

# POLICY MANUAL

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The policy was rescinded by Council's decision at Ordinary Council Meeting 28 May 2025

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The policy was rescinded by Council's decision at Ordinary Council Meeting 28 May 2025

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## INDIGENOUS ENGAGEMENT POLICY

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### Objective

- To provide guidance to Shire staff and the wider community in relation to Indigenous ceremonial cultural protocols and to assist with greater inclusion of local Indigenous people in regard to Shire services, initiatives, projects and activities.
- To facilitate consistent standards of engagement and to maintain compliance with cultural protocols associated with the first people of the local area.

### OUR COMMITMENT

The Shire of Gnowangerup strives to build and maintain positive, long-term, trusting and respectful relationships with Indigenous communities. We are committed to protecting cultural heritage and improving Indigenous participation through employment, training and business enterprise opportunities.

We will ensure our workers have appropriate cultural awareness training and understand their obligations within agreements and to the protection of cultural heritage sites.

#### 1.0 Definitions:

**Welcome to Country:** “A Welcome to Country ceremony gives traditional owners, the Noongar peoples, the opportunity to formally welcome people to their land. This ceremony should be undertaken by Elders acknowledged as such by their family and community.”

(Living Culture – Living Land and its people, South West Aboriginal Land and Sea Council, 2017)

**Non-Indigenous Acknowledgement:** “An Acknowledgment of Country is a way that non-Indigenous people can show respect for Noongar heritage and the ongoing relationship of traditional owners with the land.”

(Living Culture – Living Land and its people, South West Aboriginal Land and Sea Council, 2017)

- 2.0 The Shire of Gnowangerup recognises that the first people of the local area are the Noongar People. The Noongar people are the traditional owners of the Land within the boundaries of the Shire of Gnowangerup. In the spirit of reconciliation, the Shire will acknowledge the traditional owners during the development and implementation of community events, activities and projects.

- 3.0 This policy will assist Council to integrate cultural protocols and culturally secure practices into the delivery of Shire run community services, projects and activities.
- 4.0 “The Chair of the meeting, or the principal speaker begins the meeting by acknowledging that the meeting is taking place in the country of the traditional owners. Those who acknowledge the country, can ‘acknowledge all the traditional owners of the land’ or can ‘acknowledge the traditional owners of this land’ without naming those people.”

(Living Culture – Living Land and its people, South West Aboriginal Land and Sea Council, 2017)

## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>NIL</li> </ul>
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## DOCUMENT CONTROL

### CORPORATE & COMMUNITY DEVELOPMENT

Policy Number	<b>1.1</b>
Responsible Officer	Community Development Manager / Coordinator
Initial Council Adoption	14 February 2018
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2026 This policy will be reviewed every 3 years or more often where circumstances require.



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## COUNCILLORS' ENTITLEMENT POLICY

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### Objective

- To provide guidelines on the support and allowances available to Councillors within the provisions of the *Local Government Act 1995*, including cover for any 'out of pocket' expenses that are incurred in carrying out their function as an elected member.
- To provide guidelines relating to the participation of Councillors at conferences and training seminars.

### 1.0 Fees and Allowances

Meeting fees and allowances for Councillors are determined by the Salaries and Allowances Tribunal (SAT). All local governments in Western Australia fall into one of four "bands", which then provides a range within which a Council can set fees and allowances.

#### 1.1 President and Deputy President Allowances, Annual Meeting Attendance Fees and Communications Allowances

Presidential and Deputy Presidential Allowances, Annual Meeting Attendance Fees and Communications Allowances will be paid within the range set by the Salaries and Allowances Tribunal from time to time, with the specific amount to be determined by Council in its annual adopted Budget.

#### 1.2 Payment of Meeting Fees and Allowances

All meeting fees and allowances are paid in June and December.

#### 1.3 Committee Member who is not an elected member

A committee member who is not an elected member or employee of the local government, who attends a committee meeting or at the request of the local government a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government within the range determined by SAT.

### 2.0 Reimbursement of Expenses

#### 2.1 Motor Vehicle Travel Expenses (S 5.98(2))

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, Councillors will be reimbursed for travel expenses incurred with respect to the actual cost of travelling from their place of residence to attend:

- (a) An Annual or Special meeting of Electors;
- (b) An Ordinary or Special meeting of Council;

- (b) A meeting of a Committee of which they are a member (or a deputy member attending in place of a member); A Committee is defined as a Committee of Council;
- (c) Visits by Ministers of the Crown;
- (d) Council Inspection Tours;
- (e) Any meeting of a body to which the Councillor has been appointed by Council, unless the Councillor is eligible to claim reimbursement of travel costs direct from that body;
- (f) A Shire of Gnowangerup civic function\* to which Councillors have been invited;
- (g) A meeting with the Chief Executive Officer or an Executive Manager at the officer's request;
- (h) A training seminar that is relevant to their role as a councillor and has been approved by the Council; or
- (i) Any other meeting, function or event which they have been asked to attend in their role as Councillor by Council, the Shire President or the Chief Executive Officer.

The rate of reimbursement will be in accordance with that specified by the *Local Government Officers' (Western Australia) Interim Award 2011*.

Reimbursement will be undertaken in June and December following the submission of one or more signed Members' Quarterly Travel and Out of Pocket Expenses reimbursement claim form.

*\*For the purposes of this Policy, "Civic Function" means an official function arranged by the Shire of Gnowangerup.*

## 2.2 Parking Expenses (S 5.98(2))

Parking expenses associated with any of the attendances referenced in Clause 2.1 will be reimbursed in June and December, provided that relevant parking receipts are attached to the signed Members' Quarterly Travel and Out of Pocket Expenses reimbursement claim forms.

## 2.3 Childcare Expenses (S 5.98(2))

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, Councillors will be reimbursed for childcare costs incurred as a result of any of the attendances referenced in clause 2.1.

Childcare costs will not be paid where the care is provided by a member of the immediate family or relative living in the same premises as the Councillor.

The Shire of Gnowangerup will reimburse childcare costs either at the actual cost per hour or \$35 per hour, whichever is the lesser amount. Formal receipts must be kept and attached to the claim for reimbursement.

Reimbursement will be undertaken in June and December, following the submission of one or more signed Members' Quarterly Travel and Out of Pocket Expenses reimbursement claim form.

## 2.4 Other Expenses

Other reasonable expenses (including accommodation, laundry costs, meals, refreshments (excluding alcohol), parking and taxi charges, telephone calls and other appropriate out of pocket expenses) incurred by Councillors in connection with an attendance as specified in either clause 2.1, clause 4 or clause 5 may be reimbursed, provided that authorisation has been received from the Chief Executive Officer prior to the expenditure taking place.

## 3.0 Items to be provided to Councillors

### 3.1 Tablet/iPad

Councillors will be issued with a tablet/iPad at the commencement of each four-year term.

- (a) The maximum value of the tablet will be capped at \$1,000;
- (b) The Shire's IT subcontractors will provide support for Shire-supplied IT equipment. All requests for assistance are to be directed to the Deputy CEO in the first instance.
- (d) Councillors are entitled to utilise their Shire-provided tablet for both Shire and private purposes (including electoral campaigning).
- (e) All tablets will be "changed-over" four years after their date of purchase.

### 3.2 Corporate Apparel and Business Cards

Councillors will be issued with a name badge at the commencement of their first four-year term, such items to be replaced as required at the Councillor's request.

Councillors can request Business Cards to assist them to fulfill their community engagement duties.

## 4.0 Training Registration

Provided that expenditure is within the constraints of the Shire's adopted annual Budget, the Chief Executive Officer is authorised to arrange, at the Shire's cost and at the request of a Councillor, the registration of that Councillor at any:

- (a) Training session conducted by WALGA; or

- (b) Any other training considered by the Shire President to be directly relevant to the Shire's affairs.

## 5.0 Conferences and Seminars Registration

### 5.1 Where Accommodation and/or Airfares are not required

Provided that expenditure is within the constraints of the Shire's adopted annual Budget, the Chief Executive Officer is authorised to arrange, at the Shire's cost and at the request of a Councillor, registration at professional conferences which:

- (a) are considered by the Shire President to be directly relevant to the Shire's affairs; or
- (b) are convened by WALGA; and
- (c) do not necessitate arrangements for accommodation or airfares.

Registrations of this type will include registration for any applicable conference dinner, should the Councillor wish to attend same

### 5.2 Where Accommodation and/or Airfares are required

Requests for registration at events requiring the provision of accommodation and/or airfares must be submitted to Council for consideration.

### 5.3 Booking Arrangements Relevant to Clauses 4 and 5

- (a) In the event that three or more requests are received to attend the same opportunity or conference, or the annual Budget allocation is exceeded, then the matter must be submitted to Council for consideration.
- (b) Attendees will provide a report on their attendance at the next Council meeting following the training or conference.
- (c) Any request for attendance at a training opportunity or conference that falls within the last three months of a Councillor's term of office will be referred to Council for approval. For the purposes of clarity, the date from which clause takes effect will be the date on which the training opportunity or conference commences.
- (d) The Shire will not pay for partners and spouses to accompany Councillors on Council business, other than for attendance at an official conference dinner. Partners and spouses may accompany Councillors at other times at their own expense.

## 6.0 Upon Retirement (S 5.100A)

- 6.1 Councillors who retire or are not returned to Council after serving at least one full four-year term will be entitled to a gift of up to approximately \$100 per year of service in recognition of their commitment to Council and the Community. The maximum value of the gift shall not exceed \$1,000.

- 6.2 All Councillors who retire or are not returned to Council will receive the following-
- (a) A Certificate bearing the Council seal;
  - (b) A Certificate of Service including dates of service; and
  - (c) A Certificate of Shire Presidential Service will be issued to Councillors who have served as the Shire President, including dates of service.
- 6.3 All Councillors who retire or are not returned to Council will be entitled to a formal dinner function or an informal cocktail/sundowner/lunch function. The details of the function are to be determined by the Shire President.

## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>• Local Government Act 1995; Sections 7A &amp; 7B ; Local Government (Administration) Regulations</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.1</b>
Responsible Officer	Chief Executive Officer
Initial Council Adoption	22 June 1998
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> <li>• 28 August 2024 (approved by Council 28 August 2024)</li> </ul>
Next Review Due	31 August 2025 This policy will be reviewed annually or more often where circumstances require.

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## GRAFFITI MANAGEMENT POLICY

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### Objective

- To set out Council's position on graffiti and its management.
- To outline Council's strategy to reduce graffiti.

- 1.0 The Shire of Gnowangerup recognises that illegal graffiti is a community concern that adversely affects the social, environmental and economic fabric of the local community. It creates a negative perception of safety in the local community, thus impacting on the wellbeing and social cohesion of the community.
- 2.0 Illegal graffiti has a negative effect on the streetscape and urban environment and detracts from community pride of the local area. The considerable financial costs involved in removing graffiti also impose economic impacts on individuals, businesses, Council and the wider community. Council will not tolerate illegal graffiti and is committed to reducing and preventing graffiti in public spaces and on public and private property.
- 3.0 The Shire's Graffiti Management Procedure defines the Shire's role in reducing the incidence and visibility of graffiti and additionally minimising the social, environmental and economic impacts within the Shire of Gnowangerup.
- 4.0 Council's overall goal and long-term commitment is to reduce the incidence of illegal graffiti through a multi-faceted and strategic approach incorporating seven core elements:
  - Removal;
  - Education;
  - Enforcement;
  - Prevention;
  - Engagement;
  - Monitoring; and
  - Strategic initiatives.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Graffiti Vandalism Act 2016</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.2</b>
Responsible Officer	Executive Manager Infrastructure and Assets
Initial Council Adoption	22 June 1998
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	<p>31 August 2028</p> <p>This policy will be reviewed every five years or more often where circumstances require.</p>

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## COMMUNICATIONS AND SOCIAL MEDIA POLICY

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### Objective

To establish protocols for the Shire of Gnowangerup Council, Chief Executive Officer (CEO) and employees who, acting as a representative of the Shire, make public comment or provide information to the media about the Shire's activities.

### 1.0 Policy Statement

1.1 The purpose of the Shire's official communications include:

- (a) Sharing information required by law to be publicly available;
- (b) Sharing information that is of interest and benefit to the community;
- (c) Promoting events and services;
- (d) Promoting public notices and community consultation and engagement opportunities;
- (e) Answering questions and responding to requests for information relevant to the role of the Shire; and
- (f) Receiving and responding to community feedback, ideas, comments, compliments and complaints.

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

1.3 The Shire may use a combination of different communication modes to suit the type of information to be communicated and the requirement of the community or specific audience.

### 2.0 General Provisions

2.1 All comments to the media shall be presented positively and reflect the values of the Shire.

2.2 All media releases and responses to the media must be approved by the CEO or the President.



## 3.0 Speaking on behalf of the Shire

- 3.1 The President speaks to the media on behalf of the Shire on matters related to the governance of the Shire of Gnowangerup. The CEO speaks on behalf of the Shire, where authorised to do so by the President.

If the President and the CEO are both unavailable to speak to the media, the Deputy President acts as the spokesperson.

- 3.2 Communications by Elected Members, whether undertaken in an authorised official capacity, or as a personal communication must not:

- (a) Bring the Shire into disrepute;
- (b) Compromise the person's effectiveness in their role with the Shire;
- (c) Imply the Shire's endorsement of personal views; or
- (d) Disclose, without authorisation, confidential information.

- 3.3 Any public statement made by an Elected Member, whether made in a personal capacity or in their local government representative capacity, must:

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

- 3.5 An Elected Member who is approached by the media for a personal statement may request the assistance of the CEO.

## 4.0 Social Media

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

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- 4.2 The Shire may post and contribute to Social Media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.
- 4.3 The Shire may actively seek ideas, questions and feedback from our community however, when doing so we expect participants to behave in a respectful manner. The Shire will moderate its Social Media accounts to address and where necessary delete content which is deemed as:
- (a) Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
  - (b) Promotional, soliciting or commercial in nature;
  - (c) Unlawful or incites others to break the law;
  - (d) Information which may compromise individual or community safety or security;
  - (e) Repetitive material copied and pasted or duplicated;
  - (f) Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
  - (g) Content that violates intellectual property rights or the legal ownership of interests or another party; and
  - (h) Any other inappropriate content or comments at the discretion of the Shire.
- 4.4 Where a third-party contributor to a Shire's social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.
- 4.5 In accordance with the *Code of Conduct for Council Members, Committee Members & Candidates*, 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.

## 5.0 Record Keeping and Freedom of Information

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

## 6.0 Personal Communications

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

Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members and employees must ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conducts and/or the *Local Government (Model Code of Conduct) Regulations 2021*.

For Elected Members, comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Model Code of Conduct) Regulations 2021*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

## 7.0 Employees and Volunteers

In accordance with the *Code of Conduct for Employees and Volunteers*

### Professional Communications

- (a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire of Gnowangerup's activities should reflect the status, values and objectives of the Shire of Gnowangerup, in accordance with the Shire's Communications and Social Media Policy.
- (b) The Shire President and the Chief Executive Officer (or their delegated nominees) are the only people authorised to represent the views of the Council or the Shire to the media.
- (c) Communications should be accurate, polite and professional.

### Personal Communications and Social Media

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
- (b) Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the Shire of Gnowangerup, its Council Members, employees or contractors, which breach this Code.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the Corruption, Crime and Misconduct Act 2003.

## COMPLIANCE REQUIREMENTS

<p>Legislation / Documents</p>	<ul style="list-style-type: none"> <li>• Local Government (Model Code of Conduct) Regulations 2021</li> <li>• Local Government Act 1995</li> <li>• Code of Conduct for Council Members, Committee Members &amp; Candidates</li> <li>• Code of Conduct for Employees &amp; Volunteers</li> <li>• State Records Act 2000</li> <li>• Freedom of Information Act 1992</li> </ul>
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**DOCUMENT CONTROL**

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**STRATEGY & GOVERNANCE**

Policy Number	<b>2.3</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	22 June 1998
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	<p>31 August 2025</p> <p>This policy will be reviewed every two years or more often where circumstances require.</p>

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## RECORDS MANAGEMENT POLICY

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### Objective

- To provide record keeping principles that identify and protect local government records of continuing value.
- To provide guidance on the disposal of local government records, particularly those that have no continuing value.
- To define strategies that will support and document accountability and responsibility throughout the local government.
- To demonstrate to Elected Members how to establish an audit trail tracing the justifications and authorisations for certain courses of action.
- To reinforce that all records are to be managed according to whether they are significant or ephemeral, vital or non-vital and in accordance with their security classification.
- To reinforce that all communication in the form of records which are handled, received or generated by the Shire of Gnowangerup whether paper or electronic, whether internal or external, are to be captured within the appropriate recordkeeping system (SynergySoft).
- To reinforce that all records are not to be removed from the Shire of Gnowangerup's sites unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing official business.

### 1.0 Definitions

**Council** means the Council of the Shire of Gnowangerup (the Elected body).

**Shire** means the Shire of Gnowangerup (the administration).

**GDALG** means the General Disposal Authority for Local Government Records.

**Local Government employee** means:

- (a) a person who, whether or not an employee, alone or with others governs, controls or manages a local government organisation;
- (b) a person who, under the Public Sector Management Act 1994, is a public service officer of a local government organisation; or
- (c) a person who is engaged by a local government organisation, whether under a contract for services or otherwise;

and includes, in the case of a local government organisation referred to in the *Public Sector Management Act 1994* Schedule 1 items 5 or 6, a ministerial officer assisting the organisation.

**Local Government Records** means a record created or received by or for a local government organisation or a local government organisation employee or contractor in the course of the work for the organisation.

**Records** means any record of information however recorded and includes:

- (a) anything on which there is writing or Braille;
- (b) a map, plan, diagram or graph,
- (c) a drawing, pictorial or graphic work, or photograph;
- (d) anything on which there are figures, marks, perforations, symbols, having a meaning for persons qualified to interpret them;
- (e) anything for which images, sounds or writings can be reproduced with or without the aid of anything else; and
- (f) anything on which information has been stored or recorded either mechanically, magnetically or electronically.

**State Archive** means a state record that is to be retained permanently.

### **Government Records (or Public Records)**

Records created or received by a public officer or Elected Member in the course of their duties regardless of whether the communication is between staff in the same agency, between different agencies or between public officers and Members of the community (both private and business).

### **Ephemeral Records**

Ephemeral records are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential, or historical value. They may include insignificant drafts and rough notes, records of routine enquiries.

### **Significant Records**

Significant records contain information which is of administrative, legal, fiscal, evidential or historical value and are not recorded elsewhere on the public record. They describe an issue, record who was involved, record why a decision was made and may embody actual guidelines.

*Important note: distinguishing between significant and ephemeral records is a matter of judgement and the above definition can only act as a guide. Reference to "records" in this guideline document should be read as relating to significant public records unless other stated.*

### **Vital Records**

Vital records are records which are essential to the continued business of the Shire. Vital records include those that protect the rights of individuals and the Shire and are absolutely essential for the Shire's reconstruction in an event of a disaster.

The Shire of Gnowangerup considers the following as vital records:

Leases from and to Council, Licenses held by Council, Agreements (Contracts), Guarantees/Warranties, Planning Agreements (Town Planning Scheme), Occupation Agreements, Vesting Orders, Council and Committee Minutes & Agendas, Cemetery Records, Payroll Records, General Ledgers, Rate Books, Deeds/Titles, Financial documents such as Budgets and Annual Financial Statements and any documents detailing approvals of some kind.

## Non-Records

Non-records are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire's activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a published directory or a training manual of a third party.

## Records Disposal

Disposal/archiving is conducted in accordance with the General Disposal Authority for Local Government Records. Records are stored onsite at the Shire of Gnowangerup Office and offsite at the Shire of Gnowangerup Works Depot.

## 2.0 Policy Statement

- 2.1 The Shire recognises that its records are a local government owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during the course of business (including those from outsourced bodies or contractors) are vested in the Shire of Gnowangerup.
- 2.2 This policy applies to all Council records created or received by a Shire employee, contractor or Elected Member, or an organisation performing outsourced services on behalf of the Shire of Gnowangerup, regardless of their physical format, storage location or date of creation.
- 2.3 Local Government Records of Continuing Value

Local government records of continuing value are records created or received which:

- (a) Contain information that is of administrative value to the Shire and the Council. These records may be referred to for many administrative purposes, including the need:
  - (i) to check an interpretation of Council policy or the rationale behind it;
  - (ii) to check the facts on a particular case or provide information to management;
  - (iii) to monitor progress and coordination of responses to issues;
  - (iv) to document formal communications and/or transactions (e.g. a minute, report or submissions) between Elected Members and another party; and

- (v) to document Elected Members' decisions, directives, reasons and actions.
- (b) Contain information that is of legal value to the Shire and the Council on the basis that there are statutory requirements or court orders that stipulate the retention of records, which must be observed.
- (c) Contain information of fiscal value to the Shire and the Council that includes original records documenting the receipt, expenditure and control of public money that must be left for a period of time and will facilitate transparent accountability by the officers responsible.
- (d) Contain information of **evidential value** to the Shire and the Council such as those that contain information about the legal rights and obligations of the local government including Elected Members, ratepayers, organisations and the general community.
- (e) Contain information of **historical value** to the Shire and the Council, and to the State.

## 2.4 Local Government Records of No Continuing Value

Local Government records of no continuing value are records which:

- (a) Are considered ephemeral (short lived) in that they do not have the attributes stated above and only need to be kept for a limited or short period of time, for example, a few hours or a few days.
- (b) Have only a facilitative or routine instructional value and are used to further some minor activity.

## 2.5 Elected Member Roles and Responsibilities

Records will be created and kept which properly and adequately record the performance of Member functions arising from their participation in the decision-making processes of Council through the creation and retention of records of meetings of Council and Committees of Council. All significant Elected Member records that come through the Shire's administration will be captured into the Shire Record Keeping System.

### 2.5.1 Appointment Books, Calendars and Diaries

Diaries, appointment books and desk calendars are generally used to record appointments. They may also be used to record messages and notes, some of which may only be a note of a routine nature, and some of which may be of significance to the conduct of Shire or Council business.

It is strongly recommended that Elected Members maintain separate diaries or appointment books for personal and official use.

Elected Members' diaries or appointment books which have been used to:



(a) record basic information such as dates and times of meetings and other appointments; or

(b) record notes and messages, which have been recorded elsewhere and incorporated into the Shire's record keeping system;

have no continuing value and may be destroyed when reference to them ceases.

Elected Members' diaries and appointment books, which have been used to record notes and messages of significance to Council business and are not recorded elsewhere have continuing value and are to be forwarded to the Shire for incorporation into the Shire's record keeping system.

## 2.5.2 Drafts

A draft record is the preliminary form of any writing in electronic or paper formats. Draft records include outlines of addresses, speeches, reports, correspondence, file notes, preparatory notes, calculations and earlier versions of the draft. Drafts may or may not be circulated to other Elected Members or staff of the Council for comment or revision.

Draft documents which are:

(a) addresses, speeches, reports, correspondence, file notes that are not circulated to other Elected Members or staff of the Council and of which the final version has been produced and forwarded for incorporation into the Shire record keeping system; and

(b) circulated to other Elected Members or staff of the Shire, where only editorial or typographical changes have occurred and of which a final version has been produced and forwarded for incorporation into the Shire's record keeping system;

have no continuing value and may be destroyed when reference to them ceases.

Drafts which document significant decisions, reasons and actions or contain significant information that is not contained in the final form of the records have continuing value and are to be forwarded to the Shire for incorporation into the Shire's record keeping system. Examples of such documents include drafts:

(a) that contain significant or substantial changes or annotations.

(b) relating to the formulation of legislation, legislative proposals and amendments.

- (c) relating to the formulation of policy and procedures, where the draft provides evidence of the processes involved or contains significantly more information than the final version.
- (d) of legal documents (contracts, tenders etc).

### 2.5.3 Duplicates

Duplicates are exact reproductions or copies of records where the original or authorised copy of the record is captured in the Shire's record keeping system.

For duplicates of records issued to an Elected Member for comment or revision, see DRAFTS.

Duplicates of:

- (a) records issued to an Elected Member by the Council or the Shire for information or reference purposes only and where the original or authorised copy is captured in the Shire's record keeping system; and
- (b) internal or external publications issues or received for information or reference purposes (e.g. annual reports, brochures, trade journals, price lists)

have no continuing value and may be destroyed when reference to them ceases. Duplicates should be placed in the confidential destruction bins when they are no longer needed.

Duplicates of records received by the Elected Member and sourced from outside the Shire that are relevant to furthering the business activity of the Council have continuing value and are to be forwarded to the Shire for incorporation into the Shire's record keeping system.

### 2.5.4 Messages and Facilitating Instructions

Messages and other facilitating instructions may be sent or received via a range of methods, such as telephone and voicemail, email, post- it or sticky notes, facsimile, pieces of paper, transmission reports.

Messages and facilitating instructions may be sent or received on a variety of matters. Some messages or facilitating instructions will have continuing value, as they are considered significant to the conduct of Council or Shire business. Others, such as those very routine in nature will only have a short-term value.

Messages that:

- (a) are routine facilitative instructions, such as edit corrections, distribution lists for information purposes, simple administrative instructions and social invitations and messages;

- (b) original messages that have been transferred or transcribed into appropriate formats for incorporation into the Shire's record keeping system; and
- (c) do not relate to the business functions of the Council or the Shire  
have no continuing value and may be destroyed when reference to them ceases.

Messages or facilitating instructions that:

- (a) contain information relating to the business functions of the Council such as directives, proposals, recommendations, definitions or interpretations from the Elected Member to another party or vice versa; and
- (b) are part of an actual business transaction itself, or have policy/procedure implications, or otherwise identified as being significant to the conduct of Council business  
have continuing value and are to be forwarded to the Shire for incorporation into the Shire's record keeping system.

### 2.5.5 Working Papers/Records

Working papers / records are papers, background notes and reference material that are used to prepare or complete other documents. These documents become the official record and should be forwarded for capture into the Shire's record keeping system.

Working papers / records that are primarily facilitative and do not relate to:

- (a) significant decisions, reasons or actions; and
- (b) do not contain significant information; and
- (c) where the final document has been forwarded for capture into the Shire's record keeping system  
have no continuing value and may be destroyed when reference to them ceases.

Working papers/records which document significant decisions, reasons and actions OR contain significant information (even if that information is not contained in the final form of the document), have continuing value and are to be forwarded to the Shire for incorporation into the Shire's record keeping system.

## 2.5.6 Correspondence

This section deals with local government records not covered under the previous headings and relates to correspondence or “mail” received and sent by Elected Members.

It covers correspondence received or sent by Elected Members in any format (e.g. by post, fax, email, courier, hand-delivered) whether received or sent at the Council offices or at an Elected Member’s private residence I post box.

Correspondence addressed to Elected Members at the Shire of Gnowangerup, including that marked Private, Confidential, Personal, himself/herself, etc, should be opened by designated officers and if of continuing value, incorporated into the Shire’s record keeping system before forwarding to the Elected Member.

Correspondence addressed to Elected Members at their private address/post box that is a local government record and is of continuing value should be forwarded to the Shire for incorporation by Records Management into Council’s record keeping system along with any response which the Elected Member may have made. Correspondence of no continuing value need not be incorporated into the Shire’s record keeping system and may be destroyed when reference to it ceases.

## 2.6 Council Employee Roles and Responsibilities

### 2.6.1 Chief Executive Officer

The Chief Executive Officer is to ensure that there is a system for the maintenance and management of records that is compliant with records management legislation and State guidelines and procedures.

### 2.6.2 Executive and Managers

All executives and managers are to ensure that staff members under their supervision comply with the records management policies and procedures in the Record Keeping Plan.

### 2.6.3 All Staff

All staff are to create and retain records relating to the business activities they perform. They are to identify significant and ephemeral records and ensure significant records are registered in the records management system.

## EXPLANATORY NOTES:

There are legislative requirements for managing records, the primary legislation relating to the keeping of public records is the State Records Act 2000 (previously Sections 22-33 of the Library Board of Western Australia Act 1951-1983).

Other legislation impacting upon records management, includes:

- Evidence Act 1906
- Limitation Act 1935
- Freedom of Information 1992
- Local Government Act 1995
- Financial Administration and Audit Act 1985
- Criminal Code 1913 (Section 85)
- Electronic Transactions Act 2003

Under the State Records Act 2000, Council is obligated to prepare and submit an organisational Record-Keeping Plan to the State Records Commission for approval. A State Records Commission (SRC) directive concerning Record-Keeping Plan compilation requirements stipulates that following its adoption, an applicable Record-Keeping Policy be included as part of the Plan, ideally appearing as an appropriately annotated appendix.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• State Records Act 2000</li> <li>• Local Government Act 1995</li> <li>• Evidence Act 1906</li> <li>• Limitation Act 1935</li> <li>• Freedom of Information Act 1992</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.4</b>
Responsible Officer	Records & Research Officer
Initial Council Adoption	24 April 2013
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2025 This policy will be reviewed every 2 years or more often where circumstances require.

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## RISK MANAGEMENT POLICY

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### Objective

- **To provide a policy framework for managing any uncertainty that may impact on the Shire's strategies, goals or objectives**

### 1.0 Policy Statement

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000: 2018 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

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

### 2.0 Implementation

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

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

### 3.0 Definitions

**Risk** means the effect of uncertainty on objectives.

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

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

**Risk Management** means coordinated activities to direct and control an organisation with regard to risk.

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

## 4.0 Risk Management Objectives

- (a) Optimise the achievement of our vision, mission, strategies, goals and objectives.
- (b) Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- (c) Enhance risk versus return within our risk appetite.
- (d) Embed appropriate and effective controls to mitigate risk.
- (e) Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- (f) Enhance organisational resilience.
- (g) Identify and provide for the continuity of critical operations.

## 5.0 Risk Appetite

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria (**Attachment A**). The criteria are also included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

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

## 6.0 Roles, Responsibilities and Accountabilities

The CEO is responsible for the allocation of roles, responsibilities, and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

## 7.0 Monitor and Review

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends. The Shire's Strategic Risks will be presented to the Audit Committee every six months.

This policy will be kept under review by the Shire's Management Team and its employees.

## ATTACHMENT A

Measures of Consequence									
RATING	PEOPLE	INTERRUPTION TO SERVICE	REPUTATION	COMPLIANCE	PROPERTY	NATURAL ENVIRONMENT	FINANCIAL IMPACT	PROJECT	
			(Social / Community)		(Plant, Equip, Buildings)			Time	Budget
Insignificant (1)	Near-Miss	No material service interruption Less than 1 hour	Unsubstantiated, localised low impact on community trust, low profile or no media item.	No noticeable regulatory or statutory impact	Inconsequential damage.	Contained, reversible impact managed by on site response	Less than \$1,000	Exceeds deadline by 5% of project timeline	Exceeds project budget by 5%
Minor (2)	First Aid Treatment	Short term temporary interruption – backlog cleared < 1 day	Substantiated, localised impact on community trust or low media item	Some temporary non-compliances	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response	\$1,000 - \$10,000	Exceeds deadline by 10% of project timeline	Exceeds project budget by 10%
Moderate (3)	Medical treatment / Lost time injury < 30 Days	Medium term temporary interruption – backlog cleared by additional resources < 1 Week	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Short term non-compliance but with significant regulatory requirements imposed	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies	\$10,001 to \$250,000	Exceeds deadline by 15% of project timeline	Exceeds project budget by 15%
Major (4)	Lost time injury > 30 Days / temporary disability	Prolonged interruption of services – additional resources; performance affected < 1 Month	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Non-compliance results in termination of services or imposed penalties to Shire / Officers	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies	\$250,001 to \$1,000,000	Exceeds deadline by 20% of project timeline	Exceeds project budget by 20%
Extreme (5)	Fatality, permanent disability	Indeterminate prolonged interruption of services non-performance > 1 month	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire / Officers	Extensive damage requiring prolonged period of restitution. Complete loss of plant, equipment & building	Uncontained, irreversible impact	> \$1,000,000	Exceeds deadline by 25% of project timeline	Exceeds project budget by 25%



**ATTACHMENT A (continued)**

Measures of Likelihood		
Rating	Description	Frequency
<b>Almost Certain (5)</b>	The event is expected to occur in most circumstances	More than once per year
<b>Likely (4)</b>	The event will probably occur in most circumstances	At least once per year
<b>Possible (3)</b>	The event should occur at some time	At least once in 3 years
<b>Unlikely (2)</b>	The event could occur at some time	At least once in 10 years
<b>Rare (1)</b>	The event may only occur in exceptional circumstances	Less than once in 15 years

Risk Matrix					
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	<b>Moderate (5)</b>	<b>High (10)</b>	<b>High (15)</b>	<b>Extreme (20)</b>	<b>Extreme (25)</b>
Likely (4)	<b>Low (4)</b>	<b>Moderate (8)</b>	<b>High (12)</b>	<b>High (16)</b>	<b>Extreme (20)</b>
Possible (3)	<b>Low (3)</b>	<b>Moderate (6)</b>	<b>Moderate (9)</b>	<b>High (12)</b>	<b>High (15)</b>
Unlikely (2)	<b>Low (2)</b>	<b>Low (4)</b>	<b>Moderate (6)</b>	<b>Moderate (8)</b>	<b>High (10)</b>
Rare (1)	<b>Low (1)</b>	<b>Low (2)</b>	<b>Low (3)</b>	<b>Low (4)</b>	<b>Moderate (5)</b>

## ATTACHMENT A (continued)

### Risk Acceptance Criteria

Risk Rank	Description	Criteria	Responsibility
<b>LOW</b>	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
<b>MODERATE</b>	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
<b>HIGH</b>	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Executive Manager / CEO
<b>EXTREME</b>	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

### Existing Controls Ratings

Rating	Foreseeable	Description
<b>Effective</b>	There is <u>little</u> scope for improvement.	Processes (Controls) operating as intended and aligned to Policies / Procedures. Subject to ongoing monitoring. Reviewed and tested regularly.
<b>Adequate</b>	There is <u>some</u> scope for improvement.	Processes (Controls) generally operating as intended, however inadequacies exist. Nil or limited monitoring. Reviewed and tested, but not regularly.
<b>Inadequate</b>	There is a <u>need</u> for improvement or action.	Processes (Controls) not operating as intended. Processes (Controls) do not exist, or are not being complied with. Have not been reviewed or tested for some time.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995 (As Amended) – Section 7.13.</li> <li>Local Government (Audit) Regulations 1996, Regulation 17.</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.5</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	28 August 2019
Review Dates	<ul style="list-style-type: none"> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	30 August 2025 This policy will be reviewed every two years or more often where circumstances require.

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## EXECUTION OF DOCUMENTS AND USE OF COMMON SEAL POLICY

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### Objective

To provide guidelines and protocols for the affixing of the Shire of Gnowangerup Common Seal.

#### 1.0 Definitions

**Document** means any paper or electronic document, including communications such as letters and emails, which:

- (a) convey a decision; or
- (b) establish an obligation on the Shire; or
- (c) is ceremonial.

#### 2.0 Authorised Signatories under Delegation

The Shire President and Chief Executive Officer are authorised to affix and sign all documents to be executed under a common seal, however, in the absence of the Shire President and/or the Chief Executive Officer, as the case may be, the Deputy President and the Acting Chief Executive Officer are authorised to affix the Common Seal.

3.0 Details of all transactions where the Common Seal has been affixed shall be recorded in a register kept by the Chief Executive Officer, with such register to record each date on which the common seal was affixed to a document, the nature of the said document, and the parties to any agreement to which the common seal was affixed. The register is to record each transaction by an identifying sequential number and this number is to be recorded against the Common Seal as it is affixed (refer to \* shown in below examples).

#### 4.0 Document Types

For clarity, Appendix A to this Policy outlines those documents where the Common Seal should be applied as part of the Execution.

#### 5.0 Method of Affixing the Common Seal

Below are examples of how documents should be executed under the common seal:

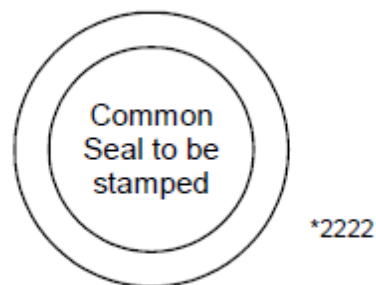
### Example A – Where the Common Seal is Affixed by Resolution of Council

DATED: \_\_\_\_\_ 20\_\_

The Common Seal of the Shire of Gnowangerup was affixed by authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
[INSERT NAME OF PRESIDENT]

PRESIDENT



\_\_\_\_\_  
[INSERT NAME OF CEO]

CHIEF EXECUTIVE OFFICER

### Example B: Other Documents

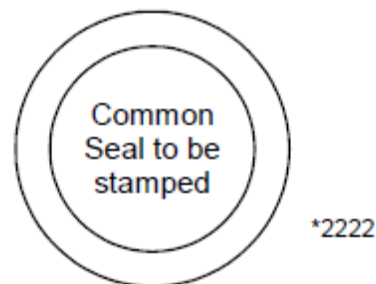
DATED: \_\_\_\_\_ 20\_\_

The Common Seal of the Shire of Gnowangerup was affixed in the presence of:

\_\_\_\_\_  
[INSERT NAME OF PRESIDENT]

\_\_\_\_\_  
[INSERT NAME OF CEO]

CHIEF EXECUTIVE OFFICER



## APPENDIX A

Document Type * Common Seal <u>only</u> to be applied where specified in a document prepared by an external party.	Common Seal	EXECUTION BY SIGNATURE ONLY	
		Shire President	CEO or Delegated Officer
<b>Local Laws</b> – made and amended	✓	✗	✗
<b>Planning Schemes</b> – adopted and amended	✓	✗	✗
<b>Land Transaction documents</b> , including: <ul style="list-style-type: none"> <li>• sale;</li> <li>• purchase;</li> <li>• vesting;</li> <li>• contributed assets;</li> <li>• Notifications of factors affecting land under 70A of the Land Transfer Act 1893 – lodge or withdraw</li> <li>• Easements – <u>by land transfer</u> <ul style="list-style-type: none"> <li>○ Rights of carriage way;</li> <li>○ Rights of support to land burdened by buildings;</li> <li>○ Rights to erect a party wall;</li> <li>○ Rights to light and air (Property Law Act 1969);</li> <li>○ Rights to take water from wells or bores;</li> <li>○ Rights to install and operate drains and drainage works;</li> <li>○ Rights to install, maintain and operate oil, gas or other pipelines;</li> <li>○ Rights to install, maintain and operate electric power lines, telephone and other cables and supporting pylons.</li> </ul> </li> <li>• Restrictive Covenants – by land transfer</li> <li>• Deeds – land transfer for public purposes</li> </ul>	✗	✓	✓
<b>Land Transaction documents</b> , including: <ul style="list-style-type: none"> <li>• Caveats - registering or removing</li> <li>• Leases</li> <li>• Easements – <u>by deed, deposited plan or other legal instrument</u> <ul style="list-style-type: none"> <li>○ Rights of carriage way;</li> <li>○ Rights of support to land burdened by buildings;</li> <li>○ Rights to erect a party wall;</li> <li>○ Rights to light and air (Property Law Act 1969);</li> <li>○ Rights to take water from wells or bores;</li> <li>○ Rights to install and operate drains and drainage works;</li> <li>○ Rights to install, maintain and operate oil, gas or other pipelines; and</li> <li>○ Rights to install, maintain and operate electric power lines, telephone and other cables and supporting pylons.</li> </ul> </li> <li>• Restrictive Covenants – lodge, modify or withdraw (other than by land transfer)</li> </ul>	✓	✗	✗

Document Type * Common Seal <u>only</u> to be applied where specified in a document prepared by an external party.	Common Seal	EXECUTION BY SIGNATURE ONLY	
		Shire President	CEO or Delegated Officer
<ul style="list-style-type: none"> <li>Deeds</li> <li>Legal agreements</li> </ul>			
<b>Mortgages, Loans and Debentures</b>	✓	x	x
<b>Power of Attorney</b> to act for the Shire	✓	x	x
<b>State or Commonwealth Government Funding Agreements</b>	x	x	✓
<b>Grants and Funding Agreements</b> with private agencies (incoming and outgoing)	x	x	✓
<b>Memorandum of Understanding</b>	x	✓	✓
<b>Contracts and legal instruments</b> , including contract variations, related to: <ul style="list-style-type: none"> <li>Procurement Contracts</li> <li>Service Agreements (incoming or outgoing services)</li> <li>Heritage Agreements</li> <li>Acquittal of planning conditions</li> <li>Maintenance of the public realm</li> </ul>	✓	x	x
<b>Development, subdivision and strata-title approvals</b> for Shire Land	x	x	✓
<b>Memorial</b> <ul style="list-style-type: none"> <li><u>Deed Poll Registration</u>: A document lodged under the Registration of Deeds Act 1856, notifying the change of name of a person.</li> <li><u>Memorial of Advertisement</u>: A document lodged at the Office of Titles by a Local Authority evidencing that the legal requirements necessary to sell land for the non-payment of rates, have been attended to.</li> <li><u>Prohibiting dealings in land</u>: A document lodged at the Office of Titles under one of a number of statutes, which when noted on a Certificate of Title acts as a caveat.</li> </ul>	x	x	✓
Documents that fulfil a <b>statutory local government duty or power</b> , for which there is no power of delegation or authorisation and is a matter which constitutes a potential risk to the Shire.	x	x	✓
<b>Communications</b> on behalf of the Shire, with: Commonwealth or State Ministers	<b>Note:</b> Officers are authorised to sign routine day to day operational communications where the recipient is of a similar organisational level as the Shire Officer.	✓	✓
<b>Communications</b> on behalf of the Shire, with CEOs of: <ul style="list-style-type: none"> <li>Commonwealth or State Government Departments</li> <li>Industry representative bodies</li> </ul>		x	✓
<b>Communications</b> on behalf of the Shire, relevant to the day-to-day operations of the Shire and which are subject of a level of political sensitivity or potential risk to the Shire.	x	x	✓

Document Type * Common Seal <u>only</u> to be applied where specified in a document prepared by an external party.	Common Seal	EXECUTION BY SIGNATURE ONLY	
		Shire President	CEO or Delegated Officer
<b>Ceremonial Certificates:</b> <ul style="list-style-type: none"> <li>Honorary Freeman</li> <li>Honorary Citizenship</li> </ul>	✓	✗	✗
<b>Deeds of Settlement</b> – Employee matters	✗	✗	✓
<b>Enterprise Bargaining Agreements</b>	✗	✗	✓

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995 (As Amended) – Section 2.5(2).</li> <li>Local Government Act 1995, Section 5.42</li> <li>Local Government Act 1995 (As Amended) – Section 9.49A(4)</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	2.6
Responsible Officer	Records & Research Officer
Initial Council Adoption	22 June 1998
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2024 This policy will be reviewed annually or more often where circumstances require.



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## BUSINESS CONTINUITY MANAGEMENT POLICY

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### Objective

To provide a policy framework to:

- Ensure the continuity of critical business functions;
- Allocate Business Continuity Management (BCM) roles and responsibilities in the event of a critical incident;
- Allocate responsibility for the implementation, monitoring and review of the BCM documentation;
- Provide a consistent approach to BCM that is aligned to the Australian Standards; and
- Integrate BCM within the Shire's Risk Management, Critical Incident Management, Disaster Recovery and Emergency Management frameworks

### 1.0 Definitions

**Acceptable level of performance** means the lowest acceptable level of service that can be tolerated during a disruption.

**Business continuity** means the ability of the Shire to provide service and support for its customers and maintain critical operations before, during and after a significant disruption.

**Business continuity management** means the process for managing operations during and following a disruption, to ensure that critical functions can be maintained or restored quickly with minimal impact on staff, customers and the community.

**Business continuity plan** means an approved and tested document with instructions and procedures that provides guidance on the management of operations to minimise the impact of a significant disruption.

**Business impact analysis** means a detailed risk analysis that examines the nature and extent of possible disruptions and the likelihood of the resulting consequences in order to gather information about critical functions, dependencies and resource requirements.

**Significant disruption** means a sudden, unplanned event resulting in inconvenience and disruption to operations, which requires non routine management.

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## 2.0 Policy Statement

- 2.1 The objective of business continuity management is to minimise the impact of a disruptive event on operations and the delivery of services to the community by ensuring that the organisation develops an effective Business Continuity Framework and that relevant Business Continuity Plans are in place. Examples of disruptive events include natural disasters, fire or flood damage to Council facilities, IT business systems failure and telecommunications failure.

A key outcome sought from Council's Business Continuity Framework is to identify the minimum level of acceptable performance the organisation wishes to maintain in the event of a disruption and to clearly state the infrastructure and resources required to achieve and sustain critical business objectives.

- 2.2 Business Continuity Plan (BCP) - collates the instructions / actions that underpin the business continuity management strategy for the Shire's critical functions. It is used to manage incidents. The BCP details continuity / interim actions to be immediately implemented to achieve the highest level of operational performance with the resources available taking into account the specifics of the interruption situation.

## 3.0 Business Continuity Management Principles

- 3.1 Business Continuity Management is an integral element in the Shire's Risk Management processes.
- 3.2 Business continuity will be managed in accord with the procedures set out in the Shire's Business Continuity Management Framework. Those procedures will include the development of a Business Continuity Plan.

## 4.0 Roles and responsibilities

- 4.1 Council is responsible for overseeing the management and assessment of risk across the Shire.
- 4.2 On the advice of the Audit Committee, Council will set the policy for the Shire’s business continuity management.
- 4.3 The Deputy Chief Executive Officer is responsible for the implementation of business continuity management including the oversight of appropriate documentation, training, testing and monitoring of the BCM program.
- 4.4 The Chief Executive Officer and Deputy Chief Executive Officer are the Business Continuity Plan Owners with responsibility for ensuring that all critical functions under their responsibility are addressed in the Business Continuity Plan.

4.5 All Shire employees and councillors are expected to recognise the importance of business continuity, to be familiar with the provisions of this policy and to support the processes that will appropriately manage a significant disruption to the Shire’s operations and business.

### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Local Government Act 1995 – Part 5</li> <li>• AS/NZS 5050:2010 Business Continuity</li> </ul>
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### DOCUMENT CONTROL

#### STRATEGY & GOVERNANCE

Policy Number	<b>2.7</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	28 August 2019
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2026 This policy will be reviewed every three years or more often where circumstances require.

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## CUSTOMER SERVICE POLICY

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### Objective

**To provide guidance to staff and customers in relation to the standards of service and the process for making compliments, enquiries and requests, and complaints in relation to Council services**

#### 1.0 Purpose

To facilitate consistent standards of service delivery across Council and to provide a mechanism whereby compliments and complaints may be received and processed.

#### 2.0 Scope

This policy covers all services provided by Council to all of its customers.

#### 3.0 Policy Statement

The mission of the Shire of Gnowangerup is to demonstrate leadership in the provision of facilities infrastructure and services that meets the needs of the community. One method the Shire has employed to do this is through its Customer Service Charter.

This Customer Service Charter was developed in accordance with the requirements of the Local Government Act 1995 and outlines our commitment to customers in accordance with our mission statement and provides a formalised process for making complaints. It outlines customers rights, the standards customers can expect when dealing with Council and what a customer can do if dissatisfied with Council decisions or actions.

#### 4.0 Our Commitment to Customer Service

The Council is committed to the provision of timely, efficient, consistent and quality services provided by polite and helpful officers that meet our customer's expectations.

The Council places great emphasis on the efficient handling of complaints. Our aim at all times is to provide a quality service. Council may not be able to provide complete satisfaction but will always be trying for the best possible solution. To achieve this, customers are encouraged to voice their complaints and from Council's perspective to work toward increasing customer satisfaction and continuously improve our services by responding to customer complaints as efficiently and effectively as possible.

#### 5.0 Who are our Customers?

A customer is any person or organisation having dealings with or using the services of the Council.

## COMPLIANCE REQUIREMENTS

Legislation	
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.8</b>
Responsible Officer	Senior Finance Officer
Initial Council Adoption	16 December 2015
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2026 This policy will be reviewed every three years or more often where circumstances require.

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## PERSONAL MOBILE DEVICE POLICY

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### Objective

- **To provide direction on the deployment, use and maintenance of mobile devices within the Shire of Gnowangerup so that councillors and staff are aware of their individual responsibilities in relation to the use and security of mobile devices for the transmission and storage of information, and access to the Shire of Gnowangerup's systems and infrastructure.**

### 1.0 Introduction

The Shire of Gnowangerup recognises the need to embrace new and emerging technologies to improve the way business is conducted and contribute to improving the way the Shire meets its business objectives.

Mobile devices are a common and cost-effective tool for information management and communication.

### 2.0 Scope

This policy applies to all Councillors and staff.

Mobile devices covered by this policy are approved non-Shire owned devices of the following types:

- Laptop computer equipment;
- Smartphones used for data storage, calendars, contacts and task lists;
- Mobile phones where mobile internet technology is used for email correspondence;
- Smartphone devices capable of running third-party or downloadable applications (E.G, iPhone, iPad, Android, and;
- All removable media including USB devices or any other type of removable media.

### 3.0 Policy Statement

Council members and staff may be permitted to connect non-Shire owned mobile devices to the Shire of Gnowangerup's infrastructure for the express purpose of receiving email, contact and calendar updates.

Permission to connect non-Shire owned mobile devices to the Shire of Gnowangerup's systems and infrastructure for the express purpose of receiving email, contact and calendar updates, can only be completed with express authorisation in writing by the CEO.

In addition to adherence to all other terms of this Policy, the use of non-Shire owned mobile devices connected to the Shire of Gnowangerup's network, requires the user's signed written acceptance and implementation of the following conditions:

- No Shire data other than mail, contacts and calendar items may be stored in the non-Shire owned devices unless expressly authorised in writing by the CEO;
- Non-Shire owned devices will not be supported by the Shire of Gnowangerup with the exception of connectivity to the Shire of Gnowangerup’s services;
- The Shire of Gnowangerup will accept no liability for functionality, serviceability or performance associated with the device and any responsibility with regard to warranty will reside solely between the owner/user of the device and the supplier/manufacturer; and
- The Shire of Gnowangerup reserves the right to terminate the programs at any time and for any reason.

#### 4.0 Indemnity

The Shire bears no responsibility whatsoever for any legal action threatened or commenced due to conduct and activities of Councillors and staff in accessing or using these resources or facilities. All Councillors and staff indemnify the Shire against any and all damages, costs and expenses suffered by the Shire arising out of any unlawful or improper conduct and activity, and in respect of any action, settlement or compromise, or any statutory infringement.

Legal prosecution following a breach of these conditions may result independently from any action by the Shire.

#### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
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#### DOCUMENT CONTROL

#### STRATEGY & GOVERNANCE

Policy Number	<b>2.9</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	21 December 2016
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2026 This policy will be reviewed every three years or more often where circumstances require.

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## RELATED PARTIES TRANSACTIONS POLICY

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### Objective

To ensure that the existence of certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the Financial Statements are properly identified, recorded in Council's systems, and disclosed in Council's General Purpose Financial Statements in compliance with Australian Account Standard AASB 124.

### 1.0 Background

This Policy has been developed to provide guidance in complying with the *Local Government (Financial Management) Regulations 1996*, Regulation 5A, which requires Council to prepare its General Purpose Financial Statements in compliance with Australian Accounting Standards. The relevant standard for the purpose of this Policy is *AASB 124 Related Party Disclosures*, July 2015 (AASB 124).

### 2.0 Definitions

The following definitions apply to the terms used in this policy:

**Close family members or close members of the family** means in relation to Key Management Personnel (KMP), family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include:

- a) That person's children and spouse or domestic partner;
- b) Children of that person's spouse or domestic partner; and
- c) Dependents of that person or that person's spouse or domestic partner.

For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

**KMP** means Key Management Personnel being person(s) having authority and responsibility for planning, directing and controlling the activities of Council. Specifically, KMP of Council are:

- a) Shire President;
- b) Other Councillors;
- c) Chief Executive Officer; and
- d) Employees designated as 'senior employees' under section 5.37 of the *Local Government Act 1995*
- e) Executive Manager or any other employee identified as meeting the requirement as per AASB124

**Ordinary citizen transactions** means transactions that an ordinary citizen would undertake with Council which is undertaken on arm's length terms and in the ordinary course of carrying out



Council's functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature are:

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

**Related party** means a person or entity that is related to Council pursuant to the definition contained in AASB 124, Paragraph 9. Examples of related parties of Council are:

- a) KMP;
- b) Close family members of KMP; and
- c) Entities that are controlled, or jointly controlled, by KMP or their close family members.

**Related party transaction** means a transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged. Examples of related party transactions are:

- a) Purchases or sales of goods;
- b) Purchases or sales of property and other assets;
- c) Rendering or receiving of services;
- d) Rendering or receiving of goods;
- e) Leases;
- f) Transfers under licence agreements;
- g) Transfers under finance arrangements (example: loans);
- h) Provision of guarantees (given or received);
- i) Commitments to do something if a particular event occurs or does not occur in the future; and
- j) Settlement of liabilities on behalf of Council or by Council on behalf of that related party.

**Related party disclosure** means a document entitled Related Party Disclosure by Key Management Personnel. in the form set out in Attachment A.

### 3.0 Policy Statement

Council, in complying with the disclosure requirements in AASB 124, will:

- a) Identify related party relationships, related party transactions and ordinary citizen transactions;
- b) Identify information about related party transactions for disclosure;
- c) Establish systems to capture and record the related party transactions and information about those transactions;
- d) Identify circumstances in which disclosure of the items in subparagraphs (a) and (b) are required; and
- e) Determine the disclosures to be made about those items in the General Purpose Financial Statements for the purposes of complying with AASB 124.

## COMPLIANCE REQUIREMENTS

Legislation/Documents	<ul style="list-style-type: none"> <li>Local Government (Financial Management) Regulations 1996, Regulation 5A</li> <li>Australian Accounting Standard AASB 124 Related Party Disclosures</li> <li>Internal: AASB 124 Related Party Disclosure Form (Appendix 1)</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.10</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	25 October 2017
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> <li>6 May 2025 (approved by Council 28 May 2025)</li> </ul>
Next Review Due	31 May 2027 This policy will be reviewed every two years or more often where circumstances require.

Attachment A

**Related Party Disclosure by Key Management**

(note: This document is confidential)



Name of Key Management Personnel: \_\_\_\_\_

Position of Key Management Personnel: \_\_\_\_\_

Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which council is collecting and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for **each related party transaction with Council** that you, or a close member of your family, or entity related to you or a close member of family:

- (a) Has previously entered into and which continued in the XX/XX financial year; or
- (b) Has entered into in the XX/XX financial year.

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (individual's or entity's name)	Related Party's Relationship / Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

**Notification**

I \_\_\_\_\_, \_\_\_\_\_  
 (Full name) (Position)

notify that, to the best of my knowledge, information and belief as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the XXXX/XXXX financial year.

I make this notification after reading the Privacy Collection Notice provided by The Shire of Gnowangerup, which details the meaning of the words “related party”, “related party transaction”, “close members of the family of a person” and, in relation to an entity, “control” or “joint Control”, and the purposes for which this information will be used and disclosed.

I permit the CEO and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests of me and persons related to me and the use of the information for the purposes specified in that policy.

Signature of named Key Management Personnel: \_\_\_\_\_ Dated: \_\_\_\_\_

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## PRIVACY COLLECTION NOTICE RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL

### Purpose of Collection, Use and Disclosure

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's key management personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

### Notifications by Key Management Personnel

In order to comply with AASB 124, Council has adopted a policy that requires all its KMPs to periodically provide notifications to the CEO of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the CEO by no later than the following periods during a financial year:

- 31 July (each year) ; and
- immediately prior to termination of employment of/by an employee.
- Councillors immediately prior to leaving office.

Note that these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with the Code of Conduct. This includes disclosures relating to Financial Interests and Gifts. Council's Auditors may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

### Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly. KMPs can include:

- President and Councillors;
- CEO;
- Designated Senior Officers under the Local Government Act 1995.
- Executive Manager and any other employee identified as meeting the criteria as per AASB124

## Who are close family members of a KMP Person?

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependents of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc.) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependents	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependents of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council

## What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

### Control

You control an entity if you have:

- (a) power over the entity;
- (b) exposure, or rights, to variable returns from your involvement with the entity; and
- (c) the ability to use your power over the entity to affect the amount of your returns.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Deputy CEO for a confidential discussion.

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## APPOINT ACTING CHIEF EXECUTIVE OFFICER POLICY

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### Objective

**To prescribe the processes for the appointment of an Acting Chief Executive Officer**

#### 1.0 Policy Scope

To provide a framework and guidelines for the employment of an Acting Chief Executive Officer in the absence of the Chief Executive Officer due to annual, long service or extended sick leave.

#### 2.0 Policy

*Section 5.39C of the Local Government Act 1995* requires the adoption of a policy regarding the employment of an Acting Chief Executive Officer.

Council delegates to the Chief Executive Officer appointment of an internal employee to act as the Chief Executive Officer subject to the following conditions:

1. The appointment is to be for a period of no more than 3 months; and
2. The appointment not being due to a vacancy of the Chief Executive Officer's position.

The appointment shall be in writing on each occasion where it is more than five (5) days.

The Chief Executive Officer must inform the Elected Members of all proposed Acting Chief Executive Officer arrangements.

In the case of the unavailability of the Chief Executive Officer due to an emergency, the Deputy Chief Executive Officer is automatically appointed as the Acting Chief Executive Officer for up to 3 months from commencement, and continuation is then subject to determination by the Council.

For Chief Executive Officer vacancy periods over 3 months the appointment of the Acting Chief Executive Officer shall be determined by Council.

The Chief Executive Officer shall report to Council any proposal to fill an Acting Chief Executive Officer role over 3 months with as much advanced notice as possible. In this case the Chief Executive Officer may recommend a suitable internal candidate for higher duties and must also provide an alternative recommendation to Council. Council is to convene a Chief Executive Officer Recruitment and Selection Committee meeting to progress the Acting Chief Executive Officer recruitment.

If the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council.

Should the Acting CEO, whether appointed by the CEO or otherwise, become incapacitated as well, the Council shall hold a Special Council meeting to find a suitable replacement until the Chief Executive Officer or the Deputy Chief Executive Officer returns.

This policy can be reviewed at any time, but any changes need to be passed by Council with an **absolute majority**.

The CEO must publish an up-to-date version of the policy on the local government’s official website.

## COMPLIANCE REQUIREMENTS

Legislation / Documents	Local Government Act 1995. section 5.39C
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.11</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	28 April 2021
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2025 This policy will be reviewed every two years or more often where circumstances require.

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## LEGISLATIVE COMPLIANCE POLICY

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### Objective

**To provide a policy framework for the establishment of documented processes and procedures to ensure the local government complies with legislative requirements.**

#### 1.0 General

The local government will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the local government.

These processes and structures will aim to:-

- (a) Develop and maintain a system for identifying the legislation that applies to the Shire's activities.
- (b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented.
- (c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them.
- (d) Provide people with the resources to identify and remain up-to-date with new legislation.
- (e) Establish a mechanism for reporting non-compliance.
- (f) Review accidents, incidents and other situations where there may have been non-compliance.
- (g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

#### 2.0 Roles and Responsibilities

- (a) Councillors and Committee Members

Councillors and Committee members have a responsibility to be aware and abide by legislation applicable to their role.

- (b) Senior Management

Senior Management should ensure that directions relating to compliance are clear and unequivocal and that legal requirements which apply to each activity for which they are responsible are identified. Senior Management should have systems in place to ensure that all



staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

(c) Employees

Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation.

Employees shall report through their supervisors to Senior Management any areas of non-compliance that they become aware of.

### 3.0 Implementation of Legislation

The local government will have procedures in place to ensure that when legislation changes, steps are taken to ensure that future actions comply with the amended legislation.

#### COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>Local Government Act 1995 (As Amended) – Section 6.5.</li> <li>Local Government Act 1995 (As Amended) – Section 7.13.</li> <li>Regulation 5, Local Government (Financial Management) Regulations 1996</li> <li>Regulation 17, Local Government (Audit) Regulations 1996</li> </ul>
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#### DOCUMENT CONTROL

##### STRATEGY & GOVERNANCE

Policy Number	<b>2.12</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	28 August 2019
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2026 This policy will be reviewed every three years or more often where circumstances require.

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## INTERNAL CONTROL POLICY

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### Objective

**To provide a policy framework for the establishment of documented internal controls that are implemented based on risk management principles**

#### 1.0 General

Good internal control is based on systems of policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with laws and regulations and achieve effective and efficient operations. These systems not only relate to accounting and reporting but also include communication and organisational processes both internally and externally, staff management and error handling.

#### 2.0 Internal Control Framework

An appropriate and effective internal control framework is the responsibility of all employees. All employees are accountable for implementing systems, controls, processes and procedures in their own area of responsibility and will play a part in the internal control framework in differing degrees.

The Audit Committee and Council are responsible for mandating that a strong internal control framework be implemented in order to have assurance of the good governance of the organisation. The Chief Executive Officer will report regularly to the Audit Committee and Council on the review and improvement to Council's internal control framework.

#### 3.0 Monitoring, Reviewing and Reporting

The CEO will provide the Audit Committee and Council regular updates on the status of Risk Management, Internal Controls and Legislative Compliance–

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995 - Section 6.5</li> <li>Local Government Act 1995 Section 7.13</li> <li>Local Government (Financial Management) Regulations 1996, Regulation 5</li> <li>Local Government (Audit) Regulations 1996, Regulation 17</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.13</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	28 August 2019
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2026 This policy will be reviewed every three years or more often where circumstances require.

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## COUNCIL BRIEFING SESSION / WORKSHOP PROTOCOLS POLICY

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### Objective

**To provide a functional, transparent and legally compliant meeting framework that engages elected members in policy and strategy development, and to facilitate the opportunity for elected members to explore concepts and ideas with the assistance and collaboration of Council Officers.**

#### 1.0 Council Briefing Session Protocols

- 1.1 Council Briefing Sessions / Workshops are intended to provide all Councillors with the opportunity to have detailed discussion on ideas and concepts for the betterment of the Shire. Council Briefing Sessions / Workshops allow Councillors the opportunity to provide direction to the CEO on how best to progress Council initiatives.
- 1.2 Where a particular Council idea or concept is considered worthy of detailed Council discussion and/or deliberation, a Council Briefing Session / Workshop may be established at the discretion of the Council.
- 1.3 The Shire President shall preside at all Council Briefing Sessions / Workshops.
- 1.4 In the Shire President's absence, the Deputy Shire President shall preside at all Council Briefing Sessions / Workshops.
- 1.5 In the absence of both the Shire President and the Deputy Shire President, Councillors in attendance at the Council Briefing Session / Workshop shall elect a Councillor to preside.
- 1.6 Shire staff will, if requested to do so, prepare a Discussion Paper which addresses all salient matters pertaining to the idea or concept to assist a Council Briefing Session / Workshop in its deliberations.
- 1.7 Where a Discussion Paper is produced for presentation at a Council Briefing Session / Workshop, a Consensus Outcome shall be recorded in a Council Briefing Session / Workshop Outcomes Schedule.
- 1.8 Any Consensus Outcome arising as a consequence of the presentation of a Discussion Paper to a Council Briefing Session / Workshop shall be tabled at the next available Council Meeting in the form of an Agenda Item, with the resultant staff recommendation reflecting the Consensus Outcome.
- 1.9 Where, at a Council Briefing Session / Workshop, a deputation from a community representative or group is accommodated, a summary of the outcomes arising from a deputation shall be recorded in the resultant Council Briefing Session / Workshop Outcomes Schedule.
- 1.10 Council Briefing Sessions / Workshops will be generally open to the public unless the Presiding Member determines otherwise.

- 1.11 No formal decisions will be made at Council Briefing Sessions / Workshops. All outcomes arising from Council Briefing Sessions / Workshops will be by consensus agreement amongst Councillors.
- 1.12 No discussion of any nature will be permitted at Council Briefing Sessions / Workshops on any matter listed for deliberation on the Agenda prepared for the immediately following Council Meeting.
- 1.13 Elected Members, employees, consultants and other participants shall disclose their financial interests and other prescribed interests in matters to be discussed at a Council Briefing Session / Workshop. Should a person disclose an interest, they must leave the Briefing Session / Workshop for the discussion of the item.

## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>• Local Government Act 1995</li> <li>• Local Government (Administration) Regulations 1996</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.14</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	28 August 2019
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2025 This policy will be reviewed every two years or more often where circumstances require.

## 2.15 PUBLIC INTEREST DISCLOSURES POLICY

<b>Policy Type:</b>	Strategy & Governance
<b>Date Adopted:</b>	28 August 2019

<b>Policy No:</b>	2.15
<b>Date Last Reviewed:</b>	N/A

<b>Legal (Parent):</b>
1. Public Interest Disclosures Act 2003.

<b>Legal (Subsidiary):</b>
1. Public Interest Disclosure Regulations 2003

<b>Delegation of Authority Applicable</b>	No
<b>Delegation Number</b>	N/A

<b>Staff Procedure Applicable</b>	Yes
<b>Staff Procedure Number</b>	2.6

ADOPTED POLICY	
<b>Title:</b>	<b>PUBLIC INTEREST DISCLOSURES</b>
<b>Objective:</b>	<b>To facilitate and encourage the disclosure of public interest information and provide protection to those who make disclosures.</b>

- 1.0 The principal Executive Officer, being the Chief Executive Officer of the Shire, shall comply with the following requirements under the Public Interest Disclosures Act 2003:
- 1.1 Designate the occupant of a specified position with the authority as the person responsible for receiving disclosures of public interest information.
  - 1.2 Provide protection from detrimental action or the threat of detrimental action for any employee of the public authority who makes an appropriate disclosure of public interest information.
  - 1.3 Ensure that his or her public authority complies with this Act.
  - 1.4 Ensure that his or her public authority complies with the code established by the Commissioner under Section 20.
  - 1.5 Prepare and publish internal procedures relating to the authority's obligations under this Act.
  - 1.6 Provide information annually to the Commissioner on:
    - (a) The number of public interest disclosures received by a responsible officer of the authority over the report period;
    - (b) The results of any investigations conducted as a result of the disclosures and the action, if any, taken as a result of each investigation; and
    - (c) Such other matters as are prescribed.

- 1.7 Provide awareness training to all new employees through the induction process, in accordance with provisions of the Public Interest Act 2003.
- 2.0 The internal procedures relating to the Council's obligations under the Public Interest Disclosure Act 2003 are contained in the document titled "Internal Procedures - Public Interest Disclosure Guidelines".

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## COUNCILLORS PROFESSIONAL DEVELOPMENT POLICY

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### Objective

To provide guidelines and protocols for the continuing professional development of councillors which is in addition to the training required for newly elected councillors after each election.

#### 1.0 Introduction

Section 5.128 of the Local Government Act 1995 requires that a Local Government adopt a policy in relation to the continuing professional development of elected members. The adoption of the policy requires an Absolute Majority decision of Council.

**The continuing professional development of councillors which is in addition to the training required for newly elected councillors after each election (see below).**

#### 1.1 Compulsory training for newly elected members

*Local Government (Administration) Regulations 1996 – Regulation 35. Training for council members (Act s. 5.126(1))*

- (1) *A council member completes training for the purposes of section 5.126(1) if the council member passes the course of training specified in subregulation (2) within the period specified in subregulation (3).*
- (2) *The course of training is the course titled Council Member Essentials that —*
  - (a) *consists of the following modules —*
    - (i) *Understanding Local Government;*
    - (ii) *Serving on Council;*
    - (iii) *Meeting Procedures;*
    - (iv) *Conflicts of Interest;*
    - (v) *Understanding Financial Reports and Budgets;*

*and*
  - (b) *is provided by any of the following bodies —*
    - (i) *North Metropolitan TAFE;*
    - (ii) *South Metropolitan TAFE;*
    - (iii) *WALGA.*



(3) *The period within which the course of training must be passed is the period of 12 months beginning on the day on which the council member is elected.*

## 2.0 Ongoing Professional Development

The professional development of Councillors is important as it ensures decision making is of the highest standard and is the product of informed and ethical debate.

**Definition:** “formal training event” means conferences, seminars, forums, workshops, courses and information sessions.

## 3.0 Eligible Formal Training Events

The formal training events to which this policy applies is limited to those conducted, or organised by any of the following organisations or individuals:

- The West Australian Local Government Association (WALGA)
- Local Government Professionals WA
- Accredited training organisations offering training which directly relates to the role and responsibilities of councillors.
- Information sessions organised by the Department of Local Government, Sport and Cultural Industries.
- Seminars, training and or information sessions provided by individuals with a demonstrably strong knowledge of local government in Western Australia.

## 4.0 Funding

To provide equity in access for all elected members, an annual budget allocation of an amount per councillor will be made for ongoing professional development.

The Shire President shall have an additional amount allocated in the budget for training specifically aimed at the development of Mayors and Presidents in Western Australia.

Unexpended funds for each councillor cannot be carried over into the next financial year.

## 5.0 Choice of Formal Training Event

Councillors wishing to attend a formal training event should advise the President or CEO. This advice should be in a timely manner so that:

1. The proposed event can be determined as meeting the eligible status described above.
2. It can be determined that the councillor making the application has sufficient allocated funds to attend.
3. Bookings and other arrangements can be made.

## 6.0 Interstate Formal Training Events

Attendance at interstate training events is at the discretion of Council.

## 7.0 General

Where necessary travel, accommodation and other related costs will be met from the budget allocations for training.

International Training Events will not be considered by Council.

## 8.0 Review

Section 5.128 (5) of the Local Government Act 1995 **requires** that this policy be reviewed after each ordinary election, and at any other time that Council wishes to carry out a review.

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### COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Local Government (Administration) Regulations 1996, Regulation 35</li> </ul>
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### DOCUMENT CONTROL

#### STRATEGY & GOVERNANCE

Policy Number	<b>2.16</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	18 December 2019
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 October 2023 Section 5.128 (5) of the Local Government Act 1995 requires that this policy be reviewed after each ordinary election, and at any other time that Council wishes to carry out a review or more often where circumstances require.

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## ATTENDANCE AT EVENTS POLICY

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### Objective

The purpose of this policy is to establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where Elected Members and CEO are invited free of charge, whether as part of their official duties as Council or Shire representatives or not.

### 1.0 Policy Scope

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.

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

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

The following situations are specifically excluded where the event ticket (gift) is received from one of the following organisations (authorised in advance):

- WALGA (but not LGIS)
- Local Government Professionals Australia (WA)
- Australian Local Government Association
- A department of the public service
- A government department of another State, a Territory or the Commonwealth
- A local government or regional local government
- Southern Link Voluntary Organisation of Councils (VROC)
- Advocacy lobbying or Ministerial briefings
- Meetings of clubs or organisations within the Shire of Gnowangerup
- Any free event held within the Shire of Gnowangerup
- Australian or West Australian Local Government events
- Events hosted by Clubs or Not for Profit Organisations within the Shire of Gnowangerup to which the Shire President, Elected Member or Chief Executive Officer has been officially invited
- Shire of Gnowangerup hosted ceremonies and functions

- Shire of Gnowangerup hosted events with employees
- Shire of Gnowangerup run tournaments or events
- Shire of Gnowangerup sponsored functions or events
- Community art exhibitions
- Cultural events/festivals
- Events run by a Local, State or Federal Government
- Events run by schools within the Shire of Gnowangerup
- Shire President professional bodies associated with local government at a local, state and federal level
- Opening or launch of an event or facility within the Shire of Gnowangerup
- Recognition of Service events

The gift is still required to be recorded in the “gift register”.

## 2.0 Legislation

Section 5.57 of the Act states the following:

**gift** means:

- (a) *a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money’s worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or*
- (b) *a travel contribution.*

For the purposes of the above definition:

**travel** *includes accommodation incidental to a journey*

**travel contribution** *means a financial or other contribution made by 1 person to travel undertaken by another person*

**‘Ticket’** *includes an admission ticket to an event, or an invitation to attend an event, or a complimentary registration to an event, that is offered by a third party.*

### 5.90A. Policy for attendance at events

(1) *In this section —*

**event** *includes the following —*

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

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

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

\* Absolute majority required.

(3) A local government may amend\* the policy.

\* Absolute majority required.

(4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(5) The CEO must publish an up-to-date version of the policy on the local government's official website.

#### 5.87A. Council Member to disclose gifts

(1) A Council member must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the Council member.

*Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.*

(2) The disclosure must be made in writing to the CEO.

(3) A person does not commit an offence against subsection (1) if —

- (a) the amount of the gift does not exceed the amount prescribed for the purposes of this paragraph; or
- (b) the gift is not received by the person in their capacity as a Council member.

(4) For the purposes of subsection (3)(a), if the gift is 1 of 2 or more gifts made by 1 person to the Council member at any time during a year, the amount of the gift is the sum of the amounts of those 2 or more gifts.

(5) For the purposes of subsection (3)(b), the gift is not received by the person in their capacity as a Council member if it is a gift that the person would have received even if the person were not a Council member.

## 5.87B. CEO's to disclose gifts

- (1) A CEO must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the CEO.  
*Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.*
- (2) The disclosure must be made in writing to the mayor or president.
- (3) A person does not commit an offence against subsection (1) if —
  - (a) the amount of the gift does not exceed the amount prescribed for the purposes of this paragraph; or
  - (b) the gift is not received by the person in their capacity as the CEO.
- (4) For the purposes of subsection (3)(a), if the gift is 1 of 2 or more gifts made by 1 person to the CEO at any time during a year, the amount of the gift is the sum of the amounts of those 2 or more gifts.
- (5) For the purposes of subsection (3)(b), the gift is not received by the person in their capacity as the CEO if it is a gift that the person would have received even if the person were not the CEO.

## 3.0 Invitations

- a) All invitations or offers of tickets for a Council member or CEO to attend an event should be in writing and addressed to the CEO or Shire President of the Shire of Gnowangerup.
- b) Any invitation or offer of tickets not addressed to the CEO or Shire President of the Shire of Gnowangerup is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- c) A list of events and attendees authorised by the local government in advance of the event is listed under *1.0 Policy scope*.

## 4.0. Approval Process

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval in writing no later than three business days prior to the event for approval as follows:

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

## 5.0 Considerations for approval of the event include:

- who is providing the invitation or ticket to the event,
- the location of the event in relation to the local government (within the district or out of the district),
- the role of the Council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,

- whether the event is sponsored by the local government,
- the benefit of local government representation at the event,
- the number of invitations / tickets received,
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation,
- alignment to the Shire's Strategic Objectives; and
- the number of Shire representatives already approved to attend.

Where an Elected Member and/or the Chief Executive Officer has an event approved through this process and there is a fee associated with the event, including for attendance of a partner, then the cost of the event is to be paid for out of the Shire's budget.

### Disclosure requirements relating to tickets:

- 11.1 Where an Elected Member or employee is offered a ticket, and the ticket falls under the definition of a gift, details of the ticket is to be disclosed in accordance with the sections 5.87A – 5.87C of the *Local Government Act 1995* (for elected members and the Chief Executive Officer) or the *City's Code of Conduct* (for employees).
- 11.2 For the purposes of clarity, a disclosure is to be made to the Chief Executive Officer (or Mayor if it is the Chief Executive Officer) within 10 days of the Elected Member or employee receiving the ticket, and is to include:
- (i) a description of the ticket;
  - (ii) the name and address of the person who gave the ticket;
  - (iii) the date on which the ticket was received;
  - (iv) the estimated value of the ticket at the time it was made; and
  - (v) the nature of the relationship between the person who made the ticket and the person who received it.

## 6.0 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 Elected Member or Chief Executive Officer pays the full ticketed price and does not seek reimbursement then no action is required.

If the event is ticketed and the Elected Member or Chief Executive Officer pays a discounted rate or is provided with a free ticket then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days.

Legislation / Documents	<ul style="list-style-type: none"> <li>• Local Government Act 1995.</li> <li>• Local Government (Administration) Regulations 1996.</li> <li>• Elected Members’ Entitlements Policy.</li> <li>• Department of Local Government, Sport and Cultural Industries; Local Government Operational Guidelines <i>Attendance at events policy</i>.</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.17</b>
Responsible Officer	Senior Governance and Risk Management Officer
Initial Council Adoption	25 March 2020
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 October 2023 This policy will be reviewed after every election or more often where circumstances require.



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## CONDUCTING ELECTRONIC MEETINGS AND ATTENDANCE BY ELECTRONIC MEANS POLICY

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### Objective

- To establish the Shire of Gnowangerup's decision-making framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.
- This policy is to be read in conjunction with the Local Government Act 1995 ('the Act') and Regulations 14C, 14CA, 14D and 14E of the Local Government (Administration) Regulations 1996.

### 1.0 Definitions

**Electronic Means** refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment is confirmed as part of a request to attend electronically.

**eMeeting** refers to electronic attendance at either an in-person meeting or an electronic meeting.

**Members** refers to a Council Member and any other person appointed as a Member of a committee under Section 5.10 of the Act.

**Meetings** the new regulations establish that a 'meeting' encompasses:

- an ordinary meeting of the Council;
- a special meeting of the Council;
- a meeting of a Committee of the Council; or
- a meeting of an Audit Committee of the Local Government [Admin.r.14C(1) and 14D(1)].

### 2.0 Policy Statement

#### 2.1 Electronic Attendance at an In-Person Meeting

[Administration Regulations 14C and 14CA]

- (a) For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case,

requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.

- (b) A request for electronic attendance at an in-person meeting:
  - (i) The Executive Assistant is to be contacted via email or in person to request an electronic attendance. The Executive Assistant is to coordinate the approval by the Shire President.
  - (ii) Is to be provided to the Shire President;
  - (iii) Where the Shire President is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
  - (iv) Where the Shire President rejects a request, the requester may ask Council to re- consider the request; and
  - (v) The Shire President may refer their own request to the Deputy Shire President, [acting under Section 5.34 of the Act]; or alternatively, may refer the request to Council for decision.
  - (vi) For committees, a request for electronic attendance to an in-person committee meeting can only be approved by the Shire President or Council.
  - (vii) If a Shire President plans to attend electronically to an in-person meeting, it may be difficult for them to act as Presiding Member. As such, it may be appropriate for the Deputy Shire President to preside.
- (c) Where a request meets the following criteria, approval will not be unreasonably withheld:
  - (i) The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting [Admin.r.14C(S)];
  - (ii) The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentially can be maintained. In the absence of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed [Admin.r.14CA(S)]; and
  - (iii) The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means [Admin.r.14C(3) and r.14C(4)].

- (d) Electronic Attendance Cap requirements
  - (i) Any approval to attend electronically an in-person meeting (where there is no declared emergency) is subject to a 'more than 50%' cap on an individual's electronic attendance [Admin.r.14C(3)] in the relevant period [Admin.r.14C( 1)].
  - (ii) This cap is not applicable to those Members living with a disability [Admin.r.14C( 4)].
  - (iii) The cap for Members attending electronically more than 50% of in-person meetings is determined through a rolling 'backwards looking test' by counting the number of meetings the Member has already attended by electronic means in the preceding 12 months [Admin.r.14C(3)].
  - (iii) This cap only applies to calculating in-person meetings conducted from 9 November 2022 onwards and is calculated separately for each type of meeting.
  - (iv) The CEO should maintain a Record of Meetings (spreadsheet) held from 9 November 2022 onwards, with details of each individual Member's electronic attendance at an in- person meeting, and separately, the number of electronic meetings held by the local government, for each type of meeting (ordinary Council meeting, special Council meeting, each committee, and the Audit Committee), to ensure that Electronic Attendance Cap requirements are met.
- (e) Disclosure of Interest

Members should provide any 'Disclosure of Interest' declaration before the meeting begins. However, where this is not possible, it can still be declared in the meeting when the Presiding Member asks.
- (f) Records of requests and decisions about requests must be retained:
  - (i) Where the Shire President makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Shire of Gnowangerup's Record Keeping Plan and protocols; and
  - (ii) Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].
- (g) The CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the Shire President or during the meeting itself by Council for a Council meeting.

## 2.2 Conducting a Meeting by Electronic Means [Administration Regulation 14D and 14E]

- (a) Ordinary meetings will primarily be held as in-person meetings.
- (b) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the Shire President or the Council can approve a meeting to be held by electronic means:
  - Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].
- (c) Where it is otherwise considered expedient or necessary (and there is no declared emergency), the Council may resolve to authorise the meeting to be held by electronic means [Admin.r.14D(2)(c)], subject to:
  - (i) The prescribed limitation is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
  - (ii) The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the Shire President or Council resolution [Admin.r.14D(3)(4)];
  - (iii) The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
  - (iv) Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting, that is closed.
  - (v) A request for a committee to be held as an electronic meeting (outside of a declared emergency) must first be approved by Council.
- (d) Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:
  - (i) published on the Shire of Gnowangerup's official webpage [Admin.r.12];
  - (ii) provided in the Notice of Meeting/Agenda; and
  - (iii) broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

## 2.3. Participating in Meetings by Electronic Means

- (a) **Presiding at Meeting** - Where the Shire President is approved to attend an in-person meeting by electronic means, the Shire President may choose to defer to the Deputy Shire President [acting under Section 5.34 of the Act] for the purpose of presiding at the meeting.
- (b) **Conduct**- Members are to be familiar with their Meeting Procedure/Standing Orders and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
- (c) **Meeting Procedures** - Where provisions of a Meeting Procedures/Standing Orders are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.
- (d) **External Parties Participating in Closed Meetings** - Where external parties are invited to participate in a closed part of an electronic meeting (such as auditor attending an Audit Committee electronic meeting), before being approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
- (e) **Remote attendance** - In authorising a person's remote attendance, the Shire may require that a person attending remotely must do so from a location that is quiet and private (for example, a private room in their house).

## 2.4. Standing Orders Local Law

- (a) To address the immediate need to amend the existing requirements, the CEO should identify if any clauses in the Shire of Gnowangerup's Standing Local Law cannot be complied with or require modification when conducting an eMeeting. For example, the requirement for voting by show of hands or for Members to stand when speaking.
- (b) The CEO should provide an Officer Recommendation, in the eMeeting Agenda, to suspend specified Local Law clauses that may limit eMeeting efficiency or effectiveness. This Officer Recommendation should be inserted into the Agenda at a point after the 'Public Question Time' Agenda Item in order to comply with Admin.r.7(2).
- (c) The Presiding Member may then determine how matters are managed in the eMeeting.

## 2.4. Electronic Means

- (b) The Council resolved at it’s Ordinary Council meeting on 27 September 2023 that the preferred electronic means for remote attendance are Microsoft Teams and telephone.

### COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Local Government (Administration) Regulations 1996 r14C, 14CA, 14D and 14E</li> </ul>
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### DOCUMENT CONTROL

#### STRATEGY & GOVERNANCE

Policy Number	<b>2.18</b>
Responsible Officer	Chief Executive Officer
Initial Council Adoption	27 September 2023
Review Dates	
Next Review Due	31 July 2024 This policy will be reviewed annually or more often where circumstances require.

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## COMMITTEES POLICY

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### Objective

- **To set out Council’s position on Councillors’ participating and attending statutory, industry or community group Boards, Panels or Committees (hereafter referred to as Committees).**
- **This Policy does not cover the Shire’s Audit Committee and CEO Review Committee**

### 1.0 Committees

After each ordinary Council election, Council elects Committee representatives by absolute majority for the period until the next Ordinary Election.

Through legislation the Shire is required to attend meetings of the Development Assessment Panel (DAP), and the Local Emergency Management Committee (LEMC). DAP meetings are held on a-needs-basis, while LEMC meets quarterly.

The Shire is a member of several industry committees such as the WALGA Zone, Great Southern Regional Road Group, and the Great Southern Recreation Advisory Group.

The Shire also has representatives on a number of community Committees where the Shire has a particular interest or exposure. These Committees include e.g. the Borden Pavilion Committee, Gnowangerup Sporting Complex Management Committee, and Ongerup Sporting Complex Committee.

Other than DAP and LEMC, Committees meet in accordance with their governance requirements.

When a Councillor has been independently elected a Member of a Board or Committee not for the purpose of representing the Shire, they must appropriately manage confidential information and potential conflicts of interest.

At all Committee meetings the Councillors are nominated to represent the Shire and ensure the Shire’s position on a matter is communicated to other Committee members.

### 2.0 Purpose of attending

#### 2.1 Development Assessment Panel (DAP)

The purpose of DAP is to act as an independent decision-making body that determines certain development applications. Each local government must nominate two local DAP members and two alternates from its pool of elected members.

When attending DAP meetings, the nominated Councillors are authorised to make binding decisions on behalf of Council on matters before the Committee.

## 2.2 Local Emergency Management Committee (LEMC)

The purpose of LEMC is to bring together local emergency management entities to discuss and plan for dealing with emergency situations. When attending a LEMC meeting the Councillors should participate in the general process of the Committee.

## 2.3 Other external Committees

When attending other Committee meetings, the Councillors should take appropriate notes and participate in the general process of the Committee. Councillors have no authority to make binding decision for Council.

## 3.0 Briefing of CEO and Councillors

### 3.1 DAP meetings

Participate in the decision-making process and at the next Ordinary Council meeting brief the CEO and Councillors on the issues discussed and decisions made.

### 3.2 LEMC meetings,

Report to Council at the next Ordinary Council meeting recommendations arising from the meeting for Council consideration.

### 3.3 Other external Committees

Brief the CEO and Councillors on the issues discussed at the next Ordinary Council Meeting.

## 4.0 Elected Members' Records

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the: *"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."*

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's Recordkeeping Plan.

Records that should be captured are to be forwarded to the Executive Assistant.



## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Emergency Management Act 2005</li> <li>• State Records Act 2000</li> <li>• Planning and Development Act 2005</li> <li>• Planning and Development (Development Assessment Panels) Regulations 2011</li> </ul>
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## DOCUMENT CONTROL

### STRATEGY & GOVERNANCE

Policy Number	<b>2.20</b>
Responsible Officer	Chief Executive Officer
Initial Council Adoption	27 March 2024
Last Review Date	N/A
Next Review Due	27 March 2026 This policy will be reviewed every two years or more often where circumstances require.

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## GNOWANGERUP CARAVAN PARK LONG-TERM ACCOMMODATION AND PET GUIDELINES POLICY

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### Objective

- To define long-term stay parameters for visitors of the Caravan Park.
- To establish guidelines for persons staying with pets in the Caravan Park

The Gnowangerup Caravan Park is owned and operated by the Shire of Gnowangerup.

### Gnowangerup Caravan Park Availability

The caravan park, camping sites and self-contained chalets are available for travelling visitors and short stay workers.

The caravan park consists of powered sites, unpowered sites and two chalets.

The powered, unpowered sites and chalets are not available for permanent accommodation.

### Long Term Stay

Long term stays of more than 14 days in any 28-day period, is not permitted in the 2-bedroom chalets unless approved in writing by the CEO.

Long term stays of more than 30 days in any 60-day period, is not permitted in the powered & non-powered camp sites unless approved in writing by the CEO.

### Discounts & Special Deals

The Shire will not provide discounts for workers, contractors or tourists unless approved in writing by the CEO in accordance with their delegated authority.

## Pet Guidelines

Under no circumstances are dogs or cats permitted in the self-contained chalets.

Dogs and cats are permitted at the powered and un-powered sites if kept inside a caravan/tent or on a lead at all times. If a pet kept at the caravan park becomes problematic through excessive noise, lack of hygiene or misbehaviour, the owners and pet/s may be asked to leave by the Shire Contract Ranger.

Under no circumstances are pets to be left unattended outside or inside caravans or tents at any time.

## Relevant Documents

- Gnowangerup Fees & Charges

### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Caravan Parks and Camping Ground Act 1995</li> </ul>
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### DOCUMENT CONTROL

#### Strategy & Governance

Policy Number	<b>2.21</b>
Responsible Officer	Chief Executive Officer
Initial Council Adoption	29 May 2024
Review Dates	<ul style="list-style-type: none"> <li>• N/A (New)</li> </ul>
Next Review Due	This policy will be reviewed every 12 months or more often where circumstances require.

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## WORK HEALTH AND SAFETY POLICY

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### Objective

**To:**

- **Improve safety conditions in the workplace.**
- **Ensure the Shire's health and safety obligations are met; and**
- **Maintain health and safety as a priority when managing our operations**

1.0 The Shire of Gnowangerup is committed to creating and supporting a safe and healthy place to work.

2.0 The Shire:

- a) will establish WHS objectives and plans to achieve them.
- b) is committed to the elimination of hazards in the workplace.
- c) values its workers, volunteers and contractors and commits to consultation and participation with all workers and their representatives.
- d) aims to ensure all its workers, volunteers and contractors work safely so that the health and safety of community members and visitors is not adversely affected by any Shire activities.
- e) believes that high performing work health and safety practices are essential for everyone's safety and well-being; and
- f) will regularly review its Work Health and Safety Management System and this Policy to ensure all hazards and risks are identified and mitigation in place to eliminate or reduce as far as is practicable.

3.0 Responsibilities

3.1 Senior Management are committed to establishing, implementing, and maintaining this policy and the associated Work Health and Safety systems by the development of a framework for setting WHS objectives.

All managers and supervisors are expected to:

- a) lead by good example, create, adopt, and support safe work practices and behaviours that lead to safe and healthy work environments.
- b) resource the workplace and the workers so they can work safely and report on WHS performance as needed.

- c) remove barriers that could prevent a safe and healthy environment by providing mechanisms, time and training to reduce or eliminate hazards in the workplace.
- d) promote and support standards defined by our Safety Management Plan, Australian Standards and Work Health and Safety legislation.

### 3.2 Workers and Volunteers

All workers and volunteers are expected to:

- a) lead by good example, take part in safe work practices and behaviours that lend to safe and healthy work environments.
- b) work respectfully and foster professional and healthy relationships with fellow team members and co-workers.
- c) follow work procedures and instructions that will help in meeting the objectives of this Policy.
- d) follow the training they have been provided with, to work safely; and
- e) report on hazards, incidents, and safety concerns within the procedures of the WHS Manual and Management Plans.

### 3.3 All contractors must:

- a) work within their own Safety Management Plans, be compliant with all relevant legislation and to consult with the Shire on WHS matters when working on Shire worksites. When the contractor and the Shire share workspaces and areas, communication is key to keeping all people in the workplace safe.
- b) work with the Shire to identify and report on hazards, incidents, and safety concerns.
- c) work respectfully in the Shire's work environment and foster professional and healthy relationships with Shire workers, volunteers and other Shire engaged contractors.
- d) represent positive, safe, and healthy practices as contractors to the community when working for the Shire.
- e) supply safety documents, tickets and any licences as requested by the Shire.
- f) improve compliance to relevant legislation and agree to rectify any non-compliance issues.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Work Health and Safety Act 2020</li> </ul>
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## DOCUMENT CONTROL

### HUMAN RESOURCES & COMMUNICATION

Policy Number	<b>3.4</b>
Responsible Officer	Workplace and Health Safety Officer
Initial Council Adoption	28 October 2015
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> <li>• 28 August 2024 (approved by Council 28 August 2024)</li> </ul>
Next Review Due	<p>31 August 2026</p> <p>This policy will be reviewed every two years or more often where circumstances require.</p>

## EMPLOYEE RECOGNITION GRATUITY POLICY

### Objective

To recognise the services of employees with the Shire. To reward employees for their contribution to organisational success

Upon resignation or retirement, in recognition of equality for employees who have completed more than four years of service but who do not have the benefit of enterprise bargaining in their employment conditions, the following provisions apply:

Unused Personal Leave Payout	Portion of Entitlement included in Termination Payout
1-200 hours	20%
201-400 hours	40%
401-600 hours	60%
601+ hours	80%

The above calculation is capped at a maximum of \$5,000 as per Local Government (Administration) Regulations 1996 – Reg 19A.

Payment of the above is calculated at the employee’s rate of pay as at the date of resignation or retirement and being made before tax, forms part of the employee’s taxable income.

Employees who are terminated as a result of unsatisfactory work performance and or serious misconduct are excluded from the benefits provided for in this Policy.

### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> </ul>
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### DOCUMENT CONTROL

#### HUMAN RESOURCES & COMMUNICATIONS

Policy Number	3.10
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	26 April 2018



# Policy Manual

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Review Dates	<ul style="list-style-type: none"><li>• 24 November 2021</li><li>• 31 August 2023 (approved by Council 27 September 2023)</li></ul>
Next Review Due	31 August 2024 This policy will be reviewed annually or more often where circumstances require.

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## DISCIPLINARY POLICY

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### **Objective**

To provide the Shire of Gnowangerup with guidance on how to apply disciplinary action against employees in a consistent, fair and objective manner.

### **Policy Statement**

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

### **Application**

This policy applies to all employees who work at Shire of Gnowangerup including contractors, volunteers and any person performing work for or with the Shire of Gnowangerup in any capacity.

### **Commitment**

The Shire is committed to providing the best possible service and ensuring its employees perform and conduct themselves in accordance with the Shire's Code of Conduct, policies, procedures and guidelines. Any disciplinary action will be applied in a consistent, fair and objective manner to ensure employees are given an opportunity and assistance to improve.

### **Authority to take Disciplinary Action**

Disciplinary action may only be taken when authorised by the Chief Executive Officer.

### **When the Disciplinary Policy Applies**

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

- breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
- poor performance such as frequently arriving to work late or producing poor quality work; or

- inappropriate behaviour such as theft, violating the Harassment, Bullying and Anti-Discrimination Policy, or wilfully disobeying a lawful instruction.

## General Disciplinary Principles

The following principles will apply to any disciplinary action:

- **Nature of allegation and investigation:** Before formal disciplinary action is taken against an employee, the nature of the allegations made against an employee will be put to the employee and an investigation may follow, in accordance with the Dispute Resolution and Grievance Policy and Procedure;
- **Right to a support person:** Where an employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the employee may be accompanied by a support person where practicable. The role of a support person is not to advocate on behalf of anyone, but to simply provide emotional or other support;
- **Confidential:** All parties must keep matters related to a disciplinary process confidential; and
- **Fair and impartial:** The Shire strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

## Serious Misconduct

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

- wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- conduct that causes serious and imminent risk to the health or safety of a person; or the reputation, viability or profitability of the Shire of Gnowangerup;
- the employee, in the course of their employment, engaging in:
  - theft; or

- 
- fraud; or
  - assault;
  - the employee being intoxicated at work; or
  - the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

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

### Other Disciplinary Action

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

- **Verbal warning** – Where an employee engages in an act or omission which is inconsistent with policy, the CEO has the discretion to issue the employee with a verbal warning. The verbal warning should be noted in a file note and placed on the employee's personnel file;
- **Written warning** – If the employee engages in a more serious act or omission or acts in a manner which is inconsistent with policy, the CEO has the discretion to issue the employee with a written warning. The employee must be given a copy of the written warning.; and
- **Termination of employment with notice** – In cases other than summary dismissal, an employee's employment may be terminated with notice or payment in lieu of notice provided the Shire has a valid reason for terminating the employee's employment and the employee has an opportunity to respond to the reasons for termination.

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

## **Principles to be Applied**

- Where disciplinary action is taken the principles of procedural fairness must prevail. These principles are expanded on in the Shire of Gnowangerup's Dispute Resolution and Grievance Policy and Procedure.

## **Investigation Procedures for Alleged Misconduct**

Investigations into alleged misconduct should follow the processes detailed in the Shire of Gnowangerup's Dispute Resolution and Grievance Policy and Procedure.

## **Reporting Obligations**

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

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

## **Variation to this Policy**

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

## **Related Corporate Documents**

- Dispute Resolution and Grievance Policy
- Dispute Resolution and Grievance Procedure
- Shire of Gnowangerup Code of Conduct

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Fair Work Act 2009 (Cth)</li> <li>• Fair Work Regulations 2009 (Cth)</li> <li>• Corruption, Crime and Misconduct Act 2003 (WA)</li> <li>• Public Interest Disclosure Act 2003 (WA)</li> <li>• Public Sector Management Act 1994</li> </ul>
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## DOCUMENT CONTROL

### HUMAN RESOURCES & COMMUNICATION

Policy Number	<b>3.12</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	28 October 2020
Review Dates	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2025 This policy will be reviewed every two years or more often where circumstances require.

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## INTERNET, EMAIL AND COMPUTER USE POLICY

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### 1. Policy statement

This policy sets out the conditions for acceptable use of the Shire's information and communication technology (ICT) facilities. The Shire's ICT facilities include but are not limited to the network, computer systems, access to the internet and email, corporate systems and corporate hardware.

The purpose of this policy is to:

- regulate and provide guidelines on the proper use of the Local Government's ICT facilities for their intended purposes without infringing legal requirements or creating unnecessary business risk, and
- protect against the risk of virus/malware attacks, theft and disclosure of information, and disruption of network systems and services.

### 2. Application

This policy applies to all employees, elected members, contractors, visitors and volunteers (collectively referred to as **employees** in this policy) engaged or appointed by the Shire.

### 3. Definitions

**Authorised User** means any employee that has been granted authorised access to the Shire's ICT facilities.

**Email** means the Local Government provided Microsoft Outlook, Outlook Web Access, or any Local Government email system that is synchronised to a PC or mobile device, whether the mobile device is provided by and remains the property of the Shire or owned by an Authorised User.

**ICT** means Information, Communications, and Technology. This includes but is not limited to mail, telephones, mobile phones, voice mail, SMS, email, intranet, computers, tablets, printers, multi-functional devices, scanners and other electronic devices owned by the Local Government.

**Malware** is an abbreviation of ‘malicious software’ and means software programs designed to cause damage and other unwanted actions on a computer system. Examples of malware include spyware, worms, viruses and Trojans.

**Network Access** includes connectivity from any device to Local Government managed ICT infrastructure connecting both local and remote network servers.

**Prohibited Material** means content which:

- could be reasonably regarded as pornographic
- contains offensive language, cruelty or violence
- is illegal, defamatory or discriminatory
- breaches copyright
- promotes terrorism or encourages terrorist acts, and
- contravenes the Shire’s values and policies.

#### 4. General use of ICT equipment

Data created and stored on the corporate systems remain the property of the Shire. Due to the need to protect the Shire’s network, the confidentiality of personal (non-work-related) information stored on any network device belonging to the Shire cannot be guaranteed.

For security and network maintenance purposes only authorised persons within the Shire may monitor equipment, systems, network traffic and emails at any time, according to the specific nature and requirements of their roles.

The Shire reserves the right to audit networks and systems periodically to ensure system integrity and compliance with this policy.

#### 5. Personal use

A degree of reasonable personal use of the Shire’s ICT assets is allowed though staff should exercise judgment and be guided by the following principles:

- Personal use should be undertaken either before or after contracted hours of work or during authorised breaks.
- Personal use should be limited and brief, avoiding excessive download or transmission. An example of acceptable personal use would be conducting brief transactions through internet banking.
- If there is any uncertainty regarding acceptable personal use then employees should consult their supervisor for guidance.

## 6. Security and proprietary information

All information stored on the Shire's corporate systems should be regarded as confidential and care must be exercised before sharing or distributing any information. If there is any uncertainty regarding the level of confidentiality involved then staff should consult their line manager for guidance.

Passwords and accounts must be kept secure and must not be shared. Authorised Users are responsible for the security of their passwords and accounts. Passwords should be changed in accordance with advice from the ICT team.

All devices connected to the Shire's computing systems/networks, regardless of ownership, must be running approved and up to date virus-scanning software. Employees must be attentive to emails they receive from outside parties and use caution when opening files received from unknown senders. The Deputy CEO must be advised of any warning received by employees to determine if it is appropriate to advise all staff of the warning.

## 7. Email and communication activities

All emails sent by staff should include the 'signature' and disclaimer at the foot of the body of the email, in the format specified by the Shire's style guide or as otherwise advised by the Deputy CEO.

The following activities are not permitted when using a Shire's email address:



- except in the course of normal business notifications, sending or forwarding unsolicited electronic messages, including the sending of 'junk mail' or other advertising material, jokes, or chain communication to individuals who did not specifically request such material
- any form of harassment via electronic/ICT means
- use of any of the Shire's network or systems for the purpose of generating unsolicited communications
- sending any confidential information to parties outside the Shire or to personal email addresses
- communicating in a manner that could adversely affect the reputation or public image of the Shire, and
- communicating in a manner that could be construed as making statements or representations on behalf of the Shire without the Shire's express permission to do so.

The use of personal email accounts (e.g. Gmail, Hotmail, Yahoo Mail, etc.) is not permitted for the conduct of Shire business.

## **8. Remote access**

Users with remote access are reminded that when connected to the Shire's network, their devices are an extension of that network and as such are subject to the same rules and regulations that apply to the Shire's corporate equipment and systems.

The device that is connected remotely to the network must be secure from access by external non-Local Government parties and should be under the complete control of the user.

All devices (whether personal or corporate) connected to the Shire's networks via remote access technologies should have up-to-date anti-Malware software.

Where possible, users should avoid using public access terminals to establish a remote connection.

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## 9. Unacceptable use

Under no circumstance is any user authorised to engage in any activity that is illegal under Local, State, Federal or International law while connected to or utilising the Shire's ICT systems or resources.

### 9.1 Prohibited material

Employees must not distribute emails, phone messages or documents (electronic or otherwise) under any circumstances that include information or activities which relate to Prohibited Material.

### 9.2 System and network activities

The following activities are not permitted:

- Violations of the rights of any person or company/organisation protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the duplication, installation or distribution of 'pirated' or other software products that are not appropriately licensed for use by the Shire or the end user.
- Unauthorised copying or digitising of copyrighted material and the installation of any copyrighted software for which the Shire or the end user does not have an active license.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws.
- Introduction of Malware or code into the network or onto devices connected to the network.
- Revealing your account password to others or allowing use of your account by others.
- The Shire's equipment is not to be used to download or distribute any material that could be considered offensive or Prohibited Material. If a user receives such material they should notify their line manager.
- Making fraudulent offers of products, items, or services, or undertaking private work via any Local Government equipment, device or account.

The following activities are not permitted unless they are within the scope of regular responsibilities for an expressly authorised role:

- Effecting security breaches or disruptions of network communication. Security breaches include accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorised to access.
- Executing any form of network monitoring which will intercept data not intended for the user's host.
- Attempting to avoid or bypass the Shire's network security measures.
- Interfering with any other user's account by whatever means.
- Using the system in a way that could damage or affect the performance of the network.

## **10. Provision and use of mobile phones and electronic devices**

Some employees may be provided with a mobile phone, tablet and/or other electronic devices if it is deemed necessary to their position. All electronic devices supplied remain the property of the Shire of Gnowangerup and users of these devices must comply with this policy.

## **11. Consequences of breaching this policy**

This policy constitutes a lawful instruction to employees. Any breach of this policy may lead to disciplinary action including, but not limited to, termination of employment.

In addition to disciplinary action, the Shire reserves the right to temporarily block or remove email, internet and Network Access for employees in breach of this policy.

## **12. Variation to this policy**

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

## 13. Related documents

### 13.1 Internal

- Disciplinary Policy
- Social Media Policy
- Code of Conduct

#### COMPLIANCE REQUIREMENTS

Legislation	Nil
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#### DOCUMENT CONTROL

##### HUMAN RESOURCES & COMMUNICATION

Policy Number	<b>3.14</b>
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	27 September 2023
Review Dates	
Next Review Due	31 August 2024 This policy will be reviewed annually or more often where circumstances require.

## 4.1 PURCHASING POLICY

<b>Policy Type:</b>	Finance
<b>Date Adopted:</b>	22 June 1998

<b>Policy No:</b>	4.1
<b>Date Last Reviewed:</b>	28 July 2021

<b>Legal (Parent):</b>
<ol style="list-style-type: none"> <li>1. Local Government Act 1995 – Section 3.57.</li> <li>2. Local Government (Functions and General) Regulations – Regulation 11A</li> </ol>

<b>Legal (Subsidiary):</b>
<ol style="list-style-type: none"> <li>1. State Records Act 2000</li> <li>2. Shire of Gnowangerup Code of Conduct</li> </ol>

<b>Delegation of Authority Applicable</b>	Yes
<b>Delegation Numbers</b>	1.2.5, 1.2.7

<b>Staff Procedure Applicable</b>	Yes
<b>Staff Procedure Number</b>	4.7

ADOPTED POLICY	
<b>Title:</b>	PURCHASING POLICY
<b>Objective:</b>	<p>To ensure that all purchasing activities:</p> <p><b>This policy:</b></p> <ol style="list-style-type: none"> <li>1. Ensures compliance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 to establish a framework of operational standards for contracts to purchase goods and services;</li> <li>2. Provides guidance to all Council employees on all levels of procurement to ensure ethical behavior, and to ensure probity, and transparency;</li> <li>3. Ensures that the Shire receives value for money as a result of its purchasing activities;</li> <li>4. Aims to deliver a high level of accountability whilst providing a flexible, efficient and effective and transparent procurement framework;</li> <li>5. Ensures that the Shire considers the environmental and sustainability implications of the procurement process across the life cycle of goods and services; and</li> <li>6. Ensures that all purchasing transactions are recorded in compliance with the State Records Act 2000 and associated records management practices and procedures of the Shire.</li> </ol>

### 1.0 Strategy

The Shire is committed to sustainable procurement practices. The Shire will advertise and assess quotes and tenders to secure supply arrangements that contribute to achieving the Shire's strategic goals and objectives in line with the following principles:

- Enhance our natural and built environment by purchasing products and services that demonstrate environmental best practice and will reduce negative impacts;
- Enhance our economic environment by ensuring value for money in all contracting and purchasing;
- Ensure Good Governance by maintaining transparency in contracting and purchasing, minimising the risk to the Shire of Gnowangerup through the application of a robust risk management mechanisms ensuring that the products and services it purchases are in line with the Shire's objectives; and
- Where appropriate, the Shire shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace sustainable business practices.
- Where possible suppliers operating within the Great Southern Region are to be given the opportunity to quote for goods & services required by the Shire

## 2.0 Ethics and Integrity

### Code of Conduct

All officers and employees of the Shire undertaking purchasing activities must have regard for the Code of Conduct requirements, shall observe the highest standards of ethics and integrity and act in an honest and professional manner at all times which supports the standing of the Shire.

## 3.0 Purchasing Procedure

For detailed purchasing procedures, please refer to the Purchasing Procedure

## 4.0 Purchasing Thresholds

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

Purchase Value Threshold (Ex GST)	Purchasing Requirement
Up to \$5,000 annually	Purchase directly from a supplier using Petty Cash for minor items, a Purchase Order or Corporate Credit Card issued by the Shire, or seek at least one (1) oral or written quotation from a suitable supplier, either from:  an existing panel of pre-qualified suppliers administered by the Shire; or  a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or

Purchase Value Threshold (Ex GST)	Purchasing Requirement
	from the open market.
<b>Over \$5,000 and up to \$20,000 annually</b>	<p>Seek at least two (2) verbal or written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <p>an existing panel of pre-qualified suppliers administered by the Shire; or</p> <p>a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</p> <p>from the open market.</p>
<b>Over \$20,000 and up to \$50,000 annually</b>	<p>Seek at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <p>an existing panel of pre-qualified suppliers administered by the Shire; or</p> <p>a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</p> <p>from the open market.</p>
<b>Over \$50,000 and up to \$250,000 (over 3 year period)</b>	<p>Seek 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 criteria 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> <p>an existing panel of pre-qualified suppliers administered by the Shire; or</p> <p>a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</p> <p>from the open market.</p> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or</p>

Purchase Value Threshold (Ex GST)	Purchasing Requirement
	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.
<b>Over \$250,000 and up to \$600,000 Request for Tender (RFT) Required</b>	<p><b>1. Tender Exempt arrangements:</b> i.e. WALGA PSA, CUA or other tender exemption under F&amp;G Reg.11(2). This requires at least three (3) written quotes from suppliers under a formal Request for Quotation (RFQ),</p> <p><b>OR</b></p> <p><b>2. Public Tender:</b> conduct a public Request for Tender (RFT) process in accordance with the <i>Local Government Act 1995 and Local Government (Functions and General) Regulations 1996</i>, this Policy and the Shire's tender and purchasing procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p>
<b>Emergency Purchases</b>	Refer to Purchasing Procedure.
<b>LGIS Services LG Act 1995 Section 9.58(6)(b)</b>	<p>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>
<b>Over \$600,000 RFT Required</b>	As above AND Council is to approve the tender process prior to commencement of tender (as per Delegations Register 1.2.4 Expressions of Interest and Tenders for Goods & Services).

## 5.0 Records Management

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

In addition, the Shire must consider and will include in each contract for the provision of works or



services, the contractor's obligations for creating, maintaining and where necessary the transferal of records to the Shire relevant to the performance of the contract.

## **6.0 Application and Quality Assurance**

Responsibility for the application, implementation and quality assurance of this policy rests with the Chief Executive Officer, Management, Shire President and Councilors.

## 4.2 COLLECTION OF NON-RATES DEBTS POLICY

<b>Policy Type:</b>	Finance
<b>Date Adopted:</b>	18 April 2007

<b>Policy No:</b>	4.2
<b>Date Last Reviewed:</b>	31 May 2019

<b>Legal (Parent):</b>
<ol style="list-style-type: none"> <li>Local Government Act 1995 (As Amended) – Section 6.13.</li> <li>Financial Management Regulations 19A &amp; 19B</li> </ol>

<b>Legal (Subsidiary):</b>
<ol style="list-style-type: none"> <li>Nil</li> </ol>

<b>Delegation of Authority Applicable</b>	Yes
<b>Delegation Number</b>	1.2.8

<b>Staff Procedure Applicable</b>	Yes
<b>Staff Procedure Number</b>	4.6

ADOPTED POLICY	
<b>Title:</b>	COLLECTION OF NON-RATES DEBTS POLICY
<b>Objective:</b>	To provide for the collection of outstanding debts and charging of interest in relation to debts other than rates.

### 1.0 Debt Management

- All monies owed to Council for any fee or charge raised under Sections 6,16 and 6.17 of the *Local Government Act 1995*, or any reimbursement that is due to Council, are deemed to be overdue following a period of thirty-five (35) days from the date of the original invoice.
- If the invoice is not paid by the due date specified in 1.1, then the following recovery process will take place.
  - For amounts outstanding for up to 30 days, the Responsible Officer is to issue a Statement to the debtor with an 'overdue' sticker attached to the Statement.
  - For amounts outstanding for greater than 30 days but less than 60 days, the Responsible Officer is to issue a Statement to the debtor with 'any reason for overdue account' sticker attached to the statement.
  - For amounts outstanding for greater than 60 days, the Responsible Officer is to issue a letter of demand to the debtor and instruct a debt collection agency to initiate debt recovery action.
  - Any further line of credit is to be withdrawn until the debt is paid in full, or an arrangement has been entered into to pay off the outstanding debt.
- Before any third party is engaged to take legal action to recover an outstanding debt, the Deputy CEO is to be consulted to ensure that this action is appropriate giving due consideration to all issues that have led to the debt being overdue and not paid.

- 1.4 Once all reasonable attempts to either locate the debtor or to obtain payment have failed, the responsible officer for raising the debt will be asked to submit a written request for the invoice to be considered for write off.
- 1.5 Approval will be sought from Council for the debt to be written off. Once approval has been received, the appropriate entries are to be made in the Accounts Receivable Ledger.

## 2.0 Debt Raised in Error or Debt Adjustment

- 2.1 If a debt has been raised in error or requires an adjustment then an explanation will be sought from the relevant staff members. Once this has been received a credit note request will be raised which is to be authorised by both the staff member who raised the initial invoice and the Deputy CEO.

## 3.0 Interest on Overdue Accounts

- 3.1 Interest may be calculated on the total outstanding debt once it has exceeded the due date of the invoice. The rate of interest imposed is that as determined by Council as contained in the Annual Budget and in accordance with Section 6.13 of the Local Government Act.

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## INVESTMENT POLICY

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### Objective

**To provide a policy framework for the investment of the Shire of Gnowangerup's surplus funds with consideration of risk, return and liquidity requirements.**

#### 1.0 Investment Aims

- 1.1 Whilst exercising the power to invest consideration is to be given to the preservation of capital, liquidity and the return on investment.
- 1.2 Preservation of capital is the principal objective of the investment portfolio. Investments are to be managed in a manner that ensures security and safeguarding the investment portfolio. This includes management of credit and interest rate risk.
- 1.3 Investment maturity profile is to ensure there is sufficient liquidity to meet all reasonably anticipated cash-flow requirements as and when they fall due,.
- 1.4 The investment portfolio is expected to achieve a market average rate of return that takes into account the Shire's risk tolerance.

#### 2.0 Prudent Person Standard

Investments are to be managed with the care, diligence and skill that a prudent person would exercise.

#### 3.0 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Shire's investment portfolio. This policy requires Officers to disclose any conflict of interest to the CEO.

#### 4.0 Approved Investments

Without approval from Council, investments are limited to:

- (a) fixed term deposits with an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5, for a term not exceeding 12 months; or
- (b) fixed term deposits with the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986 for a term not exceeding 12 months; or
- (c) State/Commonwealth Government Bonds with a term of maturity not exceeding three years.

## 5.0 Prohibited Investments

- 5.1 This Investment Policy prohibits any investment carried out for speculative purposes including:
- (a) Derivative-based instruments;
  - (b) Principal-only investments or securities that provide potentially nil or negative cash flow; and
  - (c) Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.
- 5.2 Leveraging (borrowing to invest) of an investment.
- 5.3 In accordance with the Local Government (Financial Management) Regulations 1996 Regulation 19C, this policy also prohibits the following:
- (a) Deposits with any institution other than an authorised institution;
  - (b) Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government; and
  - (c) Investment in a foreign currency.

## 6.0 Ethical Investments

- 5.1 Preference is to be given to financial institutions that have no current record of funding fossil fuels and do not invest in or finance the fossil fuel industry, subject to all such investments meeting the risk ratings, favourable returns and diversification limits set out in this Policy. The Shire will use resources such as Market Forces in determining fossil-free investments <https://www.marketforces.org.au/info/compare-bank-table>

## 7.0 Risk Management Guidelines

- 7.1 Investments obtained are to comply with three key criteria relating to:

- (a) Portfolio Credit Framework Limits: limit overall credit exposure of the portfolio;

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	100%
AA	A-1	100%
A	A-2	100%

- (b) Counterparty Credit Framework: limit exposure to individual counterparties/institutions;

The Shire will invest funds with authorised financial institutions that provide a service to the local community by establishing branches or agencies in the Shire of Gnowangerup. Such institutions must maintain a minimum Standard and Poor’s rating of A-2 for short term investments.

- (c) Term to maturity Framework: limits based upon maturity of securities

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% Maximum
Portfolio % 1-3 years	60% Maximum

## 8.0 Performance

Performance benchmarks will be as follows:

Investment	Performance Benchmark
Cash	Cash Rate
Fixed term deposits	UBSWA Bank Bill
Diversified Funds	UBSWA Bank Bill less an appropriate margin

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995 Section 6.14.</li> </ul>
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## DOCUMENT CONTROL

### FINANCE

Policy Number	<b>4.3</b>
Responsible Officer	Senior Finance Officer
Initial Council Adoption	25 August 2008
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2025 This policy will be reviewed every two years or more often where circumstances require.

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## CORPORATE CREDIT CARD POLICY

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### Objective

To provide guidance for the use of Corporate Credit Cards.

- 1.0 The use of Corporate Credit Cards shall only be approved if there is a demonstrated need and advantage to the Shire. These include:
  - (i) Elimination or reducing time spent on paper-based ordering and payments;
  - (ii) Reduction of administrative costs;
  - (iii) Reducing the number of payments per month;
  - (iv) Provision of a useful resource in an emergency situation; and
  - (v) Reducing the need to carry cash on the premises.
- 2.0 Applications for Corporate Credit Cards and Approval

All applications for a Corporate Credit Card shall be approved by the Chief Executive Officer.

In the case of the Chief Executive Officer, the Council shall approve the application and determine the conditions for use and maximum credit limit and credit limit for each individual transaction.
- 3.0 Register

A register shall be maintained by the Deputy CEO of all Credit Cards issued. The register shall include:

  - (i) Date of approval by Chief Executive Officer;
  - (ii) Name of card holder;
  - (iii) Conditions of use of the card; and
  - (iv) A review date for continuing use of the card, not exceeding 24 months.
- 4.0 Issuing of Corporate Credit Cards to Elected Members
  - 4.1 The Local Government Act does not make provision for the issuing of credit cards to Elected Members. (A Local Government can only pay allowances or reimburse expenses to an Elected Member).
  - 4.2 Elected Members shall not be issued with a Corporate Credit Card as there are no provisions within the Act, which allow an Elected Member to incur a debt.



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## 5.0 Controls for the Use of Corporate Credit Cards

The following shall be complied with for controlling the use of Corporate Credit Cards:

### General

- 5.1 An agreement shall be signed by the cardholder which sets out the cardholder's responsibilities and legal obligations when using the Credit Card;
- 5.2 A register of all current cardholders shall be kept by the Deputy CEO which includes card number, expiry date of the Credit Card, credit limit and details of goods and services the cardholder has authority to purchase;
- 5.3 All new and existing cardholders shall be provided with a copy of the policies relating to the use of Credit Cards;
- 5.4 When an employee misplaces their Credit Card, they shall promptly report the matter to Deputy CEO who shall immediately cancel the card;
- 5.5 Credit Cards shall not be transferred to other users;
- 5.6 Use of the reward schemes, such as Fly Buys, will not be permitted for personal gain;
- 5.7 All surrendered Credit Cards shall be destroyed by the Deputy CEO in the presence of another employee;
- 5.8 If a cardholder fails to comply with the policies requirements, the Chief Executive Officer shall withdraw the use of the Corporate Credit Card and take appropriate disciplinary action. All criminal/illegal acts of alleged misuse shall be reported to the Police and other relevant authorities; and
- 5.9 The use of Corporate Credit Cards for personal entertainment uses is prohibited.

## 6.0 Purchasing

- 6.1 Credit Cards shall only be used for purchasing goods and services on behalf of the Shire;
- 6.2 Credit Cards cannot be used for capital purchases;
- 6.3 Personal expenditure is strictly prohibited;
- 6.4 Cash withdrawals is strictly prohibited;
- 6.5 Maximum credit limit shall be based on the cardholder's need and approved by the Chief Executive Officer and the following will be used as a guide:

**Combined** maximum credit limit is \$20,000 and with transaction limit per card as follows:

Name	Combined Credit Limit \$	Maximum Credit Limit per Transaction \$
Chief Executive Officer	\$20,000	\$5,000
Deputy CEO		\$5,000
Executive Manager Infrastructure and Assets		\$5,000

6.6 Purchases by facsimile, telephone or over the internet shall be authorised by the cardholder and all paperwork shall be kept and verified.

## 7.0 Payments

7.1 The cardholder shall provide appropriate and sufficient documentary evidence of all charges, as required, on a regular basis;

7.2 Time frames for all payment of accounts shall be monitored by Deputy CEO to ensure that credit charges are minimised and accounts are paid so as not incur a penalty or interest;

7.3 Cardholders cannot approve expenditure incurred on their own cards – these will be referred to the Chief Executive Officer for approval. Purchases made by the Chief Executive Officer shall be approved by the Deputy Chief Executive Officer.

## 8.0 Termination of Employment

8.1 The Credit Card will be cancelled immediately on termination of employment of the cardholder. The cardholder remains responsible for providing details of any expenditure included on a credit card statement up to and including their final day of employment.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1995 section 6.5 (a)</li> <li>Local Government (Financial Management) Regulations 1996 Reg 11.1 (a)</li> <li>Local Government (Rules of Conduct) Regulations 2007 Reg 9(1)</li> </ul>
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## DOCUMENT CONTROL

### FINANCE

Policy Number	<b>4.4</b>
Responsible Officer	Senior Finance Officer
Initial Council Adoption	22 May 2013
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> <li>9 July 2024 (approved by Council 28 August 2024)</li> </ul>
Next Review Due	31 July 2025 This policy will be reviewed annually or more often where circumstances require.

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## WATER SERVICES FINANCIAL HARDSHIP POLICY

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### Objective

To provide details of how the Shire of Gnowangerup can assist its Economic Regulation Authority water license customers who cannot pay a rate notice because of financial hardship.

**Note: This policy is a requirement of the Shire's water license.**

#### 1.0 Purpose

This Financial Hardship Policy outlines how Shire of Gnowangerup (“**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.<sup>1</sup> Residential tenants who have agreed with the landowner 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.

#### 2.0 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<sup>2</sup> – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- loss of your or a family member's primary income;
- separation or divorce from a spouse;
- domestic or family violence;
- loss of a spouse or a loved-one;
- physical and mental health problems;
- a chronically ill child;
- budget management difficulties because of low income; or
- other unforeseen factors affecting a customer's capacity to pay, such as reduction in income or an increase in non-discretionary expenditure.

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<sup>1</sup> This is because the *Water Services Code of Conduct (Customer Service Standards) 2018* and our water licence only require us to have a hardship policy for any water services we provide to residential customers.

<sup>2</sup> Clause 22 of the *Water Services Code of Conduct (Customer Service Standards) 2018* defines financial hardship as “being in an ongoing state of financial disadvantage in which the ability of a customer who is a residential customer to meet the basic living needs of the customer or a dependent of the customer would be adversely affected if the customer were to pay an unpaid bill”.

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## 3.0 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.

## 4.0 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 landowner 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.

## 5.0 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 and additional fees may apply. 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*.

## 6.0 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 debit, Centrepay, internet, telephone or post.

Please be advised that Centrepay is only available to customers who receive Centrelink payments. Paying by direct debit 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.

**Concessions and other financial relief assistance:** You may be eligible for concession(s) and/or financial relief for your water services portion of your rate notice.

- Concessional rebates may be granted to holders of a:
  - State Seniors Card; or
  - A Commonwealth Seniors Health Card and a State Seniors Card; or
  - A Pensioner Concession Card and a State Seniors Card
  
- The Hardship Utility Grant Scheme provides financial assistance to Western Australians who are struggling through financial hardship and are unable to pay their utility bills. For eligibility requirements please visit [http://www.concessions.wa.gov.au/Concessions/Pages/HUGS-\(Hardship-Utility-Grant-Scheme\).aspx](http://www.concessions.wa.gov.au/Concessions/Pages/HUGS-(Hardship-Utility-Grant-Scheme).aspx).

**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 Yougenup Centre, 47 Yougenup Road, Gnowangerup provides offices for Southern Ag Care Inc. and Centrelink to help with financial counselling.

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 Helpline can be contacted on 1800 007 007. Alternatively you can go to the FCAWA website, [www.financialcounsellors.org](http://www.financialcounsellors.org), and enter your postcode to locate your closest financial counselling service.

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](mailto:afm@financialcounsellors.org)  
 Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

## 7.0 Fees and Charges

We will charge you for the water services we provide to you. A list of our fees and charges may be found in our Annual Budget readily available at the Shire Office, 28 Yougenup Rd, Gnowangerup, WA 6335 or they can be downloaded from our website [www.gnowangerup.wa.gov.au](http://www.gnowangerup.wa.gov.au).

The Shire of Gnowangerup can also supply a fact sheet to customers on request in person or by mail.

## 8.0 Complaints Handling

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

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

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

The Energy & Water Ombudsman's contact details are:

<b>Company Name</b>	<b>Energy and Water Ombudsman Western Australia</b>
In Person:	2 <sup>nd</sup> Floor, Albert Facey House 469 Wellington Street Perth WA 6000
Postal Address:	PO Box Z5386 St Georges Terrace Perth WA 6831
Phone:	08 9220 7588
Freecall:	1800 754 004* *Calls made from mobile phones will be charged at the applicable rate.
TIS:	Translating and Interpreting Service 131 450
TTY:	National Relay Service 1800 555 727
E-mail:	<a href="mailto:energyandwater@ombudsman.wa.gov.au">energyandwater@ombudsman.wa.gov.au</a>
Website:	<a href="http://www.ombudsman.wa.gov.au">www.ombudsman.wa.gov.au</a>
Fax:	(08) 9220 7599
Freefax:	1800 611 279

## 9.0 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.

## 10.0 Our Contact Details

You can contact us at:

28 Yougenup Road, Gnowangerup, WA 6335

Phone: 08 9827 1007

Fax: 08 9827 1377

[gnpshire@gnowangerup.wa.gov.au](mailto:gnpshire@gnowangerup.wa.gov.au)

[www.gnowangerup.wa.gov.au](http://www.gnowangerup.wa.gov.au)

TIS – online at <http://www.tisnational.gov.au>

TIS – Phone 131450 Customer Code C958106

TTY/Voice calls – 133 677

Speak and listen - 1300 555 727

SMS relay - 0423 677 767

TTY - online at <http://relayservice.gov.au>

*If you are deaf, or have a hearing or speech impairment, find out how to phone us at [www.relayservice.gov.au](http://www.relayservice.gov.au).*



## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>• Water Services Act 2012</li> <li>• Water Services Regulations 2012</li> <li>• Water Services Code of Conduct (Customer Service Standards) 2018</li> </ul>
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## DOCUMENT CONTROL

### FINANCE

Policy Number	<b>4.5</b>
Responsible Officer	Asset & Waste Management Coordinator
Initial Council Adoption	26 February 2014
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 5 September 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	<p><b>4 September 2028</b></p> <p>This policy will be reviewed at least every five years or more often where circumstances require.</p>

## WAIVER OF RUBBISH AND RECYCLING CHARGES POLICY

### Objective

To detail the conditions where the Shire will grant a waiver of rubbish and recycling charges for community organisations.

- 1.0 A community organisation that uses and occupies a premise on land under the care, control and management of the Shire of Gnowangerup shall be entitled to a waiver of the applicable rubbish and recycling charges each financial year.
- 2.0 Any waiver approved by the CEO under Delegation is to be recorded as a donation expense in the financial accounts.
- 3.0 All proposed waivers to be granted shall be disclosed in the Annual Budget, in accordance with Regulation 26 of the Local Government (Financial Management) Regulations 1996.
- 4.0 All waivers granted shall be disclosed in the Annual Financial Report, in accordance with Regulation 42 of the Local Government (Financial Management) Regulations 1996.

### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Section 6.12 Local Government Act 1995</li> <li>• Regulation 26 of the Local Government (Financial Management) Regulations 1996.</li> <li>• Regulation 42 of the Local Government (Financial Management) Regulations 1996</li> </ul>
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### DOCUMENT CONTROL

#### FINANCE

Policy Number	4.6
Responsible Officer	Deputy Chief Executive Officer
Initial Council Adoption	23 May 2007
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2025 This policy will be reviewed every two years or more often where circumstances require.

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## SELF-SUPPORTING LOANS TO COMMUNITY ORGANISATIONS

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### Objective

To assist clubs and community organisations in improving community based facilities through self-supporting loan facilities.

#### 1.0 Eligible Organisations

Loans will only be considered for applicants that are incorporated bodies occupying land either owned by, or vested in the care, control and management of, a community organisation or the local government.

#### 2.0 Application requirements

2.1 Organisations making application for a self-supporting loan are to provide:

- (a) Three years audited financial statements;
- (b) A business plan for the proposed term of the loan that clearly demonstrates the ability to repay the loan being requested;
- (c) A copy of the organisations constitution;
- (d) Minutes outlining the resolution/agreement to borrow the funds required for the improvement project;
- (e) Any other information that the Council considers relevant to evaluate the application.

#### 3.0 Loan Funding Details

- 3.1 Loan funds will only be provided for capital works on the subject land when ownership of all infrastructure ultimately vests in the community or the Shire (notwithstanding established leasehold arrangements).
- 3.2 The maximum loan amount that will be considered is 50% of the proposed project cost.
- 3.2 Loans will be provided at the applicable WA State Treasury interest rates when the loan is drawn down and will be fixed for the term of the loan.
- 3.3 The term of the loan is not to exceed 10 years.
- 3.4 Loan repayments will be six monthly unless Council agrees to an alternate arrangement.
- 3.5 The applicant will be responsible for meeting any government guarantee fee that may be imposed, which will be payable six monthly at rates that may vary during the term of the loan.

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## 4.0 Evaluation Process

4.1 Council will evaluate an application for a self-supporting loan on the following basis:

- (a) Demonstrated ability of the organisation to repay the loan;
- (b) Stability, sound management, membership base, community accessibility and longevity of applicant organisation;
- (c) Funds being used for capital improvements;
- (d) If considered appropriate security over the organisations assets; and
- (e) The loan amount sought does not exceed the maximum specified in clause 3.3.

## 5.0 Approval Conditions

5.1 All applications approved shall be subject to the following conditions:

- (a) The Organisation will be required to enter into a Deed of Agreement to meet annual repayments associated with the Self Supporting Loan;
- (b) The Organisation to pay all costs associated with the preparation of the documents concerning the raising of the loan, including the Deed of Agreement outlined in 5.1(a);
- (c) The Organisation to insure and keep insured the premises, where the premises are used as security for the loan; and
- (d) Any proposal by the Council to borrow and provide a self-supporting loan to a community organisation that has not been included in the Council's annual budget must be advertised for a one-month period, in accordance with Section 6.20(2) of the *Local Government Act 1995*.

## 6.0 Other Requirements

- 6.1 Loan funds will only be released after proof of committed expenditure is submitted to the CEO.
- 6.2 The Council will seek any remedy available to it under law in terms of the recovery of delinquent loan repayments.



- 2019 -

**SHIRE OF GNOWANGERUP**

and

**{INSERT CLUB NAME}**

and

**{Insert Guarantors Names and Addresses}**

**SELF SUPPORTING LOAN AGREEMENT AND  
GUARANTEE**



# Policy Manual

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## SELF SUPPORTING LOAN AGREEMENT AND GUARANTEE

DEED dated

BETWEEN **SHIRE OF GNOWANGERUP** of 28 Yougenup Road,  
Gnowangerup, Western Australia ('the Shire')

AND **{Insert Club's name and address}**

AND

**{Insert Guarantors names and addresses}**

('the Guarantors')

### RECITALS

- A. By a lease dated \_\_\_\_\_ ('the Lease') the Shire leased to the {Club name}, Reserves {Reserve #s} situated at Lots {Lot #s and address} ('the Land') for the term, and on the terms and conditions set out in the Lease.
- B. The {Club name} occupies the land in Reserve {Reserve #s} in accordance with the purpose set out in the Lease.
- C. On the \_\_\_\_\_ the Shire raised loan number {Insert #} in the amount of \${Amount} ('the Loan') for the purpose of assisting the Club with (description of the project).
- D. The Shire has paid to the Club, at the request of the Guarantors, the amount raised by the loan and the Club has agreed to repay to the Shire all instalments of principal and interest payable by the Shire with respect to the loan upon the terms and conditions contained in this Deed.

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## OPERATIVE PART

### 1.0 REPAYMENT OF PRINCIPAL & INTEREST

1.1 The Club HEREBY COVENANTS AND AGREES with the Shire as follows:

(a) to pay to the Shire all instalments of principal and interest payable by the Shire with respect to the loan during the \_\_\_\_\_ year term of the loan;

(b) without limiting the generality of paragraph (a) of this clause 1.1, to pay to the Shire the instalments of principal and interest specified in the Schedule on the date set out in the Schedule, as to which time shall be of the essence;

(c) if the amount payable by the Shire with respect to the loan is at any time increased or decreased by reason of any change of the rate of interest payable with respect thereto to pay such increased or decreased amounts as and when they become due by the Shire; and

(d) if any amount payable by the Club under this Deed is not paid to the Shire by the date upon which this amount falls due under the terms of this Deed then the Club shall pay to the Shire interest on that amount calculated from and including the actual date of payment at the rate of interest charged at the due date by the Shire's bankers for overdraft accommodation equal to the amount outstanding.

### 2.0 DEFAULT

The Shire and the Club MUTUALLY COVENANT AND AGREE as follows:

#### 2.1 Immediate Payment

If the Club fails to perform or observe any of the obligations imposed on it by this Deed the Shire may at its option by written notice to the Club determine this Deed and all instalments of principal and interest specified in the Schedule and any payments to be made pursuant to clause 1.1(d) of this Deed shall become immediately due and payable by the Club.



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## 2.2 Determination of Lease

For the purpose of Clause 5 of the Lease, reference to a default made by the Club in the performance of the covenants or conditions contained in the Lease shall be taken to include any failure by the Club to perform or observe any of the obligations imposed on it by this Deed and the Shire and the Club agree that the Lease is varied accordingly.

## 2.3 Simultaneous Determination

If the Lease determines or is terminated for any reason whatsoever this Deed shall determine simultaneously and all instalments of principal and interest specified in the Schedule and any payments to be made pursuant to clause 1.1(d) of this Deed shall become immediately due and payable by the Club.

## 3.0 GUARANTEE

3.1 In consideration of the Shire, at the request of the Guarantors, paying the amount raised by the loan to the Club, the Guarantors HEREBY AGREE WITH AND GUARANTEE to the Shire the due and prompt performance of the covenants and conditions contained in this Deed on the part of the Club to be observed and performed upon and subject to the following conditions:

(a) If the Club shall make default in any payment of the instalments or other sums of money to be made under the loan for the space of two weeks the Guarantors will upon the written request of the Shire pay to the Shire the amount which shall be so in arrears or unpaid.

(b) If the Club shall make default in the performance or observance of any of the obligations of the Club under this Deed the Guarantors will pay to the Shire all losses, damages, expenses and costs which the Shire shall be entitled to recover from the Club from the Guarantors by reason of such default.

(c) This Guarantee shall be a continuing Guarantee and shall not be considered as wholly or partially discharged by the payment at any time or from time to time hereafter of any of the instalments or other sums of money due and payable by the Club to the Shire under this Deed or by any settlement or account or by any other matter or things whatsoever.

(d) This Guarantee shall continue for the duration of this Deed and for any extension or renewal of the term of the loan and shall extend to the acts and defaults of the Club during such duration, extension or renewal.

(e) This Guarantee shall be a principal obligation and shall not be treated as ancillary to or collateral with any other obligation howsoever created or arising to the intent that this Guarantee shall be enforceable

unless the same shall have been satisfied according to the terms of this Guarantee notwithstanding that any other obligation whatever arising between the Shire and the Club shall be in whole or in part unenforceable whether by reason of any statute (including any statute of limitation) or for any other reason whatsoever.

(f) Until the Shire shall have received in full all sums of money due from the Club under this Deed or a further Deed the Guarantors shall be bound by this Guarantee and in the event of the Club becoming bankrupt or entering into any scheme or arrangement in favour of creditors or being a company or a Club entering into liquidation either voluntarily or involuntarily the Guarantors shall not be entitled to prove or claim against the official receiver or liquidator in competition with the Shire so as to diminish any dividend or payment which the Shire may receive but may prove or claim for and on behalf of the Shire if so authorised by the Shire and by such any proof or claim by or on behalf of the Shire shall not prejudice or affect the right of the Shire to recover from the Guarantors any payment of the instalments or other sums of money to be made by the Club to the Shire under this Deed.

(g) This Guarantee is to continue binding upon the Guarantors notwithstanding:

(i) the death, bankruptcy or insolvency or liquidation (as the case may be) of the Club or the Guarantors or any one or more of them;

(ii) any change or alteration in the constitution of the Shire or the Club; or

(iii) the happening of any matter or thing which under the law relating to sureties would but for this provision have the effect of releasing the Guarantors from the Guarantee or discharging the Guarantee.

(h) The liability of the Guarantors shall not be affected by any collateral rights or obligations which may exist between the Guarantor or any two or more of them and the Club and the same shall not be affected by any variation or avoidance of any such collateral rights or obligations.

(i) The Shire may at any time from time to time without the consent of the Guarantors and without discharging, releasing, impairing or otherwise affecting the liability of the Guarantors under this Guarantee grant to the Club or to any person who may be jointly indebted with the Club to the Shire at any time any forbearance, release, concession, indulgence, time or other consideration and may compound with or release the Club and also any such other person or may assent to any assignment to trustees for the benefit of creditors or any scheme or deed of arrangement and whether with or without sequestration of the estate or (in the case of a corporation) to the winding up of the Club

or of any such person or to the appointing of a receiver of official manager for them or any one of them and may release or discharge or otherwise deal with any property whether real or personal comprised in any security which may or might be held by the Shire without discharging or affecting the liability of the Guarantors under this Guarantee.

## 4.0 JOINT AND SEVERAL LIABILITY

The obligations on the part of the Guarantors contained in clause 3.1 of this Deed bind the Guarantors jointly and severally and the Shire may at any time and from time to time proceed against any or all Guarantors in respect of the Guarantor's obligations as the Shire may choose in its absolute discretion. The Shire is not obliged to make any claim against all of the Guarantors.

## 5.0 COSTS

5.1 The Club HEREBY AGREES to pay the Shire on demand the costs of and incidental to the negotiations and instructions for and the preparation, execution and stamping of this Deed and all copies of this Deed including stamp duty.

EXECUTED as a Deed      \_\_\_\_/\_\_\_\_/\_\_\_\_

THE COMMON SEAL of **SHIRE OF** )  
**GNOWANGERUP** was here unto affixed in the      )  
presence of:

\_\_\_\_\_  
{Name}  
Shire President

\_\_\_\_\_  
{Name}  
Chief Executive Officer



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## COMPLIANCE REQUIREMENTS

Legislation/Documents	<ul style="list-style-type: none"> <li>Local Government Act 1995 section 6.20.</li> </ul>
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## DOCUMENT CONTROL

### FINANCE

Policy Number	<b>4.7</b>
Responsible Officer	Senior Finance Officer
Initial Council Adoption	28 October 2015
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	<p>31 August 2024</p> <p>This policy will be reviewed every two years or more often where circumstances require.</p>

## 4.8 SIGNIFICANT ACCOUNTING POLICIES

<b>Policy Type:</b>	Finance
<b>Date Adopted:</b>	16 December 2015

<b>Policy No:</b>	4.8
<b>Date Last Reviewed:</b>	31 May 2019

<b>Legal (Parent):</b>
<ol style="list-style-type: none"> <li>Local Government Act 1995 (As Amended) – Section 6.10.</li> <li>Australian Accounting Standards</li> </ol>

<b>Legal (Subsidiary):</b>
<ol style="list-style-type: none"> <li>Local Government (Financial Management) Regulations 1996.</li> </ol>

<b>Delegation of Authority Applicable</b>	No
<b>Delegation Number</b>	N/A

<b>Staff Procedure Applicable</b>	No
<b>Staff Procedure Number</b>	N/A

ADOPTED POLICY	
<b>Title:</b>	SIGNIFICANT ACCOUNTING POLICIES
<b>Objective:</b>	To provide a framework for the financial management of the Shire that is clear, transparent, consistent, and complies with statutory obligations and requisite Australian Accounting Standards.

### 1.0 Definitions

**AAS** means the Australian Accounting Standards.

**AASB** means Australian Accounting Standards Board.

**IFRS** means International Financial Reporting Standards.

### 2.0 Policy Statement

The following significant accounting policies have been adopted by the Shire in the preparation of the Annual Financial Report.

#### **Basis of Preparation**

The financial report comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), and Interpretations of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations.

The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown Land that is a public thoroughfare, such as land under roads, and land not owned by but under the care,

control and management of the local government, unless it is a golf course, showground, racecourse or any other sporting or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008 have not been recognised in this financial report. This is not in accordance with the requirements of AASB 1051 Land Under Roads paragraph 15 and AASB 116 Property, Plant and Equipment paragraph 7.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### **Critical Accounting Estimates**

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

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

### **The Local Government Reporting Entity**

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

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

#### **(a) Goods and Services Tax (GST)**

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

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

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

#### **(b) Cash and Cash Equivalents**

Cash and cash equivalents include cash at bank, cash on hand, deposits available on demand with banks, and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts. Bank overdrafts are reported as short-term borrowings in current liabilities in the statement of financial position.

(c) Trade and Other Receivables

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

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

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

Loans - Classification and subsequent measurement

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

(d) Inventories

**General**

Inventories are valued at the lower of cost and net realisable value.

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

**Land Held for Resale**

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

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



Land held for resale is classified as current except where it is held as non-current based on Council's intention to release for sale.

(e) Financial Instruments - Investments

***Initial recognition and measurement***

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

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

***Classification and subsequent measurement***

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

Amortised cost is calculated as:

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

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

*(i) Financial assets at fair value through profit and loss*

Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short-term profit taking. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss. Assets in this category are classified as current assets.

*(ii) Held-to-maturity investments*

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

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

(iii) *Available-for-sale financial assets*

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

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available-for-sale financial assets are classified as non-current.

***Impairment***

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

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

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

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

### ***Derecognition***

Financial assets are derecognised where the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the Shire no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

#### (f) Fixed Assets

### ***Initial recognition and measurement between mandatory revaluation dates***

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

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

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

### ***Revaluation***

The fair value of fixed assets is determined at least every 3 years but no more than 5 years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process

is considered to be in accordance with *Local Government (Financial Management) Regulation 17A(2)*, which required property, plant and equipment to be shown at fair value.

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

### ***Land under control***

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

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

### ***Australian Accounting Standards Inconsistency – Land under roads***

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

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

In respect of land under roads acquired on or after 1 July 2008, as detailed above, *Local Government (Financial Management) Regulation 16(a)(i)* prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, *Local Government (Financial Management) Regulation 4(2)* provides, in the event of such an inconsistency, the *Local Government (Financial Management) Regulations* prevail.

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

### ***Depreciation***

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset

is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

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

- (i) The gross carrying amount is adjusted in a manner that is consistent with the revaluation carrying amount of the asset. For example, the gross carrying amount may be restated by reference to observable market data or it may be restated proportionately to the change in the carrying amount. The accumulated depreciation at the date of the revaluation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset after taking into account accumulated impairment losses; or
- (ii) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

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

Major depreciation periods used for each class of depreciable assets are:

Buildings 30 to 50 years

Furniture and Equipment 4 to 10 years

Plant and Equipment 5 to 15 years

Sealed roads and streets

- clearing and earthworks not depreciated
- construction/road base 50 years
- original surfacing and major re-surfacing
  - bituminous seals 20 years
  - asphalt seals 25 years

Gravel roads

- clearing and earthworks(formation) not depreciated
- pavement 50 years

Formed roads (unsealed)

- clearing and earthworks (formation) not depreciated
- pavement 50 years

Footpaths - slab 20 years

Sewerage piping 100 years

Water supply piping & drainage systems 75 years

Airport infrastructure 13 to 100 years

Parks & ovals infrastructure 2 to 100 years

Other infrastructure 10 to 50 years

(g) Fair Value of Assets and Liabilities

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

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

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

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

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

***Fair value hierarchy***

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

### Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date

### Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly

### Level 3

Measurements based on unobservable inputs for the asset or liability.

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

### ***Valuation techniques***

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

#### **Market approach**

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

#### **Income approach**

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

#### **Cost approach**

Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are

developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

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

(h) Impairment of Assets

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

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

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

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

(i) Trade and Other Payables

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

(j) Financial Liabilities

Financial liabilities are recognised at fair value when the Shire becomes a party to the contractual provisions of the instrument.

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



Financial liabilities are derecognized where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(k) Employee Benefits

***Short-term employee benefits***

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

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

***Other long-term employee benefits***

The Shire's obligations for employee's annual leave and long service leave entitlements are recognised as provisions in its statement of financial position.

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

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

**Provisions**

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

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

(l) Borrowing Costs

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

(m) Leases

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

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

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

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

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

(n) Investments in Associates

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

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

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

When the Shire's share of losses in an associate equals or exceeds its interest in the associate, the Shire discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently makes profits, the Shire will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(o) Interests in Joint Arrangements

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

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method. Refer to note 1(o) for a description of the equity method of accounting.

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

(p) Rates, Grants, Donations and Other Contributions

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

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

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

(q) Superannuation

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

(r) Current and Non-Current Classification

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

(s) Rounding Off Figures

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

(t) Comparative Figures

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

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

(u) Budget Comparative Figures

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

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

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

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

	<b>Title</b>	<b>Issued / Compiled</b>	<b>Applicable (*)</b>	<b>Impact</b>
(i)	ASSB 9 Financial Instruments (incorporating AASB 2014-7 and AASB 2014-8)	December 2014	1 January 2018	Nil – The objective of this Standard is to improve and simplify the approach for classification and measurement of financial assets compared with the requirements of AASB 139. Given the nature of the financial assets of the Shire, it is not anticipated the Standard will have any effect.
(ii)	AASB 15 Revenue from Contracts with Customers	December 2014	1 January 2019	<p>This Standard establishes principles for entities to apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer.</p> <p>The effect of the Standard will depend upon the nature of future transactions the Shire has with those third parties it has dealings with. It may or may not be significant.</p>
(iii)	AASB 16 Leases	February 2016	1 January 2019	<p>Under AASB 16 there is no longer a distinction between finance and operating leases. Lessees will now bring to account a right-to-use asset and lease liability onto their statement of financial position for all leases. Effectively this means the vast majority of operating leases as defined by the current AASB 117 Leases which currently do not impact the statement of financial position will be required to be capitalised on the statement of financial position once AASB 16 is adopted.</p> <p>Currently operating lease payments are expensed as incurred. This will cease and will be replaced by both depreciation and interest charges. Based on the current number of operating leases held by the Shire, the impact is not expected to be significant.</p>

	<b>Title</b>	<b>Issued / Compiled</b>	<b>Applicable (*)</b>	<b>Impact</b>
(iv)	AASB 1058 Income of Not-for-Profit Entities (incorporating AASB 2016-7 and AASB 2016-8)	December 2016	1 January 2019	<p>These Standards are likely to have a significant impact on the income recognition for NFP's. Key areas for consideration are:</p> <ul style="list-style-type: none"> <li>- Assets received below fair value;</li> <li>- Transfers received to acquire or construct non-financial assets;</li> <li>- Grants received;</li> <li>- Leases entered into at below market rates; and</li> <li>- Volunteer services.</li> </ul> <p>Whilst it is not possible to quantify the financial impact (or if it is material) of these key areas until the details of future transactions are known, they will all have application to the Shire's operations.</p>

(w) Adoption of New and Revised Accounting Standards

During the current year, the Shire adopted all of the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory and which were application to its operations.

Whilst many reflected consequential changes associated with the amendment of existing standards, the only new Standard with material application is as follows:

	<b>Title</b>	<b>Issued / Compiled</b>	<b>Applicable</b>	<b>Impact</b>
	<p>AASB 2015-6 Amendments to Australian Accounting Standards – Extending Related Party Disclosures to Not-for-Profit Public Sector Entities</p> <p>[AASB10, 124 &amp; 1049]</p>			<p>The objectives of this Standard was to extend the scope of <i>AASB 124 Related Party Disclosures</i> to include not-for-profit sector entities.</p> <p>The Standard has had a significant disclosure impact on the financial report of the Shire, as both Elected Members and Senior Management are deemed to be Key Management Personnel and resultant disclosures in accordance to</p>

						AASB 124 have been necessary.
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## BUY LOCAL POLICY – REGIONAL PRICE PREFERENCE

### Objective

To promote local business partnerships within the Great Southern region and the Shire of Gnowangerup by giving preference to regional suppliers in the procurement of goods or services via tender.

### 1.0 Policy Statement

A price preference may apply to tenders invited by the Shire of Gnowangerup for the supply of goods and services and constructions (building) services. This will be advertised in the Request for Tender document.

### 2.0 Definitions

**regional price preference**, in relation to a tender submitted by a regional tenderer, involves assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D;

**regional tenderer** means a supplier of goods or services who satisfies the criteria in subregulation (2).

*A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —*

- (a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or*

**Tender'** is defined in Local Government (Functions and General) Regulation 1996 reg 11(1) as being contracts worth more than \$250,000, unless an exemption applies [Local Government (Functions and General) Regulation 1996 reg 11(2)].

**Prescribed Area:** Shire of Gnowangerup

### 3.0 Discounts permitted for regional price preferences

[Local Government (Functions and General) Regulation 1996 reg 24D].

(1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —

- (a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50,000; or
- (b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or



- (c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.
- (2) *Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —*
  - (a) *wholly supplied from regional sources; or*
  - (b) *partly supplied from regional sources, and partly supplied from non-regional sources,**only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.*

#### 4.0. Competitive Purchasing

*Despite subregulation (1) of the Local Government (Functions and General) Regulation 1996 reg 24D, price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under Local Government regulation 18(4) [Local Government (Functions and General) Regulation 1996 reg 24D(3)]*

*Local Government (Functions and General) Regulation 1996 reg 18(4):*

- (4) *Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*

#### 5.0 Proof of Eligibility

Businesses wishing to claim the price preference must complete a preference questionnaire/response form distributed with each tender. Suitable proof of eligibility must be provided.

If, in the opinion of the Shire of Gnowangerup, a supplier has deliberately provided false or misleading information in order to benefit from this policy, their quotation or tender by be considered non-conforming and, as such, may be disqualified.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>Local Government (Functions and General) Regulations 1996</li> <li>Council Policy – Purchasing and Procurement</li> </ul>
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## DOCUMENT CONTROL

### FINANCE

Policy Number	<b>4.9</b>
Responsible Officer	Chief Finance Officer
Initial Council Adoption	21 December 2016
Review Dates	<ul style="list-style-type: none"> <li>27 April 2020</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> <li>8 October 2024 (approved by Council 11 December 2024)</li> </ul>
Next Review Due	31 October 2025 This policy will be reviewed annually or more often where circumstances require.

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## RATES CONCESSIONS – NEW BUSINESSES POLICY

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### Objective

To encourage new start-up businesses to the District and to provide a form of financial assistance during the early stages of their operations.

#### 1.0 Preamble

The Shire of Gnowangerup recognises the importance of attracting and retaining new businesses to the District ensuring the sustainability of its communities. Council wishes to formalise this recognition by way of introducing a New Business Rates Concession Policy.

#### 2.0 Policy Statement

The New Business Rates Concession will:

- Be applied to the first year of Council rates after the business is established;
- Require a written request from the Business proprietor to the Shire prior to the rates becoming due and payable;
- Be equivalent to 100% of the property rates component of the annual Council rates i.e. it is not applicable to the Emergency Services Levy, any Specified Area Rates, Rubbish Collection and Recycling charges, etc.; and
- Be capped to an amount of \$2,000.00 per application.

#### 3.0 Eligibility Criteria

The New Business Rates Concession is able to be applied:

- Where a business is a new type of business but not where a new owner has taken over an existing business of the same type;
- Only if the relevant rates have not already been paid;
- Only once during the life of each business; and
- In situations where the assessment relates to a property that is the subject of a lease, only if the lease contains a clause making the tenant responsible for the payment of Council rates.

### 3.1 Examples of Eligible Applications

- An auto electrician purchases a property in the district and opens a business. There is no existing auto electrician in the district;
- An auto electrician purchases a property in the district and opens a business. There is no existing auto electrician in the district, although there has been in the past; and
- An auto electrician leases a property in the district and opens a business. The lease makes the auto electrician responsible for the payment of the Council rates on the leased property. There is no existing auto electrician in the district and there may or may not have been in the past.

### 3.2 Examples of Ineligible Applications

- An auto electrician purchases a property in the district and opens a business. There is an existing auto electrician in the district;
- An auto electrician leases a property in the district and opens a business. There is no clause in the lease making the auto electrician responsible for the payment of the Council rates on the leased property; and
- An auto electrician leases a property in the district and opens a business. The lease makes the auto electrician responsible for the payment of the Council rates on the leased property. There is an existing auto electrician in the district.

#### COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Local Government Act 1995 – Part 6 Financial Management: Division 6 Rates and Service Charges</li> </ul>
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#### DOCUMENT CONTROL

#### FINANCE

Policy Number	<b>4.10</b>
Responsible Officer	Senior Finance Officer
Initial Council Adoption	28 August 2018
Last Review Date	31 August 2023 (approved by Council 27 September 2023)
Next Review Due	31 August 2024 This policy will be reviewed annually or more often where circumstances require.

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## FAMILY VIOLENCE HARDSHIP POLICY FOR WATER SERVICES

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### Objective

To provide details of how the Shire of Gnowangerup can assist a residential customer who cannot pay a rate notice because of financial hardship through issues, circumstances or outcomes relating to/from family violence

### Purpose

This Financial Hardship Policy outlines how Shire of Gnowangerup (“we”) will assist a residential customer (“you”) who cannot pay a rate notice because of financial hardship through issues, circumstances or outcomes relating to/from family violence.

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, we will treat you sensitively and respectfully

### What is Hardship?

You will be considered to be in hardship if paying the water services portion of your rate notice will affect your ability to meet your basic living needs or may cause physical and mental harm– in short, if you have the intention but not the capacity to pay due to domestic or family violence related issues or outcomes.

It is recognised that Family Violence most commonly refers to violence and abuse against an intimate partner, including same-sex relationships and ex-partners, and can also include the abuse of children, older people and other family members.

Examples of behaviour that may constitute family violence include:

- an assault against the family member
- a sexual assault or other sexually abusive behaviour against the family member
- stalking or cyber-stalking the family member
- repeated derogatory remarks against the family member
- damaging or destroying property of the family member
- causing death or injury to an animal that is the property of the family member.

- unreasonably denying the family member the financial autonomy that the member would otherwise have had
- unreasonably withholding financial support needed to meet the reasonable living expenses of the family member, or a child of the member, at a time when the member is entirely or predominantly dependent on the person for financial support
- coercing, threatening, or causing physical abuse, emotional or psychological abuse or financial abuse, in connection with demanding or receiving dowry, whether before or after any marriage
- preventing the family member from making or keeping connections with the member's family, friends or culture
- kidnapping, or depriving the liberty of, the family member, or any other person with whom the member has a family relationship
- distributing an intimate image of the family member without the family member's consent, or threatening to distribute the image
- causing any family member who is a child to be exposed to these behaviours.

The affects and actions of the above may have one or more outcomes that cause hardships. These hardships may range from physical, mental or perceived.

### **Identifying Customers in Financial Hardship**

If you think you may be in financial hardship due to issues or outcomes, as outlined above, from family or domestic violence, we encourage you to contact us as soon as possible. You may ask your financial counsellor or your support agency 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 or support agency. We will also consider any information we may have on your payment history.

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

### **Information**

When dealing with residents that have indicated that or evidence of family violence exists, all information shall be collected in a private environment.

So as not to cause further stress to the resident every effort will be made to collect the required information in one meeting, with measures being taken to ensure the customer does not have to repeat their story each time they engage with the Shire.

All information provided will be collected, stored and actioned with total confidentiality. Staff numbers handling any such matters will be restricted to a minimum.

## Training

Shire staff undergo training to enable.

- Understanding of family violence issue and outcomes
- Appropriate response to family violence issue and outcomes
- Understanding how the process to identify an account of a customer affected by family violence.
- Understanding the importance of confidentiality of this information
- Understanding in what circumstances a customer affected by family violence will, as a result, be taken to be experiencing.
  - (i) payment difficulties for the purposes of the Water Services Code of Conduct (Customer Service Standards)2018; or
  - (ii) financial hardship for the purposes of our financial hardship policy.
- Understanding the process of how we deal with debt management and debt recovery.
- Understanding that written evidence is not to be collected unless the evidence is reasonably necessary to enable the Shire to assess appropriate measures that it may take in relation to debt management or recovery.

## 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 landowner 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 landowner 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 landowner.

## 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 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 arrangements, 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*.

## 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 debit, Centrepay, internet, telephone or post. Please be advised that Centrepay is only available to customers who receive Centrelink payments. Paying by direct debit or Centrepay may help you manage your bills more easily.

For more information on your payment options, please contact us.

**Concessions and other financial relief assistance:** You may be eligible for concession(s) and/or financial relief for your water services portion of your rate notice.

- Concessional rebates may be granted to holders of a:
  - State Seniors Card  
or
  - A Commonwealth Seniors Health Card and a State Seniors Card  
or
  - A Pensioner Concession Card and a State Seniors Card

- Hardship Utility Grant Scheme (HUGS)

The Hardship Utility Grant Scheme provides financial assistance to Western Australians who are struggling through financial hardship and are unable to pay their utility bills. For eligibility requirements please visit [http://www.concessions.wa.gov.au/Concessions/Pages/HUGS-\(Hardship-Utility-Grant-Scheme\).aspx](http://www.concessions.wa.gov.au/Concessions/Pages/HUGS-(Hardship-Utility-Grant-Scheme).aspx).

**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 Yougenup Centre, 47 Yougenup Road, Gnowangerup provides offices for Southern Ag Care Inc. and Centrelink to help with financial counselling.



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 Helpline can be contacted on 1800 007 007. Alternatively, you can go to the FCAWA website, [www.financialcounsellors.org](http://www.financialcounsellors.org), and enter your postcode to locate your closest financial counselling service.

*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](mailto:afm@financialcounsellors.org)

Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

**Additional services and support can be obtained through the Department of Communities website.**

<https://www.communities.wa.gov.au/contact/family-and-domestic-violence-help/>

These include 24 hour help lines and details of agencies that can assist with Family Violence issues.

### **Fees and Charges**

We will charge you for the water services we provide to you. A list of our fees and charges may be found in our Annual Budget readily available at the Shire Office, 28 Yougenup Rd, Gnowangerup, WA 6335 or they can be downloaded from our website [www.gnowangerup.wa.gov.au](http://www.gnowangerup.wa.gov.au).

The Shire of Gnowangerup can also supply a fact sheet to customers on request in person or by mail.

### **Complaints Handling**

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

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

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:

<b>Company Name</b>	<b>Energy and Water Ombudsman Western Australia</b>
In Person:	2 <sup>nd</sup> Floor, Albert Facey House 469 Wellington Street Perth WA 6000
Postal Address:	PO Box Z5386

	St Georges Terrace Perth WA 6831
Phone:	08 9220 7588
Freecall:	1800 754 004* *Calls made from mobile phones will be charged at the applicable rate.
TIS:	Translating and Interpreting Service 131 450
TTY:	National Relay Service 1800 555 727
E-mail:	<a href="mailto:energyandwater@ombudsman.wa.gov.au">energyandwater@ombudsman.wa.gov.au</a>
Website:	<a href="http://www.ombudsman.wa.gov.au">www.ombudsman.wa.gov.au</a>
Fax:	(08) 9220 7599
Freefax:	1800 611 279

### Approval and Review

Our policy as approved must be

- (a) published on the Shire’s website.
- (b) will be provided in hard copy upon request at no charge.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

### COMPLIANCE REQUIREMENTS

Legislation/Documents	<ul style="list-style-type: none"> <li>• Water Services Code of Conduct (Customer Service Standards) 2018</li> </ul>
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### DOCUMENT CONTROL

#### FINANCE

Policy Number	<b>4.13</b>
Responsible Officer	Asset & Waste Management Coordinator
Initial Council Adoption	24 March 2021
Review Dates	12 January 2023 (approved by Council 27 September 2023)
Next Review Due	11 January 2028 This policy will be reviewed at least every five years or more often where circumstances require.

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## STRATEGIC RATING AND REVENUE POLICY

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### Objective

To outline the Shire of Gnowangerup Council's principles and methodology when exercising the Council's discretionary powers to determine the level of revenue and structure of rates and other charges levied under the *Local Government Act 1995*. The policy aims to give ratepayers a better understanding of the local government's financial management and assurance of the planning for rates and charges over future years.

### 1.0 Background

The Shire provides a number of services to the community within the district. To be able to provide these services the Shire must collect revenue to cover the cost of these services both in the short and long term. The level of services provided is guided by the Shire's community based strategic plans as well as regulatory requirements.

This Policy has been developed within the context of the Shire of Gnowangerup Strategic Plans. In setting rates and other charges, the Council considers the long term vision for the Shire, strategic plans and the likely impacts on the community.

Shire revenue may be adversely affected by changes to funding from other levels of government. Some grants are tied to the delivery of council services, whilst many are tied directly to the delivery of new community assets, such as roads. It is important for Council to be clear about what grants it intends to apply for, and the obligations that grants create in the delivery of services or infrastructure.

### 1.1 Revenue Sources

Section 6.15 of the *Local Government Act 1995* provides for local government to receive revenue from the following sources:

- rates; or
- service charges; or
- fees and charges; or
- borrowings; or
- investments; or
- any other source,

authorised by or under *this Act* or another written law; or from:

- dealings in property; or
- grants or gifts.

## 2.0 Definitions

**Fees and Charges** is an amount imposed under Section 6.16 of the *Local Government Act 1995* for any goods or service the local government provides or proposes to provide, other than a service for which a service charge is imposed.

**Gross Rental Value** is one basis of rate and is defined in the *Valuation of Land Act 1978*.

**Land** means lands, tenements and hereditaments, and any improvements to land, and includes any interest in land.

**Merged Improvements** means any works in the nature of draining, filling, excavation, grading or levelling of the land, retaining walls or other structures or works for that purpose, the removal of rocks, stone or soil, and the clearing of timber, scrub or other vegetation.

**Service Charges** are amounts imposed under Section 6.38 of the *Local Government Act 1995* to meet the cost to the local government in the provision of a prescribed work, service or facility in relation to the land.

**Unimproved Value** is one basis of rate and is defined in the *Valuation of Land Act 1978*.

**Vacant Land** means land on which there are no improvements other than merged improvements.

## 3.0 Rating and Revenue Policy Statement

The Council believes the rating policy must be underpinned by sound principles, which are well understood, communicated to ratepayers and compliant with current legislation and departmental guidelines.

Council wishes to adopt a balanced budget each year with the amount raised from rates being equal to the budgeted deficiency. Council determines its budgeted deficiency arising from meeting its short and long term financial, strategic, operational and statutory responsibilities for the coming financial year. Rates are to be raised to meet the forecast budgeted deficiency.

The Council aspires to balance service levels in accordance with the needs and expectations of its community and sets rating levels to adequately resource its roles and responsibilities and achieve its strategic objectives. When forming its annual budget, the Council gives primary regard to its strategic plans.

Where the community desire greater levels of service rate increases higher than forecast inflation will be required over the long term to sustain long term asset services and avoid future sudden rate increases.

As far as possible the budget deficiency should be estimated for at least four years to enable rates increases required to meet the budget deficiency to be predictable and consistent. This will avoid the need to excessively increase rates in future years to cover

unavoidable costs, particularly costs associated with provision of asset related services to the community.

The Council will consider the rating principles when developing, maintaining and applying its rating and revenue strategy each year:

The rating principles outlined in the explanatory notes are to apply to all rateable land within the Shire of Gnowangerup.

### 3.1 Service Charges

Currently regulation 54 of the *Local Government (Financial Management) Regulations 1996* allows for services charges to be raised for the following:

- property surveillance and security;
- television and radio rebroadcasting;
- underground electricity;
- water.

Where any of these services are provided to ratepayers the Shire will seek to recover costs in full by raising service charges on ratepayers directly benefiting from these services.

### 3.2 Specified Area Rates

Section 6.37 of the *Local Government Act 1995* may impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the ratepayers or residents within that area —

- have benefited or will benefit from; or
- have access to or will have access to; or
- have contributed or will contribute to the need for, that work, service or facility.

The Shire may consider raising specified area rates where the work, service or facility is considered to primarily benefit the ratepayer on who the specified area rate is raised and of little to no benefit to the broader community.

### 3.3 Fees and Charges

Fees and charges are amounts charged by the Shire in accordance with Section 6.16 of the *Local Government Act 1995* for any of the following:

- providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- supplying a service or carrying out work at the request of a person;
- subject to section 5.94, providing information from local government records;
- receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;

- supplying goods;
- such other service as may be prescribed.

The provision of infrastructure and other services is central to the Shire's role in supporting the local community. In providing services and assets for community use, council must consider a range of 'Best Value' principles including service cost and quality standards, value-for-money, and community expectations and values. Council must balance the affordability and accessibility of infrastructure and services with its financial capacity and desire to provide services and assets over the long term.

Where higher or lower than overall budget parameter changes are proposed, benchmarking of other local government or competitor fees for the same service maybe undertaken for consideration by council members as part of the annual budget process.

Sound financial management of community service delivery requires fees and charges to reflect the cost of providing a service of a particular quality, moderated by considerations of affordability, accessibility and equity, as well as community expectations and values.

### 3.4 Concessions and Waivers

Circumstances may arise where Council resolves by absolute majority to grant a waiver or concession in relation to rates. Waivers or concessions have the effect of altering the rating principles and safeguards under *the Act*. They should not be used to avoid the regulatory requirements. Where a waiver or concession is granted in any year a review of the rating structure shall be undertaken during the year to avoid the need to continue to grant a concession in subsequent years.

Concessions and waivers of fees and charges should only be provided to community organisations, or where considered appropriate under any Shire financial hardship policy.

## EXPLANATORY NOTES:

### Rates

Rates are based on property values and are a form of property tax. Under the *Valuation of Land Act 1978*, the Valuer-General must maintain valuation rolls of rateable and taxable land throughout Western Australia. These rolls are periodically provided to the Shire for rating purposes. On behalf of the Valuer-General, Property and Valuations Services, Landgate (the Western Australian Land Information Authority), conducts general valuations (revaluations) and makes interim valuations as required.

Valuations are not the sole factor in determining the rates income of the Shire, and as a result, valuation increases or decreases do not necessarily cause a rate rise or reduction. Council has large discretionary powers when determining the level of rates to be imposed each year.

All land within the Shire is rateable except for land specifically exempt under s6.26 of the *Local Government Act 1995*.

## Rating Legislation

The legislative framework set out in Division 6 of the *Local Government Act 1995* defines the powers and responsibilities Council has when setting rates. Part 5 of the *Local Government (Financial Management) Regulations 1996* provides regulatory restrictions in relation to rates and service charges.

## Rating Principles

The following fundamental principles are to be considered when the Shire is making any rating related decisions.

Principle	Explanation
Objectivity	As far as possible, the predominant use of land should be reviewed and determined based on an objective assessment of relevant criteria. External parties should be able to understand how and why a determination was made.
Fairness and Equity	Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation appropriately reflecting predominant use.
Consistency	Rating principles should be applied, and determinations should be made, in a consistent manner. Like properties should be treated in a like manner.
Transparency	Systems and procedures for determining the method of valuation of land should be clearly documented and available for the public to inspect. This is fundamental to the “good government” principle upon which the Local Government Act 1995 is based. The right to govern accompanies the obligation to do so openly and fairly.
Administrative Efficiency	Rating principles and procedures should be applied and implemented in an efficient and cost-effective manner.

## Basis of Rate

The Minister is required to determine the method of valuation of land to be used by the Shire as the basis for a rate. The following methods of valuation are able to be used:

- Unimproved Value (UV), or
- Gross Rental Value (GRV).

The unimproved value and gross rental value are defined within the *Valuation of Land Act 1978* and have been outlined in the definitions section of this Policy. The

In order for the Minister to ensure the rating principles under the *Local Government Act 1995* (the Act) are applied to any separately identifiable rateable portion of land within the district, the Shire is to maintain systems and procedures to:

- identify and record any changes in land use;
- review the predominant use of land affected by significant land use changes;
- consult with affected parties;
- obtain Council approval to apply to the Minister for a change in method of valuation; and
- ensure timely application to the Minister.

When determining land use for the purpose of determining the basis of rate the purpose for which the land is zoned shall form the initial guide to the predominant use of any land within the district.

An initial guide to the predominant use of land within the district based on the zoning under the Shire of Gnowangerup Local Planning Scheme is detailed in these explanatory notes. Where the current predominant use of the land is different to the initial guide the basis for this determination should be clearly documented.

### Initial guide to predominant use of land

Method of Valuation	Zones
Gross Rental Value (GRV) (Non-Rural Land Use)	Residential
	Industry
	Light and Service Industry
	Rural Residential
Unimproved value (UV) (Rural Land Use)	General Agriculture
	Mining
	Exploration
Assessed based on land use	Special Use Zone

### Determining the predominant land use

Zones listed as assessed based on land use are to be the subject of detailed examination and consideration as they may require either method of valuation, dependent on the actual land use.

Where the predominant current land use as defined under Shire of Gnowangerup Local Planning Scheme does not align to the zoning land use indicated by the initial guide above, a determination of whether a different basis of rate is more appropriate is required.



Determination of the appropriate basis of rate requires examination of the extent to which the separately identifiable portion of land is being used for an alternative land use. This should be documented and considered using the principles detailed in this policy before commencing the process to make application to the Minister for a change in method of valuation.

## **Uniform / Differential Rating**

A uniform general rate in the dollar may be applied for all GRV and UV valued properties within the district. Council may deem a differential general rate to best meet the five rating principles. Imposition of differential general rate represents a conscious decision by Council to redistribute the rate burden in the district by imposing a higher contribution on some ratepayers and a lower contribution on others to best meet the rating principles.

In accordance with regulatory restrictions Council may choose to impose differential general rates according to any, or a combination, of the following characteristics:

- the purpose for which the land is zoned, under the Shire of Gnowangerup local planning scheme; or
- a purpose for which the land is held or used as determined by the local government; or
- whether or not the land is vacant land.

When imposing a differential general rate, the characteristics of the land to which the differential rate is to be applied along with the objects and reasons for the differential rate must be clearly defined.

The purpose for which the land is zoned is considered the most appropriate basis for determining the characteristics of the land to which the differential general rate applies and most efficient way of defining differential rating categories. In certain instances, a combination of zoning and land use as defined within the Shire of Gnowangerup Local Planning Scheme may be the best way of achieving the rating principles. Where the rating principles are still considered by Council to not be met using the previous methods, the purpose for which the land is held or used and/or whether the land is vacant land shall be used as the basis for determining the differential general rate category. Where land use defines differential rate characteristics the land uses defined within the local planning scheme shall be applied.

## **Fees and charges**

When setting fees and charges factors Council may consider include the user's capacity to pay, equity in the subsidisation of services, community service obligations, statutory or service agreement limitations and results of benchmarking of similar services at nearby local governments.

Fees and charges within two broad categories:

- Limited by legislation
- At the discretion of Council

Regardless of the category, Council is responsible for setting and imposing fees and charges.

Statutory fees are fees and charges limited by legislation and raised under the direction of legislation or other government directives. Statutory fees are generally set by the relevant state government department responsible for the corresponding services or legislation, and generally the Shire will have limited discretion in applying these fees.

Examples of statutory fees include:

- Planning and subdivision fees
- Building and inspection fees
- Infringements and fines
- Land information certificate fees

When setting fees and charges which are at the discretion of Council, the extent of cost recovery for particular services should be consistent with the level of both individual and collective benefit the services provide and in line with the community's expectations for the level users of cost recovery to be met by users.

Fees and charges for discretionary services are set based on one of the following pricing methods:

- Market price
- Full cost recovery price
- Subsidised price

**Market pricing** is where Council sets prices based on the benchmarked competitive prices of alternate suppliers. In general market price represents full cost recovery plus a return on investment in the provision of the goods or services. Where other providers of the goods or services exist within the district (even at a different location) market prices or recommended retail prices will be used.

Where the market price is lower than the full cost price, then the market price would represent the Shire subsidising the goods or service. In these circumstances Council will consider the community benefit and desire for the Shire continuing to provide the goods or services.

**Full cost recovery price** is where Council sets fees and charges aimed at recovering all direct and indirect costs incurred by Council. This pricing is required by legislation in the instances defined in Section 6.17 (3) of the Local Government Act 1995. It should also be used in particular where a service provided by Council benefits individual customers specifically, with little to no benefit to the community as a whole and where the Shire is the sole possible supplier in the district.

In principle, fees and charges should be set at a level to at least recover the full cost of providing the services unless there is an overriding policy or imperative in favour of subsidisation of the goods or service.

**Subsidised pricing** is where Council subsidises a service by setting fees or charges at a level which is lower than the full cost of that service onto the customer. Subsidies may range from full subsidies where the goods or services are provided free of charge (such as provision of road

infrastructure services) to partial subsidies, where Council provides the service to the user with a cost lower than the cost of providing the goods or services.

Subsidised pricing may exist where the community benefit does not directly relate to users of the service or even directly to current ratepayers, such as the provision of sports facilities to attract residents to the district. The level of subsidy should be aligned to community demand for the Shire to provide the service at a subsidised fee or charge.

Subsidisation of the goods or services should not occur where there are other current or potential future market participants in the district.

## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Valuation of Land Act 1978</li> <li>Local Government (Financial Management) Regulations 1996</li> </ul>
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## DOCUMENT CONTROL

FINANCE	
Policy Number	<b>4.14</b>
Responsible Officer	Chief Executive Officer
Initial Council Adoption	23 July 2025
Review Dates	N/A
Next Review Due	31 March 202+ <i>Local Government Act 1995, s5.56AA(2)</i> <i>The rates and revenue policy must be adopted every calendar year before 1 March</i> This policy will be reviewed annually as per s5.56AA(2) or more often where circumstances require.

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## MOTOR VEHICLE POLICY

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### Objective

To provide a policy framework for:

- Ensuring Council maintains a suitable fleet of vehicles that contributes positively and effectively to the operational requirements of the Shire;
- Councillors and staff on general principles and standards of use and care associated with the operation of Shire vehicles; and
- The procurement and use of vehicles for Shire operational requirements.

### 1.0 Definitions

*Fleet Vehicles* means all vehicles owned or controlled by the Shire of Gnowangerup that are designed to carry passengers and / freight on public roads.

*Fleet Pool* means a grouping of vehicles that may be used commonly by a group of staff, as defined by location or program. The management of a fleet pool shall be coordinated centrally by a designated officer.

*Fringe Benefits Tax (FBT)* means tax levied on benefits obtained by employees in respect of their employment.

*FBT Logbook period* means a continuous period of at least 12 weeks when a vehicle is used for average business use (it should not be a period chosen because of maximum business use). Logbooks are used as the basis for FBT calculations.

*Logbooks* means books used to record details of all trips undertaken including the driver's name, journey date, starting and ending odometer readings and purpose of the journey.

*Personal use* means the use of fleet vehicles for non-business purposes. It generally includes travel to and from work.

*Reserve vehicles* means vehicles that are not directly assigned to a specific function or staff position.

*SoG* means "Shire of Gnowangerup".

*SOP* means "Standard Operating Procedure".

### 2.0 Acquisition and Disposal

2.1 When acquiring and disposing of light vehicles the following key principles shall be applied:

**Economic Criteria:** whole of life costs shall be estimated from best available data.

**Functional Criteria:** functional requirements of the position for which the vehicle is being acquired.

**Social Criteria:** preference shall be given to vehicles that confirm a responsible, accountable image compatible with the Shire's values.

**Environmental Criteria:** a recognition of the CO2 emissions allocated to the vehicle

**Safety Criteria - Highest:** the highest weighting to purchase shall be given to vehicle safety. Vehicles must have an Australasian New Car Assessment Program (ANCAP) five-star rating. For Light Commercial Vehicles including vans and utilities, the Shire will preferentially select vehicles with a minimum 4-star ANCAP rating. Where rating is unavailable the Shire will procure vehicles fit for purpose with safety features similar to 4- star ANCAP rating.

- 2.2 The annual budget provides allocations for each category of vehicle within the light vehicle fleet that is consistent with and complimentary to the needs of the organisation and officers.

### 3.0 Categories of Vehicles

Category One – CEO \$80,000

Category Two – Deputy CEO and Executive Manager Infrastructure and Assets \$70,000

Category Three – Managers \$55,000

Category Four – Limited or no private use \$45,000

Category Five – Pool vehicle \$45,000

### 4.0 Safety Rating

All vehicles allocated to employees must have a 5 Star ANCAP safety rating. For Light Commercial Vehicles including vans and utilities, vehicles must have a minimum 4-star ANCAP rating and when not rated, with safety features similar to 4- star ANCAP rating.

### 5.0 Vehicle Allocations

5.1 The Chief Executive Officer will determine vehicle allocations and vehicle use status applicable to employees and/or positions taking into consideration industry and market trends, and whole of life costing.

5.2 In determining vehicle allocations and vehicle use a flexible approach to the changeover of the vehicle fleet will be taken with due consideration being given to the make and model of vehicles and the kilometres travelled.

5.3 The Chief Executive Officer and Executive Managers shall be provided with a private vehicle as per their employment contract or equivalent agreement.

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- 5.4 The authorised driver of a specific vehicle shall be a driver authorised under a specific employment contract or staff of the Shire of Gnowangerup who has:
- (a) been assigned the vehicle as part of their Council duties and/or conditions of employment.
  - (b) an appropriate licence and a record of which is on the personnel files of the person to which the vehicle has been assigned.
  - (c) is responsible for the care and management of the vehicle.

## 6.0 Classification of Use

Vehicle use is classified into four categories:

### 6.1 Unrestricted Private use

Officers may use the vehicle for unrestricted Council business and private use in accordance with the individual's employment contract.

### 6.2 Restricted Private Use

Officers granted vehicles in this class are limited to operation within the confines of the Shire of Gnowangerup geographic municipality boundary. Vehicles cannot be driven outside the Shire boundary without the prior written authorisation of the CEO. Completion of 'Application Personal Use of a Council Vehicle' form is required. Should approval be granted, the Officer is responsible to pay for all fuel costs.

### 6.3 Commuter Use Only

Council vehicles for commute use only may be used for transport to and from home/work only, by the most direct route. Any variations are to be agreed by the CEO.

## 7.0 Approved Drivers

- 7.1 Employees who are required to operate a Shire vehicle in the performance of their duties must be in possession of a valid WA driver's licence. A copy of the driver's licence must be provided to the Payroll (Finance) Officer to be put on their personnel file.
- 7.2 If at any time the licence of an approved driver expires or is revoked, or the driver is otherwise disqualified from driving, it is the responsibility of the driver to inform their supervisor immediately. They will not be entitled to drive a Shire vehicle until their licence is reinstated.

## 8.0 Use of Council Vehicles

### 8.1 Authorised Private Use of Vehicles

A person who has private use of vehicle as part of their employment contract can use their vehicle in accordance with their contract of employment. SoG recognises that where an employee is granted full private use of a vehicle, this vehicle in many cases

becomes that employee's family vehicle. Accordingly, such employees are entitled to grant permission to drive the Shire vehicle whilst on private use provided such person(s) hold a current driver's licence and is:

- (a) the partner of the employee who permanently resides with the employee, or
- (b) another suitably licensed person where employee and/or employee's partner is the passenger in the passenger in the vehicle.

SoG vehicles are not permitted to compete in any car rally or competition or be used for any commercial purpose outside of Shire's own operations. Where employees have full private use of a Four-Wheel Drive vehicle, only appropriate recreational use of the vehicle is permitted. Appropriate off-road use can be defined as utilising the vehicle only where access is provided by either a marked track/trail (e.g. camping ground access, fire trail, dirt roads), or where vehicular access is specifically allowed (e.g. Beach driving). Where inappropriate private use of a 4WD results in damage to the vehicle, the employee using the vehicle will be responsible for all repair costs incurred.

## 8.2 Commuter Use Vehicle

In determining the type of Commuter Use vehicles available, the CEO will have due regard to whole of life costs, operational needs, environmental and safety considerations. Generally, vehicles listed in the Commuter Use Vehicles List will be four-cylinder vehicles.

Commuter Use does not include:

- (a) transportation of family members or members of the public, unless for work related purposes;
- (b) transportation of other Council employees to and from work, unless they live on a direct route to work or meet the driver at the premises where the vehicle is garaged;
- (c) visits to private or non-work-related locations other than isolated instances such as stopping at a shop on the way home via the direct route; and
- (d) use of the vehicle during work breaks for private purposes.

Responsible Officers with Commuter Use may not nominate other drivers to use the vehicle for Commuter Use purposes other than in instances where the vehicle is required to attend to Council business such as an after-hours callout and the Responsible Officer is unavailable to attend.

Vehicles used for Commuter Use are to be made available to officers during Council's standard hours of operation and must be returned to the workplace in all instances of leave exceeding two days, or circumstances where the relevant Manager deems there is a reasonable operational need for the vehicle during the officer's absence.

The CEO or Deputy CEO may authorise a "once off" Commuter Use of a vehicle due to the operational or business requirements of an officer's role.



In general, it is not permissible for any person other than the Responsible Officer with Commuter Use to travel between home and the worksite/workplace in the Council vehicle. However, where emergency/extenuating circumstances warrant, the Responsible Officer's nominated spouse or partner, or another nominated person may act as a relief driver.

Commuter Use may be withdrawn from a Responsible Officer should it be determined that there is no longer an operational need for the vehicle, or this type of vehicle use.

### 8.3 Pool Vehicles

SoG vehicles which are not designated to any specific person or department are to be used for pooling. All pool vehicles will be controlled by the Works Manager.

### 8.4 Fuel Cards

SoG will supply vehicles with a fuel credit card. Where a fuel card has not been provided, purchase orders are to be raised and approved by authorised personnel prior to filling the fuel tank. In the event where an employee has no choice but to make out of pocket payment for fuel, receipts are to be kept for reimbursement. Reimbursement should be claimed by submitting Request for Reimbursement Form approved by authorised personnel to the finance department.

Fuel cards are to be used solely for SoG use. The Fuel Card should be used only for the purchase of fuel (ULP or Diesel only) for Shire vehicles. No other purchases are permitted on the fuel card. The use of this card for obtaining bonus points (i.e. Flybuys Points) is prohibited, as Council will be liable for Fringe Benefits Tax.

Fuel cards are to be kept in the designated vehicle at all times and misplaced cards must be reported immediately to the Senior Finance Officer who will facilitate the cancellation of the card.

### 8.5 Records of Usage (Logbooks)

#### 8.5.1 Restricted or Commute only use

SoG shall maintain records of vehicle usage in order that:

- (a) the extent of operational and private use can be measured and to calculate fringe benefits tax liability for all SoG vehicles; and
- (b) the person responsible for the vehicle when an infringement, damage or loss occurs for all vehicles can be identified.

Logbooks are to be filled out every time the vehicle is used. Logbooks are to be filled out with odometer readings every time the vehicle is used.



## 8.5.2 Private Use

A logbook is to be completed for a period of three consecutive months once in every four-year period, unless the vehicle has a change of allocation or is traded for another.

## 8.6 Vehicle Security

Vehicles must be:

- (a) Parked at a council property for insurance reasons
- (b) Parked in a safe and secure place if out of Gnowangerup.
- (c) Properly secured when unoccupied (i.e. Keys removed, doors locked and security systems activated).
- (d) Confidential material and expensive equipment must not be left in unattended vehicle.

## 8.7 Insurance

Losses or damage to any personal property carried or kept in a SoG vehicle shall remain the responsibility of the officer to whom the vehicle is assigned at that time the property was placed in the vehicle, unless such property is used in connection with official business.

## 8.8 Servicing and Maintenance

Vehicles are to be maintained in a condition that reflects SoG in a positive manner i.e. clean, tidy and well maintained. It is the responsibility of the driver, to whom the vehicle is allocated or in use of last, to ensure that it is cleaned regularly inside and out. Staff using SoG pool vehicle for a task must return it clean, tidy and fuelled.

Drivers are responsible for arranging the delivery of vehicles to the Shire of Gnowangerup Depot for servicing and maintenance or another area as arranged by workshop (i.e. Dealership).

## 8.9 Safe Driving Standards

### 8.9.1 Smoking

Smoking is strictly prohibited in SoG vehicles at all times.

### 8.9.2 Mobile Phones

The use of mobile phones is prohibited by law when operating a vehicle unless the vehicle has hands-free functionality.

### 8.9.3 Driving Range

All SoG Vehicles are to be used only within Western Australia. If vehicles are to be taken outside of Western Australia, prior written approval from CEO is to be obtained, unless stated differently in a Contract of Employment.

### 8.9.4 Modifications to or In Vehicles

No modifications can be made to any SoG vehicles.

#### COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>Council Policy</li> </ul>
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#### DOCUMENT CONTROL

#### INFRASTRUCTURE, ENVIRONMENT & ASSET MANAGEMENT

Policy Number	<b>5.2</b>
Responsible Officer	Asset and Waste Management Coordinator
Initial Council Adoption	22 September 2012
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> <li>28 August 2024 (approved by Council 28 August 2024)</li> </ul>
Next Review Due	31 August 2025 This policy will be reviewed annually or more often where circumstances require.

## GNOWANGERUP AIRPORT LOCAL PLANNING POLICY

### Objective

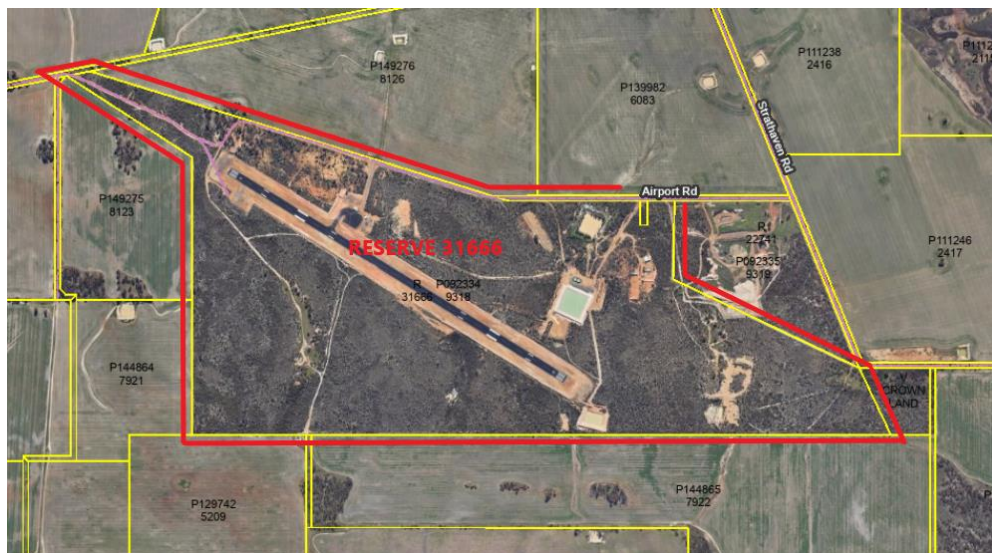
#### To:

- protect the primary purpose of the Airport for aviation related activities;
- encourage further development of aviation facilities and activities at the Airport and allow complementary activities and uses which facilitate ongoing and increased use of the Airport;
- provide planning controls to ensure that all uses and/or development on the Airport are consistent with the Crown Land Title requirements for the reserve; and
- preclude any uses and/or development which would conflict with or jeopardise the continued function of the Airport.

### 1.0 Policy Area

This Local Planning Policy applies to the Gnowangerup Airport on Reserve 31666 (Lot 9318 on DP 92334) Airport Road, Pallinup (see Image 1 below).

Image 1 Gnowangerup Airport Reserve



### 2.0 Planning Approval Required

The Gnowangerup Airport is situated on a Local Reserve for Public Purposes and designated as an Aerial Landing Ground under Local Planning Scheme No. 2.

The Gnowangerup Airport is contained on Crown Land Title (Volume LR3106 Folio 473) for the purpose of aerial landing ground and recreation and a Management Order

exists that enables the Shire with power to lease portions of the land for a period not exceeding 21-years.

In accordance with Local Planning Scheme No. 2, a person must not use a Local Reserve or commence or carry out development on a Local Reserve, without first having obtained planning approval from the Shire. As such, all use and/or development on the Gnowangerup Airport requires planning approval from the Shire prior to any works commencing. All applications shall comply with relevant Civil Authority Safety Authority (CASA) guidelines.

In determining an application for planning approval, the Shire shall have due regard to the matters set out in clause 10.2 of Local Planning Scheme No. 2; and the ultimate purpose intended for the Reserve.

### 3.0 Consultation

In preparing an application for development approval, the proponent must undertake consultation with the Wagyl Kaip Southern Noongar Aboriginal Corporation, to determine the necessity for involvement with local Elders and the development of a heritage survey.

Once an application for development approval has been lodged, the Shire may engage with other lease holders within the subject Reserve 31666.

### 4.0 Compatible Land Use Activities

The Shire considers the following land use activities to be consistent with the purposes for the Gnowangerup Airport Reserve:

- (a) Airport (including use by helicopters, gliders etc.);
- (b) Aircraft Hangars;
- (c) Aircraft Sales/Service/Hire;
- (d) Air Shows;
- (e) Aerial Spraying Operations;
- (f) Flight School;
- (g) Use by Emergency Service Organisations (including ambulance depot, fire suppression activities etc.);
- (h) Service Industry (must be aircraft related); and
- (i) Other incidental or aviation allied activities considered appropriate by the Shire.

## 5.0 Development Standards

A hangar is a closed building structure to provide protection for an aircraft. Most hangars are built of metal, but other materials such as wood and concrete are also used. Hangars are expected to be used for protecting the aircraft from the weather, aircraft maintenance, repair, re-fueling, manufacture/assembly and storage activities.

- (a) Hangar buildings shall be located within the nominated Hangar Area shown in Image 2 - Nominated Hangar Development Area.
- (b) Prior to occupation of use, the hangar development is to be connected to a power source, at the cost of the proponent, to the satisfaction of the Shire. In order to accommodate additional power users (e.g. Aircraft Hanger outlets), the underground powerline within the aerodrome may need upgrading and a transferrer installed to boost the power into the Aerodrome from the Western Power network.
- (c) Prior to occupation of use, stormwater associated with development is to be managed at the cost of the proponent, to the satisfaction of the Shire.
- (d) As a component of a hangar development, suitable access to the existing Airport Taxiway (bitumen area) is to be established at the cost of the proponent, to the satisfaction of the Shire.
- (e) Separation distances between buildings shall be in accordance with the Building Code of Australia, CASA guidelines or as otherwise determined by the Shire;
- (f) Any buildings developed on the Airport Reserve shall be constructed in accordance with the Building Code of Australia. Prior to development a certified building permit must be obtained and lodged with the Shire.
- (g) Any vehicles associated with the use of the hangar shall be parked off any adjoining taxiway and within the lease area or hangar;
- (h) Any advertising sign shall be erected on the hangar building and requires a separate planning approval from the Shire;
- (i) Where a hangar building includes amenities such as an office, toilet, shower, sink, kitchen area etc., they shall be connected to an approved supply of water (from roof catchment and storage tank) and on-site effluent disposal system to the satisfaction of the Shire's Environmental Health Officer;
- (j) All rubbish and waste material shall be stored in the hangar building in suitable rubbish receptacles and disposed of in accordance with regulatory authority requirements. No oil, fuel or similar products are permitted to be disposed of



on or into the ground. Fuel and chemical storage should be undertaken to the satisfaction of the Department of Energy, Mines, Industry Regulation and Safety.

- (k) The owner of the hangar shall ensure that adequate fire control measures are in place at all times.

## 6.0 Leases

The Shire requires that prior to development of any building on the Airport Reserve the proponent shall enter into a lease for the land for a period not exceeding 21-years. The Shire shall prepare the lease at the proponent’s cost.

In relation to the drafting of a lease agreement, consideration should be given to:

- (a) Conditions of development approval
- (b) Development of a Survey Plan for the nominated building envelope, undertaken at the cost of the proponent
- (c) A Rental Evaluation Assessment, undertaken at the cost of the proponent
- (d) The demolition of development and rehabilitation of land should a lease agreement terminate.

Image 2 – Nominated Hangar Development Area



## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>• Planning and Development Act 2005</li> <li>• Shire of Gnowangerup – Local Planning Scheme No.2.</li> <li>• Planning and Development (Local Planning Schemes) Regulations 2015</li> <li>• Land Administration Act</li> <li>• Crown Land Title Management Order</li> </ul>
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## DOCUMENT CONTROL

### INFRASTRUCTURE, ENVIRONMENT & ASSET MANAGEMENT

Policy Number	<b>5.3</b>
Responsible Officer	Town Planner
Initial Council Adoption	22 April 2015
Review Dates	<ul style="list-style-type: none"> <li>• 31 May 2019</li> <li>• 21 March 2025 (approved by Council 28 May 2025)</li> </ul>
Next Review Due	28 May 2027 This policy will be reviewed every two years or more often where circumstances require.

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## GATE PERMITS POLICY

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### Objective

To provide guidelines for the application and consideration of gate permits to erect gates and/or stock grids across road reserves under the care and control of the Shire of Gnowangerup

### 1.0 Policy Requirements

The Council shall consider and apply the following requirements to the application, processing and issuing of gate permits within the Shire:

- i) The erection of a gate shall only be permitted across an undeveloped and/or unconstructed road reserve and should generally be aligned with property boundaries. The Shire may only permit stock grids on developed and/or constructed roads;
- ii) An applicant for a gate permit shall include:
  - Written support from all affected landowners along the road reserve;
  - A scaled site plan showing the precise location of the proposed gate; and
  - Details on the type of gate to be erected.
- iii) Permits will be granted for a maximum period of three years and will need to be renewed. If the permit is not reapplied for, the Council shall issue a written notice for the gate to be removed by the permit holder;
- iv) Gates are not permitted to be locked unless the permit holder has provided access (using common padlocks or similar) to service authorities and local emergency services groups/personnel;
- v) All costs with establishing and maintaining an approved gate will be the responsibility of the permit holder;
- vi) It is the responsibility of the permit holder to ensure any clearing of vegetation required to construct and maintain the gate shall comply with the *EP (Clearing of Native Vegetation) Regulations 2004*;
- vii) Any gate permit will be cancelled if conditions of approval are not met;
- viii) Applications for a gate permit will be advertised in the relevant local newspaper for community input and information;
- ix) All approved gate permits will be entered on the Shire's property database to alert staff etc to their existence;
- x) Approved gate permits will be inspected for compliance; and



- xi) A gate permit may be cancelled by written notice issued by the Council if the conditions of approval are not satisfactorily met. In this event the gate will be required to be removed by the permit holder within the time period specified. If the written notice is not complied with financial penalties can apply under the Local Government Act/Regulations.

The Council will not approve any gate that in its opinion would have an adverse impact on traffic, activities on surrounding land and/or the overall locality or on the local emergency services.

## COMPLIANCE REQUIREMENTS

Legislation	Local Government Act 1995
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## DOCUMENT CONTROL

### INFRASTRUCTURE, ENVIRONMENT & ASSET MANAGEMENT

Policy Number	5.4
Responsible Officer	Executive Manager Works and Infrastructure
Initial Council Adoption	24 August 2016
Review Dates	<ul style="list-style-type: none"> <li>31 May 2019</li> <li>31 August 2023 (approved by Council 27 September 2023)</li> </ul>
Next Review Due	31 August 2028 This policy will be reviewed every five years or more often where circumstances require.

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## TEMPORARY ACCOMMODATION APPROVALS POLICY

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### Objective

- Provide safe, regulated temporary accommodation solutions through the responsible use of caravans or other temporary accommodation arrangements on private land to help alleviate housing pressures.
- Establish and implement clear requirements for sanitation, utility connections and structural safety of the temporary accommodations to promote proper living conditions and protecting public health and welfare within the community.
- Preserve community standards by setting location, duration, and amenity requirements that minimize potential disruptions, such as noise or overcrowding, in residential neighbourhoods.

### 1. Purpose

To establish clear guidelines of the use and placement of caravans and temporary camping accommodations on residential, rural, and other designated lands within the Shire of Gnowangerup, in accordance with the *Caravan Parks and Camping Ground Regulations 1997 (Regulation 11A)* and any associated planning, building, and environmental health requirements.

### 2. Definitions

Temporary Accommodation – for the purposes of this Policy temporary accommodation refers to a caravan or other temporary accommodation arrangements. Caravans or tiny homes on wheels must be maintained in such a condition that it is able to be moved under its own power or by being towed at all times.

### 3. Application and Conditions

#### 3.1 Application

- Permitted Use by Zoning:
  - Residential Areas are permitted for use of caravans or other temporary accommodation arrangements for temporary camping subject to this policy conditions.
  - Rural and Industrial Zones may require a Development Application (DA).
- Delegation of applications shall designate to the Chief Executive Officer unless there is a requirement for a DA.

- Circumstances that would be considered for temporary accommodation
  - Camping on private land is permissible for owner-builders during construction of a primary residence or for temporary, approved personal use.
  - temporary housing following a natural disaster
  - for seasonal worker housing
  - to support someone ageing-in-place
  - other personal circumstances
- Applicant must provide evidence of legal right to occupy the land (lease agreement or owner's consent if not the landowner).
- A plan detailing the proposed location of the caravan or other temporary accommodation arrangements on the site, including distances from boundaries and other structures, is required.

### 3.2 Approval Conditions

- Tents are not permitted.
- The caravan or other temporary accommodation arrangements must be located behind the front setback line on the site.
- Only non-rigid annexes are permitted.
- An application fee will apply as set out on the Shire's annual Fees and Charges. Fee adjustments will be reviewed as necessary.
- Utilities and Sanitary Requirements are
  - The accommodation must be connected to an approved water source and sewer/septic system. Self-contained waste disposal via dump point is not permitted.
  - When not connected to the public sewer, a plumber's report must confirm that the on-site system has sufficient capacity for the additional wastewater.
  - Must be connected to power. If using an extension cord, it must be either overhead (minimum height of 2 meters), buried underground *or be* covered with a cable protector or like eliminate trip hazards.
  - Must include or have access to a shower, toilet, hand basin, washing machine, and kitchen sink with hot and cold water. These facilities may be located either within the temporary accommodation or in a separate building on the same property.
- Building Requirements
  - Caravans are deemed vehicles; therefore, a building permit is not required for their placement.
  - Cyclone tie-downs, if required, must be designed and certified by a structural engineer.
- Camping Duration and Social Considerations:

- Camping permits are valid for a maximum period of 24 months. After this period, caravans must be removed, and all connections to water, power, sewer, or septic systems capped. Applications for longer periods can be sought from the Shire and will be assessed on an individual basis.
- Approval will be provided based on addressing potential social impacts such as noise, overcrowding, and the renting of caravans, which may result in substandard living conditions.
- The Shire can revoke an approval if an applicant fails to meet the conditions of approval.

## COMPLIANCE REQUIREMENTS

Legislation	<ul style="list-style-type: none"> <li>• Caravan Parks and Camping Grounds Act 1995</li> <li>• Caravan Parks and Camping Grounds Regulations 1997</li> <li>• Caravan Parks and Camping Grounds Amendment Regulations 2024 11.A</li> </ul>
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## DOCUMENT CONTROL

### INFRASTRUCTURE, ENVIRONMENT & ASSET MANAGEMENT

Policy Number	<b>5.7</b>
Responsible Officer	Environmental Health Officer
Initial Council Adoption	21 March 2025
Review Dates	N/A – new policy
Next Review Due	21 August 2027 This policy will be reviewed every two years or more often where circumstances require.

## Renewable Energy Facilities Local Planning Policy Shire of Gnowangerup - Local Planning Scheme No.2

### 1. Introduction

This policy applies to an application for a ‘Use Not Listed – Renewable Energy Facility’.

Renewable energy facilities in Western Australia are principally wind turbine and solar array systems.

‘Renewable Energy Facility’ means:

*premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.*

Requirements of this policy may vary dependent on the application type - wind turbine or solar array system.

### 2. Background

The *Western Australian Planning Commission’s State Planning Strategy 2050*<sup>1</sup> promotes renewable energy initiatives.

The placement and management of renewable energy facilities have become contentious issues in local communities across Western Australia. Concerns have been raised regarding the location of these facilities on agricultural land, their proximity to rural boundaries and residences, and their potential impact on right-to-farm practices such as aerial spraying activities (WALGA Research Paper October 2024)<sup>2</sup>.

### 3. Relevant Scheme Provisions

A ‘renewable energy facility’ is not defined in the Shire of Gnowangerup *Local Planning Scheme No.2* (scheme)<sup>3</sup>, nor is it listed in scheme’s Table 1: Zoning Table. A renewable energy facility therefore must be processed as a “Use not Listed” whereby the determining authority may:

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval;  
or

<sup>1</sup> Western Australian Planning Commission’s State Planning Strategy 2050  
<https://www.wa.gov.au/government/publications/state-planning-strategy-2050>

<sup>2</sup> WALGA Research Paper October 2024  
<https://walga.asn.au/awcontent/Web/Documents/Economics/Renewable-Energy-in-WA-WALGA-Research-Paper.pdf>

<sup>3</sup> Shire of Gnowangerup *Local Planning Scheme No.2*  
<https://www.wa.gov.au/system/files/2021-10/LPSC-Gnowangerup-Local-Planning-Scheme-No-2.pdf>

- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

The following scheme provisions may be considered relevant in assessing proposals for renewable energy facilities:

*Clause 1.6 The aims of the Scheme*

- *To promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities.*
- *To safeguard and enhance the character and amenity of the built and natural environment of the Shire.*

*10.2 Matters to be Considered by Local Government*

- n) *the preservation of the amenity of the locality*

*Schedule 1 – Definitions*

*Amenity - means all those factors which combine to form the character of an area and shall include the present and likely future amenity*

## 4. Policy Objectives

The purpose of this policy is to provide a framework for the assessment of renewable energy facilities in the Shire of Gnowangerup.

This policy seeks to ensure that:

- 1) The local community is engaged in the early stages of renewable energy facility planning by the proponent before lodgement of any formal development application. Consultation is also to be undertaken by the local government as a component of a development application.
- 2) Renewable energy facilities do not impact on rural activities (food production) and including associated aviation (for wind farms).
- 3) Renewable energy facilities do not impact on the potential for tourism in the Shire of Gnowangerup.
- 4) Satisfactory distances and buffers are considered to townsites, sensitive land uses, lot boundaries and future development of adjacent lots, considerate of noise (wind farms) and visual amenity.
- 5) Areas of visual significance are protected and that energy facilities are appropriately and sensitively sited. In particular, consideration should be given to the visual amenity associated with the Stirling Ranges.
- 6) The natural environment (remnant vegetation, flora and fauna) is not compromised.
- 7) Sensitive uses are not impacted by noise (wind farms), in accordance with the *Environmental Protection (Noise) Regulations 1997* (WA Noise Regulations)<sup>4</sup>.

<sup>4</sup> Environmental Protection (Noise) Regulations 1997 (WA Noise Regulations)  
<https://www.agenda.wa.gov.au/legislation/statutes/Ordinary-Council-Meeting-28-May-2025>

- 8) Road infrastructure is protected. The developer is responsible for the repair of any undue damage to public roads caused by movement of machinery associated with the development of a renewable energy facility.
- 9) Cultural heritage is considered. This may involve a review of registered sites and consultation with local Elders and the Wagyl Kaip Southern Noongar Aboriginal Corporation.
- 10) Bushfire hazards and bushfire risk management is considered in the development and ongoing operations of a renewable energy facility.
- 11) Decommissioning and remediation works is undertaken within 12 months of a renewable energy facility ceasing to operate.

## 5. Application Requirements

An application for a renewable energy facility must be accompanied by the following information, as appropriate:

- 1) Detailed specifications of the renewable energy system to be installed, including site plans detailing setbacks, access, floor plan and elevation plans for any building structures (see section 6).
- 2) A Community and Stakeholder Engagement Plan (see section 7).
- 3) An Environmental Survey (see section 8).
- 4) A Visual and Landscape Impact Assessment (see section 9).
- 5) A Noise Impact Assessment and including a Noise Impact Mitigation Plan (Specifically relates to wind farms - see section 10).
- 6) A Cultural Heritage Impact Assessment (see section 11).
- 7) A Construction Management Plan (see section 12)
- 8) An Operational Management Plan (see section 13).
- 9) A Traffic Management Plan (see section 14).
- 10) A Bushfire Management Plan (see section 15).
- 11) An Aviation Impact Assessment (Specifically relates to wind farms - see section 16).
- 12) A Shadow Flicker Assessment (Specifically relates to wind farms - see section 17).
- 13) A Decommissioning Plan (see section 18).

## 6. Detailed Design

The design of the renewable energy facility should be presented in written and illustrative form, including details of:

- 1) Solar panel or wind turbine and blade design, including dimensions, height, colour and materials;
- 2) Layout, orientation and siting arrangements;
- 3) Road design;
- 4) Earthworks, vegetation clearing and rehabilitation areas;

- 5) Small-scale plans and cross sections showing the layout of infrastructure, ancillary buildings and equipment;
- 6) Power output and description of electrical specifications and connections; and
- 7) Operational and maintenance arrangements, including tourist management facilities and amenities.

The impact of renewable energy facilities on nearby property owners, road users, and the use of adjacent land should be addressed through the detailed design.

Wind farm proposals in-particular, should not have negative impact through:

- 1) Shadow flickering, reflection, or blade glint impacts beyond the boundaries of any lot subject to the application;
- 2) Unreasonable interference with normal agricultural or farming activities of nearby rural properties, such as aerial spraying.
- 3) Interference with existing lawful continued use of neighbouring land including intensive rural activities, and tourism uses; or
- 4) Proximity to established residential areas, whether the land is zoned residential, rural residential or is residential by nature (smaller lots of a typical residential size containing dwellings). The amenity of urban and semi-urban areas and the rural character surrounding urban areas needs to be afforded a high level of protection.

The Shire will also consider any wind farm application under clause 5.3.5 (Public Aviation and Safety), 5.3.6 (Heritage), and 5.3.7 (Construction Impact), contained in the 'Western Australian Planning Commission Position Statement: Renewable Energy Facilities' (March 2020)<sup>5</sup>. Where there is a conflict between this Policy and the Western Australian Planning Commission Position Statement, this Policy shall prevail.

Council will also consider relevant sections of Guideline D of the 'National Airports Safeguarding Framework'<sup>6</sup> including clause 25 on consultation, clauses 26-29 on risk assessment, clauses 33-34 on lighting, clause 39 on wind monitoring towers, clause 41-42 on obstacle lighting and clause 43 on turbulence.

## 7. Community and Stakeholder Consultation

Renewable energy facility proponents must actively engage in early community and stakeholder consultation, prior to lodgement of any formal application. This includes early consultation with the Shire of Gnowangerup.

Consultation should demonstrate a commitment to providing clear information and ensuring opportunities for genuine input and delivering good planning outcomes.

Pre-lodgement consultation should be aimed at identifying and considering options for eliminating,

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<sup>5</sup> Western Australian Planning Commission (WAPC) Position Statement on Renewable Energy Facilities  
<https://www.wa.gov.au/system/files/2021-07/POS-Renewable-energy-facilities-position-statement.pdf>

<sup>6</sup> 'National Airports Safeguarding Framework'  
<https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-safety/aviation-environmental-issues/national-airports-safeguarding-framework>



reducing or otherwise managing impacts, not merely informing communities and stakeholders on the proposed layout.

The Shire expects that proponents will use a range of tools for community and stakeholder engagement. The Shire has a strong view that developers need to invest time and effort into positive community engagement and to build a relationship with nearby and adjacent owners, before any formal lodgement of an application.

This Policy requires applications for renewable energy facilities to address consultation comprehensively and including:

- 1) Lodgement of a detailed Community and Stakeholder Engagement Plan that outlines the outcomes of pre-lodgement community consultation, and a strategy for further consultation for the life of the development. The engagement plan should identify key stakeholders early in the project planning stage and provide them with regular written updates before lodgement;
- 2) The Community and Stakeholder Engagement Plan should incorporate the fundamental principles, actions and frameworks outlined in the Clean Energy Council 'Community Engagement Guidelines for the Australian Wind Industry'<sup>7</sup>; and
- 3) An outline of how landowners' and stakeholders' issues have been considered before lodging any formal development application.

Proponents should liaise with all relevant stakeholders early in the process including, but not limited to the Shire, Main Roads WA, Western Power, Civil Aviation Safety Authority, Air Services Australia, Royal Flying Doctor Service, Department of Fire and Emergency Services, Department of Planning, Lands and Heritage, Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions, Department of Primary Industries and Regional Development, Environmental Protection Authority, local aerial spraying contractors, unlicensed airstrip owners (within a five (5) kilometre radius of a turbine), any relevant incorporated local aeronautical associations, and any relevant local community groups.

## 8. Environmental Impact

Consistent with the Western Australian Planning Commission (WAPC) Position Statement on Renewable Energy Facilities<sup>8</sup>, this Policy requires applicants to address, avoid and minimise impacts of any renewable energy facility on the natural landscape, and environment, including flora and fauna.

Applications should be accompanied by an Environmental Survey of the site by a suitably qualified environmental consultant and address:

- 1) The type, location and significance of flora and fauna.
- 2) Any rare or endangered species.
- 3) Stopover sites, migration routes, and roosting or nesting sites for birds of conservation significance.

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<sup>7</sup> Clean Energy Council 'Community Engagement Guidelines for the Australian Wind Industry'  
<https://assets.cleanenergycouncil.org.au/documents/advocacy-initiatives/community-engagement/wind-community-engagement-guidelines.pdf>

<sup>8</sup> Western Australian Planning Commission (WAPC) Position Statement on Renewable Energy Facilities  
<https://www.wa.gov.au/system/files/2021-07/POS-Renewable-energy-facilities-position-statement.pdf>

- 4) Location of bat colonies (for wind farm applications).
- 5) Areas of high raptor (bird of prey) activity (for wind farm applications).
- 6) Existing remnant vegetation to be retained or that is proposed to be removed (on a plan).
- 7) Distances to areas of habitat, remnant vegetation and areas of natural environment on a context plan, including conservation areas, reserves or crown land.
- 8) Maximising distances to bird conservation areas, breeding grounds of sensitive species and areas of remnant bushland that are likely high-value bird habitats or habitats for birds of conservation significance.
- 9) Methods to avoid bird collision such as increasing the visibility of rotor blades (where feasible), flashing lights, and keeping bird migration corridors free.

## 9. Visual and Landscape Impact

A Visual and Landscape Impact Assessment is required and shall:

- 1) Describe the appearance of changes in the landscape caused by the proposed renewable energy facility.
- 2) Identify the view of the renewable energy facility from key sensitive land uses, views from key locations of major roads and tourist routes (including rest areas), heritage places, tourist facilities, recreational reserves and areas utilised by the general public such as camping areas and walking trails.
- 3) Ensure photos in the report include a view of the existing landscape and a clear photomontage with the energy facility superimposed. Photomontages should include height dimensions to clearly show the scale.
- 4) Include all images in colour with a high-quality resolution.
- 5) Include a clear plan that shows the location of where each photo was taken, the direction it was taken, and the numbering of each photo location.
- 6) In addition to addressing this Policy, Visual and Landscape Impact Assessment should be undertaken in accordance with the WAPC 'Visual Landscape Planning in Western Australia' manual<sup>9</sup> and the 'Wind Farms and Landscape Values' (2005) published by the Australian Wind Energy Association and Australian Council of National Trust<sup>10</sup>.
- 7) Renewable energy facilities are required to be designed, sited and operated to minimise their visual impacts and off-site impacts and shall meet the following requirements:
  - a) For wind farms - a setback of two (2) kilometres between any wind turbine, measured from the tip of the blade, when at its nearest point from an existing dwelling on a neighbouring lot, that is not associated with the development. A lesser setback may be considered by

<sup>9</sup> WAPC 'Visual Landscape Planning in Western Australia' manual.

[https://www.wa.gov.au/system/files/2021-06/ML\\_Visual-landscape-planning-in-Western-Australia.pdf](https://www.wa.gov.au/system/files/2021-06/ML_Visual-landscape-planning-in-Western-Australia.pdf)

<sup>10</sup> 'Wind Farms and Landscape Values' (2005) published by the Australian Wind Energy Association and Australian Council of National Trust.

Available From:

- Australian Wind Energy Association, GPO Box 4499, Melbourne VIC 3001
- Australian Council of National Trusts, PO Box 100, Canberra ACT 2600

the Council if agreed to in writing by the affected property owner(s) at the time of lodgement of a development application.

- b) For wind farms - a setback of one (1) kilometre between any wind turbine, measured from the tip of the blade, when at its nearest point from a neighbouring lot boundary, that is not associated with the development. A lesser setback may be considered by the Council if agreed to in writing by the affected property owner(s) at the time of lodgement of a development application.
- c) For wind farms - blades on wind turbines to rotate in the same direction and ensure that all turbines have uniformity in terms of colour, size, and shape.
- d) Solar panels should be sited to reduce the likely impacts of glint and glare.
- e) Implementation of landscaping within the development site to mitigate visual impact to the greatest extent possible from sensitive land uses. Locating energy facilities in flatter landscapes, where feasible, to reduce visibility due to shortening the visual perspective of the structures.

Landscaping outside of the lots being developed for a renewable energy facility is not accepted as being a practical mechanism for visual mitigation as conditions of planning approval cannot require works outside of the development site.

For the purpose of this Policy, the term 'sensitive land use' is as per the definition in the WAPC Position Statement on Renewable Energy Facilities<sup>11</sup> as 'land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and child care centres and generally exclude commercial or industrial premises.'

The Shire will also take into account the description of types of 'sensitive land use' as outlined in Clause 2.3 of the Environmental Protection Authority 'Guidance for the Assessment of Environmental Factors'<sup>12</sup>.

## 10. Noise Impact (Specifically for wind farms)

A Noise Impact Assessment shall be lodged with any wind farm proposal to demonstrate that it can meet the standards under the *Environmental Protection (Noise) Regulations 1997* (WA Noise Regulations)<sup>13</sup>.

The current version of the South Australian Environmental Protection Authority 'Wind Farms Environmental Noise Guidelines (2021 or its replacement)<sup>14</sup> should also be referenced for assessment purposes. It is accepted that wind farm noise can be generally masked by wind generated noise, and the assigned levels can then be calibrated by the wind generated noise, if it

<sup>11</sup> Western Australian Planning Commission (WAPC) Position Statement on Renewable Energy Facilities  
<https://www.wa.gov.au/system/files/2021-07/POS-Renewable-energy-facilities-position-statement.pdf>

<sup>12</sup> The Environmental Protection Authority 'Guidance for the Assessment of Environmental Factors'  
[https://www.epa.wa.gov.au/sites/default/files/Policies\\_and\\_Guidance/GS3-Separation-distances-270605.pdf](https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/GS3-Separation-distances-270605.pdf)

<sup>13</sup> Environmental Protection (Noise) Regulations 1997 (WA Noise Regulations)  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_1399\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1399_homepage.html)

<sup>14</sup> South Australian Environmental Protection Authority 'Wind Farms Environmental Noise Guidelines (2021 or its replacement).  
[https://www.epa.sa.gov.au/files/47788\\_windfarms.pdf](https://www.epa.sa.gov.au/files/47788_windfarms.pdf)

does mask the noise at the sensitive premises location.

The Noise Impact Assessment is to be completed by a suitably qualified acoustic consultant, and should address construction noise, predicted noise levels associated with a fully operational wind farm, including infrasound and ground vibration, and is required to be completed by an acoustic consultant.

The Noise Impact Assessment may reference information from:

- The Victoria State Government Health Department technical information report on 'Wind farms, sound and health'<sup>15</sup> which provides information explaining the characteristics of low-frequency sound; and
- The Environment Protection and Heritage Council draft 'National Wind Farm Development Guidelines' (2010)<sup>16</sup> which explains the characteristics of low-frequency noise and infrasound.

The Noise Impact Assessment must consider the location of any existing sensitive land use. Applicants should address in detail how turbines are located to minimise future land use conflict and noise impact on future sensitive land uses.

The WA Noise Regulations protect 'rural premises' and other sensitive land uses. There is a 'highly sensitive area' defined in the WA Noise Regulations, which is an area within 15 metres from the building associated with sensitive use (such as a dwelling). If an adjacent landowner decides to subdivide or build a second dwelling on their lot, the most stringent assigned noise levels would apply to any new second house.

An application shall address the following:

- 1) Commitment to providing a Noise Impact Mitigation Plan for post-operational noise monitoring, to demonstrate that any constructed wind farm complies with the WA Noise Regulations, and to manage complaints regarding noise impact during the operational phase of the development.
- 2) Ability to contain all 'noise buffers' within the development lot boundaries for long-term ongoing compliance with the WA Noise Regulations to accommodate future development of adjacent lots with sensitive land uses/highly sensitive areas, particularly any form of dwellings. This is to ensure any wind farm location is compatible with existing land uses and future development.
- 3) The term 'noise buffers' in this Policy means any predicted noise contour lines/emissions that are higher than those acceptable for a "highly sensitive area".

Note: if an adjacent landowner constructs a dwelling on their property after a wind farm is constructed, it is the wind farm operator that has to take action to ensure that any new dwelling or sensitive premises is not impacted by noise levels exceeding what is permissible for a 'highly sensitive area' under the WA Noise Regulations. Applicants will need to demonstrate that any wind farm will not limit any future rural land use or sensitive land use on existing lots that do not form part of the development application.

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<sup>15</sup> The Victoria State Government Health Department technical information report on 'Wind farms, sound and health'  
[https://content.health.vic.gov.au/sites/default/files/migrated/files/collections/policies-and-guidelines/1/1212016\\_wind\\_turbine\\_community\\_web---pdf.pdf](https://content.health.vic.gov.au/sites/default/files/migrated/files/collections/policies-and-guidelines/1/1212016_wind_turbine_community_web---pdf.pdf)

<sup>16</sup> The Environment Protection and Heritage Council draft 'National Wind Farm Development Guidelines' (2010)  
[https://www.epc.gov.au/sites/default/files/2022-09/Ordinary\\_Council\\_Meeting\\_28\\_May\\_2025\\_guidelines-july-2010.pdf](https://www.epc.gov.au/sites/default/files/2022-09/Ordinary_Council_Meeting_28_May_2025_guidelines-july-2010.pdf)

## 11. Cultural Heritage

An assessment of potential impacts to cultural heritage values is to be undertaken as follows:

- 1) Initial consultation with the Wagyl Kaip Southern Noongar Aboriginal Corporation;
- 2) A desktop assessment to determine the environmental context and Aboriginal history and any lodged or registered Aboriginal artifacts or heritage sites of the project investigation area;
- 3) A ground survey to identify the presence of Aboriginal cultural heritage in or associated with the project site;
- 4) Engagement with local Elders.

In the event of an Aboriginal Heritage Site being discovered during development, the site is to be preserved and managed as per regulatory requirements and the impending Noongar Standard Heritage Agreement.

## 12. Construction Management Plan

A Construction Management Plan is to be submitted to address the following matters:

- 1) Standards and procedures for the construction of the development including the management of environmental emissions such as dust and noise;
- 2) Site disturbance should be minimised during construction through careful siting and measures to address erosion, drainage run-off, flooding, water quality, retention of remnant vegetation, stabilisation of top soil, and weed and disease hygiene;
- 3) Vehicle and machinery access and movement.

The transport of equipment and freight to the site should be carefully managed and may need to be coordinated with adjacent local governments. If ongoing disruption to traffic is likely to occur, police escorts may be required for the transport of large facilities.

Site clearance works, earth moving, cutting, filling and stockpiling of topsoil should be kept to a minimum wherever possible.

## 13. Operational Management Plan

An Operational Management Plan is to be submitted indicating ongoing management of the site (e.g. management for bushfire) and including infrastructure and service road maintenance as required for the operation of the energy facility.

The Operational Management Plan should have regard to any environmental and landscape impacts.

If visitor facilities are planned as part of the development, additional services may be required, including gas, water, telecommunications and on-site or off-site sewage treatment.

When a site is decommissioned, the demolition work will need to be managed and the site should be reinstated to its original use and condition, or other agreed use.

## 14. Traffic Management and Protection of Roads and Infrastructure

The Shire recognises that the development of renewable energy facilities may have significant impacts on the condition and serviceability of the local road network, during the construction

The Shire requires proponents of renewable energy facilities to be assessed for any road contributions for repairs or upgrades to sealed and/or unsealed roads managed by the Shire (Traffic Management Plan) because of construction or ongoing activities associated with the development beyond those considered normal day to day access and egress.

Reference should be made to the WAPC Transport Assessment Guidelines<sup>17</sup>.

The Traffic Management Plan should consider/include:

- 1) The MRWA - Operation and Maintenance Agreements to Access State Road Network<sup>18</sup>;
- 2) Route Assessments for the transport of dangerous goods on road networks;
- 3) Permit for vehicle and machinery access and movement for Restricted Access Vehicles – to the satisfaction of Heavy Vehicle Services – Main Roads WA (e.g. Transport of large wind turbine blades and towers).
- 4) A Road and Shire Infrastructure Condition Report, that identifies and records the conditions of any local roads and the Shire infrastructure that will be affected by any route for heavy vehicles and delivery trucks needed for the construction phase;
- 5) The costs associated with any damage caused to the roads or Shire infrastructure attributed to the construction phase of the development. Any damage shall be rectified by the developer to the standard identified in the pre-lodgement Road and Shire Infrastructure Condition report; and
- 6) All costs of any upgrading required for construction transport routes and/or the development.

The road contributions will be calculated based on the Western Australia Local Government Association's Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads<sup>19</sup>, which provides a fair and transparent method for determining the additional maintenance and reconstruction costs attributable to the increased heavy vehicle traffic generated by the wind energy facility development. Any contributions need to be consistent with the principles that underpin the State Planning Policy 3.6 – Infrastructure Contributions<sup>20</sup>.

The road contributions will be negotiated and agreed upon between the Shire and the developer before the approval of the development application. The road contributions will be paid by the developer to the Shire under the terms and conditions of the agreement.

## 15. Bushfire Management

A Bushfire Management Plan is to be provided for areas that fall within a Bushfire Prone Area. Reference should be made to State Planning Policy 3.7 – Planning in Bushfire Prone Areas<sup>21</sup>. It is also

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<sup>17</sup> WAPC Transport Assessment Guidelines  
<https://www.wa.gov.au/government/publications/planning-guidelines-transport-impact-assessment>

<sup>18</sup> Operation and Maintenance Agreements to Access State Road Network – Main Roads Western Australia  
<https://www.mainroads.wa.gov.au/4a1dad/globalassets/heavy-vehicles/rav-access/rav-access-approval-review-policy.pdf?v=4a1d64>

<sup>19</sup> Western Australia Local Government Association's Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads  
[https://walga.asn.au/awcontent/Web/Documents/Infrastructure/Heavy\\_Vehicle\\_Cost\\_Recovery\\_Policy\\_Guideline\\_for\\_Sealed\\_Roads-\(ID-693988\).pdf](https://walga.asn.au/awcontent/Web/Documents/Infrastructure/Heavy_Vehicle_Cost_Recovery_Policy_Guideline_for_Sealed_Roads-(ID-693988).pdf)

<sup>20</sup> State Planning Policy 3.6 – Infrastructure Contributions  
<https://www.wa.gov.au/government/publications/state-planning-policy-36-infrastructure-contributions>

<sup>21</sup> State Planning Policy 3.7 – Planning in Bushfire Prone Areas



recommended that the developer review the Victorian Country Fire Associations document - Design Guidelines and Model Requirements for Renewable Energy Facilities v4 (2023)<sup>22</sup>, as this document provides a best practice approach to considering bushfire risk and fire safety measures in the design, construction, and operation of renewable energy facilities (including windfarms).

## **16. Aviation Impact Assessment** (Specifically for wind farms)

An Aviation Impact Assessment is to be submitted identifying aerodromes in the locality and potential flight paths that may occur as a result of night flying, aviation training, firefighting, recreation aviation, agricultural related activities and emergency services flying. Particular attention is to be paid to fire fighting water bombing requirements.

The Aviation Impact Assessment is to be undertaken by a qualified aviation consultant and is to demonstrate that turbines will not impact on aerial spraying activities of surrounding farms or unlicensed airstrips.

Any potential aviation safety risks identified require consultation with Civil Aviation Safety Authority (CASA), Air Services Australia and/or the Commonwealth Department of Defence.

## **17. Shadow Flicker Assessment** (Specifically for wind farms)

A Shadow Flicker Assessment is to provide an assessment of the potential for shadow flicker occurrence resulting from a proposed wind turbine at the nearest receptors.

Under certain combinations of geographical position, time of day and year, wind speed and wind direction, the sun may pass behind the rotor and cast a shadow over neighbouring buildings and roads and cause a flicker effect.

It is important to understand the casting shadow impact to surrounds, in particular public roads and existing and potential housing.

The Draft National Guidelines include recommendations for shadow flicker limits relevant to wind farms in Australia, such that the modelled theoretical shadow flicker duration should not exceed 30 hours per year, and that the actual or measured shadow flicker duration should not exceed 10 hours per year. The guidelines also recommend that the shadow flicker duration at a dwelling be assessed by calculating the maximum shadow flicker occurring within 50 metres of the centre of a dwelling.

## **18. Decommissioning Program**

A Decommissioning Plan is to be submitted, outlining the removal of all renewable energy facilities and rehabilitation of the affected land at the end of the development's life (unless major refurbishment is separately approved).

Decommissioning should be considered in the design phase of projects and as part of the development application process so that structures may be easily disassembled at the end of their life, and to ensure that the funds are available to decommission them. If projects do not perform as predicted, this may have a financial impact on its decommissioning plan. Applicants should

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<https://www.planning.wa.gov.au/state-planning-policy-3.7-bushfire>

outline how funds will be directed into future decommissioning or refurbishment costs.

General information at the development application stage should detail a process and steps for decommissioning or refurbishment of energy facilities and staging/timing for planning for decommissioning/refurbishment over the life of the development.

Waste or surplus infrastructure is not to be disposed at the Shire’s rubbish tips without approval.

There is an expectation that land developed with a renewable energy facility will be returned to a pre- development condition once the renewable energy facility reaches the end of its lifecycle. If an applicant seeks to retain some infrastructure on the land (such as roads or turbine foundations), then it needs to be made clear at the initial development application lodgement stage.

Substantial decommissioning and remediation works are expected to commence within 12 months of renewable energy facilities no longer generating permanently unless an alternative reasonable timeframe is outlined in the development application.

## COMPLIANCE REQUIREMENTS

Legislation / Documents	<ul style="list-style-type: none"> <li>• <i>Planning and Development Act 2005</i></li> <li>• <i>Shire of Gnowangerup – Local Planning Scheme No.2.</i></li> <li>• <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></li> </ul>
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## DOCUMENT CONTROL

### INFRASTRUCTURE, ENVIRONMENT & ASSET MANAGEMENT

Policy Number	<b>5.8</b>
Responsible Officer	Town planner
Initial Council Adoption	28 May 2025
Review Dates	<ul style="list-style-type: none"> <li>• N/A new</li> </ul>
Next Review Due	28 May 2027 This policy will be reviewed every two years or more often where circumstances require.