electronic equipment and software.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.9 COUNCIL INVESTMENTS

OBJECTIVE

Provide clear parameters in relation to Council investments.

Policy

All Investments are to be made in accordance with:

- Local Government Act 1995 – Section 6.14;
- The Trustees Act 1962 – Part III Investments as amended by the Trustees Amendment Act 1997;
- Local Government (Financial Management) Regulations 1996 – specifically Regulation 19, Regulation 28 and Regulation 49; and
- Australian Accounting Standards.

Council may invest surplus funds in an authorised deposit-taking institution:

- as defined in the Banking Act 1959 (Commonwealth) section 5; or
- the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986

Investments are prohibited in:

- deposit with an institution except an authorised institution;
- deposit for a fixed term of more than 3 years;
- investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- investment in bonds with a term to maturity of more than 3 years;
- investment in a foreign currency.

Council authorises surplus funds to be invested in “Cash Term Deposits”. The CEO/DCEO shall obtain quotes from banks authorised under this policy when investing Council funds in order to:

- Preservation of Capital.
- To take a conservative approach to investments, but with a focus to add value through a prudent investment of funds.
- To achieve a high level of security.
- To have ready access to funds for day to day requirement

Prudent Person Standard:

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Employees are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this Policy, and not for speculative purposes.

Reporting:

The annual financial report is to include information on earnings from investments as specified by Financial Management Regulation (FMR) 49.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
200219-17	20/02/2019
180320-02	19/02/2020
170321-03	17/02/2021
210421-10	21/04/2021
200422-12	16/03/2022

3.1.10 DELETED - PETTY CASH

OBJECTIVE

Provide clear parameters in relation to the use of petty cash.

POLICY

Petty cash advances are established to facilitate the payment of low-value claims to ensure that these claims are processed in the most efficient manner. Petty cash funds are to be used to pay for miscellaneous and incidental items of small value. Expenditure may only be incurred for Shire of Wickepin business purposes. This policy seeks to ensure that petty cash floats are established and managed appropriately and that staff are not financially disadvantaged as a result of incurring minor work-related expenses.

Policy and Procedure Governing the Use of Petty Cash

The following policies and procedures are designed to control the use of petty cash:

- It shall be the responsibility of the CEO to consider any application for a petty cash float.
- The amount of the petty cash float shall be as determined by the CEO from time to time, but in general should not exceed \$500.
- It shall be the responsibility of the Finance Officer to manage the petty cash funds and their reimbursement according to this policy.
- Petty cash is only to be used where an urgent purchase is required and payment by corporate credit card is not an option or the amount does not warrant normal purchasing procedure.
- Petty cash claims over \$50 including GST must include a tax invoice.
- Petty cash claims under \$50 including GST must include one of the following:
 - a tax invoice
 - a cash register docket
 - a receipt
 - an invoice.
 - the name and ABN of the supplier, the date of purchase, a description of the items purchased, and the amount paid.
- Petty cash vouchers will be completed for each petty cash transaction. These vouchers will include:
 - Date of the transaction
 - GL or job number
 - Description of the purchase
 - Amount reimbursed to employee
 - Signature of the employee reimbursed
- At all times the sum of transactions made since the last reimbursement of the petty cash advance should equal the total value of the receipts on hand plus the amount of cash on hand to equal the total value of the petty cash advance.
- Petty cash must be reconciled monthly but reimbursed on an as needs basis no more than 2 months after the first transaction since the previous reimbursement.
- Petty cash must be reimbursed and reconciled 30 June to meet EOFY requirements.

The following transactions are specifically excluded from petty cash reimbursement:

- Cashing of cheques.
- Temporary loans to any person whatever.

- Payment of expenses exceeding \$100 for any one voucher.
- Payment of creditors' accounts.
- Purchase of fuel where a fuel card exists.
- Payment of any personal remuneration to any person whatever, whether for salaries, wages, honoraria or for any other reason.

Reimbursement of Petty Cash

Petty cash advances are maintained on an imprest system, which means that details of all disbursements of petty cash to staff must be carefully recorded. To do this, a Petty Cash Reimbursement form is to be prepared listing each transaction from the petty cash advance. The Petty Cash Reimbursement form acts as a register of petty cash transactions and must contain the following information:

- Date of transaction
- Name of supplier
- Amount including GST
- GST Amount
- Details of the transaction
- GL/Job allocation
- Balance of petty cash remaining

Regulation 11 of the Local Government (Financial Management) Regulations 1996 states:

- (1) *A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of –*
- (a) *cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and*
- (b) *petty cash systems.*

RESOLUTION:	DATE OF REVIEW:
210617-18	21/06/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022
190624-12	Revoked

3.1.11 RELATED PARTY DISCLOSURES

OBJECTIVE:

To establish a procedure for related party disclosures

Policy:

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

3.1.11.1 BACKGROUND

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire of Wickepin must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

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

Identification of Related Parties

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

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

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Shire of Wickepin has identified the following persons as meeting the definition of Related Party:

- An elected Council member
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Director
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Shire of Wickepin will therefore be required to assess all transactions made with these persons or entities.

Identification of related party transactions

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

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

- Paying rates
- Fines
- Use of Shire of Wickepin owned facilities such as [Community Centre, pool, library, parks, ovals and other public open spaces (whether charged a fee or not)]
- Attending council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire of Wickepin for licences, approvals or permits
- Lease agreements for housing rental (whether for a Shire of Wickepin owned property or property sub-leased by the Shire of Wickepin through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire of Wickepin and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Wickepin (trading arrangement)
- Sale or purchase of any property owned by the Shire of Wickepin, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire of Wickepin
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire of Wickepin can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Disclosure Requirements

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above, will be required to complete a Related Party Disclosures – Declaration form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

Management will put forward a draft resolution to Council annually, declaring that in its opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's

financial statements make. As such no disclosure in the quarterly Related Party Disclosures – Declaration form will be required.

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

All other transactions

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures – Declaration form.

Frequency of disclosures

Elected Council members and KMP will be required to complete a Related Party Disclosures – Declaration form annually. Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

Disclosures must be made immediately prior to the termination of employment of/by a KMP.

Confidentiality

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

Materiality

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

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

Associated Regulatory Framework

AASB 124 Related Party Disclosures

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Further Information

Related Party Disclosures – Declaration form

RESOLUTION:	DATE OF REVIEW:
210617-20	21/06/2017
171018-08	17/10/2018
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.12 DEPRECIATION OF FIXED ASSETS

OBJECTIVE:

Provide clear parameters in relation to depreciation of fixed assets.

POLICY:

3.1.12.1 DEPRECIATION

Property, plant and equipment will be carried at cost. Items, property, plant and equipment, including buildings but excluding freehold land, are depreciated over their estimated useful life on a straight line basis at the following rates:

- Buildings - 50 years at 2%.
- Plant and equipment (heavy) - 14.3 years at 7%.
- Plant and equipment (light) - 6.7 years at 15%.
- Furniture & equipment (electronic) - 5 years at 20%.
- Furniture and equipment (other) - 20 years at 5%.

3.1.12.2 ASSET CAPITALISATION THRESHOLDS

Assets are depreciated from the date of acquisition or with respect to internally constructed assets, from the time the asset is complete and ready for use. Depreciation on each asset is charged to the program to which the asset principally relates.

ASSET CAPITALISATION THRESHOLDS	For reasons of practicality, the following materiality thresholds have been applied, below which any expenditure on assets need not be capitalised.
LAND	All purchases are capitalised but land resumed for public works need not be capitalised if the resumption costs are less than \$3,000.
BUILDINGS	Expenses totalling less than \$10,000 on any one building in any year need not be capitalised.
FURNITURE AND EQUIPMENT	Expenses totalling less than \$5,000 on any one item in any year need not be capitalised.
PLANT AND EQUIPMENT	Expenses totalling less than \$5,000 on any one item in any year need not be capitalised.

3.1.12.3 ATTRACTIVE AND PORTABLE ASSETS

A register of all assets must be maintained as per – *LG (FM) Regulations 1996- 17B*

- Non-consumable assets that are susceptible to theft or loss due to them being of a portable and attractive for personal use or resale; and
- Excluded from the assets under Local Government (Financial Management) Regulation 17A (5) valued under \$5,000.

The Register is to be in the following format

- Description of Asset
- The original cost of the asset or the fair value of the asset at the date of acquisition if acquired at no cost or for a nominal cost
- The date of acquisition
- The manufactures identification number; and
- Location

Examples of Portable and Attractive items are:-

- o Laptop Computers
- o Mobile Phones
- o Cameras
- o Televisions
- o DVD players
- o Printers
- o Power Tools
- o Minor equipment

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.13 ADMINISTRATION SERVICES

OBJECTIVE:

Provide clear parameters in relation to administration services.

POLICY

All external requests for administrative services should be referred to the Wickepin Community Resource Centre. Shire of Wickepin employees may provide administrative services e.g. if the service is urgent and the Wickepin Community Resource Centre is closed on that day.

All organisations associated with the Shire of Wickepin including Watershed News and Local Bush Fire Brigades will not be charged for administrative services provided during Council office hours.

All other organisations may be charged for administrative services performed by Council officers during office hours.

Administrative services include, but are not restricted to photocopying, typing, laminating and internet searches.

The charge for administrative services is determined annually in the budget process and must be higher than the Wickepin Community Resource Centre charges. The charge of administrative services is set out in the Fees and Charges.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

3.1.14 FINANCIAL REPORTING

OBJECTIVE:

Provide clear parameters in relation to financial reporting.

POLICY:

3.1.14.1 ANNUAL BUDGET

A draft budget shall be presented to Council for consideration by the June Council meeting of each year.

The CEO shall ensure that the preparation and content of the annual budget ensures Council complies with all aspects of the *Act* and *Local Government (Financial Management) Regulations 1996 (WA)*.

The Shire of Wickepin annual budget shall be adopted by Council at the no later than the July Council meeting of each year.

3.1.14.2 MONTHLY FINANCIAL REPORTING

The CEO shall ensure a monthly statement of financial activity complies with all aspects of the *Act* and *Local Government (Financial Management) Regulations 1996 (WA)*.

Council adopts values for reporting of material variances in accordance with *Section 35(5) of the Local Government (Financial Management) Regulations 1996 (WA)*. at budget adoption.

3.1.14.3 ANNUAL FINANCIAL REPORTING

The CEO shall ensure that an Annual Financial Report of Council is completed and audited by no later than 30 October of each year.

As per *Section 34 and 35 of the Local Government (Financial Management) Regulations 1996 (WA)*, Council is to adopt the required financial reporting method they desire.

3.1.14.4 FINANCIAL HARDSHIP FOR WATER SERVICES

OBJECTIVE: This Financial Hardship Policy outlines how Shire of Wickepin (“we”) will assist a residential customer (“you”) who cannot pay a rate notice because of financial hardship.

Our policy applies only to the water services portion of your rate notice. Residential tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

If you are also having difficulty paying other charges on your rate notice or if you are a commercial customer, we encourage you to still talk to us.

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

3.1.14.5 WHAT IS FINANCIAL HARDSHIP

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

Financial hardship may, for example, be caused by:

- Loss of your or a family member's primary income;
- Spousal separation or divorce;
- Loss of a spouse or loved-one;
- Physical or mental health issues;
- A chronically ill child;
- Budget management issues associated with a low income; and
- Other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

3.1.14.6 IDENTIFYING CUSTOMERS IN FINANCIAL HARDSHIP

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

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

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

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

3.1.14.7 PAYMENT PLANS

If we determine that you are in financial hardship, we will offer you more time to pay the water services portion of your rate notice or a payment plan for this portion. We will not charge you any fees or interest as part of your extension or payment plan.

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

If appropriate, we will review and revise your extension or payment plan.

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

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the land owner.

3.1.14.8 DEBT REDUCTION AND COLLECTION

If you are in financial hardship, we will consider reducing the amount you owe us.

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

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

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings. When collecting your debt, we will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

We may outsource your debt to a debt collection agency. Please be advised that additional fees may apply in this case. We will ensure that any debt collection agency we engage will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

3.1.14.9 USEFUL INFORMATION

Redirection of rate notice

We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill.

Payment options

You may pay your rate notice by direct credit, Centrepay, internet, telephone or post.

Paying by direct credit or Centrepay may help you manage your bills more easily as your bills will be paid through regular deductions.

For more information on your payment options, please contact us at the Shire of Wickepin Administration Office.

Financial counselling

We will advise you of any financial counselling services or other organisations that may be available to you.

Financial counsellors offer free, independent information to help you take control of your financial situation.

The Financial Counsellors' Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the FCAWA's Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

The FCAWA's contact details are:

Financial Counsellors' Association of WA
 Phone: (08) 9325 1617
 Financial Counselling Helpline: 1800 007 007
 Email: afm@financialcounsellors.org
 Website: www.financialcounsellors.org

Fees and charges

We will charge you for the water services we provide to you.

We will charge you interest if you do not pay your rate notice by the due date.

We offer the following concessions: Pensioner and Senior Rebate Scheme. To receive a concession on local government rates, a person must hold one or more of the appropriate Pensioner or Seniors cards and, on July of the financial year, own and occupy residential property as their ordinary place of residence.

A list of our fees and charges may be found at www.wickepin.wa.gov.au.

Complaints handling

If you have a complaint, please contact us first. Our contact details are included in section 10 below.

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

The Energy & Water Ombudsman's contact details are as follows:

PO Box Z5386
 St Georges Terrace
 Perth WA 6831
 Telephone: (08) 92207588
 Free call: 1800 754 004 (calls made from mobile phones will be charged at the applicable rate)
 TIS: 131 450
 TTY: National Relay Service 1800 555 727
 E-mail: energyandwater@ombudsman.wa.gov.au
 Fax: (08) 220 7599
 Free fax: 1800 611 279

3.1.14.10 APPROVAL AND REVIEW

Our policy was approved by the Economic Regulation Authority of WA.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

3.1.14.11 OUR CONTACT DETAILS

You can contact us at:

Shire of Wickepin
 77 Wogolin Road
 (PO Box 19)
 WICKEPIN WA 6370
 Phone: (08) 9888 1005
 Fax: (08) 9888 1074
 Email: admin@wickepin.wa.gov.au
 Website: www.wickepin.wa.gov.au
 TTY: 133 677
 TIS: 131 450

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170615 -12	17/06/2015
160915 - 12	16/09/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

4 LAW, ORDER, PUBLIC SAFETY

4.1 FIRE PREVENTION

4.1.1 BUSH FIRES

OBJECTIVE:

Provide clear parameters in relation to bush fires.

POLICY:

The Shire of Wickepin will establish a bush fire organisation in accordance with part 9V of the *Bush Fires Act 1954 (WA)* in order to provide adequate fire protection to within the Shire of Wickepin and to carry out an ongoing program of hazard reduction, having due regard at all times for the preservation of the natural environment.

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200422-12	16/03/2022

4.1.2 BUSH FIRE CONTROL OFFICER'S AGM

OBJECTIVE:

Manage and maintain a bush fire organisation in accordance with *part 9 (v) of the Bush Fires Act 1954* in order to provide adequate fire protection within the Shire of Wickepin and to carry out an ongoing program of hazard reduction having due regard at all times for the preservation of the natural environment.

POLICY:

The Shire of Wickepin Bushfire Brigade will establish a Committee to include:

- Chief Bush Fire Control Officer;
- Deputy Chief Bush Fire Control Officer;
- Fire Control Officers; and
- Clover Permit Issuing Officers.

The Shire of Wickepin Bushfire Brigade AGM will be held before the bush fire season starts or as deemed necessary.

A quorum shall consist of 5 members of the Committee.

Recommendations from the Shire of Wickepin Bushfire Brigade AGM will be presented to Council as soon as practical after each meeting.

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200422-12	16/03/2022

4.1.3 FIRE CONTROL OFFICERS

OBJECTIVE: Provide clear parameters in relation to Fire Control Officers.

4.1.3.1 CHIEF BUSH FIRE CONTROL OFFICER

The Chief Bush Fire Control Officer (CBFCO) is the most senior Fire Control Officer appointed by the Shire of Wickepin.

The CBFCO will take overall charge of fire fighting in the Shire of Wickepin. The CBFCO is expected to assume the role of leader, guide and mentor to all Bush Fire Control Officers and the bush fire organisation in his area, providing co-ordination of the Bush Fire Brigade as well as co-ordination between municipalities and other fire suppression agencies.

Duties

- primary management of all fire fighters and members of the Brigade;
- responsible for the safety and wellbeing of all personnel under the CBFCO control at any time when involved in any activities while representing the Shire of Wickepin Bush Fire Brigade;
- ensures fire fighting equipment is maintained at a high level of proficiency and in a safe manner;
- co-ordinate Bush Fire Brigade resources in fire related matters;
- delegate tasks to ensure the proper running and maintenance of the Bush Fire Brigade and its objectives;
- possess working knowledge of the Bush Fire Brigades area of responsibility, the high risk areas, firebreaks access, water supplies and major landowners and land vestings;
- manage Bush Fire Brigade members according to each member's skills and abilities;
- liaise with adjoining Brigades and operate the Brigade under the direction of a FCO to ensure best use of the Bush Fire Brigade and its resources;
- co-ordinate the Brigades roster system;
- co-ordinate weather checks and make decisions on harvest and vehicle movement bans;
- ensure provision of adequate training of all brigade members;
- attend District Operational Advisory Committee (DOAC) meetings;
- attend Cuballing/Wickepin LEMC meetings;
- determine an appeal where a fire burning permit has been refused;
- report the CEO and Shire President on all relevant bush fire matters as required; and
- any other reporting requirements.

4.1.3.2 DUTIES OF A BUSH FIRE CONTROL OFFICER

A Fire Control Officer is a person who has been nominated at the Shire of Wickepin Bushfire Brigade AGM and appointed by the Shire of Wickepin Council. The FCO is a voluntary worker who gives their time in furthering the aims of fire prevention and control within the Shire of Wickepin.

Each appointment must be notified to DFES for publication in the Government Gazette and in a newspaper circulated in the Shire of Wickepin.

FCO duties include;

- attending Bush Fire Brigade Meetings;
- participating in the formation of control policies;
- supervising and inspecting firebreaks and impress on land users the necessity to meet and maintain the required standards;
- issuing Bush Fire Permits for the burning of bush and impress on land users and owners the necessity to abide by the terms set out on the permit;
- preventing Bush Fires and protecting life and property in the case of an outbreak of a Bush Fire including directing volunteers;
- demanding the name and address of any person committing an offence against the Bush Fires Act and reporting to the Shire of Wickepin FCO.
- ensure Bush Fire Brigade appliances are serviced and checked on a regular basis;
- battery, tyres, water, oil, and fuel of the Shire of Wickepin fire fighting appliances are checked at least weekly; and
- other Bush Fire Control related matters as directed by Council.

In all duties, an FCO is subject to Council direction and the *Bush Fires Act 1954 (WA)*.

A FCO is not liable for any damage, loss or injury caused as a result of the exercise of these powers, provided they are carried out in good faith.

4.1.3.3 EXPERIENCE AND TEMPERAMENT

An FCO must:

- have a good working knowledge of bush fire legislation, the fundamentals of bush fire prevention work and fire behaviour;
- have a clear understanding of their role and their relationship to Council;
- have experience in dealing with the public;
- be a person of integrity with an even temperament and strength of character;
- command obedience and respect and be capable of positive action;
- have a reasonable educational background;
- have a high sense of responsibility and be willing to take as well as give orders;
- have some relevant fire experience and training; and
- be physically fit and in good health to carry out tasks to ensure they do not jeopardise the safety of others.

4.1.3.4 VOLUNTEER BUSH FIRE BRIGADES

Bush Fire Brigades will be established and maintained in the various fire areas across the Shire of Wickepin, providing proper and adequate fire protection.

The Shire of Wickepin will encourage members of the Volunteer Brigades to participate in training programs offered by the Shire of Wickepin and the Department of Fire and Emergency Services WA.

The CEO is authorised to approve and record applications for enrolments as Fire Fighting members, without reference to the Bush Fire Control Officer's Committee.

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150317-11	15/03/2017
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170321-03	17/02/2021
200422-12	16/03/2022

4.1.4 BUSH FIRE HAZARD REDUCTION OPERATIONS

OBJECTIVE: Provide clear parameters in relation to bush fire hazard reduction operations.

All hazard reduction operations undertaken by a Bush Fire Brigade must be authorised by the CEO.

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170321-03	17/02/2021
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4.1.5 SAFETY AND HEALTH OF VOLUNTEER BUSH FIRE FIGHTERS

OBJECTIVE: Ensure that Bush Fire Volunteers are provided with safe working equipment and safe work systems to minimise the frequency of accidents and injury.

The Shire of Wickepin recognises the valuable contribution to the community by Bush Fire Volunteers.

4.1.5.1 COUNCIL RESPONSIBILITIES

The CEO will ensure that all practical efforts will be made to:

- provide appropriate training to all Bush Fire Volunteers;
- instruct Bush Fire Volunteers in safe working practices;
- ensure that brigade owned equipment is in safe working order;
- encourage the use of a proper standard of protective clothing and equipment appropriate to the task;
- ensure that volunteers have ready access to first aid facilities;
- investigate accidents and possible safety and health risks and take appropriate remedial action;
- provide a mechanism for joint Shire of Wickepin/DFES/Volunteer consultation on safety matters; and
- review the effectiveness of Bush Fire Volunteer training, safety and health policies as necessary.

4.1.5.2 VOLUNTEER RESPONSIBILITIES

At all times, Brigade members engaged in training, fire suppression, hazard reduction or any authorised activity must act in accordance with the Brigades constitution/objections and Council policy.

All Brigade members have must be in good health and physically fit to carry out the task allocated to them to ensure their actions will not jeopardise the safety of fellow members.

They will carry out any instruction given to them by a Brigade Officer. They will endeavour to promote the Brigades objectives, to participate in fuel reduction and training programs.

Brigade members should set an example to their community by their dedication to fire protection. All Brigade members must have a working knowledge of Council's Bush Fire Local Laws and Protection Plans.

A Bush Fire Volunteer must:

- maintain a reasonable standard of physical fitness;
- identify safety and health hazards and report to senior officers;
- have a working knowledge of safe working procedures;
- observe safe working practices, avoid unnecessary risks and be responsible for their own safety; and

- ensure they dress appropriately for fire fighting and make proper use of personal protective equipment whenever necessary, and/or required to do so.

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200422-12	16/03/2022

4.1.6 BUSH FIRE ADMINISTRATION

OBJECTIVE: Provide clear parameters in relation to bush fire administration.

The Shire of Wickepin shall authorise the CEO and MWS upon request from the CBFCO to:

- call-out or authorise the use of Shire of Wickepin vehicles, plant or equipment other than those normally used exclusively for fire fighting or control; and
- hire, use or authorise the use of privately owned vehicles, plant or equipment or expend funds from general revenue to a maximum cost that will from time to time be determined by the Shire of Wickepin.

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170321-03	17/02/2021
200422-12	16/03/2022

4.1.7 INFRINGEMENT NOTICES

OBJECTIVE: Provide clear parameters in relation to infringement notices.

Only persons authorised to do so by the Shire of Wickepin (the CEO and the Shire Ranger) may issue Infringement Notices for Offences under the Bush Fires Act 1954 (WA) and that authority once given, shall remain in force until such time as it is revoked by the Shire of Wickepin.

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4.1.8 FIREBREAKS

OBJECTIVE: Provide clear parameters in relation to firebreaks.

Council shall request FCO, to inspect fire breaks and report any problems to the administration.

Where the Shire of Wickepin administration is notified by a FCO of a sub-standard fire break, a notice is to be issued to the property owner advising that the break is to be constructed in accordance with the current fire break order within 7 days. If no action is taken or the fire break remains unsatisfactory in the assessment of the FCO, the CEO may request the work to be done at the expense of the property owner.

The CEO be authorised to approve or reject applications from landowners for reasonable extensions or time in which firebreaks are to be provided and to approve or reject requests for approval to provide firebreaks in alternative positions. The CBFCO is to be consulted when considered necessary.

4.1.8.1 FIREBREAK NOTICES

Notice of fire break requirements is to be distributed with the Shire of Wickepin rates notice annually.

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4.1.9 FIRE OCCURRENCE STATISTICS

OBJECTIVE: Provide clear parameters in relation to fire occurrence statistics.

The CBFCO shall submit fire reports to the Shire of Wickepin within 48 hours of any fire occurrence.

These reports are to be forwarded to DFES as soon as possible.

4.1.9.1 PROSECUTIONS AND FIRE REPORTS

FCO's may recommend prosecution where considered desirable when submitting Fire Reports, with the knowledge they will be called upon to give evidence.

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170321-03	17/02/2021
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4.1.10 BUSH FIRE CONTROL

OBJECTIVE: Provide clear parameters in relation to bush fire control.

4.1.10.1 ROADSIDE BURNING

The CEO has delegated authority to approve applications to carry out controlled burning on roadways under Council's control.

All roadside burns are to be the direct responsibility of the Bush Fire Brigades or FCO in the area.

Approval to burn on any Main Roads WA road is only to be given after authority to burn has been received from Main Roads WA.

Signs indicating "Roadside Burning Ahead" are to be erected at both ends of the controlled burn.

4.1.10.2 PROHIBITED AND RESTRICTED BURNING TIMES

Restricted Burning Periods - The prohibited burning periods within the Shire of Wickepin are:

- Restricted Burning – 1 October to 13 November.
- Prohibited Burning – 14 November to 7 February.
- Restricted Burning – 8 February to 14 April.

Variations to either prohibited or restricted burning times or conditions may be authorised by Council or the CEO and reported to DFES and Landowners in writing and published in local newspapers.

4.1.10.3 BURNING OFF

The lighting of fires to burn bush is permitted on a public holidays except for:

- Christmas Day;
- Boxing Day;
- New Year's Day;
- Good Friday; and
- Easter Sunday.

4.1.10.4 HARVESTING BANS

Christmas Day and New Year's Day are to be declared days of Total Harvest Ban and there is to be no lighting of fires on Good Friday and Easter Sunday within the Shire of Wickepin. This shall be advertised in local newspapers on a yearly basis a week prior to the above mentioned holidays.

This policy is to be discussed at the Annual Fire Control Officers meeting.

4.1.10.5 BURNING OF GREEN WASTE

Green waste under Council control will be burnt only when conditions are deemed suitable. A burn is to be under the direction of the appointed FCO or other appointed Officers.

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170321-03	17/02/2021
200422-12	16/03/2022

4.1.11 FIRE VEHICLES, EQUIPMENT AND TOOLS

OBJECTIVE: Provide clear parameters in relation to fire fighting vehicles, appliances and equipment.

The Shire of Wickepin shall provide and maintain fire fighting appliances, equipment and tools pursuant to *Section 36 of the Bush Fires Act 1954 (WA)*.

Fire fighting appliances allocated to Volunteer Bush Fire Brigades will be stationed at the Bush Fire Brigade Headquarters or other locations nominated in writing by the Brigade and agreed to by Council. The FCO will at all times keep the CBFCO informed of any changes of the day to day location and operational status of the Bush Fire Brigades appliances.

The FCO will ensure;

- Bush Fire Brigade appliances are serviced and checked on a regular basis; and
- the battery, tyres, water, oil, and fuel of the Shire of Wickepin fire fighting appliances are checked at least weekly.

The FCO will submit reports of damage to the CEO that has occurred. The driver of a Shire of Wickepin fire fighting appliance shall be responsible for bringing to the attention of the FCO or the Shire of Wickepin Mechanic any maintenance items.

Maintenance and repair of all appliances and equipment will be carried out by an approved repairer and with the knowledge and consent of the Shire of Wickepin mechanic.

All replacement parts or equipment will be purchased on an official Shire of Wickepin purchase order.

No fire fighting appliance shall be removed from the Bush Fire Brigade Headquarters or other nominated location by any person without the FCO or another officer of the Bush Fire Brigade being advised either verbally or in writing of the intended location of the appliance.

The driver of any Shire of Wickepin fire fighting appliances must hold a current drivers licence of the call appropriate for the appliance being driven and be either;

- a Council employee;
- a registered member of the Volunteer Bush Fire Brigade; or
- any person authorised by the Bush Fire Brigade or Fire Control Officer to do so.

The drivers of a Shire of Wickepin fire fighting appliance shall at all times observe the provisions of the *Road Traffic Code 2000 (WA)*, in particular those applying to emergency vehicles.

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4.1.12 SAFETY CLOTHING AND FOOTWEAR

OBJECTIVE: Provide clear parameters in relation to fire fighting safety clothing and footwear.

The Shire of Wickepin will provide registered fire fighters with appropriate protective clothing as per standard recommended by the DFES.

All personnel attending any fire must wear appropriate protective clothing during attendance at all times.

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4.1.13 FOOD AND DRINK

OBJECTIVE: Provide clear parameters in relation to the supply of food and drink at bush fires.

The Shire of Wickepin will arrange a supply of food and drink for emergency sustenance for Volunteer Bush Fire Brigade personnel at fire emergencies.

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4.1.14 INSURANCE

OBJECTIVE: Provide clear parameters in relation to fire fighters and insurance.

The Shire of Wickepin will obtain and keep current a policy of insurance for registered fire fighters and equipment pursuant to *Section 37 of the Bush Fires Act 1954 (WA)*, to cover personnel, equipment and vehicles whilst engaged in emergency duties such as fire fighting or prevention, training exercises or other activities duly authorised by the Bush Fires Committee.

The insurance policy is to be reviewed by the CEO annually.

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4.1.15 TRANSFER OF CONTROL OF BUSHFIRES TO DFES

OBJECTIVE: Provide clear parameters in relation to transfer of control of bushfires to DFES.

Under provisions of the *Bush Fire Act 1954 (WA)* where Council's Volunteer Bush Fire Brigades believe they cannot effectively or safely manage a bush fire incident, Council, via the CEO, will transfer control of that incident to DFES.

Council will support DFES's management of any incident by providing:

- at least one senior Shire of Wickepin FCO to be part of the Incident Management Team to provide local knowledge and facilitate effective liaison with local fire fighting resources;
- Shire of Wickepin bush fire fighting resources, including appliance and volunteers; and
- assistance in suppression activities as determined by the CEO.

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4.2 ANIMAL CONTROL

4.2.1 APPLICATION TO KEEP ADDITIONAL DOGS ON PREMISES IN TOWN SITES AND RURAL RESIDENTIAL PROPERTIES

OBJECTIVE: Control the number of dogs permitted to be kept on a property within the Shire of Wickepin under Section 26 (3) of the Dog Act 1976 (WA).

No more than 2 dogs may be kept on any town property within the Shire of Wickepin without prior Council approval.

Applications for permanent accommodation of additional dogs shall be made to Council and all immediate neighbours are to be notified of the application.

Applications for temporary accommodation of additional dogs shall be approved by the CEO.

Where Council is satisfied in relation to any particular premises that the provisions of the Dog Act 1976 (WA regarding approved kennel establishments need not be applied in the circumstances, Council may approve the keeping of additional dogs on the premises.

Council approval:

- may be made subject to conditions;
- shall not authorise the keeping of more than 6 dogs on any premises; and
- may be revoked or varied at any time.

4.2.1.1 CRITERIA FOR RESIDENTS OBTAINING PERMISSION TO KEEP 3 OR MORE DOGS IN THE SHIRE OF WICKEPIN

An application on the prescribed form (attached) must be submitted to the Shire of Wickepin offices. Applications may be for temporary approval up to 3 months or for permanent approval.

All dogs must be registered with the Shire of Wickepin.

The dog owner must provide a reason for wanting to have more than 2 dogs on the town property.

The lot size where dogs reside should be minimum 750sqm, although Council may determine that a smaller area may be approved dependant on size, breed, age of dogs and the topography of the property.

The area where the dogs are confined must have sufficient area for the dogs to use, play and have adequate shelter.

The fencing must be of sufficient strength, configuration and height to confine the dogs and not allow dogs to dig under or climb/jump over.

Gates must meet the same criteria as the fencing when secured and should be lockable.

Houses built on stumps are to have sufficient materials attached under the house and secured into the ground so as to prevent dogs from getting through openings or digging under the house.

Applications are to be checked by the Ranger, or Customer Service Officer, and they are to advise the applicant of the application process.

Once the applicant has submitted the prescribed form, the Ranger is to visit the property to ensure it complies with the conditions set out in the application.

Council officers will arrange notification in writing to be served on each occupier of every residence and landowner within a radius of 70 metres of the nominated property of the applicant's intention to seek Council's approval to keep more than 2 dogs on the nominated property. Notification will include the total number and breed of dogs intended to be kept and invite submissions to be made to Council in respect to the application within 21 days of the date of notification.

After the expired period, the Ranger shall prepare a report on the application to including:

- a map showing the applicants property and immediate properties;
- a summary of the written views of neighbours;
- details of any previous complaints in respect to barking, dogs causing a nuisance, wandering and aggressive behaviour, relevant to the dogs in question;
- comments from the dog owner as to their responsibilities in looking after the dogs; and
- condition of the dogs.

As soon as practical the applicant and neighbours who responded shall be advised of Council's decision in the matter. The applicant will be advised that, if proven justified complaints are received, the approval can be cancelled by the CEO. If the application is rejected the applicant shall be given advice on their right of appeal to the decision.

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SHIRE OF WICKEPIN

**ADJOINING LANDOWNERS
CONSULTATION FORM**

Adjoining Property Owner Details

Name: _____
Lot No: _____ Street No: _____ Street Name: _____
Townsite: _____ Postcode: _____

Details of matters on which Council discretion is required and comment sought –

To allow the keeping of three (x) dogs at

Adjoining Property Owners Comments

I/we make comment as follows: Support Object Indifferent

(Attach additional information if necessary)

Signed: _____ Date: _____ Phone: _____

Print Name:

Please return to: Chief Executive Officer
Shire of Wickepin
PO Box 19
WICKEPIN WA 6361

Submissions Close: 21 Days from date of this notice.

Date: _____



APPLICATION TO KEEP MORE THAN THE PERMISSIBLE NUMBER OF DOGS

NAME: _____
 ADDRESS: _____
 PHONE: (H) _____ (W) _____ (Mb.) _____
 EMAIL: _____

The description and particulars of the premises on which the dogs/cats are to be kept:

Total Property Area: _____ (sqm²) Rear outdoor area of: _____ (sqm²)

Method of confining animals to the premises (eg. fence, gates, enclosure, etc.):

Interest in premises (ie. owner or occupier): _____

Details of Animals:

Number	Name	Breed	Colour	Sex M/F	DE sexed	Registration Number
1						
2						
3						
4						
5						
6						

The provisions made for housing and keeping the premises clean and free from offensiveness are:

If the permit application is for dogs, are any of the animals either a declared "dangerous Dog", "menacing dog", or a "restricted breed" dog? (Y/N) _____

If yes*, please provide particulars:

*Certain restrictions apply when housing any of the declared types of dogs. Please contact Council for further information.

In accordance with Shire of Wickepin Policy 4.2.1 Application to Keep Additional Dogs on Premises I hereby apply to the Shire of Wickepin for a permit to keep more than two dogs on the premises situated at:

I certify that the information described above is true and correct.

Name of Applicant: _____
PLEASE PRINT

Date: _____

Signature: _____

Name of Witness: _____
PLEASE PRINT

Date: _____

Signature: _____

IMPORTANT INFORMATION FOR APPLICANT (PLEASE KEEP THIS PAGE)

Application to keep more than the permissible number of dogs.

1. Granting of the permit is subject to inspection by an authorised Council officer.
2. Permit duration: three (3) years.

Council will consider the following when assessing applications:

- Condition of the premises — clean, inoffensive and sanitary condition, level of maintenance to minimise any nuisance.
- State of the ground where the animal is kept — free of weeds, refuse, rubbish and other material harbouring, or which may harbour, rats and vermin.
- Method and frequency of disposing of animal faeces.
- Current registration of animals.
- Ensure that the presence of pets does not cause detriment to the amenity of the area.
- The welfare of the animals is not compromised.
- All requirements of the Dog Act 1976 and associated Regulations.

4.3 OTHER LAW, ORDER & PUBLIC SAFETY

4.3.1 ENFORCEMENT OF LOCAL LAWS

OBJECTIVE: Provide clear parameters in relation to enforcements of Local Laws and other matters under local government within the Shire of Wickepin.

This policy is based on the following principles:

- Proportionality – taking action which is reasonable and related directly to the offence.
- Consistency – ensuring that similar issues are dealt with in the same way.
- Transparency – making sure that what the Council do and why it is done is easily understood.
- Helpfulness – working with the community to achieve compliance with the law by being approachable, courteous and efficient.
- Openness – by being open about the way the Council go about doing things.

This policy does not apply where existing enforcement policies are already in place in relation to a particular law.

4.3.1.1 LEVELS OF ENFORCEMENT ACTION

There are a number of enforcement options available when offences are identified.

Action level 1 – advice and guidance

The Shire of Wickepin will actively work with the community to advise and assist with compliance. This will be achieved by providing information leaflets and making face to face contact.

Action level 2 – verbal warnings

The Shire of Wickepin will issue a verbal warning for failure to comply with any law that may have been broken and is a offence.

Action level 3 – written warnings

The Shire of Wickepin will issue a written warning when a law is broken and a verbal warning has previously been issued for the same offence.

Action level 4 – formal enforcement

The Shire of Wickepin will issue an infringement notice, payment of fees or advise of prosecution if necessary.

This level of enforcement is normally used when both verbal and written warnings have previously been issued for the same offence or in cases of severe breaches likely to cause injury/harm to another person/party.

Prosecution would normally only commence where no apparent action has been taken by the offender to prevent the offence from re-occurring.

The Shire of Wickepin may seek recovery of costs where such costs have been incurred as a result of:

- Damage to property.
- Impounding of property or an animal where it cannot be determined who the owner is at the time of the impounding action or reasonable efforts fail to locate the owner to have the animal placed in a secure environment.
- In correcting an offence where the perpetrator cannot be within reasonable time be located and it is of a nature that for reason of public safety and amenity that requires reasonably prompt attention.
- The levying of Fees and Charges that would be applicable to an action if it was carried out through the right channels in the first place.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

5 HOUSING

5.1 EMPLOYEE HOUSING

5.1.1 EMPLOYEE HOUSING

OBJECTIVE: Provide clear parameters in relation to Shire of Wickepin employee housing.

5.1.1.1 DESIGNATED HOUSING

The following houses are to accommodate Shire of Wickepin employees only:

- Lot 40 Moss Parade is allocated to the CEO.
- 7 Rintel Street is allocated to the MWS.
- Other housing as allocated by the CEO. Temporary surplus housing may be rented on a monthly tenancy basis by the CEO.

5.1.1.2 TENANCY POLICY

Refer to following attachments:

- Deduction Authority
- Shire of Wickepin Employee Housing Tenancy Policy.

5.1.1.3 HOUSING SUBSIDY

Permanent employees of the Shire of Wickepin as at 1st October of each financial year who reside in a non-Council owned residence are entitled to a \$400 annual payment per residence resided in.

For those employees who are not full time, the annual subsidy will be reduced proportionately to their full time equivalent employment status.

Payments will be made to eligible employees no later than the 31st of October of each financial year.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

SHIRE OF WICKEPIN



DEDUCTION AUTHORITY

I _____

hereby authorise you to deduct the following from my wages/salary.

Deductions	Details	Amount	Commencing	End date
Rates				
Staff Housing Rent				
Housing Bond				
Debtor Account				
Other				

Signed: _____

Date: _____

OFFICE USE

Payroll Number: _____

Deduction Code: _____

Amount: _____

Date Entered: _____

Signed: _____
(Payroll Officer)

Cancelled/Replaced _____

SHIRE OF WICKEPIN EMPLOYEE HOUSING TENANCY POLICY



***Information for employees living in Shire of
Wickepin Owned Properties***

2020

Contact

CONTACT	PHONE	EMAIL
Wickepin Administration Centre	(08) 9888 1005	admin@wickepin.wa.gov.au
Mark Hook, Chief Executive Officer	0429 207 855	ceo@wickepin.wa.gov.au
Deputy CEO	(08) 9888 1005	dceo@wickepin.wa.gov.au
Executive Support Officer	(08) 9888 1005	eso@wickepin.wa.gov.au
Manger Works and Services	0429 882 871	works@wickepin.wa.gov.au
Finance Officer	(08) 9888 1005	finance@wickepin.wa.gov.au

Introduction

This policy introduces a set of allowances and conditions for **full time** staff. The allowances and conditions of the Shire of Wickepin Housing Policy are reviewed annually.

A Housing budget exists for the ongoing maintenance and repairs, renovation, rates and insurances associated with the running of the staff housing portfolio.

The houses owned by the Shire of Wickepin for the purposes of staff housing vary in size and are used to maximise their ability to house the mix of staff, single or married, in each location.

Staff members should also be aware that from time to time due to unforeseen circumstances they might be required to move into alternative accommodation if there are changes to the number and composition of full time staff. Though this is an inconvenience that shall be avoided if at all possible, staff shall relocate to housing allocated to them.

The locations, which apply to the Shire of Wickepin Housing Scheme have been categorised into 2 groups. The eligibility and conditions for Housing vary between these groups.

Group 1

Executive Housing – housing reserved for Council's Executive Staff members as per contract agreements.

Group 2

Staff Housing – housing reserved for Works Crew Employees and Administration Staff.

Staff Houses range in size and if possible, larger houses are made available for staff members with families.

Responsibilities

The following are the specific responsibilities for both the Shire of Wickepin ("Council") and the Employee ("Tenant") during the period of occupancy.

Bonds

A Security Bond equivalent to four (4) weeks rent is to be paid by tenants. Tenants may choose to pay the bonds either in full or via Payroll Deductions over up to four consecutive pay periods.

Bond money shall be lodged to the Bonds Administration for the duration of the lease. It shall be returned to the tenant in full or in part depending on the state of cleanliness and repair of the accommodation upon final inspection and after signing and submitting the Disposal of Security Bond Form. If the accommodation requires cleaning and/or maintenance deemed to be the tenant's responsibility, then an appropriate amount shall be deducted from the bond to cover all associated expenses. Inspections shall be conducted by the Council's Chief Executive Officer, Building/Health Officer or their nominees.

Lease Agreements

All tenants must sign a Shire of Wickepin **Tenancy Agreement**. In signing it, the tenant acknowledges they have read and understood their eligibility for housing and are aware of their specific responsibilities of the tenancy.

Termination of Lease by Tenant

The tenant must refer to the **Checklist for Vacating a Property** and ensure all items are attended to prior to vacating the premises upon vacating the premises. The completed checklist must be presented to Council's Chief Executive Officer or Building/Health Officer.

Insurance

Insurance coverage for buildings and contents owned by the Shire is the responsibility of the Council. The insurance of personal possessions is the Tenant's responsibility.

Maintenance Issues

It is the responsibility of the Tenant to report any maintenance issues to Council as soon as a problem is identified. This must be done in writing and handed in at the Wickepin Administration Office.

Grounds and Gardens

The Tenant is responsible for maintaining premises, outbuildings and grounds in good repair and condition including the regular watering of gardens. Where the tenant does not perform these duties, the tenant will be responsible for all costs associated with any repairs or replacements caused by careless use or neglect.

Pets

Tenants who reside in Council managed housing shall seek prior approval regarding the keeping of pets. All costs related to pets are the responsibility of the owner.

At the termination of the lease, the Tenant is required to have the carpeted area of the house shampooed and the house sprayed internally for fleas and ticks by a reputable pest control company. The tenant is required to provide a receipt from the pest control company to Council to verify that the work has been carried out.

Smoking

Council supplied housing are smoke free environments and no smoking indoors shall be permitted at any time. Where smoke odours or stains are evident during the course of house inspections and if additional costs are incurred in removing such odours and stains, such costs shall be the responsibility of the tenant.

Water

Water charges will be paid by Council, a maximum of \$500 per annum, with the condition that the Tenant waters all lawn and garden areas.

Rates

Shire Rates, Water Rates and Land Tax are the responsibility of Council.

Telephones

The tenant is responsible for any fees incurred for connection or reconnection of the telephone. Tenants are responsible for all outgoings related to the telephone service. Accounts are to be held in the tenant's name and not in the name of Council.

Internet Connections

Connection, disconnection and ongoing costs associated with internet service is the responsibility of the tenant (unless otherwise negotiated).

Electricity

Tenants are responsible for the payment of all accounts related to electricity supply. Accounts are to be held in the tenant's name and not in the name of Council. Tenants are to contact the Electricity Supply Company prior to moving in to connect power (unless otherwise negotiated).

Replacing Light Globes and Batteries

Tenants are responsible for replacing light globes and smoke detector Batteries annually.

Gas

Gas bottles are supplied and listed as part of the inventory where applicable. The Tenants are to arrange and meet all costs associated with refilling gas bottles (including cost of gas and transportation). Council is responsible for the annual rental of all gas bottles. Gas bottles are not to be removed from Council owned properties without prior consent (unless otherwise negotiated).

Air-conditioning

Tenants are to ensure air-conditioning filters are cleaned regularly. Council will service evaporative air-conditioning units annually at Councils cost. It is the responsibility of the tenant to advise Council staff of any maintenance needs as soon as possible.

Pest Treatment

Treatment and inspection for white ants and other pests is carried out annually. Council will respond to additional reports of termite activity, however, during the intervening periods, it is the responsibility of tenants to take whatever action is deemed necessary to address incidences of other pest activity including such things as cockroaches, rodents and ants etc.

The Tenant must keep all vegetation away from the sides of the house and must not store goods against the external walls of the house.

House Inspections

All residences should be inspected at least once a year by the Chief Executive Officer, Building/Health Officer or their nominees. Inspections will also be made when changes in occupancy occur. The Tenant will be given at least seven days notice of Council's intention to inspect the premises.

Housing

Eligibility for Housing

Factors Affecting Eligibility

1. Council provides housing at a subsidised rental as part of Staff Employment Packages for Full Time Employees. Rental costs are reviewed annually.
2. Housing eligibility is restricted to:
 1. Council Staff in Wickepin
 2. Existing Staff Housing in Wickepin.
3. Where ever possible Council will encourage staff to purchase existing Housing Stock.
4. Staff are entitled to the subsidised rental or housing allowance whilst employed by Council.

Maternity Leave

An employee going on Maternity Leave shall be entitled to the conditions of their existing housing arrangements for a period of 12 months from the commencement of Maternity Leave.

Long Service Leave

Staff on Long Service Leave are permitted to remain in Council housing.

Subsidised Rental Rates

Rent

Rents are determined by Council on an annual basis and are subject to CPI.

Bond Money

Payment of the Bond equivalent to four weeks rent is to be paid by the employee via a Payroll Deduction and lodged with the Bonds Administration.

Relevant Forms

The following forms can be located at the rear of this document.

- Application for Assistance with Up-Front Housing Costs
- Check List for Vacating a Property
- Shire of Wickepin Tenancy Agreement

Shire of Wickepin Staff Housing

Application for Assistance with Bond Payment

Name		Employee Code	
Rental Address			
Commencement Date of Lease		Weekly Rent	\$
Other Occupants			

Application is being made for assistance with the Bond

Standard Bond	\$
Paid Up Front	\$
Total	\$

<p>Note Rent-in-Advance is normally paid as follows:</p> <p>➤ Four weeks rental value</p>

Re-Payment of Bond via Payroll Deductions

Specify the No. of Fortnightly Pay Periods you wish to nominate for re-paying the Bond on the above property	
	Pay Periods

<p>Note Repayments via Payroll Deductions can be made in equal instalments up to 4 pay periods</p>

Tenant's Declaration

I hereby apply for assistance with the payment of Council's Bond as specified above. Furthermore, I acknowledge that re-payment in full will be made in equal instalments via Payroll Deductions commencing in the first pay period after the date the Tenancy commences.

Signed by Applicant _____ Date _____

Application Approval (Office Use Only)

The following **TOTAL** amount is to be deducted from:

Employee _____ **Account Name** _____

Name of Bank _____ **BSB No.** _____ **Account No.** _____

Repayment of \$ _____ per fortnight for the next ___ Pay Periods is to commence in the first Pay Period after the Tenancy commences.

Total \$ _____

Signed By CEO _____

Date _____

Signed By Payroll Officer _____

Date _____

Shire of Wickepin Staff Housing Check List for Vacating a Property

In Accordance with the Terms and Conditions of the Teacher Housing Scheme

Area	Action	Checked
Floors	Vacuum/shampoo/disinfect all carpets removing any new stains.	
	Vacuum/sweep and mop all vinyl and tile surfaces.	
	Shift all items of furnishing and clean floors.	
Wall and Ceilings	Wipe clean any scuff marks etc.	
	Clean to remove any dirt or dust.	
Window Furnishings	Ensure all furnishings are hung properly.	
	Wipe clean all blinds.	
	Wash or dry clean all curtains.	
Windows and Doors	Clean all glass inside and out.	
	Clean all sills and window tracks.	
	Clean all flyscreens and security screens.	
Fittings	Wipe clean all ceiling fans.	
	Wipe clean all light fittings.	
	Wipe clean all exhaust fans.	
	Clean all sinks, troughs, shower and toilet.	
Appliances	Defrost and clean fridge/freezer, turn off power and leave doors open.	
	Clean stove, hot plates and oven.	
	Turn off gas bottles and electricity.	
	Clean air conditioners and filters.	
Cupboards	Clean all shelves and doors.	
	Clean pantry thoroughly.	
	Clean all bench tops.	
	Clean bathroom vanity and mirrors.	
External	Ensure all gardens are neat and tidy and grass mowed.	
	Sweep/hose all verandas and carport.	
	Remove all cobwebs under verandas.	
	Close meter box and turn off power supply.	

Things to Arrange

5. Disconnect **Telephone** and then settle your Account.
6. Disconnect **Power Supply** or have a final reading taken and then settle your Account.
7. Have a final **Water** reading taken and then settle your Account.
8. Lock all **Doors and Windows** and leave **keys** at the Wickepin Administration Centre



FORM 1AA

**RESIDENTIAL TENANCY AGREEMENT
RESIDENTIAL TENANCIES ACT 1987 (WA)
Section 27A**

PART A

This agreement is made between:

Lessor _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

and

Tenant _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Tenant _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Lessor's property manager

Giving of notices and information by electronic means

Indicate below for each of the following persons whether the person agrees to notices and information being given by email or facsimile under the *Electronic Transactions Act 2011*.

Lessor

Email: Yes No Facsimile: Yes No

[insert email address or facsimile number if different from contact details above]

Tenant one

Email: Yes No Facsimile: Yes No

[insert email address or facsimile number if different from contact details above]

Tenant two

Email: Yes No Facsimile: Yes No

[insert email address or facsimile number if different from contact details above]

Lessor's property manager

Email: Yes No Facsimile: Yes No

[insert email address or facsimile number if different from contact details above]

TERM OF AGREEMENT

(* delete as appropriate)

* This residential tenancy agreement is **periodic** - starting on ____/____/____.

* This residential tenancy agreement is **fixed** - starting on ____/____/____ and ending on ____/____/____.

Note: The start date for the agreement should not be a date prior to the date on which the tenant is entitled to enter into occupation of the premises.

RESIDENTIAL PREMISES

The residential premises are [insert

address] _____ and

include/exclude* (* delete as appropriate):

[include any additional matters, such as a parking space or furniture provided, or any exclusions, such as sheds]

MAXIMUM NUMBER OF OCCUPANTS

No more than [insert number] _____ persons may ordinarily live at the premises at any one time.

RENT

(* delete as appropriate)

The rent is [insert amount] \$ _____ per week/calculated by reference to tenants income

[insert calculation] _____

Payable weekly/fortnightly* in advance starting on ____/____/____.

The method by which the rent must be paid is: (* delete as appropriate)

(a) by cash or cheque*; or

(b) into the following account or any other account nominated by the lessor*:

BSB: _____ Account number: _____ Account name: _____ Payment reference: _____

or

(c) as _____ follows*:

SECURITY BOND

A security bond of [insert amount] \$ _____ and a pet bond of [insert amount] \$ _____ must be paid by the tenant on signing this agreement.

Note: Unless the rent for the premises exceeds \$1,200 per week, the security bond must not exceed the sum of 4 weeks' rent plus a pet bond not exceeding \$260 (if a pet is permitted to be kept at the premises). The pet bond is to be used to meet costs of fumigation of the premises.

RENT INCREASE

In the case of a periodic tenancy (see "TERM OF AGREEMENT") any rent increase will be no sooner than 6 months after the commencement of this tenancy agreement and the date of the last increase. The lessor must give at least 60 days notice of the increase.

Note: If rent is calculated by reference to income, the requirement to provide a notice of rent increase only applies if the method of calculating the rent is changed.

In the case of a fixed-term tenancy (see “TERM OF AGREEMENT”) the rent increase will be [insert maximum increase or method of calculating increase, e.g. CPI or percentage] _____ and take effect no sooner than 6 months after the commencement of this tenancy agreement and the date of the last increase. The lessor must give at least 60 days notice of the increase.

Note: For fixed-term lease agreements exceeding 12 months, refer to Part C for details of subsequent rent increases.

WATER SERVICES

Is scheme water connected to the premises? Yes No

Note: If the property is not connected to scheme water, the tenant may have to purchase water at his or her own expense.

WATER USAGE COSTS (SCHEME WATER)

The tenant is required to pay [insert number] _____% of water consumption costs.

PERMISSION TO CONTACT THE WATER SERVICES PROVIDER

Does the tenant have the lessor’s permission to contact the water services provider for the premises to access accounts for water consumption at the premises and to communicate with the water services provider in relation to concessions available to the tenant or supply faults at the premises? Yes No

ELECTRICITY, GAS AND OTHER UTILITIES

Indicate for the utilities below whether or not the premises are separately metered:

Electricity Yes No **Gas** Yes No **Water** Yes No

Other [please specify]: _____ Yes No

Where the premises are **separately** metered to measure consumption of a specific utility, the tenant must pay for the connection and consumption costs as per the relevant account for the premises.

Where the premises are **not separately** metered to measure the consumption of a specific utility, the tenant must pay the consumption costs for that utility which will be calculated as follows:

- Electricity: [insert method of calculation]

- Gas: [insert method of calculation]

- Water: [insert method of calculation]

- Other [please specify]: _____ [insert method of calculation]

STRATA BY-LAWS

Strata by-laws ARE/ARE NOT* (*delete as appropriate) applicable to the residential premises. A copy of the by-laws are attached: Yes No

PETS

The pets listed may be kept at the premises: _ -

RIGHT OF TENANT TO ASSIGN OR SUB-LET

(* delete as appropriate)

* The tenant may assign the tenant’s interest under this agreement or sub-let the premises.

- * The tenant may not assign the tenant's interest under this agreement or sub-let the premises.
- * The tenant may assign the tenant's interest under this agreement or sub-let the premises only with the written consent of the lessor.

RIGHT OF TENANT TO AFFIX AND REMOVE FIXTURES

(* delete as appropriate)

- * The tenant must not affix any fixture or make any renovation, alteration or addition to the premises.
- * The tenant may only affix any fixture or make any renovation, alteration or addition to the premises with the lessor's written permission.

PROPERTY CONDITION REPORTS

A property condition report detailing the condition of the premises must be completed by or on behalf of the lessor and

2 copies provided to the tenant within 7 days of the tenant moving into the premises.

If the tenant disagrees with any information contained in the property condition report, the tenant must note his or her disagreement on a copy of the property condition report and return this to the lessor or property manager within 7 days of receipt of the property condition report from the lessor. If the tenant does not give a copy of the property condition report back to the lessor, the tenant is taken to accept the property condition report as a true and accurate description of the condition of the premises.

A final property condition report must be completed by or on behalf of the lessor and provided to the tenant as soon as practicable but in any event within 14 days of the termination of the tenancy. The tenant must be given a reasonable opportunity to be present at the final inspection.

PART B

STANDARD TERMS APPLICABLE TO ALL RESIDENTIAL TENANCY AGREEMENTS

The *Residential Tenancies Act 1987* and the Residential Tenancies Regulations 1989 apply to this agreement. Both the lessor and the tenant must comply with these laws. Some of the rights and obligations in that legislation are outlined below.

RIGHT TO OCCUPY THE PREMISES

1. The tenant has the right to exclusive occupation and quiet enjoyment of the residential premises during the tenancy. The residential premises include the additional items but do not include the exclusions noted under "RESIDENTIAL PREMISES" in Part A.

COPY OF AGREEMENT

2. The lessor or the property manager must give the tenant:
 - 2.1 a copy of this agreement when this agreement is signed by the tenant; and
 - 2.2 a copy of this agreement signed by both the lessor or the property manager and the tenant within 14 days after it has been signed and delivered by the tenant.

RENT

3. The tenant must pay rent on time or the lessor may issue a notice of termination and, if the rent is still not paid in full, the lessor may take action through the court to evict the tenant.
4. The tenant must not withhold rent because the tenant is of the view that the lessor is in breach of the agreement.
5. The lessor or property manager must not:
 - 5.1 require the tenant to pay more than 2 weeks rent in advance; or
 - 5.2 require the tenant to pay rent by post-dated cheque; or
 - 5.3 use rent paid by the tenant for the purpose of any amount payable by the tenant other than rent; or
 - 5.4 require the tenant to pay any monetary amount other than rent, security bond and pet bond.

6. The lessor or property manager must give a rent receipt to the tenant within 3 days of the rent being paid unless the rent is paid into an authorised bank or credit union account nominated by the lessor.
7. A tenancy agreement cannot contain a provision for a penalty, damages or extra payment if the tenant fails to keep to the agreement or breaches any law. If an agreement allows a reduced rent or a rebate, refund or other benefit if the tenant does not breach the agreement, the tenant is entitled to the reduction, rebate, refund or other benefit in any event.
8. **Warning:** it is an offence for a tenant to fail or refuse to pay any rent due under a residential tenancy agreement with the intention that the amount of such rent be recovered by the lessor from the tenant's security bond.

PAYMENT OF COUNCIL RATES, LAND TAX, WATER AND OTHER CHARGES

9. The lessor must pay all rates, taxes or charges imposed in respect of the premises under the *Local Government Act 1995*, the *Land Tax Act 2002* or any written law under which a rate, tax or charge is imposed for water supply or sewerage services under the *Water Agencies (Powers) Act 1984* (other than a charge for water consumed). The lessor is responsible for any contribution levied under the *Strata Titles Act 1985* and any contribution levied on a proprietor under the *Strata Titles Act 1985*.

PUBLIC UTILITY SERVICES

10. **Public utility services** have the meaning given in the *Land Administration Act 1997* and refers to services such as gas, electricity and water.
11. If the premises are not separately metered to measure the tenant's consumption of a public utility service at the premises and the tenant is expected to pay for his or her consumption of the public utility service, the lessor and tenant must agree in writing an alternative method of calculating the charge to be paid by the tenant for the consumption of that public utility service.
12. The tenant must not be required to pay a charge in relation to a public utility service provided to the premises unless the charge is calculated by reference to the tenant's actual consumption of the public utility service at the premises and the tenant is given written notice of the charge.
13. If the premises are separately metered, the notice of the charge must specify:
 - 13.1 the relevant meter reading or readings; and
 - 13.2 the charge per metered unit; and
 - 13.3 the amount of GST payable in respect of the provision of the public utility service to the residential premises.
14. If the premises are not separately metered, the notice of the charge must specify:
 - 14.1 the calculation as per the agreed method; and
 - 14.2 the amount of GST payable in respect of the provision of the public utility service to the residential premises.

POSSESSION OF THE PREMISES

15. The lessor must:
 - 15.1 give the tenant vacant possession of the premises on the day on which the tenant is entitled to enter into occupation of the premises under the agreement; and
 - 15.2 take all reasonable steps to ensure that, at the time of signing this agreement, there is no legal reason why the tenant cannot occupy the premises as a residence for the term of this agreement.

TENANT'S RIGHT TO QUIET ENJOYMENT

16. The tenant is entitled to quiet enjoyment of the premises without interruption by the lessor or any person claiming by, through or under the lessor or having superior title to that of the lessor.
17. The lessor or the property manager will not interfere with, or cause or permit any interference with, the reasonable peace, comfort or privacy of the tenant in the use of the premises. The lessor or the property manager must also take all reasonable steps to ensure that the lessor's other neighbouring

tenants do not interfere with the reasonable peace, comfort or privacy of the tenant in the use of the premises.

USE OF THE PREMISES BY TENANT

18. The tenant must:
 - 18.1 use the premises as a place of residence; and
 - 18.2 not use or allow the premises to be used for any illegal purpose; and
 - 18.3 not cause or permit a nuisance; and
 - 18.4 not intentionally or negligently cause or permit damage to the residential premises; and
 - 18.5 advise the lessor or property manager as soon as practicable if any damage occurs; and
 - 18.6 keep the premises in a reasonable state of cleanliness; and
 - 18.7 not cause or allow to be caused injury to the lessor, property manager or any person lawfully on adjacent premises; and
 - 18.8 not allow anyone who is lawfully at the premises to breach the terms of this agreement.
19. The tenant is responsible for the conduct or omission of any person lawfully on the premises that results in a breach of the agreement.

LESSOR'S GENERAL OBLIGATIONS FOR RESIDENTIAL PREMISES

20. In this clause, **premises** includes fixtures and chattels provided with the premises but does not include:
 - 20.1 any fixture or chattel disclosed by the lessor to the tenant as not functioning before the agreement was entered into; or
 - 20.2 any other fixture or chattel that the tenant could not reasonably have expected to be functioning at the time the agreement was entered into.
21. The lessor must:
 - 21.1 provide vacant possession of the premises and in a reasonable state of cleanliness and repair; and
 - 21.2 maintain and repair the premises in a timely manner; and
 - 21.3 comply with all laws affecting the premises including building, health and safety laws.

URGENT REPAIRS

22. **Urgent repairs** are defined by the *Residential Tenancies Act 1987* and fall into 2 categories: repairs that are necessary for the supply or restoration of an essential service and other urgent repairs. Essential services are listed in the *Residential Tenancies Regulations 1989* as electricity, gas, a functioning refrigerator (if one is provided with the premises), waste water management treatment and water (including the supply of hot water). Arrangements for repairs that are necessary to supply or restore an essential service must be made with a suitable repairer within 24 hours. Other urgent repairs are those that are not an essential service, but may nevertheless cause damage to the premises, injure a person or cause undue hardship or inconvenience to the tenant. Arrangements for these repairs must be made within 48 hours.
23. In every tenancy, if the need for urgent repair arises other than as a result of a breach of the agreement by the tenant:
 - 23.1 the tenant is to notify the lessor or the property manager of the need for urgent repairs as soon as practicable; and
 - 23.2 the lessor is to ensure that the repairs are carried out by a suitable repairer as soon as practicable after that notification; and
 - 23.3 if, within 24 hours (in the case of repairs for the supply or restoration of essential services) or 48 hours (in the case of other urgent repairs), the lessor or property manager cannot be contacted, or, having notified the lessor or property manager of the need for the repairs, the lessor fails to ensure that the repairs will be carried out by a suitable repairer as soon as practicable after that notification, the tenant may arrange for the repairs to be carried out by a suitable repairer to the

- minimum extent necessary to effect those repairs; and
- 23.4 if a tenant arranges for repairs to be carried out under clause 23.3, the lessor must, as soon as practicable after the repairs are carried out, reimburse the tenant for any reasonable expense incurred by the tenant in arranging for those repairs to be carried out and paying for those repairs.

LESSOR'S ACCESS TO THE PREMISES

24. The lessor, property manager or person acting on behalf of the lessor, can only enter the premises in the following circumstances:
- 24.1 in any case of emergency;
 - 24.2 to conduct up to 4 routine inspections in a 12 month period after giving the tenant at least 7 days, but not more than 14 days', written notice;
 - 24.3 where the agreement allows the rent to be collected at the premises where rent is payable not more frequently than once every week;
 - 24.4 to inspect and secure the premises if there are reasonable grounds to believe that the premises have been abandoned and the tenant has not responded to a notice from the lessor;
 - 24.5 carrying out or inspecting necessary repairs to or maintenance of the premises, at any reasonable time, after giving the tenant not less than 72 hours' notice in writing before the proposed entry;
 - 24.6 showing the premises to prospective tenants, at any reasonable time and on a reasonable number of occasions during the period of 21 days preceding the termination of the agreement, after giving the tenant reasonable notice in writing;
 - 24.7 showing the premises to prospective purchasers, at any reasonable time and on a reasonable number of occasions, after giving the tenant reasonable notice in writing;
 - 24.8 if the tenant agrees at, or immediately before, the time of entry;
 - 24.9 in accordance with the *Residential Tenancies Act 1987* section 46(6A) and (6B).
25. There are directions within the *Residential Tenancies Act 1987* which guide tenants, lessors and property managers on appropriate behaviour in relation to gaining or granting access to the premises. The following summary may assist.

REASONABLE TIME

26. **Reasonable time** means:
- 26.1 between 8.00 am and 6.00 pm on a weekday; or
 - 26.2 between 9.00 am and 5.00 pm on a Saturday; or
 - 26.3 at any other time agreed between the lessor and each tenant.

REQUIREMENT TO NEGOTIATE A DAY AND TIME FOR A PROPOSED ENTRY BY THE LESSOR

27. If it would unduly inconvenience the tenant for the lessor or property manager to enter the premises as specified in a notice of an intention to enter premises on a particular day, the lessor or property manager must make a reasonable attempt to negotiate a day and time that does not unduly inconvenience the tenant.

REQUIREMENT TO GIVE TENANT NOTICE OF PROPOSED ENTRY

28. Where the lessor or property manager gives a tenant notice of an intention to enter premises on a particular day, the notice must specify the day and whether it will be before or after 12.00 pm.

TENANT ENTITLED TO BE PRESENT

29. The tenant is entitled to be on the premises during the entry by the lessor, the property manager or any other person acting on behalf of the lessor.

ENTRY MUST BE REASONABLE AND NO LONGER THAN NECESSARY

30. The lessor or property manager exercising a right of entry:

- 30.1 must do so in a reasonable manner; and
30.2 must not, without the tenant's consent, stay or permit others to stay on the premises longer than is necessary to achieve the purpose of the entry.

LESSOR'S OBLIGATION TO COMPENSATE TENANT IF DAMAGE TO TENANT'S GOODS

31. If the lessor or property manager (or any person accompanying the lessor or property manager) causes damage to the tenant's goods when exercising a right of entry, the lessor is obliged to compensate the tenant.

ALTERATIONS AND ADDITIONS TO THE PREMISES

32. If the tenancy agreement allows the tenant to affix a fixture or make a renovation, alteration or addition to the premises, then:
- 32.1 the tenant must obtain permission from the lessor prior to affixing any fixture or making any renovation, alteration or addition to the premises; and
32.2 the tenant must obtain permission from the lessor to remove any fixture attached by the tenant and make good any damage; and
32.3 notify the lessor of any damage caused by removing any fixture and, at the option of the lessor, repair the damage or compensate the lessor for any reasonable expenses incurred by the lessor in repairing the damage; and
32.4 the lessor must not unreasonably refuse permission for the installation of a fixture or an alteration, addition or renovation by the tenant.
33. If the lessor wants to make an alteration or addition or affix a fixture to the premises, then:
- 33.1 the lessor must obtain the tenant's permission prior to affixing any fixture or making any renovation, alteration or addition to the premises; and
33.2 the tenant must not unreasonably refuse permission for the lessor to affix any fixture or make any renovation, alteration or addition to the premises.
- 33A. For the purposes of the *Residential Tenancies Act 1987* section 47(4), the tenant may make the following prescribed alterations:
- 33A.1 the renovation, alteration or addition of any of the following —
- security alarms and cameras;
 - locks, screens and shutters on windows;
 - security screens on doors;
 - exterior lights;
 - locks on gates;
- 33A.2 the pruning of shrubs and trees to improve visibility around the residential premises.
- 33B. Under the *Residential Tenancies Act 1987* section 47(5):
- 33B.1 the cost of making the prescribed alterations must be borne by the tenant; and
33B.2 the tenant must give written notice to the lessor of the tenant's intention to make the prescribed alterations; and
33B.3 work on the prescribed alterations must be undertaken by a qualified tradesperson, a copy of whose invoice the tenant must provide to the lessor within 14 days of the alterations being completed; and
33B.4 the prescribed alterations must be effected having regard to the age and character of the property and any applicable strata company by-laws; and
33B.5 the tenant must restore the premises to their original condition at the end of the residential tenancy agreement if the lessor requires the tenant to do so and, where restoration work has been undertaken by a tradesperson, must provide to the lessor a copy of that tradesperson's invoice within 14 days of that work having been performed.

LOCKS AND SECURITY DEVICES

34. The prescribed means of securing the premises are specified in the *Residential Tenancies Regulations*

1989. In every tenancy:

- 34.1 the lessor must provide and maintain such means to ensure the premises are reasonably secure as prescribed in the regulations; and
- 34.2 any lock or security device at the premises must not be altered, removed or added by a lessor or tenant without the consent of the other or except in accordance with clause 34.4; and
- 34.3 the lessor or the tenant must not unreasonably withhold the consent referred to in clause 34.2; and
- 34.4 a tenant may alter or add any lock or other means of securing the residential premises in accordance the Residential Tenancies Act 1987 section 45(2)(a), and the tenant and lessor must comply with section 45(2)(b) and (c) in relation to copies of keys to altered or added locks or other means of securing the residential premises.

TRANSFER OF TENANCY OR SUB-LETTING BY TENANT

- 35. If the tenancy agreement allows the tenant to assign his or her interest or sub-let the premises with the lessor's consent:
 - 35.1 the tenant cannot assign his or her interest or sub-let the premises without the written consent of the lessor; and
 - 35.2 the lessor must not unreasonably withhold such consent; and
 - 35.3 the lessor must not make any charge for giving such consent other than the lessor's reasonable incidental expenses.

CONTRACTING OUT

- 36. It is an offence to contract out of any provision of the *Residential Tenancies Act 1987*.

ENDING THE RESIDENTIAL TENANCY AGREEMENT

- 37. This residential tenancy agreement can only be terminated in certain circumstances.
- 38. The tenant agrees, when this agreement ends, to give vacant possession of the premises to the lessor. Before giving vacant possession to the lessor the tenant must:
 - 38.1 remove all the tenant's goods from the residential premises; and
 - 38.2 leave the residential premises as closely as possible in the same condition, fair wear and tear excepted, as at the commencement of the tenancy; and
 - 38.3 return to the lessor all keys, and other opening devices or similar devices, provided by the lessor.
- 39. The tenant may be liable for losses incurred by the lessor if the above requirements are not met.

ENDING A FIXED-TERM AGREEMENT

- 40. If this agreement is a fixed-term agreement it may be ended:
 - 40.1 by agreement in writing between the lessor and the tenant; or
 - 40.2 if either the lessor or tenant does not want to renew the agreement, by giving written notice of termination. The notice must be given to the other party at least 30 days prior to the date on which vacant possession of the premises is to be delivered to the lessor. The notice may be given at any time up until the end of the fixed term but cannot take effect until the term ends.

ENDING A PERIODIC AGREEMENT

- 41. If this agreement is a periodic agreement it may be ended:
 - 41.1 by agreement in writing between the lessor and the tenant; or
 - 41.2 by either the lessor or the tenant by giving written notice of termination to the other party. The notice may be given at any time. The lessor must give at least 60 days' notice and the tenant must give at least 21 days' notice.

ENDING A TENANT'S INTEREST IN A RESIDENTIAL TENANCY AGREEMENT BECAUSE OF FAMILY

VIOLENCE

41A. A tenant's interest in a residential tenancy agreement may be ended:

- 41A.1 by the tenant under the *Residential Tenancies Act 1987* section 60(1)(ba) if the tenant or a dependant of the tenant is, during the tenancy period, likely to be subjected or exposed to family violence; or
- 41A.2 by the tenant under the *Residential Tenancies Act 1987* section 60(1)(bb) if the tenant receives a copy of a notice of a termination referred to in paragraph 41A.1 from another tenant; or
- 41A.3 by a court under the *Residential Tenancies Act 1987* section 60(1)(bc) if a family violence order is in force against a tenant to protect another tenant or if the court is satisfied that the tenant has committed family violence against another tenant or their dependant during the tenancy period.

OTHER GROUNDS FOR ENDING AGREEMENT

42. The *Residential Tenancies Act 1987* also authorises the lessor and tenant to end this agreement on other grounds. The grounds for the lessor include sale of the residential premises, breach of this agreement by the tenant, where the agreement is frustrated (e.g. where the premises are destroyed or become uninhabitable) and hardship. The grounds for the tenant include breach of this agreement by the lessor, where the agreement is frustrated (e.g. where the premises are destroyed or become uninhabitable) and hardship.
43. For more information, refer to the *Residential Tenancies Act 1987* or contact the Department of Mines, Industry Regulation and Safety on 1300 30 40 54 or visit www.commerce.wa.gov.au/ConsumerProtection.
44. **Warning:**
- 44.1 It is an offence for any person to obtain possession of the residential premises without an order of the Magistrates Court if the tenant does not willingly move out (a termination notice issued by the lessor or property manager is not a court order). The court may order fines and compensation to be paid for such an offence.
 - 44.2 It is an offence for a tenant to fail to provide the lessor with a forwarding address when vacating the premises.

SECURITY BOND

45. The security bond is held by the Bond Administrator.
46. The lessor agrees that if the lessor or the property manager applies to the Bond Administrator for all or part of the security bond to be released to the lessor, the lessor or property manager will provide the tenant with evidence to support the amount that the lessor is claiming.
47. The Bond Administrator can only release the security bond when it receives either:
- 47.1 a Joint Application for Disposal of Security Bond form signed by all the parties to the tenancy agreement; or
 - 47.2 an order of the court.
48. If the parties cannot agree on how the security bond is to be dispersed, either party can apply to the Magistrates Court to have the dispute decided.
49. **Warning:** It is an offence for a lessor or a property manager to require a tenant to sign a Joint Application for Disposal of Security Bond form unless the residential tenancy agreement has terminated, the rent to be paid under the tenancy agreement is decreased or a pet is no longer kept at the premises, and the amount of the security bond to be paid to the tenant or lessor is stipulated on the form.

TENANCY DATABASES

50. A lessor or property manager can only list a person on a residential tenancy database if:
- 50.1 the person is a named tenant on the residential tenancy agreement; and
 - 50.2 the residential tenancy agreement has been terminated; and
 - 50.3 the person owes the lessor a debt that is greater than the security bond or a court has made an

order terminating the tenancy agreement.

NOTICES

51A. A notice under this agreement must be given:

51A.1 in the prescribed form; or

51A.2 if there is no prescribed form but there is an approved form — in the approved form; or

51A.3 if there is no prescribed form or approved form — in writing.

51B. A notice from the tenant to the lessor may be given to the property manager or the lessor's agent.

51C. A notice under this agreement may be given to a person:

51C.1 by giving it to the person directly; or

51C.2 if an address for service for the person is given in the agreement — by posting it to the address for service; or

51C.3 if the person has agreed under Part A to the electronic service of notices — by sending the notice to the address or facsimile number given in Part A.

51D. A person may withdraw his or her consent to a notice being given to the person by email or facsimile by giving a notice to that effect to each other party to the agreement.

ADVICE, COMPLAINTS AND DISPUTES

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY

52. The *Residential Tenancies Act 1987* allows the Commissioner for Consumer Protection to give advice to parties to a residential tenancy agreement, to look into complaints and, wherever possible, help to settle them. The Department of Mines, Industry Regulation and Safety may be contacted by telephone on 1300 30 40 54 or by visiting one of the Department's offices.

53. The tenant should generally approach the lessor or property manager to solve any problem before approaching the Department of Mines, Industry Regulation and Safety. The Department's role is one of mediation and conciliation, it cannot issue orders or make determinations in respect of disputes.

IF A DISPUTE CANNOT BE RESOLVED

54. If a dispute arises between the lessor and the tenant and the dispute cannot be resolved, either party may apply to the Magistrates Court to have the dispute decided by the court. The court can make a range of orders, including:

54.1 restraining any action in breach of the agreement; and

54.2 requiring a party to the agreement to perform a certain action under the agreement; and

54.3 order the payment of any amount owing under the agreement; and

54.4 order the payment of compensation for loss or injury.

Signed by the TENANT/S (strike-out non-applicable signature blocks)

[Signature of tenant]

____/____/____
Date

[Signature of tenant]

____/____/____
Date

[Signature of tenant]

____/____/____
Date

[Signature of tenant]

____/____/____
Date

For further information about rights and obligations as a lessor or tenant, refer to the *Residential Tenancies Act 1987* or contact the Department of Mines, Industry Regulation and Safety on 1300 304 054 or www.commerce.wa.gov.au/Tenancy

For Translating and Interpreting Services please telephone TIS on 13 14 50 and ask to speak to the Department of Mines, Industry Regulation and Safety (1300 304 054) for assistance.

6 COMMUNITY AMENITIES

6.1 TOWN PLANNING/REGIONAL DEVELOPMENT

6.1.1 CONDITIONS FOR SUBDIVISIONS

OBJECTIVE: Provide clear parameters in relation to the conditions for subdivisions.

Developers of any subdivisions within the Shire of Wickepin are required to provide the following works and services:

- **Commercial and Residential Land**
Asphalt road, mountable concrete kerbing, street drainage, underground power, contribution towards public open space for passive recreation, street lighting, street signage, property numbering, fire hydrants and provision of a 2 m wide concrete footpath.
- **Industrial Land**
Asphalt roads, mountable concrete kerbing, street drainage, underground power, street lighting, street signage, fire hydrants and property numbering.
- **Special Rural**
No trees or vegetation shall be removed from the road reserve area of Special Rural subdivisions without prior authorisation of Council.

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170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

6.1.2 KEY PERSONNEL HOUSING

OBJECTIVE: Provide clear parameters in relation to providing housing for key personnel.

6.1.2.1 LAND

Site/block to be agreed to between Council and proponent in writing before submission is forwarded to Country Housing Authority for assessment.

Council will contribute land in-kind subject to Council having suitable land available.

If suitable land is available preference will be given to:

- Deep sewerred land if it is in Wickepin (including sewerage headworks).
- If not deep sewerred, to land that is easily serviced with the least amount of headwork charges applicable.
- Headwork costs charged (if applicable) by State Government Agencies shall be borne by the proponent not by the Shire of Wickepin.
- Land that requires the least amount of public works such as clearing, roads, kerbing and the like.

6.1.2.2 IN-KIND WORKS CONTRIBUTED BY COUNCIL RESOURCES

The Shire of Wickepin will provide administration, plant, equipment and material associated with earthworks and landscaping limited to:

- Block levelling.
- House and shed pad construction (including provision of suitable fill (e.g. sand).
- Excavation works required for septic system/leach drains (including fill e.g. sand/aggregate).
- Excavation works associated with garden reticulation.
- Excavation works associated with power and water service connection.
- Labour associated with reticulation installation only (does not include planting of garden).
- Management/administration of project by Council employees.

Council's contribution by way of land and other in-kind works to any one project shall not exceed \$17,500. Land shall be valued as per an independent valuation obtained by Council.

6.1.2.3 FINANCIAL ARRANGEMENTS

The Shire of Wickepin will provide the following contribution with regard to financing arrangements.

Loan funds will be made available through Council subject to the following limitations:

- Council obtaining approval from lending agency to borrow required funds needed by proponent to fund the construction of the project.
- Agreement in writing from proponent that Council will retain equity in the residence until such time as the loan is repaid to Council in full.
- Term of any loan facilitated through Council will not exceed a term of 15 years.
- Loan repayments repayable to Council shall commence on the loan draw down date in accordance with the debenture schedule and shall be paid via direct electronic bank transfer to Council.

6.1.2.4 LEGAL ARRANGEMENTS

Proponent shall sign a written legally binding agreement with Council that sets out various obligations on both parties pertaining to the joint arrangement. The agreement shall be signed prior to the ordering of any approved residence under the Key Personnel Housing Scheme and prior to the draw down of any required finance. The agreement shall include but necessarily limited to:

- Agreement for Sale and Purchase.
- Financial arrangements.
- Tenancy arrangements.
- Purchaser covenants.
- Condition of premises clause – upkeep, occupation of, use of.
- Termination/default clause.

All costs associated with the execution of the agreement shall be shared 50/50 between the Proponent and Council.

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180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

6.2 OTHER COMMUNITY AMENITIES

6.2.1 GENERAL WASTE AND RECYCLE BINS

OBJECTIVE: Council provides households and businesses with bins to assist in the management of waste and recycling. Residential properties have different bin entitlements to businesses.

6.2.1.1 NEW AND STOLEN BINS

Council will provide one general waste bin (green lid) and one recycling bin (yellow lid) to the following;

- New residential; and
- New commercial.

6.2.1.2 REFUSE COLLECTION

The annual refuse charge on council's rate notice entitles the following pick up from premises;

Residential

- 1x 240 litre green waste bin
- 1x 240 litre yellow recycling bin

Commercial

- 3x 240 litre green waste bin
- Bulk recycling (cardboard , paper etc.) pick up from approved pick up area
- 3x 240 litre yellow recycle bins for glass, plastics, aluminium etc.

Over and above the allocated amount of collection will incur an additional charge based on annual refuse charges.

Council's contractors will not pick up 44 gallon drums or any other rubbish receptacle other than a 240 litre bin.

6.2.1.3 DAMAGED BINS

Council will only repair and replace bins damaged by council's contractors. Residents/owners to purchase replacement bins at their own cost.

RESOLUTION:	DATE OF REVIEW:
160915-12	16/09/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

6.2.2 SAND AND GRAVEL EXTRACTION

OBJECTIVE: Provide clear parameters in relation to sand and gravel extraction.

The MOW or CEO must seek permission from a landowner to search for materials on land within the Shire of Wickepin.

Entry powers are to be used as a last resort for road building materials only.

Send a letter to the land owner (see letter attached).

The CEO or MWS is to approach the landowner at least 14 days prior to the time that works are due to commence near the property, to advise the landowner of Council's intention, to negotiate compensation and to enable the landowner to make any domestic arrangements.

Council pays a cubic metre rate for sand/gravel as set out in the Fees and Charges. The cost will be charged against the particular job or jobs concerned.

All pits opened on private property are to be reclaimed before plant shifts to the next programmed job unless firm arrangements are made with the landowner for not reclaiming.

Rehabilitation of pits is to be in accordance with Council's pit rehabilitation policy on page 146.

Neither the landowner nor the Shire of Wickepin will allow other persons to extract materials from the stockpile area. Where the landowner wishes to make use of the stockpiled materials they must agree on terms with the Shire of Wickepin.

If land owners are unwilling to allow Council access for Road Building Materials (RBM) reserves, Council may resume the land to enable RBM to be obtained, as per *Schedule 3.2(3) of the Local Government Act 1995 (WA)*, which states "That from land any native growing or dead timber, earth, stone or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence, or gate."

All agreements relating to the removal of (gravel/RBM) shall be recorded in writing and signed by all parties.

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150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

Contact:

File:

Name

Address

Address

Date

Dear _____

Thankyou for allowing Wickepin Shire access onto your property, and to obtain Gravel/RBM for the construction and maintenance of roads in your area.

We will notify you in advance of each occasion when we expect to enter and obtain Gravel/ RBM, and to ensure our operations do not cause any nuisance or inconvenience to you. Should you experience any problems in this regard, please contact either the Chief Executive Officer or Manager of Works and Services at the Council office, and we will remedy the situation as quickly as possible.

On completion of each period of carting, it is Council's responsibility to leave your property in a condition at least equivalent to when carting started, this may, for example require grading of internal access roads, if they have suffered as a result of the passage of heavy vehicles.

When the gravel in each pit is exhausted, Council will restore it as far as possible by leveling the area and re-spreading any topsoil which may have been stock piled in order to encourage natural vegetation. In some cases alternative arrangements may be made with the Landowner, e.g. to leave the gravel pit as a dam Catchment.

In addition to the above, Council recognises its responsibility to pay fair remuneration for the gravel/RBM taken from your property. This will generally be done by giving you cash reimbursement, rather than private works, at a rate determined in our budget.

Note that Council cannot agree to extend this arrangement beyond the expiry of the 12 months limit, or to make any cash payment in lieu.

Any questions or concerns about the arrangements set out in this letter should be directed to the Chief Executive Officer or the Manager of Works and Services on 9888 1005 during Office Hours.

Thank you again for your co operation.

Yours Sincerely

6.2.3 INTENSIVE AGRICULTURE

OBJECTIVE: Provide clarity and direction with regards to the approval of intensive agricultural uses in consideration of potential conflict issues with other land-uses.

‘Intensive agriculture’ includes but is not limited to horticulture, aquaculture, viticulture, floriculture, feed lots, and turf farms.

‘Intensive Agriculture’ is specified as an ‘A’ use (requiring advertising prior to Council decision) within the Rural Zoned Areas of the Shire of Wickepin Town Planning Scheme No. 4.

Council may support an intensive agricultural use/development on ‘General Agricultural’ zoned land subject to the following minimum criteria:

INTENSIVE AGRICULTURAL USE	MIN. LOT SIZE	MIN. SETBACK FROM BOUNDARIES	MIN. SETBACK FROM NEIGHBOURING RESIDENCE	MIN. SETBACK FROM A WATERCOURSE OR DAM	MIN. VEGETATION SCREENING & BUFFERS
Horticulture	20 ha	40 metres	200 metres	100 metres	5 metres
Viticulture	30 ha	40 metres	200 metres	100 metres	5 metres
Floriculture	10 ha	15 metres	100 metres	100 metres	5 metres
Aquaculture	2 ha	15 metres	100 metres	100 metres	-
Turf Farm	20 ha	15 metres	100 metres	100 metres	-

Setbacks may be varied depending on the nature of the proposed intensive agricultural use, local wind, topography and vegetation conditions. When determining such setbacks the Council will consider existing characteristics and potential land-uses on adjoining and nearby properties.

An acceptable water supply, endorsed/licenced by the Water and Rivers Commission, exists on the property with confirmation to this effect being submitted in writing at the time of application for planning consent.

An application for planning consent must demonstrate that the proposed intensive agricultural use will not impact on any neighbouring agricultural practice or be detrimental to the subject land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, spray drift, effluent disposal or leaching, waste water disposal or runoff etc.

Council will not support the damming of a watercourse or valley area for the purpose of servicing a proposed intensive agricultural use/development unless a separate application for planning consent for the proposed dam has been submitted detailing:

- The overall area and holding capacity of the dam.
- A profile of the dam wall including the provision of an overflow so as not to prohibit or substantially restrict the flow of water downstream.

- The location of the dam in relation to property boundaries and existing residential development or the Water and Rivers Commission has given its endorsement for the proposed dam.

Council will support retailing of produce from the property where a separate application for planning consent for wayside stall, produce store or cellar door sales outlet has been submitted detailing:

- Location and form of building.
- Vehicular access.
- Disabled access
- Access to the property is by a 12.0 metre form/8.0 metre gravel paved road.
- Provision for on-site car parking.
- Provision of landscaping.
- Hours of operation.

Council will support the establishment of buildings for an intensive agricultural use where they are clustered with other buildings on the site and are located well away from hills, mesa tops, and ridge-lines.

Council will support the establishment of a feed lot where:

- The property is serviced by minimum 12.0 metre form/8.0 metre gravel or bitumen paved road.
- Favourable response to the proposal has been received from Department of Agriculture and Food, Department of Planning, Department of Environment and Conservation and any other government agency as determined by Council.
- The feed lot will not result in any negative impact on neighbouring agricultural or residential uses or be detrimental to the land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, effluent disposal or leaching, waste water disposal or runoff.
- The proposal complies with the Guidelines for the Environmental Management of Beef Cattle Feedlots in Western Australia.

The Council is not bound to accept any request for additional maintenance or upgrading of roads directly resulting from increases in traffic volumes from an approved intensive agricultural use, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.

In the event of any conflict between this Policy and the Shire of Wickepin Town Planning Scheme No. 4, the Town Planning Scheme shall prevail.

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150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

6.2.4 SEA CONTAINERS

OBJECTIVE: Provide clear parameters in relation to the placement of sea containers.

The placement of a sea container (including a re-locatable 'box-type' storage container, shipping container or unit) requires planning approval by Council and is a 'development' under the Shire of Wickepin Town Planning Scheme.

The permanent placement of a sea container is not be permitted on land zoned 'Residential' and 'Rural Residential' (except sea containers externally clad in wall and roof sheeting of materials, colours and design that give the appearance of a shed structure to the satisfaction of Council).

Sea containers are not permitted upon, only 'Industrial' or 'General Agricultural' zoned land unless Council is satisfied a genuine need exists for short term storage of materials and equipment, and the use and placement of a sea container meets acceptable amenity standards in the locality.

Sea Containers may be placed upon 'General Agricultural' zoned land (greater than 20ha in area).

Sea containers may not be placed upon vacant land unless a building licence has been issued by the Shire of Wickepin for the property, and in any case, the placement of the sea container upon the property shall not exceed 24 months.

A sea container may be used temporarily by a builder to store equipment, tools and building materials during the construction of a building, and in any case shall not exceed 24 months from the date of issue of the building licence. The sea container must be located to the satisfaction of the CEO, and in the event of a substantial written, author-identified complaint being received the matter may be referred to Council for its consideration.

Other than 'Industrial' zoned land the Council will not approve:

- More than one (1) sea container on a property.
- A container that exceeds 6.0m in length, 2.4m in width, and 2.6m in height.
- Sea containers that are visible from the street.

All approved sea containers are required to be in good repair and in a uniform colour with no visible rust marks. The Shire of Wickepin may give written notification to the landowner to undertake necessary upgrades or alternatively remove the sea container from the property within 21 days from the date of the written notification.

Applications for the use of a sea container must include:

- Completed and signed planning application form and payment of application fee.
- Site plan (drawn to scale) showing the proposed location of the sea container in relation to boundary setbacks, natural features and existing development.
- Written submission detailing the use, condition, unit dimensions and visual amenity of the sea container.
- Elevation drawings and/or photographs of the presentation and appearance of the sea container.

In the event of any conflict between this Policy and the Shire of Wickepin Town Planning Scheme, the Town Planning Scheme shall prevail.

Applications in accordance with this Policy and located upon 'Industrial' zoned land will be dealt with under delegated authority by Shire of Wickepin employees. All other applications will be determined by Council.

The Council at its discretion may advertise the proposed use of sea containers within a designated locality to ascertain the views of neighbouring and nearby residents prior to the application being considered.

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170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

6.2.5 COMMUNITY BUS USE

OBJECTIVE: Provide clear parameters in relation to the use of Shire of Wickepin community bus.

The Shire of Wickepin community bus is available for use. Fees are set each year in the Shire of Wickepin Fees and Charges.

Smoking is not permitted on the community bus in any circumstance.

The vehicle is not to be driven under the influence of alcohol or other drugs in any circumstance.

6.2.5.1 APPROPRIATE DRIVERS LICENCE

Any drivers of the community bus must have the relevant licence class. A minimum of a “LR” class must be held by the nominated driver before approval will be granted.

Drivers of bus must hold an “F” endorsement if consideration in any form (e.g. money, token gifts or similar) is being sought.

Drivers of bus must provide a copy of their drivers licence at time of hiring.

6.2.5.2 VEHICLE MAINTENANCE

The hirer is responsible for:

- Cleaning the vehicle inside and out after each use.
- Reporting any damage to the Shire of Wickepin.
- Malicious or deliberate damage.

The Shire of Wickepin is responsible for ensuring all servicing and maintenance is attended to:

- Garaging of vehicle.
- Refuelling prior to hire.
- Making good any reasonable damage.
- All bookings and payments.

Failure to comply with any of the above conditions may result in refusal to hire the bus to that organisation in the future.

6.2.5.3 HIRE

Council may hire the community bus to people from outside the Shire of Wickepin. If, however, the bus is hired by somebody who is not a resident of Wickepin, and a local subsequently requires the bus, the non-local is to be advised that the bus is no longer available for hire. At least one week’s notice must be given to the non-local of the cancellation of the hire to enable them to make other arrangements.

If the bus is returned in an untidy state and it is not possible to contact the hirer responsible prior to the next hire of the bus, the bus will be cleaned and the hirer will be responsible for the cost of the cleaning.

Hirers are responsible for any insurance excess as for damage to the community bus where the damage is attributable to their use.

6.2.5.4 BOND

A bond of \$120.00 must be deposited at the Shire of Wickepin prior to the bus departing for groups outside the Shire of Wickepin.

The bond will be refunded after an inspection of the bus on its return.

Local community residents and sporting groups are exempt from providing a bond to the Shire of Wickepin.

6.2.5.5 REPLACEMENT

The community bus will form part of council's 10 year Plant Replacement Program and will be replaced accordingly.

6.2.5.6 INSURANCE

The vehicle will be insured with Council's other fleet vehicles.

6.2.5.7 OPERATING BUDGET

Council will make an annual allowance for maintenance, repair and replacement of the community bus.

Any surplus from the operating budget should be transferred to the plant replacement reserve.

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201119-29	20/11/2019
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

Po Box 19
 77 Wogolin Road
 Wickepin WA 6370
 Phone: 9888 1005
 Fax: 9888 1005
admin@wickepin.wa.gov.au
www.wickepin.wa.gov.au



COMMUNITY BUS HIRE FORM

Copy of License must be provided

Please read the general rules and conditions of hire on the back of this sheet before departure.

\$1.08 per km

A receipt is required for refund if the hirer has purchased fuel or emergency repairs.

Charged to: _____

Address: _____

Driver's Name: _____

Destination: _____

Odometer Reading: _____

	Departure	Return	Total Distance
Date of:	Departure : _____	Return: _____	

Damages/breakages: _____

Complaints/
recommendations: _____

Bus to be clean on return to the depot.

If not cleaned to a satisfactory standard, a cleaning fee will be issued to the hirer.

I declare that the bus has been returned in a clean and satisfactory condition.

Driver's Signature: _____

Wickepin Community Bus

General Information

We welcome you to use this community vehicle and hope you enjoy your trip but like all good things there has to be some RULES.

1. All bookings are to be made at the shire office.
2. A copy of the driver's license must be provided at time of booking.
3. The bus is to be picked up from the depot. If the bus is to be used outside office hours please arrange pick up of keys prior to hire.
4. Users must ensure that the bus is clean and tidy before returning. The bus must be swept and mopped. All rubbish is to be removed from the bus and the seats. If it is necessary to wash the exterior of the bus (including bugs, etc on front of vehicle and windscreen) then this must occur. A cleaning fee will be charged if the bus is not left in an acceptable condition.
5. Any damage or breakages are responsibility of the user and all replacement and repair costs will be charged.
6. Please ensure that the drivers check list is completed. Driver to return form and keys to the shire office immediately following hire.
7. All hirers subject to excess of insurance policy in the event of an accident.
8. **STRICTLY NO SMOKING** on the bus.
9. If you need to put fuel in the bus a receipt is required for this amount to be deducted from the cost of hiring.

Remember this bus has been purchased for the use, convenience and enjoyment of the community. Please treat it with care so as to keep the vehicle to a high standard.

The Shire of Wickepin retains the right to change, alter or adopt new rules at any time and to also refuse a request to hire the bus if they so wish.

7 RECREATION & CULTURE

7.1 PUBLIC HALLS, CIVIC CENTRES

7.1.1 HIRE OF PUBLIC BUILDINGS

OBJECTIVE: Provide clear parameters in relation to the hire of public buildings.

Council encourages the hire of Shire of Wickepin public buildings.

The condition of hired buildings will be monitored and any damage sustained or excessive cleaning required is to be brought to the attention of the hirer/user, who will be charged to cover the costs of such damage and/or cleaning in addition to the hire fee.

The onus shall be on the user/hirer of buildings to obtain the necessary copyright approvals if intending to broadcast copyright material (music) to the public.

7.1.1.1 YEALERING HALL MANAGEMENT

Council shall be responsible for the following:

- Pay for electricity, gas and water.
- Cleaning and providing cleaning equipment e.g. vacuum cleaner, brooms, mops, buckets, etc.
- Disposable items for the toilets e.g. toilet paper, paper towels, urinal blocks, floor cleaners, toilet cleaners, etc. (spares to be kept in store room).
- Kitchen consumables.
- Ensuring toilets are cleaned including cleaning prior to special functions or as required.
- Cleaning supplies to be kept in storage room and key available to the cleaner.
- Provision of new kitchen equipment.
- Application of Feist Watson Floor Shine on wooden floor annually.
- All windows to be cleaned.
- Carpet in foyer to be professionally cleaned annually.
- Replacement of any kitchen equipment as required (e.g. breakages).
- Any maintenance jobs annually.
- Maintenance of hot food bain-marie, warming cupboard, refrigerators, crockery and cutlery, electrical appliances and other basic kitchen equipment.

The Yealering Progress Association shall be responsible for the following:

- Arranging working bees when necessary, to continue to enhance and improve the facility.
- Reporting to the Shire of Wickepin any damage or extra cleaning that may be required.
- Ongoing repairs and maintenance of the building.
- Ensuring access to toilet facilities is made available.
- Undertaking an annual inspection and reporting all required maintenance and replacement of equipment to the Shire of Wickepin.

There should be at least five sets of keys to be held by the following;

- Cleaner/caretaker – Yealering
- Shire of Wickepin
- Yealering Progress Association President
- Yealering Progress Association Secretary
- Yealering Post Office – in case of emergency.

All bookings should be made through the Shire of Wickepin.

The hirers shall be responsible for the following:

- Facility must be left in a clean and tidy state.
- Any area used must be appropriately cleaned, with chairs and tables stacked away.
- Obtaining the appropriate licences and/or paying appropriate royalties for the sale of liquor or broadcasting of music.
- Special cleaning instructions will be mounted on inside of broom cupboard in kitchen.
- If the cleaning undertaken by any individual or organisation is found to be inadequate then the hirer will be billed for the cost of additional cleaning.

Waiver of hire charges will be dealt with in accordance with Council Policy Waiving of Fees and Charges.

7.1.1.2 HARRISMITH HALL MANAGEMENT

Council shall be responsible for the following:

- Pay for electricity and gas.
- Cleaning and provide cleaning equipment e.g. brooms, mops, buckets, etc.
- Disposable items for the toilets e.g. toilet paper, paper towels, urinal blocks, floor cleaners, toilet cleaners, etc. (spares to be kept in store room).
- Cleaning supplies to be kept in storage room and key available to the cleaner.
- Any maintenance jobs annually.
- Ensuring toilets are cleaned, including cleaning prior to special functions or as required.

Harrismith Community Centre Committee shall be responsible for the following:

- Provide and maintain kitchen equipment and kitchen consumables.
- Organising working bees when necessary, to continue to enhance and improve the facility.
- Reporting to the Shire of Wickepin any damage or extra cleaning that may be required.
- Promoting the ongoing repairs and maintenance of the building.
- Ensuring access to toilet facilities.

All bookings should be made through the Harrismith Community Centre Committee and all funds forwarded to the Shire of Wickepin quarterly.

The hirers shall be responsible for the following:

- Facility must be left in a clean and tidy state.

- Any area used must be appropriately cleaned, with chairs and tables stacked away.
- Obtaining the appropriate licenses and/or paying appropriate royalties for the sale of liquor or broadcasting of music.
- Special cleaning instructions will be mounted on inside of broom cupboard in kitchen.
- If the cleaning undertaken by any individual or organisation is found to be inadequate then the hirer will be billed for the cost of additional cleaning.

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7.2 SWIMMING AREAS

7.2.1 SWIMMING POOL SUBSIDY

OBJECTIVE: Provide clear parameters in relation to swimming pool subsidy.

Council will meet the cost of bus transport for children from Yealering school to attend swimming classes conducted during school time at the Wickepin Swimming Pool.

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7.3 OTHER RECREATION AND SPORT

7.3.1 CAMPING AND OVERNIGHT STAY REQUESTS

OBJECTIVE: Provide clear parameters in relation to camping-overnight stay requests.

Upon application, Council may approve overnight stays in nominated Shire of Wickepin community facilities, including Wickepin Community Centre and Yealering Hall.

Overnight stays will not be approved for private functions such as birthday parties, weddings, funerals, end of season sporting club functions.

Council shall restrict the number of people permitted to stay overnight to:

- Wickepin Community Centre – maximum of 80 people.
- Yealering Hall – max 50 people.

Groups shall not be permitted to stay more than 3 nights in a row.

Council shall ensure when booking is made at the Shire of Wickepin admin office and that a copy of Councils Emergency Evacuation and Safety Management Plan is made known and provided to the hirer.

The intention is to cater for groups involved with charity/fundraising, passive recreation (cycling clubs) and school groups involved in excursions.

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7.3.2 MAINTENANCE

OBJECTIVE: Provide clear parameters in relation to maintenance of the community halls.

The following halls shall be classed as community halls and their direct management is the responsibility of local community groups:

- Yealering CWA Hall.
- Tincurrin Town Hall.

Council shall be responsible for electricity, insurance and water costs.

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7.3.3 ESTABLISHMENT AND MAINTENANCE OF PLAYGROUND EQUIPMENT

OBJECTIVE: Provide clear parameters in relation to the establishment and maintenance of playground equipment.

All playground equipment purchased by Council, donated or supplied on a joint venture basis and constructed on Council owned or controlled land shall be in accordance with the Australian Standards Association (1924, Part 1, 1981) Playground Equipment for Parks, Schools and Domestic Use. (ASA 2155 - 1982 and 2555 - 1982)

The CEO shall order the immediate removal of any items of playground equipment that are deemed not conforming and dangerous and shall have the authority to remove any item and place in the Council's depot if the order for its removal is disregarded.

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7.3.4 SPONSOR ADVERTISEMENTS ON SPORTING GROUNDS

OBJECTIVE: Provide clear parameters in relation to sponsor advertising on sporting grounds.

Sponsor advertising is permitted on perimeter fences to playing fields or may be free standing adjacent to playing fields on land owned or managed by Council, subject to the approval of the CEO and the following policy guidelines:

- The CEO to seek comments from the particular Community and Sporting groups that use the playing field involved.
- The applicant to be responsible for maintaining advertising material in good state of repair to the satisfaction of the CEO.
- The CEO may delegate the granting of approvals to Sporting Associations where appropriate.
- Sign size to be determined in conjunction with the CEO (to be of a uniform standard).

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7.3.5 CONSUMPTION OF ALCOHOL IN OR ON SHIRE PROPERTIES AND RESERVES

OBJECTIVES

The objectives of this policy is to:

- provide guidance with respect to considering applications to consume alcohol in/on Council owned properties and reserves;
- encourage the responsible consumption of alcohol in/on Shire owned facilities and reserves;
- outline the conditions for the provision of a permit to consume alcohol in/on a shire owned facility or reserve; and
- outline the requirements to gain approval to sell alcohol in/on a shire owned facility or reserve.

SCOPE

Applies to all properties, facilities, reserves owned, vested or under the care, control or management of the Shire of Wickepin.

POLICY STATEMENT

This policy aims to achieve the following outcomes for the consumption and sale of alcohol at Shire owned and managed property:

- safe consumption of alcohol;
- responsible service of alcohol; and
- minimise harm and alcohol related damage and violence.

It is illegal:

- for any person to consume alcohol on unlicensed premises (eg a council facility) without the consent of the owner or authority in control of those premises; and
- to sell alcohol from a council premises without first obtaining a licence from the Department of Local Government, Sport & Cultural Industries – Racing, Gaming & Liquor (DLGSC). It is the responsibility of the person hiring the Shire facility to ascertain if they require a liquor license. A Shire permit to consume alcohol does not replace the requirement to obtain a liquor license where that requirement exists.

The Shire recognises the social and economic cost of alcohol related harm within the community and encourages responsible and safe consumption of alcohol. The Shire also recognises that alcohol consumption is legally acceptable for assenting adults when consumed responsibly and may play a role in hosting celebrations, activities and events.

As these are activities Shire facilities and reserves are commonly hired for, the Shire will consider requests to consume alcohol in/on Shire owned facilities and reserves for such purposes.

However, such approval does not negate an individual's or organisation's legal responsibility in the provision and consumption of alcohol.

Definitions

Permit to Consume Alcohol – A permit issued by the Shire of Wickepin to supply and/or consume alcohol in/on a Shire owned facility or reserve.

Liquor Licence – A licence issued by the Department of Local Government, Sport and Cultural Industries – racing, gaming and liquor (DLGSC) to sell alcohol.

Permit to Consume Alcohol on Shire Properties

In order to supply and/or consume alcohol in/on a Shire owned facility or reserve, an application to consume alcohol must be made at the time of booking facility or reserve.

A permit to consume alcohol on a Shire owned facility or reserve may be issued by the Shire subject to the following conditions:

- a) An application must be made to the Shire by submission of an “Application to Consume Alcohol on Council Property” (appendix 1) at least 14 days prior to the event date. If alcohol is being sold, the Shire must be provided with a copy of the liquor license as approved by the Department of Racing, Gaming and Liquor, prior to the license period commencing.
- b) The permit holder listed on the “Application to Consume Alcohol on Council Property” is responsible for the safety and wellbeing of all people involved in the event and managing the activity to ensure other users and residents are not impacted.
- c) Local Police are to be informed and advised of any changes or variation to the hours.
- d) The CEO must be satisfied that any application or request to consume alcohol will not cause undue disruption or harm to members of the community, or does not demonstrate potentially significant risk that would result in damage to a shire owned facility or reserve.
- e) Applications for a permit to consume alcohol will only be considered for facilities and reserves within the following time restrictions:

Sunday – Thursday from 11am to 10pm.

Friday and Saturday from 10am to 12pm.

- f) A wedding ceremony on a shire reserve (not to exceed 2 hours) would be permitted.
- g) Compliance with all Shire of Wickepin terms and conditions of venue hire.
- h) A community or corporate event held in/on shire owned facility or reserve, where a Liquor Licence has been successfully obtained from the DLGSC.

Sale of Alcohol on Council Properties

Any proposal to sell alcohol in/on a shire owned facility or reserve, will require the applicant to apply to the DLGSC for a liquor licence, and also to the Shire of Wickepin for a permit to consume alcohol.

The following conditions apply to sale of alcohol on shire premises:

- a) The Shire may provide comment to the DLGSC regarding an application submitted for an Occasional Liquor Licence.

The Department may be advised of the time restrictions on permission to consume alcohol on council premises as per times outlined in Permit to Consume Alcohol section (b) above.

- b) A Liquor Licence from the DLGSC must be in place and a copy supplied to the Shire a minimum of 14 days prior to the event date. A permit to consume alcohol will only be issued after receipt of the liquor licence.
- c) The CEO must be satisfied that any application or request to sell alcohol will not cause undue disruption or harm to members of the community.

It is an offence for juveniles and drunk persons to consume, be in possession of, or be supplied alcohol at functions or events, as regulated by the *Liquor Control Act 1988*.

Should the Shire become aware of breeches to the *Liquor Control Act 1988*, these will be reported to the DLGSC. The Shire may refuse to support any further applications (by that applicant) for a Liquor License, or refuse to provide permission to consume alcohol for future hires of Shire owned facilities and reserves.

Document Control Box							
Document Responsibilities:							
Owner:	Chief Executive Officer			Owner Business Unit:	Corporate		
Reviewer:	Chief Executive Officer			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	<i>Local Government Act 1995</i> <i>Liquor Control Act 1988</i> <i>Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2022</i> <i>Food Safety Standards</i> <i>Food Act 2008</i> <i>Food Regulations 2009</i> <i>Public Health Act 2016</i> <i>Health (Public Buildings) Regulations 1992</i>						
Industry:	Department Local Government Sport & Cultural Industries - racing-gaming-and-liquor						
Organisational:	Shire of Wickepin Hire of Public Buildings Policy						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	20226	Records Ref:	
Version #	Decision Reference:		Synopsis:				
11.	17/06/2015		170615-12				
12.	15/03/2017		150317-11				
13.	19/02/2020		180320-02				
14.	17/02/2021		170321-03				
15.	16/03/2022		200422-12				
16.	18/09/2024		180924-09				

Consumption of Alcohol In or On Shire Properties and Reserves Attachment



Alcohol Consumption on Shire Property Permit Application

Organisation _____

Address _____

Nominated individual responsible for the permit to consume alcohol

Name _____ Telephone _____

Address _____

Date of Function _____ Start time _____ Finish time _____

Type of Function _____

Venue _____ Expected number of attendees _____

Alcohol

Method of distribution

Supply Sale BYO

What types of drinks will be available

Non Alcoholic Low – Mid Strength Beer Spirits
 Wine Full Strength Beer

Security and Safety

What security measures will be undertaken to protect both Council property and members of the public?

Availability of Security Person Yes
 Restriction of alcohol to underage persons Yes
 Minimum of 1 security person per 100 guests Yes
 Adequate lighting around bar and site Yes
 Adequate security around bar and site Yes

Food

When will food be available? _____

What types of food do you intend to make available? _____

I hereby make application for alcohol to be consumed at the abovementioned function:

Signature of Applicant _____ Date _____

Signature of Approving Officer _____ Date _____



7.3.6 HONOUR BOARDS IN COUNCIL PROPERTIES

OBJECTIVE: Provide clear parameters in relation to Honour Boards on Council properties

No honour boards are to be erected in Council properties without written approval of Council.

Application for the erection of an honour board in Council properties must be in writing.

All applications must outline the size, style and location for the proposed honour board.

Any honour boards that are erected without approval will be removed without reference to the person erecting the honour boards.

Council bears no responsibility for the maintenance of honour boards, except in relation to maintenance of its property and the improvements thereon.

If honour boards are stolen, replacement will be at the expense of the original donor.

If, for operational reasons, it is determined that an existing honour board needs to be relocated, this will be at the discretion of Council.

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170321-15	17/03/2021
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7.4 HERITAGE

7.4.1 MEMORIALS ON COUNCIL PROPERTY

OBJECTIVE: Provide clear parameters in relation to memorials on Council property.

This policy does not apply to Memorials which serve a wide community purpose such as war memorials or signage erected indicating place names that have been approved by the Geographical Names Committee WA.

The installation or erection of memorial plaques on Shire of Wickepin property is permitted if located upon a suitable piece of donated furniture (e.g. park seat, table setting or the like). The furniture is to be of a type and style approved by Council and the donor is to meet all costs associated with its purchase, delivery and installation.

The siting of donated memorial furniture will be as approved by Council.

The inscription plaque shall be no greater than 100mm x 100mm and be made of brass, bronze or stainless steel.

No memorials are to be erected on Council property without approval. Any memorials that are erected without approval will be removed without reference to the person erecting the memorial.

Council bears no responsibility for the maintenance of memorials in parks, except to the extent of its general obligation in relation to maintenance of its property and the improvements thereon.

If plaques are stolen, replacement will be at the expense of the original donor.

If the furniture or feature upon which the plaques is erected become unserviceable or a hazard for whatever reason, it shall be removed. Replacement of feature or furniture will be at the discretion of Council, and replacement will not necessarily contain the memorial plaque.

If, for operational reasons, it is determined that an existing memorial needs to be relocated, this will be at the discretion of Council. Generally a new site will be selected for the memorial near to its original site, unless;

- the original memorial is no longer serviceable;
- has become a hazard for whatever reason; or
- no suitable near site for its relocation can be identified.

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180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

7.5 OTHER CULTURE

7.5.1 SALEYARD USE

OBJECTIVE: Provide clear parameters in relation to saleyard use.

The Wickepin Saleyards are available for appropriate hire. 24 hours must separate the close of one sale and the commencement of receivables for next sale.

The Council will set a fee for use of the saleyards as set out on the Fees and Charges.

All operational matters in relation to the saleyards are to be referred to the Saleyard Advisory Committee.

Profits for saleyard fees are to be transferred to the Saleyard Reserve account at the end of each financial year.

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7.5.2 CIRCUSES

OBJECTIVE: Provide clear parameters in relation to circuses.

Circuses are permitted to hold events in the Shire of Wickepin.

Circuses with exotic animals are must abide by the conditions of entry into Western Australia as imposed by the Department of Agriculture.

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170615-12	17/06/2015
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200422-12	16/03/2022

8 TRANSPORT

8.1 STREETS, ROADS, BRIDGES, DEPOTS

8.1.1 PRIVATE KERBING IN TOWNSITES

OBJECTIVE: Provide clear parameters in relation to private kerbing in townsites.

Private individuals are not permitted to erect or replace kerbing on any road reserve within the townsites of the Shire of Wickepin.

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170615-12	17/06/2015
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8.1.2 RESTRICTED ACCESS VEHICLE PERMIT ON LOW VOLUME ROADS

OBJECTIVE: Formalise the process of Council approving Restricted Access Vehicles (RAV) on Shire of Wickepin approved Low Volume Roads (LV) as designated by Main Roads Western Australia and to allow primary producers in the Shire of Wickepin to conduct seasonal movements of primary produce and primary input materials throughout the Shire of Wickepin in a coordinated and controlled manner.

Council delegates authority to the CEO to grant Council approval to RAV applications in accordance with this policy.

A LV road is generally an unsealed rural road with a traffic volume of less than 75 vehicles per day. These roads are narrower and generally only approved for use during harvest and other local seasonal activities.

There are two standards of LV roads, type A and type B. Type B is narrower and considered a single lane road (i.e. trafficable running surface of > 4 metres).

8.1.2.1 LOW VOLUME CONDITION TYPE A

- Transport operators must show courtesy to school buses and local traffic at all times.
- Operation during daylight hours only.

8.1.2.2 LOW VOLUME CONDITION TYPE B

- Transport operators must show courtesy to school buses and local traffic at all times.
- Operation during daylight hours only.
- Maximum speed limit of 40kmh.

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170615-12	17/06/2015
150317-11	15/03/2017
211118-12	11/06/2019
180320-02	19/02/2020
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200422-12	16/03/2022

8.1.3 ROAD CLOSURES

OBJECTIVE: Provide clear parameters in relation to road closures.

Council will close roads when the road conditions are such that:

- The road or section of a road is unsafe to traffic.
- The use of the road or section of a road will result in damage that will cause the road to become unsafe.
- The use of the road or section of a road will result in damage that will take considerable time and/or resources to repair.

Council may seek restitution for any damages caused to road surfaces as per the *Local Government Act 1995 (WA)* and subsidiary regulations.

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180320-02	19/02/2020
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200422-12	16/03/2022

8.1.4 COUNCIL POSITION IN RELATION TO CROWN RIGHT OF WAY (ROW)

OBJECTIVE: Provide clear parameters in relation to crown right of way (ROW).

8.1.4.1 LEGAL OBLIGATION TO MAINTAIN ROW

Council has no legal obligation to maintain ROW's, and the responsibility for maintenance vests in the owners of property obtaining the benefit of the ROW.

8.1.4.2 COUNCIL WILL ONLY DEAL WITH HAZARDS IN ROW

Council will only maintain a ROW to the extent that is necessary to remove any fire hazard or deal with other dangers or hazards to the public to serve the broad community interest. All other works need to be a cost for work basis.

8.1.4.3 FUNDING OF CAPITAL MAINTENANCE AND UPGRADE OF ROW

Where the majority of landholders that receive benefit from a ROW seek Council assistance to upgrade a ROW Council will consider raising a special area rate or service charge over all the property owners receiving benefit from the ROW to fund the required works.

Part 6B of the Land Administration Act 1997 clarifies the position of Common Law in relation to Crown ROW.

Schedule 9.1 of the *Local Government Act 1995 (WA)* provides further definition of private thoroughfares and private land and private works.

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8.1.5 CLEARING FENCE LINES

Purpose

The purpose of this policy is to provide clear parameters in relation to clearing fence lines.

Scope

This policy applies to any person/s wishing to clear land adjacent to crown land (eg road reserves) for the purpose of fence line maintenance or renewal must seek written permission from the Shire of Wickepin prior to commencement of clearing works.

Council (or Council's delegated Officer) will inspect the proposed clearing and issue guidelines for the clearing activity. These guidelines will include a copy of the relevant regulations including *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Penalties for non-compliance with the regulations will be enforced by the Department of Environment Protection.

Policy Details

- Clearing of a road reserve by any means, including fence lines, for construction or maintenance purposes, must be carried out in accordance with the *Environmental Protection Act 1986*, and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.
- It is the responsibility of the landowner to ascertain if the Department of Environmental Regulation permit is required for any work proposed on a road reserve; in particular, for the protection of any identified rare or endangered species of flora or fauna.
- Any debris or spoil created by clearing of a fence line or the erection of a fence is to be removed from the road reserve and disposed of by the landowner on their property within 90 days.
- The landowner is not permitted to alter any existing infrastructure or drainage when undertaking the clearing.
- If needing advice, landowners are encouraged to consult with the Shire prior to any clearing of a road reserve and complete the required form.

Item no.	Wording of exemption	Comment / explanation
		This exemption does not apply in an environmentally sensitive area.
<p><i>Regulation 5, Item 11</i></p> <p>Clearing along a fence line – Crown land</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the land on which the clearing is to take place.</p>	<p>Clearing of Crown land along a fence line to provide access to construct or maintain a fence –</p> <p>(a) between alienated land and Crown land - if the clearing is no more than 1.5 metres from the fence line; or</p> <p>(b) between Crown land and Crown land - if the clearing is no more than 5 metres from the fence line on one side and no more than 1.5 metres from the fence line on the other side.</p>	<p>This exemption allows the government agency which has the care, control or management of the land, or a lessee under a lease lawfully granted by the Crown (such as a pastoral lease), to clear to provide access for fence maintenance or construction:</p> <p>(a) between alienated land and Crown land, a strip of native vegetation up to 1.5 metres wide on the Crown land along the fence line (this Item does not deal with clearing for a fence line on alienated land – see Item 10); or</p> <p>(b) between Crown land and Crown land a strip of native vegetation up to 5 metres on one side and 1.5 metres on the other side.</p> <p>"Fence" means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Figure 1: Extract from DWER – A guide to the exemptions and regulations for clearing native vegetation.

Definitions

Environmental Protection Act 1986 –

3. Terms used

(1) In this Act, unless the contrary intention appears —....

clearing has the meaning given by section 51A;

native vegetation means indigenous aquatic or terrestrial vegetation, and includes dead vegetation unless that dead vegetation is of a class declared by regulation to be excluded from this definition but does not include vegetation in a plantation;

Schedule 5 — Principles for clearing native vegetation

1. Principles

Native vegetation should not be cleared if —

- a) it comprises a high level of biodiversity; or*
- b) it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna; or*
- c) it includes, or is necessary for the continued existence of, threatened flora; or*
- d) it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community; or*
- e) it is significant as a remnant of native vegetation in an area that has been extensively cleared; or*
- f) it is growing in, or in association with, an environment associated with a watercourse or wetland; or*
- g) the clearing of the vegetation is likely to cause appreciable land degradation; or*
- h) the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area; or*
- i) the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water; or*
- j) the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.*

3A. Terms used relating to pollution and environmental harm

(2) In this Act —

environmental harm means direct or indirect —

- (a) harm to the environment involving removal or destruction of, or damage to —
- (i) native vegetation; or
- (ii) the habitat of native vegetation or indigenous aquatic or terrestrial animals;
- or
- (b) alteration of the environment to its detriment or degradation or potential detriment or degradation; or
- (c) alteration of the environment to the detriment or potential detriment of an environmental value; or
- (d) alteration of the environment of a prescribed kind;

Document Control Box							
Document Responsibilities:							
Owner:	Manager Works & Services	Owner Business Unit:	Corporate				
Reviewer:	Chief Executive Officer	Decision Maker:	Council				
Compliance Requirements:							
Legislation:	<p>Local Government Act 1995</p> <p>Environmental Protection Act 1986</p> <ul style="list-style-type: none"> • s.3(1) – definition of “native vegetation” includes dead vegetation • s.51A – definitions of “clearing” and “clearing principles” • Sch.5 – Principles for clearing native vegetation – <p>Native vegetation not to be cleared if –</p> <ul style="list-style-type: none"> ○ cl.1(b) – whole or part of a significant habitat ○ cl.1(e) – a significant remnant in an extensively cleared area ○ cl.1(f) – associated with a watercourse <p>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</p> <ul style="list-style-type: none"> • r.5 – Prescribed clearing s.51C – <ul style="list-style-type: none"> ○ item 3 – clearing (by burning) for fire hazard reduction ○ item 11 – clearing along a fence line – Crown land (1.5m) ○ item 15 – clearing to maintain cleared areas around infrastructure etc ○ item 21 – clearing for temporary bypass road ○ item 21A – clearing for crossover ○ item 22 – clearing for maintenance in existing transport corridors ○ item 23 – clearing resulting from infrastructure maintenance activities <p>Sch2 – Clearing for maintenance in existing transport corridors</p> <ul style="list-style-type: none"> ○ cl.2 – extent of clearing for an area or purpose in relation to a road ○ cl.3 – how the clearing is to be carried out 						
Industry:	Environmental Protection Authority						
Organisational:	8.1.7 – Fencing of Reserves includes Road Reserves						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Every 2 years	Next Due:	2026	Records Ref:	
Version #	Decision Reference:	Synopsis:					
17.	170615-12	17/06/2015					
18.	150317-11	15/03/2017					
19.	180320-02	19/02/2020					
20.	170321-03	17/02/2021					
21.	200422-12	16/03/2022					
22.	180924-10	18/09/2024					

8.1.6 FENCING OF RESERVES INCLUDING ROAD RESERVES

OBJECTIVE: Provide clear parameters in relation to fencing of reserves.

Council will encourage farmers to fence off all reserves, unused roads and green belts to protect trees on these reserves and allow new growth of vegetation.

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170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
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200422-12	16/03/2022

8.1.7 ROADSIDE CODE OF PRACTICE FOR SEALED ROADS

OBJECTIVE: Construct and maintain safer roads, protect indigenous flora and fauna values and maintain and enhance visual amenity and landscape quality.

8.1.7.1 DEFINITIONS

Road Formation – Top of shoulder to shoulder

Road width – Top of outside batter to batter

High conservation – As depicted in the Shire of Wickepin Roadside Conservation Map located in the map cabinet in the Shire of Wickepin offices.

8.1.7.2 GENERAL PRINCIPLES

Roads will be pegged before any work commences.

Areas beyond the road width that contain vegetation, including trees, shrubs and ground covers but excluding environmental and noxious weeds should not be disturbed during road construction and road maintenance operations except where necessary to carry out required works.

8.1.7.3 CONTRACTOR AGREEMENT

When road Construction is carried out under contract for the Shire of Wickepin, the Code of Practice for Roadside Conservation in Road Construction and Road Maintenance will be adhered to by the contractor for the duration of the contract. The Shire of Wickepin workforce will adhere to the Code of Practice for Roadside Conservation in Road Construction and Road Maintenance.

8.1.7.4 ROAD MAINTENANCE

On roadsides of high conservation value, machines that create the least disturbance to vegetation on the road reserve, beyond the road width will be used. Machinery will, where possible, operate from the road formation while carrying out works within the road width.

Table drains will be maintained in a condition to prevent water flooding and pooling of the road. Any spoil will be directed towards the road pavement if possible where it will be removed to a designated sump site as specified by the MWS or representative. Preference for sump sites shall be adjoining owners paddock.

8.1.7.5 ROAD SHOULDERS

Road shoulders should be maintained free of vegetation from the edge of the seal to the toe of the table drain. Exceptions occur where experience has shown that there is an advantage in maintaining a low grass cover to reduce the risk of erosion.

8.1.7.6 TABLE DRAINS

Maintenance should be confined to woody vegetation capable of exceeding 150mm trunk diameter or 1 metre in height.

No control of grasses or shrubs is necessary except where problems arise in relation to drainage, visibility restrictions, fire hazards or declared plants.

8.1.7.7 BATTERS

The control of vegetation on batters should be the same as that of table drains.

On a steep slope, trees may be left unless they pose a safety hazard to traffic. Individual large trees, groups of trees or other obstructions located in otherwise obstruction-free roadside areas should be removed if in the opinion of the CEO/MWS they pose a safety hazard.

Trees likely to exceed a trunk diameter of 150mm should not be permitted to grow within 3m of edge of shoulder. Where mature trees already exist within this limit, clearing should be referred to the CEO or MWS.

8.1.7.8 BACK SLOPES

Vegetation control on back slopes should only be carried out to a distance of 1 metre up the slope.

8.1.7.9 ROADSIDE

Provide recovery areas and crash barriers for vehicles out of control. In general, beyond table drains and batters, no control of shrubs or trees is required. Exceptions are where problems such as poor visibility, fire hazard, or declared plants occur.

8.1.7.10 ROAD STRUCTURES

All vegetation shall be controlled to within 1m of all signs, and 500mm beyond guideposts. In addition, all vegetation obstructing the vision to road structures of an approaching motorist shall be appropriately controlled.

8.1.7.11 TIMBER STRUCTURES

All vegetation should be controlled to within 3m of the structure.

8.1.7.12 CULVERTS

Control of all vegetation, to within 2m of the culvert.

8.1.7.13 OVERHEAD CLEARANCE

To provide for the movement of over height loads free from tree damage, an overhead clearance of 5.5m should be maintained above the carriageway off all highways and main roads and through truck parking areas. Any limbs should be controlled within 1m of the shoulder edge to allow for safe stoppage of vehicles.

Where traffic is diverted onto a side track or detour, adequate overhead clearance should be maintained. If the traffic diversion is to be used for some time, an overhead clearance of 5.5m above the side track should be maintained.

Where attractive avenues and groves of trees exist and the MWS considers that the effect of a 5.5m clearance may be too drastic, a recommendation should be made to the CEO for the adoption of an alternative clearance prior to any lopping being carried out.

Vegetation on the road reserve beyond the road width should not be disturbed during grading operations. A balance between road safety factors and environmental considerations is to be applied.

Where total clearing of the road reserve is necessary, the best option is to acquire adjacent land for tree planting or failing this, land owners should be encouraged to replant and maintain vegetation 3m inside their boundary.

Materials used for road reconstruction or road maintenance operations will be removed at completion of works, adjoining paddocks (salt scold) or to designated sites of low conservation value as specified by the MWS.

Pits for gravel, soil or other materials will not be dug on the roadside.

Any fences THAT ARE within the works area should be taken and lay down to avoid damage to the fence by falling trees or branches.

8.1.7.14 VEGETATION REMOVAL

Work areas should be marked out clearly before commencing works. MWS is to supervise all pegging of roads.

Only the minimum vegetation necessary to meet required works and ensure safer roads should be marked for removal. If more vegetation needs to be removed to complete required works than originally marked, the CEO/MWS will be consulted prior to undertaking works. All other vegetation on the road reserve should not be disturbed, except where in the opinion of the MWS it constitutes a safety risk (e.g. inside of corners if sightlines are obscured).

Areas of regenerating indigenous vegetation on high conservation roadsides should be clearly identified on the ground before mowing or slashing operations are undertaken.

Areas of regenerating indigenous vegetation on medium and low conservation roadsides should be avoided during mowing or slashing operations.

Dead trees should be retained on the roadside, unless they pose a significant hazard or would compromise the safety of road users as specified by the MWS to provide habitat for wildlife.

Limbs on dead trees that pose a significant hazard or compromise the safety of road users as specified by the CEO/MWS will be moved. The rest of the tree should be retained on the road reserved to provide habit for wildlife unless it poses a danger.

Vegetation to be removed should be felled in the direction that minimises damage to surrounding vegetation, preferably onto the road formation or cleared area, away from fences.

All attempts to carry out sawing, splitting and shipping of felled vegetation should be done with due regard to the understorey. These activities should be restricted to as few sites as possible.

8.1.7.15 SITE REHABILITATION

In the event that major works are required that modify existing indigenous vegetation on road sides (e.g. Telstra), rehabilitation of the site should be encouraged. Consultation between Shire of Wickepin employees and the Department of Conservation and Land Management Officer is preferred.

Top soil should be removed prior to works commencing and stock piled in a cleared area, where practicable, to be spread over the site at completion of works.

Sub soil in the works should be ripped at completion of works, to avoid compaction, before top soil is spread over the site.

8.1.7.16 WEED AND PATHOGEN CONTROL

The Shire of Wickepin will train outdoor employees to identify environmental and noxious weeds found in the Shire of Wickepin.

Weed control methods that minimise disturbance to native vegetation will be implemented.

A reporting method to record and location the spread of weeds along the roadsides should be devised and control measures planned accordingly.

Vehicles and machinery working in weed infested areas or known pathogen areas will, where possible, be cleaned of soil and washed down thoroughly prior to commencing of the works.

8.1.7.17 HERBICIDES

Herbicides should only be used in the following situations:

- To control noxious and environmental weeds.
- In the event that rehabilitation programmes are undertaken.
- To control exotic grass and weed growth around road furniture and road signs. Heavy mulching at the base of road furniture and road signs is a preferred alternative to using herbicides.
- To control exotic grassed and weed growth in inaccessible situations.

Spot spraying with a back pack, gas gun or the use of a rope wick applicator are the preferred methods of applying herbicides.

Records of herbicide use along roadsides are to be kept.

8.1.7.18 VEHICLE AND MACHINERY ACCESS AND PARKING

Vehicles and machinery should not attempt to turn around on a high conservation road, unless at a suitable site where roadside vegetation will not be disturbed, such as a designated wayside stop.

Where vehicles and machinery are left for a period of time or overnight, they should be parked in a designated wayside stop or land of low conservation value.

8.1.7.19 STOCK PILE SITES

A set number of stock pile sites will be designated and approved by the MWS at strategic locations throughout the Shire of Wickepin.

All statutory authorities and contractors undertaking works in the Shire of Wickepin will be supplied with a location map of designated stock pile sites by the MWS or representative.

Any works carried out that require stock piling of materials will use designated stock pile sites only.

New stock pile sites will not be located on roadsides of high conservation value.

The general public can collect firewood from the road verges.

8.1.7.20 WASTE MANAGEMENT

Dump sites for excess materials from road construction or road maintenance operations and the disposal of pest plants will be designated at strategic locations throughout the Shire of Wickepin by the MWS. Preference should be given to placing such materials in adjoining properties.

All statutory authorities and contractors undertaking works in the Shire of Wickepin will be supplied with a list and location map of dump sites, by the CEO or MWS.

The MWS is responsible for monitoring all dump sites and will provide new locations to all statutory authorities and contractors, as necessary.

Soil piles created from grading of shoulders or drains that cannot be retained safely on the road formation will be removed to adjoining paddocks or to a designated site of low conservation value as specified by the MWS and not spread over existing vegetation or dumped on a nearby roadside.

Litter and excess materials left over from road construction or road maintenance will be removed and disposed of to adjoining paddocks in the first instance or at a designated site of low conservation value as specified by the MWS or representative and not spread over existing vegetation or dumped on a nearby roadside.

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8.1.8 ROADSIDE CODE OF CONDUCT FOR UNSEALED ROADS

OBJECTIVE: Provide clear parameters in relation to roadside code of conduct on unsealed roads.

That Council adopts the ARRB Group Ltd - Unsealed Roads Manual – Guidelines to Good Practice revised August 2000, in its entirety.

The manual, in complete form, will be kept with the MWS.

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190203-14	19/02/2013
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170321-03	17/02/2021
200422-12	16/03/2022

8.1.9 INTERCEPTOR AND CONTOUR BANKS ON ROAD CROSSING

OBJECTIVE: Provide clear parameters in relation to interceptor and contour banks.

Plans for the installation of road banks and drains must be submitted and approved by the CEO. The landholder will liaise with the CEO regarding the need for road improvement at the landholder's expense.

If a landholder diverts water onto or across a road where there is not a natural watercourse, they are required to meet the total cost of the installation of pipes and road reinstatement. All work on road reserves to be carried out by the Council.

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8.1.10 CROSSOVER AND ENTRANCES

OBJECTIVE: Provide clear parameters in relation to crossover and entrances.

Each lot or property location within the Shire of Wickepin is entitled to one crossover subsidy, which is up to the lesser of \$500 or 50 % of the total project cost.

A Standard Crossover under regulation 15 of the Local Government (Uniform Local Provisions) Regulation for town site lots request a minimum 3m width x 150mm minimum pavement depth surfaced with a 2 coat emulsion bitumen crossover over the full width of applicable verge. For a gravel road crossover, the standard specification will be unsurfaced 150mm gravel and appropriate concrete pipe drainage under (minimum 300mm in diameter, if a pipe is required) in order to maintain the longitudinal 'table drain' flow.

A permit from Council's MWS or CEO is required before the construction of a crossover from a property boundary to a constructed road may commence

Authorised crossovers to sealed town site roads may be constructed of bitumen, concrete or paving bricks to Council's standard plan and specifications. Crossovers to gravel roads can be gravel.

Works are to be carried out by approved contractors or by Shire of Wickepin employees, with all costs including any necessary drainage, clearing and service relocation or conducting, being borne by the applicant.

Crossovers to a greater width and material standard than the minimum (but below a specified maximum width) will be approved but the value of the subsidy will remain as for the minimum standard.

For town site lots, the minimum standard comprises a 150mm minimum pavement depth surfaced with a 2 coat emulsion bitumen crossover over the full width of applicable verge. Where the existing verge is brick paved or the verge has a cast in-situ concrete footpath, the standard minimum material and subsidy will be increased to paving bricks or concrete, accordingly.

For gravel road crossover, the standard specification will be unsurfaced 150mm gravel and appropriate concrete pipe drainage under (minimum 300mm in diameter, if a pipe is required) in order to maintain the longitudinal 'table drain' flow.

Where crossovers are installed by approved contractors, Council's crossover subsidy is paid, on production of the invoice or receipt for payment for the works, to the landowner unless there is written authorisation from the landowner for the subsidy to be paid to another person.

Where there is disruption of an existing crossover by Council works, Council will make good all damage caused by them to the crossover.

A subsidy is not payable:

- For parts of crossovers in excess of a standard crossover.
- On any crossover not constructed to the standards required by the Shire of Wickepin.
- For second or subsequent crossover's to the same property.
- Where an applicant for a crossover subsidy does not provide documentary evidence of expenditure and suitable digital photographs of the construction to help establish that the crossover has been constructed to the standard required by the Shire of Wickepin.

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8.1.11 CROSS-OVERS FOR RURAL PROPERTIES

OBJECTIVE: Provide clear parameters in relation to cross-overs for rural properties.

Council will construct free of charge one cross-over (up to the width of 12 m) per location. The length of cross-overs, the provision of culverts and the general standard of construction will be at the discretion of Council.

Any additional cross-overs required by the property owner shall be provided at their own cost.

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8.1.12 TREE AND ROAD VERGE POLICY IN URBAN AREAS

OBJECTIVE: Encourage the safe development of verge areas in urban areas, by maintained grass and/or garden to maintain a safe environment for motorists and pedestrians, provide access to services/manholes, hydrants, service pits and pillars and encourages landscaping to make verges attractive.

Retention of natural bush and use of native varieties is encouraged. Existing vegetation, trees and shrubs, whether natural or introduced, may not be removed without Council approval.

No financial assistance will be given by Council for development, ongoing operation or maintenance costs of road verges.

8.1.12.1 COUNCIL APPROVAL OF THE LANDSCAPING PLAN

Council permission is required to plant a garden on the street/road verge in front of private property. Applicants must submit a landscaping plan showing details of the proposed garden and the positions of any gardens beds, trees, and shrubs.

The Council Gardener will inspect the landscaping plan, and make any amendments necessary to ensure the planned garden conforms to Council's Policy. The landscaping plan will be returned to the Applicant along with a letter of approval and any conditions that may apply.

A maximum one third of the road verge of any lot may be paved, with the other two thirds used for soakage.

All entrances to residential, commercial and light industrial lots must be at a right angle to the road formation and not on the road truncations.

8.1.12.2 PEDESTRIAN AND CYCLIST SAFETY

All landscaping must allow for pedestrian and cyclist access off the road and road shoulder to a minimum 1.5 metres.

8.1.12.3 PLANTING A LAWN ON THE STREET OR ROAD VERGE

A lawn may be planted on the street/road verge with Council approval, (landscaping plan not required).

Existing vegetation, trees and shrubs, whether natural or introduced, may not be removed without Council approval.

8.1.12.4 TREES, SHRUBS, GROUND COVERS AND GARDENS

A garden of small trees, shrubs and ground covers with mulch, may be established. Council approval is required to plant large trees.

The land user must ensure there is no spillage of vegetation onto road edges, dual-use paths, footpaths or covering of public utility facilities on the verge.

Trees shall not be planted on verges less than three (3) metres in width.

The general tree planting alignment is an offset approximately 2.5 – 3.5 metres from property boundaries. Where there is no kerb, the distance shall be three (3) metres from the edge of the seal to planting.

Trees shall not be planted within one (1) metre of an underground service.

Trees growing to over (5) metres shall not be planted under overhead electrical power lines nor any tree planted where it will grow to within one (1) metre of a power line.

Trees or shrubs which grow taller than 750mm are not to be planted within six (6) metres of intersecting kerb – lines.

No trees are to be planted within three (3) metres of crossovers, road kerbs or shoulders, crossovers, man holes, hydrants, inspection pits and pillars, or within one (1) metre from a dual use path or footpath.

All trees planted in the verge area are to be kept pruned to a height of 2.1 metres clear at the ratepayer's expense.

Poisonous trees (such as Cape Lilac and Castor Oil) and shrubs (such as Oleander) are not permitted.

Spiky plants should be avoided in areas near footpaths, road edges and crossovers.

Weed control using 80mm weed free mulch overlay is acceptable.

8.1.12.5 FREE COUNCIL TREES

Upon request, Council may supply trees of a mutually agreed species from the attached Street species list, provided the property owner agrees to plant and maintain them in a caring manner.

The property owner may receive two trees for an average 20 metre verge frontage, four trees for a corner block and a maximum of six trees for a special rural or industrial area block.

8.1.12.6 TREE PRUNING

Tree removal from verges must be authorised by Council and removed, except dangerous, diseased or dying trees which Council will remove.

8.1.12.7 RETICULATION

Any irrigation system shall be installed and operated to avoid nuisance or hazard to pedestrians and shall have all pipes at depth of 150mm – 300mm with pop up sprinklers set flush with the ground level.

Over spray of road and paths is not allowed.

When laying reticulation in the verge area in front of private property, the property must;

- Ensure that all connections to public or private water supplies comply with requirements and Australian Standards;

- Reticulation is to be controlled from the private property not the verge area;
- Any damage to public utility facilities is to be made good by the Applicant/Rate Payer.

8.1.12.8 MATERIALS ON STREET AND ROAD VERGES

Earth mounding, rocks or retaining walls or other non-frangible items or structures are not permitted on street or road verges. The rate payer must not place or erect any fence, enclosure, rockery or other obstruction on, or about, a lawn or garden on the verge area.

A flush or rounded low profile kerb edge may be approved.

Aggregate and loose gravel are not permitted as a matrix in the street garden.

8.1.12.9 REMOVAL OF MATERIALS FROM THE VERGE AREA

Council may at any time, require the rate payer to remove any tree, shrub, reticulation or structure from the street verge area at the rate payer's expense.

8.1.12.10 TREE SPECIES LIST

Tree Species List (recommended by Wickepin Tree Nursery)

If Council is required to remove any materials from the verge area, the expense incurred may be recovered from the rate payer. Species List (Free Trees)

BOTANICAL NAME	COMMON NAME	FLOWER COLOUR
Hakea laurina	Pin cushion Hakea	Red/pink/cream
Melaleuca Armillaris	Chenile honey murtle	White
Eucalyptus Torquata	Coral gum	Coral/Pink
Melaleuca Priessiana	Paperbark	White
Euc. Tetragona	Silver marlock	White/Cream
Euc. Erythrocorys	Illyarrie	Limegreen/red cap
E. Caesia	Silver princess	Pink/Red
E. Caesia Magna	Weeping Silver princess	Pink/Red
E Nutans	Red flowered moort	Red
Banksia Prionotes	Orange acorn banksias	Orange
Hakea Multilineata	Grass leaf Hakea	Red
Euc. Diellsii	Cap Gum (cap fruited mallee)	Yellow
Pittosporum Phylliraeodes	Native weeping apricot	White

Euc Forrestiana	Fuchsia gum	Red buds
Callistemon phoeniceus	Fiery Bottlebrush	Red
Euc Erythronema	Red flowered mallee	Red
Euc ficifolia	WA Red flowered gum	Red
E. Priessiana	Bell fruited mallee	Yellow

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200422-12	16/03/2022

Po Box 19
 77 Wogolin Road
 Wickepin WA 6370
 Phone: 9888 1005
 Fax: 9888 1005
admin@wickepin.wa.gov.au
www.wickepin.wa.gov.au



APPLICATION FOR STREET TREES

I have read council's Policy Manual for street tree planting and agree to abide by the conditions as set there in.

I would like to apply for street/road verge trees in front of my property and agree to plant and maintain them in a caring manner.

Name: _____

Telephone Number: _____

Postal Address: _____

Tree planting Address: _____

My Property has power lines on the verge:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
My Property is a corner block:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
My Property is an Industrial block:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
My Property is a Special Rural block:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

Approximate length of property frontage (metres): _____

Tree Preference: _____

Signed: _____ Date: _____

NURSERY USE ONLY

Amount/Type of Trees: _____

Date Trees purchased: _____

Total Price: _____

Nursery to return this form to the Shire of Wickepin, Wogolin Road, Wickepin 6370, stapled to the invoice. Please note that the Applicant must sign their name on the invoice and write their property address next to their signature.

8.1.13 PRIVATE ROADSIDE DIRECTIONAL SIGNS

OBJECTIVE: Address consistency and desirable visual appearance of local authority signage throughout the Shire of Wickepin and promote signage that is easily read and identifies with the Shire of Wickepin, via the use of a logo and common style lettering which “fits” with the same.

It aims to ensure that all private signs on Council controlled reservations follow the stated guidelines.

The erection of standard directional signs on Council controlled reserves should comprise of dark green lettering on a cream beige background with a width of no more than 150mm and lettering of no more than 100mm.

Signs are to be placed on Council’s existing road signposts where possible. Signs are to state either the name of the person, stud or property and no combinations will be allowed.

Any advertising signs must be located on private property and not a Council reserve.

When new Shire of Wickepin signage are required, or existing signage requires replacement, the green beige colour scheme using the Banksia symbol shall be used in the following formats:

- Shire of Wickepin facilities and property location directional signs are to incorporate the Shire of Wickepin crest.
- Directional road signs are to incorporate only a single name or title.

The Shire of Wickepin entry signs are to be based on the format presented in the Regional Shire of Wickepin Planner’s Report, that format generally incorporating the lettering/font, graphics and colour scheme as described in this policy.



Directional Sign - White lettering on a blue



Heritage Sign - White Lettering on a brown



Shire of Wickepin Road



Shire of Wickepin Directional

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

8.1.14 SCHOOL BUS SIGNS

OBJECTIVE: Provide clear parameters in relation to school bus signs.

Where a School Bus Sign is requested, all materials and labour to erect the sign will be supplied by Council.

The location of the sign on the road reserve is to be determined by the MWS.



School Bus Sign

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

8.2 PARKING FACILITIES

8.2.1 TRUCK AND BUS PARKING BAYS ON ROAD RESERVES

OBJECTIVE: Provide clear parameters in relation to truck and bus parking bays on road.

A truck or bus parking bay may be constructed on a road verge upon Council approval.

Where a truck or bus parking bay is approved to be constructed, it shall comply with the following:

- Constructed to bitumen sealed standard with kerbing, where appropriate. All construction to conform to standard road making practices to the satisfaction of Council.
- The developer shall meet all construction costs. That is, in most cases the Council will provide the Plant and Labour costs at Private Works Rates (as negotiated between the Council and the Developer).

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200422-12	16/03/2022

9 ECONOMIC SERVICES

9.1 RURAL SERVICES

9.1.1 DIEBACK MANAGEMENT

OBJECTIVE: Provide clear parameters in relation to dieback management.

The following Dieback management procedures are to be adopted:

- Restrict all access and erect signs to all Dieback affected areas.
- Strict hygiene control by washing down or brushing off all vehicles and plant upon leaving Dieback affected areas to prevent the spread of Dieback to uninfected areas.
- Prohibit the removal of any soil and flora from Dieback affected areas.

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180320-02	19/02/2020
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200422-12	16/03/2022

9.1.2 CHEMICAL SPRAY AND DISPOSAL

OBJECTIVE: Provide clear parameters in relation to chemical spray and disposal.

All chemical applicators are to be washed down after use and chemical containers are not to be disposed of at any of Council's rubbish tips.

Council shall advertise annually in March that roadside spraying is to be undertaken and that owners of chemically sensitive properties should advise Council of their wish to seek an alternative.

The practice of mixing chemicals at standpipes and tanks is not permitted. Signs stating this are to be erected and maintained at each standpipe.

Tanks that have contained chemicals are not to be filled from the standpipe and no foot valves and hoses are to be used to fill chemical spray tanks at tank filling stations.

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200422-12	16/03/2022

9.2 BUILDING CONTROL

9.2.1 ISSUE OF BUILDING ORDERS

OBJECTIVE: Provide for the administration of the issuing of building orders and building inspections to allow the timely issuing of notices where Council require alterations to a building under construction to;

- render the building safe; and
- comply with plans and specifications approved by Council.

The CEO has delegated authority pursuant to *Section 401A of the Local Government (Miscellaneous Provisions) Act 1960* to;

- Issue stop work notices where a breach of building requirements has occurred.
- Withdraw stop work notices where the breach has been corrected to the satisfaction of the CEO.

The CEO has delegated the authority pursuant to *Section 403 of the Local Government (Miscellaneous Provisions) Act 1960* to:

- Issue a certificate which states that the building is in a dangerous state.
- Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger.
- Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.

The CEO has delegated authority to serve upon owners and occupiers of neglected and dilapidated buildings written notices *Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960*.

Local Government (Miscellaneous Provisions) Act 1960 Section 408 removal of neglected buildings; and Local Government (Miscellaneous Provisions) Act 1960 Section 409 Power to compel renovation of Dilapidated Buildings.

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170321-03	17/02/2021
200422-12	16/03/2022

9.3 OTHER ECONOMIC SERVICES

9.3.1 FLEET SAFETY

OBJECTIVE: Provide clear parameters in relation to fleet safety.

The Shire of Wickepin has a fleet safety policy that is signed and dated, contains clear fleet safety objectives and a commitment to improving fleet safety performance.

The Shire of Wickepin's fleet safety policy has the authorisation of the CEO.

The fleet safety policy is communicated to employees (contract and casual) and employees sign a copy of the fleet safety policy, confirming understanding and acceptance of the policy.

9.3.1.1 FLEET SAFETY RESPONSIBILITIES

The Shire of Wickepin has defined and documented the responsibilities, authority to act and reporting requirements of fleet safety, and has communicated these to all employees.

The Shire of Wickepin's annual report documents fleet safety performance.

Implementing the fleet safety management system is the responsibility of the Corporate Services team.

Senior management (KIM) regularly reviews the effectiveness of the fleet safety management system in satisfying the Shire of Wickepin's stated fleet objectives.

9.3.1.2 REVIEW AND EVALUATION OF FLEET SAFETY POLICY

Crucial fleet safety documents are identified as policy. The date the documents were issued, date of modifications and authorisation appear on the documents.

A procedure exists for altering and approving the changes to fleet safety documents.

The effectiveness of communicating the policy objectives is evaluated.

9.3.1.3 EMPLOYEE INVOLVEMENT AND CONSULTATION

The Shire of Wickepin has avenues for discussing fleet safety issues in the workplace.

Managers discuss fleet safety in meetings with employees.

9.3.1.4 AUDITING OF SYSTEMS

Fleet safety management systems are regularly audited according to a set schedule to assess the match between organisational fleet safety objectives and activities.

Fleet safety management systems are independently audited by appropriately qualified persons.

9.3.1.5 RECRUITMENT

Safe driving is mentioned in position descriptions for jobs involving significant driving tasks.

An applicant is asked to provide evidence of a current driver's licence.

Applicants for positions involving significant driving tasks are asked to provide details of crash records and traffic infringements for the past three years.

9.3.1.6 SELECTION

A potential employee's driving record is assessed for jobs involving significant driving tasks.

An applicant's driving record is a factor in the hiring of new employees for jobs involving significant driving tasks.

An applicant's attitude to safety is addressed in the interview.

9.3.1.7 NEW EMPLOYEES

The Shire of Wickepin ensures that all employees undergo an induction program containing a fleet safety component covering the Shire of Wickepin's fleet safety policy and procedures.

Vehicles are assigned to new employees based on the needs of their job.

9.3.1.8 SUPERVISORS

The Shire of Wickepin has an induction program for managers which include fleet safety issues.

9.3.1.9 FLEET SELECTION

The Shire of Wickepin obtains advice from qualified fleet safety professionals (in-house or external).

Purchasing decisions are made in consultation with employees to determine the fleet safety requirements and environmental specifications where decisions may affect those employees.

Relevant safety features are considered when selecting vehicles.

All vehicles must be fitted with roof bars and spotlights.

9.3.1.10 FLEET MAINTENANCE

Fleet vehicles are registered annually (including compulsory third party (CTP) insurance).

Reporting of fleet vehicle inspections, maintenance, repairs and modifications is maintained as a running record by the Shire of Wickepin.

The Shire of Wickepin has a vehicle maintenance program.

Drivers regularly inspect their vehicles.

There is a procedure to follow if there is a problem with a vehicle.

Tyre wear is monitored.

Fuel consumption is monitored.

9.3.1.11 CRASH REPORTING

The Shire of Wickepin has a documented reporting system for all fleet safety incidents (including minor panel damage, crashes, injuries and fatalities).

A procedure is in place for informing all employees of the process for reporting fleet safety incidents.

9.3.1.12 CRASH INVESTIGATIONS

Reported incidents are investigated in accordance with an organisational investigation procedure.

Investigation reports contain recommendations and a timetable for implementing corrective actions.

A procedure exists for evaluating and monitoring remedial/corrective measures.

9.3.1.13 CRASH MONITORING

Pertinent fleet safety data are collected and analysed.

Regular reports on fleet safety performance are produced and distributed within the Shire of Wickepin.

Benchmarking data are collected.

9.3.1.14 DRIVER MONITORING

Local Government is to keep a record of traffic infringements incurred by employees.

Employees receive feedback about their driving performance.

The Shire of Wickepin conducts driver's licence checks.

9.3.1.15 DISINCENTIVES

The Shire of Wickepin has a system for recognising poor driving behaviour.

There is no smoking in Council vehicles at any time.

9.3.1.16 ASSESSING TRAINING NEEDS

Before assigning a vehicle to an employee, the Shire of Wickepin must check whether the employee has driven that type and size of vehicle before.

9.3.1.17 DRIVER EDUCATION

A system is in place to provide fleet safety information to all employees.

9.3.1.18 TRAINING

Legal obligations and fleet safety management principles and practices are articulated to the Shire of Wickepin's executive and senior management through formal training.

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9.3.2 COUNCIL FLEET VEHICLE MANAGEMENT

OBJECTIVE: Provide clear parameters in relation to Council fleet vehicle management.

9.3.2.1 CHIEF EXECUTIVE OFFICER'S VEHICLE

A vehicle of a standard in accordance with the CEO's employment contract with Council shall be provided. The changeover of the vehicle shall be managed by the CEO in accordance with budget parameters set by Council.

9.3.2.2 MANAGER OF WORKS' VEHICLE

A vehicle of a standard in accordance with the MWS's employment contract with Council shall be provided. The changeover of the vehicle shall be managed by the CEO in accordance with budget parameters set by Council.

9.3.2.3 FACEY GROUP VEHICLE

The standard and changeover of the vehicle shall be in accordance with Council's direction at budget time each year. The changeover of the vehicle shall be managed by the CEO in accordance with budget parameters set by Council.

A vehicle is provided by the Shire of Wickepin for the Facey Group as per the MOU.

9.3.2.4 WORKS DIVISION UTILITIES

The standard of vehicle provided for the outside staff shall be in accordance with Council's direction at budget time each year. One utility changeover shall occur each financial year or otherwise as Council's 10 year Plant Replacement Program, with the intention is to change the utilities over every 80,000km or 4 years whichever comes first.

The changeover of the vehicle shall be managed by the CEO in accordance with budget parameters set by Council.

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170321-03	17/02/2021
200422-12	16/03/2022

10 OTHER PROPERTY & SERVICES

10.1 PRIVATE WORKS

10.1.1 COUNCILLOR'S REQUESTS AND WORKS REQUESTS

OBJECTIVE: Provide clear parameters in relation to Councillors requests and work requests.

All general enquiries regarding road works made by Councillors should be directed to the CEO or MWS.

An action request form for minor maintenance should be filled out and provided to the Shire of Wickepin marked for the attention of the CEO or MWS.

The CEO or MWS will inspect the request and place it on the list of Maintenance Works Register according to priority.

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180320-02	19/02/2020
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200422-12	16/03/2022

10.1.2 PRIVATE WORKS

OBJECTIVE: Provide clear parameters in relation to private works.

10.1.2.1 REQUESTS AND APPROVALS FOR PRIVATE WORKS

All private works carried out by the Shire of Wickepin require a signed, written agreement, unless a local purchase order is supplied (e.g. Western Power, Telstra etc.)

Major Private works are defined as those exceeding an estimated chargeable cost of \$5,000, and are to be referred to Council for acceptance or refusal.

Minor private works require the written authorisation of the CEO or other employee delegated by the CEO, prior to commencement.

No dry hiring of any Council plant shall be permitted in any circumstance.

10.1.2.2 PAYMENT OF PRIVATE WORKS

All private works for non-Shire of Wickepin residents/landowners are to be pre-paid unless a Local Purchase Order is supplied.

All major private works are to be pre-paid, unless Council approves progress payments or other arrangements.

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150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

Po Box 19
77 Wogolin Road
Wickepin WA 6370
Phone: 9888 1005
Fax: 9888 1005
admin@wickepin.wa.gov.au
www.wickepin.wa.gov.au



ACTION REQUEST FORM

No:

Date:

To: CEO/MOW/CDO/ESO/SFO/OTHER

From:

Action Requested:

.....

.....

.....

.....

.....

.....

.....

.....

OFFICE USE ONLY

Issued to: Administration
Works
Health/Building

Action taken:

.....

No action taken because of the following reason:

.....

.....

10.2 PLANT OPERATION

10.2.1 PLANT AND EQUIPMENT USE

OBJECTIVE: Provide clear parameters in relation to plant and equipment use.

The CEO, in consultation with the MWS, is authorised to permit usage of Shire of Wickepin plant and equipment by local sporting and community groups only at no cost, provided the plant and equipment is:

- Operated by Shire of Wickepin employees only. If arrangements cannot be reached with Shire of Wickepin employees to operate the plant, all wages paid will be fully recouped from the organisation for which the works are being done.
- Used to facilitate a works undertaking for a local community organisation or sporting body.
- Does not leave the Shire of Wickepin.

RESOLUTION:	DATE OF REVIEW:
170615-12	17/06/2015
150317-11	15/03/2017
180320-02	19/02/2020
170321-03	17/02/2021
200422-12	16/03/2022

10.3 TOWN PLANNING SCHEMES

10.3.1 TOWN CENTRE DESIGN AND TOWNSCAPE GUIDELINES

OBJECTIVE: Provide guidance to developers in the Town Centre Zone of the Scheme to ensure a high standard of presentation, function, safety and traffic circulation commensurate with a vibrant town centre while reinforcing the attractive features of the existing townscape, and to guide Council in determining the appropriateness and adequacy of development proposals in the town centre.

This Policy is Council's adopted Local Planning Policy – Town Centre Design and Townscape Guidelines referred to in Section 5.17.3 of Council's Town Planning Scheme. It applies to the Town Centre Zone of the Scheme.

Under section 5.9.1 of the Scheme, Council shall have due regard to the provisions of this Policy in determining an application for planning approval

10.3.1.1 RELEVANT SCHEME PROVISIONS

Where an application for planning approval incorporates development in the Town Centre Zone the following Scheme provisions apply.

Council may approve the following variations within the Town Centre and Rural Townsite Zones for non-residential development. (Section 5.17.1)

An increase in plot ratio of 20% may be granted where Council is satisfied that public open areas, courtyards or colonnades or other setbacks or preservation of heritage buildings warrants an increase.

Site coverage of up to 100% where Council is satisfied that adequate arrangements have been made in regard to access, car parking, circulation or traffic, safety, servicing, loading and unloading, stormwater drainage, effluent disposal and any other matter which Council deems necessary.

A zero building setback from the front boundary where landscape and paved pedestrian areas are to be provided adjacent to the front boundary and Council is satisfied that adequate arrangements have been made with regard to access, car parking, circulation of traffic, safety, servicing and loading and unloading.

Development shall not exceed 2 storeys in height except where Council is satisfied that the proposal is compatible with the objectives for the zone and:

- will not restrict light, sunshine and natural ventilation enjoyed by surrounding properties;
- will not intrude upon the privacy enjoyed by surrounding properties with overview;
- will not diminish views or outlook available from surrounding properties; and
- is sympathetic with townscape and character of the surrounding built environment.

For mixed use development comprising a combination of residential and non-residential uses, the provisions of Part 4.2 of the Residential Design Codes will apply to the residential component of the development (at R25 code), and the provisions of this Scheme to the non-residential component of the development. (Section 5.17.2)

In considering an application for planning approval for a proposed development (including additions and alterations to existing development) in the Town Centre Zone, Council shall have regard to the criteria and design guidelines contained in Council's Local Planning Policy – Town Centre Design and Townscape Guidelines. (Section 5.17.3)

Development proposals shall recognise the preservation of areas or buildings or architectural or historic interest and the development of land abutting the same. (Section 5.17.5)

Within the Town Centre and Rural Town Zones, Council at its discretion may vary the application of relevant development standards in respect of any development involving a change of land use of an existing building. (Section 5.17.6)

Council may prepare a Local Planning Policy and/or Plan for all or part of the Town Centre Zone where development and uses will accord with the Policy provisions and/or Plan in addition to relevant Scheme provisions. (Section 5.17.7)

Council will not support commercial or industrial uses in the Town Centre or Rural Townsite Zones where the predominant established use is for residential purposes unless their impacts can be adequately buffered. (Section 5.17.8)

10.3.1.2 TOWNSCAPE AND DESIGN POLICY PROVISIONS

In considering an application for planning approval for a proposed development (including additions and alterations to existing development) in the Town Centre Zone, Council shall have regard to:

- The colour and texture of external building materials.
- Building size, height, bulk and roof pitch.
- Setback and location of the building on its lot.
- Architectural style and design details of the building.
- Function of the building.
- Relationship of the building to surrounding development.
- Landscaping.
- Layout of car parking.
- Other features considered by Council to be relevant.

Council will have regard for the need to conserve the turn of the century streetscape and ensure that all infill and new developments match the scale, form and physical character of the turn of the century buildings in the area.

Any reconstruction of original facades should only be to those elements which are considered to be essential to the streetscape, or where additions to the older buildings are contemplated.

Development should where possible adhere to the following design guidelines.

Scale and Form

- Scale of new buildings should be based on existing building elements.
- Height of any new buildings is limited to two stories.
- Verandahs should be located on road edges and include the reinstatement of timber or metal posts.
- Shop windows and doors should be of similar heights to the turn of the century type.

Materials

- Walls and parapets to be brick, either painted or Fairfax brickwork of appropriate colour. Roofs to buildings and verandahs should be corrugated iron.
- Verandah posts and framing should be either timber or steel in proportion to the original verandahs and include detailing and decoration where appropriate.
- Windows and doors to existing building may be either aluminium or a contemporary material as long as sections are similar in thickness to timber joinery.

Colours

It is important to recreate building tones and highlight areas and elements which enforce and enhance the original building's character. Each building should have its own colour scheme which relates to its particular architectural style. The colours of adjoining and newly constructed buildings should be in similar colours and tonings as the historic buildings.

- Building colours should preferably follow themes used at the turn of the century.
- Original materials such as brickwork and stucco should be highlighted, not painted over.
- Original colours can be found by scraping the site.
- Painting a group of individual buildings in one colour scheme should be discouraged.

Signs/Signwriting

- Old sign types should be encouraged and where possible, appropriate turn of the century lettering should be used. Signs painted over the whole facade should be prohibited. New signs should be positioned in appropriate places such as parapets, verandahs, on panels above shop windows, or as hanging signs under verandahs.
- Council discourages covering up of historic facade, construction of blank facades, use of modern materials (i.e. acrylic sheets) and construction of pseudo colonial verandahs with turned posts and lacework.

Landscaping

Landscaping shall complement the appearance of the proposed development and the town centre, and may include a paved area in the form of a courtyard, plaza, arcade, or walkway and shall contain such trees and other planting, seating and other furniture as determined by Council.

Car Parking

Layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car parks.

10.3.2 TRANSPORTED AND RELOCATED DWELLINGS

OBJECTIVE: Ensures that development involving the use of transported or relocated dwellings in the Shire of Wickepin occurs in a manner that maintains the amenity and appearance of the area in which the building will be situated. It defines guidelines by which the Council will assess proposals for the placement of transportable or relocated dwellings on land within the Shire of Wickepin. It will ensure that the amenity and appearance of the locality in which the transportable or relocated building will be situated is maintained.

10.3.2.1 APPLICATION REQUIREMENTS

“Transported or Relocated Dwelling” means a residential dwelling which has previously been constructed and occupied (whether within the district or elsewhere) which is capable of being transferred and reconstructed for use as a residential dwelling.

Applications to develop a transported or relocated dwelling within the Shire of Wickepin shall be made to Council and include:

- An Application for Planning Approval and the payment of the required planning fees.
- Details of where the transported or relocated dwelling is to be removed from.
- Detailed plans of the building and comprehensive site plan indicating the proposed location of the building.
- Recent photographs of every external elevation of the proposed dwelling, clearly indicating its current design and condition.
- Certification from a Structural Engineer stating that the structure is suitable for relocation, appropriate for the conditions of the Shire of Wickepin and structurally sound.
- Detailed specifications on the works to be undertaken to the building to render it compliant with the Building Code of Australia.
- Specification on the works to be undertaken on the dwelling, including any modifications and additions to the dwelling and the materials and colours to be used.
- Details of how it is proposed to transport and re-erect the building.
- A detailed time frame for the relocation of the proposed dwelling and any proposed works.

10.3.2.2 MINIMUM DESIGN REQUIREMENTS

The approval of transported or relocated dwellings will only be considered if the following design standards may be achieved:

- The dwelling has a minimum floor area of 120m^2.
- The roof has a minimum pitch of 20 degrees.
- The exterior cladding and roof materials shall be in good condition and the proposal includes improvement works to the exterior of the building, including repainting, re-cladding as necessary and architectural detailing, such that the proposed dwelling will be aesthetically pleasing.
- The external finishes, bulk, scale and design of the house will not have a detrimental impact on the amenity of the area or landscape into which it is being relocated.

Where any material containing asbestos fibres remains in or on the dwelling, including cement asbestos roofing or cladding, roof insulation, such material shall be removed prior to the building being transported within or into the Shire of Wickepin.

10.3.2.3 APPROVALS AND BONDS

As part of the planning approval of a transported or relocated dwelling, Council may require any works considered necessary to improve the appearance of the structure, including the addition of verandahs, painting, landscaping and the cover of stump areas.

The approval of an application for a transportable or relocated dwelling requires the lodgement of a cash bond to the value of \$20,000 prior to the issue of a building licence. This bond will be used to rectify or remove the dwelling in the event that the owner and/or builder default on the conditions of this policy, the Planning Approval or any conditions of the Building Licence.

A signed statutory declaration outlining a bond agreement is to be entered into by the owner/s prior to issue of a building license. The agreement is to outline a staged repayment of the performance bond, as follows:

10.3.2.4 STAGE ONE (RETURN OF 25% OF BOND)

Dwelling correctly positioned on site, as per approved site plan Planning Approval.

Dwelling is correctly stumped and site filled, drained and graded satisfactorily, to be structurally adequate in accordance with the engineers certification.

Dwelling is at lock-up stage (all external windows, doors and fittings/fixtures installed/repaired).

10.3.2.5 STAGE TWO (RETURN OF SECOND 25% OF BOND)

All gutters, fascia and downpipe work completed.

All roof end/roofing work is completed (flashings on ridge and gable ends installed).

All external surfaces to be painted to a tradesman like standard in accordance with the Planning & Building Approvals (including wall, doors, window surrounds, sills etc).

10.3.2.6 STAGE THREE (RETURN OF REMAINING 50% OF BOND)

Compliance with all conditions of planning approval.

Approved effluent disposal system installed, system inspected by the EHO and a permit to use has been issued.

Completion and certification of all electrical and plumbing work.

All wet area tiling completed in accordance with the Building Code of Australia.

Kitchen fit-out completed (cupboards/benches & stove/hotplate installed etc.)

Building has reached practical completion stage.

A building licence for a transported or relocated dwelling will only be issued for a period of twelve (12) months and will be licensed under the provisions of a 'Special Licence' under the Building Regulation 1989.

The agreement is to clearly state that should Stage One and Two completion not be reached within 90 days of the building's placement on site or Stage Three completion not reached within 12 months of issue of a building license, then the bond monies are to be forfeited to the Shire of Wickepin and the building removed from the site.

The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the case.

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10.3.3 OUTBUILDINGS

OBJECTIVE: Guide home owners in making arrangements for the development of outbuildings in accordance with Scheme provisions and Council policy. It is to guide Council in determining the appropriateness of outbuildings in the proposed location and of the type of proposed to ensure the retention of a high level of amenity for the area.

This policy is Council's adapted Local Planning – Outbuildings referred to in Sub-Clause 5.11.3 of Council's Town Planning Scheme. Under Sub-Clause 5.9 of the Scheme, Council shall have due regard to the provisions of this policy when determining an application for planning approval in addition to the relevant provisions of the Scheme. Under Sub-Clause 9.1.2 of the scheme an application for a planning approval issued under this policy shall be in the form of Schedule 7 to the Scheme.

10.3.3.1 RELEVANT SCHEME PROVISIONS

The construction of outbuildings falls within the definition of 'development' under the Town Planning and Development Act 1928 and requires planning approval in accordance with the procedures outlined in Part 9 of the Scheme except where it is considered 'permitted development'.

Under Clause 8.2 of the Scheme 'outbuildings' are considered 'permitted development' on a lot more than 2ha in area, provided that in rural residential zone it is within a defined building envelope which has been formally identified for the lot.

Outbuildings must be constructed in accordance with the provisions of the Building Code of Australia and this Local Planning Policy.

Clause 5.19 of the Scheme stipulates that:

- In addition to a building licence, all development, including a single house will require an application for planning approval to be made to Council, unless it is within a defined building envelope accepted by Council.
- Only one dwelling will be permitted on any lot in the Rural Residential zone.
- Council may permit ancillary accommodation providing it is located within the same building envelope or building clearance area as the first or primary dwelling, or otherwise complies with the Residential Design Codes.
- Outbuildings in excess of 65m² floor area will not be granted planning approval on any lot within the Rural Residential zone, unless a single dwelling exists on the lot, or is to be constructed as the first stage of the development proposal.
- The minimum setbacks for dwellings, outbuildings, or any other structure shall be in accordance with the Development Table - General (Table 2) or as varied by the provisions of this Scheme.
- In the case where a lot has more than one street frontage, Council may at its discretion permit the construction of buildings nearer to the secondary street frontage nominated by Council, but not nearer than 10m to that street or streets.
- For the purposes of guiding subdivision and development in specific rural residential zones, the provisions set out in Schedule 11 (where different to Scheme Provisions) shall apply to the specified zones. Future subdivision will be required to generally

accord with an Outline Development Plan prepared for the specified area referred to in Schedule 11 and such a plan of subdivision shall form part of the Scheme.

- Proposals for Rural Residential zones shall have due regard to Council's Local Planning Policy - Rural Residential Development.

10.3.3.2 POLICY PROVISIONS

Within the Residential Zone of the Scheme Area, planning approval will be granted to outbuildings appurtenant to a dwelling provided the boundary setbacks and building construction requirements have been complied with, the building is of single storey construction and is located behind any dwelling on site.

Non-masonry construction – where the total non-masonry outbuilding area does not exceed 55 square metres and the total outbuilding area does not exceed 75 square metres.

Masonry construction – where the total outbuilding area has walls constructed of the same materials and appearance as the house does not exceed 75 square metres and no parapet wall is greater in length than 8.0 metres.

Wall height of any outbuilding must not exceed 3.0 metres or gable roof construction must not exceed 4.0 metres.

An applicant may not construct a parapet wall construction on any boundary, the applicant will present Council with written agreement to the same by any affected adjoining landowner.

An applicant must provide Council with a written undertaking that the outbuilding constructed will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Scheme.

Brick Construction – garages, patios, pergolas, sheds and all other outbuildings except carports

- If attached to a dwelling, the outbuilding must be 1.0 metre from side boundaries with eaves not closer than 0.5 metres to a side boundary, measured from the outer edge of the gutter. Setback to the rear boundary to be as specified for the appropriate dwelling in the Zoning and Development provisions of the Scheme.
- If detached from a dwelling, the outbuilding shall be at least 1.0 metres clear of the dwelling, 1.0 metre from a side boundary, 1.0 metres from the rear boundary, with eaves not closer than 0.5 of a metre to a side boundary, measured from the outer edge of the gutter.
- A detached outbuilding may be constructed on a side or rear boundary subject to the requirements of the Building Code of Australia 1990

Metal or wood framed construction – garages, patios, pergolas, sheds and all other outbuildings except carports

- Garages, sheds and all other outbuildings except patios and pergolas are to be detached from and at least 1.0 metres clear of the dwelling and 1.8 metres clear of any leech drains. Clearance to side and rear boundaries must be a minimum of 1.0 metres and at least 1.2 metres to any septic tanks.
- Patios and pergolas are to be setback at least 1.0metre from any lot boundary unless otherwise approved by Council.

Carports

- Columns of brick or steel may be erected on a boundary provided no more than four columns are used and roofing including guttering is at least 0.5 metres clear of the boundary.
- Beams shall be steel where within 0.5 metres of a boundary and a dividing fence forming a side wall of the carport shall not be higher than 1.8 metres.
- Timber framed carports shall be sited 1.2 metres clear of all boundaries.

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200422-12	16/03/2022

10.3.4 TEMPORARY ACCOMMODATION CAMPS

OBJECTIVE: Ensure that applications for the development of temporary accommodation camps are assessed in a consistent, fair, thorough and timely manner in consideration of a 'Temporary Accommodation Camp' being acknowledged as a use 'not listed' in the Shire of Wickepin Town Planning Scheme No.4, provide guidance to Councillors, employees, other government agencies, landowners, developers, consultants and the general public regarding the assessment of applications for temporary accommodation camps and to provide, where necessary, for the development of temporary accommodation camps in a way that maximises social benefits whilst minimising social costs.

"Temporary Accommodation Camp" means Development which remains in place on a temporary basis and provides accommodation for construction or construction-related workers and their dependents, and which consists of buildings or other structures which by virtue of their design, layout, density and/or location, is not specifically provided for within the Town Planning Scheme and can only be approved pursuant to the 'use-not-listed' provisions contained within the Scheme.

Planning consent must be given by Council for any consent of Temporary Accommodation Camps.

Applications MUST demonstrate that there is a need to develop a camp facility of the size and at the location proposed for the period of time for which approval is sought;

Within a gazetted town site of the Shire of Wickepin, Temporary Accommodation Camps must:

- Be strategically located within walking distance to a range of services including social, recreational, educational, commercial, retail and medical.
- Be accessible to bitumen sealed road (7.0 metre seal) and reticulated power, water and sewerage.
- In the opinion of the Council, not be located in an area of perceived environmental, social or visual sensitivity.
- Accord with the Shire of Wickepin's current planning instruments (i.e. Town Planning Scheme, Local Planning Strategy) in demonstrating a 'value added' benefit for possible re-use of some or the entire camp infrastructure beyond the life of the temporary accommodation camp use.

Within the Rural area of the Shire of Wickepin, a Temporary Accommodation Camp must:

- Be strategically located within reasonable commuting distance to the primary construction site and provide a range of services on-site including social, recreational, small retail and medical.
- Where possible have direct access to a bitumen seal road.
- In the opinion of the Council, not be located in an area of perceived environmental, social or visual sensitivity.
- Where possible demonstrate some level of 'value added' benefit for re-use of the camp infrastructure, either in part or in whole, beyond the life of the temporary accommodation camp use.

Applications must demonstrate compliance with relevant legislation as required by the Council.

Applications must demonstrate the camp will be effectively and appropriately managed, with management practices outlined in a Camp Management Plan to be submitted with the application for planning consent. The Camp Management Plan should address:

- Strategies ensuring that noise, dust, odour, light spill and litter are acceptably managed.
- Strategies resolving conflict with owners and/or occupiers of land within the vicinity of the site that may be affected by the operation of the camp.
- Transportation of workers to the site where construction is taking place.
- Strategies for managing the consumption of alcohol in the camp (if applicable).
- Strategies for preventing the consumption of illicit drugs in the camp.

Applications shall be accompanied by a Decommissioning Plan committed to by the applicant by means of a legal agreement that addresses the following issues:

- When the camp shall be decommissioned.
- Works that shall remain in place following decommissioning.
- The clean-up and rehabilitation of the site.
- The transfer of assets to public ownership where this has been committed too and agreed upon.

The following information is to be provided with an application for planning consent:

- A minimum of 3 sets of accurately scaled and dimensioned locality plans, site plans, floor plans, elevations (generally north, south, east and west elevations showing all buildings proposed for the site, rather than elevations of individual buildings, or as otherwise agreed by Council).
- An analysis of the physical characteristics of the site (on sloping sites topographic mapping may be required).
- Details regarding the maximum number of persons to be housed at the site, including numbers of single, married/de facto and dependents (if applicable).
- Details of how development is to be staged.
- Information regarding how essential services are to be provided to the site.
- Details of proposed/intended accommodation purchaser/s (i.e. whose workforce is the camp intended to house).
- An indication from the proposed/intended accommodation purchaser/s of the suitability of the proposal for their accommodation needs (i.e. in terms of size, location, layout, facilities and detailed design does it meet their requirements for accommodating their workforce).
- Details of any prior consultation with local communities and government agencies.
- Details of any ongoing community benefit from development of the camp that may or may not have been negotiated with Council prior to submitting an application.
- In urban or near-urban situations, details of landscaping, fencing, internal access roads and building materials and finishes.
- A Camp Management Plan.
- A Decommissioning Plan.

The following process is to be undertaken in assessment of an application for a temporary construction camp:

Step 1 – Preliminaries

The proposal should be discussed with Shire of Wickepin employees prior to an application being submitted and in some instances preliminaries, written advice will be provided.

Step 2 – Initial consideration by Council

Shire of Wickepin employees will present a report to Council detailing the application and addressing all aspects of the policy and any other relevant considerations, including details of a site inspection.

Step 3 – Referral & advertising

The application will be advertised for public comment and referred to relevant stakeholders for a minimum of 30 days including adverts in local newspapers, a signs erected on site and plans/documents detailing the application made available for inspection at the Council office.

Step 4 – Final consideration by Council

The application will be considered in light of any submissions received during the comment period. Shire of Wickepin employees will present a report to Council presenting relevant facts and discussion sufficient to enable Council to make an informed decision.

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10.3.5 AGRO-FORESTRY/TREE PLANTATIONS

OBJECTIVE:

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications.
- Actively encourage the establishment of tree crops in appropriate locations across the Shire of Wickepin.
- Actively encourage tree crops in areas subject to land degradation, including areas of high salinity, water logging and high levels of chemical contamination where there are clear natural resource management benefits.
- Consider impacts on local road infrastructure and fire risk/management issues.
- Consider the visual impact of tree crops in close proximity to town sites, roads of local and regional significance, and areas of scenic beauty.
- Encourage operators, managers, government and non-government agencies, investors, and land holders to work in partnership wherever possible.
- Encourage operators to abide by the Industry Code of Practice, relevant legislation and this policy when seeking to enter into tree crops venture.
- Outline matters to be addressed through the planning system and other legislation.

'Agro forestry' means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

'Plantation' has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia (2006)* published by the State Department of Conservation and Land Management and the Australian Forest Growers.

'Tree Crop' means trees planted under the management of an applicant with an aggregate area greater than 40 hectares and with the intent of producing commercial products. Commercial products include all wood and non-wood products that can be sold to a third party. Wood products are produced when trees are harvested, such as woodchips or sawlogs, while non-wood products include products such as carbon and potentially environmental services.

This policy applies to all 'General Agricultural' zoned land in the Shire of Wickepin Town Planning Scheme No.4 (TPS4).

This Policy applies to agro-forestry/tree plantations, otherwise termed 'Tree Crops' for the purpose of this Policy, that has the potential to become a prominent land-use across the Shire of Wickepin where landholders and private investors seek to:

- Capitalise on emerging opportunities for farm forestry;
- Diversify income streams; and
- Gain on-farm environmental benefits that can be realised from integrated tree crops.

Council requires completion of an application for Planning Consent (Tree Crop Development Application Form) for all tree crop developments with an aggregate area greater than 40 hectares in size.

An application and planning consent must include:

- Title details of the subject land.
- Name of Landowner.
- Name of the Applicant.

- Address and contact details of the Applicant.
- Signature of the Applicant and the Landowner.
- Management Plan as per checklist based on the Code of Practice.
- Map showing location of trees, access roads, structures and buildings, natural features (including native vegetation and water courses) and other relevant information, such as hazards and significant features.
- Level of compliance with the specifications and guidelines in the *Code of Practice for Timber Plantations in Western Australia (2006)*.
- The preparation of a Fire Management Plan that details access, firebreaks, water supplies, separation distance between plantings and setbacks from off-site dwellings.
- A visual impact assessment for properties that adjoin townsite boundaries, front roads of regional or local significance, or areas deemed by the Council to have a high level of scenic value.
- A Water Management Strategy that includes an impact statement relating to water quantity and quality regarding the anticipated effects on adjacent land uses and downstream users – refer to Notes below.
- A future Harvest/Transport Plan that details estimated harvest times, expected transport routes and proposed machinery requirements.
- Planning application fee, as per the Shire of Wickepin Schedule of Fees.

10.3.5.1 ADDITIONAL APPROVALS

Proposed new buildings and structures relating to a tree crop development may be subject to additional conditions and approvals of the Shire of Wickepin and other agencies.

10.3.5.2 WATER MANAGEMENT

The Council may seek advice from the Department of Conservation and Environment and Department of Water to assist in determining the application, with specific reference to ground and surface water impacts.

10.3.5.3 HARVEST AND TRANSPORT

Where the Council considers the existing road infrastructure is not adequate to service the future harvest, the applicant/operator will be required to make suitable and safe access arrangements. If a suitable and safe arrangement cannot be identified and there is likelihood that this cannot be secured or improved, the Council may refuse the application.

In processing an application for tree crops the Council will;

- publicly advertise the proposal for a minimum of 30 days through writing to adjoining/nearby landowners as deemed appropriate by the Council; and
- seek comments, as determined by the Council, from relevant government agencies and other stakeholders or affected parties.

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10.3.6 FENCING OF LIGHT INDUSTRIAL LOTS

OBJECTIVE: Provide clear parameters in relation to Perimeter fencing of light industrial lots.

The minimum requirement for Fencing of Light Industrial Lots is link mesh fencing to the front of all Road Reserves to a minimum height of 1.2m.

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