



SHIRE OF CORRIGIN

# REGISTER OF POLICIES

Adopted by Council 18 October 2022

Council Resolution 116/2022



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# 1 ADMINISTRATION POLICIES

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 21 April 2015  
**Amended:** 17 October 2017

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**Objective:** The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council to achieve an equitable decision making process.

Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions.

**Policy:** The CEO shall maintain a register of all policy decisions in a loose leaf binder which enables updating when amendments occur and copies of the register will be available for public inspection and use by staff. Changes to Council policy shall only occur through a notice of motion by an elected member or by a specific agenda item setting out details of the amendment.

The register will be reviewed annually to ensure that policies are consistent with Council's current policy position.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015; 17 October 2017, 20 October 2020

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**Objective:** To provide a high quality service to all stakeholders in the Shire of Corrigin for all communications regarding Council business.

**Policy:** The Shire of Corrigin is committed to ensuring fairness and equity and that the community is kept informed on matters before Council, whilst providing a friendly, helpful and respectful professional service. Effective communication is a key to ensuring that these principles of operation are met. All communication regarding Council business from a member of staff or an elected member shall be at all times courteous, clear and professional.

Correspondence will be managed within the protocol contained within Council's records management system and will comply with the requirements of the *State Records Act 2000* and the *State Records Principles and Standards 2002*.

### **Correspondence Received**

All external written correspondence will be date stamped and entered to the Shire of Corrigin records management system. Once distributed to the appropriate member of staff they are required to respond within a reasonable timeframe.

Facsimiles and electronic mail (Email) will be treated as written correspondence.

The CEO, in consultation with staff, shall determine which items of correspondence will be presented to Council.

### **Presidential Correspondence**

Presidential correspondence will be issued on Shire of Corrigin letterhead. A file copy shall be maintained in the appropriate file(s), together with originating correspondence. In instances where the President is providing technical information to correspondents, the appropriate officer will draft the correspondence, or that section of correspondence.

### **Elected Member Correspondence – incoming**

- 1) All correspondence received by the Shire of Corrigin is deemed as Shire of Corrigin correspondence, unless:
  - a) it is addressed to an elected member by name; and
  - b) it is marked "Private and Confidential"; and
  - c) it has no reference to the Shire of Corrigin as part of the address or addressee.
- 2) In all cases where correspondence is described in Item 1 complies with 1a, b or c, above, it will be left unopened on the elected members desk.
- 3) On all occasions where correspondence bearing an elected member's name is received and does not comply with Item 1a, b, c, it will be opened by administration.
- 4) The above items are conditional upon total compliance with all telecommunications and Australian postal regulation and laws.

In cases when the contents makes reference to matters that are deemed as requiring attention by administration, a reference note will be added to the correspondence by an appropriate administration officer, marked for the elected member's attention, and the

note will detail the action to be taken by the appropriate department, with particular reference to Item 3 above only.

### **Stationery**

The Shire's stationery and equipment, including letterhead and envelopes are not to be used for election purposes.

### **Communication between Elected Members and Staff**

In order to facilitate effective use of staff resources, all enquiries and requests from elected members shall be directed to the CEO. Where the request entails the use of Shire resources (human or physical) to an extent which may impact on the effective management of the Shire, the request is to be referred to the CEO for determination. The CEO will discuss such requests with the originating elected member to determine the extent of information or action required.

The CEO may subsequently refer the matter to Council for determination should a resolution not be achieved.

Communication between elected members and staff will in general be governed by the Code of Conduct.

### **Media Contact**

In accordance with the *Local Government Act 1995*, the spokesperson for the Council is the Shire President, and with the President's authorisation the CEO, who may be authorised to make a statement on behalf of the Shire.

The Shire President and the CEO are permitted to make media releases prior to minutes being confirmed and made public.

### **Publications**

Publications produced by the Shire will be available for residents and ratepayers from the administration centre and Council website.

All publications are available on request in alternative formats.

### **Advertising**

All statutory advertisements requiring local public notice shall be published in *The West Australian* and also be published in *The Windmill*, unless in the opinion of the CEO, this is not practicable for the purposes of meeting time frames and required deadlines.

Public notices will also be posted on notice boards at the Corrigin Community Resource Centre, Main street noticeboards and the Shire Administration Centre as well as on the Shire of Corrigin website.

## 1.3 LEGAL REPRESENTATION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:** 21 April 2015

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

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the Shire of Corrigin.

**Policy:**

**Payment Criteria**

There are four major criteria for determining whether the Shire of Corrigin will pay the legal representation costs of an elected member or employee. Including:

- a) the legal representation costs must relate to a matter that arises from the performance, by the elected member or employee, of his or her functions;
- b) the legal representation cost must be in respect of legal proceedings that have, or may be, commenced;
- c) in performing his or her function, to which the legal representation relates, the elected member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- d) the legal representation costs do not relate to a matter that is of a personal or private nature.

**Legal Representation Costs that may be approved**

If the criteria in clause 1 of this policy is satisfied, the Shire of Corrigin may approve the payment of legal representation costs –

- a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
- b) to enable proceedings to be commenced and/or maintained by a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- c) where exceptional circumstance are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.

The Shire of Corrigin will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

### **Application for Payment**

A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.

The written application for payment of legal representation costs is to give details of –

- a) the matter for which legal representation is sought;
- b) how that matter relates to the functions of the council member or employee making the application;
- c) the lawyer (or law firm) who is to be asked to provide the legal representation;
- d) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.);
- e) an estimated cost of the legal representation; and
- f) why it is in the interests of the Shire of Corrigin for payment to be made.

The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

The application is to be accompanied by a signed written statement by the applicant that he or she –

- a) has read, and understands, the terms of this policy;
- b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 6 and any other conditions to which the approval is subject; and
- c) undertakes to repay to the Shire of Corrigin any legal representation costs in accordance with the provisions of clause 6.

In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.

An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

### **Legal Representation Costs – Limit**

The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

A council member or employee may make a further application to the council in respect of the same matter.

### **Council's Powers**

The council may –

- a) refuse;
- b) grant; or
- c) grant subject to conditions,
- d) an application for payment of legal representation costs.

Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire of Corrigin's council member or employees' insurance policy or its equivalent.

The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –

- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b) given false or misleading information in respect of the application.

A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

Where the council makes a determination under clause 5.5, the legal representation costs paid by the Shire of Corrigin are to be repaid by the council member or employee in accordance with clause 6.

### **Repayment of Legal Representation Costs**

A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire of Corrigin –

- a) all or part of those costs – in accordance with a determination by the council under clause 5.7;
- b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire of Corrigin paid the legal representation costs.

The Shire of Corrigin may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

## 1.4 SHIRE OF CORRIGIN OPERATIONAL HOURS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 21 March 2016, 19 October 2021

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**Objective:** To set guidelines for recognition of core operational hours and extended hours worked by staff in the course of normal and additional duties in a consistent manner across the organisation.

**Policy:** The Shire Administration Officer shall be open to the public from 8.30am to 4.30pm, Monday to Friday.

The Corrigin Community Resource Centre shall be open to the public from 8.30am – 4.30pm Monday to Friday.

All with the exception of public holidays.

## 1.5 OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 October 2010  
**Amended:** 21 April 2015

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**Objective:** This policy is for the authorisation for the Council facilities, i.e. administration, works and services, to close over the Christmas and New Year period.

**Policy:** The Shire Administration Office, Corrigin Community Resource Centre and Works Depot will be closed at a suitable time agreed to by the CEO on the last working day before Christmas and re-open on the first working day following the New Year's Day public holiday.

Shire staff will be required to use leave entitlements during this closure period for those days that are not designated public holidays.

Shire staff will be provided with notification of the closure period at least four weeks prior, as per the Local Government Industry Award 2010.

## 1.6 LIQUOR PERMITS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015; 17 October 2017

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**Objective:** To enable the effective and efficient issuing of Liquor Permits within the Shire of Corrigin.

**Policy:** The Council will delegate to the CEO, authority to approve or reject applications to consume liquor in Council buildings or on Council controlled reserves without reference to Council. All applications to consume liquor are to be in writing, meet the condition of the *Liquor Control Act 1988* and addressed to the CEO.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 27 October 2009  
**Amended:** 21 April 2015

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**Objective:** To enable Council to honour exceptional individuals who have served the community in an outstanding and meritorious manner that stands above the service and contribution of most other persons in provision of benefits to the community and advancing the interests of the Shire of Corrigin.

**Policy:** Council may, subject to eligibility and selection criteria of this policy being met, decide to confer the title of “Freeman of the Shire of Corrigin” on any person who has rendered exceptional service to the Shire of Corrigin community. This prestigious honour will not be awarded regularly, but only on rare and exceptional occasions.

The award is in title only – no financial benefit is attached to the award. Recipients are however invited to significant Shire of Corrigin events.

The process for nominating and selecting a person and awarding the title is as follows:

**Award Criteria:**

A person may be nominated for the honorary award ‘Freeman of the Shire of Corrigin’ under the following circumstances:

- They will have identifiable and long standing connections with the community in the Shire of Corrigin and have made an outstanding, significant and meritorious contribution to the Shire and community across a range of endeavours.
- Their exceptional service is a matter of public record.
- Their endeavours will have benefited the community of the Shire of Corrigin, Australia and humanity.

**Process of Nomination:**

- Nominations will be considered infrequently or as the need is identified by Council.
- A nomination may be submitted by any person at any time, provided that nomination is in writing and addresses the criteria for the award.
- A nomination must be sponsored by an elected member and supported in writing by at least 2 other elected members.
- A nominee must not be made aware of their nomination.
- Any nominations received will be validated and the findings presented at a meeting of Council behind closed doors, with recommendations to approve/not approve a nominee for the award. The decision will be based on a simple majority vote.
- Acceptance of the award must be determined prior to being conferred.

**Entitlements:**

- Any person who has the honour of Freeman bestowed may refer to themselves as Freeman of the Shire of Corrigin.
- The Freeman will be presented with a special name badge and framed certificate at a function to be hosted by Council to acknowledge their Freemanship.
- The Freeman shall be invited to formal civic events and functions held by Council.
- A photograph and plaque of the Freeman is to be displayed in an appropriate place.

**Limitations:**

- In recognition of the significance and standing of Freeman consideration should be given to the number of living persons who hold the title of Freeman of the Shire of Corrigin at any time.
- Bestowing of the title Freeman of the Shire of Corrigin carries with it no legal rights or privileges.

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Customer Service Officer  
**Date of Approval:** 1 June 2014  
**Amended:** 19 July 2016; 17 October 2017

---

**Objective:** This policy aims to be consistent with Australian Government protocols for flying flags.

**Policy:** The following underpins the policy position:

- The flying of flags represents an opportunity to demonstrate and foster a sense of pride in the community.
- Flag flying should be done with respect and with sensitivity to community expectations.
- This policy aims to be consistent with Australian Government protocols for flying flags.

#### **FLAGS FLOWN FROM TWO (2) ADMINISTRATION BUILDING FLAGPOLES:**

Where flags are flown from only two (2) flagpoles at the Administration Building, these shall be the Australian National Flag and the Western Australian State Flag.

When facing the Shire Offices from Lynch Street, the Australian National Flag is to be flown on the left flagpole, with the Western Australian State Flag on the right of the Australian National Flag. This follows the Australian Protocol and Procedures for flying the Australian National Flag. The Australian National Flag and the Western Australian State Flag will also be presented in the Council Chambers in a similar manner.

#### **Australian Aboriginal flag:**

Where flags are flown from only two (2) Administration Building flagpoles, and where requested by the National Aboriginal and Islander Day Observance Committee (NAIDOC), Council agrees to a temporary Australian Aboriginal flag<sup>1</sup> at the Shire Administration Street offices during opening hours in NAIDOC week each year.

#### **FLAGS FLOWN FROM THREE (3) ADMINISTRATION BUILDING FLAGPOLES:**

Where three (3) flagpoles are available at the Administration Building, these shall be the Australian National Flag, the Western Australian State Flag and the Australian Aboriginal flag.

*1: Australian Aboriginal Flag means the Aboriginal Flag (designed by Harold Thomas) that has been proclaimed as a flag of Australia under Section 5 of the Flags Act 1953 (Commonwealth).*

When facing the Shire Offices from Lynch Street, the Australian National Flag is to be flown on the left flagpole, with the Western Australian State Flag centre and the Australian Aboriginal flag on the right of the State Flag. This follows the Australian Protocol and Procedures for flying the Australian National Flag.

#### **FLAGS AT HALF MAST:**

Flags may be flown at half-mast:

- at the Shire Office as a sign of mourning at the passing of a local resident or past resident of the Shire of Corrigin;
- for a period of up to 2 working days from the time of notification of a local resident or past resident's death with the Flags also flown at half-mast on the day of their funeral; or
- when directed by the National or State Government; and at the discretion of the CEO and President.

## 1.9 LIFE MEMBERSHIP RECOGNITION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 16 June 2004  
**Amended:** 21 April 2015, 18 October 2022

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**Objective:** To provide guidance on the recognition of community members who receive life membership from local clubs/groups.

**Policy:** Council recognises community members who have had life membership bestowed upon them by an organisation from within the Shire of Corrigin, in the following manner.

Once per year:

1. Invite new recipients and their partners to a presentation ceremony where the recipients will be presented with a signed certificate from Council, recognising their valuable contribution to the community.
2. Invite the new recipients and their partners to lunch or afternoon tea with Council on meeting day.

## 1.10 RECOGNITION OF BIRTHDAYS AND ANNIVERSARIES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 21 April 2015

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**Objective:** To provide guidance on the recognition of community members who have reached milestone birthdays or anniversaries.

**Policy:** Council recognises community members who have had milestone birthdays and anniversaries, upon request of a friend or relative. This recognition is in the form of a certificate signed by the CEO and Shire President.

The milestones to be recognised are:

- Birthdays 90<sup>th</sup> and 100<sup>th</sup>
- Wedding Anniversaries 50<sup>th</sup>, 60<sup>th</sup> and 70<sup>th</sup>

## 1.11 COMMON SEAL USAGE POLICY

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**Policy Owner:** Governance and Compliance

**Person Responsible:** Chief Executive Officer

**Date of Approval:** 19 July 2016

**Amended:** 17 October 2017

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**Objective:** To establish the circumstances under which the official Council Common Seal may be affixed to documents. The application of this policy is to be by Elected Members and the CEO and any legislative requirements of the *Local Government Act 1995* that may be enforced.

**Policy:** Affixing the Common Seal

Under section 9.49A of the *Local Government Act 1995*:

Execution of documents

- 1) A document is duly executed by a local government if —
  - a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- 2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- 3) The common seal of the local government is to be affixed to a document in the presence of —
  - a) the president; and
  - b) the CEO or a senior employee authorised by the CEO, each of whom is to sign the document to attest that the common seal was so affixed.
- 4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- 5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- 6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- 7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

**Documents Requiring the Common Seal to be Affixed**

The Common Seal is to be affixed only to documents required by Legislation to be executed using the Common Seal e.g. *Transfer of Land Act 1893* or following Council resolution.

**Procedures for the use of the Common Seal**

The CEO is responsible for the security and proper use of the Common Seal.

**Wording of the Common Seal Clause**

If the legislation is silent on the wording of the Common Seal clause then the following shall apply:

*Dated:* \_\_\_\_\_

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

\_\_\_\_\_  
*Name of Shire President*  
*Shire President*

\_\_\_\_\_  
*Name of Chief Executive Officer*  
*Chief Executive Officer*

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 16 October 2018  
**Amended:** N/A

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**Objective:** To establish clear parameters for the handling of personal data and information

The Shire of Corrigin is committed to protecting any personal information it collects in order to carry out its activities. The Shire of Corrigin collects personal information relating to residents, ratepayers and other entities in the course of completing business transactions such as making and receiving payments and administering and enforcing under various acts. The purpose of this policy is to guide and support the management of personal information collected. This includes but is not limited to the management of databases, correspondence, public submissions, customer requests, planning and building permits and property records, cemetery records and tender and contract records that contain personal information.

**Policy:** This policy applies to all Shire of Corrigin employees, councillors, contractors and volunteers as well as any individual, business or other organisation requesting access to any personal information collected by the Shire of Corrigin other than which is required by legislation.

The Shire of Corrigin will only collect personal information that is necessary for the performance of its functions. In the case of payments by credit card shire staff will destroy credit card details section of payment authorisation slip as soon as the transaction has been completed. Credit card details are not to be written down when paying over the phone and credit cards will not be photocopied.

Shire staff will only use and disclose personal information in accordance with the primary purpose for which it was collected, or a secondary purpose that a person would reasonably expect.

Shire staff will take reasonable steps to ensure any personal information held is accurate, complete and up to date and ensure appropriate avenues are available to individuals to access and correct their personal information where required.

Reasonable steps will be taken to ensure that any personal information collected is protected from loss and unauthorised use, access, modification or disclosure.

Appropriate action will be taken to ensure files, databases and other records are held securely and may only be accessed by an authorised officer. Any personal information that is no longer required will be disposed of appropriately.

Shire staff will ensure that an individual is granted access to their personal information upon request and that any request to access personal information complies with the Freedom of Information Act and follows the processes set out within that Act

Individuals will be offered the opportunity to remain anonymous when dealing with the Shire of Corrigin where possible such as in surveys.

All staff are responsible for approving, implementing, complying with, monitoring, evaluating, reviewing and providing advice on this policy and any supporting procedures and guidelines:

Failure to comply with this Council policy, supporting procedures or guidelines will be subject to investigation, which may lead to disciplinary action.

## 1.13 MEMORIAL SEAT AND PLAQUE POLICY

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 18 October 2022  
**Amended:**

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**Objective:** This policy aims to provide guidance on the placement of memorials and plaques and the planting of commemorative trees in the shire.

Ensure that applications for memorials, plaques and trees are managed consistently.

**Policy:** This policy applies to the placement of memorials and plaques in the Shire of Corrigin owned or managed parks, reserves, public open space and streets and the planting of commemorative trees.

All memorials, plaques and commemorative trees placed on Shire of Corrigin owned or managed land will become Shire assets that are owned and under the care, control and management of the Shire.

This Policy does not apply to cemetery plaques.

### Introduction

The Shire of Corrigin recognises that members of the community may wish to acknowledge or commemorate the contribution of a person or group of people to the service of the community with a memorial seat, plaque or tree.

Plaques and memorials in parks, streets and public open space will be limited to the following:

- An individual or association that has contributed significantly to the cultural, political or social development of the shire over a significant time eg. 30years.
- A significant anniversary of an event unique to the history and development of the township or location.
- Historical or other information relevant to the site/location; and
- A public artwork of significance.

### Applications

Applications will be assessed individually and will be subject to the following criteria and conditions:

- Applications for memorial must be received in writing to the Shire.
- Location of the memorial seat, plaque or tree will benefit the community.
- Size and design of the plaque must be appropriate to the location.
- Shire staff will coordinate the purchase, design, installation and maintenance of the plaque, street furniture or tree.
- Placement of the memorial seat, plaque or tree in shire owned or managed parks, reserves, public open space or streets is to be determined by the Shire staff in consultation with the applicant.
- Applicants are to meet the cost of the purchase and installation of furniture, plaques and trees.
- Costs are to be determined on a case by case basis and applicants will be advised the costs prior to the application being presented to Council for consideration.
- The Shire reserves the right to remove a memorial after the expiry of 10 years or if it falls into a state of disrepair. The Shire will use reasonable endeavours to contact the applicant/next of kin to return the plaque or memorial.

- If a memorial plaque or piece of furniture is vandalised beyond repair, it will be deemed to be at the end of its useful life and the Shire will use reasonable endeavours to contact the applicant/next of kin to inform them.

### **Existing Memorial Bench Seat Plaques**

All existing memorials on benches across the shire will be transitioned to a 10 year grant from the date of approval of this policy.

The Shire will be responsible for all costs associated with the repair, maintenance and replacement of the bench.

At the expiry of the grant, the memorial plaque will be removed at the discretion of the shire and, where possible, returned to the first named original applicant or their nominated agent. The shire will retain the bench seat as a shire asset.



# 2 FINANCE POLICIES

## 2.1 RATES – PROCEDURE FOR UNPAID RATES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer - Rates  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015; 16 October 2018, 21 April 2020

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

**Policy:** The Shire of Corrigin will:

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

### **Definitions**

In the administration of this policy, the following will apply:

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

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

#### Serious Hardship

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

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

#### Financial Assets

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

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

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

### Exceptional Hardship/Circumstances

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

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

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

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

Note: The temporary loss of a job will not normally in itself qualify as *Exceptional Hardship* unless a convincing case can be put forward that the impact would be so exceptional as to warrant leniency such as a government direction to shut down or close a business due to the COVID-19 pandemic.

### Negotiated Special Payment Arrangement (NSPA)

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

## **GUIDELINES AND PROCEDURES**

### **Debt Recovery Process**

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

### **Final Notice**

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

### **Notice of Intention to Summons (Demand Letter)**

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

## General Procedure Claim

- Where a Demand Letter has been issued and remains unpaid and the ratepayer has not elected to enter into an agreed special payment arrangement, a General Procedure Claim will be issued.
- Legal costs and the costs of proceedings will be added to the ratepayers account upon issue of a General Procedure Claim, in accordance with Section 6.56 of the *Local Government Act 1995*.
- Ratepayers are required to pay in full or by instalments once they receive a General Procedure Claim. If they choose to pay by instalments, they must sign the *Admission of Claim* on the reverse of the General Procedure Claim and state the amount they agree to pay for each instalment. This Negotiated Special Payment Arrangement is subject to acceptance by the Manager Finance. A letter will be sent to the ratepayer to confirm this arrangement, if accepted.
- The signed *Admission of Claim* must be returned to the Shire of Corrigin for the Negotiated Special Payment Arrangement to be accepted.
- A person who is experiencing difficulty in making a payment, can apply to the Shire of Corrigin to make a Negotiated Special Payment Arrangement.
- When a ratepayer has elected to enter into Negotiated Special Payment Arrangement and instalments are not paid as per the arrangement or three consecutive payments are missed, a Default Letter will be issued for payment in full within fourteen (14) days. Rates remaining unpaid will be issued with a General Procedure Claim or the Shire of Corrigin may proceed straight to Enforcement, if a General Procedure Claim has previously been issued.
- Following the issue of a Claim and the addition of the costs of proceedings to the rates assessment, a reasonable offer to discharge a rate account will not be refused.
- If the General Procedure Claim is paid in full before entering into Judgement, then a Notice of Discontinuance (NOD) may be requested by the ratepayer and granted at the discretion of the CEO based on the circumstances of each case. The request must be received in writing and a NOD will only be issued to any one ratepayer once as a matter of goodwill. No further Notices of Discontinuance will be issued in any subsequent financial years to that same ratepayer, unless the Shire of Corrigin is advised circumstances.
- If a General Procedure Claim proceeds to Judgement and was not issued in error, then the matter will not be granted a Notice of Discontinuance, nor permission granted to have the matter set aside.

## Non-Service of General Procedure Claim

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

### **Property Sale and Seizure Order**

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

### **Rates or Service Charges Recoverable in Court (Section 6.56)**

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

### **Seizure of Rent (Section 6.60)**

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

### **Sale of Land (Section 6.64)**

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

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

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

### **DEBTS (OTHER THAN RATES AND SERVICE CHARGES)**

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

### **Debt Management**

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

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

#### Recovery Procedure

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

### Application for Special Payment Arrangement

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

### Write-Off

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

### Debt Raised in Error or Debt Adjustment

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

### Other Action Which May be Taken

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

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

### **INTEREST ON OVERDUE MONIES**

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

### **APPLICATION FOR A NEGOTIATED SPECIAL PAYMENT ARRANGEMENTS**

- Applicants are required to make a written request for a Special Payment Arrangement.
- Following an assessment by the Finance Officer, the Application will be referred to the Deputy CEO for approval.
- In the event of an Applicant being dissatisfied with the decision of the Finance Officer/Deputy CEO, they will have access rights for a review to the CEO.

### **DELEGATED AUTHORITY**

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

## 2.2 DEBT COLLECTION

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Office - Rates  
**Date of Approval:** 19 July 2016  
**Amended:** 16 October 2018, 21 April 2020

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**Objective:** The purpose of this policy is to provide guidance to Council in determining efficient, effective and economical procedures for debt collection.

This is achieved through manageable and efficient control over overdue accounts by closely monitoring aged accounts in an attempt to reduce the likely occurrence of unrecoverable debts and to ensure consistency for all debt collection activities.

**Policy:**

**Debt Management**

Invoices for goods or service rendered to the debtor are usually due 30 days after the date of invoice unless specific regulations apply or application for special payment arrangement has been approved.

Invoicing

A debt is created when the service is provided or when the invoice is created; whichever occurs first. Unless there is regulation or accepted practice to the contrary, an invoice should be produced and payment requested at the time, or in advance, of the service being provided. This practice reduces the risk of non-payment. It is recognised that there will be instances where invoicing and payment in advance is not practicable.

Invoices will detail payment terms and that interest may apply to accounts that are outstanding for 60 days and over. Interest will not apply to invoices generated in relation to unpaid grants.

If the invoice is not paid within 60 days of the due date then the following will apply:

Recovery Procedure

- A Statement will be sent at the end of the month advising the debtor that the account is due for payment.
- If the debt remains outstanding after 60 days a Reminder Notice will be issued advising the debtor to contact the Shire of Corrigin if they wish to dispute or query the invoice otherwise payment is expected within 14 days of the issue date of the letter.
- If no response is received from the debtor and the debt remaining after 90 days then a Demand Notice will be sent to the debtor advising that if payment is not made within 14 days of the date of the notice, then further action may be taken to recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.
- If there is still no response received from the debtor in response to the Notice of Demand, the debt may be sent to the debt collection agency. A demand notice may not be sent in relation to unpaid grants. However, further reminder notices should continue to be sent.

A record shall be kept of all attempts to contact the debtor, whether successful or unsuccessful.

Application for Special Payment Arrangement

Debtors experiencing difficulties in paying their debts by the specified due date can apply to the Shire of Corrigin to enter into a Negotiated Special Payment Arrangement.

### Write-Off

Once all reasonable attempts to either locate the debtor or to obtain payment have failed, or the cost of recovery exceeds the debt amount the Finance Officer will submit a written request to the Chief Executive Officer for the invoice to be considered for write off.

Approval will be sought from the Chief Executive Officer and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the debtors system.

### Debt Raised in Error or Debt Adjustment

In the event that an invoice has been raised in error, the Finance Officer will complete a request to raise invoice or request to raise credit note as required to correct the error detailing the reason for the error and supply supporting documentation. This is to be authorised by the Chief Executive Officer or Deputy Chief Executive Officer.

### Other Action Which May be Taken

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

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

## 2.3 RATES – INSTALMENT OPTION FOR PAYMENT OF RATES AND CHARGES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer - Rates  
**Date of Approval:** 21 April 2015  
**Amended:** N/A

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**Objective** To provide guidelines for the collection of rates and charges in accordance with the *Local Government Act 1995*.

**Policy** Ratepayers have the option of paying rates by four (4) instalments. The first instalment must be made by the due date on the original notice.

Failure to pay the rates in full or choose the instalment option by the due date will deem rates to be outstanding and if not paid in full will be subject to legal action.

After thirty-five (35) days from the issue of the original rate notice, ratepayers may forfeit the right to undertake the instalment option provided.

## 2.4 RUBBISH SERVICE CHARGE DISCOUNT

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer - Rates  
**Date of Approval:** 4 July 2007  
**Amended:** 21 April 2015

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**Objective:** To provide guidelines for the collection of rubbish charges and to delegate authority to the CEO to apply alternative instalment options, to appoint debt collection agencies and to comply with all other requirements of the *Local Government Act 1995*.

**Policy:** **Rubbish Service Charge Discount**  
A 25% discount will be allowed on the Rubbish Service charge to Pensioner Concession holders who have registered and are eligible for a rebate on their rates under the *Rates and Charges (Rebates and Deferments) Act 1992*.

Where the eligible pensioner is co-owner with a non-pensioner the full discount will still be allowed and any person who becomes eligible during the rating year will be allowed a pro-rata discount.

## 2.5 CHEQUE SIGNATORY/EFT REQUIREMENTS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015; 17 October 2017

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**Objective:** To provide guidelines for the signing of cheques and authorisation of Electronic Funds Transfer (EFT) payments.

**Policy:** **Bank Authority – Specimen Signatures**  
Following the Shire Elections and when a new President is elected, Council's bank shall be provided with a list of names and specimen signatures of the President and Officers authorised to sign cheques and staff make Electronic Funds Transfer payments.

**Cheque Signatory/EFT Requirements**

Any two of the following Officers/ President may jointly sign cheques and any two staff members may authorise Electronic Funds Transfer (EFT) payments on behalf of Council:

Chief Executive  
Deputy CEO  
Senior Finance Officer  
President

## 2.6 CHARITABLE ORGANISATIONS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer - Rates  
**Date of Approval:** 21 April 2015  
**Amended:** N/A

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**Objective:** To ensure that organisations claiming an exemption from rates, particularly under the ***Local Government Act 1995 Section 6.26 (2) (g)*** are eligible.

**Policy:** Each claim for exemption under this section of the Act shall be accompanied by documentary evidence that the claimant is an approved charitable institution as defined by the Charitable Collections Advisory Committee.

Council will determine each case on merit through the monthly meeting process.

## 2.7 PURCHASING POLICY

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 20 February 2007  
**Amended:** 15 December 2016, 17 October 2017, 20 February 2018; 16 October 2018, 19 May 2020, 18 October 2022

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

### OBJECTIVES

The objectives of this Policy are to ensure that all purchasing activities:

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

### 1 ETHICS AND INTEGRITY

#### 1.1 Code of Conduct

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

#### 1.2 Purchasing Principles

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

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

## 2 VALUE FOR MONEY

### 2.1 Policy

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

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

### 2.2 Application

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

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

## 3 PURCHASING REQUIREMENTS

### 3.1 Legislative / Regulatory Requirements

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

### 4 Policy

Purchasing that is **\$250,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 0 of this Purchasing Policy.

Purchasing that **exceeds \$250,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under 4.5 of this Policy is not deemed to be suitable.

### 3.2 Purchasing Value Definition

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST).
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire

will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.

3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

### 3.3 Purchasing from Existing Contracts

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

### 3.4 Purchasing Thresholds

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

| Purchase Value Threshold          | Purchasing Requirement   |
|-----------------------------------|--|
| Up to \$1,000                     | Purchase directly from a supplier using a Purchase Order or credit card issued by the Shire.   |
| Over \$1,000 and up to \$5,000    | Obtain at least one (1) oral or written quotation from a suitable supplier, either from: <ul style="list-style-type: none"> <li>an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or</li> <li>from the open market.</li> <li>Where the purchase is of an urgent or emergency nature the purchase is permitted without a quote.</li> </ul>   |
| Over \$5,000 and up to \$50,000   | Obtain at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from: <ul style="list-style-type: none"> <li>an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>from the open market.</li> </ul> <p style="text-align: center;">Or</p> <p>Obtain at least one (1) written quotation from a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA.</p> <p>Where the purchase is of an urgent or emergency nature the purchase is permitted without undertaking the quotation process.</p> |
| Purchase Value Threshold          | Purchasing Requirement   |
| Over \$50,000 and up to \$250,000 | Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money  |

|   |  |
|---|--|
|   | <p>considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p>  |
| <p>Over<br/>\$250,000</p>                                       | <p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed in this Policy, conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>, this policy and the Shire's tender 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>   |
| <p>Emergency Purchases<br/>(Within Budget)</p>                  | <p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>Where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. An emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire of Corrigin Record Keeping Plan.</p> |
| <p>Emergency Purchases<br/>(No budget allocation available)</p> | <p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p>  |

|  |   |
|--|---|
|  | <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>   |
| <p>LGIS Services<br/>Section 9.58(6)(b)<br/><i>Local Government Act 1995</i></p> | <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> |

### 3.5 Tendering Exemptions

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

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.
- the purchase is from a Regional Local Government or another Local Government.
- the purchase is acquired from an Australian Disability Enterprise and represents value for money.
- the purchase is from a pre-qualified supplier under a Panel established by the Shire; or
- any of the other exclusions under Regulation 11 of the Regulations apply.
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money.
- an emergency situation as defined by the *Local Government Act 1995*.
- the purchase is from a Department of Finance Common Use Arrangements (where Local Government use is permitted), a Regional Local Government or another Local Government.
- the purchase is under auction that has been authorised by Council.
- the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or

### 3.6 Inviting Tenders Under the Tender Threshold

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

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

### 3.7 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process (Functions and General Regulation 21) where the required supply evidence one or more of the following criteria:

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

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

### **3.8 Unique Nature of Supply / Sole Source of Supply**

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

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

### **3.9 Anti-Avoidance**

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

### **3.10 Emergency Purchases**

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation, or imminent risk to public safety to protect or make safe property of infrastructure assets, as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

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

A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

### **3.11 Contract Renewals, Extensions and Variations**

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

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

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

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

A decision to approve a contract variation must be made by Council resolution, unless within the *Functions and General Regulations 20 and / or 21A* delegated authority of the CEO.

#### **4 RECORDS MANAGEMENT**

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

For each procurement activity, such documents may include:

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

#### **5 SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY**

The Shire is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR).

Where appropriate, the Shire shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

#### **6 BUY LOCAL POLICY**

As much as practicable, the Shire must:

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

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

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within Council's Policy 2.11 *Regional Price Preference*.

## 7 EXEMPTIONS

The following exemptions to the Purchasing Thresholds and Processes apply:

- Live Shows, Artistic Performances, Digital Movies: For the procurement of live shows, artistic performances, and digital movies a purchase order is required to be raised, however, only one quotation needs to be obtained due to there being only one supplier.
- Insurance (LGIS) brokers, utilities, and the like: For the procurement of Insurance (LGIS) brokerage and utilities normally only one supplier is available.
- Staff Corporate Uniforms: The staff corporate uniform is exempt from seeking quotations.
- All Freight: All freight is exempt from seeking quotations but where possible attain the best price for the best required freight service.
- Travel/Airfares: The procurement of airfares for travel purposes is exempt from seeking quotations but the Shire must be equitable in procuring this service from all local travel suppliers if and when the pricing is comparable.
- Staff Housing (Leasing of Property): Leasing property for the purpose of providing staff housing is exempt from seeking quotations but the Shire must be equitable in procuring this service from all local suppliers if and when the pricing is comparable, taking into consideration what housing is required to accommodate staff needs and what is available on the rental market at that time.
- Souvenirs and Tourism Merchandise For the procurement of souvenirs and tourism merchandise for on sale at the Shire office or Resource Centre, these items will be exempt from seeking quotations provided the quality of the merchandise is proven or known.
- Subscriptions

The list of individualised purchases from local suppliers below are exempt from quotations but purchases need to be alternated between those local suppliers in respect to each individualised purchase. Comparing price, quality and service factors must be taken into account; should purchase items be of the same quality and service, then the lowest priced local supplier should be engaged for the purchase:

- Newspapers, books, and periodical deliveries purchased locally for in-house provision and for the Shire are exempt from seeking quotations.
- Catering of Food Catering of food from local suppliers for in-house meetings (not external meetings or events) are exempt from seeking quotations.
- Catering of alcoholic and non-alcoholic drinks including milk and water from local suppliers for in-house provision and for Shire events/functions are exempt from seeking quotations.
- Stationery items

## 8 PURCHASING FROM DISABILITY ENTERPRISES

*Local Government (Functions and General) Regulations 1996* Regulation 11(2)(i) provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise.

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

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

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

A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

## **9 PANELS OF PRE-QUALIFIED SUPPLIERS**

### **9.1 Policy Objectives**

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis.
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the value for money test.
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk.
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

### **9.2 Establishing a Panel**

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*. Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire. Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel. Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

### **9.3 Distributing Work Amongst Panel Members**

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

- i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 0; or
- ii. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- iii. Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 0(b).

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

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD (5) (f) when establishing the Panel. The Shire is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.  
Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

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

### **9.4 Purchasing from the Panel**

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

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be made through eQuotes, or any other electronic quotation facility.

## 9.5 Recordkeeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created.
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel.
- Request for Applications documentation.
- Copy of public advertisement inviting applications.
- Copies of applications received.
- Evaluation documentation, including clarifications sought.
- Negotiation documents such as negotiation plans and negotiation logs.
- Approval of award documentation.
- All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters.
- Contract Management Plans which describe how the contract will be managed; and
- Copies of framework agreements entered into with pre-qualified suppliers.

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

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

## 10 PURCHASING POLICY NON COMPLIANCE

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

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

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

If non-compliance with; legislation, this Purchasing Policy, or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Deputy Chief Executive Officer. A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority, and reasonable expectations for performance of their role.

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

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

## 2.8 REGIONAL PRICE PREFERENCE POLICY

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 21 June 2016  
**Amended:** 17 October 2017

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**Objective:** To stimulate economic activity and growth in the Shire by maximising the use of competitive local businesses in supplying goods, services and works purchased or contracted on behalf of the Shire of Corrigin (the 'Shire').

**Legislative Requirements:**

This policy sets out the requirements that must be complied with by the Shire for the implementation and application of a regional price preference when purchasing goods and/or services through a tender process. The policy is compliant with the *Local Government (Functions and General) Regulations 1996*, as the relevant legislation.

**Policy:** A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire Region in relation to all tenders invited by the Shire for the supply of goods, services and construction (building) services, unless the tender document specifically states prior to advertising of the tender that this policy does not apply.

The regional price preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified below in this policy. This policy will operate in conjunction with the purchasing considerations and procedures for tenders as outlined in the Shire's 'Purchasing Policy' when evaluating and awarding tender contracts.

**Qualifying Criteria:**

***Regional Tenderer***

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

- a) that supplier has been operating a business continuously out of premises in the Region for at least six months before the time after which further tenders cannot be submitted. This is further defined as follows and the supplier will be required to meet all of these criteria:
  - i. the supplier to have a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located in the Region. This does not exclude suppliers whose registered business is located outside the Region but undertake the business from premises located in the Region;
  - ii. the physical location of the business premises in the Region has been operating on an ongoing basis for more than six months prior to the closing date for the tender;
  - iii. a business having permanent staff that are based at the business premises located in the Region;
  - iv. management or delivery of the majority of the tendered outcomes will be carried out from the business premises located in the Region; and
  - v. the business being registered or licensed in Western Australia; or
- b) some or all of the goods or services are to be supplied from regional sources. Goods and/or services that form a part of a tender submitted may be wholly supplied from regional sources; or 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 the regional price preference policy is in operation.

In order for the policy to apply, the tenderer is required to provide to the Shire written evidence within the tender submission which demonstrates compliance with the above criteria. Tenderers who claim that they will use goods, materials or services supplied from regional sources in the delivery of the contract outcomes will be required, as part of the contract conditions, to demonstrate that they have actually used them.

### ***Regional Price Preference Categories***

The following levels of regional price preference will be applied (where relevant) to tenders received from a regional tenderer, as outlined above under this policy:

- ***Where the contract is for goods and services:*** Up to a 10% price preference (to a maximum price reduction of \$50,000 excluding GST) where goods and services are sourced from within the Shire Region.
- ***Where the contract is for construction (building) services:*** Up to a 5% price preference (up to a maximum price reduction of \$50,000 excluding GST) where construction (building) services are sourced from within the Shire Region.
- ***Where the contract is for goods or services (including construction (building) services), if the Shire 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 Shire:***

Up to 5% price preference (up to a maximum price reduction of \$200,000 excluding GST) where goods or services (including construction (building) services) are sourced from within the Shire Region

### ***Competitive Purchasing***

Whilst price is a competitive consideration in the provision of goods and/or services via tender, it is only one aspect of the tender evaluation process. Value for money principles, as described within the Shire's 'Purchasing Policy', will be employed by assessing the price component in conjunction with the tender selection criteria and requirements in order to determine value for money. The tender offering the lowest price may not necessarily be successful.

### ***Terminology***

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

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

***Region:*** for the purposes of this policy the Region is specified as the entire geographical area encompassed within the boundaries of the Shire of Corrigin.

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

## 2.9 AUTHORISATION TO PURCHASE GOODS AND SERVICES

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 17 October 2017  
**Amended:** 16 October 2018, 18 October 2022

**Objective:** To establish guidelines for the purchasing of goods and services by employees.

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

The following employees are authorised, on delegation by the CEO, to purchase goods and services included in the annual budget

| Position   | Amount   |
|--|----------|
| Deputy CEO   | \$50,000 |
| Manager Works and Services   | \$50,000 |
| Building Officer   | \$40,000 |
| Pool Manager   | \$5,000  |
| Leading Hand – Roads & Civil   | \$5,000  |
| Leading Hand – Parks, Gardens & Town Maintenance   | \$5,000  |
| Customer Service Officer (Shire Administration),<br>Administration Officer, Executive Support Officer<br>Finance Administration Officer, Finance/HR Officer,<br>Senior Finance Officer, and Community Resource<br>Centre Coordinator | \$1,000  |

### Purchase Orders

A purchase order is required for all expenditure over \$100 and will only be raised for items within a budget. The CEO or Deputy CEO may authorise expenditure without a purchase order for services that may include but not limited to the following: utilities, insurance premiums, subscription renewals, general service charges and the like.

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

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

Evidence of requested quotes should be maintained such as names, telephone numbers, email addresses and written correspondence.

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

## 2.10 ANNUAL BUDGET PREPARATION

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**Policy Owner:** Corporate and Community Services

**Person Responsible:** Deputy Chief Executive Officer

**Date of Approval:** 18 October 2022

**Amended:**

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**Objective:** To provide clear direction to elected members, staff, and community members on the adoption of the Annual Budget, in compliance with the *Local Government Act 1995*.

**Policy:** The decision to adopt the annual budget is an approval given by Council to the Chief Executive Officer (CEO) for all items of expenditure to be committed without further authorisation except:

- (a) Major projects requiring a resolution of Council approving a design or concept
- (b) Works subject to tenders that require Council approval in accordance with section 3.57 of the *Local Government Act 1995* and have not been delegated to the CEO under section 5.43(b) of the *Local Government Act 1995*.
- (c) Any other items specified by Council at the time of adopting the annual budget requiring the approval of the Council.

A compliant, accurate, and well forecast budget is critical to the success of the overall finances of the Shire.

The budget must be consistent with the requirements and principles of the WA Local Government Accounting Manual, the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and the Australian Accounting Standards Board.

This policy establishes a structure for the formalisation, administration and management of the Council's budget that satisfies statutory and Council requirements.

### *Budget Formalisation Principles*

In setting budget priorities, the Strategic Community Plan (SCP) and Corporate Business Plan (CBP) provide the required guidance to staff along with the following principles:

- Financial indicators from the CBP form the basis of the annual budget.
- Revenue from rates will be to a level that produces a balanced budget while achieving the priorities and expectations as outlined in the SCP.
- Evaluation of initiatives outside of the SCP will be based on sustainability, value for money and community needs.
- Formalisation of the annual budget will include the end of year current surplus/deficit estimate.

### *Key Components of the Annual Budget*

There are several key components of the Shire's annual budget:

- Operating Revenue
- Operating Expenditure
- Capital Expenditure
- Cash Backed Reserves

### *Budget Considerations for Reserve Funds*

The requirement for each reserve fund and associated target values will be assessed and net transfers to reserves will be managed in accordance with the LTFP's goal of achieving target values.

### *Form and Content of Budget and Working Papers*

The budget will be produced and considered at a series of executive briefings and Councillor budget workshops. The statutory budget will be presented to Council in accordance with Part 3 of the *Local Government (Financial Management) Regulations 1996*.

### *Mid-Year Budget Review*

The Shire will conduct a budget review between January and March of each financial year for the purpose of addressing budget variations during the first half of the year in line with Part 3 section 33A of the *Local Government (Financial Management) Regulations 1996*. The review will be presented to Council for consideration no later than the Ordinary Meeting of Council in March of the financial year.

### *Budget Management Timetable*

The timetable below includes all the major activities associated with Council's budget processes including the adoption of the budget. It is only a guide and may be subject to minor changes.

#### January

- Review and prepare the application and advertisements for the Community Assistance Program with a closing date being the last Friday in April.
- Commence advertising of the Community Assistance Program to the community requesting submissions for the upcoming budget.

#### February

- DCEO to commence a review of the current budget

#### March

- CEO and DCEO to present the budget review to the Council at the Ordinary Meeting of Council.
- DCEO to set budget workshop dates and distribute to Council for comment and confirmation.
- Review of CBP and identify community expectations for the relevant financial year.
- Commence a review of the fees and charges. Work towards listing all relevant statutory references and be cognoscente of the requirements of section 6.17(1)(a) of the *Local Government Act 1995* with respect to demonstrating how the cost of the service equates to the fee or charge.
- Works Supervisor to carry out review of informing strategies 10 year plant replacement program and 10 year road program.
- Building Officer to carry out asset inspections and review informing strategy 10 year building program.
- Pool Manager to review informing strategy 10 year swimming pool program.
- Community Resource Coordinator to commence preparation and design of annual budget and rates brochure.

#### April

- Population of operating expenditure and income budget worksheets.
- Workshop informing strategies, LTFP and rates and rubbish models with Councillors.
- Building Officer to submit annual building maintenance budgets.

#### May

- Calculate asset disposals and review against informing strategy.

- Prepare salaries and wages budget worksheets inline with the Shire of Corrigin Enterprise Agreement and workshop with CEO, Manager of Works and Services and HR Officer.
- Commence preparation of the Capital Road and Project budget worksheets and workshop with CEO and Manager of Works and Services.
- Workshop revenue budget, asset disposal calculations, Community Assistance Program applications and fees and charges with Councillors.
- All staff with information to go out with rate notices (excluding budget and rates brochure) to have it compiled, printed, and folded.

#### June

- Advise Community Assistance Program applicants of the status of the applications.
- Commence calculating depreciation and insurance budgets.
- Prepare elected member's remuneration budget.
- Commence review of carry forward surplus/deficit.
- Workshop operating expenditure, salaries and wages and capital expenditure with Councillors.

#### July

- Review borrowings budgets.
- Review annual material variance policy pursuant to regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.
- Finalise carry forward surplus/deficit
- Finalise fees and charges document
- Workshop entire budget workings with Council.
- Prepare Statutory Budget document.
- Review Budget Adoption resolution pursuant to relevant legislation.
- Present statutory budget and fees and charges to Councillors at the Ordinary Meeting of Council.
- Raise rates billing and send out rate notices before 31 July of each year, preferably within 3 days of the budget adoption.
- Publish fees and charges on Council's website.
- Publish and promote final statutory budget on Council's website.

#### August

- Advise Community Assistance Program applicants of the budget outcome.
- Submit statutory budget to the Department of Local Government; Sport and Cultural Industries Smarthub portal within 30 days of adoption.

## 2.11 COMMUNITY ASSISTANCE PROGRAM

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 18 October 2022  
**Amended:**

**Objective:** To provide an overarching framework for financial assistance to not for profit community based organisations, event organisers and individuals which supports the promotion and development of social, economic, recreational, art and cultural projects that make a positive contribution to the quality of life within the Shire of Corrigin.

**Policy:** This policy provides prospective applicants with information about the financial assistance available from the Shire of Corrigin. The Shire receives a large number of requests throughout the year, this policy ensures the assessment process provides;

- Transparency and accountability to the Corrigin Community.
- Fairness and equity to all applicants.
- Eligibility criteria for each type of Financial Assistance.
- The amount of Financial Assistance available.
- Guidelines to assist applicants in completion and lodgement of forms; and
- For applications to be assessed by a Delegated Officer or Committee.

### **Types of Funding**

#### ***Community Donations***

Community donations are small grants up to \$500 that can be applied for by using the Community Donations application form.

Each organisation is eligible to submit several applications per financial year, provided the total cumulative number of successful applications does not exceed \$500.

#### ***Community Grants***

The community grants funding provides financial assistance up to \$5,000 to support community events or projects. Financial assistance is based on a one third contribution from Council and two thirds from the applicant organisation.

Each organisation is eligible to submit one application per financial year.

#### ***Significant Event Sponsorship/Assistance***

Significant event sponsorship/assistance provides support to community groups within the Shire of Corrigin holding large local community events up to \$10,000 per financial year.

Each organisation is eligible to submit one application per financial year.

### **Restrictions on Funding**

Council allocates a total budget of \$35,000 per financial year for the three funding categories and a further \$30,000 for the waiver of rates, rubbish and facility or equipment fees.

The allocation for the three funding categories is distributed in the following way:

- Community Donations \$5,000
- Community Grants \$15,000
- Significant Events \$15,000

Community organisations who are eligible to apply for assistance and receive annual waivers of rates, rubbish, facility, and equipment fees or are in receipt of reduced fees

and charges will only be eligible to apply for the Community Grants and Significant Event Sponsorship/Assistance to the combined value of the waiver or reduced fees and the assistance not exceeding the maximum funding category amount.

Applications that will be considered for projects or events are outlined in the Corrigin Community Assistance Program Guidelines.

### **Eligibility**

To be eligible for assistance from the Shire of Corrigin the applicant must be:

- a not for profit, incorporated, community organisation
- an unincorporated not for profit organisation applying through the auspice of a not for profit incorporated body or local government authority.

Ineligible applicants include:

- An unincorporated organisation without an auspice arrangement.
- An individual.
- A commercial for profit organisation.
- Organisations that have not provided an acquittal from previous funding applications are ineligible to apply until the required documentation has been submitted.

### **Recurring Grants**

No applicant can be guaranteed funding, nor can any applicant be guaranteed to receive the full amount requested.

### **Advertising**

The Community Assistance Program applications will open in January and will be advertised in the Windmill, Shire website and social media.

### **Selection Criteria**

Each application will be assessed against the criteria set out in the Shire of Corrigin Community Assistance Program Guidelines.

### **Administration of Financial Assistance**

Financial assistance approvals shall be administered in accordance with the following:

- Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source, eg: Department of Local Government, Sport, Recreation and Attractions; Lotterywest etc, and that funding application is unsuccessful, then the funds may be withdrawn and made available to other community organisations.
- Where funding from an outside source is approved, Council financial assistance (as approved) shall be paid to the applicant, on receipt of a tax invoice at the conclusion of the project or event.
- Where approved financial assistance is not claimed by 31 May of the financial year in which the grant was approved the funding is considered as not required and the organisation will have to re-apply in the next funding year.
- Where requests for financial assistance are received outside the deadline for receipt of applications they shall not be accepted or considered and the applicants will be advised accordingly.
- Projects that are able to demonstrate benefits to the wider community will be preferred. Those projects that can demonstrate contributions from the community or community groups will be preferred.
- Projects requesting funding for salary costs, administration support and recurring expenditure are ineligible for support and won't be considered.

- Council's decision is final and applicants may not request an appeal.
- Applicants are permitted to only apply successfully for one round in each financial year unless otherwise stated in this policy.

### **Timeframe**

Applications will be presented to Council during the budget workshops held in May for Council to agree on which applications will be considered in the budget. Applicants will be advised in writing of the outcome.

The annual budget will be adopted by Council no later than the Ordinary Meeting of Council in August of each year and applicants notified of the final outcome of the application in writing no later than September.

### **Acquittal process and outcomes**

As part of the acquittal process grant recipients will be required to provide supporting documentation in the form of receipts and a report on the project to the Shire of Corrigin, within 30 days of project completion.

This information will be presented to Council by the CEO or DCEO.

Failure to complete the acquittal will disqualify the applicant for future funding.

## 2.12 INVESTMENT OF FUNDS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 17 August 2010  
**Amended:** 21 April 2015; 16 October 2018

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**Objective:** To invest the Shire of Corrigin's surplus funds, with consideration of risk and the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met.

**Policy:**

**Legislative Requirements**

All investments are to comply with the following:

- *Local Government Act 1995* – Section 6.14;
- The Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 28 and Regulation 49
- Australian Accounting Standards

**Delegation of Authority**

Authority of the implementation of the Investment of Funds Policy is delegated Council to the CEO in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day-to-day management of Council's investments to the Deputy CEO and other Finance Officers subject to regular reviews.

**Prudent Person Standard**

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

**Approved Investments**

Without approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds;
- Interest bearing deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper; and
- Bank negotiable Certificate of Deposits.

Investments may only be made with authorised institutions.

Definition of an "authorised institution" is as follows:

An authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or

The Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*.

**Prohibited Investments**

Investments which are not allowed are as follows:

- Deposits with an institution except an authorised institution;
- Deposits for a fixed term of more than 12 months;
- Bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Bonds with a term to maturity of more than 3 years;
- Foreign currency.

### **Risk Management Guidelines**

Investments are restricted to bank and WA Treasury investments only. The term of the investment will be based on forward cash flow requirements to ensure investment return on available surplus funds.

### **Reporting and Review**

A monthly report will be provided to Council in support of the monthly financial report. The report will detail the investment portfolio in terms of performance, percentage of exposure of total portfolio, maturity date and changes in market value, and enable the identification of the: –

- nature and location of all investments; and
- transactions related to each investment.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

## 2.13 ASSET ACCOUNTING CAPITALISATION THRESHOLDS

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 18 August 2009  
**Amended:** 21 April 2015; 16 October 2018, 20 October 2020

**Objective:** To establish minimum threshold values for capitalisation.

**Policy:** The following capitalisation thresholds for each classification of property, plant, equipment and infrastructure assets apply:

|                                    |         |
|------------------------------------|---------|
| Land                               | \$Nil   |
| Buildings                          | \$5,000 |
| Plant and Equipment                | \$5,000 |
| Furniture and Equipment            | \$5,000 |
| Infrastructure – Roads             | \$5,000 |
| Infrastructure – Drainage          | \$5,000 |
| Infrastructure – Parks and Gardens | \$5,000 |
| Infrastructure – Footpaths         | \$5,000 |
| Infrastructure – Other             | \$5,000 |

\*Airports have various components, such as building, plant and equipment and the thresholds applicable to these components should be applied to each component.

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 21 April 2015  
**Amended:** 16 October 2018, 20 October 2020, 18 October 2022

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**Objective:** To establish financial management procedures which provide full compliance with all local government statutory requirements and accepted accounting policies.

**Policy:** The significant accounting policies which have been adopted in the preparation of the financial report are:

**(a) Basis of Preparation**

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

The *Local Government Act 1995* and accompanying regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right of use asset to be measured at cost and is considered a zero cost concessionary lease. All right of use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

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

**(b) The Local Government Reporting Entity**

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of the financial reports.

All monies held in the Trust Fund are excluded from financial statements. A separate statement of those monies appears in the notes to the financial statements.

**(c) Judgements and estimates**

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

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

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, and infrastructure.

**(d) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk, and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**(e) Restricted Assets**

Restricted asset balances are not available for general use by the local government due to externally imposed restrictions. Restrictions are specified in an agreement, contract, or legislation. This applies to reserves, unspent grants, subsidies and contributions and unspent loans that have not been fully expended in the manner specified by the contributor, legislation, or loan agreement and for which no liability has been recognised.

**(f) Other Financial Assets at Amortised Cost**

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Fair values of financial assets at amortised cost are not materially different to their carrying amounts since the interest receivable on those assets is either close to current market rates or the assets are of a short term nature. Non-current financial assets at amortised cost fair values are based on discounted cash flows using a current market rate. They are classified as level 2 fair values in the fair value hierarchy due to the observable market rates.

Interest received is presented under cashflows from operating activities in the Statement of Cash Flows where it is earned from financial assets that are held for cash management purposes.

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

The Shire classifies the following financial assets at fair value through profit and loss:

- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the Shire has not elected to recognise fair value gains and losses through other comprehensive income.

**(h) 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 grants, contributions, reimbursements, and goods sold and services performed in the ordinary course of business.

Trade receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value

#### *Classification and subsequent measurement*

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current asset

Trade and other receivables are held with the objective to collect the contractual cash flows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

#### **(i) Inventories**

##### *General*

Inventories are measured 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 resale 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.

#### **(j) Other Current Assets**

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

#### **(k) Non-Current Assets Held for Sale**

Assets are classified as held for sale where the carrying amount will be recovered through a sale rather than continuing use and the asset is available for immediate sale with a sale being highly probable.

#### **(l) Contract Assets**

Contract assets primarily relate to the Shire's right to consideration for work completed but not billed at the end of the period.

#### **(m) Fixed Assets**

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

##### *Initial recognition and measurements for assets held at cost*

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognised at fair value. Assets held at cost are depreciated and assessed for indicators of impairment annually.

##### *Initial recognition and measurement between mandatory revaluation dates for assets held at fair value*

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

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 zero cost or otherwise significantly less than fair value, 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, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework.

#### *Revaluation*

The fair value of land, buildings, infrastructure and investment properties is determined at least once every five years in accordance with the regulatory framework. This includes buildings and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period the carrying amount for each asset class 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 requires land, buildings, infrastructure, investment properties and vested improvements to be shown at fair value.

For property, plant and equipment and infrastructure, 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. Subsequent increases are then recognised in profit or loss to the extent they reverse a net revaluation decrease previously recognised in profit or loss for the same class of asset.

#### **(n) Depreciation**

The depreciable amount of all property, plant and equipment and infrastructure, 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.

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.

#### *Depreciation on revaluation*

When an item of property, plant and equipment and infrastructure 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 of the 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.

*Amortisation*

All intangible assets with a finite useful life, are amortised on a straight-line basis over the individual asset’s useful life from the time the asset is held for use.

The residual value of intangible assets is considered to be zero and the useful life and amortisation method are reviewed at the end of each financial year.

*Depreciation rates*

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

| <b>Asset Class</b>                         | <b>Useful life</b> |
|--|--------------------|
| Buildings                                  | 30 to 50 years     |
| Furniture and equipment                    | 10 years           |
| Plant and equipment                        | 5 to 15 years      |
| - Heavy Vehicles                           | 15 years           |
| - Light Vehicles                           | 7.5 years          |
| Infrastructure Parks and Ovals             | 30 to 50 years     |
| Infrastructure Other                       | 30 to 50 years     |
| Sealed roads and streets                   | not depreciated    |
| Clearing and earthworks                    | not depreciated    |
| Construction/road base                     | 50 years           |
| Original surfacing’s and major resurfacing |                    |
| - bituminous seals                         | 20 years           |
| - asphalt surfaces                         | 25 years           |
| Gravel roads                               |                    |
| -Gravel sheet                              | 15 years           |
| Formed Roads (Unsealed)                    | not depreciated    |
| Footpaths - slab                           | 40 years           |
| Sewerage piping                            | 100 years          |
| Water supply piping and drainage systems   | 75 years           |

**(o) Leases**

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts that are classified as short term leases (i.e., a lease with a term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight line basis over the term of the lease.

*Right of use assets – valuation measurement*

Right of use assets are measured at cost. This means that all right of use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost (i.e., not included in the Statement of Financial Position). The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which are reported at fair value.

*Right of use assets - depreciation*

Right of use assets are depreciated over the lease term or useful life of the underlying asset, whichever is the shorter. Where a lease transfers ownership of the underlying asset, or the cost of the right of use asset reflects that the Shire anticipates to exercise a purchase option, the specific asset is amortised over the useful life of the underlying asset.

**(p) Financial Liabilities**

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

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

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.

**(q) 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 usually paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short term nature.

**(r) Prepaid rates**

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished, and the Shire recognises revenue for the prepaid rates that have not been refunded.

**(s) Contract Liabilities**

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

*Capital grant/contribution liabilities*

Capital grant/contribution liabilities represent the Shire's obligations to construct recognisable non-financial assets to identified specifications to be controlled by the Shire which are yet to be satisfied. Capital grant/contribution liabilities are recognised as revenue when the obligations in the contract are satisfied.

Non-current capital grant/contribution liabilities fair values are based on discounted cashflows of expected cashflows to satisfy the obligations using a current borrowing rate. They are classified as level 3 fair values in the fair value hierarchy due to unobservable inputs, including own credit risk.

**(t) 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.

Fair values of borrowings are not materially different to their carrying amounts since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Borrowings fair values are based on discounted cash flows using a current borrowing rate. They are classified as level 3 fair values in the fair value hierarchy due to the unobservable inputs, including own credit risk.

**(u) Employee Benefits**

The Shire's obligations for employees' annual leave, long service leave, and other employee leave entitlements are recognised as employee related provisions in the Statement of Financial Position.

*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*

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

**(v) 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.

**(w) Joint operations**

A joint operation is a joint arrangement where the Shire has joint control with another part to the joint arrangement. All parties to joint arrangement have rights to the assets, and obligations for the liabilities relating to the arrangement.

Assets, liabilities, revenues, and expenses relating to the Shire's interest in the joint operation are accounted for in accordance with the relevant Australian Accounting Standard.

**(x) Investment in associates**

An associate is an entity over which the Shire has the power to participate in the financial and operating policy decisions of the investee but not control or joint control of those policies.

Investments in associates are accounted for using the equity method. The equity method of accounting is 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.

**(y) 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.

**(z) Current and Non-Current Classification**

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 or non-current based on the Shire's intentions to release for sale.

**(aa) Rounding Off Figures**

All figures shown in the financial reports, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian dollars.

**(bb) Comparative Figures**

Where required, comparative figures have been adjusted to conform to 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 statements that has a material effect on the statement of financial position, 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.

**(cc) Budget Comparative Figures**

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

**(dd) Superannuation**

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

**(ee) Fair Value of Assets and Liabilities**

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.

**(ff) Interest Earnings**

Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset measured at amortised cost except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance).

**(gg) 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 the service capacity of an asset.

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.

#### **(hh) Impairment of Assets**

In accordance with Australian Accounting Standards the Shire's cash generating non-specialised 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 specialised assets that are measured under the revaluation model, such as roads, drains, public buildings and the like, no annual assessment of impairment is required. Rather AASB 116.31 applies, and revaluations need only be made with sufficient regularity to ensure the carrying value does not differ materially from that which would be determined using fair value at the ends of the reporting period.

## 2.15 CORPORATE CREDIT CARDS

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Senior Finance Officer  
**Date of Approval:** 19 June 2012  
**Amended:** 21 April 2015; 17 October 2017; 19 June 2018; 16 October 2018, 20 October 2020

**Objective:** To establish guidelines for the use of the Shire of Corrigin credit cards and the responsibilities of cardholders using the credit cards.

The policy ensures that the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the shire.

**Policy:**

**Legislation**

The following provisions of the *Local Government Act 1995* (the Act) and associated regulations impact on the use and control of corporate credit cards:

- Section 2.7(2) (a) and (b) requires the council to oversee the allocation of the local government's finances and resources and determine the policies of the local government.
- Section 6.5(a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- *Local Government (Financial Management) Regulation 11(1)* (a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

**Authority for the Use of Corporate Credit Cards**

Shire of Corrigin credit cards may be issued to the following Shire of Corrigin employees, with credit card limits as described.

| Officer                    | Credit Card Limit |
|----------------------------|-------------------|
| CEO                        | \$10,000          |
| Deputy CEO                 | \$5,000           |
| Manager Works and Services | \$5,000           |

Approval for additional credit card holders and any change to credit card limits must be approved by Council.

The *Local Government Act 1995* does not allow for the issue of credit cards to elected members. A Local Government can only pay allowances or reimburse expenses to an elected member.

An agreement between the cardholder and the Shire of Corrigin is to be signed which sets out the cardholder's responsibilities, legal obligations and action to be taken in the event that the cardholder fails to comply with procedures.

A register is to be kept of all current cardholders which includes card number, expiry date of credit card, credit card limit and details of goods and services the cardholder has authority to purchase.

All new and existing cardholders are to be provided with a copy of this policy relating to the use of credit cards on an annual basis.

### **Purchases and Use of Corporate Credit Cards**

The shire's credit cards shall only be used for purchase of goods and services in the performance of official duties for which there is a budget provision. Under no circumstances are they to be used for personal or private purposes or for the withdrawal of cash.

A compliant tax invoice/receipt must be provided for all purchases (irrespective of whether it has been purchased by facsimile, over the telephone or on the internet). The tax invoice/receipt and purchase order are to be forwarded to the responsible Finance Officer as soon as received. Credit card purchases will be checked and processed in accordance with normal accounts authorisation and payment processes. Credit card statements are to be reviewed and reconciled by the Manager Finance monthly.

For fringe benefits tax record keeping purposes, any expenditure for entertainment must include the number of people who were in attendance and the full names of any Shire of Corrigin staff.

### **Card Lost or Stolen**

Cards that are lost or stolen must be reported immediately by the cardholder to the issuing banker by telephone. At the earliest opportunity the cardholder is to notify the CEO, Deputy CEO or Manager Finance so that the cancellation of the card can be confirmed and a reconciliation of the card account from the date the card was lost or stolen may be performed.

### **Misuse of Corporate Credit Cards**

Any officer that believes a cardholder is entering into transactions that seem to be unauthorised, excessive and unreasonable will be reported to the CEO. Any breach by a cardholder will require an investigation into activities and if necessary action taken by the CEO which may result in the withdrawal of the card and/or disciplinary action. Cardholders that do not follow any component of this policy may also have their credit card cancelled and may be subject to disciplinary action.

### **Recovery of Unauthorised Expenditure**

Unauthorised expenditure and expenditure of a private nature that is proved to be inappropriate will be recovered by deductions from the cardholder's salary.

### **Rewards/Bonus Points**

Where the credit cards carry rewards or bonus points, these points will be accumulated in the name of the Shire of Corrigin. The CEO will decide how these points are to be utilised. Under no circumstances are reward or bonus points to be redeemed for a cardholder's private benefit.

### **Return of Cards**

In the event that a cardholder's employment ceases with the Shire of Corrigin, takes an extended period of leave, or moves to a position which does not require the use of a credit card the credit card is to be handed to the Manager Finance for cancellation of the corporate card account and destruction of card. Credit cards are not to be transferred to other users.

### **Credit Card Reporting**

A report is provided to Council on a monthly basis that addresses (but not limited to) an independent assessment undertaken by the Deputy CEO along with a copy of the credit card statement.

## **Payments**

- The monthly credit card statement is paid via a direct debit on or before the due date.
- All tax invoices and supporting documents for credit card purchases are to be presented to the Finance Officer to be matched up with the statement.
- The Finance Officer will code the individual transactions and submit the list to the credit card holder for their confirmation. The transaction list and associated codes will also be authorised by the CEO.
- The CEO will authorise and sign the DCEO & MWS credit card statement and the DCEO will authorise and sign the CEO credit card statement.

## **Finance Officer Responsibilities**

The Finance Officer will:

- Arrange the issuing and cancellations of credit cards as directed by the CEO.
- Maintain a register of all cardholders.
- Provide cardholders with the credit card policy and where required any changes to the policy and their responsibilities and obligations as cardholders.
- Process payments of credit cards including the attachment of all receipts and tax invoices and the relevant authorising officers have signed off on the statements.
- Arrange for all cardholders to sign the Credit cardholder Agreement on receipt of the new card and ensure the signed agreement is placed in the Corporate Credit Card Register in the Synergy Central Records system.

## **Cardholders Responsibilities and Obligations**

Credit cardholder's must:

- Keep their card in a safe place.
- Make payments for goods and services that are within their card limit, budget and authority to do so.
- Adhere to the credit card policy and procedures and purchasing policy.
- Ensure all receipts and tax invoices are kept and submitted to the Finance Officer within seven days of receipt.

## 2.16 MOTOR VEHICLE REPLACEMENT

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**Policy Owner:** Corporate Services  
**Person Responsible:** Chief Executive Officer, Deputy Chief Executive Officer  
**Date of Approval:** 17 November 2009  
**Amended:** 17 October 2017

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**Objective:** To facilitate better understanding and minimise the whole of life costs for the Shire of Corrigin light vehicle fleet.

**Policy:** Fleet cycle costs vary regularly due to a variety of factors including fuel costs, used vehicle prices, and market and industry trends. The Shire will review these costs and replacement periods on a regular basis to ensure the most cost effective outcome at all times as part of the development of annual budgets and long term financial plan including the plant replacement program.

Regular advice will be sought from vehicle dealers on the optimum changeover period and vehicle type to minimise the whole of life costs to the Shire. This information will provide the basis of decision making as to when optimum replacement/changeover of light vehicles is deemed appropriate as market industry trends vary.

Vehicle changeover cycles will then be determined by Council through consultation between the CEO and the Deputy CEO after consideration of prevailing market conditions. Changeover will generally occur between two and six years or 50,000 to 100,000km. At all times, the net cost to Council will be the primary consideration in order to minimise change over costs.

The Policy will not override any relevant contractual arrangements with staff.

## 2.17 PETTY CASH POLICY

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer  
**Date of Approval:** 16 October 2018  
**Amended:** N/A

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

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

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

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

The following transactions are specifically excluded from petty cash reimbursement:

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

### **Reimbursement of Petty Cash**

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

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

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

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

## 2.18 PORTABLE AND ATTRACTIVE ASSETS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:**  
**Amended:**

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**Objective:** To establish guidelines on the management and recording of portable and attractive assets under the capitalisation threshold and that do not form part of the Asset Register.

**Policy:**

**Statement**

Portable and attractive assets are to be recorded in order to –

- a) be safeguarded against theft, fire and loss,
- b) enable the physical control of high risk, low value acquisitions,
- c) ensure that losses resulting from such items are minimised; and
- d) ensure that the Shire does not incur significant costs in terms of managing low risk, low value items.

**Scope**

This policy applies to all items –

- e) that are portable and attractive with an acquisition value less than the asset recognition threshold for non-current assets and where the item satisfies all of the following criteria –
  - i) portable – that is, the item can be easily moved between locations by one person; and
  - ii) attractive - by its nature (size, utility, marketability) is susceptible to theft or loss; and
  - iii) valued at, or within the Shire's portable and attractive asset recognition thresholds.
- f) items defined as a portable and attractive asset –
  - i) purchased by the Shire, irrespective of the funding source and
  - ii) includes items gifted or donated to the Shire.

**Assets \$5,000 ex GST and over**

Assets having a fair value of \$5,000 ex GST or more at date of acquisition, are to be capitalised in accordance with Policy 2.14 Asset Accounting Capitalisation Thresholds and Policy 2.15 Significant Accounting Policies.

**1. Recording and Reporting**

- a) To facilitate effective internal control over these items, each item will be individually registered and maintained in the approved format by the Deputy Chief Executive Officer.
- b) Where possible, each item will be uniquely identified.
- c) Purchases will be captured via the purchasing system and acquisition cost, acquisition date, description fields, serial number and any other relevant details are to be recorded within the appropriate register.
- d) Portable and attractive items are removed from the register when they are disposed of (e.g. due to being obsolete, surplus or damaged beyond repair) or identified as lost or stolen.

A report will be produced at least every three years containing information regarding

- a) the last time the item was part of a stocktake; and where applicable
- b) the condition of the item.

## **2. Stocktake**

The DCEO is responsible for ensuring that a stock take of all registered portable and attractive items is carried out on a regular basis, but at least every three years.

All registered portable and attractive items will be subject to audits on a periodic basis by the DCEO responsible or their delegate, to ensure that adequate control over these items has been maintained.

Audits may take the following form –

- in conjunction with tag and testing
- recognition of existence through regular servicing/maintenance schedules
- include a condition rating

Outcomes of the stocktake will be reported to the CEO, highlighting those items identified as lost, stolen, or unaccounted for in detail.

## **3. Disposal of Portable and Attractive Items**

Disposal of Portable and Attractive Items will be undertaken in accordance with Delegation 1.2.12 Disposing of Property.

**Policy Owner:** Corporate and Community Services

**Person Responsible:** Deputy Chief Executive Officer

**Date of Approval:** 18 October 2022

**Amended:**

**Objective:** To establish protocols for the disposal of assets owned by the Shire of Corrigin in accordance with the requirements of section 3.58 of the *Local Government Act 1995* to achieve the best possible financial, environmental and community outcomes when disposing of the Shire's assets and to ensure that transparency and accountability are achieved in the disposal of the Shire's assets.

**Policy:** The following principles apply to the disposal of assets activity:

1. Asset disposal decisions, including reasons for such action are to be recorded in the Shire's asset registers and associated accounting records.
2. The financial treatment of the disposal of fixed assets such as land, buildings, plant and equipment, furniture and equipment is to be determined by market demand.
3. Disposal of assets by private treaty must demonstrate that the most advantageous price was achieved.
4. Assets that are approved to be written off will be disposed of from the asset register at their written down value as of the date of write off.
5. Environmental considerations are paramount when considering disposal of assets to landfill sites, therefore the *Environmental Protection Act 1986* and the Department of Environment Guidelines for "*Landfill*" *Waste Classification and Waste Definitions 1996 (as amended 2019)* are to be complied with.

Section 3.58 of the *Local Government (Functions and General) Regulations 1996* establish the methodologies by which local governments may dispose of assets and are applicable to any asset disposal contemplated by the Shire. The following disposal approaches are to be followed by the Shire staff in accordance with this policy.

- Vehicles shall be either traded in against the replacement vehicle as part of a public tender process or disposed of by public auction.
- Heavy Plant shall be either traded in against the replacement piece of plant through a public tender process or sold by public auction. The Manager of Works and Services is responsible for heavy plant disposals in accordance with this policy.
- Minor Plant items are the responsibility of the Manager of Works and Services for disposal in accordance with this policy.
- Land is the responsibility of the Chief Executive Officer.
- Buildings are to be disposed of in accordance with this policy and are the responsibility of the Chief Executive Officer or Deputy Chief Executive Officer.
- Furniture and Equipment located in buildings are to be disposed of in accordance with this policy and are the responsibility of the Chief Executive Officer or Deputy Chief Executive Officer.
- Infrastructure assets are to be disposed of in accordance with this policy and are the responsibility of the Chief Executive Officer or Deputy Chief Executive Officer.
- Information technology assets are to be disposed of in accordance with this policy and are the responsibility of the Deputy Chief Executive Officer.
- Artwork assets within the Shire of Corrigin are the responsibility of Council.

### Authority to Dispose of Property

Assets to be disposed of shall be included in the annual budget or by a resolution of Council unless the disposal falls under a condition outlined in Delegation 1.2.12 Disposing of Property.

### **Reasons for disposal**

- (a) Has reached its pre-determined economic life in order to maximise the realisable market value.
- (b) Is no longer required due to a change in functionality or usage patterns.
- (c) Has reached the end of its expected useful life and has been confirmed by an appropriate condition assessment as to be disposed and/or replaced.
- (d) No longer complies with workplace health and safety standards or is determined as environmentally unviable, subject to risk assessment.
- (e) Is beyond repair and no longer in operable condition.
- (f) Is no longer able to provide an acceptable level of service to the community.
- (g) Is stolen, lost or damaged (to be written off the asset register).

### **Methods of Disposal**

The disposal method chosen must comply with the requirements of section 3.58 of the *Local Government Act 1995* and be appropriate to the value, nature, quantity, and location of the goods, and where applicable promote fair and effective competition to the greatest extent possible. The disposal methods available are:

- (a) Trade-in – as part of a public tender process and only where it is part of the asset replacement program.
- (b) Public Tender – advertising in the local newspapers circulated in Western Australia
- (c) Auction – advertisement in the local newspapers circulated in Western Australia and be a licenced auctioneer.
- (d) Destruction or landfill – this applies where items are of no commercial value and no longer required by Shire.
- (e) Contribution or donation as approved by Council.
- (f) Other means as resolved by Council.

### **Disposal of Information and Communication Technology**

When disposing of ICT equipment, the internal memory and hardware will be sanitised in situ or removed from the device for sanitation by the shire's ITC support provider. Once completed the equipment will need to be destroyed in its entirety. At the discretion of the CEO the equipment may be put up for public tender or donated for the benefit of the community providing the equipment has been sanitised and restored to the original operating system.

### **Roles and Responsibilities**

#### **Chief Executive Officer**

- (a) The CEO is the chief custodian of assets and has limited delegated authority to authorise dispose of property as detailed in the Shire's Delegated Authority Register
- (b) The CEO is responsible for ensuring that the DCEO and Manager of Works and Services comply with legislation and implement this policy when undertaking the disposal of assets.

#### **Deputy Chief Executive Officer and Manager of Works and Services**

- (c) The DCEO and Manager of Works and Services have limited delegated authority from the CEO to authorise the disposal of property as detailed in the Shire's Delegated Authority Register.
- (d) The DCEO and Manager of Works and Services are responsible for ensuring that staff of the Shire comply with the legislation and this policy when undertaking the disposal of assets.

# 3 RISK MANAGEMENT AND WORKPLACE POLICIES

## 3.1 RISK MANAGEMENT

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 21 October 2014  
**Amended:** 21 April 2015, 16 June 2020

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**Objective:** The Shire of Corrigin's (the Shire's) intention to identify risks before they occur so that impacts can be minimised or opportunities realised, ensuring that the Shire achieves its strategic and corporate objectives efficiently, effectively and within good corporate governance principles.

**Policy:** It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2018 Risk management - Guidelines), 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 functions will be resourced appropriately to match the size and scale of the Shire's operations and will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

This policy applies to Council Members, Executive Management and all employees and contractors involved in any Shire operations.

### **Definitions**

**Risk:** Effect of uncertainty on objectives.

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

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

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

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

### **Risk Management Objectives**

- Optimise the achievement of our values, strategies, goals and objectives.
- Aligns with and assists the implementation of Shire policies.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Reflects risk versus return within the Shire's risk appetite.
- Embeds appropriate and effective controls to mitigate risk.
- Achieves effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhances organisational resilience.
- Identifies and provides for the continuity of critical operations

### **Risk Assessment and Acceptance Criteria**

The Shire has quantified its broad risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework.

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

### **Roles, Responsibilities and Accountabilities**

Council's role is to:

- Review and approve the Shire's Risk Management Policy and Risk Assessment and Acceptance Criteria.
- Establish and maintain an Audit and Risk Management Committee in terms of the *Local Government Act*.

The CEO is responsible for the:

- Implementation of this Policy.
- Review and improvement of this Policy and the Shire's Risk Management Framework at least every 18 months, or in response to a material event or change in circumstances.

The Shire's Risk Management Framework outlines in detail all roles and responsibilities under CEO delegation associated with managing risks within the Shire.

### **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.

This policy will be reviewed by the Shire's Management Team and employees. It will be formally reviewed by Council biennially by the Audit and Risk Management Committee.

## 3.2 HEALTH SAFETY AND ENVIRONMENT

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 18 November 2014  
**Amended:** 21 April 2015; 17 October 2017; 15 October 2019

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**Objective:** The Shire of Corrigin Council and Executive is committed to, as far as is practicable, maintaining a working environment where persons at the workplace are not exposed to hazards.

**Policy:** The Shire of Corrigin seeks to efficiently provide a wide range of vital services to residents and visitors to our region. We are an equal opportunity employer committed to providing and maintaining an environmentally conscious, safe and healthy workplace for all employees and those who may be affected by our work operations. This commitment is consistently demonstrated through the behaviours of our management and employees at the workplace.

Responsibilities for addressing safety, health and environmental concerns are shared by everyone at the Shire of Corrigin. The Shire understands and acknowledges specific responsibility for providing and maintaining a legislatively compliant working environment where persons at the workplace are not exposed to hazards and are provided with adequate resources, education and training to meet our safety, health and environmental obligations. Employees assist our management team to fulfil obligations through actively ensuring their own safety and that of others in the workplace.

All workers engaged with the Shire of Corrigin are required to report in a timely manner any incident, hazard or issues that are identified as posing a risk to health, safety or to the environment. These are promptly managed in accordance with the hierarchy of risk controls and accepted risk management principles.

At the Shire of Corrigin, we vigorously monitor our environmental impact and we are committed to continually improving our environmental performance through the prevention of pollution, efficient use of resources, waste minimisation, reuse and recycling practices. Our environmental intent is to ensure that our operations are conducted in a manner that contributes to the overall environmental sustainability of Australia.

We are proud of our excellent workplace safety and environmental record and are committed to continuously improving our workplace safety and health performance aimed at the elimination of workplace injury through the achievement of the specific targets and objectives which are documented in our Safety, Health and Environmental Management Plan.

Our Safety, Health and Environmental Management Plan is supported by a procedural framework intended to guide our employees and subcontractors to work safely and in an environmentally conscious manner including, but not limited to, compliance with all applicable legislative regulatory requirements, relevant Australian Standards and with all other requirements to which our organisation subscribes.

This Safety, Health and Environmental Policy and our supporting management systems documentation are regularly reviewed in line with continual improvement and occupational health and safety management system recommendations.

## 3.3 WORKPLACE BEHAVIOUR POLICY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 21 April 2015  
**Amended:** 15 October 2019

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**Objective:** The Shire of Corrigin is committed to providing a workplace that is free from discrimination, harassment, bullying and victimisation for all employees and members of the community. The Shire believes that in providing such a workplace it will enable all employees to feel safe, secure and free from intimidation when they are at work.

The Shire of Corrigin prohibits any form of unacceptable behaviour in the workplace and encourages all employees to report any unacceptable behaviour to their Manager, Supervisor, or CEO.

Any breach of the Workplace Behaviour Policy will be considered a serious matter that will be investigated and may result in disciplinary action including termination of employment.

### **Scope and Responsibilities:**

The policy applies to any person involved in the Shire of Corrigin, including all elected members, employees, potential employees, contractors, volunteers and visitors. All employees are responsible for ensuring that their behaviour reflects the standards of conduct outlined in the Shire of Corrigin Code of Conduct, policies and procedures and builds on a positive workplace culture. All elected members and employees must take responsibility for reporting improper conduct or misconduct which has been, or may be occurring in the workplace.

This policy applies to all activities during the course of work within the Shire of Corrigin including:

- In the workplace, including work outside normal working hours;
- During work activities, including dealing with members of the public; and
- At work related events, including conferences and social functions outside work premises.

Managers have a special responsibility to support employees in achieving these goals by leading by example and assisting employees to understand Council policies and procedures. They must also take all reasonable steps to ensure that the workplace is free from unacceptable behaviour.

## Policy:

### **Discrimination**

Discrimination is treating a person less favourably on the basis of certain characteristics they possess and it can happen either directly or indirectly and be intentional or unintentional.

**Direct discrimination** occurs when a person is treated less favourably than another person in the same or similar circumstances, because of any of the grounds or attributes listed below.

**Indirect discrimination** occurs when an apparently neutral rule has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic, such as those listed below, compared to people without that attribute or characteristic, and the rule is unreasonable in the circumstances.

For example, the minimum height requirement that used to exist in the police force *directly* discriminated against short people on the basis of physical appearance, and *indirectly* discriminated against women and people of certain races, who tend to be shorter.

### **Unacceptable grounds or attributes of discrimination**

Discrimination based on any of the following grounds or attributes is unacceptable:

- Age
- Family responsibility
- Family status
- Gender
- Gender history
- Disability or impairment
- Marital status
- Political conviction
- Pregnancy
- Race
- Religious conviction
- Sexual orientation
- Spent conviction
- Personal association: In some of the listed circumstances the *Equal Opportunity Act 1984* may apply to a relative or person who has a close relationship to a person affected by these grounds.

### **Examples of discriminatory behaviour**

Discrimination may involve:

- Offensive 'jokes' or comments about another person's racial or ethnic background, sex, sexual preference, age, disability, and the like.
- Displaying pictures, calendars, pin-ups, posters, computer images (e.g. in electronic mail messages), which are offensive or derogatory.
- Expressing negative stereotypes of particular groups, for example, 'married women shouldn't be working'.
- Judging a person on characteristics such as religious or political beliefs, cultural practices, sex or age rather than work performance.
- Using stereotypes or assumptions when making decisions about a person's career.

### **Exceptions**

In some situations the legislation may provide exceptions to discrimination or permit what would otherwise be unlawful discrimination. In these circumstances discrimination will be permissible. For example, while it is unacceptable to discriminate against a person with disability, what would otherwise be unlawful discrimination may be justified if the person cannot perform the inherent requirements of their position.

## **Responsibilities**

### **Liability of people involved in unlawful acts**

A person who causes, instructs, induces, aids or permits another person to do something that is unlawful under the WA Equal Opportunity Act 1984 shall be considered to have done the act themselves.

### **Vicarious liability**

When an employee, or agent, in connection with their employment, does something which is unlawful under the Act, their organisation, employer or principal will be liable for that act unless the employer can demonstrate that they have taken all reasonable steps to prevent the employee/agent from acting unlawfully.

*Refer to the WA Equal Opportunity Act 1984 for more information.*

### **Sexual harassment**

A person sexually harasses another person if they:

- Make an 'unwelcome sexual advance'.
  - Make an 'unwelcome request for sexual favours'.
  - Engage in other 'unwelcome conduct of a sexual nature'.
- and** the behaviour must be such that the harassed person has reasonable grounds to believe if they reject the advance, refuse the request or object to the conduct they will be disadvantaged, or they are in fact disadvantaged.

'Conduct of a sexual nature' can take many forms including, but not limited to:

- Unwelcome physical touching, hugging or kissing.
- Making, orally or in writing, any remark or statement with sexual connotations to a person or about a person.
- Making any gesture, action or comment of a sexual nature.
- Staring or leering at someone, or at parts of their body.
- Suggestive comments or jokes.
- Insults or taunts based on sex.
- Sexually explicit pictures, e-mails or text messages.
- Intrusive questions about an employee's private life or body.

### **Motive or intention is irrelevant**

Sexual harassment is unwelcome, uninvited behaviour which is offensive from the viewpoint of the person being harassed. It does not matter that the offender did not mean or intend to sexually harass the other person. In other words, an offender's 'innocent intent' is irrelevant.

### **Examples of sexual harassment**

Sexual harassment can involve any physical, visual, verbal or non-verbal conduct of a sexual nature including either one-off incidents or a series of incidents. It also includes workplace behaviour or behaviour in connection with work, for example, at a Christmas party or at a work function outside of work hours. Depending on the circumstances, other examples of sexual harassment include:

- Displays of sexually graphic material including posters, pictures, calendars, cartoons, graffiti or messages left on boards or desks.
- Electronic mail messages, voice mail messages, screen savers, any material of a sexual nature downloaded from the internet, or viewed on a computer, offensive telephone calls, faxes, or gifts.
- Deliberate and unnecessary physical contact, such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing.
- Leering or staring at a person's body.
- Inappropriate 'humour' such as smutty or sexist jokes or comments.
- Innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance.

- Repeatedly asking someone out, especially after prior refusal.
- Intrusive inquiries into a person's private life or in reference to a person's sexuality.

### **Behaviour can breach this policy even if it is not unlawful**

The Shire of Corrigin may decide that behaviour breaches this policy even if a complaint has not been raised. For example, storing and viewing sexually explicit images in the workplace or on a computer at work may constitute sexual harassment under this policy, even if a complaint has not been made against the offender. This behaviour is still unacceptable at work, even if it is not unlawful, and may result in disciplinary action being taken, including termination of employment.

### **Alcohol and functions**

Everyone who works for the Shire of Corrigin is expected to behave in a professional and appropriate manner at all work related events, including client or social functions, industry events and conferences. Alcohol is no excuse for unacceptable behaviour.

### **Bullying**

Workplace bullying is repeated, unreasonable or inappropriate behaviour directed towards an employee, client, contractor or other external party that creates a risk to their health and safety.

Unreasonable behaviour is that which victimises, humiliates, undermines or threatens the person being bullied, or would reasonably be expected to do so. Bullying breaches this policy and also the Shire of Corrigin's Health, Safety and Environment policy which provides that all workers must take reasonable care for the health and safety of their co-workers.

### **Examples of bullying**

Bullying is defined by the effect of the behaviour, even though there may not be a specific intent to bully. Bullying may include one or more behaviours. Bullying may also include violence and aggression. Where bullying involves assault or threat of assault it may become a police matter.

There are two main types of bullying behaviour, overt and covert.

Examples of **overt** bullying include:

- Abusive, insulting or offensive language.
- Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming.
- Inappropriate comments about a person's appearance, lifestyle, or their family.
- Teasing or regularly making someone the brunt of pranks or practical jokes.
- Interfering with a person's personal effects or work equipment.
- Harmful or offensive initiation practices.
- Isolation of workers from others.
- Physical assault or threats.

**Covert** behaviour that undermines, treats less favourably or disempowers others is also bullying, for example:

- Overloading a person with work or not providing enough work.
- Setting timelines that are difficult to achieve or constantly changing deadlines.
- Constantly setting tasks that are below or beyond a person's skill level.
- Ignoring or isolating a person.
- Deliberately denying access to information, consultation or resources.
- Unfair treatment in relation to accessing workplace entitlements such as leave or training.

### **What bullying does not include**

Bullying does not include:

- Genuine and reasonable disciplinary procedures.

- Constructively delivered feedback or counselling that is intended to assist employees to improve their work performance or the standard of their behaviour. For example, objective comments which indicate observable performance deficiencies.
- Directing and controlling how work is done (a fundamental right of all employers)

### **Victimisation**

Victimisation means subjecting or threatening to subject someone to a detriment (as defined below), as a form of retribution in response to an actual or possible discrimination, harassment or bullying issue. The complaint need not actually have been made; it is sufficient that the original issue could have been raised as discrimination, harassment or bullying complaint, or that an individual:

- Intends to make a complaint.
- Makes a complaint.
- Intends to provide information as a witness.
- Provides information as a witness.
- Supports an individual who intends to make a complaint.
- Supports an individual who has made a complaint.
- Is believed to have done any of the above.

Victimisation also applies to anyone giving evidence about a complaint.

### **What is a detriment?**

A detriment in employment includes demotion, dismissal, transfer, suspension, loss of a benefit, being ostracised from work or work related social functions, or being the subject of gossip or innuendo.

### **Our approach**

The Shire of Corrigin does not permit retaliation against a person just because they propose to, have, or are believed to have made a complaint of unacceptable behaviour under this policy, equal opportunity legislation or occupational health and safety legislation.

### **If someone raises a complaint with you about your behaviour**

If a person raises a complaint directly with you about your behaviour, you should appreciate that they are letting you know that they find your behaviour unacceptable. They are giving you an opportunity to change your behaviour, and possibly prevent a formal complaint from being made against you. If someone does raise a complaint with you about your behaviour, you should consider monitoring and changing your behaviour, and you should not victimise the person making the complaint.

If you are concerned about a complaint raised directly with you, or the person who has raised the complaint, you are encouraged to discuss this with the CEO or your Manager or Supervisor.

## 3.4 EQUAL EMPLOYMENT OPPORTUNITY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 15 August 2006  
**Amended:** 21 April 2015; 15 October 2019

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**Objective:** To ensure that the Shire conducts the recruitment of staff in accordance with legislation, and in conjunction with sound management practices.

**Policy:**

- (a) The Shire will recognise its legal obligations under the *WA Equal Opportunity Act 1984* and shall actively promote Equal Employment Opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, Gender history, age, marital status, pregnancy, race, family responsibility, family status, disability or impairment, sexual orientation, spent conviction, religious or political convictions and personal association.
- (b) The equal employment opportunity goals of the Shire shall be designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.
- (c) This policy applies to full time, part time, permanent, temporary and casual employees of the Shire of Corrigin.
- (d) All employment training with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.
- (e) All promotional policies and opportunities with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.
- (f) All offers of employment within the Shire shall be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.
- (g) The Shire shall not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a person's gender, Gender history, age, marital status, pregnancy, race, family responsibility, family status, disability or impairment, sexual orientation, spent conviction, religious or political convictions and personal association.

**Grievance**

The Shire undertakes to treat any grievance under this policy fairly, quickly and in confidence. It will treat each case on its merits having regard to the relevant legislation and the Shire's Code of Conduct. Determinations in relation to any grievance will be the responsibility of the relevant Manager(s). Employees have the right to appeal any such determination to the CEO.

The above process is not intended to impede or prevent any action the employee may wish to take through an appropriate external tribunal.

*To be read in conjunction with the Shire of Corrigin Equal Employment Opportunity Management Plan 2019-2021 – adopted 18 December 2018, Council Resolution 213/2018.*

## 3.5 PROTECTION FROM THE SUN FOR OUTDOOR WORK

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 21 April 2015  
**Amended:** N/A

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**Objective:** To provide guidelines for Shire staff to avoid harmful exposure to the elements.

**Policy:** The minimum clothing requirements for outdoor employees shall be a long sleeve shirt and, long trousers. Unless for safety related reasons shirt sleeves may be rolled up (refer to Staff Uniform policy).

The basic dress code will apply all year round – exemptions may apply based upon written medical advice.

Council will supply hats, long sleeve shirts and trousers and sunscreen appropriate for the nature of the work. Council will not provide shorts.

Wherever practicable, the Ultra-violet Protection Factor (UPF) of clothing fabric will be 30+ or better.

An “outdoor employee” for the purpose of this document, is defined as a person whose regular daily duties require them to be in direct sunlight for more than one (1) hour per day on a cumulative basis.

### **Use of sunscreen cream**

All outdoor employees will be supplied with sunscreen cream, which should be applied to their uncovered skin in accordance with manufacturer directions. Information, instructions and supervision will be provided in the use of sunscreens (note Section 19(1) (b) of the *Occupational Safety and Health Act 1984*). In particular, this refers to their faces, ears, necks, backs of the hands, and legs if relevant. The cream provided will be registered under Australian Standards and be of the SPF 30+ broad spectrum type.

Exemptions may apply based on written medical advice.

### **Other people who work outdoors**

Those people who work in direct sunlight for more than thirty (30) minutes (but less than one (1) hour) per day on a daily basis are also required to wear a broad brimmed hat or (equivalent) and sunscreen, both of which Council will supply. Such workers may be environmental health and building officers.

### **Supply and use of sun glasses**

All staff working outdoors shall, when practicable, wear general purpose sun protection glasses which comply with Australian Standards. These will be made available to relevant staff as part of the standard personal protective equipment issue.

### **Administrative and other controls**

While these policy guidelines are essentially about the type of garments worn, the implications to the wearer with respect to comfort and overheating problems are worthy of further mention.

The key factors which may promote bodily overheating problems are:

- (a) Ambient and radiant temperature
- (b) Extent of air movement (wind)
- (c) Pace and physical demand of work
- (d) Adequacy of water replacement required by sweating
- (e) Humidity
- (f) Person's clothing.

Note: Actual temperatures experienced by workers will differ considerably dependent on their workplace. Working in a well-treed park will be vastly different to working on an open bitumen road.

Steps which should be taken to avoid overheating include:

1. All relevant staff should have ample supplies of fresh cool water. Where main water is unavailable a 5 litre water bottle will be provided to each person.
2. Exploiting the use of natural shade.
3. The erection of temporary shade where practicable.
4. Rescheduling of particularly heavy work outdoors between the period 10am to 2pm where practicable.
5. Consideration of temporary cessation from physically demanding work for the time when severe heat related conditions are experienced.

It is readily apparent that heavy work in particularly hot weather is not efficient work, without frequent stops, at least for drinks and possibly self-dousing with water. Staff should report immediately to their supervisor any significant symptoms of bodily overheating. Suitable education sessions should be conducted to ensure that staff members are aware of what these symptoms are and the effects of exposure to ultraviolet radiation.

### **Consultation**

Council realises that the type of clothing worn in the field is of considerable importance to outdoor employees and hence people or their representatives will be consulted with respect to changes in style, type and fabric of clothing as issued in accordance with good management practices. (Note, also Section 35(1) (c) of the *Occupational Safety and Health Act 1984*).

Wherever practicable, the Council, having adopted a clothing policy will ensure that the style and fabric of garments is acceptable and appropriate to the relevant workforce.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 October 2020  
**Amended:** 18 October 2022

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**Objective:** To ensure that employees have an opportunity to access a range of health and wellbeing support services and programs to show commitment to:

- Improving the health and wellbeing of employees.
- Promote awareness of key health issues.
- Promote and encourage participation in workplace health and wellbeing activities.
- Encourage employees to provide input into health and wellbeing activities.

**Policy:**

The Shire is committed to providing employees with a safe, healthy and supportive work environment. The shire recognises the importance of a supportive workplace culture where healthy lifestyle choices are valued and encouraged.

The health and wellbeing of employees and maintaining a good work life balance enables employees to fulfil their work and personal responsibilities effectively and efficiently which benefits both the employee and employer.

The health and wellbeing support services and incentives aim to improve the general health of employees, assist with retention and attraction of staff and assist in the reduction of workers compensation claims.

**Employee Support Services**

The Shire of Corrigin provides a range of opportunities and support services to assist employees to create a healthy workplace, improve awareness of health issues, lower risk factors and improve employee's safety.

The Shire of Corrigin offers all employees access to the following services provided by Local Government Insurance Service (LGIS) Health and Wellbeing Program including:

- Skin cancer screening.
- Hearing testing.
- Flu vaccinations.
- Injury prevention such as manual task training and ergonomic assessments.
- Health and wellbeing assessments.
- Healthy lifestyle programs.
- Mental health awareness.
- COVID-19 vaccinations

Additional health and wellbeing programs are promoted throughout the year depending on topical issues, demand, funding and work arrangements.

**Counselling and Support Service.**

Employees are able to access free and confidential counselling sessions over the telephone or face to face. The LGIS Counselling Service is generally a short term service and employees requiring longer term counselling are encouraged to discuss alternative support which may require a medical referral.

**Employee Health and Wellbeing Incentives**

In order to encourage fitness and general wellbeing all permanent full time and part time employees are offered **one** of the following incentives to a maximum value of \$250 per financial year:

- Season pass for individual or family (immediate family and dependent children under 16).
- Heated pool entry passes or aqua aerobics classes.
- Reimbursement of local Corrigin sporting team membership fees for active participation eg football, netball, hockey, cricket, tennis, bowls, etc.
- Reimbursement of local personal training or fitness programs or classes.

### **Conditions**

The following conditions apply to the incentives

- These incentives apply to all permanent full time and part time employees of the Shire of Corrigin.
- Not to be used for the purchase of clothes, shoes or equipment.
- Not to be used for social or non-playing membership fees.
- Applies to individual employees and immediate family only including: dependent children under 16 and excluding siblings, grandchildren or parents.

### **Roles and Responsibilities**

Employees are encouraged to:

- Support and contribute to the Shire of Corrigin's aim of providing a safe, healthy and supportive environment for all employees.
- Seek clarification from management if required.
- Support fellow workers in their awareness of this policy.
- Actively support and contribute to the implementation of health and wellbeing support services and programs.

### **Communication Monitoring and Review**

The Shire of Corrigin will ensure that:

- All employees receive information about the range of health and wellbeing support services offered by the Shire of Corrigin during the induction process.
- This policy is easily accessible by all employees and are provided with notification of any changes to the policy.
- Employees are encourage to actively contribute and provide feedback to this policy.
- The effectiveness of the policy will be assessed through feedback from employees.
- The policy will be reviewed by management and the Occupational Health and Safety Committee to determine if objectives are being met.

## 3.7 CONTRACTORS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 15 August 2006  
**Amended:** 21 April 2015; 15 October 2019

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**Objective:** To ensure that Council employs suitably qualified and prepared contractors in conjunction with insurance and liability schemes through LGIS.

**Policy:** The Shire of Corrigin understands the legislative duties imposed by the *Occupational Safety and Health Act 1984 (WA)* in regards to contract work arrangements and will undertake appropriate activities to ensure that our legislative duties are duly fulfilled in relation to matters over which the Shire has capacity to exercise control.

## 3.8 EMPLOYEE INDUCTION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer; Deputy Chief Executive Officer; Manager Works and Services;  
**Date of Approval:** 21 April 2015  
**Amended:** 17 October 2017; 15 October 2019

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**Objective:** To ensure the Shire of Corrigin inducts new employees in a structured and standardised method to effectively communicate the Shire's goals, policies, procedures or standards to new employees. This will assist to integrate new employees into the Shire's values and culture through the provision of counselling, coaching and mentoring, which are supported by the provision of information and learning materials to satisfy the technical or professional aspects of each job.

**Policy:** The immediate manager/supervisor should carry out the induction to meet the needs of the new employee, taking into account such factors as; their experience, previous knowledge and requirements of the position.

The Shire of Corrigin Induction Program should be presented to new employees prior to the commencement of duties and provide new employees with:

- an understanding of the Shires Occupational Safety and Health requirements and obligations;
- an understanding of human resource procedures and entitlements;
- clarifies their role, as outlined within their position description;
- an understanding of their supervisor's expectations;
- a training and development program;
- a set of probation goals to achieve;
- an understanding of the Shire's expectations regarding ethical behaviours;
- knowledge of where to find information regarding the Shire's policies and procedures.
- An overview of the Shires hazard identification, risk assessment, reporting and control process.

The induction program should discuss managing and supporting staff training along with staff development and performance management which should commence immediately.

## 3.9 LEGISLATIVE COMPLIANCE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017, 20 October 2020  
**Amended:**

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**Objective:** To outline the obligations of Councillors and Staff to ensure that all legislative compliance is met.

**Policy:** A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.  
The Shire of Corrigin has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Council will comply with applicable legislation and the Council should take all appropriate measures to ensure that that expectation is met.

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The compliance audit is structured by the Department of Local Government, Sporting and Cultural Industries and relates to key provisions of the *Local Government Act 1995*.

Regulation 17 of the *Local Government (Audit) Regulations 1996* also requires a review of the appropriateness and effectiveness of systems and procedures in relation to legislative compliance at least once every three financial years and a report to the Audit Committee on the results of that review.

1. The Shire 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.
2. The 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 employees, elected members, 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.
3. Roles and Responsibilities
  - A. Elected members and committee members – Elected members 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.
- D. Employees shall report through their supervisors to Senior Management any areas of non-compliance that they become aware of.
4. Implementation of Legislation  
The Shire will have procedures in place to ensure that when legislation changes, steps are taken to ensure that future actions comply with the amended legislation.
5. Legislative Compliance Procedures
- A. Identifying Current Legislation – The Shire accesses electronic up to date versions of legislation through the Department of Justice Parliamentary Counsel's Office website at [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au).
- B. Identifying New or Amended Legislation –
- i. Western Australian Government Gazette  
The Government Gazette publishes all new or amended legislation applicable to Western Australia. Copies of Government Gazettes are able to be downloaded from the State Law Publisher website at [slp.wa.gov.au](http://slp.wa.gov.au). It is incumbent on the CEO and Senior Staff to determine whether any gazetted changes to legislation need to be incorporated into processes.
- ii. Department of Local Government, Sporting and Cultural Industries –  
The Shire receives regular circulars from the Department on any new or amended legislation. Such advice is received through the CEO and relevant Shire officers for implementation.
- iii. Department of Planning, Lands and Heritage (DPLH) –  
The Shire receives Planning Bulletins from DPLH on any new or amended legislation. Such advice is received through relevant Shire officers or contractors for implementation.
- iv. Western Australian Local Government Association (WALGA) –  
The Shire receives regular circulars from WALGA and these circulars highlight changes in legislation applicable to local governments.
- C. Obtaining advice on Legislative Provisions  
The Shire will obtain advice on matters of legislation and compliance where this is necessary. Contact can be made with the Department of Local Government, Sporting and Cultural Industries, WALGA or the relevant initiating government department for advice.
- D. Informing Council of legislative change
- i. If appropriate the CEO will, on receipt of advice of legislative amendments, advise the Council on new or amended legislation.
- ii. The Council's format for all its reports to Council meetings provides that all reports shall have a section headed 'Statutory implications' which shall detail the sections of any Act, Regulation or other legislation that is relevant.
6. Review of Incidents and Complaints of Non-compliance  
The CEO shall review all incidents and complaints of non-compliance. Such reviews will assess compliance with legislation, standards, policies and procedures that are applicable.
7. Reporting of Non-compliance
- a) All instances of non-compliance shall be reported immediately to the supervising Executive Manager.
- b) The Executive Manager shall determine the appropriate response and then report the matter to the CEO.
- c) The CEO may investigate any reports of significant non-compliance and if necessary report the non-compliance to the Council and/or the relevant government department.
- d) The CEO will also take the necessary steps to improve compliance systems.

## 3.10 FRAUD AND CORRUPTION CONTROL

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:** 18 October 2022

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**Objective:** This policy details the Shires approach to fraud and corruption prevention, detection and response and to convey the Shire's commitment to a zero tolerance concerning fraud and corruption in the performance of its functions.

**Policy:** This policy applies to –

- elected members, external committee members and employees of Shire of Corrigin, including volunteers and trainees;
- contractors, consultants and suppliers who provide goods or services to the Shire; and
- members of the public who may have business or other dealings with the Shire.

### 1. Definitions

**Fraud** – Dishonest activity causing actual or potential financial loss to any person or entity, including theft of monies or other property by elected members, employees or persons external to the entity and where deception is used at the time immediately before or immediately following the activity (*Australian Standard AS8001 – 2008 Fraud and Corruption Control*).

Fraud can include deliberate falsification, concealment, destruction or use of falsified information; improper use of information or abuse of position for personal financial benefit; misappropriation of assets; manipulation of financial reporting.

**Corruption** – Dishonest activity in which an elected member, employee or contractor of the entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve personal gain or advantage for themselves or for another person or organization. The concept of “corruption” can also involve corrupt conduct by the entity or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity (*Australian Standard AS8001 – 2008 Fraud and Corruption Control*).

Corruption is any deliberate or intentional wrongdoing that is improper, dishonest and fraudulent and may include concealed or undisclosed conflict of interest; failure to disclose acceptance of gifts or hospitality; acceptance of bribes; misuse of internet or email; release of confidential information or intellectual property.

### 2. Statement

Shire of Corrigin is committed to an organizational culture that promotes a high standard of ethical and professional behavior, consistent with its Code of Conduct.

Shire of Corrigin commits to thoroughly investigating any reported or suspected acts of fraud or corruption regardless of position, title, length of service or standing of any person.

In all circumstances that the investigation indicates serious fraudulent or corrupt activity has occurred the matter will be reported to the appropriate authority being either Public Sector Commission, Corruption and Crime Commission and/or Western Australian Police.

Any person who suspects or is aware of actual fraudulent or corrupt activity is encouraged to report such conduct to the appropriate senior person ie CEO, DCEO or Shire President. No detrimental action will be taken against a person acting in good faith, unless the report is malicious or the person is also involved with the fraudulent or corrupt activity.

### 3. Roles and Responsibilities

Fraud and corruption control is the responsibility of every employee or elected member, however the following details specific roles and responsibilities:

| Role                                  | Responsibility   |
|---------------------------------------|--|
| <b>Council</b>                        | <ul style="list-style-type: none"> <li>Adopts the Fraud and Corruption policy.</li> <li>Adheres to the Fraud and Corruption policy.</li> </ul>   |
| <b>Chief Executive Officer</b>        | <ul style="list-style-type: none"> <li>Legislated responsibility to exercise authority on behalf of the Shire.</li> <li>Overall accountability for prevention and detection of fraud and corruption in the workplace.</li> <li>Ensures integrity and accountability in the performance of the Shire's functions.</li> <li>Responsibility for the effective and efficient use of the Shire's resources.</li> <li>Promotes continuous evaluation and improvement of the Shire's management practices.</li> <li>Notifies the Corruption and Crime Commission or Public Sector Commission if misconduct is suspected.</li> </ul> |
| <b>Deputy Chief Executive Officer</b> | <ul style="list-style-type: none"> <li>Oversees implementation and continued monitoring of the fraud and corruption policy.</li> <li>Provides accurate and timely advice to the CEO and the Audit and Risk Committee on fraud and corruption matters.</li> <li>Ensures training and awareness programs are designed to assist employees and contractors to identify, prevent, detect and report fraud and corruption.</li> <li>Ensures the policy is reviewed annually.</li> </ul>   |
| <b>All Executive Staff</b>            | <ul style="list-style-type: none"> <li>Encourage and maintain a culture and working environment that fosters personal responsibility, integrity and accountability.</li> <li>Model the highest standards of integrity and ethical behaviour, consistent with the Code of Conduct.</li> <li>Ensure effective employee communication about the process for identifying and reporting potential fraudulent and corrupt activities.</li> </ul>   |
| <b>Audit and Risk Committee</b>       | <ul style="list-style-type: none"> <li>Oversight of risk management, including fraud and corruption control.</li> </ul>  |
|                                       | <ul style="list-style-type: none"> <li>Review governance processes to ensure all matters relating to alleged fraud and corruption or unethical conduct are managed appropriately.</li> <li>Review the Shire's risk dashboard for identifying, monitoring and managing business risk, including risks associated with fraud and corruption.</li> <li>Review the Internal Audit Plan annually to ensure it covers fraud and corruption risks.</li> </ul>   |
| <b>PID Officers</b>                   | <ul style="list-style-type: none"> <li>Investigate disclosures under the <i>Public Interest Disclosure Act 2003</i>.</li> </ul>  |
| <b>All Employees</b>                  | <ul style="list-style-type: none"> <li>Understand responsibilities associated with performing their official duties and commit to acting ethically and with integrity in accordance with the Shire's Code of Conduct and relevant policies and procedures.</li> <li>Undertake awareness training and education.</li> <li>Report all suspected or actual incidents of fraud and corruption that they may be aware of to a line manager and/or director.</li> </ul>  |

#### **4. Prevention**

Robust internal controls and systems are a prime defense mechanism against fraud and corruption. Shire of Corrigin demonstrates these by –

- Adopting a Code of Conduct, which reinforces a commitment to a high standard of integrity and accountability by demonstrating professional behaviours consistent with the Shire's values.
- A commitment from the Executive staff to be role models and demonstrate ethical and accountable behaviour in their actions.
- Ensuring effective management of conflicts of interest in accordance with the Shire's Conflict of Interest Guidelines.
- Establishing effective reporting mechanisms and protection for employees making disclosures about fraud and corruption activities.
- Promoting, practicing and adhering to risk management policies and procedures, ensuring risk assessments are conducted and regularly reviewed and controls developed to address identified risks as required.
- Pre-employment screening to verify qualifications, suitability and experience of a potential candidate for employment.
- Thorough screening of suppliers to verify credentials and stringent assessment of grant recipients.

#### **5. Detection**

Shire of Corrigin has the following measures in place to identify and detect incidents of fraud and/or corruption –

- Risk management system to identify, analyse, evaluate and treat risk, including corruption and fraud; Segregation of duties in high risk areas (finance, procurement, contract management, regulatory functions etc.);
- Regular reviews and checks to detect irregularities in high risk areas;
- Reconciliations (payroll, accounts payable);
- Analysis of management accounts and financial statements;
- Delegations manual;
- IT system controls (access restrictions, strong passwords etc.);
- Internal audit plan covers high risk fraud areas (procurement, credit cards etc.); and
- Public Interest Disclosure.

#### **6. Response**

- All reports of suspected fraud or corruption will be investigated by the Chief Executive Officer and the Deputy Chief Executive Officer.
- Immediate action will be taken to preserve relevant evidence from theft, removal, alteration or destruction. Evidence includes but is not limited to documents and IT (computers, laptops, portable devices, system access etc.).
- Appropriate action will be taken, which may include disciplinary action and/or referral to an external agency (CCC, Public Sector Commission or Police).
- Confidentiality will be maintained throughout this process.
- In each instance where fraud or corruption is detected, the Chief Executive Officer will instruct the Deputy Chief Executive Officer to reassess the adequacy of internal control systems, particularly those directly relating to the fraud and corruption incident and recommend improvements where necessary.



# 4

# CODE OF CONDUCT

## 4.1 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

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|                            |   |
|----------------------------|---|
| <b>Policy Owner:</b>       | Governance and Compliance   |
| <b>Distribution:</b>       | All Elected Members and Staff   |
| <b>Person Responsible:</b> | Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services |
| <b>Date of Approval:</b>   | 15 June 2010  |
| <b>Amended:</b>            | 16 February 2021  |

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### Division 1 — Preliminary provisions

#### 1. Citation

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

#### 2. Terms used

(1) In this code —

**Act** means the *Local Government Act 1995*;

**candidate** means a candidate for election as a council member;

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

**publish** includes to publish on a social media platform.

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

### Division 2 — General principles

#### 3. Overview of Division

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

#### 4. Personal integrity

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

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

(2) A council member or committee member should —

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

#### 5. Relationship with others

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

- (a) treat others with respect, courtesy and fairness; and

(b) respect and value diversity in the community.

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

## 6. Accountability

A council member or committee member should —

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

## Division 3 — Behaviour

### 7. Overview of Division

This Division sets out —

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

### 8. Personal integrity

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

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

### 9. Relationship with others

A council member, committee member or candidate —

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

### 10. Council or committee meetings

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

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and

- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

## 11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.
  - (a) *the following persons to receive Division 3 complaints and withdrawals of same, relating to about Council Members, Committee Members and Candidates:*
    - i. *Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Shire President – the Shire President;*
    - ii. *Complaints made by the Shire President excluding those made by the Deputy Shire President – the Deputy Shire President;*
    - iii. *Complaints about the Shire President – the Deputy Shire President; and*
    - iv. *Complaints about the Deputy Shire President made by the Shire President – a committee comprising the remaining Council Members.*

**Complaint About Alleged Breach Form** - Located in GOV.0014 and in Complaints Register in Shire Safe.

## 12. Dealing with complaint

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

- (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

### 13. Dismissal of complaint

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

### 14. Withdrawal of complaint

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

### 15. Other provisions about complaints

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

## Division 4 — Rules of conduct

Notes for this Division:

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

### 16. Overview of Division

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

### 17. Misuse of local government resources

- (1) In this clause —

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

**resources of a local government** includes —

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

## 18. Securing personal advantage or disadvantaging others

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

## 19. Prohibition against involvement in administration

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

## 20. Relationship with local government employees

- (1) In this clause —

**local government employee** means a person —

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

## 21. Disclosure of information

- (1) In this clause —

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

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

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

- (2) A council member must not disclose information that the council member —
  - (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
  - (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

## 22. Disclosure of interests

- (1) In this clause —

**interest** —

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



(7) The nature of the interest must be recorded in the minutes of the meeting.

### **23. Compliance with plan requirement**

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

**Adopted by the Council of the Shire of Corrigin on 16 February 2021**

**Adapted from the Western Australian Local Government Model Code of Conduct.  
Staff Code of Conduct currently under review.**

## 4.2 CODE OF CONDUCT FOR EMPLOYEES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 June 2010  
**Amended:** 15 June 2021

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**Objective:**  
**PREAMBLE**

The Shire of Corrigin Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Corrigin's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:

- (a) *better decision-making by local governments;*
- (b) *greater community participation in the decisions and affairs of local governments;*
- (c) *greater accountability of local governments to their communities; and*
- (d) *more efficient and effective local government.*

**Policy:**

**STATUTORY ENVIRONMENT**

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

**APPLICATION**

For the purposes of the Code, the term employees includes persons employed by the Shire of Corrigin or engaged by the Shire of Corrigin under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts), does not apply to the CEO.

**1. CODE OF CONDUCT**

**1.1. Role of Employees**

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of the Act.

**5.41. Functions of CEO**

*The CEO's functions are to:*

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) *cause council decisions to be implemented;*
- (d) *manage the day to day operations of the local government;*

- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) *speak on behalf of the local government if the mayor or president agrees;*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

*Local Government Act 1995*

## **1.2. Principles affecting employment by the Shire of Corrigin**

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

### **5.40. Principles affecting employment by local governments**

*The following principles apply to a local government in respect of its employees —*

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

*Local Government Act 1995*

## **1.3. Personal Behaviour**

Employees will:

- (a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Shire of Corrigin;
- (b) perform their duties impartially and in the best interests of the Shire of Corrigin, uninfluenced by fear or favour;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Corrigin and the community;
- (d) make no allegations which are improper or derogatory (unless true and in the public interest);
- (e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (f) always act in accordance with their obligation of fidelity to the Shire of Corrigin.

## **1.4. Honesty and Integrity**

Employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) be frank and honest in their official dealing with each other; and
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Manager or the CEO in accordance with this Code and the Shire of Corrigin's policies.

## **1.5. Performance of Duties**

While on duty, employees will give their whole time and attention to the Shire of Corrigin's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire of Corrigin.

## **1.6. Compliance with Lawful and Reasonable Directions, Decisions and Policies**

- (a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Manager or the CEO.
- (b) Employees will give effect to the lawful decisions and policies of the Shire of Corrigin, whether or not they agree with or approve of them.

## **1.7. Administrative and Management Practices**

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

## **1.8. Intellectual Property**

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

## **1.9. Recordkeeping**

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Shire of Corrigin Record Keeping Plan.

## **1.10. Dealing with Other Employees**

- (a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- (b) Employees must be aware of, and comply with their obligations under relevant law and the Shire of Corrigin's policies regarding workplace behaviour and occupational safety and health, including:
  - Code of Behaviour;
  - Training and Development;
  - Fit for Work;
  - study Assistance;
  - Voluntary Service;
  - Senior Employees;
  - Retirement Resignation of Employees;
  - Staff uniforms;
  - Council vehicles issued to Staff;
  - Loss of Drivers Licence;
  - Employee Plant/ Vehicle Use;
  - Removal Expenses;
  - Staff Housing;
  - Staff Superannuation;
  - Redundancy Payments;
  - Local Government Holidays;
  - Secondary Employment;
  - Social Media;
  - Novated Lease;
  - Mobile Phones;
  - Appointment of Acting CEO;
  - Dealing with Family Members;
  - Related Party Disclosure;
  - Leave Policy.
- (c) Employee behaviour should reflect the Shire of Corrigin's values and contribute towards creating and maintaining a safe and supportive workplace.

## **1.11. Dealing with community**

- (a) Employees will treat all members of the community with respect, courtesy and professionalism.

- (b) All Shire of Corrigin services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

#### 1.12. Professional Communications

- (a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire of Corrigin's activities should reflect the status, values and objectives of the Shire of Corrigin.
- (b) Communications should be accurate, polite and professional.

#### 1.13. 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 Corrigin, 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.

#### 1.14. Personal Presentation

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the Shire of Corrigin's Staff Uniforms policy.

#### 1.15. Gifts

- (a) Application  
This clause does not apply to the CEO.
- (b) Definitions

**activity involving a local government discretion** has the meaning given to it in the Local Government (Administration) Regulations 1996;

**activity involving a local government discretion** means an activity —

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;  
[r.19AA of the *Local Government (Administration) Regulations 1996*]

**associated person** has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

**associated person** means a person who —

- (a) *is undertaking or seeking to undertake an activity involving a local government discretion; or*
- (b) *it is reasonable to believe, is intending to undertake an activity involving a local government discretion*  
[r.19AA of the *Local Government (Administration) Regulations 1996*]

**gift** has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

**gift** —

- (a) has the meaning given in section 5.57 [of the *Local Government Act 1995*]; but
- (b) does not include —
  - (i) a gift from a relative as defined in section 5.74(1); or
  - (ii) a gift that must be disclosed under the *Local Government (Elections) Regulations 1997* regulation 30B; or
  - (iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
  - (iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818); [r.19AA of the *Local Government (Administration) Regulations 1996*]

**gift** means —

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

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

**travel contribution** means a financial or other contribution made by 1 person to travel undertaken by another person  
[Section 5.57 of the *Local Government Act 1995*]

**relative**, in relation to a relevant person, means any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;
- (b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

[Section 5.74(1) of the *Local Government Act 1995*]

**prohibited gift** has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

**prohibited gift**, in relation to a local government employee, means —

- (a) a gift worth the threshold amount or more; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more; [r.19AA of the *Local Government (Administration) Regulations 1996*]

**reportable gift** means:

- (i) a gift worth more than \$50 but less than \$100; or
- (ii) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than \$50 but less than \$100.

**threshold amount** has the meaning given to it in the *Local Government (Administration) Regulations 1996*, subject to the CEO's determination under subclause (c);

**threshold amount**, for a prohibited gift, means —

- (a) a gift worth the threshold amount or more; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more; [r.19AA of the *Local Government (Administration) Regulations 1996*]
- (c) Determination  
In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* the CEO has determined \$100 as the threshold amount for prohibited gifts. For clarification, and gifts over \$100 is not to be accepted and must be refused or returned.
- (d) Employees must not accept a prohibited gift from an associated person.
- (e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.
- (f) The notification of the acceptance of a reportable gift must be in writing and include:
  - (i) the name of the person who gave the gift; and
  - (ii) the date on which the gift was accepted; and
  - (iii) a description, and the estimated value, of the gift; and
  - (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
  - (v) if the gift is one of two or more accepted from the same person within a period of one year:
    - (1) a description;
    - (2) the estimated value; and
    - (3) the date of acceptance,of each other gift accepted within the one year period.
- (g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).
- (h) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire of Corrigin's official website.
- (i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

## 1.16. Conflict of Interest

- (a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Corrigin, without first disclosing the interest to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire of Corrigin, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
- (e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

#### **1.17. Secondary Employment**

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

#### **1.18. Disclosure of Financial Interests**

- (a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- (b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

#### **1.19. Disclosure of Interests Relating to Impartiality**

- (a) In this clause, interest has the meaning given to it in the Local Government (Administration) *Regulations 1996*.

**interest** —

- i. means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - ii. includes an interest arising from kinship, friendship or membership of an association.  
[r.19AA of the *Local Government (Administration) Regulations 1996*]
- (b) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:
    - (i) in a written notice given to the CEO before the meeting; or
    - (ii) at the meeting immediately before the matter is discussed.
  - (c) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:
    - (i) in a written notice given to the CEO before the meeting; or
    - (ii) at the time the advice is given.

- (d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.
- (e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not now and could not reasonably be expected to know:
  - (i) that they had an interest in the matter; or
  - (ii) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.
- (f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:
  - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (ii) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.
- (g) If:
  - (i) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or
  - (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
  - (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting,  
the nature of the interest is to be recorded in the minutes of the meeting.

#### **1.20. Use and Disclosure of Information**

- (a) Employees must not access, use or disclose information held by the Shire of Corrigin except as directly required for, and in the course of, the performance of their duties.
- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Shire of Corrigin's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Shire of Corrigin.
- (d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
- (e) Nothing in this section prevents an employee from disclosing information if the disclosure:
  - (i) is authorised by the CEO or the CEO's delegate; or
  - (ii) is permitted or required by law.

#### **1.21. Improper or Undue Influence**

- (a) Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
- (b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.
- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

## 1.22. Use of Shire of Corrigin Resources

(a) In this clause –

**Shire of Corrigin resources** includes local government property and services provided or paid for by the Shire of Corrigin;

**local government property** has the meaning given to it in the Act.

**local government property** means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government

[Section 1.4 of the *Local Government Act 1995*]

(b) Employees will:

- (i) be honest in their use of the Shire of Corrigin resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (ii) use the Shire of Corrigin resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
- (iii) not use the Shire of Corrigin's resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

## 1.23. Use of Shire of Corrigin Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire of Corrigin's finances.
- (b) Employees will use Shire of Corrigin finances only within the scope of their authority, as defined in position descriptions, policies and procedures, administrative practices.
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with the Shire of Corrigin's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Shire of Corrigin finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire of Corrigin's Recordkeeping Plan.

## 1.24. Reporting of Suspected Breaches of the Code of Conduct

Employees may report suspected breaches of the Code to their Manager or the CEO, in accordance with the Shire of Corrigin's policies for complaints.

## 1.25. Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the relevant Shire of Corrigin policies and procedures, depending on the nature of the suspected breach.

## 1.26. Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour



- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their supervisor, Manager, or the CEO in accordance with Shire of Corrigin’s policies.
- (b) In accordance with the Corruption, Crime and Misconduct Act 2003, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
  - (i) the Corruption and Crime Commission, in the case of serious misconduct; or
  - (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using the Shire of Corrigin’s Public Interest Disclosure Procedures, published on the Shire of Corrigin’s website.

**1.27. Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour**

Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be dealt with in accordance with the appropriate Shire of Corrigin policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

**Adopted by the Council of the Shire of Corrigin on 15 June 2021**

**Adapted from the Western Australian Local Government Model Code of Conduct.**

|   |                |
|---|----------------|
| I, _____, confirm that I have read and understood the Code of Conduct for Employee provided to me in correspondence from the Shire of Corrigin on 17 June 2021. |                |
| .....<br>Signed   | .....<br>Dated |



# 5 STAFF POLICIES

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 19 July 2016  
**Amended:** N/A

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**Objective:** The Code of Behaviour clarifies the standards of behaviour that are expected of all staff and volunteers in the Shire of Corrigin in the performance of their duties. It gives guidance in areas where staff and volunteers need to make personal and ethical decisions and is to be used in conjunction with the Shire's other Human Resources Policies and Procedures and the official Code of Conduct.

**Policy:** Employees of the Shire are to carry out work and related activities observing the highest standards of conduct. Staff are expected to carry out their work in an ethical and co-operative manner and perform their duties with efficiency, fairness, impartiality, integrity and honesty. The Code of Behaviour is written as a set of general principles rather than detailed prescriptions.

This Code cannot address all possible issues which staff may face in their employment. The successful development of an ethical environment relies upon employees having responsibility for their professional behaviour, taking into consideration the provisions of the code and policies of the Shire.

The Code of Behaviour sets down the standards and obligations that are not otherwise specified. This code aims to clarify for all staff the conduct expected in the performance of duties. Compliance with the Code of Behaviour will foster and maintain a general environment of trust and confidence in the integrity and professionalism of the Shire. Staff will strive at all times to maintain and enhance the reputation of the Shire. The Code of Behaviour applies to all staff at the Shire.

### **Employee Responsibilities**

The Shire employees have a responsibility to:

- Observe and comply with the rules and policies of the Shire
- Act in a professional manner at all times
- Carry out roles and tasks assigned to them in a positive, effective and efficient manner
- Act impartially, fairly and without prejudice or favouritism
- Treat the Shire customers with the highest level of customer service Abide by the policies, procedures and guidelines applicable to the Shire Be accountable for decisions made within the course of their duties
- Respect fellow employees and treat each other with courtesy, fairness, equity and sensitivity
- Respect an individual's right to privacy
- Respect confidential information given to them in the course of employment
- Maintain open communication and accountability
- Behave honestly and ethically in all dealings
- Maintain and develop knowledge in their respective fields
- Be loyal to the Shire and not engage in activities that conflict with its operations or result in personal profit
- Not solicit or encourage gifts or benefits in relation to their professional duties
- Make efficient and economical use of Shire resources
- Disclose fraud, corruption or maladministration
- Avoid making public comment regarding the Shire
- Exercise a duty of care to themselves and others within the workplace to avoid hazards or accidents

- Use initiative and strive for excellence
- Ensure that actions or behaviour outside of work do not reflect negatively on the Shire of Corrigin

### **Managers Responsibilities**

In addition to the responsibilities as an employee managers also have a responsibility to:

- Ensure all staff have access to copies of the Code of Behaviour and other relevant documents and policies
- Ensure that the requirements of the Code of Behaviour are reflected in the day-to-day management of employees
- Ensure staff maintain high standards of conduct in the workplace
- Support staff who disclose information regarding maladministration or corrupt conduct
- Take all necessary steps to resolve conflicts that arise in the workplace and ensure any conflict is avoided in the future
- Appropriately record all reports of actual or potential conflict or contraventions of the Code of Conduct

**Breaches or non-compliance with this Code of Behaviour may result in disciplinary action appropriate to the level of breach.**

**This code of behaviour is an addendum to the formal Code of Conduct of Council.**

## 5.2 TRAINING AND DEVELOPMENT

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 17 October 2017; 16 October 2018

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**Objective:** To facilitate the training and development of employees within areas which are of mutual benefit for the Shire and its employees.

**Policy:** The Shire will support employees to attend appropriate conferences, seminars and training programs relating to their individual function and responsibilities as detailed in position descriptions and their individual Training and Development Plan.

A training and development plan will be developed for each employee as part of the annual Performance Appraisal process. The purpose of this is to identify areas of training, either to build on your strengths or to cover those elements of your job that you may have limited experience. The training needs will be put in writing and will form the basis of an individual's training plan for the period until the next review.

The Shire of Corrigin is committed to creating a learning culture. The Shire of Corrigin recognises that the business environment is constantly changing and that employees need to acquire knowledge and expertise to keep us up to date.

During the budget preparation process the CEO shall propose for the consideration of Council an allocation of funds for staff attendance at conferences and seminars and for staff training for the ensuing financial year. There will be no payment of training fees or time off to attend training unless prior approval for training has been authorised through the appropriate channels:

- Approval to attend is only to be granted if the relevant budget provides sufficient funds and the conference, seminar or training course has been identified in the employee's Training and Development Plan as being deemed to be of particular relevance to Council's operations and/or to the employee's professional development needs;
- Senior staff attendance at conferences that has been included in staff contracts will still require approval of the CEO;
- The following expenses incurred as a result of approved training will be met by Council and if paid by an employee can only be reimbursed with the production of a detailed receipt:
  - Registration fees;
  - Accommodation and reasonable meals costs\*;
  - Minor expenses, such as taxi, parking fees and telephone calls, internet access; and
  - Travelling expenses.Alcohol, mini bars and in house movies will not be paid by Council.

\*Reasonable meal costs (as per the Australian Taxation Office annual taxation determination for reasonable meal allowance expenses)  
Breakfast – \$27.05  
Lunch - \$30.45  
Dinner - \$51.85

These are reviewed annually in July each year but may not necessarily be increased as a result of such review.

If an employee is required to stay away from home overnight in accommodation booked breakfast charges at the hotel rates will be paid by the Shire, even if they are in excess of the amount listed above.

Any meal expenses incurred by employees in excess of the above limits:

- Are to be paid by the employee to the supplier of the meals prior to settlement of the account.
- May not be included on the Shire Credit Card Account.

- Partners may attend conferences at own cost.
- Air travel will be limited to economy class and will be organised by the Executive Support Officer;
- The Shire will endeavour to provide transport where training or conferences are held away from the Shire office, however in the event that a personal vehicle is used, travel reimbursements may be claimed in accordance with the *Local Government Industry Award 2010*;
- Staff attending conferences shall conscientiously attend all conference proceedings unless carrying out other duties on behalf of the Shire during the term of the conference. An evaluation report on the attendance at each conference/seminar/course shall be prepared and submitted to the Deputy CEO or CEO if requested.

**Policy Owner:** Corporate and Community Services; Works and Services,  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016 , 20 October 2020  
**Amended:** N/A

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### Objectives:

The objectives of this policy are to:

- Afford a clear understanding of the Council's position in relation to Unfit for Work, primarily in relation to the influence of, in possession of or found to be cultivating, selling or supplying drugs and / or alcohol, or being in any other way impaired for work through substances or fatigue.
- Ensure the Shire meets its duty of care under the *Occupational Safety and Health Act, 1984* to, where practicable, reduce hazards in the workplace.
- Impress upon all employees their responsibility to establish and maintain a safe working environment by attending to their duties in a 'Fit for Work' state in the interest of themselves and the safety and wellbeing of other employees.
- Prescribe the circumstances where an employee is deemed Unfit for Work and detail the remedial measures to be taken to achieve the required duty of care across the organisation.
- Establish a structured approach that for the most part is fair and equitable in dealing with employees who attend work in an unfit state.

### Definitions:

The following definitions and interpretations shall apply with respect to being under the influence of alcohol and/or other drugs:

- Impaired Work Performance - means sudden or gradual deterioration of a person's ability to function appropriately at work.
- Unfit for Work- means being impaired for work and therefore unable to perform duties in a safe manner.
- Use- means eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.
- Misuse - means inappropriate use of a substance on the Shire premise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.
- Alcohol- means any beverage containing alcohol.
- Drugs - means amphetamines, cannabinoids THC, opiates, barbiturates, cocaine, methadone, benzodiazepines, alcohol and other narcotics, prescription drugs and non-prescription drugs.
- Substance- means any drug that may have adverse effects causing impaired work performance.
- Fatigue - means the inability to perform work effectively or safely due to lack of sleep. Or the adverse effects of medication, alcohol, drugs and / or other substances (including, hangovers and/or "come downs"), adverse effects of medication, alcohol, drugs and / or other substances (including, hangovers and/or "come downs").
- Fit for Work- means not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance, or not being fatigued.
- Employee - means a person employed by the Shire in a permanent, part-time or casual role.

- Contractor- means a person engaged by the Shire (includes sub-contractor personnel) to perform works through the issue of a purchase order.

## 1. RESPONSIBILITIES

### 1.1 Supervisor

If a supervisor or manager has reasonable grounds to believe that an employee or contractor is affected by drugs and/or alcohol, steps will be taken to address the issue. Reasonable grounds may include (but are not limited to) where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

### 1.2 Employee/Contractor

The health and wellbeing of an employee and contract personnel is of great importance to the organisation. It is the responsibility of an employee to ensure he or she does not attend work in a manner or condition which will affect their work performance and that could endanger work colleagues, members of the public or cause damage to Shire equipment. An employee assistance program will be offered in order to support the affected employee- refer to Statement 3.0 of this policy.

All matters pertaining to fitness for work will be treated with the utmost confidentiality and any employee or contractor who is interested in receiving counselling services should seek assistance from their supervisor or manager.

## 2. APPLICATION

### 2.1 Alcohol

- Employees and contractors who commence work whilst under the influence of alcohol will be stood down from their duties with Calibrated Breathalyser testing is to be carried out on site by a trained manager/supervisor.
- Breath testing for alcohol shall be set at zero tolerance for all staff.
- Employees and contractors testing positive for alcohol will be given the option to stand down from work without pay, and remain on the premises and re-test within a prescribed amount of time as determined by the relevant manager/supervisor.
- If the breathalyser test is confirmed positive the employee or contractor will be sent home without pay for the remainder of the day. Further, if the blood alcohol level is recorded at 0.05mg% or over transport will be arranged by the manager for the employee to return home.
- On occasions where alcohol may be included as part of a work function or other recognised work event, supervisors/managers shall ensure that sufficient non-alcoholic alternatives are also provided such as soft drinks, water, tea and coffee.
- Where management has approved the consumption of alcohol at a shire function or event, employees must apply a duty of care for their own and other people's safety and wellbeing.
- Failure to follow directions by management with regard to the consumption of alcohol at a shire function or event may result in disciplinary action being taken by the Shire.
- Employees must arrange their own transport in relation to shire function or event as the shire does not accept responsibility and will not be liable for employees during travel to and from the function or event.

### 2.2 Illicit Drugs and Other Substances

- Illicit drugs and other substances are strictly prohibited by the Shire of Corrigin.
- Being under the influence of, suffering adverse effects of, in possession of, or found to be cultivating, selling or supplying drugs or other substances whilst on the Shire property or premise will result in disciplinary action and possibly instant dismissal. If suspected of the above, an employee must undergo a drug screen paid by the shire. A contractor under the same circumstances will be asked to immediately leave the premises and the matter will be raised with their employer.

- Refusal to a drug screen by an employee may result in instant dismissal. If the drug screen proves positive results on the first offence, the employee will receive a written warning- refer to statement 4.1 of this policy. If an employee is found to give a positive result on the second offence, they will receive a second written warning- refer to statement 4.2 of this policy.
- Any third offence may also result in instant dismissal - refer to statement 4.3 of this policy.

### 2.3 Prescription and Other Medication

- It is an employee's and contractor's responsibility to inform the relevant supervisor of any medication they are taking. This includes information of any adverse effects that may occur whilst taking such medication, including the amount of times at which the medication is taken per day.
- This information is to be recorded on the employee's personnel file or contractor worksheet for reference in the event of an emergency.
- It is necessary the supervisor to record any known allergic reactions to any medication an employee may have (i.e. penicillin).
- All prescription drugs and other medication must be used in accordance with medical advice.
- Any non-prescription drugs or other medication must be used in accordance with the manufacturer's recommendations.
- Failure to follow these requirements will result in disciplinary action - refer to statement 4.0 of this policy.

### 2.4 Fatigue

- In the interest of safety and health it is important that employees remain alert and function at full capacity whilst at work to reduce the risk of injury or harm to themselves, personnel or members of the public.
- This procedure directly reflects, but is not limited to, the implications of fatigue through the following external triggers:
  - Lack of sleep
  - Voluntary Work, or
  - External work commitments
- It is an employees' responsibility to report to the relevant supervisor any other work or voluntary commitments outside of their employment with the Shire that may adversely affect their role.
- Depending on the circumstances, the shire may come to an agreement with the employee to ensure there is equilibrium between regular hours worked at the Shire, sleep/rest and additional hours worked elsewhere (including paid and voluntary work).
- If this agreement is reneged by the employee, disciplinary action may result.
- If deprivation of sleep is the cause of fatigue due to other external circumstances, a drug and alcohol screen may be imposed at the direction of the Supervisor. If positive, disciplinary action may be taken.
- In circumstances where the employee or contractor is unfit to remain at work in the opinion of the supervisor/manager, the employee will be stood down from work without pay for the remainder of the day.

2.5 Physical fitness including weight management to ensure that employees are able to perform the full range of tasks outlined in their position description.

## 3. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Shire of Corrigin understands employees may be experiencing difficulties external to work that may influence their behavior and health whilst at work. To assist with the recovery of the employee, the shire has in place a confidential Employee Assistance Program (EPA). Assistance may be offered to first offence employees through a coordinated group of strategies designed to encourage employees to seek professional,

confidential counseling for personal problems that may significantly affect their work performance.

If an EAP is offered as a result of a first offence and the employee declines the offer, they risk the consequence of instant dismissal on second offence. Employees who have failed to meet the guidelines of this procedure yet feel an EAP will benefit due to personal circumstances may request access to these services.

#### **4. DISCIPLINARY ACTION - EMPLOYEES**

Should an employee contravene this policy in anyway the following procedure is to apply with discretion afforded to the CEO to deviate from this approach as deemed necessary and where considered appropriate (refer to explanatory notes).

##### **4.1 First Offence:**

- The employee will be immediately suspended from duty without pay if found to be unfit to work.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- The employee will be counseled by their supervisor that will focus on; the unacceptability of the employee's behavior; the risk that such behavior creates for the safety of the individual and other employees or members of the public and the employee's responsibility to demonstrate that the problem is being effectively addressed.
- The employee will not be permitted to return to work until they have been tested again and if proved negative, may be sent home at the discretion of their supervisor.

##### **4.2 Second Offence:**

- The employee will be immediately suspended from duty without pay if found to be unfit for work. The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- The employee will be counseled by their supervisor that will focus on;
  - The unacceptability of the employee's behavior;
  - The risk that such behavior creates for the safety of the individual and other employees or members of the public and the employee's responsibility to demonstrate that the problem is being effectively addressed.
  - The employee will not be permitted to return to work until they have been tested again and proved negative, and may be sent home at the discretion of their supervisor.
  - The employee will be submitted to fortnight or random alcohol and I or drug screening for the period of two months paid by the Shire. If the employee refuses to comply with the testing or the results confirm positive on a consistent basis, instant dismissal may be exercised by the CEO.

##### **4.3 Third Offence:**

- The employee will be immediately suspended from duty without pay if found unfit for work.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- If not accepted by the CEO, the employment will be terminated without notice.

##### **4.4 Instant Dismissal:**

- Notwithstanding the disciplinary action above the following circumstances may also apply to dismissal without notice:
  - Any attempt to falsify the drug and alcohol screening
  - Cultivating, selling or supplying drugs and/ or other substances;
  - Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period;
  - Any other unlawful behavior.

##### **4.5 Other:**

If an employee is sent home without pay, it is a requirement of the supervisors to:

- Contact the employee's next of kin to arrange pick up.
- If the next of kin is unable to be contacted or unable to take employee home, an alternative arrange must be made to ensure the employee is delivered home safely. The employee is to be advised that their vehicle must be collected the same day.

#### **5.0 DISCIPLINARY ACTION -CONTRACTOR**

Should a contractor be found to have breached this policy the shire may seek to review the contractual arrangements and if necessary (as determined by the CEO) move to cancel the purchase order and terminate the working arrangement without any form of compensation.

#### **Explanatory Note:**

This policy incorporates a procedure for disciplinary action under Statement 4.0 to address matters where an employee is deemed unfit for work, the Council acknowledges the CEO may, at his or her discretion accounting for a particular circumstance or situation, deviate from this procedure in managing the daily operations of the shire pursuant Section 5.41 of the *Local Government Act, 1995*.

## 5.4 STUDY ASSISTANCE

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016, 20 October 2020  
**Amended:** N/A

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**Objective:** The Shire supports employees who endeavour to further their education (as it relates to their position), through the provision of a financial subsidy and time off for study.

**Policy:** Study assistance relates to any qualification gained through University/TAFE/College which has a national recognisable attainment.  
Permanent employees who have completed their probationary period may be eligible for study assistance subject to the conditions of this Policy.

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

Applications for study assistance must be made annually as part of the Performance Appraisal process. The Shire will allocate in the Annual Budget a sum to assist with the costs associated with employee study assistance.

### **Financial Assistance**

The Shire will consider reimbursement to the maximum value of \$2,500 in any year for education through a recognised provider (i.e. University or TAFE).

- Authorisation prior to commencement of the program is required, in order that the contents of the program can be assessed to ascertain the relevance to current work duties and responsibilities.
- Employees must pay for the approved unit(s) up front and pass the unit(s), prior to any reimbursement claim being made.
- In order to claim reimbursement, employees must complete the study assistance claim form, provide the receipt of payment and a transcript of results obtained.

### **Study Leave**

The Shire will consider up to five (5) hours per week, paid time off for employees who wish to gain higher education through a recognised provider (i.e. University or TAFE).

- For time off to study to be approved, employees must satisfy the Shire that all endeavours have been made to study outside working hours, e.g. evening classes, correspondence, etc., and that rostered days off are being utilised (this may include a change to the rostered day off in order to accommodate study hours).
- The five (5) hours per week shall include travel time to and from the place of study.
- Reasonable time for examinations will be considered.
- A study assistance application form must be completed and approved prior to time off for study being commenced.
- Time off is offered as an alternative to financial assistance and must be applied for on an annual basis.

Having regard to changing Government policy on student contributions towards the cost of study, the Shire will keep its policy on reimbursement of educational expenses under review.

### **Professional and Representative Bodies**

Subscription fees for members of an appropriate professional body which is recognised by the Shire of Corrigin will be reimbursed subject to approval of the CEO.

## 5.5 VOLUNTARY SERVICE

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** 17 October 2017

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**Objective:** To ensure that the Shire's employees who are emergency service volunteers (e.g. St John Ambulance, fire brigade officers) are paid whilst attending those emergencies.

**Policy:** **Paid Volunteering Time Off (PVTO)**  
All staff who are bona fide members of volunteer emergency service groups, (i.e. fire brigade, St John Ambulance), who are required for emergency service by those groups during ordinary working hours usually worked in that day or period during an emergency, but not including time in excess of ordinary working hours, weekends (unless part of their normal roster of working hours) or public holidays.

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

Employees are required to indicate PVTO on their timesheets where payments shall be made through normal pay channels and which may be subject to authentication by the officer controlling the relevant body or service.

During busy periods or when specific compliance deadlines require employees to dedicate their time fully to the activities of the employer, permission to take Paid Volunteering Time Off may not be granted.

### Conditions of Volunteering

1. Council employees either volunteering, or as members of volunteer organisations, are required to obtain permission the CEO, to attend an emergency during normal working hours.
2. Any Shire employee attending an emergency before or after their normal working hours will be considered to be a volunteer. Shire employees will be paid only for their normal hours of duty.
3. When a specific request has been made by the Chief Bush Fire Control Officer for Shire heavy equipment, the Shire employees operating this equipment will be paid appropriate Enterprise agreement rates for the length of time required. This arrangement is limited to ten (10) hours continuous time, after which the operator should be relieved from duty.

## 5.6 SENIOR EMPLOYEES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 May 1998  
**Amended:** 18 March 2014

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**Objective:** The designation of senior employees in accordance with section 5.37 of the *Local Government Act 1995*.

**Policy:** The following positions are classified as Senior Employees for the purposes of Section 5.37(1) of the *Local Government Act 1995*:

- CEO
- Deputy CEO

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 21 April 2015  
**Amended:** 19 July 2016; 17 October 2017; 16 October 2018, 18 October 2022

**Objective:** The Shire shall:
 

- Present a recognisable, tidy and professional image of staff to the community;
- Ensure staff are appropriately dressed for their duties; and
- Ensure that adequate protective clothing is provided to assist in maintaining the safety and health of employees and environmental conditions.

**Policy:** The Shire of Corrigin is committed to presenting itself in a professional manner as well as maintaining a safe and healthy working environment for its employees. For the purposes of this policy the term employee/s shall extend to cover contractors, volunteers and any person performing work for or with the Shire of Corrigin.

### Outside Staff

The Shire of Corrigin require employees to wear a uniform depending on position and work activities.

Full time and part time employees will be provided with a uniform in accordance with guidelines set out below. The CEO is to determine a suitable uniform after consultation with staff, including colour and style.

Part time employees will be eligible for an adjusted quantity of clothing as set by the Chief Executive Officer. Casual employees shall not be eligible for uniforms except upon review of working conditions.

The following applies in relation to Shire of Corrigin uniforms:

- The employee is responsible for ensuring their uniform is kept clean and presentable. Any employee who fails to wear the required uniform when presenting for duty may be sent home to change and may not receive payment for the time they are not at work;
- Uniforms shall be replaced if it is determined by the Manager of Works and Services that they are no longer suitable for use due to ordinary wear and tear.
- If an employee's uniform is damaged the employee may be entitled to a replacement uniform. An employee may not be entitled to a replacement uniform or an additional one-off allowance if their uniform has been damaged due to neglect or misconduct. In such cases the employee will be responsible for the replacement costs of the uniform.
- Names embroidered onto shirts or jackets are to be first name and not include to nick names

The initial uniform supplied for new outside staff after completing their probation period is:

| ITEM                      | QUANTITY | REPLACEMENT        |
|---------------------------|----------|--------------------|
| Long Sleeve Hi-Vis Shirts | 3        | Per Year           |
| Trousers                  | 3        | Per Year           |
| Safety Boots              | 1        | Fair Wear and Tear |
| Waterproof Jacket Hi-Vis  | 1        | Fair Wear and Tear |

| Jumper or Jacket Hi-Vis | 1           | 2 Years            |
|-------------------------|-------------|--------------------|
| Raincoat                | 1           | Fair Wear and Tear |
| ITEM                    | QUANTITY    | REPLACEMENT        |
| Wide Brim Hat           | 1           | Fair Wear and Tear |
| Safety Glasses          | 1           | Fair Wear and Tear |
| Rubber boots Steel Cap  | 1           | Fair Wear and Tear |
| Overalls                | If required | Fair Wear and Tear |
| Hat and beanie          | 1 of each   | As required        |

Employees engaged in bitumen/concrete works or undertaking other high wearing duties will be given adequate consideration with respect to replacement and fair wear and tear.

Shirt, trousers and jackets/jumpers will be provided as part of an annual/bi-annual clothing issue. All other personal protective clothing will be supplied on starting work (permanent) with the Shire and then on an as needs/fair wear and tear basis.

The following items may be acceptable provided they do not pose any possible hazard to health and safety at work or deviate significantly from the image required in the given work area.

- Clothing worn to comply with cultural or religious practices.
- Tattoos or body piercings; and
- Jewellery.

An employee's hair should be neat and tidy and kept in a clean condition. Employees with long hair are required to tie it back for health and safety reasons.

### High Visibility

Workers must wear high visibility clothing of some description while within the road reserve or near vehicle access ways to ensure that they can be seen easily by vehicle users

For this reason all uniform supplied to the outside workforce will be high visibility clothing.

### Protective Clothing

An employee may be instructed to wear protective clothing by an appropriate officer. Employees will be issued with protective clothing by the Shire of Corrigin. An employee must not modify, alter, or change protective clothing under any circumstances unless they are directed to do so by an appropriate officer.

### Administration and Community Resource Centre Staff

Administration and Community Resource Centre employees must present for work in a professional manner and be suitably attired for work activities. The standard for both men and women are smart business dress and wearing of the local government corporate uniform is strongly encouraged.

Smart business dress requires employees to look professionally presentable with well-tailored clothing. This includes tailored trousers, tailored skirts, collared business shirts, tailored shorts, tailored jackets, dresses, blouses, smart/business shoes, socks, appropriate underwear and belts.

Employees are responsible for ensuring their attire is clean and presentable. Any employee who fails to wear the minimum required dress when presenting for duty may be sent home to change and may not receive payment for the time they are not at work;

An annual allowance is allocated to each employee (pro rata for part time employees) for the purchase of smart business attire from the suppliers on the WALGA preferred supplier panel. If an employee requires more clothing the cost will be on charged to the employee.

An administration employee may seek approval from management to use the allowance to purchase appropriate clothing from a supplier outside the shires preferred supplier. The allowance will not be paid upfront to employees, employees must seek reimbursement for the purchases. Approval of these requests will be at the discretion of management.

The following items may be acceptable provided they do not pose any possible hazard to health and safety at work or deviate significantly from the image required in the given work area.

- Clothing worn to comply with cultural or religious practices.
- Tattoos or body piercings; and
- Jewellery.

An employee's hair should be neat and tidy and kept in a clean condition. Employees with long hair may be required to tie it back at the request of an appropriate officer for health and safety reasons.

### **Casual Dress**

Casual dress is generally restricted to Fridays only unless otherwise agreed by management. Employees in smart casual dress are still required to present in a neat, tidy, and professional manner.

Smart casual attire includes Shire of Corrigin polo shirts, neat t-shirt or blouse, denim jeans, mid length skirts or shorts, tasteful sneakers or sandals.

### **Unacceptable Standards of Dress**

The following items are unacceptable at the Shire of Corrigin:

- low cut or sheer tops,
- tops that expose the midriff,
- shorts that expose the buttocks,
- thongs,
- bare feet,
- singlets,
- faded, frayed or ripped jeans,
- leggings,
- board shorts,
- hoodies,
- sweatpants or activewear or
- other items of clothing deemed unsuitable by an appropriate officer.

Clothing, head wear or tattoos that contain messages or designs that may be offensive to others, including but not limited to, items of clothing which may be considered racist, sexist, or derogatory are considered unacceptable.

### **Wearing of Uniform out of Hours**

Uniforms are to be worn only during working hours, employees should take care to refrain from wearing uniforms outside of work. Employees must recognise that when wearing the uniform or any other item identifying them as employees of the shire, they are recognised as representing the Shire of Corrigin. Employees must adhere to the Shire of Corrigin's Code of Conduct, policies, and procedures if they are wearing the uniform outside of work.

An employee must refrain from consuming alcohol whilst wearing a Shire of Corrigin uniform unless alcohol consumption has been sanctioned by an appropriate officer. Employees who consume alcohol or act in an inappropriate manner whilst wearing a uniform may face disciplinary action.

### **Personal Hygiene**

Employees are responsible for ensuring that they maintain good standards of personal hygiene whilst at the workplace. Clothing should be laundered to a reasonable standard and minimise strong body odour, perfumes, and colognes.

Where problems are identified in working arrangements or facilities or with the health and safety of the individual, these must be reported to a responsible person immediately. All matters relating to personal hygiene will be handled sympathetically and discreetly.

### **Other related policies**

This policy is to be read in conjunction with the following policies:

- Policy 3.5 Protection from the Sun for Outdoor Work
- Policy 4.1 Code of Conduct.
- Policy 5.1 Code of Behaviour – Staff, Volunteers and Contractors

## 5.8 ELECTED MEMBER, CHIEF EXECUTIVE OFFICER AND EMPLOYEE ATTENDANCE AT EVENTS POLICY

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**Policy Owner:** Governance and Compliance

**Person Responsible:** Chief Executive Officer

**Date of Approval:** 18 February 2020

**Amended:**

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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 employees are invited free of charge, whether as part of their official duties as council or Shire of Corrigin representatives or not.

**Policy:** This policy applies to Elected Members, the Chief Executive Officer and all employees of the Shire of Corrigin in their capacity as an Elected Member or employee of the Shire.

When considering whether an invitation to an event or hospitality given to an elected member or an employee is a gift for the purposes of the Act and Regulations, the key issues are:

- The business, community group or individual offering the gift, ticket or benefit.
- Value of the benefit.
- Expectation of anything of value in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards.
- Whether the value of that contribution outweighs the value of the benefit.

### Definitions

District: is defined as the Wheatbelt Region of Western Australia.

Elected Members: includes the Shire President and all Councillors.

In accordance with the Local Government Act 1995 s 5.90A, an event is defined as a:

- Concert
- Conference
- Function
- Sporting event
- Occasions prescribed by the Local Government (Administration) Regulations 1996.

### **Entertainment Events**

Any tickets accepted by an elected member, or employee, without payment for any commercial entertainment event, for which a member of the public is required to pay whether sponsored by the Shire of Corrigin or not will generally be classified as a gift for the purposes of the Act and Regulations.

An exception to this is where the President or President's representative attends the event in an official capacity to perform a civic function. Where there is commercial entertainment event that, in the opinion of the Chief Executive Officer, it is in the interests of the Shire of Corrigin for one or more elected members or employees to attend in order to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event will be purchased for the relevant elected member or employee by the Shire of Corrigin at full cost.

### **Other Commercial (non-entertainment) Events**

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the Chief Executive Officer is of the opinion that it is in the interests of the Shire of Corrigin for one or more elected members or employees to attend (such as for their professional development or to undertake a function as an elected member or employee), then one or more registrations

or other benefits for that event will be purchased for the relevant elected member or employee by the Shire of Corrigin at full cost to enable attendance.

If the Shire of Corrigin does not pay for the event, free registration or any other benefit (such as hospitality) given to an elected member or employee would be classified as a 'gift' unless the contribution of the elected member or employee to the event (such as by way of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the elected member or employee.

### **Community/Local Business Events**

Acceptance of reasonable and modest hospitality by an elected member or employee at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the elected member or employee to the event is reasonably considered to outweigh the value of the hospitality.

This is more likely where the elected member or employee attends the event in his or her capacity as an elected member or employee - preferably where the attendance has been requested by the sporting club or community group, and is specifically authorised by the Shire of Corrigin, but otherwise where the person is performing his or her functions as an elected member or employee.

### **Conflicts of Interest**

Attendance at events may lead to a perceived or actual conflict, which may prevent council members participating, or employees, providing advice at a future meeting. If the amount of an event ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the Act, Council may allow the disclosing council member to participate in the discussion and vote on the condition that the interest, the council's decision and the reasons for that decision are recorded in the minutes.

If the amount gift is above \$1,000 the Council or CEO must apply to the Minister for permission to allow the member or employee to participate.

### **Scope**

The policy provides guidance to elected members and employees when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered free of charge. It does not provide guidance on the acceptance of a tangible gift or travel contribution.

Travel and accommodation excluded: This policy does not apply to tangible gifts or money, travel or accommodation. Any contribution to travel, subject to the exceptions in section 5.83 of the Local Government Act 1995 (the Act), must be disclosed in writing to the CEO within 10 days of receipt of the contribution.

Contributions to travel costs, whether financial or otherwise are now incorporated within the definition of gift.

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

- 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

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

### **Pre-Approved Events**

In order to meet the policy requirements, tickets and invitations to events must be received by the Shire (as opposed to in the name of a specific person in their role with the Shire).

The Shire approves attendance at the following events by elected members, the Chief Executive Officer and employees of the Shire:

- (a) Advocacy, lobbying or Members of Parliament or Ministerial briefings (elected members, the Chief Executive Officer only);
- (b) Meetings of clubs or organisations within the Shire of Corrigin;
- (c) Any free event held within the Shire of Corrigin;
- (d) Australian or West Australian Local Government events;
- (e) Events hosted by sporting clubs or not for profit organisations within the Shire of Corrigin to which the Shire President, elected member, Chief Executive Officer or employee has been officially invited;
- (f) Shire hosted ceremonies and functions;
- (g) Shire hosted events with employees;
- (h) Shire run tournaments or events;
- (i) Shire sponsored functions or events;
- (j) Community art exhibitions within the Shire of Corrigin or District;
- (k) Cultural events/festivals within the Shire of Corrigin or District;
- (l) Events run by a Local, State or Federal Government;
- (m) Events run by schools and universities within the Shire of Corrigin;
- (n) Major professional bodies associated with local government at a local, state and federal level;
- (o) Opening or launch of an event or facility within the Shire of Corrigin or District;
- (p) Recognition of Service event's within the Shire of Corrigin or District;
- (s) Where Shire President, elected member or Chief Executive Officer representation has been formally requested.

All elected members, the Chief Executive Officer and employees with the approval of the CEO, are entitled to attend a pre-approved event.

If there is a fee associated with a pre-approved event, the fee, including the attendance of a partner, may be paid for by the Shire of Corrigin by way of reimbursement.

If there are more elected members than tickets provided then the Shire President shall allocate the tickets.

## **Approval Process**

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

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

Considerations for approval of the event include:

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

## **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, Chief Executive Officer or employee pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays a discounted rate, or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$50 for employees, other than the Chief Executive Officer, and greater than \$300 for Elected Members and the CEO.

## **Conference Registration, Bookings, Payment and Expenses**

Shall be dealt with in avoidance with Council Policies:

- 8.9 Elected Members' Business, Conferences and Training Expenses
- 8.7 Training and Development – Elected Members

## **Dispute Resolution**

All disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to elected members and the Chief Executive Officer and the CEO in relation to other employees.

## **Procedures**

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

Free or discounted invitations / offers or tickets that are provided to the Shire of Corrigin without denotation as to who they are for, are be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on:

- the relative benefit to the organisation in attending the event,
- the overall cost in attending the event, inclusive of travel or accommodation,
- availability of representatives, and
- the expected role of the relevant elected member or employee.

## **Legislation**

*Local Government Act 1995*

- s 5.90A – *requirement to prepare and adopt a policy that deals with matters relating to the attendance of council members and the CEO at events.*

- s 5.87A and 5.87B *council members and CEOs are required to disclose gifts that are received in their capacity as a council member (or CEO) and*  
- *are valued over \$300; or*  
- *are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.*

*Local Government (Administration) Regulations 1996 –*

- *r.34B – required code of conduct contents about gifts to employees*

*Local Government (Rules of Conduct) Regulations 2007.*

Department Circular No 11-2019 – New Gifts Framework

Department of Local Government, Sport and Cultural Industries - Gifts and Conflicts of Interests - Frequently Asked Questions

## 5.9 RETIREMENT/RESIGNATION OF EMPLOYEES – COUNCIL GIFT/FUNCTIONS

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:** 16 October 2018

**Objective:** This policy is to provide the necessary guidelines for gifts and/or function for the retirement or resignation of a Shire employee.

**Policy:** Upon resignation/retirement of an employee who has provided satisfactory service to Council for two (2) years or more, the Council authorises the CEO to acquire a suitable gift to be presented to that employee.

The value of the gift as a guide to be as follows:

| Length of Service | Value of gift up to |
|-------------------|---------------------|
| 0 – 2 years       | \$0                 |
| 2 – 5 years       | \$100               |
| 5 – 10 years      | \$250               |
| 10 – 15 years     | \$350               |
| 15 – 20 years     | \$450               |
| 20 years +        | \$550               |

The objectives are:

- To show appreciation to employees who have made long term or otherwise contributions to Council and to promote good Council/staff relations.
- To frame a standard procedure when dealing with staff who leave Council’s employment and to comply with the *Local Government Act 1995*.

Gifts will be given in accordance with the following guidelines:

- At the discretion of the CEO, a gift may be provided to employees leaving Council prior to two (2) years of service.

Functions will be given in accordance with the following guidelines:

- At the discretion of the CEO, a function may be provided to employees leaving Council prior to two (2) years of service.

Presentation for senior employees leaving Council to be considered independently of this policy.

The retirement/resignation function will depend on the following length of service and consist of:

| Length of Service | Value   | Details of Function  |
|-------------------|---|--|
| 0 – 2 years       | Nil   | At the discretion of CEO   |
| 2 – 5 years       | \$200   | Council sponsored sun downer (all staff and the departing officer's partner) with nibbles, beer, wine and soft drink.              |
| 5 – 20 years      | 5 – 10yrs = \$250<br>10 – 15yrs = \$500<br>15 – 20yrs = \$750 | Council sponsored sun downer (Elected Members, staff and the departing officer's partner) with nibbles, beer, wine and soft drink. |
| 20yrs plus        | \$1,000   | Council sponsored reception (Elected Members, staff and partners).   |

**Note: Catering for such functions may include finger foods and drinks (modest quantity of alcohol including mid or low strength beers is permitted).**

The Chief Executive Office or Deputy CEO will notify the Executive Support Officer of the employee's entitlement upon receipt of the employee's retirement/resignation notification.

The Executive Support Officer together with the Chief Executive Office or Deputy CEO will be responsible for arranging the function and gift in advance of the employee's final working day.

## 5.10 COUNCIL VEHICLES ISSUED TO STAFF

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 October 2013  
**Amended:** 19 July 2016; 17 October 2017; 16 October 2018

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**Objective:** To supply employees with a means of transportation in order that they may provide effective and efficient services.

**Policy:** No employee shall drive a Shire vehicle without a valid C class driver's licence. Upon request, employees will produce their current driver's licence for inspection by a delegated officer.

The employee shall be responsible for payment of fines incurred as a result of failing to observe the Road Traffic Code and/or any parking prohibitions.

All Shire vehicles are deemed to be 'pool vehicles' during normal business hours and are not exclusive in use to the respective assigned employees.

All vehicles shall be appropriately housed and secured at the residence of the employee. It is the responsibility of the employee to maintain the vehicle in a clean and tidy state, and report immediately any damage or malfunction. Smoking is banned in all Shire of Corrigin vehicles.

The following conditions shall apply to staff that have vehicles issued to them by Council:

### CEO

- Unrestricted use of the vehicle, unless otherwise specified in contract of employment of Western Australia or other use as approved by Council.
- No Shire logo
- Choice of colour
- Maximum value of vehicle \$65k (exc. GST) as per the annual budget

### Deputy CEO

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO or provided for in the employees contract.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$45k (exc. GST) as per the annual budget

#### Manager Works and Services

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO or provided for in the employees contract.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$40k (exc. GST) as per the annual budget

#### Environmental Health Officer/s

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$35k (exc. GST) as per the annual budget

#### Building Officer

- Unrestricted use of the vehicle within the Shire of Corrigin unless otherwise approved by the CEO.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$35k (exc. GST) as per the annual budget

Any alterations to the above allowances will be taken to Council for approval.

## 5.11 EMPLOYEE PLANT/VEHICLE USE

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:** 19 July 2016; 16 October 2018

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**Objective:** To provide guidance on the private use of Shire plant and vehicles by Shire employees.

**Policy:** Employees may not use the Shire plant and equipment after hours free of charge on their own residential land and Shire Residences, without the express approval of the CEO. This approval will be allowed or disallowed depending on the nature of the work to be carried out. Any damage from misuse is to be paid for by the operator. The CEO will establish a list of borrowers.

If permission to use Shire of Corrigin plant and equipment is granted the cost shall be at private works rates less the labour component. Use of small equipment will be charged as per fees and charges adopted by Council.

Permission will not be granted to use plant, equipment or vehicles outside of the Shire of Corrigin.

All requests for private use of a Council owned vehicle by a staff member are to be submitted to the CEO.

If a request for private use of a vehicle or item of plant is granted, the following conditions will apply:

- i) Only a person with the necessary licence and experience will be given permission to drive the vehicle;
- ii) It is not used for commercial purposes;
- iii) If the staff member is accompanying the driver, they must be with the vehicle at all times; and
- iv) The vehicle or item of plant is returned with a full tank of fuel.

## 5.12 LOSS OF DRIVERS LICENCE BY STAFF

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 7 June 1995  
**Amended:** N/A

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**Objective:** To provide guidance in the event of a staff member losing their Motor Drivers Licence.

**Policy:** If a member of the staff loses their motor drivers licence and they rely on their licence to carry out their duties, they:

- Are to immediately advise the CEO; and
- As a result of the loss of licence, may be stood down until they have their licence back again.

The decision on whether the staff member is to be stood down will be made by the CEO.

## 5.13 REMOVAL EXPENSES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 October 2013  
**Amended:** 19 July 2016; 17 October 2017

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**Objective:** To establish guidelines for the reimbursement of employee's removal expenses when relocating to Corrigin for employment.

**Policy:** The reimbursement of employee removal expenses is to be provided as follows:

- CEO – 50% after 6 months satisfactory service and remaining balance after completion of 12 months service to a maximum of \$7,000 or other value as agreed to by Council.
- Deputy CEO – 50% after 6 months satisfactory service and remaining balance after completion of 12 months service to a maximum of \$5,000 or other value as agreed to by Council.
- Senior Staff/Managers – 50% after 6 months satisfactory service and the balance after completion of 12 months service to a maximum of \$2,500 or other value as agreed to by the CEO in consultation with the Shire President.

## 5.14 STAFF HOUSING

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer,  
**Date of Approval:** 19 July 2016  
**Amended:** 17 October 2017; 16 October 2018, 20 October 2020

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**Objective:** To provide clarity on the conditions for use of Council owned housing by allocated tenants and to ensure the residences and gardens are maintained to a suitable level expected by the community and ratepayers.

Council housing and rental subsidy is provided with the specific purpose of aiding Council in being able to attract and retain appropriate staff.

Shire staff who are entitled to a residence as part of their contract of employment or rental agreement are required to maintain the residence including lawns and gardens to a neat and tidy standard.

**Definitions:** Senior Officer means a person or an employee as defined under the *Local Government Act 1995* Section 5.37(1).

**Policy:** **Chief Executive Officer**

These provisions relate to the CEO as a Senior Employee appointed under Section 5.37(1) of the *Local Government Act 1995*.

In this regard:

- a) The CEO will be provided with a Shire owned or rented house to a minimum configuration of three (3) bedrooms and two (2) bathrooms at a rental rate as defined under their contract of employment.
- b) If a rental house is required, the CEO in consultation with the Shire President shall determine an appropriate standard and location of the house to be rented.
- c) A housing allowance will be paid if the CEO owns own house.

**Deputy Chief Executive Officer**

The following will apply to the Deputy CEO:

- a) A Shire owned or rented house to a minimum configuration of three (3) bedrooms and two (2) bathrooms at a rental as defined under their contract of employment.
- b) If a rental house is required, the CEO shall determine an appropriate standard and location of the house to be rented.
- c) A housing allowance will be paid if DCEO owns their own house.

## Other Employees

A Shire owned house to an appropriate standard and location the satisfaction of the CEO shall be provided at a discounted rental rate to be determined through the Annual Budget/Fees and Charges to the following positions:

| <b>Employee Classification</b> |
|--------------------------------|
| Manager of Works               |
| Pool Manager                   |
| Environmental Health Officer   |
| Building Officer               |
| Other*                         |

\*as deemed necessary by the CEO to secure occupation a position by a suitable person.

### **Permanent fixtures**

Permanent fixtures shall include the following:

- Hot water system
- Dish washer
- Authorised air-conditioning units (i.e. authorised air-conditioning units are inbuilt ducted or wall mounted units installed and owned by Council)
- Floor coverings
- Window treatments
- Light fittings (except globes)
- Authorised TV Antennae or Satellite equipment (i.e. authorised TV equipment is equipment installed and owned by Council to ensure the house is able to receive a television service)
- Stove
- Internal heating appliances

Maintenance costs on permanent fixtures shall be the responsibility of Council.

### **Improvements to housing by tenants**

Any improvements carried out to Shire of Corrigin owned houses shall only be permitted with prior approval of the CEO.

## **Tenancy Agreement**

- a) All staff occupying Shire owned houses shall be required to complete a Form 1AA Residential Tenancy Agreement (under s27 of the *Residential Tenancies Act 1987 (WA)*) with the following requirements for the Lessee:
  - A security bond of an equivalent to 4 weeks rent and (where applicable) a pet bond of \$200 which may be paid as a lump sum or garnished from wages over a 10 week period.
  - Term of Agreement as per the tenancy agreement after cessation of employment of the Shire or other as agreed to be the CEO. Where an extension of the accommodation is accepted by the CEO, the rent will be at a rate 100% higher than the discounted rental rate or market rate.
- b) The CEO shall make appropriate arrangements through the employment of an independent property manager to undertake inspections of all Shire owned houses on at least twice per year to ensure that the houses and gardens are kept to an acceptable standard.
- c) The CEO may approve the lease of vacant Shire of Corrigin properties to persons other than employees.
- d) A property inspection will be carried out at least twice per year.

## **Maintenance of the Gardens**

Provided tenants keep their lawns and gardens in good order. If gardens and lawns are not maintained employees will be responsible for 100% of water consumption.

## **Paint in Shire Residences**

Council uses neutral tones in all Council owned residential buildings, (Colour palate Porcelain) however if a resident wishes to vary the colour of a room (for example a child's bedroom), that they be allowed to do so upon approval of the CEO. All must be repainted in neutral colour at expense of the tenant on vacation of property.

## **Use of Adhesives on Walls**

Council requires tenants to ensure the proper care and maintenance of residential properties provided to staff and the community and to this end prohibits the use of adhesive tape, adhesive putty or any similar products, on the walls or ceilings of Council's residential properties as these are likely to cause damage to painted surfaces.

## **Vacating Shire Houses**

All tenants of Shire owned houses and flats are to arrange for the carpets to be professionally cleaned prior to vacating the residence as per the tenancy agreement.

Carpets must be professionally cleaned at the end of the tenancy agreement, at the expense of tenant and receipt provided.

## 5.15 STAFF SUPERANNUATION

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Payroll  
**Date of Approval:** 21 May 2013  
**Amended:** 18 October 2022

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**Objective:** This policy sets out the criteria for the payment of additional superannuation to staff. It provides for guidance for officers involved in the recruitment and retention of staff.

The Shire of Corrigin is obliged to pay superannuation into a complying fund on behalf of all staff under the provisions of Federal legislation, and this component is known as Superannuation Guarantee (SG). The percentage payment may be adjusted by legislation from time to time.

The Shire of Corrigin and its employees may also make additional voluntary contributions to a complying fund.

**Policy:** Council will make superannuation contributions for employees on the following basis:

- In addition to the *Superannuation Guarantee Administration Act 1992* and *Superannuation Charge Act 1992*, employees may elect to make both salary sacrifice and post-tax contributions of their salary as an additional superannuation contribution.
- This policy applies to all permanent employees except where superannuation benefits have been varied for Senior Employees who are employed under negotiated performance based contracts. The Shire of Corrigin will match any superannuation contribution made by an employee up to a maximum of 5%, provided the total payment from Council does not exceed 15%
- Employees shall have freedom of choice over the complying fund that their superannuation contributions are paid to, providing this choice is not changed more regularly than annually.
- The default fund shall be WA Super.

## 5.16 REDUNDANCY PAYMENTS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 18 September 1997  
**Amended:** N/A

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**Objective:** This policy is designed to provide guidelines for redundancy payments to employees whose employment with the Shire of Corrigin is finishing.

**Policy:** In respect to redundancies which result from internal restructuring, external restructuring, e.g. amalgamations, boundary changes, etc.:

- a) Negotiations and payments shall be in accordance with the Redundancy Payments, Severance Payments, introduction of change or any other provisions of the relevant award, enterprise agreement or if *Schedule 2.1, Clause 11(4) of the Local Government Act 1995* applies in accordance with that Section.

In recognition of the provisions of the above schedule no payment or benefit made to an employee under any provision shall exceed the equivalent of one years' salary at the time of completion of negotiations.

No severance or redundancy payments shall be less than payments or benefits provided for in accordance with:

- a) Any Federal or State Award or industrial/enterprise agreement application to the employee
- b) Any applicable provisions with the employee contract of employment
- c) Any applicable award or order made by a Federal or State industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal
- d) Where the Council so agrees, any recommendations made by Federal or State Industrial Commissions arising from the circumstances of that employee being specifically brought before that Commission.

Nothing in this policy prevents Council from determining that in special circumstances officers or employees whose employment with the Shire of Corrigin is finishing, may be paid additional monies or provided with additional benefits where justified. Details of such payment and benefits shall be published in accordance with the *Local Government Act Section 5.50(2)*.

## 5.17 LOCAL GOVERNMENT HOLIDAYS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer, Deputy Chief Executive Officer  
**Date of Approval:** 18 October 2012  
**Amended:** 17 October 2017; 16 October 2018

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**Objective:** To establish guidelines for the payment of Local Government public holidays.

**Policy:** Employees of the Shire of Corrigin shall be entitled to Western Australian gazetted public holidays. In addition to gazetted public holidays employees (excluding casual and employees on fixed term contracts) shall be entitled to Local Government public holidays on 2 January and Easter Tuesday of each year if the days fall on one of eligible employees ordinarily work days.

When a Local Government public holiday falls on a day in which an employee is required to work, the employee will be paid in accordance with the *Shire of Corrigin Enterprise Agreement 2018 or Local Government Industry Award 2010*. By mutual agreement between the Shire of Corrigin and the employee, an employee may choose to work a Local Government public holiday and take the day off at a later date.

## 5.18 STAFF SEEKING SECONDARY EMPLOYMENT

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** N/A

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**Objective:** To allow staff to make application for secondary employment which will not interfere with or prejudice their employment with Council.

**Preamble:** Staff wishing to engage in employment or business outside their official duties, must obtain prior permission from the CEO.

**Policy:** Staff that are approved to engage in secondary employment by this policy are to acknowledge that their first duty is to the Shire and they are not to be engaged in providing their service/expertise to clients that will require a decision of the Shire Council either by a Council resolution, delegated authority or Council policy.

- Staff shall not engage in secondary employment, which might be detrimental to their performance of official duties.
- Secondary employment should not affect their efficiency or performance.
- Should be wholly in the staff members private time; and If in the course of their official duties, they have access to confidential information not available to the public, they will not be permitted to engage in any secondary employment to which this information might be relevant; and
- Should the Shire/management resolve to change the spread of hours of the officer then the Shire as principal employer takes priority.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** N/A

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**Objective:** To give guidelines for engaging in online conversations as representatives of the Shire of Corrigin regardless of private or work related access.

**Statement:** As a Local Government Agency the Shire of Corrigin and its representatives must follow certain rules when participating in social media.

**Scope:** These guidelines are intended for use by Councillors, staff members and other representatives of the Shire of Corrigin to apply to any online medium where information may reflect back on the image of the Shire of Corrigin. Therefore this Social Media Policy applies to all forms of social media including, but not limited to: blogs, Facebook, Wikipedia or other wikis, Twitter and LinkedIn. These guidelines also apply to any comments representatives of the Shire of Corrigin may leave on other people's blogs or Facebook pages, edits to wikis, responses to tweets, posting on message boards/forums and opinions on online polls.

Most conversations on social media platforms are held in an informal manner, so the normal professional writing style is not required for social media communications; however, professional discourse is expected.

All social media accounts, blogs and web pages carrying the Shire of Corrigin brand identity are to be endorsed by the Shire of Corrigin. If the Shire of Corrigin is referenced in any media by its representatives these social media guidelines apply.

Reference should also be made to the Shire of Corrigin's Code of Conduct – Staff, Volunteers and Contractors.

### **Guidelines**

- 1. The internet is not anonymous, nor does it forget**  
Everything written on the Web can be traced back to its author one way or another and very easily.
- 2. There is no clear line between your work life and your personal life. Always be honest and respectful in both capacities.**  
With the ease of tracing authors back from their posts and the amount of information online, finding the actual identity of a poster from a few posts and a screen name is not impossible. This creates an avenue for outside parties to link your personal writings to the Shire of Corrigin. Always write as if everyone knows you. Never write anything you wouldn't/couldn't say out loud to all parties involved.
- 3. Avoid hazardous materials**  
Do not post or link to any materials that are defamatory, harassing or indecent.
- 4. Don't promote other brands with our brand**  
Do not promote personal projects or endorse other brands, causes or opinions when posting on behalf of the Shire of Corrigin. The endorsement of the Shire can be sought if required. If a personal opinion must be posted, clearly state that it does not represent the opinions of the Shire.

**5. Maintain confidentiality**

Do not post any confidential information in regards to the Shire of Corrigin including personal information of employees, Councillors and other individuals associated with the Shire of Corrigin.

**6. Always acknowledge**

When reposting/referencing a post or someone else's comments provide a link to the original item or acknowledge the author.

**7. Identify yourself**

When relevant, identify your affiliation with the Shire of Corrigin to add credibility to your profile and to increase the visibility of the Shire of Corrigin.

**8. Do not qualify your work**

Do not post statements regarding the quality or quantity of your work/load.

**9. Do not return fire**

If a negative post or comment is found online about the Shire of Corrigin or one of its representatives, do not counter with another negative post. Publicly offer to remedy the situation through positive action.

**10. Do not action requests made through social media**

Actioning requests must be done only through our regular procedures to avoid conflicts and other ethical problems.

It should be noted that comments considered to be offensive or defamatory will be removed by the Administrator and repeat offenders blocked.

## 5.20 NOVATED VEHICLE LEASE ARRANGEMENTS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 21 July 2016  
**Amended:** N/A

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**Objective:** To provide Staff with an opportunity to enter into a novated vehicle lease where there is no cost or burden top the Shire.

**Policy:** Novated Vehicle Lease Arrangements

### **Leasing of Vehicles**

All employees are eligible to enter into a full operating novated lease arrangement, subject to the following requirements:

- a) The criteria for a novated vehicle lease, as set out in the guidelines published by the Australian Taxation Office (ATO), being satisfied;
- b) The vehicle being leased in the employees name as a private vehicle with full entitlement afforded to use the vehicle for personal use and benefit outside the employee's conditions of employment with the Shire;
- c) The employee being solely responsible for any residual value of the vehicle at the end of the lease period;
- d) The employee accepting (in writing) full responsibility for the novated vehicle lease upon termination of employment with the Shire;
- e) Any cost incurred by the Shire is to be reimbursed by the employee; and
- f) The employee being fully responsible for any Fringe Benefits Tax (FBT) implications.

## 5.21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Shire President  
**Date of Approval:** 19 July 2016  
**Amended:** 17 October 2017, 20 October 2020

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**Objective:** To accord with s5.38 of the *Local Government Act 1995* in undertaking the performance review of the CEO.

**Policy:**

1. The performance of the CEO is to be reviewed by the Shire of Corrigin CEO Performance Review Occasional Committee ('Committee') at least once in relation to each year of employment using the performance criteria contained in the CEO's Position Description.

**Membership**

Membership of the Committee shall be all Councillors.

2. The objective of the Committee is as follows:
  - Compile the consensus response for each of the key result areas detailed in clause of the CEO's contract of employment.
  - Conduct a performance review feedback session with the CEO.
  - Prepare and submit for Council approval a report describing the assessment developed during the performance review, changes to be made, special tasks to be done, or decisions to follow as a result of the evaluation.
  - Prepare and submit for Council approval the agreed performance objectives for the next review period.
  - Prepare and submit for Council approval any variations to the CEO's conditions of employment.
3. The Shire President and CEO may arrange for an appropriate consultant to undertake the CEO's performance review.
4. The performance review will be carried out by the Committee in a closed meeting with the CEO.
5. A review of delegations and Key Performance Indicators forms part of the review process and which will reference s5.41. Functions of CEO under the *Local Government Act 1995*.
6. A record of proceedings be prepared by the CEO and when confirmed by the Committee will be forwarded to the next available Council meeting on a confidential basis for consideration.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** 17 October 2017, 17 August 2021

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**Objective:** To establish guidelines on the appropriate usage of the Shire's information and communication technology (ITC) systems and devices.

**Policy:** Effective security is a team effort involving the participation and support of every Shire of Corrigin employee who deals with information and/or information and communication systems and devices. Every digital device user must understand this policy and carry out their use of digital devices in accordance with this policy. For the purposes of this policy the term employee/s shall cover people performing work on a permanent basis with the Shire of Corrigin.

### **General Use of ICT Equipment**

1. Users should be aware that the data they create on the corporate systems remain the property of the Shire of Corrigin. The confidentiality of personal (non-work-related) information stored on any network device belonging to the Shire of Corrigin cannot be guaranteed.
2. A degree of personal use is allowed on the Shire of Corrigin's equipment/devices/systems. Employees should exercise conservative judgment regarding the reasonableness of personal use but should be guided by the following principles:
  - personal use should be conducted either before or after contracted hours of work or during authorised breaks;
  - personal use should be limited and brief, avoiding excessive downloads or transmissions. An example of acceptable personal use would be conducting brief transactions through internet banking;
  - personal use should not breach anything in this policy, particularly relating to the downloading of offensive or copyrighted materials;
  - managers will determine the specific acceptable personal use for their respective business areas as this will differ according to the needs of each group; and
  - if there is any uncertainty regarding acceptable personal use then employees should consult their supervisor or manager for guidance.
3. For security and network maintenance purposes, authorised individuals within the Shire of Corrigin may monitor equipment, systems and network traffic at any time, according to the specific nature and requirements of their roles.
4. The Shire of Corrigin reserves the right to audit networks and systems on a periodic basis to ensure system integrity and compliance with this policy.

All emails sent by Shire of Corrigin employees should include the approved signature and disclaimer at the foot of the body of the email, in the format specified by the Shire of Corrigin style guide.

### **Security and Proprietary Information**

1. All information stored on the Shire of Corrigin'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 employees should consult their supervisor or manager for guidance.
2. Passwords should be kept secure and accounts 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 Shire of Corrigin ICT Consultants.

3. All devices connected to the Shire of Corrigin's computing systems/networks, regardless of ownership, must be running approved and up to date virus-scanning software.
4. Employees must use caution when opening files received from unknown senders.

### **Unacceptable Use**

The information in this policy provides a framework for activities which fall into the category of unacceptable use, but do not represent an exhaustive list. Some users are exempted from these restrictions during the course of carrying out responsibilities related to their role.

Under no circumstances is any user authorised to engage in any activity that is illegal under local, state, federal or international law while connected to or utilising Shire of Corrigin ICT systems or resources.

### **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 of Corrigin or the end user.
- Unauthorised copying or digitising of copyrighted material and the installation of any copyrighted software for which the Shire of Corrigin 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. The appropriate manager should be consulted prior to export of any material where status is unclear.
- Introduction of malicious programs or codes into the network or onto devices connected to the network.
- Revealing your account password to others or allowing use of your account by others.
- Using Shire of Corrigin equipment for the downloading or distribution of any material that could be considered as offensive. If an employee receives such material they should notify their manager and also the ICT Team.
- Making fraudulent offers of products, items, or services, or running private business interests via any Shire of Corrigin equipment, device or account.
- Undertaking private work.

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

- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, 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 of Corrigin'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 in any way.

### **Email and Communications Activities**

The following activities are not permitted:

- 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.
- Unauthorised use, or forging, of email header information.
- Solicitation of communication for any other electronic address, other than that of the poster's account, with the intent to harass or to collect replies.
- Creating or forwarding chain letters or pyramid schemes of any type.
- Use of any of the Shire of Corrigin network or systems for the purpose of generating unsolicited communications.
- Providing information about, or lists of, the Shire of Corrigin employees to parties outside the Shire of Corrigin or to personal email addresses.
- Communicating in a manner that could adversely affect the reputation or public image of the Shire of Corrigin.
- Communicating in a manner that could be construed as making statements or representations on behalf of the Shire of Corrigin without the CEO's express permission to do so.

Users should also endeavor to archive their Inbox, Sent Items, Deleted Items and other email boxes on a regular basis, by either archiving or saving in the central record system. A size limit per mailbox may be implemented to ensure that the system is functioning optimally.

### **Remote Access**

Employees with remote access are subject to the same rules and regulations that apply to the Shire of Corrigin corporate equipment and systems. That is, their machines need to connect and communicate reliably with the Shire of Corrigin's network and servers to ensure the security and integrity of data and records.

Employees are reminded of the following conditions relating to remote access to the Shire of Corrigin system:

- Family members must not violate any of the Shire of Corrigin policies, perform illegal activities, or use the access for outside business interests.
- The device that is connected remotely to the Shire of Corrigin's corporate network should be secure from access by external non-Shire of Corrigin parties and should be under the complete control of the user.
- The use of non-Shire of Corrigin email accounts (e.g. Yahoo, Hotmail, Gmail etc.) or other external resources is not permitted for the conduct of Shire of Corrigin business, thereby ensuring official business is not confused with personal business.
- All devices (whether personal or corporate) connected to the Shire of Corrigin's networks via remote access technologies should have up-to-date anti-malicious-code software.

### **Provision and Use of Mobile Phones and Information/ Communication Devices**

Some employees will be supplied with a mobile phone and/or other mobile computing device if it is deemed necessary to their position. All mobile/portable devices supplied remain the property of the Shire of Corrigin and users must not change service providers unless authorized in writing to do so.

Where a mobile phone or device provides an email service, all emails sent or received or otherwise processed via the mobile device that are classified as a record of the Shire of Corrigin should be sent through the Shire of Corrigin's server, to ensure the integrity of the recordkeeping system.

Where the device includes a digital camera, users are to use the technology in a sensible manner. A failure to do so may lead to disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

It is unlawful for drivers to operate a mobile phone and/or other mobile computing device whilst driving. Phone calls may otherwise be made or received providing the device is accessible while mounted/fixed to the vehicle or does not need to be touched by the user. An employee who operates a mobile phone and/or other mobile computing device whilst driving may face disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

The following conditions apply to the provision and use of mobile phones and other electronic devices:

1. The allocation of mobile phones and other devices for business purposes shall be determined by the CEO and the Deputy CEO based on operational need.
2. The purchase and replacement of mobile phones and other devices shall be determined by the CEO and DCEO.
3. All staff in receipt of a mobile phone and other device shall sign an acceptance form acknowledging the provisions of this policy.
4. A Shire mobile phone is to be used for business use except in the event of a personal emergency, unless otherwise approved by CEO or documented as a benefit in an Employee's Employment Package.
5. Should an employee's private use of a mobile phone and/or other device be determined by the CEO to unreasonable and excessive, such costs attributed to that use shall be reimbursed by the employee.
6. A Councillor or employee in possession of a mobile telephone and/or other device is responsible for its use and care, and shall provide immediate notification of any loss, damage or malfunction, with explanation to the particular circumstances.
7. The Shire may withdraw entitlement to use a mobile phone or other device should there be evidence or an admission as to personal neglect or abuse. Reimbursement of the cost for repair, replacement, or reimbursement of excessive use may be sought from the offending officer at the discretion of the CEO.
8. Staff may be required to return mobile phones and/or devices to the office or other staff members during period of leave.
9. The CEO may award a Mobile Phone Allowance to certain staff to allow them to carry and use their personal mobile phone for calls / texts for work purposes as and when the need arises.
10. Where a mobile phone or device is willingly or maliciously damaged or lost, the person to which the mobile phone or device is responsible shall repair or replace the mobile phone or device at their cost.

#### **Consequences of Breaching This Policy**

- Any employee found to have breached this policy may be subject to disciplinary action including possible termination of employment. The Shire of Corrigin may also be obligated to refer any breach of this policy to an external agency where an employee may be held criminally liable for their actions.
- Private/personal or unauthorised use of corporate ICT systems and/or devices may result in the employee being obligated to pay any extra costs incurred.

## 5.23 APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017, 20 October 2020  
**Amended:** 16 February 2021, 18 October 2022

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**Objective:** To outline the process for the appointment of an Acting Chief Executive Officer to cover periods of leave up to 3 months in duration.

**Policy:** This policy applies for periods of planned leave such as long service leave, annual or personal leave as well as during periods of unforeseen extended absence of the Chief Executive Officer (CEO) for periods of leave up to 3 months.

1. The Local Government Act WA 1995 requires that a local government is to employ a person to be the CEO of the local government.
2. In accordance with the requirements of the *Local Government Act 1995*, section 5.36(2)(a), the Council has determined that the Deputy Chief Executive Officer (DCEO) is suitably qualified to perform the role of Acting CEO. In the event that the DCEO is unavailable to undertake the role of Acting CEO the Council has determined the most suitably qualified person will be identified by the CEO.
3. An application by the CEO for annual, personal or long service or other periods of extended absence is to be approved by the Shire President.
4. During periods of annual, personal and long service leave, or other periods of extended or unplanned absence, it is appropriate for an Acting CEO to perform the duties of the CEO in order to ensure the efficient operation of the shire administration.
5. The DCEO will be appointed to the role of Acting CEO at the discretion of the CEO, subject to officer performance and dependent on availability and operational requirements.
6. Appointment to the role of Acting CEO must be made in writing by the CEO.
7. Appointment to the role of Acting CEO may only be made by the CEO for periods of leave greater than one week and less than three months. A Council resolution is required for periods exceeding three months.

## 5.24 DEALING WITH FAMILY MEMBERS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** N/A

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

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

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

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

### **Employment of Family Members**

Where a family member of an existing employee or member of Council has applied for a position at the Shire of Corrigin, the employee or member of Council will not sit on any selection panel relating to the position, and will not attempt to participate in or influence the selection process or decision in any way. Although it is preferable for family members to hold positions in different areas within the Shire, there may be occasions where this is not possible and in these circumstances, guidelines would be put in place to ensure that there is no conflict of interest in relation to the approval of leave, approval of purchasing, writing or purchase orders, performance appraisals and staff management.

Except in exceptional circumstances, no person employed by the Shire should work under the general supervision of another member of his / her family, even if one or more levels removed. No employee will conduct a performance review of a family member, or take part in any salary, promotion, termination or disciplinary discussions or decisions in relation to the family member.

### **Provision of Services to Family Members**

In a small rural local government it is inevitable that situations will arise where the Shire of Corrigin provides services to a family member of an employee. Wherever a discretionary power is being exercised, for example when considering a building application or granting a permit, the Code of Conduct requires the employee to declare their interest, and to disqualify themselves from dealing with their family member or close friend. An employee should also consider if their impartiality is affected when dealing with a customer who they know is a family member or friend of another employee.

### **Procurement of Goods and Services from Family Members**

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

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

## 5.25 RELATED PARTY DISCLOSURE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** N/A

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**Objective:** **To establish a procedure for related party disclosures.**

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

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

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

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

### **Identification of Related Parties**

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

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

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

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

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

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

### **Identification of related party transactions**

A related party transaction is a transfer of resources, services or obligations between the Shire of Corrigin (reporting entity) and the related party, regardless of whether a price is charged. For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

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

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

### **Disclosure Requirements**

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

### **Ordinary Citizen Transactions (OCTs)**

Management has determined that the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly Related Party Disclosures - Declaration form will be required for the following:

- Paying Rates.
- Fines.
- Use of Shire of Corrigin owned facilities such as the Recreation and Events Centre, Halls, library, parks, ovals and other public open spaces (whether charged a fee or not).
- Attending council functions that are open to the public.

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

### **All other transactions**

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

### **Frequency of disclosures**

Elected Council members and KMP will be required to complete a Related Party Disclosures - Declaration form each year.

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

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

### **Confidentiality**

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

### **Materiality**

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

### **Associated Regulatory Framework**

*AASB 124 Related Party Disclosures*

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 16 October 2018, 20 October 2020  
**Amended:** 18 October 2022

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**Objective:** To ensure employees are familiar with the process for accessing their leave accruals in accordance with the National Employment Standards (NES) and the provisions of the relevant industrial instrument.

**Policy:** The purpose of this policy is to provide a consistent application of leave provisions in accordance with the (NES) and the relevant industrial instrument by:

- Facilitating consistency throughout the Shire of Corrigin in administering leave provisions for employees.
- Providing information to effectively manage Annual and Long Service Leave entitlements of employees.
- Encourage employees to take leave by reinforcing the positive benefits of taking leave when it becomes due.

This policy applies to all employees who are employed on a full time or part time basis, but does not apply to employees employed on a casual basis (apart from long service leave provisions which apply to casuals).

- Employees shall be entitled to Annual and Long Service Leave consistent with the provisions of the NES and the applicable industrial instrument.
- In circumstances other than a statutory entitlements, leave without pay will be granted at the complete discretion of the CEO. Unpaid leave will usually only be granted when the employee has exhausted all other paid leave entitlements.
- All employees should take annual leave and long service leave within one year from the date in which it is accrued unless it is postponed with the written permission from the CEO.
- All time in lieu should be cleared as close to the time of accrual and is to be used by the end of each financial year.
- No more than three RDO's are to be accrued at any one time unless written permission from the CEO.
- As per the Shire of Corrigin Enterprise Agreement 2022 up to 76 hours of annual leave per year may be cashed out by agreement between the employer and employee provided the requirement of the NES are complied with.
- Employees should be informed that under the provisions of the Local Government (Long Service Leave) Regulations:

*Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the end of the period of 6 months unless otherwise agreed in writing between the Local Government and employee*

The manager shall manage the taking of leave including time in lieu and rostered days off and maintain a leave roster ensuring that adequate coverage of functions is maintained.

- Managers will endeavour to approve leave applications to meet the convenience of the employee, however the operational needs of the shire must also be considered.
- Employees are entitled to receive 'pay in advance' for leave provided applications are approved and supplied to payroll before the end of the last pay period prior to the employee going on leave.
- Leave application forms must be signed by the employee and authorised by the responsible manager prior to the employee taking leave. All leave application forms will be approved or declined within three days and forwarded to the Payroll Officer for action before the affected pay period.
- In the event of unplanned leave, the employee must submit a leave application form on the first day back following absence and provide evidence of absence if required (i.e. medical certificate).
- Where an employee requires a period of personal leave, such as for injury of illness while on annual leave they may apply to have the leave reversed in line with the notice and evidence requirements set out in the Fair Work Act.

### **Leave Rosters**

- Managers are required to develop and maintain leave rosters that identify proposed relief/coverage arrangements for all employees within their area of responsibility.
- Where relief is required, this is to be negotiated with the relevant manager and if necessary, recruitment is to be arranged by the CEO, DCEO or Manager of Works and Services.
- To encourage effective workforce planning, manager must monitor the leave roster to ensure that sufficient employees are available to cope with peak workload periods.
- The Payroll Officer will regularly monitor the leave taken to ensure that the total accrued leave does not exceed this policy.

### **Approvals and Obligations**

- Leave application forms are required to be completed at least three days prior to requested leave.
- A period of two months' notice must be given in writing for Long Service Leave in line with the provisions of the *Local Government (Long Service Leave) Regulations*.
- Leave applications will be considered in the context of needs of the operational requirements of the shire and the team leave roster (in particular if there are multiple employees seeking leave);
- Managers must consider how the duties and responsibilities of the position will be delivered in the absence of the employee on leave;
- After approval, leave forms are forwarded to payroll for processing;
- It is the obligation of individual employees, in conjunction with the Manager, to determine whether there is a need to communicate their impending absence to other employees; and
- As a general rule managers should advise all employees of their absence and what acting arrangements, if any, have been arranged.

Where coverage is not possible to accommodate all leave applications, it shall be the responsibility of the manager to consult the employees regarding the situation and allow discussion to enable employees to resolve the situation. There may be a situation where some employees are happy to accommodate others leave applications but it is preferable that employees attempt to resolve the situation without any type of arbitration.

### **Deferral of Long Service Leave**

- Within 6 months of long service leave becoming due, the CEO will be advised by the Payroll Officer of employees who have not cleared long service leave for that year, if the entitlement has become due;
- Employees are required to formally seek approval from the CEO to defer long service leave. This deferral request must be in writing and clearly identify the amount of leave accrued, at what date it will be cleared and why it has not been cleared; and
- Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the end of the period of six months unless otherwise agreed in writing between the Shire of Corrigin and employee.
- Deferrals in excess of this period require the approval of the CEO.

### **Variation to Policy**

This policy may be cancelled or varied from time to time at the discretion of CEO. All employees will be notified of any variation to this policy by the normal correspondence method. All employees are to read this policy prior to applying for leave.

# 6 COMMUNITY SERVICES AND FACILITIES

## 6.1 HIRE OF THE COMMUNITY BUS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Customer Service Officer  
**Date of Approval:** 15 July 2008  
**Amended:** 17 October 2017

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**Objective:** To set the conditions for the hire of the Corrigin Community Bus.

**Policy:** The rate for the hire of the community bus will be set as part of the annual budget process; it will be a cent per kilometre rate (plus fuel).

Smoking is not permitted on the community bus.

Persons holding a WA Drivers Licence with a Light Rigid (LR) class or above are able to hire and drive the community bus. (Proof of Licence will be required as part of the booking procedure) If the driver is receiving reward for driving the bus the driver will be required to hold an "F" endorsement on their WA Drivers Licence. "Reward" is defined as an amount received for carrying those passengers intended to exceed the running costs of the motor vehicle.

Council does not object to the hire of the community bus to people from outside the Shire of Corrigin. If, however, the bus is hired by somebody who is not a resident of Corrigin, and the bus is subsequently required by a local, the non-local must be advised that the bus is no longer available to them. At least one week's notice must be given to the non-local of the cancellation of the hire to enable them to make other arrangements.

If the bus is returned in an untidy state and it is not possible to contact the hirer responsible prior to the next hire of the bus, the bus will be cleaned and the hirer will be responsible for the cost of the cleaning.

Hirers of the Corrigin Community Bus are expected to return the bus with a full fuel tank (filled to 3 'clicks of the fuel bowser) and in a clean condition.

Council will provide free use of the community bus for the following organisations on the provision that fuel costs are paid by the hirer:

- Senior Citizens activities plus one other event each calendar year; and
- Rotary Club of Corrigin trip to Perth plus one other event each calendar year;
- Shire staff social event; and
- Seniors Games.

All other conditions of hire of the community bus must be adhered to by the hirer.

Persons or clubs using the community bus where fees have not been paid or the tank is not filled or the bus has not been returned in a clean condition may be prohibited from using the bus in future.

A suitable member of the Shire staff must inspect the Community Bus after every hiring to ensure that it has been returned in an adequate state with no damage.

## 6.2 SHIRE BUILDINGS (NOT INCLUDING CREC) – HIRE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Customer Service Officer  
**Date of Approval:** 31 March 1989  
**Amended:** 17 October 2017

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**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All applicants that wish to hire Shire buildings will be required to sign a 'Conditions of Hire' form before collection of the required keys. This form is to contain details of the standard of cleanliness required of the building after use and if the hirer does not meet those requirements, the following steps are to be taken:

- The Customer Service Officer should contact the hirer and request that the items that do not meet the required standard be attended to immediately.
- If the required cleaning is not carried out to the expected standard the Shire cleaning staff should attend to the matter and the hirer is to be levied the necessary cleaning expense based on the hours that the cleaner was required to work on the building.

## 6.3 CORRIGIN RECREATION AND EVENTS CENTRE - HIRE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Customer Service Officer  
**Date of Approval:** 19 April 2016  
**Amended:** N/A

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**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All applicants that wish to hire the Corrigin Recreation and Events Centre will be required to sign a 'Conditions of Hire' form before the booking can be confirmed and prior to collection of the required keys. This form is to contain details of the standard of cleanliness required of the building after use and if the hirer does not meet those requirements, the following steps are to be taken:

- The Customer Service Officer or CEO should contact the hirer and request that the items that do not meet the required standard be attended to immediately.
- If the required cleaning is not carried out to the expected standard the Shire cleaning staff should attend to the matter and the hirer is to be levied the necessary cleaning expense based on the hours that the cleaner was required to work on the building.

Prior to booking, hirers will be provided with the following forms:

- Booking Application form
- Clean-up checklist
- Application for discounted hire
- Application to consume alcohol
- CREC Hire Terms and Conditions

## 6.4 MAXIMUM NUMBER OF PERSONS – COUNCIL FACILITIES

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 23 August 1995  
**Amended:** 19 April 2016

**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All hirers are to be advised of the maximum number of persons allowed in the following facilities under the provisions of the *Health Act 1911*:

- Corrigin Town Hall - 400
- Corrigin Recreation and Events Centre - as per table below:

| Public Building Area      | Type of Use                     | Maximum Numbers |
|---------------------------|---------------------------------|-----------------|
| Function Room/Bar         | Dining                          | 242             |
|                           | Conference                      | 484             |
| Foyer                     | Hall                            | 172             |
|                           | Exhibition                      | 43              |
| Gym/Crèche                | Gymnasium                       | 17              |
| Sports Hall               | Hall (with all exits available) | 916             |
|                           | Gymnasium                       | 305             |
| Hockey/Netball Kiosk Room | Meeting Room                    | 38              |
| Total (at any one time)   | Hall                            | 1000            |

## 6.5 HIRE OF CHAIRS AND TABLES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 July 2002  
**Amended:** 19 April 2016

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**Objective:** To provide guidance on the hiring of Council owned chairs and tables from Council buildings.

**Policy:** Council does not hire the chairs and tables from the Corrigin Town Hall or Corrigin Recreation and Events Centre, other than to the Corrigin Agricultural Society for use during the annual Agricultural Show at no cost.

Council has some chairs and tables available for hire from the CWA Hall. Fees and Charges are in accordance with those adopted in the annual budget process.

## 6.6 SWIMMING POOL – USE OF THE POOL BY CORRIGIN DISTRICT HIGH SCHOOL

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:** N/A

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**Objective:** To provide guidance on the hiring of the outdoor swimming pools to the local District High School.

**Policy:** When Corrigin District High School is given exclusive use of the outdoor swimming pool for the annual faction swimming carnival or inter-school swimming carnival, all children and adults are allowed free entry to the facility.

No other members of the public can use the pool during the carnival.

## 6.7 SWIMMING POOL – VACATION SWIMMING LESSONS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:** N/A

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**Objective:** To provide guidance on the entry charges for the outdoor swimming pools during Vacation Swimming Lessons (VAC swim).

**Policy:** Parents accompanying children who are participating in vacation swimming classes and who are not swimming are permitted to enter free of charge provided they leave the pool as soon as the classes are completed.

VAC swim swimming teachers are permitted free entry to the outdoor swimming pool while they are teaching vacation and in term swimming lessons.

## 6.8 NO SMOKING AREAS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Environmental Health Officer  
**Date of Approval:** 21 May 1997  
**Amended:** N/A

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**Objective:** The objectives of the Shire of Corrigin in banning smoking in various Council areas not covered by legislation is to:

- Improve the health of community members;
- Improve public amenity and maintenance of Council property;
- Raise community awareness of issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social wellbeing of the community;
- Minimise cigarette butt pollution on Council owned properties.

**Policy:** This policy will help Council fulfil its obligation under the Tobacco Control Regulations 2006, to prevent smoke entry.

Smoking is prohibited inside all Council public buildings (*which for the purpose of this Policy includes the Shire Depot and yard along with the Transfer Station*) as a requirement of the *Tobacco Control Act 2006*.

Smoking is prohibited inside all Shire vehicles.

Council is required to ensure that tobacco smoke does not enter all public buildings from the outside, and in doing so is applying the following:

- No smoking within 5 metres of an entrance/exits to buildings including covered areas of those buildings such as verandas and patios
- No smoking within 10 metres of air conditioning units.

The Corrigin War Memorial Pool is the only Council facility which is designated by Council as a no-smoking outdoor area. Smoking at the facility will not be tolerated, and patrons who wish to smoke are to do so outside the pool enclosure.

Designated outdoor smoking areas are to be appropriately signed with **SMOKING AREA** signs and include sufficient cigarette butt disposal bins.

Outdoor areas where the public tend to congregate are to be signed with **NO SMOKING AREA** signs.

The Shire is responsible for the provision of signs for smoking and non-smoking areas and cigarette disposal bins, and for the emptying of those bins.

## 6.9 USE OF THE CORRIGIN RECREATION PRECINCT (O'SHEA PLACE) FACILITIES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 September 2001  
**Amended:** 17 October 2017

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**Objective:** To provide guidance in the use of the facilities at the Corrigin Recreation Precinct (O'Shea Place) facilities.

**Policy:** **Ram Field Days**  
The only people permitted to display rams in the recreation ground area for ram field days be those groups approved by Corrigin Ram Breeders Association is to be used. The Eastern portion only of the grassed area is to be used for such events.

**Circus Visits**

Circuses are permitted within the Shire of Corrigin subject to consultation with the CEO and Manager of Works.

**Use of the Oval**

Only activities of a sporting nature are to be allowed on the Football, Cricket and Hockey areas, with the exception of the Corrigin Agricultural Show and the biannual Rotary Club of Corrigin's Car Event. The Eastern portion of the grassed area can be used for both sporting and other events.

## 6.10 CASUAL HIRERS LIABILITY INSURANCE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** N/A

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**Preamble:** Local Government Insurance Services advise WA that the following situation exists with respect to hire of buildings/facilities to other parties.

### **Unincorporated Bodies**

Where Council has in place a 'Casual Hirers Liability Policy' the Council and the hirer are indemnified against bodily injury and/or property damage.

### **Incorporated Bodies**

As these bodies are legal entities in their own right they are required to carry their own public liability insurance. If the incorporated bodies do not have public liability cover then the Council could be subject to claims for damages and the following was made policy:

**Objective:** To provide security for users of Council halls and facilities.

**Policy:** **Insurance – Incorporated Bodies**

That any incorporated body that wishes to hire or use a Council facility must provide on request details of insurance cover that will indemnify Council against any possible insurance claim as a result of that use or hire.

**Insurance – Unincorporated Bodies**

That any unincorporated body that wishes to hire or use a Council facility in excess of ten times per annum, must provide detail of insurance cover that will indemnify Council against any possible insurance claim as a result of that use or hire.

**Process:** Persons and groups wishing to hire Council halls and facilities are to make application to Council on the designated application form. Applications are to be assessed by the CEO or DCEO and officers delegated by the CEO.

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 18 August 2020  
**Amended:**

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**Objective:** This policy outlines the purpose, principles and approach to community engagement to be taken by the Shire of Corrigin when engaging communities and stakeholders.

**Policy:** The policy will be applied by all employees and consultants appointed by the Shire when engaging those affected by and interested in decisions to be made by Council.

### **Policy Statement**

#### **1. Purpose**

The Shire of Corrigin is committed to providing opportunities for all members of the community to participate in civic decision-making processes.

The Shire recognises that the community is a source of knowledge and expertise, and this can be harnessed to help find solutions to local issues as well as complex Shire challenges.

Community engagement is a key part of our commitment to be a transparent and responsive organisation. Our objective is to make better decisions by giving a voice to communities and stakeholders on matters and topics that are of interest and important to them and to develop and encourage a culture which respects and welcomes community input.

#### **2. Principles**

The Shire of Corrigin's approach to community engagement is guided by the following principles:

- 2.1** We clearly communicate why we are engaging and the community's role in the engagement. From the outset, we articulate the purpose of our engagement and what will happen as a result of any information gathered. We explain what level of influence the community, stakeholders and Council have on the decision to be made, and any associated limitations or constraints. We consider the requirements for each project and its level of potential impact on the community to determine the required level and timing of engagement. We provide all information necessary so participants can make informed choices.
- 2.2** We carefully consider who to engage. Before we begin engaging, we identify communities and stakeholders who are directly involved, or likely to be affected by the project. On major projects that set a direction or define a position for the Shire, we encourage broad community participation to ensure that a diverse range of views and ideas are expressed and considered. We also consider barriers that prevent or deter people from participating in engagement activities and consider ways to minimise them.
- 2.3** We explain the process. We aim to be transparent, and make our decision-making process clear. We do this by explaining upfront the process to be undertaken, identifying where there is opportunity for the community and stakeholders to have input, and where the decision-points are. Where possible, we build on the outcomes of previous engagement. If the engagement crosses

over with a previous engagement process, we explain the outcomes, identify how they relate to the current process and why a new process is required.

- 2.4 We carefully consider how to engage and ensure our processes, venues and information are accessible. We recognise people engage with civic life in different ways depending on a number of factors, such as age, background and ability. We aim to be responsive to this broad spectrum of needs, and ensure there are multiple engagement methods in various settings, to achieve appropriate community participation. We ensure our engagement is accessible by providing information in clear and easy to understand formats, or is available in alternative formats on request. Our engagement events and venues are designed to be accessible whenever practical and achievable.
- 2.5 We design our engagement to be engaging. The Shire of Corrigin is working to continuously improve how we engage, and design approaches that are creative, relevant and engaging. We are open to new and innovative engagement methodologies, and we are working on ways to tailor our approach to draw people into the process and maximise the reach and impact of our engagement.
- 2.6 We complement our engagement with high quality communication. We provide clear, comprehensive and accessible information, written in plain English, to stakeholders throughout the engagement process. Information about our engagement is on our website and through the Shire's usual communication channels.
- 2.7 We acknowledge contributions made during the engagement process and let participants know how their feedback was used in our decision-making. We are transparent with the community about how their participation was considered, by reporting back what we heard from contributors and how their input has been incorporated in decision making. We also share the results of engagement through our website and other mechanisms as appropriate. We also advise contributors when the matter is to be considered by Council so they may attend Ordinary Council Meetings if they wish.

### **3. Approach**

#### **3.1 When We Consult our Community**

The Shire will engage with the community when:

- Council resolves formally to engage.
- A decision or plan will substantially impact the community and there is some part of the decision or plan that is negotiable.
- Stakeholders or the community have expressed an interest, or could be interested in a decision or plan where there is a range of potential outcomes.
- Community input can enhance decision-making, project outcomes or future opportunities.
- There is legislation, policy or an agreement requiring community engagement or consultation.

#### **3.2 How We Engage**

The level of engagement will vary depending on the nature and complexity of the project or decision and will be guided by the Shire of Corrigin community engagement principles as set out above in Section 2 of this Policy.

Consideration is given to matters like community and stakeholder interest, political sensitivity, opportunities for partnerships, the level of impact, legislative requirements, time and resource and budget constraints. These considerations will guide how and when in the life of a project or decision community engagement may offer the greatest benefit.

Quality community engagement is well planned and executed, inclusive and accessible to all members of the community.

At times Council will engage the community on issues that are of importance or interest to a specific part of the community. In this instance, engagement will be targeted towards this group.

The Shire's engagement approach has four stages to ensure we deliver a consistent approach to engagement activities. This includes: a process of planning (developing an engagement plan); doing (preparing and engaging); reporting (analysing information and providing updates on the engagement) and evaluating (both the process and outcomes).

The purpose of the engagement and the type of input that will assist with the decision to be made, is reflected in the way community engagement is planned and reported. We carefully consider aspects of both qualitative input (such as trends and thoughts) and quantitative input (such as number of participants) when designing engagement methods and reporting back what we heard.

The following matrix is used to assist in determining the most suitable approach, relative to the likely 'level of impact' of a project, plan, service or action. As highlighted by this matrix, there are four levels of engagement: Inform, Consult, Involve, and Collaborate. More than one level of engagement is generally required, as there is likely to be movement back and forth through the different levels as the engagement is implemented, except in the case of projects or issues with only a low level of impact of a localised nature or if there is a statutory requirement to consult.

| Expected level of impact | Criteria (one or more of the following)  | Engagement approach generally taken   | Level of engagement generally required                         | Examples of engagement methods the Shire may use   |
|--------------------------|--|---|--|--|
| High – Shire Wide        | <p>High Level of impact on all or a large part of the Shire of Corrigin.</p> <p>Any significant impact on attributes that are considered to be of high value to the Shire, such as the natural environment or heritage.</p> <p>Likely high level of interest across the Shire.</p> <p>Potential high impact on state or regional strategies or directions.</p> | <p>Early engagement with community and stakeholders.</p> <p>Involves a broad range of stakeholders and community members.</p> <p>Utilises a variety of engagement methods to give people who want to contribute, the opportunity to do so.</p> <p>Updates are provided to interested stakeholders and local community.</p> <p>Engagement plan developed in collaboration with the relevant departments and approved by the Chief Executive Officer. Budget allocated to deliver community engagement.</p> <p>Process is evaluated to assess the quality and overall effectiveness of the engagement and assist the Shire’s commitment to continually our engagement practice.</p> | <p>Inform</p> <p>Consult</p> <p>Involve</p> <p>Collaborate</p> | <p>Mail drop</p> <p>Media Releases</p> <p>Narrogin Observer</p> <p>Windmill News</p> <p>Website</p> <p>Email</p> <p>Social Media</p> <p>Focus groups</p> <p>Workshops</p> <p>Working group</p> <p>Surveys</p> <p>Online tools on Have Your Say</p> <p>Face to Face and Pop Ups at events and spaces</p> <p>Feedback and submission forms</p> |

| Expected level of impact | Criteria (one or more of the following)  | Engagement approach generally taken  | Level of engagement generally required      | Examples of engagement methods the Shire may use  |
|--------------------------|--|--|---|---|
| High – Local             | <p>High level of impact on a local area, small community or user group(s) of a specific facility or service.</p> <p>Significant change to any facility or service to the local community.</p> <p>Potential for a high degree of community interest at the local level.</p> | <p>May range from seeking comment on a proposal to involving the community and stakeholders in discussion on proposed options.</p> <p>Comprehensive information is made available to the community to enable informed input.</p> <p>Uses a combination of face to face and online engagement methods to encourage broad participation at different levels.</p> <p>Feedback is collated and made available to all stakeholders.</p> <p>Updates are provided to interested stakeholders and local community.</p> | <p>Inform</p> <p>Consult</p> <p>Involve</p> | <p>Mail drop</p> <p>Media Releases</p> <p>Windmill News</p> <p>Surveys</p> <p>Online tools on Have Your Say</p> <p>Face to Face at engagement events</p> <p>Pop ups at community events and spaces</p> <p>Feedback and submissions forms.</p> |

| Expected level of impact | Criteria (one or more of the following)  | Engagement approach generally taken  | Level of engagement generally required      | Examples of engagement methods the Shire may use  |
|--------------------------|--|--|---|---|
| Low – Shire wide         | <p>Lower levels of impact across the Shire.</p> <p>Level of interest among various communities or stakeholder groups.</p> <p>Potential for some, although not significant, impact on state or regional strategies or directions.</p> | <p>Approach may range from seeking comment on a proposal involving the community and stakeholders in discussion and debate on proposed options.</p> <p>Ensures informed input through making comprehensive information available to the community.</p> <p>Uses a combination of face to face and online engagement methods to encourage broad participation at different levels.</p> <p>Feedback is collated and made available to all stakeholders.</p> <p>Updates are provided to interested stakeholders and local community.</p> | <p>Inform</p> <p>Consult</p> <p>Involve</p> | <p>Mail drop</p> <p>Media Releases</p> <p>Windmill News</p> <p>Website</p> <p>Email</p> <p>Social Media</p> <p>Surveys</p> <p>Online tools on Have your Say</p> <p>Face to Face at engagement events</p> <p>Pop ups at community events and spaces</p> <p>Feedback and submission forms</p> |

### 3.3 When it is Not Effective or Appropriate to Engage

It is neither effective nor appropriate for the Shire to engage when:

- A final decision has already been made by council or another agency.
- Council cannot influence a decision by another agency or party.
- The decision to be made concerns a minor operational matter with minimal impact on the community or stakeholders.
- Implementing a project or decision that has already been subject to engagement.
- There is insufficient time due to legislative or legal constraints, or urgent safety issues to be addressed.

In these events, the Shire will inform stakeholders why the decision has been made.

### 3.4 Statutory Engagement

In some instances, the Shire of Corrigin is legally required to consult with the community. In these cases, the Shire will treat the prescribed level of community engagement as the minimum standard.

The most common instance of this is in relation to development applications and other planning proposals. For planning proposals, the Shire relies on its policies, adopted under the *Planning and Development Act 2005*, for guidance in regard to consultation and this will continue to be the basis on which the Shire engages with the community on planning matters.

Delivery of community engagement beyond legally required levels will depend on the decision to be made (or project or service to be delivered), the community's interest to participate, the need for Council to understand the community's view, and the opportunity for the community to influence the decision.

### 3.5 Holiday Periods

The Shire will not commence an engagement process between the last Council meeting of the calendar year and the first Council meeting of the new-year, unless there is a legal requirement, Council direction or other unavoidable necessity to do so.

An additional 14 days will be added to any engagement period that falls between 15 December and 15 January and seven days before and seven days after Easter Sunday.

## 4. Definitions and Abbreviations

**Engagement** – The practice of actively bringing community voices into decisions that affect or interest them, using a range of methods.

**Consultation** – Seeking and receiving feedback or opinion, usually on a proposed plan or decision, e.g. seeking comment on a draft policy or concept.

**Community** – A general term for individuals and groups of people not part of an organised structure or group. They may be a community based on geography, or interest, or both, e.g. residents of Bulyee, Bullaring, young people interested in skateboarding. The community is not restricted to ratepayers or residents of the Shire of Corrigin.

**Stakeholders** – People who are organised under the banner of a defined group or organisation, often providing representation to a broader group, e.g. a local school or sporting group.

**Engagement tools/methods** – The things we use to activate community input, e.g. an invite for public comment, a workshop, an online survey, a community meeting.

**Level of engagement** – Refers to any one of five levels of engagement (inform, consult, involve, collaborate, empower) defined by the International Association of Public Participation (IAP2) Public Participation Spectrum to describe the community's role in any engagement programme. A complete description of the IAP2 Public Participation Spectrum can be found online at [www.iap2.org](http://www.iap2.org).

# 7 PARKS AND LANDSCAPING POLICIES

## 7.1 ROAD VERGE DEVELOPMENT CRITERIA

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 19 April 2016  
**Amended:** N/A

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**Objective:** To provide guidance to Council, the general public and the Shire administration on the appropriate landscaping development on road verges.

**Policy :**

- i) Council shall encourage and support the development of road verges in urban areas, using a dry garden style of either a native garden or cleared gravel.
- ii) The preferred style for the Native Garden option is with irrigation for establishment and up to two trees/20m frontage. Any irrigation system shall be installed and operated to avoid nuisance to the public. All pipes shall be installed at a minimum depth of 400mm and approved pop-up type sprinkler is preferred.
- iii) The trees shall be planted to avoid electrical power lines and all other services. No trees shall be planted within 12m of street corners or within 2.5m of crossovers. Tree planting on road verges shall not take place without prior consultation with the Manager of Works and Services.
- iv) Subject to keeping the verge clear for the first 1.5m width from kerb of seal a dry garden style of small vegetation, shrubs and ground covers may be established, however, no large rocks or non-frangible items shall be placed on the road reserve. Weed control using weed mat with aggregate, mulch, gravel overlay is acceptable.
- v) No assistance shall be given by Council for development, ongoing operation or maintenance costs.

## 7.2 CEMETERY PLANTINGS

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 19 December 2001  
**Amended:** N/A

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**Objective:** To ensure the Corrigin Cemetery is maintained in an organised manner.

**Policy:** No planting of trees around the gravesites is permitted. Any beautification of gravesites involving vegetation is to be submitted to the CEO for prior approval.

## 7.3 STREET TREES

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 15 November 2000  
**Amended:** 19 October 2021

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**Objective:** To guide Council and Administration on appropriate removal and replacement of street trees within the Shire of Corrigin.

**Policy:** Street Tree Removal:  
Individual trees within Council reserves or grounds which are diseased, hazardous or roots of which are causing pavement damage shall be removed on approval of the CEO.

Street Tree Planting:  
Street tree planting is only to be carried out during optimum planting periods and the species of tree to be planted must suit the location with due regard to power, telephone and water services.

The street tree replacement program is to be continued which will replace all the gum trees in the townsites that are currently causing problems with power lines and the roads and footpaths, and these are to be replaced with a more suitable variety.

The following factors influencing the selection of tree species within townsites in the Shire of Corrigin and have been identified to guide the introduction of new plantings and removal and replacement of existing trees. Individual species are to be selected based on the following criteria with preference given to native trees endemic to the Corrigin area.

**Minimal water requirements** – waterwise species will be selected and newly planted trees will only be watered until they are established. Established trees will be expected to survive without any watering although there may be certain exceptions for specific trees, climate or soil conditions.

**Litter** - The amount of leaf litter, fruit or seed drop must be at an acceptable level. Management of tree litter is essential, particularly of species prone to shed litter at certain times of the year. Higher levels of leaf litter may be acceptable if procedures are in place for its management.

**Low risk of major limb failure** - Trees notorious for a relatively high rate of limb failure will not be considered for any new street tree planting. In areas where such species are already in existence appropriate measures are to be undertaken for their management by remedial pruning techniques or removal. Limb drop is a natural event, and despite proper management and monitoring, it is not always possible to predict or avoid.

**Longevity** - Only species known to be long-lived will be considered, thereby reducing the need for ongoing replacement.

**Minimal disturbance by roots** to pavements, kerbing and roads - Species known to have vigorous and/or buttress root systems that lift pavements will be avoided.

**Low maintenance** – selected species should need little in terms of watering, fertilising and pruning once established.

## 7.4 SHIRE OF CORRIGIN SIGNAGE POLICY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, Manager Works and Services  
**Date of Approval:** 19 September 2017, 20 October 2020  
**Amended:** N/A

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**Objective:** The Shire of Corrigin Signage Policy seeks to:

- assist with branding the Shire and orientating of visitors using an appropriate combination of signs;
- provide directions to the key destinations, attractions and activities in the town centre;
- establish a visual image of Shire of Corrigin through a coordinated physical and visual presentation that meets both regulatory and visual needs;
- provide consistent branding of the Shire that advises road users about the route they are following and gives directions and distances to Corrigin on the route; and
- provide information about Corrigin and businesses operating in the Shire at key sites.
- preserve and provide direction to key places of historical significance within the Shire and recognise the names of various localities within the Shire boundaries.

The Shire of Corrigin Signage Policy has been developed in response to the Shire's need for a consistent and integrated approach to entry and information signage across the Shire. The Policy seeks to establish a hierarchy of integrated signs for use within road reserves and on Council owned reserves.

**Policy:** This Policy will enable Council to ensure that signs erected provide clarity of direction, while being complimentary to the natural environment of the Shire.

The Policy establishes the types of directional signs, categorised by their purpose that are consistent, legible, informative and attractive.

### SIGNAGE CATEGORIES

There are three signage categories:

**Category 1:** Themed entry signs on major roads that continue the branding of the Shire.



**Sign Category No. 1 (actual)**

**Category 2:** Themed entry signs on secondary or minor roads reflect the Windmill branding motif of Corrigin.



**Sign Category No. 2 (Indicative)**

**Sign Category No. 3 (Indicative examples)**

**Category 3:** Historical Sites and Locality Signage.

In conjunction with the Corrigin Historical Society in 2005 Council developed signage to acknowledge and preserve places of historical significance to the community as well as the localities that each part of the Shire is known by. The places noted for signage and locality importance are below:

Historical Place:

- Gnerkadilling
- Glenmore
- Jubuk
- Kurrenkutten
- Lomos
- Nambadilling
- Nornakin
- Sewells Rock
- Stretton
- Wogerlin

Locality Signs:

- Bulyee
- Kunjin
- Corrigin
- Gorge Rock

**Information Bay Sign Category No. 5 (Indicative)**

## Indicative Information Bays and Sign Category No. 4

**Category 4:** Business and Industrial Area signage to provide guidance to visitors and residents as to where businesses are located in the industrial area and within the townsite. The Shire provides two industrial area signs frames on the corner of Boyd Street and Walton Street with the main highway (Kunjin Street). Businesses are able purchase for the cost of the signage a fingerboard sign that can be installed on these frames. These are the only signs that can have personal business names on them within the townsite. Farm businesses or other businesses outside of the town boundary may have blue directional signs installed on existing road signage by the Shire. The full cost of the sign and installation will be at the farm/business owner's expense.

The Shire of Corrigin has information signs at the corners of Goyder Street, Walton Street, Kirkwood Street and the highway (Kunjin Street) directing people to businesses and services located within the town centre. Businesses and organisations can request Council install blue directional fingerboards on to these signs but the sign will be of a generic nature and will not include business names. For example "Pharmacy" not the name of the business "Corrigin Pharmacy". These signs and installation costs will be charged to the person requesting the signage.

These types of information signs are located throughout the townsite to mark places of interest, see below example at Apex Park.



Industrial Centre signage



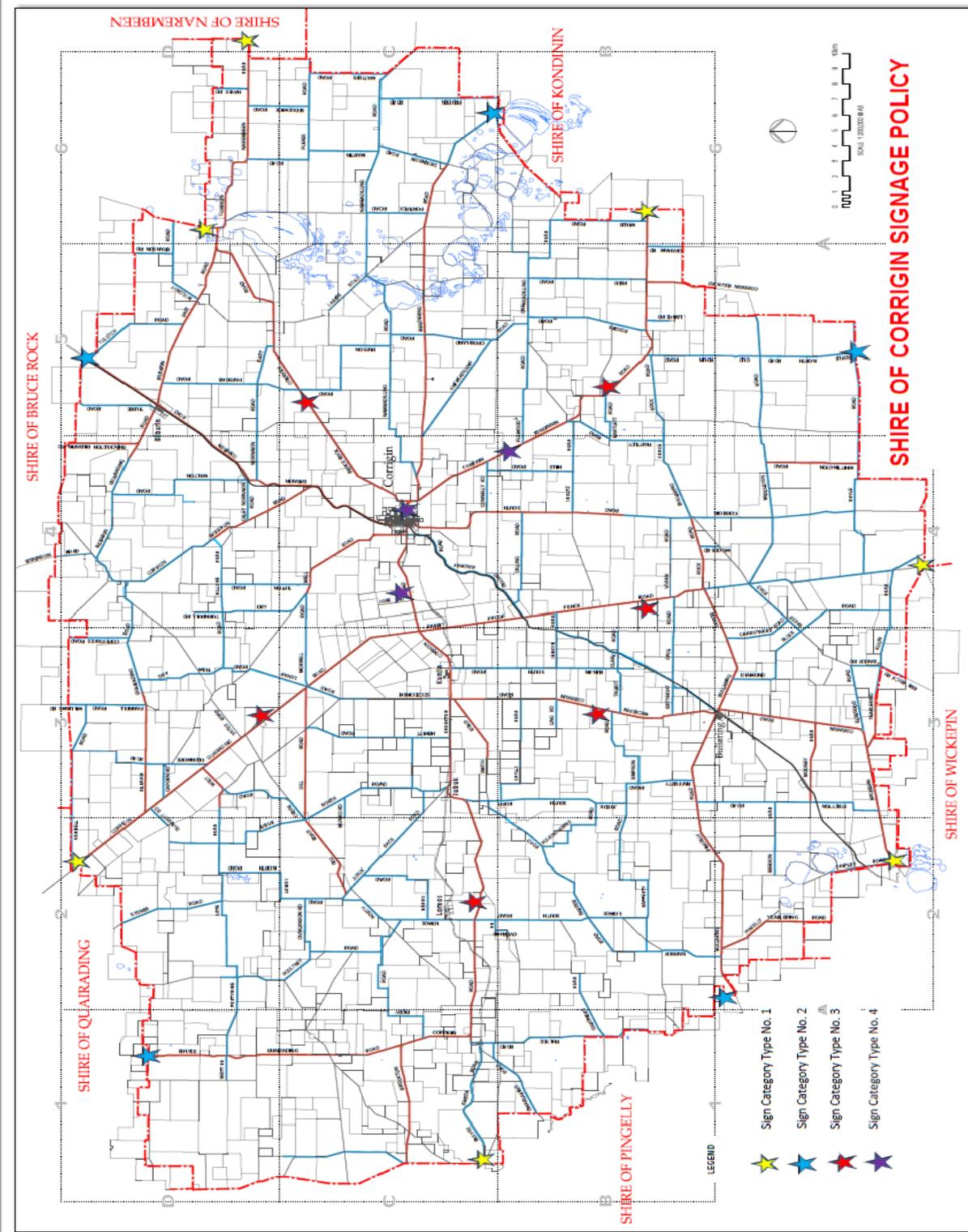
Business/Information Signs



### PROPOSED LOCATIONS FOR SIGN AND VISITOR BAY OPTIONS

The following Policy map identifies the roads where signs are to be erected along with the locations of the existing Visitor Bay at Rotary Park.

The reference to the locations of signs on the map is indicative only and signs will only be elected based upon a site inspection and where it is conclude that it is safe to do so. Main Roads WA (MRWA) approval will be support for signage along the Brookton- Corrigin Road as required.



# 8 COUNCIL/ELECTED MEMBERS

## 8.1 TRAVEL AND ACCOMMODATION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 31 March 1989  
**Amended:** N/A

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**Objective:** To establish clear guidelines for travel and accommodation arrangements for elected members who are required to travel for Council business.

**Policy:** Approved travel and accommodation will be booked by the office of the CEO ensuring the use of negotiation and any available corporate/government rates to secure the most competitive rates.

Air travel will be by economy class with on the most economical flight.  
The reimbursement of reasonable out of pocket expenses will be made to Elected Members on official Council business as determined by the CEO.

## 8.2 INVITATION TO END OF YEAR LUNCHEON

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 20 November 1996  
**Amended:** 16 October 2018

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**Objective:** To ensure the continuity of the annual end of year luncheon hosted by Council.

**Policy:** That all current Councillors, past Presidents, Freemans of the Shire and local Members of Parliament, including partners are invited to the annual end of year luncheon of Council.

All senior designated employees and partners are also to be invited to the luncheon. Any other members of staff may be invited at the CEO's discretion.

## 8.3 CIRCULATION OF AGENDAS AND MINUTES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Executive Support Officer  
**Date of Approval:** 15 October 2013  
**Amended:** N/A

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**Objective:** To ensure the appropriate distribution of agendas and minutes of Special and Ordinary Council meetings.

**Policy:** Copies of the agendas and minutes of Special and Ordinary Meetings of Council are to be made available on the Shire of Corrigin website and sent to all retired Councillors, Presidents and Freemans of the Shire on request.

The Shire will provide all current Councillors with:

- An email containing a link to a copy of agendas and minutes within the appropriate legislative timeframes; and
- Where requested by the Councillor, a hard copy of agendas and minutes to be collected by the Councillor from the Shire Administration Office.

## 8.4 DRESS STANDARD

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 June 2001  
**Amended:** N/A

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**Objective:** To present a tidy and professional image of staff and elected members to the community.

**Policy:** Dress requirements for Councillors and Staff attending the following meetings will be:

- Special and Ordinary Council meetings is to be business attire.
- Committee Meeting is to be neat casual clothes or good work clothes (depending on the nature of the business to be discussed).

## 8.5 REPORTS OF SEMINARS OR MEETINGS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** All Elected Members  
**Date of Approval:** 17 October 2001  
**Amended:** N/A

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**Objective:** To ensure effective communication between Councillors and staff in regards to attendance at seminars, training and meetings.

**Policy:** Councillors who represent the Shire at meetings or seminars shall make every effort to present a written report back to Council for the agenda, where minutes of the meeting are not made available. If a written report is not possible Councillors may provide a verbal report during Councillors report section of the meeting.

## 8.6 MONTHLY ORDINARY COUNCIL MEETINGS AND COUNCILLOR DISCUSSION PERIOD

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 December 2006  
**Amended:** 17 October 2017, 20 October 2020

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**Objective:** To provide guidance to the Executive staff on the appropriate day and time for the regular meetings of Council.

**Definitions:** **Ordinary Council Meeting** means a meeting of Council that is open to the public, conducted at least once every three (3) months dealing with general business of the Local Government.

**Councillor Discussion Period** means a forum convened to discuss strategic or important operational matters and receive presentations from community organisations and government agencies.

**EXPLANATORY NOTES:**

A Local Government is required to hold an Ordinary Council Meeting at least once in every three (3) month period pursuant to s5.3(2) of the *Local government Act, 1995*.

A Councillor Discussion Period is conducted between Councillors and staff to discuss strategic items, receive project updates and be briefed on important operational matters and may be of a confidential or sensitive nature. This forum is also used to receive presentations from community organisations and government agencies, but is not to facilitate or debate on forthcoming prepared agenda items.

**Policy:**

1. That Ordinary Council Meetings be conducted on the third Tuesday of each month, except January, unless otherwise determined by Council as a 'Special meeting'.
2. That Council meetings commence at 3.00pm unless otherwise determined by the Shire President.
3. The CEO may convene a Councillor Discussion Period on the third Tuesday of each month (prior to the Council meeting), except January unless a Special meeting has been determined by Council.
4. Councillor Discussion Period is closed to general public with attendance by invitation only by the Shire President.

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** President, Councillors and Chief Executive Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 17 October 2017  
18 March 2020, 20 October 2020

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**Objective:** To ensure that Councillors have equitable access to a range of relevant Councillor training and professional development opportunities to enhance their ability to fulfil their roles and responsibilities as elected members and to provide good governance to the Shire.

**Policy:** Elected Members are strongly encouraged to participate in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

Council shall ensure adequate resources are allocated annually in the Shire's budget to provide the opportunity for Councillors to participate in appropriate training and development. (I.e. \$2,000 per Councillor plus an additional \$3,000 for the President to attend an interstate conference or function annually).

#### **Mandatory Training**

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

- Understanding Local Government;
- Conflicts of Interest;
- Serving on Council;
- Meeting Procedures and Debating; and
- Understanding Financial Report and Budgets.

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

All units and associated costs will be paid for by the Shire and must be completed within the first 12 months following their election to Council. The training is valid for a period of five years.

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

#### **Additional Authorised Training / Conferences**

Elected Members are permitted to attend the following training opportunities without requiring further Council authorisation:

- WALGA Elected Member Training Modules, seminars, forums webinars, and workshops that in particular address:
  - CEO Performance Appraisals (face to face)\*
  - Introduction to the Local Government Act for Elected Members (Webinar)\*
  - Decision Making in Practice - Delegations (Webinar)\*
  - Local Government Gift Declaration (Webinar)\*
  - Introduction to the Local Government Act for Elected Members (Webinar)\*
  - Communications Webinar for Elected Members (Webinar)\*
  - Chairing of Meetings (Webinar)\*

- WALGA Annual Local Government Week Conference and associated training courses;
- The Planning Institute of Australia (PIA) Annual State Conference, seminars and forums; and
- Breakfast or workshop speakers identified by the President in liaison with the CEO and advertised by email.

*\*Council considers these seminars, forums webinars, and workshops a 'essential training requirement' for any Councillor and should be carried out within the first two years of becoming a Councillor.*

Requests for course participation or conference attendance may be initiated by the Elected Member and should be forwarded to the CEO prior to enrolment or registration.

The CEO is authorised to approve request from Elected Members for professional development, training and conference attendance without referral to Council providing that the cost does not exceed a total of \$5,000 for Councillors and \$8,000 for the President in any 12 month period, and the course or conference is organised by an identified, industry-recognised training provider.

A register of elected member training will be published on the Shire of Corrigin website and updated regularly.

Any requests outside this policy, including those for attendance at course or conferences outside Western Australia, are to be submitted to Council for consideration.

## 8.8 ELECTED MEMBERS' FEES, ALLOWANCES AND BENEFITS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 17 October 2017; 16 October 2018

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**Objective:** To clearly outline the timing of payment to Elected Members of Members fees and allowances within the provisions of the *Local Government Act 1995*.

**Policy:** At the end of December and June, Council staff shall arrange payment to Councillors for all entitled allowances within the provisions of the *Local Government Act 1995*.

The determination of allowances to be paid will be set out during the annual budget adoption process including information technology and telephone allowance.

Elected members payments are to be provided by electronic funds transfer with elected members notifying the Deputy CEO of their account details upon election.

A statement of payments received will be provided to elected members at the end of the financial year on request.

## 8.9 ELECTED MEMBERS' BUSINESS, CONFERENCES AND TRAINING EXPENSES

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** 20 October 2020, 19 October 2021

**Objective:** This policy sets out the guidelines to cover Elected Members in conducting Council business, attending conferences or training relating to Council activities.

**Policy:**

1. Any approval for travel by Elected Members shall be subject to the availability of adequate funds allocated in the budget for this purpose.
2. Accommodation, travel, business or conference expenses and meals, will be prepaid where possible.
3. Moderate claims for alcoholic beverages, when consumed in conjunction with a meal, are an acceptable expense. Unrelated mini-bar costs, alcoholic beverages and in-house movie hire are considered personal expenses and will not be paid for or reimbursed by Council.
4. No Business Class or First Class air travel permitted unless approved by Council.
5. All expenses incurred by an accompanying partner will be at the personal expense of the Elected Member other than the cost of shared accommodation unless otherwise resolved by Council or covered by this policy.
6. The following conferences have been identified by Council with attendance at these conferences by the Shire President or their nominee and the CEO or their nominee approved on an ongoing basis:
  - Sustainable Economic Growth for Regional Australia
  - Australian Local Government Association - National General Assembly (plus one additional Elected Member)
  - National Roads Forum
7. Conferences not identified in this policy for ongoing attendance will be subject to a report to Council and assessed according to merit.
8. The CEO or their nominee and all interested Elected Members are approved on an ongoing basis to attend WALGA Local Government Convention with associated accommodation, travel, meals including partner's meals and business or conference expenses incurred by them to be paid for or reimbursed by the Shire excluding partner social or non-business related activities. The Shire President and Deputy Shire President or their nominee to be the voting delegates at the WALGA Annual General meeting (AGM).
9. Elected Members can access an allocation of two training days per year through WALGA or the Department of Local Government, with approval by the CEO, including registration, travel, meals and accommodation without reference to Council. Training attendance above the allocation is subject to Council approval.
10. Reimbursement of Expenses
  - (1) Telephone allowance determined in budget.

- (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$25 per hour.
- (3) The extent to which a council member of a local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the LG Regulations is:
- (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
  - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back:
    - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
    - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (4) The extent to which a council member of a regional local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.
- (5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 as at the date of this determination.
- (6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount.
- (7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.
- (8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

## 8.10 USE OF VEHICLE FOR COUNCIL RELATED BUSINESS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 April 2005  
**Amended:** N/A

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**Objective:** To supply elected members with a means of transportation in order that they may provide effective and efficient services.

**Policy:** Council allows Councillors, staff and other members of the community use of a Shire vehicle to attend training seminars, conferences or meetings when they are acting as a representative of Council, at the discretion of the CEO and/or President.

If a suitable car is unavailable the attendee will be reimbursed a rate specified in the Local Government Industry Award for use of their private vehicle, provided an appropriate claim form/invoice is submitted.

## 8.11 AUDIT AND RISK MANAGEMENT COMMITTEE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** N/A

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**Objective:** To provide guidance and assistance to the Council in:

- a) carrying out its audit functions under Part 7 of the *Local Government Act 1995*;
- b) the development of a process to be used to select and appoint an auditor;
- c) determining the scope and content of the external and internal audit and advising on the general financial management of the Shire;
- d) overseeing the audit process and meeting with the external auditor after each visit to discuss management issues and monitoring administration's actions on, and responses to, any significant matters raised by the auditor;
- e) evaluating and making recommendations to Council on internal and external audit reports prior to them being presented to Council;
- f) receiving and verifying the annual Local Government Statutory Compliance Return;
- g) review reports provided by the CEO on the Shire's systems and procedures in relation to –
  - i. risk management;
  - ii. internal control; and
  - iii. legislative compliance at least once every 2 years and report to Council the results of that review. (Ref: s16-17 Local Government (Audit) Regulations 1996)

To advise Council on significant high level strategic risk management issues related to the Shire of Corrigin including issues involving:

- the community;
- the workforce;
- vehicles and plant;
- buildings and similar property;
- revenue streams;
- legal liability;
- electronically stored information;
- environmental impact;
- fraud; and
- reputation.

**Policy:** Council will establish a committee under the powers given in Section 5.8 and Section 7.1 A of the *Local Government Act 1995*, *Local Government Amendment Act 2004* and Audit Regulations, such committee to be known as the Audit and Risk Management Committee, (hereinafter called the "Committee").

### **Membership**

The Audit and Risk Management Committee shall consist of all Councillors. Independent consultants with expertise in financial or legal matters may be called upon as required to provide additional independent external advice to the Committee. The external independent persons will have senior business, legal or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements.

No member of staff including the CEO is to be a member of the Committee, but the CEO may participate as Council's principal advisor, unless expressly excluded by resolution of the Committee.

Appointments of external consultant/s and up to one 'Independent Community Member' ('ICM') shall be made by the CEO following a decision of Council and the allocation of sufficient funds to provide consultation fees using relevant professional fee schedules.

Any ICM shall be:

- a person who is on the Electoral Role and can vote in local government elections within the shire of Corrigin; and
- appointed after the CEO has undertaken public advertisement of the role through local news outlets (Windmill) and relevant social media sites for not less than 21 days.

Should an ICM be appointed by Council, they have demonstrated:

- detailed knowledge and experience in the operations of large organisation; and
- understanding of financial management, risk management, reporting and governance practices.

The terms of appointment of the ICM will be for an initial period not exceeding two years after which they will be eligible for extension or re-appointment, for a further two (2) year terms after a formal review of their performance, such review to be undertaken by the Chief Executive Officer with the two Councillor Committee members and final approval by Council.

The terms of ICM will only be extended after the Council determines that members have satisfied the following performance criteria:

- satisfactory contribution to Committee discussions and deliberations;
- demonstrated preparation for all meetings (knowledge of agenda items and associated reports);
- demonstrated ability to raise pertinent issues and appropriately question auditors and officers; capacity to stay apprised of contemporary good governance, risk management and audit practice, and;
- satisfactory attendance of Committee members.

In the event of a vacancy of an independent member arising prior to the expiration of an authorised term, Council shall publicly advertise for the position to be filled for the remainder of the current term. Reimbursement of approved expenses will be paid to each ICM.

### **Presiding Member**

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Corrigin Standing Orders (Local Law). The *Local Government Act 1995* places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.

The Presiding Member, if different from the President, is to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the President.

### **The Role of the Committee**

The Committee shall act for and on behalf of Council in accordance with provisions of the *Local Government Act 1995*, the *Local Government Amendment Act 2004* and the *Local Government (Audit) Amendment Regulations 2005*, local laws and policies of the Shire of Corrigin and this Instrument.

Their role will be to report to Council and provide appropriate advice and recommendations on matters relevant to its objectives in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

### **Conduct of Meetings**

The Committee shall meet at least three times per year. A schedule of meetings will be developed and agreed to by the members.

As an indicative guide, meetings should be arranged to coincide with relevant Council reporting deadlines, for example in February to discuss the Statutory Compliance Return, in July to discuss the year's financial performance and to discuss the annual audit program and in November to discuss the Annual Financial Report. Additional meetings shall be convened at the discretion of the Presiding Member.

Any three members of the Committee collectively or the internal or external auditor themselves may request the Presiding Member to convene a meeting. From a time management point of view, urgent matters which may arise should be referred directly to Council through the bi-monthly meetings or to a Special Council meeting.

Notice of meetings shall be given to members at least three days prior to each meeting.

The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall, not later than five days after each meeting, provide Council with a copy of such minutes. Council shall provide secretarial and administrative support to the Committee.

All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding must cast a second vote.

The CEO should attend all meetings

Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings either in person or by telephone link up considering the draft annual financial report and results of the external audit.

The internal auditor or representative shall be invited to attend meetings, at the discretion of the Committee, to consider internal audit matters.

### **Quorum**

Quorum for a meeting shall be at least 50% of the number of officers, whether vacant or not. A decision of the Committee does not have effect unless a simple majority has made it.

### **No Delegated Powers**

The Audit and Risk Management Committee is a formally appointed committee of Council and is responsible to that body.

Council will not provide the Committee with delegated powers under the *Local Government Act* and the Committee is to advise and make recommendations to Council only.

The Committee will not have:

- executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility; or
- any management functions and is therefore independent of management.

The Council when preparing the Committee Charter may make guidelines to provide further direction from Council for the operation of the Committee.

## 8.12 APPOINTMENT OF AN AUDITOR

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** 16 October 2018, 20 October 2020

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**Objective:** To ensure compliance of legislative audit requirements for the Shire for each financial year.

**Policy:** As of 28 October 2017 the *Local Government Amendment (Auditing) Act 2017* gave the mandate of all Local Government financial and performance audits to the Office of the Auditor General (OAG).

The OAG implemented a staged approach to the mandate to allow for existing independent audit contracts to expire with the Local Governments. The Shire of Corrigin was nominated as a stage 2 Council and came under the OAG as of the 2018/2019 Financial Year.

The Auditor General has the mandate to:

- audit Council's annual report
- conduct a performance audit of Council
- perform supplementary audits where requested by the Minister for Local Government
- report to Parliament the results of Councils financial and performance audit.

The OAG will appoint an independent accredited audit firm to carry out the audit on their behalf to ensure that the audit is completed within a timely manner.

The Shire of Corrigin's obligations under the *Local Government Act 1995* in relation to the audit remain unchanged. Section 7.12A requires Council to examine the audit report from the OAG and take action on the matters raised where required and prepare a report stating the actions taken on significant findings. Council must send the report to the Minister for Local Government and publish the report on Councils webpage as required under section 7.12A(5) of the Act.

This policy will become obsolete as of the 2021 Policy Manual Review.

## 8.13 CHILD CARE FEES – ELECTED MEMBERS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:** N/A

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- Preamble:** Under Section 5.98 of the *Local Government Act 1995*, Councillors with children are allowed to claim professional child care fees, where meetings are scheduled that require their children to be put into child care so that they can attend a meeting.
- Objective:** To ensure that Councillors are not out of pocket by having to pay for professional child care so that they can attend a Council or committee meeting.
- Policy:** In accordance with the *Local Government Act, 1995*, Council allow for elected members to be reimbursed for child care costs incurred whilst they are in attendance at a Council meeting or a meeting of a Committee of which he/she is a member on the following basis:
- a) child carer not be close relative of the member, being for example husband, wife, grandparent;
  - b) reimbursement to be only paid on production of a receipt of cost incurred; and
- Process:** A Councillor can claim for child care at the time of their fees and allowance payments provided they have a receipt showing the fees paid for the Councillors children showing the date and if possible the time that they were in child care. The Councillor should note which meeting it refers to.

## 8.14 RETIREMENT/RESIGNATION OF ELECTED MEMBERS – COUNCIL GIFT/FUNCTIONS

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:**  
**Amended:**

**Objective:** This policy is to provide the necessary guidelines for gifts and/or function for the retirement or resignation of an Elected Member.

**Policy:** Upon resignation/retirement of an Elected Member who has provided satisfactory service to Council for four (4) years or more, the Council authorises the CEO to acquire a suitable gift to be presented to that member.

1. The CEO is to arrange a suitable gift for departing elected members, to the value permitted by the Local Government (Administration) Regulations 1996 s.34AC, on the basis of –
  - a) \$50.00 per year for each Elected Member,
  - b) an additional \$25.00 per year for each year of service as Deputy President / President,
  - c) an additional \$50.00 per year for each year of service as Deputy President / President,
2. Multiple terms of service as a member of Council are to be considered individually according to each period, and not cumulatively.
3. Each departing elected member shall also receive an appropriate plaque or certificate of service.
4. Presentation of the gift and plaque or certificate will generally be made at the final meeting being attended by the elected member, or at a suitable function.
5. Where qualifying, application for a Certificate of Appreciation from the Minister is to be made through the Department of Local Government.

### Functions

The retirement/resignation function will depend on the following length of service and consist of:

| Length of Service | Value   | Details of Function   |
|-------------------|---------|---|
| 0 – 4 years       | Nil     | At the discretion of Council  |
| 4-8 years         | \$200   | Council sponsored sun downer (all elected members and partners) with nibbles, beer, wine and soft drink.                                    |
| 8 – 16 years      | \$1000  | Council sponsored sun downer (Elected Members, staff partners) with nibbles, beer, wine and soft drink.                                     |
| 16- 20yrs plus    | \$2,000 | Council sponsored reception (Elected Members, staff and partners as well as previous CEO's and elected members from neighbouring Councils). |

The executive Support Officer together with the Chief Executive Office or Deputy CEO will be responsible for arranging the function and gift.

**Statutory context:** *Local Government Act 1995* –

s.5.60 – when a person has an interest s.5.60A – financial interest

s.5.69 – Minister may allow members disclosing interests to participate etc. in meetings

s.5.100A – gifts to elected members may only be made in prescribed circumstances

*Local Government (Administration) Regulations 1996* – r.34AC – gifts to council members, when permitted etc. (1) at least one 4 year term must be completed (2) maximum gift of \$100 per year of service to maximum of \$1,000

# 9

# BUSH FIRE CONTROL

## 9.1 ROADSIDE BURNING AND SPRAYING

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**Policy Owner:** Governance and Compliance

**Person Responsible:** Chief Executive Officer

**Date of Approval:** 20 August 1998

**Amended:** N/A

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**Objective:** To ensure appropriate approvals are in place before any roadside maintenance occurs.

**Policy:** No roadside burning is allowed by any persons within the Shire without the approval of the CEO in consultation with the Chief Bushfire Control Officer or Deputy Bushfire Control Officer. Similarly, any application to use chemicals on road reserves for firebreak protection must be submitted to the CEO for approval.

## 9.2 BUSH FIRE CONTROL OFFICERS - ELIGIBILITY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 1995  
**Amended:** 17 October 2017

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**Objective:** To ensure Bush Fire Control Officers receive adequate training.

**Policy:** Within 12 months of any appointment all Bush Fire Control Officers should attend a Fire Control Officers course conducted by the Department of Fire and Emergency Services (DFES). This is to occur within a reasonable time of their appointment to be able to act in that position.

## 9.3 BUSH FIRE CONTROL

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:** 17 October 2017, 18 October 2022

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**Objective:**

- To minimise the risk of out of control fires
- To minimise the damage from fires
- To control burning within the Shire
- To ensure fire fighters receive adequate training
- To carry out the Shire's statutory obligations under the *Bush Fires Act 1954*

**Policy:**

The Council of the Shire of Corrigin is to establish and maintain a Bush Fire Organisation in accordance with the *Bush Fires Act 1954* to provide adequate fire protection to the Shire.

**Bush Fire Advisory Committee**

The Council is to establish a Bush Fire Advisor Committee.

The objectives of the Committee are to:

- make recommendations and advise Council on all matters relating to the *Bush Fires Act 1954* Section 67 (1);
- liaise with other emergency organisation and relevant bodies with regards to Fire and Emergency Management within the Shire of Corrigin.

The Committee will advise the local government on matters relating to:

- preventing, controlling and extinguishing of bush fires
- the planning of the form of firebreaks in the district
- prosecution for breaches of the *Bush Fires Act 1954*
- the formation of bush fire brigades and appointment of Bush Fire Control Officers, Fire Weather Officers and Harvesting Ban Officers
- the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- any other matters relating to bush fire control whether of the same kind, or a different kind from, those specified.

The Advisory Committee will meet twice yearly, (generally) once in March/April to elect officers and once in September/October to discuss preseason requirements.

**Restricted and Prohibited Burning Periods**

The Bush Fire Advisor Committee will recommend to Council the Restricted and Prohibited Burning Periods.

**Automatic Harvest and Movement of Vehicle Ban**

The Shire of Corrigin will impose an automatic Harvest and Movement of Vehicle ban on the following days:

- Christmas Day
- Boxing Day
- New Year's Day

### **Burning on Sundays**

Within the restricted burning period, no person is allowed to light a fire on Sunday without the approval of a Bush Fire Control Officer.

### **Easter**

No burning is permitted on Good Friday and Easter Sunday.

### **Movement of Vehicle Ban – Contractors in Paddocks**

Contractors carting lime, gypsum and fertilizers are allowed to enter into a property owners paddocks to unload at any time there is a total movement of vehicles ban in place, on the condition that a manned fire unit with at least 400 litres of water in attendance.

The land owner is to ensure due care is taken to minimise fire risk when unloading in a paddock.

# 10 HOUSING AND LAND

## 10.1 DOCTOR AND DENTIST RESIDENCE GARDEN MAINTENANCE

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 31 March 1989  
**Amended:** N/A

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**Objective:** To ensure the Doctor and Dentist residences are maintained to a suitable level expected by the community, ratepayers and residents.

**Policy:** The Shire of Corrigin works staff will mow and maintain the lawns and gardens at the following residence as required, free of charge:

- Doctors residence
- Dentist residence

## 10.2 PROCEEDS OF THE SALE OF INDUSTRIAL OR RESIDENTIAL LAND

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Senior Finance Officer  
**Date of Approval:** **6 November 2002**  
**Amended:** **17 October 2017**

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**Objective:** To ensure funds are set aside for the future expansion of the Shire of Corrigin townsite.

**Policy:** The proceeds of the sale (less all annual loan repayments) of any residential or industrial land shall be placed in the Land Subdivision Reserve Fund.

# 11 WORKS AND SERVICES

## 11.1 SCHOOL BUS STOP SIGNAGE

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 31 March 1989  
**Amended:** 19 July 2016

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**Objective:** To provide guidance on the erection of suitable signage at designated school bus stops.

**Policy:** The Shire will arrange for suitable signage to be located at every new school bus stop. This includes crossing signs and turning bus signs. The number and design of suitable signage is at the discretion of the Manager of Works and Services.

If the bus driver or parents have concerns regarding the signage they are to address these to the CEO.

The school and Public Transport Authority will be asked to provide up to date bus routes in November each year.

Once signage is no longer required at the location parents are asked to contact the Shire for the removal of the signage. To aid in this process an annual advertisement will be placed in the local newspaper asking parents to notify of the need for removal.

## 11.2 GRAVEL SUPPLIES – ROAD CONSTRUCTION

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 31 March 1989  
**Amended:** 17 October 2017

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**Objective:** To provide guidance on the sourcing of suitable Gravel for road construction.

**Policy:** It is Council policy that where possible gravel for road building not be obtained from road reserves.

Where gravel supplies are required for roadworks, the Manager of Works and Services is to source gravel from landowners close to the road requiring maintenance. The Manager of Works and Service should approach the landowner concerned at least one month prior to the time when the works are due to commence. This notice is necessary to give the landowner time to make any domestic arrangement in relation to stock, etc. An agreement must also be signed the Shire of Corrigin and landowner.

If landowners are unwilling to allow Council access for the gravel reserves on their land, that it be Council policy to arrange a meeting with the Shire President and/or local Councillor, CEO and Manager of Works and Services. If the landowner is still unwilling to allow Council access then Council can proceed to resume the land to enable the gravel to be obtained following the required legislative process.

All gravel pits opened on private property are to be reclaimed before the plant moves to the next programmed job unless other firm arrangements are negotiated with the landowner.

All care is to be taken to ensure that the least amount of inconvenience is caused to the landowner as possible.

Where proven, Council will consider compensation for crop loss on a 'case by case' basis.

## 11.3 ROAD HIERARCHY, MAINTENANCE AND RENEWAL POLICY

**Policy Owner:** Works and Services/Governance and Compliance  
**Person Responsible:** Manager Works and Services, Executive Support Officer  
**Date of Approval:** 15 October 2019  
**Amended:** N/A

**Objective:** The purpose of the Road Maintenance and Renewal Policy is to establish the framework for implementing consistent and equitable road management processes throughout the Shire of Corrigin.

**Policy:** Council’s aim is to provide a safe and secure road network that contributes to an improved quality of life for the community. The road network in the Shire of Corrigin is separated into various components and funded from different sources.

### Background

Council has a responsibility to ensure that the road network is as safe as it can be within the limited resources available. To achieve this, Council is committed to implementing a systematic management regime across the road network that falls under Council’s responsibility.

The aim is to strike a balance between optimal maintenance, minimising whole of life costs, user amenity and value for money in a risk management context. Roads vary in their construction and the environment in which they are required to function. Competing demands for resources across a full range of Council services means that the resources available to undertake new construction work and maintenance activities may not always meet community expectations.

A strategic approach to road management will ensure Council delivers the highest level of service within budget constraints. Regional roads as identified in MRWA’s “Roads 2030 Regional Strategies for Significant Local Roads Wheatbelt South Region Routes/Road” are funded through State Government grants, managed and maintained by Council, while the local road network is funded, managed and maintained by Council, with the assistance of Federal Government grants (Roads to Recovery funding). Without these grants, the capacity of the Council to maintain the roads within the Shire is significantly diminished.

In terms of an overall Asset Management Process Council has adopted an Asset Management Plan Council Policies: 2.16 ‘Significant Accounting Policies’ (noting that the policy addresses major depreciation periods for roads) and 11.3 ‘Road Maintenance’ (noting that this policy replaces 11.3 ‘Road Maintenance’). This policy draws on elements of the Asset Management Plan and Council Policies and is also linked to the delivery of the community’s priorities and expectations captured in Shire of Corrigin Strategic Community Plan 2017-2021 (Revised July 2019) and Shire of Corrigin Corporate Business Plan (Revised July 2019).

### Role of Council

With the high levels of road infrastructure assets held by the Shire in the areas of roads, streets, footpaths, kerbs, drains etc there is a need to define minimum standard roads which reflect and meet community needs but not necessarily community expectations.

The Local Government Act 1995 defines the role of Council as follows:

#### s2.7. Role of council

- (1) The council —
  - (a) governs the local government’s affairs; and
  - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies.*

With regard to the maintenance, renewal and upgrade of the road network, the role of Council is to assess the priorities and deliver a realistic and achievable program to the community based on available funding and resources.

### **Levels of Service / Intervention Levels**

Levels of service describe what Council intends to deliver within an acceptable timeframe. Performance indicators and targets are used to measure how Council meets its obligations.

Factors such as the condition of the road asset, capacity and projected demands influence the Shire of Corrigin's ability to meet levels of service. Intervention levels are linked to the levels of service and define trigger points in asset conditions that determine the types of work to be carried out on an asset. The intervention levels and maintenance programs are the primary source of determining requests for service from members of the community. This approach aims to support consistent and equitable outcomes to our decisions.

The Shire of Corrigin will undertake a road inspection each year to monitor the condition of the road assets and assess whether the 10 Year Road and Footpath Program needs to be amended. Special attention is to be given to the maintenance of major transport and school bus routes. These routes should receive priority at the commencement of the winter maintenance grading season and at the beginning of the school year.

The schools and Public Transport Authority will be asked to provide up to date bus routes in February each year.

### **Risk Management**

The identification and prioritising of risks will determine what resources are required to minimise any possible impact to the travelling public.

### **Budgeting**

In formulating the road component of the Council's annual budget, every effort will be made to allocate appropriate funding to maintain and enhance the long term condition of the road network. Budget constraints and funding availability will determine the allocation of finances and resources and the implementation of policies and procedures associated with the road network.

### **Transport Infrastructure**

Council has set standard roads which are expected to meet current and projected transport demand. Local Governments are under pressure to meet the expectations of transport operators for bigger, faster and heavier vehicles and must balance this demand against the limitations of funding and resources to upgrade and maintain the road network.

Many of the roads in the Shire of Corrigin have now been added to the Main Roads Heavy Vehicle – Restricted Access Vehicle (RAV) network. Council can request Main Roads WA (MRWA) to review the RAV rating at any time however in doing so, Council will have regard to the impacts of an increased RAV rating on the road network and the ability of the Shire to maintain a road to the RAV rating sought.

RAV rated roads have been assessed by MRWA and can be found on the MRWA website:

<https://www.mainroads.wa.gov.au/UsingRoads/HeavyVehicles/Pages/rav.aspx>

## Road Hierarchy

The following roads have been previously identified by Council as priority roads and are shown on a map in Appendix 5.

| Road Name   | 2030 Road | Council Road Hierarchy Level | Length currently to Type 5 Standard** (km) | Length currently to Type 4 Standard** (km) | Length currently to Type 3 Standard*** (km) | Total Length (km) |
|---|-----------|------------------------------|--|--|---|-------------------|
| <b>2030 Roads – to be constructed to Type 5 Standard Road</b>   |           |                              |  |  |   |                   |
| Babakin – Corrigin Rd   | Yes       | Priority Collector Route # 1 | 14.59                                      | 5.99                                       |   | 20.58             |
| Bullaring – Pingelly Rd   | Yes       | Priority Collector Route # 2 | 8.45                                       | 9.32                                       |   | 17.77             |
| Bullaring – Gorge Rock Rd   | Yes       | Priority Collector Route # 2 | 1.21                                       | 12.03                                      | 11.24                                       | 24.48             |
| Bulyee Rd   | Yes       | Priority Collector Route # 1 | 11.98                                      |  |   | 11.98             |
| Corrigin – Bruce Rock Rd  | Yes       | Priority Collector Route # 1 | 14.48                                      | 8.72                                       |   | 23.20             |
| Corrigin – Naremben Rd  | Yes       | Priority Collector Route # 1 | 12.14                                      | 1.21                                       |   | 13.35             |
| Lomos South Rd  | Yes       | Priority Collector Route # 3 | 6.97                                       |  |   | 6.97              |
| Quairading – Corrigin Rd  | Yes       | Priority Collector Route # 1 | 7.17                                       | 18.51                                      |   | 25.68             |
| Rabbit Proof Fence Rd   | Yes       | Priority Collector Route # 1 | 16.64                                      | 12.66                                      |   | 29.30             |
| Wickepin – Corrigin Rd  | Yes       | Priority Collector Route # 2 | 5.50                                       | 27.36                                      |   | 32.86             |
| Walton St   | Yes       | Limited Rural Road           | 1.90                                       |  |   | 1.90              |
| Yealering – Kulin Rd  | Yes       | Limited Rural Road           | 0.16                                       | 2.34                                       | 11.39                                       | 13.89             |
| <b>Total Lengths (2030 Roads)</b>   |           |                              | <b>101.19</b>                              | <b>95.80</b>                               | <b>22.63</b>                                | <b>221.52</b>     |
| <b>Non 2030 Roads But Priority Collector Route Roads (Shire Hierarchy Policy)</b>   |           |                              |  |  |   |                   |
| Bilbarin East Rd  | No        | Priority Collector Route # 3 | 0.26                                       | 10.51                                      |   | 10.77             |
| Bilbarin – Quairading Rd  | No        | Priority Collector Route # 3 |  | 12.62                                      | 16.23                                       | 28.85             |
| Barber Rd   | No        | Priority Collector Route # ? |  |  | 19.00                                       | 19.00             |
| Bendering Rd  | No        | Priority Collector Route # 3 | 0.71                                       | 21.34                                      | 5.78  | 27.83             |
| Bulyee – Kweda Rd   | No        | Priority Collector Route # ? | 0.03                                       | 0.15                                       | 8.26  | 8.44              |
| Bulyee – Quairading Rd  | No        | Priority Collector Route # 3 | 0.46                                       | 14.40                                      |   | 14.86             |
| Corrigin South Rd   | No        | Priority Collector Route # 1 | 1.71                                       | 15.48                                      | 9.41  | 26.60             |
| Doyle Rd  | No        | Priority Collector Route # 1 |  |  | 4.39  | 4.39              |
| Dry Well Rd   | No        | Priority Collector Route # ? | 0.26                                       | 7.35                                       | 14.21                                       | 21.82             |
| Gill Rd   | No        | Priority Collector Route # ? |  | 14.47                                      | 0.1   | 14.57             |
| Lomos North Rd  | No        | Priority Collector Route # ? |  |  | 16.90                                       | 16.90             |
| <b>Total Lengths (Non - 2030 Roads)</b>   |           |                              | <b>3.43</b>                                | <b>96.32</b>                               | <b>94.28</b>                                | <b>194.03</b>     |
| <b>Total Lengths (2030 &amp; Non - 2030 Roads)</b>  |           |                              | <b>104.62</b>                              | <b>192.12</b>                              | <b>116.91</b>                               | <b>415.55</b>     |
| <p>** Note : Type 5 standard is a sealed pavement to 7.0m seal width. Type 4 standard is a sealed pavement with seal width &lt; 7.0m.</p> <p>*** Note : Type 3 standard is an unsealed (but paved) road.</p> <p>Note : Those roads shown with an unknown (?) Priority Collector Route level, are listed in Council's Road Maintenance, Renewal and Hierarchy Policy as Priority Collector Routes, but are not highlighted on the marked up Shire Road network plan which shows the level of Priority.</p> |           |                              |  |  |   |                   |

The Council has set a road hierarchy and associated maintenance and renewal levels and standard road. Works staff will be required to meet and maintain these standard roads as a performance measure across the organisation. Roads may be defined as follows:

- Major roads - Generally these will be regional and connector roads connecting town sites to other town sites in the region. Strategic freight routes and those identified as being regionally significant as in detailed MRWA's *Roads 2030 Regional Strategies for Significant Local Roads Wheatbelt South Region Routes/Road*.
- Limited Local Roads - Generally unsealed and servicing farms with annual average daily traffic 50 vehicles or less. Considerations such as school bus routes, harvest destinations and other factors will be considered.
- Feeder roads and streets - Generally are sealed, have an Annual average daily traffic greater than 50 vehicles and acting as connector roads.

### Major Roads and Collector Roads

| Road Name                                   | Road type            | Maintenance arrangements  |
|---|----------------------|---|
| Bilbarin East Road                          | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |
| Bilbarin Quairading Road                    | Half gravel road     | Sections of the road will be graded once a year if conditions allow       |
| Babakin-Corrigin Road                       | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |
| Barber Road                                 | All gravel road      | Sections of the road will be graded once a year if conditions allow       |
| Bendering Road                              | Half gravel road     | Sections of the road will be graded once a year if conditions allow       |
| Bullaring-Pingelly Road                     | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |
| Bullaring-Gorge Rock Road                   | Half gravel road     | Sections of the road will be graded once a year if conditions allow       |
| Bulyee-Kweda                                | Gravel Road          | Grade edges once a year during winter if conditions allow                 |
| Bulyee Quairading Rd                        | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |
| Corrigin-Bruce Rock Road                    | Wide Bitumen         | Maintenance patching where required                                       |
| Corrigin-Narembeen Road                     | 7m Wide Bitumen seal | Where required, grade edges once a year during winter if conditions allow |
| Corrigin South Road (and Doyle Road (West)) | Half gravel road     | Sections of the road will be graded once a year if conditions allow.      |
| Dry Well Road                               | Half gravel road     | Sections of the road will be graded once a year if conditions allow       |
| Gill Road, Kunjin                           | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |
| Lomos South Road                            | All gravel road      | Sections of the road will be graded once a year if conditions allow       |
| Lomos North Road                            | All gravel road      | Sections of the road will be graded once a year if conditions allow       |
| Quairading-Corrigin Road                    | Narrow Bitumen       | Grade edges once a year during winter if conditions allow.                |
| Rabbit Proof Fence Road                     | Narrow Bitumen       | Grade edges once a year during winter if conditions allow.                |
| Wickepin-Corrigin Road                      | Narrow Bitumen       | Grade edges once a year during winter if conditions allow                 |

## Performance Measures – Major Roads and Collector Roads

The priority given to road maintenance due to the importance of retaining and preserving the existing road at an acceptable standard and it is the primary level of service delivery for the transport needs of the community. Road maintenance of major roads and collector roads will be as follows:

- Maintenance grading of roads, cleaning of back cuts, drains and culverts at times of optimum moisture content is to be a priority in works programming. Maintenance grading is to include the use of rollers for compaction (where applicable).
- Every major road in the Shire is to be maintenance graded at least once per annum during the optimum moisture period (where applicable).
- Additional maintenance or remedial grading will be programmed and implemented on an as needed basis in pre and post-harvest periods with emphasis on the school bus and tourist routes. Bus routes are to be graded at least once per year and inspected on a regular basis. Additional maintenance or remedial grading will be programmed and implemented on an as needed basis in pre and post-harvest periods with emphasis on the school bus and tourist routes (where applicable).
- Maintenance grading projects are to include the replacement of guide posts and signs (where applicable).
- Shoulders and drains on bitumen roads are to be maintenance graded during periods of optimum moisture content. This is to include compaction and brooming of loose material from the bitumen surface (where applicable).
- Pothole repairs are to be addressed within one week of being formally reported to the Manager of Works and Services. Reports to be in writing or by email for tracking purposes.
- Additional maintenance grading or remedial grading is to be programmed and implemented on an as needed basis in pre and post-harvest periods with emphasis on school bus routes with these being inspected at least once a month.
- Guide posts and signs to be replaced as needed as part of the road maintenance programme.
- Shoulders on bitumen roads to be maintenance graded in periods of optimum moisture. Work to include compaction and sweeping.
- Pothole repairs to be addressed within one week of being formally reported. This also applies to bitumen edge failures, culvert failures/blockages cleared and other road defects.
- All culverts and drains to be inspected prior to winter each year and any blockages cleared.
- Where back cuts can be identified on road verges these are to be graded at least once in each three years to retain the exemption under the Clearing of Native Vegetation Regulations and to provide a transport corridor clear of vegetation.
- Longitudinal and non-off drains on all roads are to be kept clear of vegetation and debris. Scouring is to be rectified as practical.

### List of Limited Rural Roads

| Road Name                          | No. Maintenance Grades per annum |
|------------------------------------|----------------------------------|
| Baker Road, Bullaring              | 1                                |
| Bartlett Road, Gorge Rock          | 1                                |
| Beeson Road, Bullaring             | 1                                |
| Branson Road, Gorge Rock           | 1                                |
| Boundary Road, Corrigin            | 1                                |
| Bullaring Railway Road, Bullaring  | 1                                |
| Bulyee Kweda Road, Bulyee/Kweda    | 1                                |
| Caley Nornakin Road, Corrigin      | 1                                |
| Caley Watson Road                  | 1                                |
| Caporn Road, Adamsvale             | 1                                |
| Carruthers Road, Bullaring         | 1                                |
| Copestakes Road, Shackleton        | 1                                |
| Connelly Road, Corrigin            | 1                                |
| Corrigin - Wogerlin Road, Corrigin | 1                                |
| Corry Road, Bulyee                 | 1                                |
| Cowcill Road, Bulyee               | 1                                |
| Creek Road, Adamsvale              | 1                                |
| Crossland Road                     | 1                                |
| Diamond Block Road                 | 1                                |
| Dickinson Road, Kurrenkutten       | 1                                |
| Dilling Road, Corrigin             | 1                                |
| Dilling Railway Road, Corrigin     | 1                                |
| Dillon Road                        | 1                                |
| Doyle Road, Bullaring              | 1                                |
| Duncanson Road, Bulyee             | 1                                |
| Dwarlaking Road, Bulyee            | 1                                |
| Elsegood Road, Bullaring           | 1                                |
| Fulwood Road, Gorge Rock           | 1                                |
| Gardners Road, Bulyee              | 1                                |
| 49 Gate West Road                  | 1                                |
| Georges Road, Kurrenkutten         | 1                                |
| Glenmore Road, Adamsvale           | 1                                |
| Gnerkadilling Road, Gorge Rock     | 1                                |
| Graham Road, Gorge Rock            | 1                                |
| Grylls Road, Kunjin                | 1                                |
| Harris Road, Kunjin                | 1                                |
| Hartley Road, Corrigin             | 1                                |
| Hewett Road, Kunjin                | 1                                |
| Hayes Road, Kurrenkutten           | 1                                |
| Heal Road, Corrigin                | 1                                |
| Hills Road, Corrigin               | 1                                |
| Hillside Road, Adamsvale           | 1                                |
| Hovell Road, Bullaring             | 1                                |
| Jenkyns Road, Kunjin               | 1                                |
| Jose Road, Corrigin                | 1                                |
| Jubuk Back Road, Kunjin            | 1                                |
| Jubuk North Road, Kunjin           | 1                                |
| Jubuk South Road, Kunjin           | 1                                |
| Kunjin South Road, Kunjin          | 1                                |
| Larkes Road                        | 1                                |
| Lange Road, Gorge Rock             | 1                                |
| Ling Road, Kunjin                  | 1                                |
| Lohoar Road, Adamsvale             | 1                                |
| Martin Road, Kurrenkutten          | 1                                |

|   |          |
|---|----------|
| Middleton Road, Gorge Rock                | 1        |
| Morrell Road, Corrigin                    | 1        |
| Mooney Road, Bullaring                    | 1        |
| Mulcahy Road, Babakin                     | 1        |
| Munro Road, Kunjin                        | 1        |
| Nambadilling Road, Corrigin               | 1        |
| Nornakin East Road                        | 1        |
| Old Kulin Road, Gorge Rock                | 1        |
| Pannell Road (near) Wamenusking           | 1        |
| Overheu Road                              | 1        |
| Parsons Road, Corrigin                    | 1        |
| Pontifex Road, Kurrenkutten               | 1        |
| Polkinghorne Road, Kunjin                 | 1        |
| Poultney Road, Kunjin                     | 1        |
| Pruden Road, Kurrenkutten                 | 1        |
| Rafferty Road, Bullaring                  | 1        |
| Reed Road, Gorge Rock                     | 1        |
| Rigby Road, Bulyee                        | 1        |
| Rogers Road, Gorge Rock                   | 1        |
| Sedgewick Road                            | 1        |
| Schultz Road, Gorge Rock                  | 1        |
| Shackleton-Bilbarin Road, Bilbarin        | 1 (edge) |
| Simpson Road, Bullaring                   | 1        |
| Sharret Road, Adamsvale                   | 1        |
| 68 Gate Road, Bullaring                   | 1        |
| Shipleby Road, Bullaring                  | 1        |
| Sorensens Road, Babakin                   | 1        |
| Smith Road, Kunjin                        | 1        |
| Szczecinski Road, Adamsvale               | 1        |
| Stones Road (near) Wamenusking            | 1        |
| Stretton Road, Bullaring                  | 1        |
| Squiers Road, Bulyee                      | 1        |
| Swainston Road, Bullaring                 | 1        |
| Talbot Clark Road, Bullaring              | 1        |
| Tilbee Road, Babakin                      | 1        |
| Tipton Road, Corrigin                     | 1        |
| Turnbull Road, Adamsvale                  | 1        |
| Tulloch Road, Bilbarin                    | 1        |
| Watt Road, Bulyee                         | 1        |
| Walton Road, Bilbarin                     | 1        |
| Whittington Road , Bullaring              | 1        |
| Williams Road                             | 1        |
| Willis Road, Gorge Rock                   | 1        |
| Wilson Road                               | 1        |
| Woods Road                                | 1        |
| Yates Road                                | 1        |
| Yealering-Kulin Road, Yealering           | 1        |
| Yealering South East Road, Yealering edge | 1        |
| Vivian Road, Bullaring                    | 1        |

### Performance Measures - Limited Local Roads

The priority given to road maintenance is due to the importance of retaining and preserving the existing road to an acceptable standard road and it is the primary level of service delivery for the transport needs of the community. In most instances, road maintenance of Limited Local Roads will be as follows:

- Every limited rural road in the Shire included on the list below is to be maintenance graded at least once per year during the optimum moisture period. Compaction is to be part of the road maintenance process. All roads that are reconstructed are to be cleared to a width of 14 (fourteen) metres.
- Additional maintenance or remedial grading will be programmed and implemented on an as needed basis in pre and post-harvest periods with emphasis on the school bus and tourist routes. School bus routes will be inspected regularly and where-ever possible will be graded twice per year. Additional maintenance or remedial grading of school bus routes will be programmed and implemented on an as needed basis in pre and post-harvest periods with emphasis on the school bus and tourist routes (where applicable).
- Maintenance grading projects are to include the replacement of guide posts and signs.
- Shoulders and drains on bitumen roads are to be maintenance graded during periods of optimum moisture content. This is to include compaction and brooming of loose material from the bitumen surface.
- Pothole repairs are to be addressed within one week of being formally reported to the Manager of Works and Services. Reports to be in writing or by email for tracking purposes.
- This also applies to culvert failures or damaged signs.
- This high priority designation has been given to renewal as this is a primary method of preserving and enhancing road assets in at least the existing standard road and it is the secondary level of service delivery for road infrastructure behind road maintenance.

### Town Roads

|                      |                     |
|----------------------|---------------------|
| Adams Street         | Crossland Street    |
| Airstrip Access Road | Dartee Street       |
| Attwood Street       | Davies Street       |
| Bonds Road           | Forrest Street      |
| Boyd Street          | Franklyn Street     |
| Caley Way            | Gayfer Street       |
| Camm Street          | Goyder Street       |
| Campbell Street      | Hill Street         |
| Campbell Street West | Janes Drive         |
| Centenary Avenue     | Jose Street         |
| Channon Close        | Kirkwood Street     |
| Connelly Parade      | Larke Crescent      |
| Courboules Crescent  | Lynch Street        |
| Kirkwood Street      | Murphy Street       |
| Larke Crescent       | Newman Street       |
| Lynch Street         | Osborne Street      |
| Knight Court         | Rendell Street      |
| Malcolm Street       | Rolf Street         |
| Mcandrew Avenue      | Seimons Avenue      |
| Mann Street          | Scenic Lookout Road |
| Murphy Street        | Spanney Street      |
| Newman Street        | Station Street      |
| Larke Crescent       | Talbot Street       |
| Lynch Street         | Tassell Street      |
| Knight Court         | Turner Avenue       |
| Malcolm Street       | Walton Street       |

|                 |               |
|-----------------|---------------|
| McAndrew Avenue | Williams Road |
| Mann Street     |               |

**Feeder access routes**

|                         |                     |
|-------------------------|---------------------|
| Gorge Rock Access       | Town Laneways       |
| Dry Well Road Spur Road | War Memorial Access |
| Bulyee Road Spur        |                     |

**Performance Measures – Town Roads and Feeder Access routes**

The priority given to road maintenance due to the importance of retaining and preserving what is already in place at an acceptable standard road and it is the primary level of service delivery for the transport needs of the community. In most instances, road maintenance of feeder roads and streets will be as follows:

- Pothole repairs are to be addressed within one week of being formally reported to the Manager of Works and Services. Reports to be in writing or by email for tracking purposes.
- This also applies to bitumen edge failures, culvert failures or damaged signs.

**Road Maintenance**

Within the roads classifications works can be programmed based purely on asset preservation priorities and performance measures. Asset management priorities and delivery standard roads Council has and will focus on preservation methodologies across the transport modules to maximise community benefits through rigorous asset management.

The asset management processes will also be used to set performance measures across the organisation which is identifiable and quantifiable to ensure that nominated objectives and targets are met.

The provision of Sealed and unsealed road standards and are provided in Appendix 1 and 2. Appendix 3 provides guidelines for the temporary closure of unsealed roads during and after rainfall events.

To ensure continuity of road grading performance, the Policy also includes a Maintenance Grader Manual and declaration from the employee that they have read and understood the Maintenance Grader Manual at Appendix 4.

**Road Renewal**

Renewals must be properly considered in planning for the future and long term asset and financial management plans as failure to do so will result in the need for full or partial re-construction at a much higher cost than programmed renewals and ongoing maintenance.

The construction of major roads is almost always dependant on external source funding and work is generally at a high cost.

- a) Regional road grant applications to be a priority for renewal projects.
- b) Crack patching, pothole repairs and bitumen edge reinstatements and sealed road shoulder repairs to prevent edge drop-off and surface damage are to be programmed and done progressively.

Allocations of renewal expenditure will be based on retaining fit for purpose standard roads the road category traffic volumes, road safety and surface deterioration levels. Priority is given to renewal projects in grant fund applications (regional roads and roads to recovery) as works will significantly extend both the life and the standard road of the road/street. Additional by renewal projects score more heavily in regional road funds through the multi criteria analysis than upgrade or expansion projects.

Consideration may need to be given to the use of asphalt as surface renewal on town streets as this provides a greater surface life, it corrects surface anomalies, improves road safety, improves drainage and significantly improves town site aesthetics. The use of asphalt may also need to be considered for intersections of feeder and major roads to protect the road surface in the turning circle of heavy vehicles. Crack patching, pothole repairs, bitumen edge reinstatements and the prevention of edge drop-offs are of prime importance in the asset preservation of sealed roads.

The capacity of the Shire of Corrigin to extend or enhance road assets under existing and projected financial resources is limited. The Shire of Corrigin receives significant funds from Roads to Recovery however there is no certainty that this fund will continue or be distributed at the same level and under the same conditions as it has been in the past.

Roads which have been upgraded or expanded over the past ten years have been identified and programmed for renewal and maintenance as these are likely to be high value assets and will need re-seals, re-sheets in the next ten years.

The 10 Year Road and Footpath Program and Asset Management Plan outlines the proposed maintenance, renewal and upgrade of roads and footpaths in the Shire of Corrigin from 2019 to 2029. This plan will be reviewed annually and adjusted according to available funds and changes in road condition, traffic volumes and transport requirements.

### **Road Expansion**

This component of road programming is creating an enhanced and higher value asset in the first instance and it necessitates planning for maintenance and renewal in the second instance.

The enhanced/upgraded roads would generally fall under the feeder and major roads categories and are of strategic importance in dealing with the agricultural production freight tasks. The financial capacity to continue to create new assets or to add value to existing assets is under threat and may no longer be realistic, achievable or sustainable into the future.

Expansion programming should be justified and quantified by relevant data and not be based on assumptions or sector demand. Road counts to verify traffic volumes, types of vehicles and equivalent standard road axle use must be quantified by official road counts. Road counters will be in use for a minimum of 40 weeks per year in peak and low seasons as specified and required for Main Roads WA grant applications.

Road Counters are to be undertaken on the following basis:

- These are to be in operation across the Shire of Corrigin's road network for a minimum of 40 weeks per year.
- Count periods for regional road grant roads are to be strictly in line with Main Roads WA guidelines and directions.
- Road count data is to be downloaded into the RAMM/Roman II system within one week hours of the count completion.

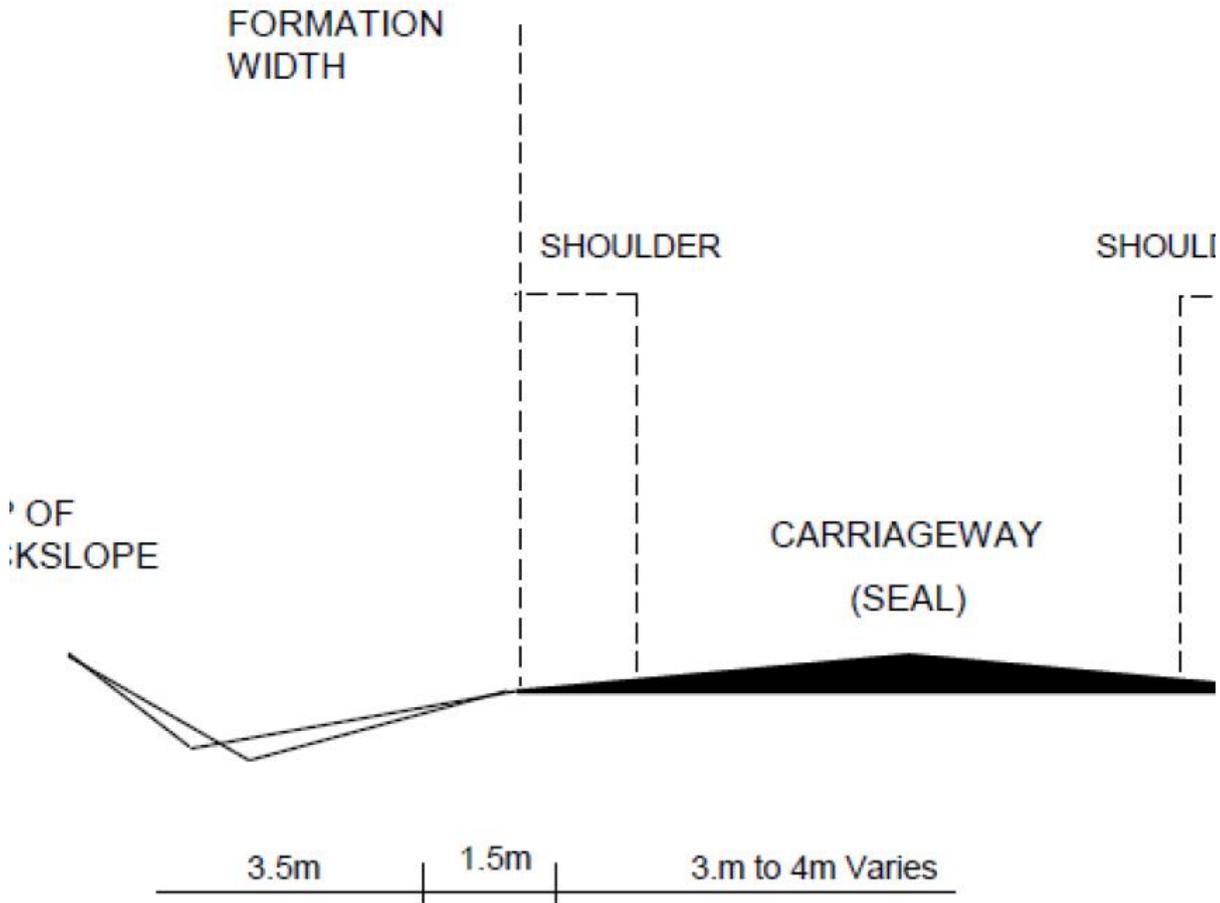
The priority given to road maintenance is due to the importance of retaining and preserving what is already in place at an acceptable standard road and it is the primary level of service delivery for the transport needs of the community.

The road categories determined by Council are strongly supported by the road listings under *Roads 2030 Regional Strategies for Significant Local Roads Wheatbelt South Region Routes/Road* which accredits the designated roads as regional roads with a qualification for funding under the State Agreement for regional road projects.

**APPENDIX 1 Sealed and Unsealed Road Standards**

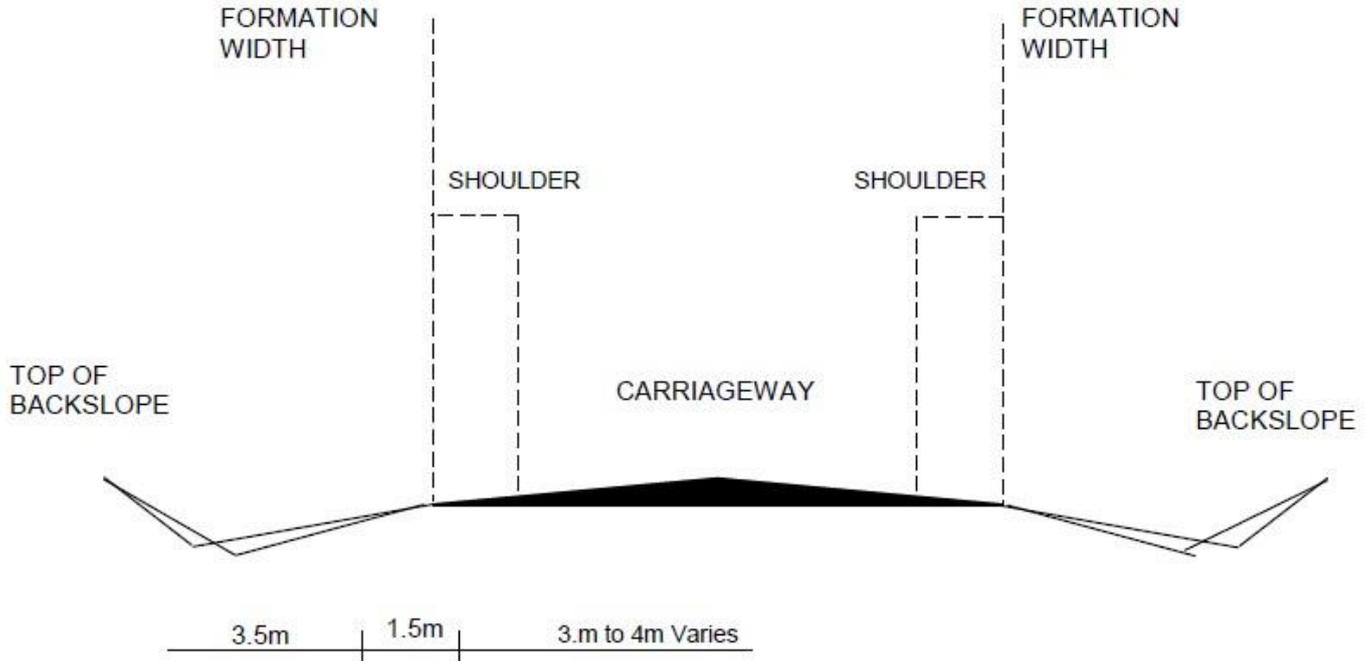
The following provides a generic definition of the standard applicable to sealed and unsealed road construction and maintenance as follows:

**ATTACHMENT 5.11(A) SEALED/UNSEALED ROADS  
ROAD PROFILE AND SPECIFICATIONS "A" & "B" CLASS ROADS**



| Specifications  |        |                      |
|-----------------|--------|----------------------|
| Formation Width | 15-18m |                      |
| Pavement Width  | 10.00m | Measurement of the l |

## ATTACHMENT 5.11(B) UNSEALED ROADS ROAD PROFILE AND SPECIFICATIONS "C" CLASS ROADS



|                       |             |
|-----------------------|-------------|
| <b>Specifications</b> |             |
| Formation Width       | 15-18m      |
| Pavement Width        | 8.00m       |
| Carriageway Width     | 6.00m       |
| Shoulders             | 2 x 1.0m    |
| Traffic Lanes         | 3.00m       |
| Cross Fall            | 4% minimum  |
|                       | 5% maximum  |
| Batters               | 1-3 minimum |
|                       | 1-4 maximum |

Measurement of the backslope to be decided by the Works Supervisor taking into account the locality.

Road Reserve is to be kept clear of all regrowth by means of clearing and or by chemical spraying. Tree canopy to be cut back to vertical at top of backslope. Shoulders on all bitumen roads need to be graded and chemical sprayed annually.

Note: Extent of clearing to be top of backslope.

## APPEXDIX 2: Sealing of Unsealed Roads at Sealed Road Intersections

### Policy

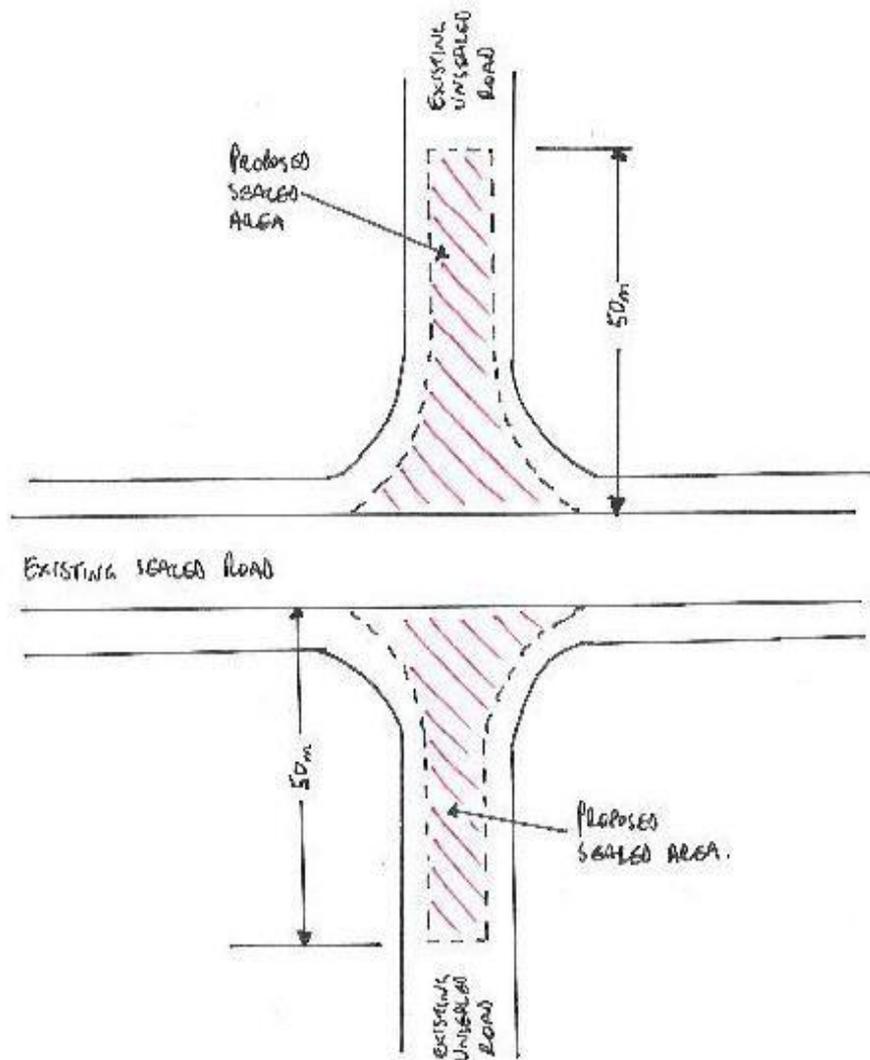
The Shire is to consider sealing a minimum of 50 metres of unsealed road at sealed road intersections. Any sealing works is only to occur at the time of resealing the sealed road or when re-sheeting the unsealed road up to a sealed road intersection.

### Objectives

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

### Guidelines

Any sealing works is only to occur at the time of resealing the sealed road or when the unsealed road is re-sheeting up to a sealed road intersection. The new seal on the unsealed intersecting road (under this policy) shall not be wider than the seal width of the existing sealed road. Each occurrence should be considered on its merits based on traffic volumes and maintenance history



## **APPENDIX 3 Temporary Closure of Unsealed Road During/After Rainfall Events**

### **Policy**

Unless otherwise stated, Council shall practice its rights and obligations to partially or wholly close, and subsequently re-open, any road under its responsibility in accordance with provisions of the Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996.

### **Objective**

To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire's assets during and/or after adverse weather conditions.

### **Guidelines**

Specifically, Council may close roads to all vehicles greater than 4.5 tonnes gross when conditions arise where damage to the structure and/or surface of the road is likely to occur. This would usually occur in winter after grading and when 10mm or more of rain is forecast.

Rain events greater than 10mm may require unsealed roads to be closed until road conditions are suitable, as determined by the Chief Executive Officer under Delegated Authority.

Shire Officers will minimise the disruption to the affected proponents (farmers and contractors) while still maintaining a functional unsealed road network by ensuring the least amount of the Shire is affected for the shortest possible period of time.

Notifications of weather related road closures will be made to adjoining local governments, via notices will be posted at the Shire Administration Office the Shire Website, Facebook posts and where applicable, using the Harvest Ban text messaging service.

Restricted Access Vehicle permit holders with current Letters of Approval from the Shire, local carriers and any other interested parties will be notified of weather related road closures by the most efficient means possible.

Where Council is required to issue local public notice, the issue of local public notice shall be in accordance with Section 1.7 of the Local Government Act 1995. Where a road closure inadvertently exceeds a period of twenty eight (28) days, the Council shall meet its obligations under s1.7 & s3.50(4) of the Local Government Act 1995 and S4, Part 2 of the Local Government (Function and General) Regulations 1996.

## APPENDIX 4 Maintenance Grader Manual

### Machine Maintenance and Operations

- A pre start check of machine is to be under taken before machines are started.
- Blades are to be rotated at the drivers' discretion to gain maximum life out of the cutting edge. When changing your blades always have the assistance of another person.
- When turning the blade check to make sure that blade does not come into contact with the steps, tires, any hydraulic fittings or the under body of the machine.
- The machine is to be greased at least every second day or every ten machine hours. Air cleaner is to be checked and cleaned out on a regular basis, do not go by the dust indicator on the side of the air cleaner. Make sure that the air cleaner to the air conditioning unit is checked regularly and cleaned.
- Tyre pressure is to be kept at the right pressures for the machine. If you are not sure ask your supervisor.
- Starting and all operations of machine are to be done only when you are sitting in the operator's seat.
- Keep windows clean at all the times so that your vision is not impeded. Keep inside of machine clean at all times so that the operations of the machine can be carried out in a safe manner.
- Do not move machine forward or in reverse until you have made sure it is safe to do so.
- Before shutting down the machine lower rippers and blade onto the ground. Always put your handbrake on when leaving machine unattended.
- Never place any part of your body under the blade or ripper if they are in the raised position.

### Daily Operations

- It is expected that a minimum of five (5) kilometres of road (Winter Grade) is completed in a normal working day inclusive of all 7 cuts and drains.
- The fuel truck is to be filled at the end of the working day.
- Report all damage to your supervisor.
- If conditions are too wet, stop work and contact your supervisor
- The machine is to be parked in a clear area so not to cause an obstruction to the public or cause a traffic hazard.
- If signs and guide posts are observed to be missing or damaged, record the type and location and pass on to your supervisor.
- When grading past culverts ensure that you do not hit the top of the culvert and damage it. If damage does occur, record the details and pass on to your supervisor.
- All floodways are to be cleaned of any grass or overburden, windrows are not to be left that restrict the flow of water

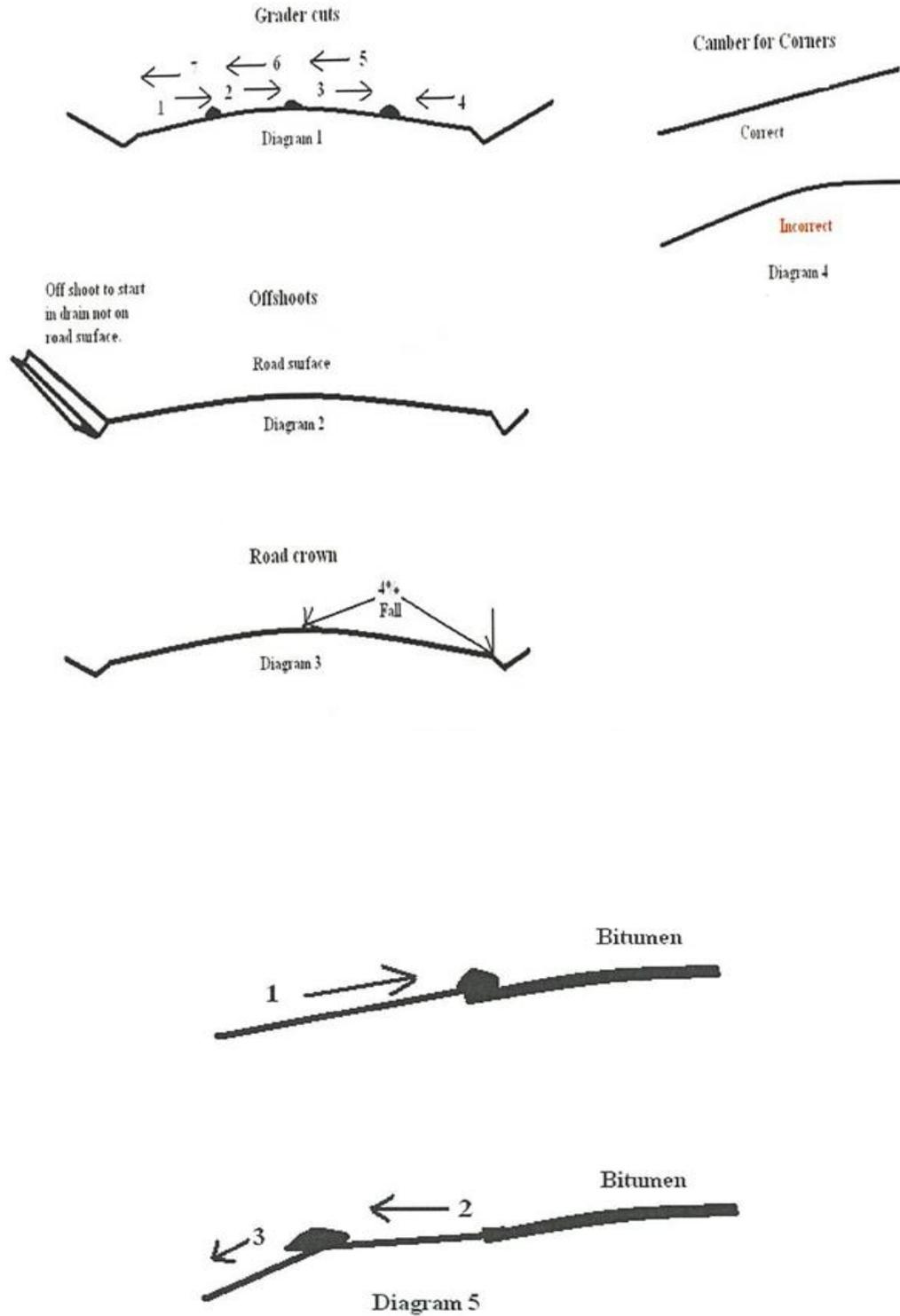
### Maintenance Grading Guide

- **Winter Grades;** are to be three (3) cuts across road and four (4) back as can be seen on diagram below this may vary according to the width of the road.
- Traffic Management Plans for maintenance grading shall be in place prior to the commencement of grading. Flashing lights are to working at all times.
- The first grader cut should be started on the opposite side of the road to where the final cut was made when it was last graded. (This will stop one side of the road losing its coarse base).
- All grass is to be graded off road before grading is to start.
- A crown with a least a 4% fall is to be maintained at all times. As shown on diagram below. We do not want flat roads.
- Where the batters on a road can be graded without damage to machines they are to be battered. If trees or shrubs are causing a traffic hazard they are to be removed. If a grader cannot do the job report it to your supervisor.

- If a load of gravel is needed to fill in potholes or a wash away, request for a load of gravel and repair damage while you are there.
- There is to be no windrow left at the completion of the grading. All rocks and sticks are to be removed off the road surface.
- Any excess soil is to be graded up the batter.
- No loose sand or rocks are to be left in the middle of the road, if it can't be compacted grade it off.
- All curves in the road surface are to be free of any loose stones or gravel.
- All cambers on the bends in our roads are to be maintained as can be seen on diagram below and shall not be graded so that there is a crown in the middle of the road.
- All off shoots to be cleaned out so that water will flow out the back of them. They are to be graded in a way so that the soil is not flat and water will flow down them not over the top of them. At least 2 cuts is preferred
- In order to avoid causing a traffic hazard, the start of an offshoot is not to start on the driving surface of the road, but in the drain as shown on diagram below.
- Windrows are not to be left so as to obstruct driveways, gateways or across intersections.
- To prevent the formation of potholes, all roads are to be graded up to all sections of bitumen
- Shrubs or grass affecting the line of site on a bend shall be removed for a distance of 180 metres.
  
- **Summer Grades;** are to be four (4) cuts across the road with the windrow left on the side of
- the road. Cuts are to be made in the windrow to allow water flow into the off shoots. To avoid a traffic hazard, the finished road surface shall be free from loose sand, rocks and sticks.
- The roller should be behind the grader on cut 1 compacting the windrow into the bitumen edge.
- A minimum amount of soil should be placed on the bitumen. Note: if the shoulder does not have enough width, lift the blade to ensure the windrow falls on the edge of the bitumen.
- The roller should make at least two passes following cuts two (2) and three (3).
- If grass covers the bitumen, cut it off prior to the commencement of grading.
- All offshoots should be cleaned out.
- To avoid a traffic hazard, the finished road surface shall be free from loose sand, rocks and sticks. If there is too much soil left on the road following grading, contact your supervisor to arrange the road to be swept.

# Bitumen Shoulder Grading

Is to be done with one (1) cut up to the bitumen and two cuts off the bitumen as shown on the diagram below





**Manager of Works and Services**

The employee has been instructed on the contents contained in the Shire of Corrigin Maintenance Grader Manual and issued with a copy.

Signature of Manager of Works and Services

Date

**Employees Declaration:**

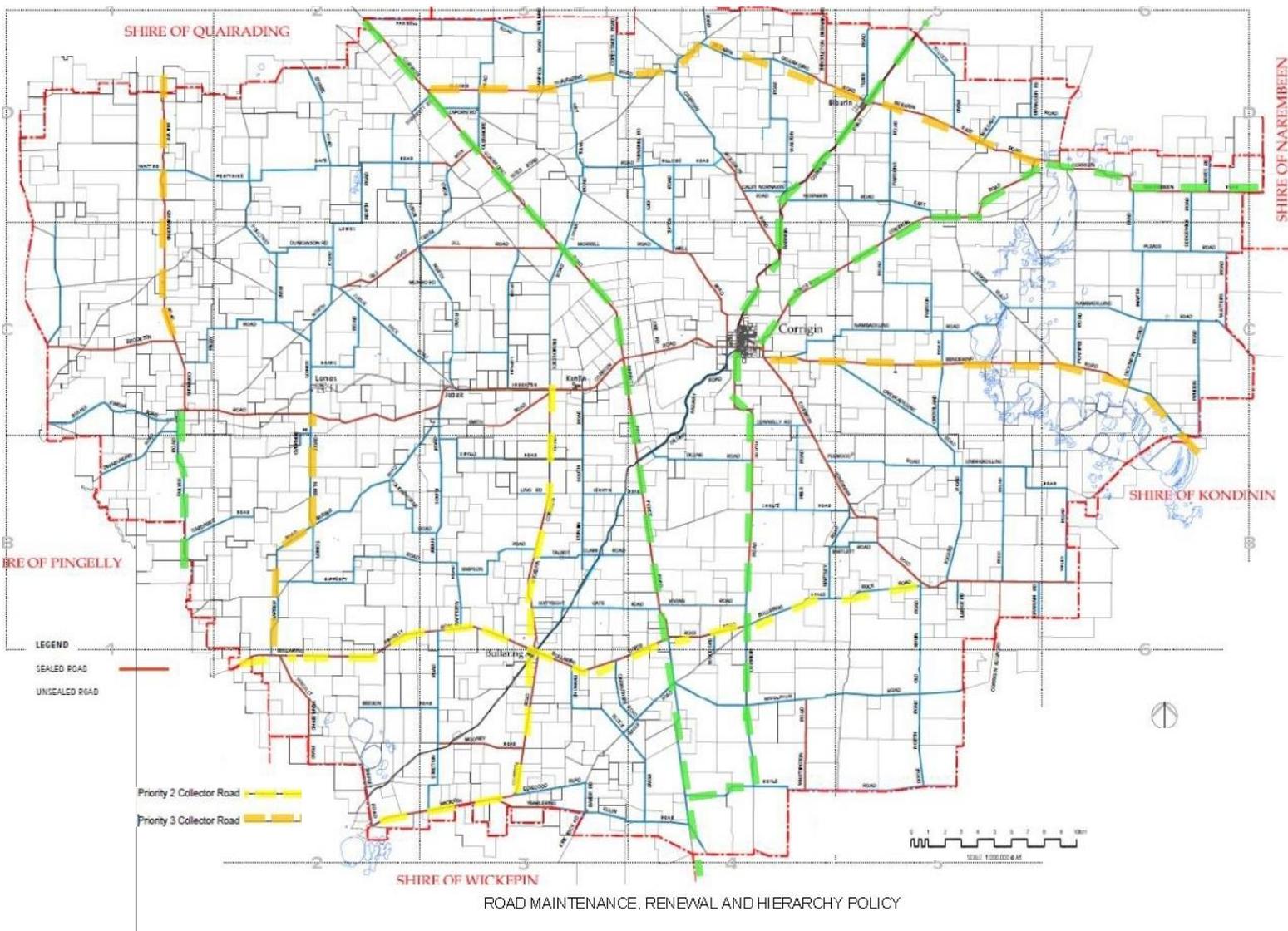
I have received the Shire of Corrigin Maintenance Grader Manual and been instructed on its contents. I declare that I have read and accept the information and requirements contained in the Shire of Corrigin Maintenance Grader manual.

**Employee Name**

**Signature**

**Date**

# APPENDIX 5 Road Hierarchy



## 11.4 CROSSOVERS

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 19 August 1998  
**Amended:** 19 July 2016

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**Objective:** The purpose of this policy is to provide a subsidy towards the construction of a vehicle crossover to a private property within the Shire of Corrigin.

**Policy:** Under the *Local Government (Uniform Local Provisions) Regulations 1996*, Regulation 15 Contribution to cost of crossing - Sch. 9.1 cl. 7(4) states:

- (1) Where —
- (a) a local government —
    - (i) under regulation 12 constructs or approves the construction of; or
    - (ii) under regulation 13(1) requires the construction of,  
a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and
  - (b) the crossing is the first crossing in respect of the land; and
  - (c) the crossing is a standard crossing or is of a type that is superior to a standard crossing,

the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

- (2) In subregulation (1) —

**first crossing**, in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358 of the *Local Government Act 1960* as in force at any time before 1 July 1996;

**standard crossing** means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.

### **Rural Crossover**

Where landowners require a new culvert crossover, Council will provide one crossover free of charge and where required, necessary pipework to protect the Shire's road assets. Should an additional crossover is required Council will provide the labour to install the culvert where the landowner pays for the culverts.

### **Townsite Crossovers**

Council will provide one crossover per lot at 50% of the cost to rate payers. Additional costs involved in wider or additional crossover (less the footpath portion) will be at the cost of the ratepayer. Where Council undertakes road works affecting existing crossovers Council will bear the cost of replacement.

**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 18 September 1996  
**Amended:** 19 July 2016

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**Objective:** To ensure that the quality and standard of developments in the Shire are kept to a level to ensure the maximum benefit to both Council assets and adjacent properties.

- To ensure that development costs are kept to a minimum to assist property owners, but not allow unregulated development.

**Policy:** **Footpaths/dual use paths**  
Footpaths/dual use paths are to be constructed in concrete:

- to a depth of 75mm deep
- 25mpa concrete; and
- to a width of up to 2.0m.

### **Townsite crossovers**

1. A standard crossing as referred to by the Regulation 15 of the Uniform Local Provisions Regulations comprises either:
  - A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate.
  - A minimum of 75mm reinforced concrete over a compacted sub-base; or
  - other as approved by Council from kerb to the front boundary line and tied in or made contiguous with abutting structures (kerbs, footpaths and driveways).
2. The minimum width of the standard crossing shall be 3.0 metres for residences, 4.0 metres for commercial, 6.0 metres for light industrial, 6.0 metres for heavy industrial and 7.5 metres for service stations each with a 1.5 metre radius "fishtail" onto-the kerb line.
3. The gradient shall be positive 2% for the first 1.5 metres from the kerb line.
4. The Shire will contribute to one crossing per property only.
5. Where the ratepayer elects to construct a crossover, the Council's contribution shall not exceed 50% of the cost of the crossover as defined in paragraphs (1) and (2) and in Council's Fees and Charges Schedule. The square metres calculated shall be the length (from the road kerb to the property line) multiplied by the nominal width. The ratepayer must produce documents stating the full cost of the crossing.

### **Rural Crossover**

1. A standard rural crossover is to be 8 (eight) metres wide.

## 11.6 VEGETATION ON NEW FENCE LINES

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**Policy Owner:** Corporate and Community Services

**Person Responsible:** Chief Executive Officer

**Date of Approval:** 15 November 2000

**Amended:** N/A

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**Objective:** To provide guidance on the clearing of vegetation on new fence lines within the Shire of Corrigin.

**Policy:** When farmers or landowners are installing a new fence, they are not to remove any vegetation on the road reserve, other than within 1 metre of the survey line with all debris to be placed on the farmer's property.

## 11.7 ROAD NAME CHANGES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:** N/A

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**Objective:** To provide easy identification of Shire roads.

**Policy:** Except as provided below, a road name shall not be proposed for a new existing road if that road name is currently in use within the Shire. This includes the use of:

- i) like-sounding names e.g. names with the addition/deletion of "s"; or
- ii) same name with a different suffix, e.g. road as opposed to street;
- iii) where a road is closed or access denied as it crosses a main thoroughfare, one (1) portion of the road shall be renamed.

Roads shall be named or renamed (as the case may be):

- so as to avoid repetition as outlined above specifically within suburbs; and
- from the approved reserved list of names for roads.

Road names are to be sourced from:

- persons, entities, places or events of historical or heritage significance and directly related to the Corrigin area and its neighbourhood;
- persons having a distinguished record of achievement within the Shire's history.

A brief explanation of the relationship and significance of the name shall accompany all nominations for road names to the Shire.

Acceptance of nominated names for incorporation into a reserved road names list and for applying to particular thoroughfares will be put before Council for approval.

Support to name or rename roads in established areas can be obtained by applying to Council stating their reasons, and Council is to write to all landholders adjoining the affected road to obtain their views.

Once a name has formally been assigned to the road and adopted by the Geographic Names Committee, all relevant Government bodies, servicing authorities and Australia Post shall be notified of the final action taken and the commencement date.

## 11.8 ASSESSING APPLICATIONS TO OPERATE RESTRICTED ACCESS VEHICLES (RAV) ON LOCAL GOVERNMENT ROADS

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**Policy Owner:** Works and Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 March 2019  
**Amended:** N/A

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

**Policy:** This policy authorises the CEO to conduct a preliminary assessment of RAV applications to ensure there are no obvious issues that would deem RAV access unsuitable and provide Heavy Vehicle Services with any comments relating to road condition, planning conflicts or development issues that may be impacted by adding the above road(s) onto the RAV network. If the road is deemed unsuitable it may be considered for a Restricted Local Access Permit (RLAP), or the matter brought to Council for consideration.

### Background

A Restricted Access Vehicle (RAV) is a vehicle that exceeds a statutory mass or dimension limit as prescribed in the Road Traffic (Vehicles) Regulations 2014. RAVs can only operate on roads approved by Main Roads, under either an Order (Notice) or a Permit.

Operators may apply to add or amend a RAV route. It is Main Road WA's policy to consult with Local Governments before adding or amending a RAV route. The Shire of Corrigin may request that Main Roads WA consider certain conditions for the RAV route.

### Statutory Authority

Road Traffic (Vehicles) Regulations 2014  
Road Traffic (Vehicles) Act 2012  
Road Traffic (Administration) Act 2008  
Road Traffic (Administration) Regulations 2014  
Road Traffic Code 2000  
Land Administration Act 1997 (Sec 55) Local Government Act 1995  
Main Roads Act 1930

### Assessing Support

The Shire of Corrigin must first determine if it supports the application and an assessment is to be undertaken by the Manager of Works, suitably qualified officer or consultant. The assessor must record the basis for the decision and these records should accompany the application when it is referred to Council for approval. The following criteria should be considered.

- Is the road identified as a link on the Strategic Road Freight Network on a regional or local plan?
- What is the designated Main Roads hierarchy?
- Does the route provide connectivity to activity centres?
- Does the route provide connectivity to the State road network?
- Is the proposed RAV rating consistent with the connecting routes?
- If the route crosses into adjacent Shires, have they been consulted?
- Are there alternative routes that would be preferable for the RAV access?
- Does the route impact community facilities e.g. schools, hospitals and town sites?
- Will the proposed access impact public safety?
- Is the proposed access likely to result in extraordinary damage to the road pavement?

- Consult the Local Government Heavy Vehicle Charging Policy.
- Are there any bridges or other structures that are clearly below the standard required for the proposed access or likely to result in dangerous operating conditions?
- Are there any known physical or topographical constraints?
- Is the road listed in ROADS 2030?

A preliminary assessment will be conducted using the following criteria:

- Road width assessed to ensure the road is suitable for the level of RAV access being requested.
- Steepness of longitudinal grades assessed to ensure they are within the specified limits.
- Stacking and sight distances of any railway level crossings on the route.
- Sight distances at intersections must be checked to ensure they comply with the guideline requirements.

## Operating Conditions

### Standard Operating Conditions

The Shire of Corrigin may recommend that operating conditions be applied as a condition of the support for a RAV assessment. Main Roads will apply all or some of the conditions below to very low traffic volume roads when the road's width does not meet the minimum requirements.

These and other similar operating conditions may be applied to the assessment of other roads.

1. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover. Where RAVs are limited to 40km/h advisory signs must be installed for safety to other vehicles who may unexpectedly catch up a vehicle at night.
2. No operation on unsealed road segment when visibly wet, without Road Owners approval.
3. Headlights must be switched on at all times.
4. Speed restrictions. (\*40 km/h or 60 km/h in accordance with the Appendix C Low Volume Rural Road Minimum Widths of the Standard Restricted Access Vehicle (RAV) Route Assessment Guidelines).
5. Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).
6. Road not to be entered until driver has established by radio communication that there is no other RAV on the road travelling in the opposing direction.
7. Operation is not permitted while the school bus is operating on the road. Operators must obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop offs/ pick- ups have been completed on the road.
8. The Operator must obtain written approval from the Road Owner. The approval letter must be carried in the vehicle and produced upon request. Commonly referred to as a CA07 condition.

### Other Operating Conditions

The Local Government may consider the need for additional operating conditions for example:

- Road not to be used as a through route. For local delivery and pick up only. Driver must carry proof of local delivery or pick up.
- Empty travel only
- Single lane operation only
- Laden ascent travel only

- Speed restrictions
- Warning signs to be installed in accordance with Australian Standards and removed when haulage completed
- One truck movement at a time
- Truck entering signs to be erected by the Local Government and removed when not in use.
- Turning restrictions
- No operation during specified months or periods
- No operation on certain days e.g. Saturdays, Sundays or Public Holidays
- No movement permitted between specified times.

The Local Government must justify the need for the additional conditions, which will be approved and applied at Main Roads discretion. Only conditions applied by Main Roads are enforceable.

#### **Restricted Local Access Period Permit**

If the road is deemed unsuitable for addition to the RAV network, the assessor may consider recommending to Main Roads that the application be considered for a Restricted Local Access Permit (RLAP). The RLAP provides access to the final destination of a particular transport task. This may include access to a farm gate or local business. A safety assessment is conducted by Main Roads taking into consideration the specific vehicle type and operation. The permit may be issued to a particular vehicle combination and/ or length with particular operating conditions. The assessor should consider the required operating conditions and make recommendations when referring the application back to Main Roads.

#### **Timeframe**

The Shire of Corrigin will endeavour to return the assessment to Main Roads within four weeks of receipt. If Main Roads do not receive support from the Shire of Corrigin within three (3) months, it is acknowledged that Main Roads may undertake an assessment of the road and add to the relevant network if deemed suitable.

**Policy Owner:** Works and Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 October 2020  
**Amended:** N/A

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### Objectives

This policy provides guidance on the collection of native plant material and seeds from land under the control and management of the Shire of Corrigin. Native plants are a valuable resource and this policy provides regulatory framework for issuing native plant material collection permits to ensure sustainable collection activities.

### Policy

The policy applies to:

- All applicant's requesting permission to collect native plant material pursuant to Regulation 101 of the Biodiversity Conservation Regulations 2018, including both commercial and non-commercial harvesters;
- All persons collecting plant material for non-scientific activities such as, but not limited to revegetation activities, bush food and floral art.

### POLICY DETAIL

#### Native Seed and Wildflower Specimen Collection

The following conditions are to be adhered to:

- All collectors of native wildflower seeds are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of the licence.
- Approval is granted for a one (1), two (2) or three (3) year period only commencing 1 July and is to be specified on application.
- Collection is only to be undertaken by the licence holder and may not be delegated to others.
- Appropriate hygiene procedures will be followed and adhered to at all times to prevent the spread of plant disease and weeds.
- All care to be taken to avoid the disturbance of fauna habitat.
- All care to be taken to avoid any disturbance that may lead to soil degradation or erosion.
- A portion of the Native Seed collected from within the Shire of Corrigin (approximately 10%) of is to be provided to the Shire of Corrigin for the replanting of native park and gardens within the shire and failure to do so will result in cancellation of approval and licence.

### DEFINITIONS

In this policy, unless contrary intention appears:-

**native plant material** means all plants in reserves, but does not include any plant that is dead.

**plant** for the purposes of harvesting, includes flowers, seeds, fruits and any other part of the vegetation

**licence holder** is the person authorised to collect native plant material on land as applied for through an application for Flora Taking (Commercial) Licence – Crown Land with the Department of Biodiversity, Conservation and Attractions.

### RELATED LEGISLATION

Regulation 101 of the Biodiversity Conservation Regulations 2018

*Regulation 101 of the Biodiversity Conservation Regulations 2018*

101. Access to land (licensees)

(1) In this regulation

designated activity means any of the following activities —

- (a) taking, disturbing, releasing, feeding, or processing fauna;
- (b) taking, possessing for supply, or processing flora.

(2) A person who is authorised to carry out a designated activity under a licence must not, for the purposes of the designated activity, enter land that is not in the possession or under the control of the holder of the licence without the written authorisation of an owner or occupier of the land to enter the land and to carry out the designated activity.

*Local Government Act 1995 section 5.42*

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) this Act other than those referred to in section 5.43; or

(b) the Planning and Development Act 2005 section 214(2), (3) or (5). (illegal development)

\* Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

*Local Government Act 1995 section 3.54*

Reserves under control of local government

(1) If land reserved under the [Land Administration Act 1997](#) is vested in or placed under the control and management of a local government, the local government may do anything for the purpose of controlling and managing that land that it could do under *section 5 of the Parks and Reserves Act 1895* if it were a Board appointed under that Act to manage and control the land and for that purpose a reference in that section to a by-law is to be read as a reference to a local law.

*Land Administration Act 1997*

46. Care, control and management of reserves

(1) The Minister may by order place with any one person or jointly with any 2 or more persons the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved under section 41 and for purposes ancillary or beneficial to that purpose and may in that order subject that care, control and management to such conditions as the Minister specifies.

*Parks and Reserves Act 1895*

5. Boards' specific functions

(1) In the exercise of its general powers in respect of the land placed under its control, a Board may, among other things, do as follows —

(a) fence in or otherwise enclose, clear, level, drain, plant, and form walks and carriage drives through and over the land, or any part thereof; and

(b) construct dams and reservoirs for the retention and formation of sheets of water thereon; and

(c) otherwise improve or ornament the land, and do all such things as are calculated to adapt the land to the purposes of public recreation, health, and enjoyment; and

(d) establish and maintain zoological gardens therein; and

(e) grant licences for the depasturing of animals on the land, and take for the same such fees as the Board may, by any by-law, from time to time appoint; and

(f) grant licences for the removal of any sand, gravel, or other earth or mineral, and for cutting and removing wood under such restrictions, and at such reasonable price, or such weekly, monthly, or yearly sum as the Board may think fit.

(1a) A Board shall not grant a licence under subsection (1)(e) or (f) unless —

(a) the approval of the Minister has been first obtained; or

(b) the purpose for which the land the subject of the proposed licence is placed under the control of the Board is specifically that for which the licence is proposed to be granted.

(2) Nothing in this section contained shall be construed to limit the general powers of a Board.

# 12 FOOD SAFETY COMPLIANCE AND ENFORCEMENT POLICY

## 12.1 FOOD SAFETY COMPLIANCE AND ENFORCEMENT POLICY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Environmental Health Officer  
**Date of Approval:** 18 October 2011  
**Amended:** N/A

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### Objective:

### Scope and Objectives

#### Scope:

The Department of Health (WA) administers the *Food Act 2008* (The Act). The Shire of Corrigin is a designated enforcement agency under the provisions of the Act.

The objectives of the Act as defined in Section 3 of the Act include the following:

- to ensure food for sale is both safe and suitable for human consumption,
- to prevent misleading conduct in connection with the sale of food,
- to provide for the application in the State of the Food Standards Code.

The Food Standards Code means the Australia New Zealand Food Standards Code as defined in the *Food Standards Australia New Zealand Act, 1991* of the Commonwealth of Australia. Enforcement of the Food Act is essential for the effective management of food safety risks and the prevention of misleading conduct in connection with the sale of food. Accordingly the Department of Health (WA) and the Shire of Corrigin are committed to ensuring there is a high level of compliance with the Food Act and Regulations.

This policy sets out the Shire's policy on compliance and enforcement that will facilitate the effective achievement of the regulatory goals of the Act in a manner that is:

- Authorised by law;
- Procedurally fair;
- Accountable and transparent;
- Consistent; and
- Proportionate.

The policy recognises that most food businesses want to comply with the law and produce food that is safe and correctly labelled. The compliance and enforcement role of the Shire of Corrigin is to protect consumers from a minority who may not act in the interests of food safety.

The enforcement options of this policy are not required to be enacted on food businesses who act responsibly and it is the Council's aim to provide education to food handlers to maintain the safety of food products produced or sold within the Shire of Corrigin.

It is however important that these enforcement options are clearly understood so that any action the Council takes against a food handler or food premises is within the scope of the law and is appropriate for the given circumstances.

The range of offences under the Act and Regulations vary greatly in their seriousness and accordingly a variable range of penalties and enforcement options that are available under the Act and Regulations.

This policy describes the options that are available and provides details of the matters that will be considered in their application toward achieving the objectives of the Act.

This policy also sets out the principles the Council will apply in its compliance and enforcement activities. Breaches of the Act are classified as criminal offences and penalties of up to \$500,000 and/or two years imprisonment apply.

### Objectives:

The objectives of this policy are:

- To provide transparency to consumers and industry on how the Shire of Corrigin will make decisions on enforcement action;
- To guide decision making and action by Council Officers in the use of enforcement options;
- To use regulatory implements in such a way as to best achieve the Council's strategic and operational objectives.

### **Compliance and Enforcement Principles**

As a regulatory authority the Shire of Corrigin will endeavour to:

- Act in the public interest;
- Act consistently, impartially and fairly according to law;
- Promote consistency through effective liaison with field staff and the adherence to policies and procedures;
- Ensure we do not discriminate on the basis of race, religion, sex, national origin or political association;
- Ensure that enforcement action is taken against the right person for the right offence;
- Ensure that all relevant evidence is placed before the courts or appeals tribunals;
- Make food businesses aware of their legal obligations through the widest possible dissemination of information;
- Explain the benefits of compliance to food businesses and discuss specific compliance failures or problems;
- Provide advice on mechanisms that can be used by food businesses to improve compliance;
- Confirm advice in writing when requested and provide written advice in a clear and simple manner, explaining what and why remedial work is to be undertaken, over what time period and ensure that all legal requirements are clearly explained;
- Advise proprietors of their right of appeal where provided by law;
- Provide alleged offenders with an opportunity to discuss the circumstances of their case; and
- Seek the support of industry leaders to influence compliance levels.

### **Decision Making Criteria**

Each case will be considered individually and the appropriate enforcement action to be taken determined on the particular circumstances of the case.

The Prosecution Policy of the Commonwealth states:

"The objectives previously stated – especially fairness and consistency – are of particular importance. However, fairness need not mean weakness and consistency does not mean rigidity.

The criteria for the exercise of this discretion cannot be reduced to something akin to a mathematical formula; indeed it would be undesirable to do so. The breadth of the factors to be considered in exercising this discretion indicates a candid recognition of the need to tailor general principles to individual cases" (1)

The following issues need to be considered and balanced in making a decision as to the type of enforcement action, if any, that is applied:

- The knowledge of the alleged offender as to the consequences of their actions;
- The degree of care taken by the alleged offender to ensure they did not commit an offence;
- The capability of the alleged offender to understand, cope and comply with the relevant requirements;
- The alleged offender's antecedents and background, including culture and language ability;

- The openness, honesty and cooperation demonstrated by the alleged offender;
- The contrition demonstrated by the alleged offender;
- Any mitigating or aggravating circumstances;
- The culpability of the alleged offender and role played by other parties that may have contributed to the offence;
- The timeliness, the age, duration and magnitude of the offence;
- The totality of offences that may have been allegedly committed;
- The proportionality of the selected enforcement option so that the action will not be unduly harsh or oppressive;
- The prevalence of the alleged offence within the industry and any need for a deterrent effect;
- The difficulty and resources expended by the Shire of Corrigin in investigating and proving the elements of the particular offence or the type of offence;
- The efficiency and cost to the Shire of Corrigin of the compliance and enforcement option that is used;
- Whether the enforcement action required to achieve the objectives of the Act are appropriate;
- Whether or not the enforcement action would be perceived as counterproductive – for example, by bringing the law into disrepute;
- Whether or not the offence is of considerable general public concern;
- The necessity to maintain public confidence in the enforcement of the Act;
- The existence of any risk to public health and the nature and extent of that risk;
- The extent to which consumers have been defrauded;
- The need to protect the consumers either in or visiting the Shire of Corrigin.

The overriding consideration in taking enforcement action will always be the public interest.

(1) Commonwealth Director of Public Prosecutions 2004, Prosecution Policy of the Commonwealth.

### **Privacy**

The Shire of Corrigin must observe the privacy principles set out in the *Freedom of Information Act 1992*. Information relating to compliance and enforcement action will generally be made available only where consistent with the *Freedom of Information Act 1992* and Section 121 of the *Food Act 2008*.

### **Policy:**

#### **Application of Compliance and Enforcement Options**

A range of compliance and enforcement options are available to Authorised Officers. This section gives guidance on when these options may be applied. The decision-making criteria outlined in Section 3 will be considered in deciding which, if any, enforcement action is appropriate in each case.

#### Types of Compliance and Enforcement Action

The compliance and enforcement options available to Authorised Officers include:

- Verbal advice;
- Warning letters;
- The issuing of a statutory Improvement Notice which requires cleaning, repair, replacement, revision of food safety program, implementation of a food safety program or implementation of the Food Safety Standards;
- The issuing of a Prohibition Order which controls certain activities where there is failure to comply with an Improvement Notice or to prevent or mitigate a serious danger to public health;
- The seizure of food, vehicles, equipment, and labelling or advertising materials which do not comply with a provision of the Act or Regulations;
- The issuing of a Penalty Infringement Notice;

- The institution of proceedings in the Magistrates Court;
- Request for court orders for corrective advertising by a person found guilty of an offence;
- Publication of the names of offenders immediately after conviction.

#### Verbal Advice and Warning

Authorised Officers will routinely give advice on compliance to food businesses. This advice will relate to principles of food safety and explain the benefits of compliance or the purpose of the law. Verbal warnings should normally only be given for extremely trivial offences, where the offence is only of a technical nature or where there is insufficient evidence to justify a warning letter.

#### Written Warnings

Where there is evidence that minor breaches of the Act have occurred, written warning may be issued at the discretion of the Authorised Officer. Written warnings may be inappropriate where there are a large number of minor offences on one occasion within one food business. Similarly written warnings will not normally be issued for a series of offences within a relatively short period of time or in those cases where written warnings have previously been issued.

The totality of the offences should be considered in deciding the appropriate course of action. Where significant non-compliance is evident, more significant enforcement action may be appropriate.

Warning letters will detail the exact nature of the offence, required remedial action, cite relevant clauses of the legislation, and specify the maximum penalty for the offence and the intention of the Council to enforce the legislation. Warning letters will be followed-up within no less than 3 months to ensure the required actions have been taken. Further written warnings will not be issued for a subsequent similar offence except in exceptional circumstances.

#### Improvement Notices

Authorised Officers may serve Improvement Notices under Section 63 of the Act. An Improvement Notice is an order that may require, in relation to premises, food transport vehicles or equipment, cleaning, repair, replacement, and relating to the handling of food, revision of a food safety program, implementation of a food safety program or implementation of the Food Safety Standards. The orders may also require food to be handled in a specified way or for a specified purpose.

Improvement Notices should be issued with the same considerations as for a warning letter but should also only be used where there is an intention to proceed to a Prohibition Order following non-compliance with that Improvement Notice. In other circumstances a warning letter or other enforcement options should be considered.

An Improvement Notice must specify the specific legislative provision to which it relates and may specify the particular action to be taken by a person. The Improvement Notice must specify the date by which compliance must be achieved.

While extension of the date of compliance is at the discretion of the Authorised Officers, extensions of time for compliance will not be granted for matters related to cleaning or food handling without the prior approval of the CEO. Appeals concerning Improvement Notices will be considered by the CEO.

Improvement Notices must be served on the proprietor of the food business. The person on whom an Improvement Notice has been served must be provided with a copy of the Improvement Notice upon request. Should the proprietor wish to seek an extension of time for compliance, that request must be in writing stating the reasons the extension is being sought. That request is to be submitted to the Shire of Corrigin before the date of compliance as indicated in the Notice.

Improvement Notices are differentiated from warning letters in that they are a statutory notice that may lead to the issuing of a Prohibition Order under Section 65 of the Act. The issuing of an Improvement Notice does not preclude the issuing of a Penalty Infringement Notice or the institution of court proceedings in circumstances where these types of actions may be warranted.

#### Prohibition Orders

Prohibition Orders may be issued where an Improvement Notice has been issued and there has been a failure to comply with the Improvement Notice by the date of completion or where the issue of a Prohibition Order is necessary to prevent or mitigate a serious danger to public health.

A Prohibition Order will take a form that prohibits the handling of food on specified food premises, vehicle or equipment, or that food is not to be handled in a specified way or for a specified purpose.

It should be noted that Section 8 of the Act defines food handling very broadly, including activities such as collection, transporting, storing or displaying food. Breach of a Prohibition Order will normally result in prosecution.

A Prohibition Order will remain in place until a Certificate of Clearance is issued following a written request for an inspection. An inspection will be undertaken within 48 hours of a written request being made by the proprietor of the food business to the Shire of Corrigin or to the Authorised Officer who made the order. If an inspection is not made within 48 hours of the written request for an inspection, a Certificate of Clearance is deemed to have been granted.

Section 69 of the Act provides for appeal to the State Administrative Tribunal (SAT) if there is a refusal to issue a Certificate of Clearance. Section 70 of the Act provides for compensation to be paid if there were no grounds for the making of the Prohibition Order. Prohibition Orders may only be issued by the CEO, being a duly authorised delegate under Section 118 of the Act. A brief of evidence sufficient to prove all elements of a prosecution will be the normal standard required prior to the issue of a Prohibition Order.

#### Seizure Powers

Authorised Officers have power under Section 40 of the Act to seize food, vehicles, equipment, and labelling and advertising materials which the Authorised Officer reasonably believes do not comply with a provision of the Act or Regulations or which there is evidence that an offence has been committed.

Whilst seizures are undertaken to collect evidence or to prevent further offences being committed, they effectively impose a penalty upon the person from whom the food, vehicle, equipment and labelling or advertising materials is seized. The impact of a seizure should be considered in the application of any other enforcement action. Persons from whom items are seized must be provided with a statement that describes the items seized, states the reasons for the seizure and the address at which the items will be held.

Where it becomes evident that there has been no contravention of the Act or Regulations in relation to items which have been seized they are to be returned as soon as possible to the person from whom the items were seized. The person from whom items have been seized must also be informed of their right under Section 57 to appeal within 10 days of the seizure to the Magistrates Court for an order disallowing the seizure. Compensation may be paid if there has been no application to a Magistrates Court and no contravention of the Act or Regulations had occurred in relation to the seized items.

#### Penalty Infringement Notices

An Infringement Notice is a notice to the effect that the person to whom it is directed has committed a specified offence and that, if the person does not wish to have the matter

dealt with by a court, the person may pay the specified amount for the offence within a specified time.

A penalty notice is issued under Section 126 of the Act. The notice requires payment of a specified monetary penalty, unless the person alleged to have committed the offence elects to have the matter dealt with by a court.

When an Authorised Officer during an inspection of premises, vehicles or equipment, detects or observes conditions or circumstances that give rise to the potential for the issue of an infringement notice, verbal advice will be given, at that time, to the person allegedly responsible for the alleged offence that an infringement notice may be issued for that alleged offence.

Prior to an infringement notice being issued, Authorised Officers must prepare briefs of evidence, which prove each element of the alleged offence to the standard required for prosecution. Further than establishing a prima facie case there must also be a reasonable prospect of a conviction being secured if the alleged offender chooses to have the matter heard in a court.

That brief is to be submitted to the Principal Environmental Health Officer for consideration and authorisation for the penalty notice to be issued.

When a decision has been made that an infringement notice is to be issued, that notice will be forwarded by post or hand delivered to the person alleged to have committed the offence. The infringement notice is to be accompanied by a written advice giving the reasons for the issuing of the infringement notice in that instance and also providing advice and information as to the means or requirements for the remedying or rectification of that condition or circumstance that gave rise to the infringement notice.

The decision-making criteria outlined in Section 3 will be considered in the issuing of an infringement notice. Infringement notices provide a cost effective and efficient method of dealing with offences and will generally be sufficient response to breaches of the Act.

Infringement notices should not be used where the penalty is considered totally inadequate for the offence or where the penalty is likely to have no impact on the proprietor of the food business.

Infringement notices are not available for serious offences contained in Part 3, Division 1 of the Act. These relate to the handling of food in a manner that a person knows will render, or is likely to render, the food unsafe or where the food is handled in a manner that the person ought reasonably to know is likely to render the food unsafe.

A payment of a penalty notice is not an admission of liability and the person is not liable to any further proceedings for the alleged offence.

#### Prosecution

Prior to any prosecution being launched Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence to the standard required for prosecution. That brief is to be submitted to the CEO for consideration and authorisation for the prosecution to proceed.

The resources available for prosecuting are finite and should not be expended pursuing inappropriate cases. The decision-making criteria outlined in Section 3 will be considered in making a decision to prosecute. Prosecution will normally be reserved for the more serious breaches.

While the Act provides that proceedings must be commenced within 6 months for matters relating to food samples and 12 months for other matters, all matters should be prepared for hearing as quickly as possible.

The Act extends liability to a wide range of persons who may be involved in some way with contraventions of the Act or Regulations, including employees, proprietors, and individual directors of companies.

Where the Shire of Corrigin has selected prosecution as the appropriate option, the Council will not necessarily proceed against all those who may be potentially liable under the legislation.

Prosecutions are eligible for publication by the Department of Health (WA).

### **Conclusion**

This policy provides information as to the processes and actions that will be followed in the cases dealt with under the *Food Act 2008*, however due to the variety of circumstances that may be encountered through the range of inspections and enforcement procedures, the policy cannot be used to limit the discretion of the Shire of Corrigin to take any enforcement action for the purposes of obtaining high standards of food safety.

The policy is to be interpreted as general guidance on how the Council will undertake enforcement action. It should further be recognised that it is not the aim of the Shire of Corrigin to undertake enforcement action except where absolutely necessary and that priority should be given to educating food handlers to prevent food safety standards from being compromised in any instance.

## DOCUMENT CONTROL

| DATE OF AMENDMENT | AMENDMENT DETAILS   |
|-------------------|---|
| 17 OCT 2017       | 1.1 Policy Register – Clarifying The Position Responsible For The Policy.   |
| 17 OCT 2017       | 1.2 Communications – clarifying the authorisation of the spokesperson.  |
| 17 OCT 2017       | 1.6 Liquor Permits – clarifying the policy is not a delegation.   |
| 17 OCT 2017       | 1.8 Flying Flags –reference to when there are three (3) flagpoles available at the administration building.   |
| 17 OCT 2017       | 1.11 Common Seal Usage Policy – clarifying the position responsible for the policy.   |
| 17 OCT 2017       | 2.2 Rates – Request for Time to Pay – clarifying the authorisation.   |
| 17 OCT 2017       | 2.8 Cheque Signatory/EFT Requirements – change to the existing policy where reference to Councillors is replaced with Shire President.  |
| 17 OCT 2017       | 2.10 Purchasing Policy – revised policy reflecting the suggested direction of WALGA with regards to changes to purchasing. In addition, the revised policy introduces 'Panel Tenders' which allow Council to establish a panel of preferred suppliers of goods and services in accordance with Division 3 of the <i>Local Government (Functions and General) Amendment Regulations 2015</i> . |
| 17 OCT 2017       | 2.11 Local Regional Price Preference Policy – revised policy to more accurately reflect the requirements of legislation but remain in accordance with the original direction of Council.  |
| 17 OCT 2017       | 2.12 Authorisation to Purchase Goods and Services – a new policy that in the past was reflected in the purchasing policy but due to changes to the purchasing policy, is now specifically identified.   |
| 17 OCT 2017       | 2.13 Budget Consideration/Preparation – reflecting a longer period of time for community groups to make submissions.  |
| 17 OCT 2017       | 2.18 Corporate Credit Cards – changes to the reporting associated with credit cards.  |
| 17 OCT 2017       | 2.19 Motor Vehicle Replacement – modified so that changeover is to occur between two and six years or 50,000 to 100,000km.  |
| 17 OCT 2017       | 3.2 Health Safety and Environment – clarifying the position responsible for the policy.   |
| 17 OCT 2017       | 3.7 Employee Induction – clarifying the position responsible for the policy.  |
| 17 OCT 2017       | 5.2 Training and Development – establishing that an evaluation of the course/conference/training is required.   |
| 17 OCT 2017       | 5.5 Voluntary Service – clarification on payment process and that staff directed to attend an event are not volunteers.   |
| 17 OCT 2017       | 5.7 Staff Uniforms – removing references to staff names and an allocation of up \$600 per annum to an allocation in the budget.   |
| 17 OCT 2017       | 5.9 Council Vehicles Issued to Staff – including reference to vehicle costs being subject to an amount in the budget.   |
| 17 OCT 2017       | 5.12 Removal Expenses – reflecting a realistic cost of relocating new staff to Corrigin and removing removal expenses for some staff.   |
| 17 OCT 2017       | 5.13 Staff Housing – clarification of requirements under the <i>Tenancy Agreement</i> .   |
| 17 OCT 2017       | 5.16 Local Government Holidays – referencing the <i>Shire of Corrigin Enterprise Agreement 2014</i> .   |
| 17 OCT 2017       | 5.17 Long Service Leave – clarification that an application to defer long service leave is to be referred to Council for approval.  |
| 17 OCT 2017       | 5.21 Chief Executive Officer Performance Review – reflecting Council Minute 29/2017 of 21 March 2017.   |
| 17 OCT 2017       | 5.22 Shire Mobile Phones and Other Electronic Communication – clarifying the person responsible to repair or replace a mobile phone or device at their cost.  |
| 17 OCT 2017       | 5.23 Appointment of an Acting Chief Executive Officer – new policy that seeks to streamline short periods when the CEO is not available.  |
| 17 OCT 2017       | 5.24 Dealing with Family Members – new policy that addresses potential conflicts of interest when the private interests of an employee influence, or could be seen to influence, their public duties or responsibilities.   |
| 17 OCT 2017       | 5.25 Related Party Disclosure – new policy that addresses AASB 124 Related Party Disclosures to include application by not-for-profit entities, including local governments.  |

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| 17 OCT 2017 | 6.1 Hire of the Community Bus – new policy that clarifies the requirements for users of the bus and where discounts apply.  |
| 17 OCT 2017 | <del>6.2 Hire of the Community Bus – Corrigin Senior Citizens Inc.</del> – deleted and provision reflected in draft policy 6.1  |
| 17 OCT 2017 | 6.2 Corrigin Town Hall Shire Buildings (Not Including CREC) – Hire – modification to existing policy that seeks to replace reference to the Corrigin Town Hall to include Shire buildings.  |
| 17 OCT 2017 | 7 Parks and Landscaping and Signage Policies – adding reference to signage as a policy under Part 7.  |
| 17 OCT 2017 | 7.4 Shire of Corrigin Signage Policy – new policy that seeks to both formalise the existing signage arrangements within the Shire and to provide guidance for new policy areas such as a policy map that identifies the roads where signs are to be erected along with the locations of the existing visitor bay at Rotary Park and two new Visitor Bays.           |
| 17 OCT 2017 | <del>8.6 Meetings – Day and Time</del> Monthly Ordinary Council Meetings and Councillor Discussion Period – modification to existing policy that acknowledges the Councillor Discussion Period.   |
| 17 OCT 2017 | 8.7 Training and Development – Elected Members – modification to existing policy to strongly encourage Councillor training and professional development opportunities. This also reflects Council Minute 29/2017 of 21/3/2017.  |
| 17 OCT 2017 | 8.8 Elected Members' Fees, Allowances, <del>Reimbursements</del> and Benefits – removing reimbursements from the heading as the policy relates solely to timing of payments to elected members of members fees and allowances within the provisions of the <i>Local Government Act 1995</i> (Note: reimbursements are addressed in new policy 8.9 and Policy 8.10). |
| 17 OCT 2017 | 8.9 Elected Members' Business, Conference and Training Expenses – new policy setting out guidelines to cover elected members when conducting Council business, attending conferences or training relating to Council activities.  |
| 17 OCT 2017 | 8.11 Audit and Risk Management Committee – new policy to provide guidance and assistance to the Council in carrying out its audit functions.  |
| 17 OCT 2017 | 8.12 Appointment of an Auditor, Scope of Works and Notification of Appointments – new policy to ensure an independent audit opinion of the accounts and annual financial reports of the Shire for each financial year covered by the term of the audit appointment.   |
| 17 OCT 2017 | 9.2 Bush Fire Control Officers – Eligibility – removal reference to payment of expenses.  |
| 17 OCT 2017 | 9.3 Bush Fire Control – reference to restricted and prohibited burning periods and due care when unloading in paddocks.   |
| 17 OCT 2017 | 10.2 Proceeds of the Sale of Industrial or Residential Land – clarifying the position responsible for the policy.   |
| 17 OCT 2017 | 11.2 Gravel Supplies – Road Construction – reference to crop loss.  |
| 20 FEB 2018 | 2.10 Purchasing Policy- Amendment to the revised purchasing policy that was adopted by Council in October 2017, to include the exemptions that were previously included in the purchasing policy. This amendment was adopted by Council on 20 February 2018.  |
| 17 APR 2018 | 9.3 Bush Fire Control – Amendment to the bush fire control policy to include Boxing Day as an automatic harvest and movement of vehicle ban.  |
| 19 JUN 2018 | 2.18 – Corporate Credit Cards – Amendment to credit card limits as per Council resolution 95/2018.  |
| 16 OCT 2018 | 1.3 – Removal of DCEO as person responsible for policy  |
| 16 OCT 2018 | 1.4 - Removal of DCEO as person responsible for policy  |
| 16 OCT 2018 | 1.5 - Removal of DCEO as person responsible for policy and clarifying required notice in regards to office closures   |
| 16 OCT 2018 | 1.12 – New policy in regards to information privacy   |
| 16 OCT 2018 | 2.1 – Revised to reflect current practice. What was previously policy 2.2 (Rates – request for time to pay) was added to policy 2.1 and policy 2.2 (Rates – request for time to pay) deleted  |
| 16 OCT 2018 | 2.2 – Revised to reflect current practice   |
| 16 OCT 2018 | 2.9 – Manager finance added as a person responsible for policy, purchase value thresholds amended, additional tendering exemptions added  |
| 16 OCT 2018 | 2.10 - Manager finance added as a person responsible for policy   |

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| 16 OCT 2018   | 2.11 - Manager finance added as a person responsible for policy, purchase order maximums adjusted, additional staff added to list of employees authorised to purchase goods and services (to align with current practice)   |
| 16 OCT 2018   | 2.12 - Manager finance added as a person responsible for policy, public consultation, budget workshop and advertising dates amended   |
| 16 OCT 2018   | 2.13 - Manager finance added as a person responsible for policy, WA treasury added to investments permitted   |
| 16 OCT 2018   | 2.14 - Manager finance added as a person responsible for policy, thresholds for buildings, plant and equipment and furniture and equipment increased  |
| 16 OCT 2018   | Land under roads policy deleted as content is included in policy 2.17 significant accounting policy   |
| 16 OCT 2018   | 2.15 – Depreciation of non-current asset amounts for buildings amended  |
| 16 OCT 2018   | 2.16 - Manager finance added as a person responsible for policy, legislation added to the policy, amendment to misuse of credit cards and additional information added in regards to payment of credit cards and Finance Officer and card holder responsibilities |
| 16 OCT 2018   | 2.18 – New policy in regards to petty cash  |
| 16 OCT 2018   | 4.1 - Removal of DCEO as person responsible for policy  |
| 16 OCT 2018   | 5.2 – Clarification around what are reasonable meal costs added to policy, removal that Council will pay for partners to attend conferences   |
| 16 OCT 2018   | 5.3 - Removal of DCEO and Manager of Works as persons responsible for policy  |
| 16 OCT 2018   | 5.4 - Removal of DCEO and Manager of Works as persons responsible for policy  |
| 16 OCT 2018   | 5.5 - Removal of DCEO and Manager of Works as persons responsible for policy  |
| 16 OCT 2018   | 5.6 - Removal of DCEO and Manager of Works as persons responsible for policy  |
| 16 OCT 2018   | 5.7 - Removal of DCEO and Manager of Works as persons responsible for policy, amendment to include amount per annum for both full time and part time staff  |
| 16 OCT 2018   | 5.9 - Removal of DCEO and Manager of Works as persons responsible for policy, amended clause in relation to use of vehicles while on annual or long service leave for DCEO and Manager of Works   |
| 16 OCT 2018   | 5.10 – Clarification that use of Shire plant and equipment will be at private works rates less labour for staff and that it is not permitted outside of the Shire of Corrigin   |
| 16 OCT 2018   | 5.13 - Removal of DCEO as person responsible for policy, additional clauses added for CEO and DCEO stating a housing allowance will be paid if employees own their own houses, revision to clause regarding maintenance of gardens                                |
| 16 OCT 2018   | 5.15 - Removal of DCEO as person responsible for policy   |
| 16 OCT 2018   | 5.16 – Amendment to who is entitled to local government public holidays   |
| 16 OCT 2018   | 5.24 - Removal of DCEO as person responsible for policy   |
| 16 OCT 2018   | 5.25 - Removal of DCEO as person responsible for policy   |
| 16 OCT 2018   | 5.26 – New policy in regards to leave   |
| 16 OCT 2018   | 6.1 – Change of person responsible for policy from DCEO to Customer Service Officer   |
| 16 OCT 2018   | 6.2 - Change of person responsible for policy from DCEO to Customer Service Officer   |
| 16 OCT 2018   | 6.3 - Change of person responsible for policy from DCEO to Customer Service Officer   |
| 16 OCT 2018   | 6.9 – Change to state that circuses are permitted at the discretion of the CEO and Manager of Works   |
| 16 OCT 2018   | 8.2 – Clarification that only senior designated employees and partners are to be invited to the end of year luncheon. Any other staff will be at the CEO's discretion   |
| 16 OCT 2018   | 8.8 – Change of person responsible for policy from DCEO to Manager Finance and clarifying that elected member payments are to be provided by EFT  |
| 16 OCT 2018   | 8.9 - Change of person responsible for policy from DCEO to CEO  |
| 16 OCT 2018   | 8.12 – Minor changes to include recent legislation changes around the auditor general   |
| 16 OCT 2018   | 10.2 - Change of person responsible for policy from DCEO to Manager Finance   |
| 19 MARCH 2019 | 5.17 - Long Service Leave policy removed as the guidelines are duplicated in policy 5.26 – Leave Policy (Council Resolution (33/2019), 19 March 2019)   |
| 19 MARCH 2019 | 11.9 New policy - Assessing Applications to Operate Restricted Access Vehicles (RAV) on Local Government Roads  |
| 15 OCT 2019   | 11.3 – Substitution of Road Maintenance and Hierarchy Policy for the existing Policy 11.3 Road Maintenance Policy   |
| 15 OCT 2019   | 8.14 – New Policy – Recognition of Service for Elected Members to the Policy Manual   |
| 15 OCT 2019   | Updates to Risk Management and Workplace Policies 3.2, 3.3, 3.4, 3.6, 3.7   |
| 6 JULY 2020   | 5.8 - Attendance at Events Policy   |
| 18 AUG 2020   | 6.11 – New Community Engagement Policy  |
| 20 OCT 2020   | 1.2 – Change advertising locations from Narrogin Observer to West Australian  |
| 20 OCT 2020   | 2.12 – Title change – Budget Consideration/Preparation and Community Grants Program. Minor changes to policy  |
| 20 OCT 2020   | 2.14 – Removal of cycle ways, airports and sewerage   |

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| 20 OCT 2020  | 2.15 – Changes to whole policy   |
| 20 OCT 2020  | 2.16 - Change of person responsible for policy from Manager of Finance to DCEO   |
| 20 OCT 2020  | 3.6 – Employee Health and Wellbeing Support Policy (NEW)   |
| 20 OCT 2020  | 3.8 – Changes to whole policy  |
| 20 OCT 2020  | 5.3 – Minor changes throughout– point 2.5 added - Physical fitness including weight management to ensure that employees are able to perform the full range of tasks outlined in their position description.  |
| 20 OCT 2020  | 5.5 – Minor changes - During busy periods or when specific compliance deadlines require employees to dedicate their time fully to the activities of the employer, permission to take Paid Volunteering Time Off may not be granted.                |
| 20 OCT 2020  | 5.14 – Minor changes to inspections and tenant restrictions (i.e painting, garden, vacancy, etc)   |
| 20 OCT 2020  | 5.21 – Change to requirements of consultant needed to interview key members of community known to CEO of Senior Staff.   |
| 20 OCT 2020  | 5.23 - Change of person responsible for policy from Manager of Finance to Governance Projects Officer.   |
| 20 OCT 2020  | 5.26 – Minor change added - All time in lieu should be cleared as close to the time of accrual and is to be used by the end of each financial year.  |
| 20 OCT 2020  | 7.4 – Major changes to whole policy – 6 to 3 categories  |
| 20 OCT 2020  | 8.6 – Explanatory notes added.   |
| 20 OCT 2020  | 8.7 - A register of elected member training will be published on the Shire of Corrigin website and updated regularly   |
| 20 OCT 2020  | 8.8 – Addition of information technology and telephone allowance.  |
| 20 OCT 2020  | 8.9 – Minor changes to reimbursement of expenses.  |
| 20 OCT 2020  | 8.12 – Change of whole policy – Policy will be made obsolete as of 2021 Policy Manual Review.  |
| 20 OCT 2020  | 11.10 – Collection of Native Seed and Plants in Shire of Corrigin (New)  |
| 16 FEB 2021  | 5.23 – Amended the policy relating to the appointment of Acting CEO to provide clear direction and guidelines for the appointment of an Acting CEO.  |
| 16 FEB 2021  | 4.1 – New Policy for Code of Conduct for Council Members, Committee Members and Candidates   |
| 15 JUNE 2021 | 4.2 – New Code of Conduct for Employees  |
| 20 JULY 2021 | 2.19 – New Policy – Portable and Attractive Assets   |
| 17 AUG 2021  | 5.22 – Update to Shire’s policy on information and communication technology and devices.   |
| 19 OCT 2021  | 2.4 – Rates Incentive - DELETED  |
| 19 OCT 2021  | 2.5 – Rates Discount - DELETED   |
| 19 OCT 2021  | 11.6 – Street Trees -- DELETED   |
| 19 OCT 2021  | 1.4- Shire of Corrigin Operational Hours – changes to CRC open hours to same as Shire  |
| 19 OCT 2021  | 8.9 – Elected Members business, conferences and training expenses – assed to point 8 “excluding partner social or non-business related activities”   |
| 19 OCT 2021  | Minor changes through-out Manual (mainly changes to position titles, spelling, etc)  |
| 18 OCT 2022  | 1.9 Life Membership Recognition - Amended to lunch or afternoon tea  |
| 18 OCT 2022  | 1.13 Memorial Seat and Plaque Policy - New policy  |
| 18 OCT 2022  | 2.7 Purchasing Policy - Amendments throughout  |
| 18 OCT 2022  | 2.9 Authorisation To Purchase Goods And Services - Building Maintenance Officer changed to Building Officer, Manager of Works and Services purchase order limit amount increased to \$50,000, EHO limit removed, Job titles expanded. GPO removed. |
| 18 OCT 2022  | 2.10 Budget Consideration/Preparation and Community Grants Program – DELETED and replaced with new policies (2.10 & 2.11)  |
| 18 OCT 2022  | 2.10 Annual Budget Preparation - New Policy  |

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| 18 OCT 2022 | 2.11 Community Assistance Program - New Policy   |
| 18 OCT 2022 | 2.14 Significant Accounting Policies - Various changes throughout                        |
| 18 OCT 2022 | 2.15 Corporate Credit Cards - Minor amendments   |
| 18 OCT 2022 | 2.19 Asset Disposal - New Policy   |
| 18 OCT 2022 | 3.6 Employee Health and Wellbeing Support - Added COVID-19 vaccinations                  |
| 18 OCT 2022 | 3.10 Fraud and Corruption Control - Removed Governance Project Officer                   |
| 18 OCT 2022 | 5.3 Fit for Work - Addition to definitions   |
| 18 OCT 2022 | 5.7 Staff Uniforms - Various changes throughout  |
| 18 OCT 2022 | 5.15 Staff Superannuation - Changed from 14.5% to 15%                                    |
| 18 OCT 2022 | 5.23 Appointment of an Acting CEO - Removed Governance Project Officer.                  |
| 18 OCT 2022 | 5.26 Leave Policy - Update Shire of Corrigin Enterprise Agreement 2018 to 2022           |
| 18 OCT 2022 | 9.3 Bush Fire Control - Updated – No burning permitted on Good Friday and Easter Sunday. |