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FOREWORD

The 1995 Local Government Act envisaged the separation of the roles of the Council and the Chief Executive Officer.

In summary the Act envisaged that the roles would be as follows:

**COUNCIL**

Responsible for decision making and policy.

**CHIEF EXECUTIVE OFFICER**

Responsible for day to day management under those policies.

The roles of the Council and the Chief Executive Officer are complimentary and focused at achieving the strategic objectives of the Local Government.

Effective role separation provides a number of benefits to the organisation and promotes effective local government. In particular it achieves:

- A focus by the Council on the strategic issues;
- A real need for Council to identify policy issues and address decision making on key issues.
This Policy Manual is intended as a guide to elected members, staff and the public on the normal practices and activities of the organisation. The policies do not require absolute adherence, but may be changed as circumstances dictate, in accordance with Council’s directions and amended by Council from time to time.

Staff are expected to comply closely with the spirit and intention of the policies and to use care and discretion in implementing the policies to ensure the best possible outcome, whether or not a particular event complies totally with the stated policy. Implementation must be fair, consistent and effective, with the emphasis on guidance and assistance rather than compulsion and inspection.

Council, in its absolute discretion, reserves the right to amend, add, delete or apply wholly or in part or not at all, any or all of the policies without notice.

This document does not stand alone, but is part of a “hierarchy”, which comprises (in order of priority) –

- Common Law – legal precedent, interpretation and decisions made by courts
- Delegated legislation – local laws, town planning policy
- General policy – administrative policy

To aid in understanding the complexity of the administrative process, the following information is provided to address the subjects of policy, procedures and delegations.

Definitions

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

- S5.16 refers to “… the exercise of any of its powers and duties …”
- S5.42 refers to “… the exercise of any of its powers or the discharge of any of its duties …”

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

Accordingly, throughout this document, the following terms apply, insofar as they are consistent with enabling legislation.

“Authority” means the permission or requirement for a committee or the CEO to act in accordance with:

- the Local Government Act or other legislation or regulation;
- a delegation made by Council;
- a policy made by Council; or
- a specific decision of Council.

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

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

- a procedural direction to officers to implement Council’s wishes or instructions in a particular way; or
- the authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.
“Instruction”, means the requirement for a staff member to act in accordance with a direction given by a senior officer of Council.

Head of Power
Unless stated otherwise, the Local Government Act 1995 constitutes the head power for Council to make policies.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to assign responsibilities and authority to various officers. In order to maintain consistency with the concepts of the Local Government Act 1995, all directions are made by the CEO, who is then responsible for the implementation of the function, either personally or through management of officers and staff.

It is Council’s expectation that the CEO will assign responsibilities relevant to a specialist or specific position to the appropriate person.

Process
It is a requirement of the Local Government Act, s5.18 and s5.46(1) that all delegations be reviewed at least once in each financial year.

In order to ensure that there is clear authority, and to ensure consistency and relevancy, Council and the appropriate officers will also formally review all policies at the same time, and their application confirmed.

In this way, the Policy Manual will be reviewed and a formal motion of application passed, prior to the commencement of the new financial year.

New Policies
Council may make new Policies at any time.

However, unless specifically stated that the authority is to be included in the Policy Manual, it will be assumed that the authority to act is for a specific matter and is not a general or on-going Policy.

As new policy is made, they will be appended to this Policy Manual for update at the next review.

Amended and Revoked Policies
Revoked and amended policies are to be retained as a Council record.

The full text of a policy will be retained as a Council record for future reference, to ensure that actions when reviewed in later years can be substantiated, and so that should queries be raised the application of policy and any amendments can be traced. New text pages will be replaced, amended and revoked text will be filed accordingly.

The history of the policy will be amended to show date and resolution number of the motion of the amendment.
**Certification**

Council formally reviewed this Policy Manual on 19 December 2018 and Resolution No 12897 confirming its application to the 2018/19 Financial Year was made.

_____________________
President
19 December 2018
Date

_____________________
Chief Executive Officer
19 December 2018
Date
POLICY

Definition
Policy development for the Shire of Lake Grace is proposed within the following guidelines.

- **Intent**
  Policy is a high level statement of how the Council will act.

- **Outcome**
  Policy should be enabling and focus on outcome.

- **Certainty**
  Policy should be non-negotiable.

- **Conceptual**
  Policy does not detail procedures for implementation.

PROCEDURES – What are they?
(see the Shire’s separate Staff Procedures Manual)

These are the detailed tasks to be performed by staff in the completion of certain specified activities.

In the past, many procedures have had the consideration of the Council and act as a guide to staff as to how the Council wishes certain matters to be approached or resolved.

Procedures allow the staff to expedite action without the need to refer the matter to Council. Given the separation of roles under the Act, with Council relinquishing involvement with day-to-day management, procedures are now the responsibility of the Chief Executive Officer.

DELEGATION – What is it?
(see also Council’s Delegation Register)

Section 5.42 of the Act provides for the delegation, by absolute majority, of some powers and duties to the CEO. Section 5.43 places limits on the extent of delegation where a local government **cannot delegate** to the CEO any of the following powers or duties:

- Any power or duty that requires a decision of an absolute majority of the local government;

- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph of section 5.43;

- Appointment of an auditor;

- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government i.e. $1,000.00; being one thousand dollars.

- Any of the local government’s powers under sections 5.98, 5.99 and 5.100 (relating to the payment of sitting fees for elected members);
• Borrowing money on behalf of the local government;

• Hearing or determining an objection of a kind referred to in section 9.5 of the Act;

• Any power or duty that requires the approval of the Minister or the Governor; or

• Such other powers or duties as may be prescribed.

For the purpose of further clarity, the following matters are identified as powers that cannot be delegated:

• Any matter relating to the payment of compensation in any form to either staff or members of the public;

• Any matters which substantially change the direction of Council’s Strategic Plan;

• Any decision that is likely to involve unbudgeted expenditure;

• The changing or altering of any budget;

• The making or passing of Local Laws;

• Any decision which directly is intended to involve the Council in any litigation;

• The preparation of or adoption of a Town Planning Scheme amendment;

• The adoption of policy;

Under the accepted interpretation of the Local Government Act, the Health Act and the Local Government (Miscellaneous Provisions) Act, the CEO is given a clear duty to carry out:

• All of those administrative procedures that are not clearly specified under the Acts as a power of the elected Council;

• All administrative and management functions related to human resources (subject to s5.37 of the Act relating to Senior Employees);

• All functions that have been defined by the elected Council in Policy, Local Laws or are supported by previous accepted practices of the Council that comply with statutory and best practice standards;

• All those procedures that are contained within the Procedures Manual as endorsed by the elected Council.
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<td>7.10 Grain Storage Facilities Consideration of an Application for a Demolition Licence</td>
<td>159</td>
</tr>
<tr>
<td>7.11 Food Safety, Compliance and Enforcement Policy</td>
<td>160</td>
</tr>
<tr>
<td>Attachment 7.11 Food Safety, Compliance and Enforcement Guidelines</td>
<td>161</td>
</tr>
</tbody>
</table>
SECTION 1: GOVERNANCE

POLICY 1.1 Policy Manual Amendments

POLICY Addition, deletions or alterations to Council Policy shall only be effected by specific Council resolution stating –
- the proposed policy, and
- that the Manual be updated.

OBJECTIVES To ensure that the Policy Manual is up to date, relevant and reflects only Council’s specific instructions.

GUIDELINES Where applicable the following factors are to be taken into account:
- Likely effect on the residents – consultation if necessary
- Cost impact
- Need to include a sunset clause
- Legal implications

All recommendations affecting policy must be made available to all Councillors prior to the relevant Council Meeting and may not be introduced as a late item.

If it is not in the Policy Manual, it may be usual practice, but it is not policy.

Unless it is specifically stated that the authority is to be included in the Policy Manual, it will be assumed that the authority to act is for a specific matter and is not a general or ongoing Policy.

HISTORY Amended 24 June 2015 Motion 12059.

REVIEW Chief Executive Officer
POLICY 1.2 Meeting Dates

POLICY
Council is to meet on the third Wednesday of the months of February to December.

A meeting in the month of January will only be held when it is called under provisions of Section 5.4 of the Local Government Act 1995.

OBJECTIVES
To regulate and set meeting dates.

GUIDELINES
Dates to be published at least once per year.

Local Government Act - s5.3
Local Government (Administration) Regulations – reg 12

HISTORY
Former policy 3.7
Amended as per review Motion 9649 February 2004.
Amended as per review Motion 10222 June 2006.
Amended as per Motion 12181 November 2015.
Amended Motion 12897 19 December 2018

REVIEW
Chief Executive Officer

POLICY 1.3 Bi-Annual Dinner: Revoked June 2015

POLICY 1.4 Flying of Flags - Including Shire Flag

POLICY
The Australian National Flag and the Shire Flag are to be flown during office hours.

The National Flag is to be flown in accordance with Commonwealth/State protocol requirements.

The Shire Flag may be flown at “half-mast” to commemorate the death of a local identity.

OBJECTIVES & GUIDELINES
Refer to State & Commonwealth Protocol

Procedures and circulars regarding flying of the national flag can be found in Council Records File No 0201.

HISTORY
Former policy 1.6 & 1.14

REVIEW
Chief Executive Officer
POLICY 1.5   Floral Emblem – Shire

POLICY    The floral emblem for the Shire of Lake Grace is Morrison (Verticordia Nitens) being representative of the flora of the district.

OBJECTIVES To encourage the use of the floral emblem in promotional material for the district of the Shire of Lake Grace.

GUIDELINES To ensure uniformity Council will provide relevant artwork to groups and organisations wishing to include the floral emblem in their promotional material.

HISTORY Former policy 1.24
Amended as per Review Motion 10222 June 2006.

REVIEW Chief Executive Officer
POLICY 1.6 Members Travel Expenses - Conferences

Definition
"Conferences" means conferences, conventions, congresses, study tours, seminars, forums, workshops, courses, meetings, deputations, information and training sessions and events related to local government held within Australia. The following guidelines are to be considered for any proposal for representatives of the Shire to attend conferences.

POLICY
That Council will reimburse expenses incurred for attendance at conferences and Council endorsed business as follows:

That where possible Councillor’s travel and accommodation arrangements be made prior to departure with charges covered through the use of official Shire orders.

Where this is not possible Council has adopted Schedule I, Travelling, Transfer and Relieving Allowance of the Public Service Award 1992, as amended from time to time as the basis for reimbursing councilors for expenses incurred for accommodation and travel. See attachment 1.6.

OBJECTIVES
To set Councillor’s expense parameters when travelling on official business.

GUIDELINES
Generally the following charges will apply and are to be included on the official Shire order:

- Accommodation
- Meals
- Parking
- Daily newspaper
- Laundry and dry cleaning where the length of stay is in excess of 72 hours.

Claims with supporting documentation are to be forwarded to the Deputy Chief Executive Officer.

Local Government Act 1995 – s5.98 (2) and (3)
Local Government (Administration) Regulations 1996 – regulations 31 & 32

HISTORY
Former policy 3.1
Motion 8971 – June 2001
Amended as per review Motion 10222 June 2006
Amended Motion 12059 24 June 2015
Amended Motion 12897 19 December 2018

REVIEW
Chief Executive Officer
## ATTACHMENT 1.6 Members Travel Expenses

### TRAVELLING, TRANSFER AND RELIEVING ALLOWANCE

Reference: Schedule: Public Service Award 1992 (effective from 21/04/2010)

### ALLOWANCE TO MEET INCIDENTAL EXPENSES:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>PARTICULARS</th>
<th>DAILY RATE $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>WA - South of 26° latitude</td>
<td>14.55</td>
</tr>
<tr>
<td>2</td>
<td>WA - North of 26° latitude</td>
<td>21.70</td>
</tr>
<tr>
<td>3</td>
<td>Interstate</td>
<td>21.70</td>
</tr>
<tr>
<td>4</td>
<td>Accommodation Involving an Overnight Stay in a Hotel or Motel</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Locality South of 26° latitude</td>
<td>208.55</td>
</tr>
<tr>
<td>6</td>
<td>Locality North of 26° latitude - refer Schedule of rates for towns</td>
<td></td>
</tr>
</tbody>
</table>

### MOTOR VEHICLE ALLOWANCE PER KILOMETRE:

Reference: Section 30.6 of the Local Government Officers’ (Western Australia) Interim Award 2011 - South West Land Division

<table>
<thead>
<tr>
<th></th>
<th>DAILY RATE $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 2600cc</td>
<td>95.54</td>
</tr>
<tr>
<td>1600cc to 2600cc</td>
<td>68.66</td>
</tr>
<tr>
<td>1600cc and under</td>
<td>56.69</td>
</tr>
</tbody>
</table>

## POLICY 1.7 Members Partners Expenses

### POLICY

Council does not, with the exception of the cost of a shared room, pay the expenses of Councillors' partners at recognised major Local Government conferences and events such as Local Government Week, the annual conference of the Australian Local Government Association and the National Roads Conference.

### OBJECTIVES

To clarify what costs can be recouped by Councillors.

### HISTORY

Former policy 3.1.3
Amended as per review Motion 10222 June 2007.

### REVIEW

Chief Executive Officer
POLICY 1.8 Code of Conduct

POLICY
The Code of Conduct for Elected Members and Members of Council Committees on the following pages be adopted as policy inclusive of the following:

- Value of a notifiable gift - $50 to $300 or 2 or more gifts given to the council member by the same person within a period of six (6) months that are in total worth between $50 and $300
- Value for purpose of Hospitality - $50.00
- Value of a Prohibited gift - >$300 or 2 or more gifts given to the council member by the same person within a period of six (6) months that are in total worth more than $300

OBJECTIVE
The Code of Conduct provides Council Members and Committee Members of the Shire of Lake Grace with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability.

The Code is complimentary to the principles adopted in the Local Government Act 1995 and regulations which incorporates four fundamental aims to result in:

a) Better decision making;
b) Greater community participation in the decisions and affairs of the Council;
c) Greater accountability of the Council to its community; and

d) More efficient and effective local government

The Code provides a guide and a basis of expectations for elected members and Committee Members. It encourages commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

GUIDELINES
Local Government Act 1995
Local Government (Rules of Conduct) Regulations 2007
Local Government (Admin) Regulations – reg. 34B Codes of conduct about gifts
Local Government (Admin) Regulations – reg. 34B(5)- CEO to maintain a register of notifiable gifts

HISTORY
Former policy 3.29,
Motion 9479 June 2003
Motion 8980 June 2001
Amended Motion 12059 24 June 2015

REVIEW
Chief Executive Officer

(See also Code of Conduct – Employees)
CODE OF CONDUCT

STATUTORY ENVIRONMENT
The Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT
Council and Committee Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

1. ROLES
1.1 ROLE OF COUNCIL AND COMMITTEE MEMBER
The primary role of a Council and Committee Member is to represent the community, and the effective translation of the community’s needs and aspirations into a direction and future for the Shire of Lake Grace that will be the focus of the Councillor and/or Committee Member’s public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows:

“A Councillor —
(a) Represents the interests of electors, ratepayers and residents of the district;
(b) provides leadership and guidance to the community in the district;
(c) facilitates communication between the community and the council;
(d) participates in the local government’s decision-making processes at council and committee meetings; and
(e) performs such other functions as are given to a Councillor by this Act or any other written law.”

A Councillor and/or a Committee Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, elected members’ activities will focus on:

- Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- Achieving sound financial management and accountability in relation to the Shire’s finances;
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of resident’s concerns;
- Working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- Having an awareness of the statutory obligations imposed on Council and Committee Members and on the Shire of Lake Grace.

1.2 Role of Council
The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995:

“(1) The council —
(a) directs and controls 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.”
1.3 Relationships between Council Members and Staff
An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council’s corporate goals and implement the Council’s strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following:

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

a) Council and Committee Members will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfillment of their professional duties.

b) Council and Committee Members will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Lake Grace or which may otherwise conflict with the Council’s functions (other than purchasing the principal place of residence);

c) Council and Committee Members who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualified themselves from dealing with those persons.

2.2 Financial Interest

Council and Committee Members will adopt the principles of disclosure of financial interests as contained within the Local Government Act.

**Definition:**

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

(a) A person who is a Council or Committee Member and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -

(1) in a written notice given to the CEO before the meeting; or

(2) at the meeting immediately before the matter is discussed.

(b) A person who is a Council or Committee Member and 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 person is required to disclose the nature of any interest the person has in the matter -

(1) in a written notice given to the CEO before the meeting; or

(2) at the time the advice is given.

(c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.

(d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
(i) the person’s failure to disclose occurs because the person did not know he or she had an interest in the matter; or
(ii) the person’s failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

(e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), 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) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.

(f) If -
   (i) to comply with a requirement made under item (a), the nature of a person’s interest in a matter is disclosed at a meeting; or
   (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
   (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person’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.

3 PERSONAL BENEFIT
3.1 Use of Confidential Information
Council and Committee Members will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property
The title to Intellectual Property in all duties relating to their role as a Councillor or Committee Member will be assigned to the Shire of Lake Grace.

3.3 Improper or Undue Influence
Council and Committee Members will not take advantage of their position to improperly influence other Council or Committee members or staff 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.

3.4 Gifts

Definitions:
In this clause, and in accordance with Regulation 34B of 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;
“gift” has the meaning given to that term in S 5.82(4) except that it does not include -
   (a) a gift from a relative as defined in S 5.74(1); or
   (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or
   (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
“notifiable gift”, in relation to a person who is a Council or Committee Member, means -
   (a) a gift worth between $50 and $300; or
(b) a gift that is one of 2 or more gifts given to the Council or Committee Member by the same person within
a period of 6 months that are in total worth between $50 and $300;

“prohibited gift”, in relation to a person who is a Council or Committee Member, means -
(a) a gift worth $300 or more; or
(b) a gift that is one of 2 or more gifts given to the Council or Committee Member by the same person within
a period of 6 months that are in total worth $300 or more.

(a) A person who is a Council or Committee Member is to refrain from accepting a prohibited gift from a person who -
(i) is undertaking or seeking to undertake an activity involving a local government discretion; or
(ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is a Council or Committee Member and who accepts a notifiable gift from a person who -
(i) is undertaking or seeking to undertake an activity involving a local government discretion; or
(ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,
shall notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

(c) The notification of the acceptance of a notifiable 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 a notifiable gift under paragraph (b) of the definition of “notifiable gift”
(whether or not it is also a notifiable gift under paragraph (a) of that definition) –
(1) a description; and
(2) the estimated value; and
(3) the date of acceptance,
of each other gift accepted within the 6 month period.

(d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

(e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

(f) This clause does not prevent the acceptance of a gift on behalf of the Shire of Lake Grace in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the Shire of Lake Grace.
4 CONDUCT OF MEMBERS

4.1 Personal Behaviour
(a) Council and Committee Members will:
   (i) Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
   (ii) Perform their duties impartially and in the best interests of the Shire of Lake Grace and the community;
   (iii) Act in good faith (i.e. honestly, for the proper purpose and without exceeding their powers) in the interests of the Shire of Lake Grace and the community;
   (iv) Make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any conduct, in the performance of their official duties, which may cause any reasonable person unwarranted offence or embarrassment; and,
   (v) Always act in accordance with their obligation of fidelity to the Shire of Lake Grace.
(b) Council and Committee Members will represent and promote the interests of the Shire of Lake Grace, while recognizing their special duty to their own constituents.

4.2 Honesty and Integrity
Council and Committee Members will:
   a) observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards.
   b) bring to notice of the President any dishonesty or possible dishonesty on the part of any other member and, in the case of an employee, to the Chief Executive Officer.
   c) Be frank and honest in their official dealing with each other.

4.3 Performance of Duties
Council and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders
(a) Council and Committee Members will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
(b) Council and Committee Members will give effect to the lawful policies of the Shire of Lake Grace, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices
Members will ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.

4.6 Corporate Obligations
(a) Standard of Dress
Council and Committee Members are expected to comply with neat and responsible dress standards at all times. Accordingly:
   (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
   (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.
(b) Communication and Public Relations

(i) As a representative of the community, Council and Committee Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council and Committee Members should acknowledge that:
- as a member of the Council or Committee there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

(ii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7. Appointments to Committees
As part of their respective role Council Members are often asked to represent the Council on external organisations.

It is important that Members:
- Clearly understand the basis of their appointment; and
- Provide regular reports on the activities of the organisation.

5 DEALING WITH COUNCIL PROPERTY
5.1 Use of Local Government Resources
Council and Committee Members will:
(a) Be scrupulously honest in their use of the Shire of Lake Grace’s resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

(b) Use the Shire of Lake Grace resources entrusted to them effectively and economically in the course of their duties; and

(c) Not use the Shire of Lake Grace’s resources (including the services of Council staff) 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 Chief Executive Officer).

5.2 Traveling and Sustenance Expenses
Council and Committee Members will only claim or accept traveling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Shire of Lake Grace in accordance Council Policy 1.6 and the provisions of the Local Government Act.

5.3 Access to Information
i) Staff will ensure that Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members;
ii) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.
POLICY 1.9 Legal Representation Cost Indemnification

POLICY
The Legal Representation Cost Indemnification policy on the following pages be adopted – see Attachment 1.9.

OBJECTIVES
To establish firm parameters for cost indemnification.

GUIDELINES
The policy will be administered in accordance with the Department of Local Government and Communities – Local Government Operational Guidelines No 14 – Legal Representation for Council Members and Employees.

HISTORY
Motion 8822 - Nov 2000
Amended as per review Motion 10222 June 2006.
Amended Motion 12059 24 June 2015.

REVIEW
Chief Executive Officer

ATTACHMENT 1.9

Policy 1.9 - LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES

EXPLANATION OF KEY TERMS

approved lawyer is to be –
(a) a ‘certified practitioner’ under the Legal Practice Act 2003; 
(b) from a law firm on the Shire of Lake Grace’s panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
(c) approved in writing by the council or the CEO under delegated authority.

council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire of Lake Grace.

legal proceedings may be civil, criminal or investigative.

legal representation is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –
(a) a matter or matters arising from the performance of the functions of the council member or employee; and
(b) legal proceedings involving the council member or employee that have been, or may be, commenced.

legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

legal services includes advice, representation or documentation that is provided by an approved lawyer.

payment by the Shire of Lake Grace of legal representation costs may be either by –
(a) a direct payment to the approved lawyer (or the relevant firm); or
(b) a reimbursement to the council member or employee.
1. Payment Criteria

There are four major criteria for determining whether the Shire of Lake Grace will pay the legal representation costs of a council member or employee.

These are –
(a) the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
(b) the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
(c) in performing his or her functions, to which the legal representation relates, the council 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.

2. Examples of legal representation costs that may be approved

2.1 If the criteria in clause 1 of this policy are satisfied, the Shire of Lake Grace 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 to permit him or her to carry out his or her functions - for example where 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 circumstances 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.

2.2 The Shire of Lake Grace 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.

3. Application for payment

3.1 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.

3.2 The written application for payment of legal representation costs is to give details of –
(i) the matter for which legal representation is sought;
(ii) how that matter relates to the functions of the council member or employee making the application;
(iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
(iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
(v) an estimated cost of the legal representation; and
(vi) why it is in the interests of the Shire of Lake Grace for payment to be made.

3.3 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.

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

3.5 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 7 and any other conditions to which the approval is subject; and
(c) undertakes to repay to the Shire of Lake Grace any legal representation costs in accordance with the provisions of clause 7.

3.6 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 that money to the local government as may be required by the local government and the terms of the Policy.

3.7 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.

4. Legal representation costs – Limit
4.1 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.

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

5. Council’s powers
5.1 The council may –
   (a) refuse;
   (b) grant; or
   (c) grant subject to conditions, an application for payment of legal representation costs.

5.2 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.

5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire of Lake Grace’s council members or employees insurance policy or its equivalent.

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

5.5 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.

5.6 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.

5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the Shire of Lake Grace are to be repaid by the council member or employee in accordance with clause 7.

6. Delegation to Chief Executive Officer
6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2 of this Policy, to a maximum of $10,000 in respect of each application.
6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 5.4.

7. Repayment of legal representation costs

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

(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 Lake Grace paid the legal representation costs.

7.2 The Shire of Lake Grace may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

NOTE; For further guidance refer to Local Government Operational Guidelines No 14 – Legal Representation for Council Members and Employees.
POLICY 1.10 Honorary Freeman of the Municipality

POLICY

That Council may confer the title of “Honorary Freeman of the Municipality” upon a Councillor or a community member who in the opinion of the Council has served the Commonwealth of Australia, the State of Western Australia and/or the community of the Shire of Lake Grace with the level of distinction required for bestowing of the title.

No more than one such title shall be awarded in any one year.

OBJECTIVES

To recognize the commitment and service of recipients to the Commonwealth of Australia, the State of Western Australia and/or the community of the Shire of Lake Grace.

GUIDELINES

Local Government Act 1995 – s3.1(1)General function. The general function of a local government is to provide for the good government of all persons in its district. A recipient of the Freeman Award is one that has demonstrated this requirement for an extended period.

HISTORY

Previously awarded under the Local Government Act 1960 – s691A
Motion 9159 – March 2002
Amended as per review Motion 10222 June 2006.
Amended Motion 12059 24 June 2015

REVIEW

Chief Executive Officer
POLICY 1.11 Use of the Common Seal

POLICY
The Common Seal of the Shire of Lake Grace is to be affixed to the following documents:

- Deeds of agreement
- Senior officer contracts of employment
- Land transactions (including leases)
- Other documents requesting use of the common seal

A document is validly executed by the Shire of Lake Grace when the seal of the Shire is affixed to it by the President and the Chief Executive Officer, and the President and Chief Executive Officer attest the fixing of the seal.

All documents signed under seal must, in accordance with s9.49 of the Act, first be presented to Council for its authorisation of the seal to be affixed to it by the President and the Chief Executive Officer, and the President and Chief Executive Officer attesting the fixing of the seal.

OBJECTIVES
To validate the procedure for the execution of legal documents.

GUIDELINES
Local Government Act 1995 section 9.49 (A)
When affixing the common seal the following clause is to be notated on the document:
“The common seal of the Shire of Lake Grace was hereunto affixed by authority of its Council in the presence of…”

HISTORY
Adopted Motion 9469 February 2004
Amended Motion 12059 24 June 2015

REVIEW
Council
POLICY 1.12  Community Engagement

POLICY  The Community Engagement Policy as per Attachment on the following pages is adopted as Shire Policy.

OBJECTIVES  To ensure the residents of the Shire of Lake Grace have the maximum opportunity to contribute to their own social, economic and community well-being as well as good governance through information, consultation and active participation in the development of major programs, projects and events throughout the Shire.

GUIDELINES  Proposed Legislation regarding Integrated Strategic Planning.

HISTORY  Adopted 27 April 2011 – Motion 11204.

REVIEW  Chief Executive Officer

ATTACHMENT 1.12 - Community Engagement

Policy Statement

Background and Situation
Involving citizens in government planning and decision-making is crucial to the legitimacy and responsiveness of government, the quality of public policies and programs, and the effectiveness of services. Community engagement is aligned with our system of representative democracy and whilst many government agencies have been undertaking a variety of community engagement activities for some time, it is acknowledged there is a need for continuous improvement at all levels.

The increasing emphasis on community involvement in government processes corresponds with growing citizen expectations for more accessible, responsive and accountable government. It also corresponds with an international trend towards more participatory and deliberative approaches to democratic governance.

Globally, there are a range of drivers and trends moving governments to improve community engagement in planning and decision-making.

They include:

1. Concerns about low levels of trust and confidence in government
2. Community expectations for governments to be responsive, accountable and effective
3. Mounting evidence and acknowledgement of increased social exclusion and disadvantage
4. The realisation that government does not have the expertise, resources or influence to solve all issues

Other global trends contributing to a growing interest in community engagement include:

- rising education levels
- increasing interest in seeing more citizen opinions and values reflected in government policies and decisions
- the changing nature of community and non-government organisations
- changes brought about by technology, which are providing opportunities for fast and direct communication between citizens and public officials.
Internationally, governments are shifting from a top-down model to ‘networked’ governance. This more inclusive approach acknowledges the importance of connections, facilitates increased citizen input into government processes, and emphasizes collaboration across the public, private and community sectors.

Under Western Australia’s Local Government Reform process, a new strategic planning model has been adopted. This Integrated Planning Framework (IPF) provides for a Strategic Community Plan (SCP), outlining the social, environmental and economic hopes, dreams and aspirations of all communities in Western Australia.

An absolute lynchpin of the entire IPF is community engagement. How communities are engaged, at what level, and with reviews, is critical to the success of any local government IPF. Whilst there are good examples of planning across the sector including the Shire of Lake Grace, the sector is encouraged to have a strategic planning system that delivers accountable and measurable linkages between the community aspirations and practical service delivery.

It is therefore considered paramount that local governments adopt a policy that will systematically capture the community sentiment, build organisational capacity to meet those needs and optimise the success of integrating the community component with other aspects of planning.

**Values Basis**
Councillors and senior staff have identified the values underpinning this new policy and have committed to actions that will strengthen the Shire’s approach to community engagement.

The values are as noted in Table 1:

<table>
<thead>
<tr>
<th>Values</th>
<th>Actions</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Integration</td>
<td>We will engage with community in ‘their space’ not a space that we create.</td>
<td>Community members already have a variety of ‘communities of interest’ and spaces where they interact; these will be utilised as starting points.</td>
</tr>
<tr>
<td>Respect</td>
<td>People matter...decisions are made on the basis of people’s needs leading to community ownership and continuous improvement for enhancing our quality of services proactively and collaboratively.</td>
<td>Government is a servant of the people and the people’s needs will be considered; listening to feedback and incorporating it where appropriate is essential to the process.</td>
</tr>
<tr>
<td>Communication</td>
<td>We will engage with the community at all levels using the most appropriate form of communication given the programme, project or task at hand.</td>
<td>Knowledge is power. We recognise that to empower our communities and our residents, information must be provided to all levels and communication must occur at all levels.</td>
</tr>
<tr>
<td>Inclusiveness</td>
<td>We will use an inclusive process that treats the participants with recognition &amp; respect and seeks a balanced outcome; brings the community close to us so we understand more of what they want and how to include the community’s thoughts.</td>
<td>Government and the community are involved together in everything we do.</td>
</tr>
<tr>
<td>Community Well-being</td>
<td>We believe in the creation of a sense of community well-being, and the provision of essential services and infrastructure.</td>
<td>Feeling included is an important aspect of meeting people’s needs.</td>
</tr>
<tr>
<td>Tolerance and Understanding</td>
<td>We believe it is important to have the community &amp; shire understand each other and the systems under which they work.</td>
<td>Statutory requirements as well as funding programs are often not well understood.</td>
</tr>
</tbody>
</table>
Community Engagement Policy

Purpose
Ensuring that residents of the Shire of Lake Grace have the maximum opportunity to contribute to their own social, economic and community well-being as well as good governance through information, consultation, and active participation in the development of major programs, projects and events throughout the Shire.

Councillors and senior staff have identified the levels of engagement to be used with this new policy and have committed to actions that will strengthen the Shire’s approach to community engagement.

These are as follows in Table 2:

<table>
<thead>
<tr>
<th>Actions</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each project/program will be reviewed to ensure the appropriate level of engagement is being used; council will use a balance/variety of engagement techniques in order to avoid ‘burnout’ and keep interest high.</td>
<td>Communities can be over-consulted resulting in consultation burn-out; the appropriate level will be inbuilt in the planning process.</td>
</tr>
<tr>
<td>A matrix will be developed listing all priorities and what levels of engagement will be used with each, including techniques; current strategic plans were developed under an older system.</td>
<td>The IPF is accepted, however, there is a need to update across the system with the state engaging at local levels as well.</td>
</tr>
<tr>
<td>Council commits to using all reasonable engagement practices and electronic means wherever reasonable to do so.</td>
<td>Regular use of all currently available means, including community newsletters as well as facebook, bang your fist and other interactive social media will be explored.</td>
</tr>
<tr>
<td>Council identifies priority projects as those financially &amp; physically achievable within available budgets, officer resources &amp; timeframes.</td>
<td>Timing of projects is important to avoid overtaxing officers or community members; elected members and senior staff are the arbiters of priority within budgetary, physical and staffing considerations.</td>
</tr>
<tr>
<td>Council will engage outside ‘experts’ whenever needed.</td>
<td>It is accepted that certain engagement techniques are best managed by outside consultants, particularly when projects begin from the ‘ideas’ stage as is the nature of active participation.</td>
</tr>
</tbody>
</table>
Community Engagement Procedure

Levels of Community Engagement
In the literature as well as in common practice, there are generally three to five levels of community engagement identified. Each level is most appropriate with certain programs and projects. In addition, certain projects and programs are able to draw from all levels as needed. It is recognised that levels of community engagement are not hierarchical but rather linear. It is further recognised that effective community engagement is built on trust, goodwill and respect, driven by a set of principles, not simply shaped by particular engagement techniques.

The levels accepted by the Shire of Lake Grace are identified in Table 3.

Table 3. Levels of Community Engagement

<table>
<thead>
<tr>
<th>Information sharing →</th>
<th>Consultation →</th>
<th>Active Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective</strong></td>
<td><strong>Objective</strong></td>
<td><strong>Objective</strong></td>
</tr>
<tr>
<td>To provide the public with balanced and objective information to assist them in understanding a problem, alternatives and/or solutions.</td>
<td>To obtain public feedback on analysis, alternatives and/or decisions.</td>
<td>To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</td>
</tr>
<tr>
<td><strong>Promise to the public</strong></td>
<td><strong>Promise to the public</strong></td>
<td><strong>Promise to the public</strong></td>
</tr>
<tr>
<td>We will keep you informed.</td>
<td>We will keep you informed, listen to and acknowledge concerns, and provide feedback on how public input influenced the decision.</td>
<td>We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decision to the maximum extent possible.</td>
</tr>
<tr>
<td><strong>General Nature</strong></td>
<td><strong>General Nature</strong></td>
<td><strong>General Nature</strong></td>
</tr>
<tr>
<td>• involves minimal level of engagement and community influence.</td>
<td>• involves shared level of engagement and community influence.</td>
<td>• involves a substantial level of engagement and community influence.</td>
</tr>
<tr>
<td>• advises community of decisions or services.</td>
<td>• government asks for views, considers views, provides feedback on how views affected final decision.</td>
<td>• individuals, communities and government work closely together to develop better policy, programs and services.</td>
</tr>
<tr>
<td>• information received by phone, postal, internet, educational activity, public notice boards, media.</td>
<td>• feedback takes time as decisions and changes take long time.</td>
<td>• includes regular meetings and participation of committees, reference groups or advisory groups.</td>
</tr>
</tbody>
</table>

• includes face-to-face meetings, on-line surveys, phone interviews.
## Example Tools

1. advertising
2. briefings
3. community meetings
4. community fairs or events
5. education & awareness programs
6. fact sheets
7. informal club forums
8. media stories
9. newsletters
10. news conferences
11. newspaper displays & inserts
12. online information
13. shopfronts
14. telephone hotline

## Example Tools

1. discussion groups & workshops
2. 1 to 1 interviews
3. open days
4. polls
5. road shows
6. survey research
7. web-based consultation

## Example Tools

1. action research
2. advisory committees
3. charrettes
4. citizen juries & citizens’ panels
5. collective learning technique (world café)
6. community reference groups
7. community visioning
8. deliberative polling
9. deliberative retreats
10. design workshops
11. drama workshops
12. fishbowls
13. focus groups
14. futures search conference
15. imagining
16. learning circles
17. participatory editing
18. precinct committees
19. partnerships for active participation
20. negotiation tables
21. nominal group workshops
22. photovoice
23. policy action teams
24. planning for Real
25. open space technology
26. summits

Examples of projects and the level of engagement needed as well as how the results will be incorporated into the Strategic Community Plan are illustrated in Table 4 (not in priority order):

<table>
<thead>
<tr>
<th>Program/Program/Idea</th>
<th>Engagement Level</th>
<th>Incorporation into Strategic Community Plan</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newdegate Heavy Haulage Bypass</td>
<td>combination of levels –</td>
<td>• Section of strategic plan is dedicated to roadworks programme</td>
<td>• This has been a controversial project and should not be addressed in only one or two ways</td>
</tr>
<tr>
<td></td>
<td>• newsletter/invitation to a community forum</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• explain project has been dusted off</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• community forum as an active process</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• electronic consultation as it affects all age groups</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake King Tractor Museum</td>
<td>active participation -</td>
<td>• Forward to council for formal approval (specified area rated project)</td>
<td>• this is a community initiative with the community already involved and discussing already for some time</td>
</tr>
<tr>
<td></td>
<td>• formal proposal with planning approval</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• allocating officer to work with community group subcommittee</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• funding applications as well as specified area rating</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Redevelopment of Lake Grace</td>
<td>active participation -</td>
<td>• Forward to council for formal approval (specified area rated project)</td>
<td>• working group already established</td>
</tr>
<tr>
<td></td>
<td>• community working group to develop concept</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• concept to be endorsed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Topic</td>
<td>Description</td>
<td>Action</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>
| **Sporting Precinct**                                                | by council  
• concept disseminated to the community through specialised area rating policy                                                                                                                        | • Must comply with policy                                                                                                                                 |
| **Self-funded retiree villages in Lake Grace & Newdegate**           | active participation and collaboration  
• already 1 community committee in Lake Grace  
• Councillors reporting back  
• community poll/survey for layout, design, costs  
• newsletters/shire notes/website/facebook and direct contact                                                                                   | • Councillors reporting  
• Influence the timing of the proposal  
• community needs to be assessed so project is not over or under-capitalised                                                                             |
| **Provision of digital TV throughout Shire**                         | information –  
• fact sheets  
• newsletters  
• education & awareness program to decide which model                                                                                              | • When strategic plan is reviewed, incorporate as it is already in corporate plan  
• was a budget decision by council, already in plan  
• self-funded by council  
• transmission sites + satellites or only satellites is only decision remaining                                                                             |
| **Stable, affordable power for Newdegate**                           | active participation -  
• start at the beginning with power options  
• what can the community do?  
• is it really a problem?  
• how do we address the real issue?                                                                                                                   | • This does not exist in the current strategic plan (only in general terms)  
• Incorporation would depend on the further development of the idea  
• is an idea/pilot project                                                                                                                                 |
| **Housing across the timeline of life**                              | active participation –  
• use tribal groups  
• interact with natural groupings in the community                                                                                                   | • Exists as item 2.2 in the current strategic plan but needs clarification with the community  
• includes self-funded retirees/aged care/ dementia and shire housing in general  
• not sure we’ve got it right                                                                                                                        |
POLICY 1.13  RISK MANAGEMENT

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

POLICY To achieve best practice (aligned with AS/NZ ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

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

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

Every employee, elected member, volunteer and contractor within the Shire is recognised as having a role in risk management.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

OBJECTIVES

1. To optimise the achievement of the Shire’s vision, experiences, strategies, goals and objectives.
2. To provide transparent and formal oversight of the risk and control environment to enable effective decision making.
3. To enhance risk versus return within our risk appetite.
4. To embed appropriate and effective controls to mitigate risk.
5. To achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
6. To enhance organisational resilience.
7. To identify and provide for the continuity of critical operations.

RISK APPETITE - The Shire defines its risk appetite through the development and endorsement of the Shire’s Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire’s Risk Assessment and Acceptance Criteria (Attachment Policy 1.13) to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation’s appetite and are to be noted within the individual risk assessment and approved by a member of the Senior Management Team.

GUIDELINES Definitions (from AS/NZ ISO 31000:2009)

Risk: Effect of uncertainty on objectives.
Note 1: An effect is a deviation from the expected – positive or negative.
Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

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

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

Local Government Act 1995
Local Government (Audit) Regulations – Reg 17

ROLES, RESPONSIBILITIES & ACCOUNTABILITIES - Council’s role is to:
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

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

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

This policy will be kept under review by the Shire’s Senior Management Team and will be formally reviewed by Council biennially.

HISTORY
Adopted by Council 22 October 2014 Resolution No 11928
February 2017 – major review adopted by Council March 2017 Resolution No 12494

REVIEW
Chief Executive Officer
## MEASURES OF CONSEQUENCE

<table>
<thead>
<tr>
<th>RATING</th>
<th>PEOPLE</th>
<th>INTERRUPTION TO SERVICE</th>
<th>REPUTATION (Social / Community)</th>
<th>COMPLIANCE</th>
<th>PROPERTY (Plant, Equipment, Buildings)</th>
<th>NATURAL ENVIRONMENT</th>
<th>FINANCIAL IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insignificant (1)</td>
<td>Near-Miss</td>
<td>No material service interruption Less than 1 hour</td>
<td>Unsubstantiated, localised low impact on community trust, low profile or no media item.</td>
<td>No noticeable regulatory or statutory impact</td>
<td>Inconsequential damage.</td>
<td>Contained, reversible impact managed by on site response</td>
<td>Less than $5,000</td>
</tr>
<tr>
<td>Minor (2)</td>
<td>First Aid Treatment</td>
<td>Short term temporary interruption – backlog cleared &lt; 1 day</td>
<td>Substantiated, localised impact on community trust or low media item</td>
<td>Some temporary non compliances</td>
<td>Localised damage rectified by routine internal procedures</td>
<td>Contained, reversible impact managed by internal response</td>
<td>$5,000 - $50,000</td>
</tr>
<tr>
<td>Moderate (3)</td>
<td>Medical treatment / Lost time injury &gt;30 Days</td>
<td>Medium term temporary interruption – backlog cleared by additional resources &lt; 1 week</td>
<td>Substantiated, public embarrassment, moderate impact on community trust or moderate media profile</td>
<td>Short term non-compliance but with significant regulatory requirements imposed</td>
<td>Localised damage requiring external resources to rectify</td>
<td>Contained, reversible impact managed by external agencies</td>
<td>$50,001 to $200,000</td>
</tr>
<tr>
<td>Major (4)</td>
<td>Lost time injury &lt;30 Days / temporary disability</td>
<td>Prolonged interruption of services – additional resources; performance affected &lt; 1 month</td>
<td>Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions</td>
<td>Non-compliance results in termination of services or imposed penalties to Shire / Officers</td>
<td>Significant damage requiring internal &amp; external resources to rectify</td>
<td>Uncontained, reversible impact managed by a coordinated response from external agencies</td>
<td>$200 000 to $500,000</td>
</tr>
<tr>
<td>Extreme (5)</td>
<td>Fatality, permanent disability</td>
<td>Indeterminate prolonged interruption of services non-performance &gt; 1 month</td>
<td>Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions</td>
<td>Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire / Officers</td>
<td>Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment &amp; building</td>
<td>Uncontained, irreversible impact</td>
<td>&gt;$500,000</td>
</tr>
</tbody>
</table>
### MEASURES OF CONSEQUENCE (PROJECT)

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>RATING</th>
<th>Project TIME</th>
<th>Project COST</th>
<th>Project SCOPE / QUALITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Insignificant</td>
<td>Exceeds deadline by &gt;5% of project timeline</td>
<td>Exceeds project budget by 2%</td>
<td>Minor variations to project scope or quality</td>
</tr>
<tr>
<td>2</td>
<td>Minor</td>
<td>Exceeds deadline by &gt;10% of project timeline</td>
<td>Exceeds project budget by 5%</td>
<td>Scope creep requiring additional work, time or resources. Reduced perception of quality by Stakeholders.</td>
</tr>
<tr>
<td>3</td>
<td>Moderate</td>
<td>Exceeds deadline by &gt;15% of project timeline</td>
<td>Exceeds project budget by 7.5%</td>
<td>Scope creep requiring additional work, time and resources or shortcuts being taken. Stakeholder concerns.</td>
</tr>
<tr>
<td>4</td>
<td>Major</td>
<td>Exceeds deadline by &gt;20% of project timeline</td>
<td>Exceeds project budget by 15%</td>
<td>Project goals, deliverables, costs and/or deadline failures. Project no longer aligned with the project scope Stakeholder intervention in project.</td>
</tr>
<tr>
<td>5</td>
<td>Extreme</td>
<td>Exceeds deadline by 25% of project timeline</td>
<td>Exceeds project budget by 20%</td>
<td>Failure to meet project objectives. Project outcomes negatively affecting the community or the environment. Public embarrassment, third party actions.</td>
</tr>
</tbody>
</table>

### MEASURES OF LIKELIHOOD

<table>
<thead>
<tr>
<th>Level</th>
<th>Rating</th>
<th>Description</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Almost Certain</td>
<td>The event is expected to occur in most circumstances</td>
<td>More than once per year</td>
</tr>
<tr>
<td>4</td>
<td>Likely</td>
<td>The event will probably occur in most circumstances</td>
<td>At least once per year</td>
</tr>
<tr>
<td>3</td>
<td>Possible</td>
<td>The event should occur at some time</td>
<td>At least once in 3 years</td>
</tr>
<tr>
<td>2</td>
<td>Unlikely</td>
<td>The event could occur at some time</td>
<td>At least once in 10 years</td>
</tr>
<tr>
<td>1</td>
<td>Rare</td>
<td>The event may only occur in exceptional circumstances</td>
<td>Less than once in 15 years</td>
</tr>
<tr>
<td>Likelihood</td>
<td>Consequence</td>
<td>Insignificant</td>
<td>Minor</td>
</tr>
<tr>
<td>--------------------</td>
<td>-------------</td>
<td>---------------</td>
<td>----------</td>
</tr>
<tr>
<td>Almost Certain</td>
<td>5</td>
<td>Medium (5)</td>
<td>Low (4)</td>
</tr>
<tr>
<td>Likely</td>
<td>4</td>
<td>Low (4)</td>
<td>Medium (8)</td>
</tr>
<tr>
<td>Possible</td>
<td>3</td>
<td>Low (3)</td>
<td>Low (2)</td>
</tr>
<tr>
<td>Unlikely</td>
<td>2</td>
<td>Low (2)</td>
<td>Low (4)</td>
</tr>
<tr>
<td>Rare</td>
<td>1</td>
<td>Low (1)</td>
<td>Low (2)</td>
</tr>
</tbody>
</table>

**RISK ACCEPTANCE**

<table>
<thead>
<tr>
<th>Risk Rank</th>
<th>Description</th>
<th>Criteria</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOW (1-4)</td>
<td>Acceptable</td>
<td>Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring</td>
<td>Operational Manager</td>
</tr>
<tr>
<td>MEDIUM (5-9)</td>
<td>Monitor</td>
<td>Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring</td>
<td>Executive Manager</td>
</tr>
<tr>
<td>HIGH (10-16)</td>
<td>Urgent Attention Required</td>
<td>Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring</td>
<td>Senior Management Team</td>
</tr>
<tr>
<td>EXTREME (17-25)</td>
<td>Unacceptable</td>
<td>Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring</td>
<td>CEO &amp; Council</td>
</tr>
</tbody>
</table>
## Existing Controls Ratings

<table>
<thead>
<tr>
<th>Rating</th>
<th>Foreseeable</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective</td>
<td>There is little scope for improvement.</td>
<td>Processes (Controls) operating as intended and / or aligned to Policies &amp; Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.</td>
</tr>
<tr>
<td>Adequate</td>
<td>There is some scope for improvement.</td>
<td>Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.</td>
</tr>
<tr>
<td>Inadequate</td>
<td>A need for corrective and / or improvement actions exist.</td>
<td>Processes (Controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.</td>
</tr>
</tbody>
</table>
POLICY 1.14  Christmas / New Year Closure of Council Facilities

POLICY
The Administration Centre will be closed for business on Christmas Eve and re-open on the first working day following New Year’s Day.

Shire staff will take leave entitlements during this closure period for those days that are not designated public holidays.

The Lake Grace and Newdegate landfill sites close on Christmas Day only. All other normal operating times apply over the Christmas / New Year period.

The Lake Grace Swimming Pool closes on Christmas Day only. All other normal operating times apply over the Christmas / New Year period.

OBJECTIVES
This policy is for the authorisation for the Council facilities, i.e. Administration, Infrastructure Services, Depot and Visitor Centre, to close over the Christmas and New Year period.

GUIDELINES
An emergency contact list must be provided with the office closure and advertised in the local newspapers from mid-November.

HISTORY
Adopted by Council 26 October 2016 Resolution No 12383

REVIEW
Chief Executive Officer
POLICY 1.15  Electoral Caretaker Period

POLICY
The Electoral Caretaker Period policy as per Attachment 1.15 is adopted as Council policy.

OBJECTIVES
To establish protocols for the purpose of preventing actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Lake Grace during the period immediately prior to an election.

GUIDELINES
This policy applies to Council Members and Employees and specifically applies during a ‘Caretaker Period’ to:

(a) Decisions made by the Council;
(b) Decisions made under delegated authority;
(c) Decisions made administratively;
(d) Promotional materials published by the Shire of Lake Grace;
(e) Discretionary community consultation;
(f) Events and functions, held by the Shire of Lake Grace or other organisations;
(g) Use of the Shire of Lake Grace’s resources;
(h) Access to information held by the Shire of Lake Grace.

HISTORY
New Policy Adopted by Council 19 December 2018 Motion 12897

REVIEW
Chief Executive Officer
Definitions

‘Caretaker Period’ means the period of time prior to an Election Day, specifically being the period from the close of nominations (37 days prior to the Election Day in accordance with s.4.49(a) of the Local Government Act 1995) until 6.00pm on Election Day.

‘CEO’ means the Chief Executive Officer of the Shire of Lake Grace.

‘Election Day’ means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election. For the purposes of this Policy, ‘Election Day’ meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

‘Electoral Material’ means any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

(a) An advertisement in a newspaper announcing the holding of a meeting (s.4.87 (3) of the Local Government Act 1995); or
(b) Any materials exempted under Regulation 78 of the Local Government (Elections) Regulations 1997; or
(c) Any materials produced by the Shire of Lake Grace relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

‘Events and Functions’ means gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Shire of Lake Grace and / or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the Shire of Lake Grace or an external entity.

‘Extraordinary Circumstances’ means a circumstance that requires the Council to make or announce a Major Policy Decision during the Caretaker Period because, in the CEO’s opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

(a) incur or increase legal, financial and/or reputational risk; or
(b) cause detriment to the strategic objectives of the Shire of Lake Grace.

‘Major Policy Decision’ means any decision:

(a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [s.5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;
(b) Relating to the Shire of Lake Grace entering into a sponsorship arrangement with a total Shire of Lake Grace contribution that would constitute Significant Expenditure, unless the Council resolved “in principle” support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
(c) Relating to the Shire of Lake Grace entering into a commercial enterprise as defined by Section 3.59 of the Local Government Act 1995;
(d) That would commit the Shire of Lake Grace to Significant Expenditure or actions that, in the CEO’s opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community,
(e) To prepare a report, initiated by the Administration, a Council Member, candidate or member of the public that, in the CEO’s opinion, may be perceived as or is actually an election campaign issue;
(f) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO’s opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above.

(g) That adopts a new policy, service or service level or significantly amends an existing policy, service or service level, unless the decision is necessary to comply with legislation.

(h) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.

(i) Major Policy Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Shire President in accordance with s.6.8(1)(c) of the Local Government Act 1995.

‘Caretaker Protocol’ means the practices or procedures prescribed in this Policy.

‘Public Consultation’ means a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue, but does not include statutory consultation / submission periods prescribed in a written law.

‘Significant Expenditure’ means expenditure that exceeds 0.1% of the City’s annual budgeted revenue (inclusive of GST) in the relevant financial year. (As at 2017/2018 the estimated threshold is $14,158).

Caretaker Period Protocols - Decision Making

The CEO will ensure that:

(a) Council Members and employees are advised in writing of the impending Caretaker Period and Policy requirements at least 30-days prior to the commencement of a Caretaker Period.

(b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

Scheduling Major Policy Decisions

1. During a Caretaker Period, unless Extraordinary Circumstances apply, the CEO will reasonably ensure that:
   (a) Council or Committee Agenda, do not include reports and / or recommendations that constitute Major Policy Decisions; and
   (b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to Major Policy Decisions.

2. The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Major Policy Decisions are either:
   (a) Considered by the Council prior to the Caretaker Period; or
   (b) Scheduled for determination by the incoming Council.

3. The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated Authority from the Council to the CEO or a Committee is not exercised where the exercise of that delegated authority relates to a Major Policy Decision or an election campaign issue.

Council Reports Electoral Caretaker Period Policy Statement

Each report included in an Agenda for Council’s consideration during a Caretaker Period, will include a statement that demonstrates due consideration of the requirements of this Policy.

If the matter is not a Major Policy Decision, the following statement must appear in the Report:
Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire’s Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council’s consideration.

Extraordinary Circumstances

1. Council Reports

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may submit a report on a Major Policy Decision for Council’s consideration, subject to the report including:

(a) Details, if applicable, of:
   (i) Options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.
   (ii) How potential electoral impacts will be managed or mitigated.

(b) An Electoral Caretaker Period Policy Statement, which details why Extraordinary Circumstances apply.

(c) An Officer Recommendation, for Council’s to accept Exceptional Circumstances apply and receive the report for consideration. This Recommendation is to be considered and resolved by Council, prior to debate of the substantive recommendation relating to the Major Policy Decision

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been determined as a Major Policy Decision within the context of the Shire’s Electoral Caretaker Period Policy for the following reasons:

• [list reasons]

In accordance with the Shire’s Electoral Caretaker Period Policy, the CEO seeks a Council Resolution to enable Council’s consideration of the matter due to the following Exceptional Circumstances:

• [list reasons]

Officer Recommendation

That Council, in accordance with the Electoral Caretaker Period Policy, determines in regard to the Report titled “insert report title” to:

1. Accept that Exceptional Circumstances exist: and therefore

2. Receives the Report for Council’s consideration.

2. Council Forums, Workshops or Briefings

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may include matters relating to a Major Policy Decision for Council Member discussion at Council Forums, Workshops or Briefings.

The CEO is required to provide Council with advice as to why Exceptional Circumstances apply and how potential electoral impacts will be managed or mitigated. Details of this
Managing CEO Employment

This Policy, prohibits Major Policy Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO’s employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

1. The Council may consider and determine:
   (a) CEO’s leave applications;
   (b) appoint an Acting CEO, where necessary;
   (c) suspend the current CEO, where appropriate and in accordance with the terms of their contract

2. The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period.

Delegated Authority Decision Making in Extraordinary Circumstances

During a Caretaker Period, Employees who have Delegated Authority shall not exercise that delegated authority where the matter relates to a Major Policy Decision or an election campaign issue. All such decisions under delegated authority must be referred to the CEO for review in consideration of clause 2.1(3) above.

Caretaker Period Protocols - Candidates

Part 3 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

Candidates, including Council Members who have nominated for re-election, shall be provided with equitable access to the Shire’s public information.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the Shire’s operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire.

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

Candidate Requests on behalf of Electors, Residents or Ratepayers

Candidates, including Council Members who have nominated for re-election, may advise the Shire where they have received elector, resident or ratepayer requests for advice, information or responses to matters relevant to the Shire.

Responses will not be provided to the candidate on the basis that the provision of responses to enquiries from electors, residents or ratepayers regarding the operations of the Local Government is an administrative function (refer Regulation 9 of the Local Government (Rules of Conduct) Regulations 2007).

Therefore, candidates requests made on behalf of an elector, resident or ratepayer, will be responded to by the Shire’s Administration directly to the requesting elector, resident or ratepayer.

Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, are prohibited from using the Shire’s official crest or logo in any campaign Electoral Materials.
Candidate attendance at Meetings

To ensure equitable access to information about Council’s decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Council Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period; providing each Candidate with a copy of the meeting agenda at the time it is distributed to Council Members.

For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

Council Member Caretaker Period Protocols

Part 4 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

Access to Information and Advice

All Council Members will scrupulously avoid using or accessing Shire information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person’s candidacy.

All Council Member requests for information and advice from the Shire will be reviewed by the CEO and where the subject of the information or advice is considered as being related to an election campaign issue, the CEO will have absolute discretion to determine if the information or advice is / is not provided, including where information is provided to one candidate, if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

Media and Publicity

All Council Member requests for media advice or assistance during a Caretaker Period, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO’s opinion, the subject matter is relevant to the Shire’s objectives or operations and is not related to an election campaign purpose or issue or to the Council Member’s candidacy or the candidacy of another person.

Council Member Business Cards, Shire Printed Materials

Council Members must ensure that Shire business cards and printed materials are only used for purposes associated with their role of a Councillor, in accordance with section 3.10 of the Local Government Act 1995.

Council Members are prohibited from using Shire business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council’s appointed delegate to an external organisation, must not use their attendance at an external organisation’s meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

Council Member Addresses / Speeches

Excluding the Shire President and Deputy Shire President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the Local Government Act 1995, Council Members who have
nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire, unless expressly authorised by the CEO.

In any case, the Shire President, Deputy Shire President and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

Council Member Misuse of Local Government Resources

A Council Member who uses Shire resources for the purpose of persuading electors to vote in a particular way is a “misuse of Local Government resources” breach in accordance with Regulation 8 of the *Local Government (Rules of Conduct) Regulations 2007*.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Shire provided equipment, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the Shire.

Shire Publicity, Promotional and Civic Activities

Part 5 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

(a) Promoting Shire services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,

(b) Conducting the Election and promoting Elector participation in the Election

All other, publicity and promotional activities of Shire initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Major Policy Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Exceptional Circumstances apply and if a Major Policy Decision announcement is necessary during a Caretaker Period.

Civic Events and Functions

The Shire will avoid the scheduling of Civic Events and Functions during a Caretaker Period, so as to avoid any actual or perceived electoral advantage that may be provided to Council Members who have nominated for re-election.

Where the Shire is required to schedule a Civic Event or Function during a Caretaker Period, all Candidates will be invited to attend and will be provided with the similar prominence and protocol courtesies as provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

Shire Publications and Communications

All Shire publications and communications distributed during a Caretaker Period must not include content that:

(a) may actually, or be perceived to, persuade voting in an election; or

(b) is specific to a candidate or candidates, to the exclusion of other candidates;

(c) draws focus to or promotes a matter which is a Major Policy Decision or which is an electoral campaign issue.
All Shire publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

**Shire Website and Social Media Content**

1. During the Caretaker Period, the Shire’s website and social media will not contain any material which does not accord with the requirements of this Policy. For example, Council Member profiles will be removed from the website during a Caretaker Period.

   Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Shire Delegates on external committees and organisations.

2. Historical website and social media content, published prior to a Caretaker Period, and which does not comply with this policy will not be removed.

3. New website or social media content which relates to Major Policy Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.

4. Content posted by the public, candidates or Council Members on the Shire’s social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

**Community Consultation**

Unless consultation is mandated under a written law or Exceptional Circumstances apply, community consultation relevant to Major Policy Decisions or potentially contentious election campaign issues, will not be initiated so that the consultation period is conducted immediately prior to, throughout or concluding during, a Caretaker Period.
POLICY 1.16  Bereavement Recognition

POLICY

The Shire of Lake Grace is proud of its history and by recognising individual deceased persons who have been closely associated with the Shire and/or its history, Council can acknowledge the contribution made to the district by those persons and their immediate families, as a mark of respect on behalf of its community.

This policy applies to all Shire of Lake Grace residents and ratepayers as well as Shire of Lake Grace staff.

The policy is to ensure persons who have been closely associated with the Shire and/or its history are acknowledged and recognised for their contribution to the district with a death notice in The West Australian newspaper and a bouquet of flowers for the deceased person's family (or a donation to a charity if requested by the family).

This bereavement policy will recognise (but is not limited to) the following groups of people:

- Freemen
- Early settlers, pioneers
- Politicians
- Elected Members (both past and present)
- Shire of Lake Grace staff (present)

Entitlement to recognition

Those to be recognised on their passing include but are not limited to:

- Current and former Elected Members of the Shire of Lake Grace
- Immediate family members of current Elected Members of the Shire of Lake Grace
- Former members of the Lake Grace Road Board and Shire of Lake Grace
- Former Commissioners and Shire Clerks of the Lake Grace Road Board and Shire of LakeGrace
- Freemen of the Shire of Lake Grace
- Immediate family members of Freemen of the Shire of Lake Grace
- Persons honoured as a Pioneer of the Lake Grace district
- Chief Executive Officers appointed by the Shire of Lake Grace since its establishment.
- Staff employed by the Shire of Lake Grace since its establishment and "in service" at the date of their passing
- Identities of the Shire of Lake Grace as agreed by the Shire President and Chief Executive Officer

Form of recognition

The Shire recognises the death of a person closely associated with the district by following established funeral etiquette, respecting the wishes of the immediate family (if known), and being sensitive to the deceased's cultural or religious beliefs (if known). Generally, this recognition will take the form of:

(1) A public expression of sympathy on behalf of the district, by placing a notice in the Death Notices of The West Australian newspaper;
(2) Sending a sympathy (condolence) card or a personal note to the immediate family (if known) on behalf of Council and staff;
(3) A floral tribute where this form of sympathy is considered acceptable by the family;
(4) Flags may be flown at half-mast on the day, or part of the day, of their funeral at the discretion of the Shire President and/or Chief Executive Officer; and
(5) When considered appropriate by the Shire President and the Chief Executive Officer, inviting Elected Members or senior staff to represent the Shire at the funeral service, dependent upon the type of service being sought.

Note:
Where Elected Members or senior staff member has a personal connection to the deceased, it is the individual's prerogative to attend the funeral on their own behalf.

Timing of recognition
Funeral etiquette dictates that formal recognition occurs at the time of the death or at the funeral service.
The funeral service provides for the proper remembrance of the person who has died. Where Council is notified of a death after a funeral service has taken place, it is still appropriate to send a sympathy card or a personal note of condolence.

OBJECTIVES
The purpose of this policy is to ensure proper and appropriate recognition of deceased persons closely associated with the Shire of Lake Grace and/or its history.

GUIDELINES
Department of the Prime Minister and Cabinet - Australian flags – Part 2: The protocols for the appropriate use and the flying of the flag.

HISTORY
New Policy Adopted by Council 19 December 2018 Motion 12897

REVIEW
Chief Executive Officer
SECTION 2 COMMUNITY SUPPORT

POLICY 2.1 Charitable Works: Revoked June 2015

POLICY 2.2 Donations – Water, Rates & Charges

POLICY That in respect to the following properties within the Shire of Lake Grace, Council will donate on an annual basis an amount equal to the cost of water rates and consumption charges:

- Lake Grace St John Ambulance Sub Centre, Lot 501, Stubbs Street, Lake Grace
- Newdegate St John Ambulance Sub Centre Lot 32, Collier Street, Newdegate
- Lake King St John Ambulance Sub Centre Lot 158, Church Avenue, Lake King
- Varley St John Ambulance Sub Centre Lot 15, Arthur Street, Varley
- Lake Grace Country Women’s Association Building & Playground Lot 40, Bennett Street, Lake Grace

That in respect to the following properties within the Shire of Lake Grace, Council will donate on an annual basis the rates and charges raised and levied by the Shire of Lake Grace:

- Lake Grace St John Ambulance Sub Centre Lot 501, Stubbs Street, Lake Grace
- Newdegate St John Ambulance Sub Centre Lot 32, Collier Street, Newdegate
- Lake King St John Ambulance Sub Centre Lot 158, Church Avenue, Lake King
- Varley St John Ambulance Sub Centre Lot 15, Arthur Street, Varley
- Lake Grace Country Women’s Association Building & Playground Lot 40, Bennett Street, Lake Grace
- Varley & Districts Progress Association “Chicken Ranch” Lot 22, Seward Avenue, Varley

OBJECTIVES To provide support for essential community services, and recognise the contribution by local volunteer groups in providing and maintaining parklands, playgrounds and tourist facilities.

GUIDELINES The determination of the amount of any donations will be considered as part of the normal municipal budget considerations.

HISTORY Former policy 1.20 as amended August 2001 motion 9035.
Amended as per review Motion 10230 July 2006.
Former policies 2.2, 2.3 & 2.4 - amended as per review Motion 10893 October 2009 – consolidation of policies.
Amended 22 June 2016 Motion 12312.
Amended 19 December 2018 Motion 12897

REVIEW Deputy Chief Executive Officer
POLICY 2.5  Joint Venture Housing: Revoked June 2015

POLICY 2.6  Concessions – Hall Hire Fees – Not for Profit Groups/Residents:
Revoked June 2015

POLICY 2.7  Australia Day Breakfast

POLICY  An Australia Day function will be held at the Lake Grace Swimming Pool for the formal announcement of the Shire’s Annual Australia Day Awards.

To encourage community participation in the event, Council when framing its annual budget may resolve by absolute majority to waive pool admittance fees on the day.

OBJECTIVES  To encourage attendance at the formal announcement of Council’s annual Australia Day Awards.

GUIDELINES  The Shire will seek the assistance of local groups and organisations to host the Australia Day function at the Lake Grace Swimming Pool.

HISTORY  Adopted December 2005 Motion 10029.
Reviewed July 2006 Motion 10234.
Amended June 2015 Motion 12059.

REVIEW  Chief Executive Officer
POLICY 2.8  Vehicle Licence Plates – Special Authority Series

POLICY  Those persons wishing to purchase Special Series Vehicle Licence Number Plates being numerical LG embossed with the ‘The Growing Centre’ and Council crest are to make application as per guidelines.

A component of the fee as determined by Council from time to time will be allocated to a group or organisation represented within the Shire of Lake Grace.

OBJECTIVES  To provide a mechanism for the acquisition of Special Series Vehicle Licence Number Plates, and to outline the method of distribution of portion of the fee to local groups and organisations.

GUIDELINES  1.  Staff will ensure that the application is correctly completed.
2.  Application to be made on specified Department of Transport, Series Special Number Plates Application Form.
3.  When a buyer elects to donate the profit margin from the sale of the Special Series Vehicle Licence Plates to a community based project the following points will be used in determining the acceptability of that project:
   a)  Projects to be of a tangible nature i.e. new buildings or major additions/renovations to existing buildings.
   b)  Projects to be of benefit to the Shire or particular community at large.
   c)  Project to have in place an established and functioning committee.

HISTORY  Policy adopted as per Motion 10248 July 2006.
Amended 22 June 2016 Motion 12312.

REVIEW  Deputy Chief Executive Officer
POLICY 3.1  Self Supporting Loans

POLICY  Council may raise a loan on behalf of a group or organisation with the group or organisation being responsible for the repayment of principal and interest charges subject to terms and conditions determined by Council.

OBJECTIVES  To identify Council’s willingness to provide support to groups and organisations within the Shire.

GUIDELINES  Approval will be considered where the club or organisation can adequately demonstrate by the provision of forward financial plans covering the life of the loan, a capacity to meet the loan repayments.

The term of the loan should be less than or equal to the half-life of the capital works or improvements undertaken. This is to enable the club or organisation sufficient time to set aside a cash reserve for the future refurbishment or replacement of those improvements.

The club or organisation must demonstrate a satisfactory past payment history with at least principal suppliers one of which may be the Shire of Lake Grace where such history exists.

HISTORY  Former policies 2.4 & 2.6. Updated Motion 10602 April 2008. Amended 22 June 2016 Motion 12312.

REVIEW  Deputy Chief Executive Officer

POLICY 3.2  Significant Accounting Policies

POLICY  The Statement of Significant Accounting Policies as per the following pages is adopted as Council policy.

OBJECTIVES  To clearly identify the basis upon which Council’s financial statements are prepared.

GUIDELINES

HISTORY  Former policy 2.14
Motion 9292 September 2002 – Effective July 2002 Policy adopted to comply with Accounting Standard AASB 1041 “Revaluation of Non-Current Assets”.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.
Amended 19 December 2018 Motion 12897

REVIEW  Deputy Chief Executive Officer
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), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations.

Material accounting policies which have been adopted in the preparation of this financial report are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

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

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

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 this financial report.

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

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

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

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

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

(b) Cash and Cash Equivalents
Cash and cash equivalents include cash 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 of changes in value and bank overdrafts.

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

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(d) 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 sale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on the Council’s intentions to release for sale.

(e) Fixed Assets

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

Mandatory requirement to revalue non-current assets

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory. During the year ended 30 June 2013, the Shire commenced the process of adopting Fair Value in accordance with the Regulations. Whilst the amendments initially allowed for a phasing in of fair value in relation to fixed assets over three years, as at 30 June 2015 all non-current assets were carried at Fair Value in accordance with the the requirements. Thereafter, each asset class must be revalued in accordance with the regulatory framework established and relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the financial report as necessary. The Shire revalues its asset classes in accordance with this mandatory timetable.

Land under control

In accordance with Local Government (Financial Management) Regulation 16(a)(ii), the Shire was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or Regional significance. Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

Initial recognition and measurement between mandatory revaluation dates

All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above. In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

**Revaluation**

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 asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

**Land under roads**

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

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

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

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

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

**Depreciation**

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset’s useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

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

a) Restated proportionately with the change in the gross carrying amount of the asset so that the carrying amount of the asset after revaluation equals its revalued amount; or

b) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

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

<table>
<thead>
<tr>
<th>Asset Type</th>
<th>Depreciation Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
<td>30 to 50 years</td>
</tr>
<tr>
<td>Furniture and equipment</td>
<td>4 to 10 years</td>
</tr>
<tr>
<td>Plant and equipment</td>
<td>5 to 15 years</td>
</tr>
<tr>
<td>Sealed roads and streets</td>
<td></td>
</tr>
<tr>
<td>formation</td>
<td>not depreciated</td>
</tr>
<tr>
<td>pavement</td>
<td>50 years</td>
</tr>
<tr>
<td>seal</td>
<td></td>
</tr>
<tr>
<td>- bituminous seals</td>
<td>20 years</td>
</tr>
<tr>
<td>- asphalt surfaces</td>
<td>25 years</td>
</tr>
<tr>
<td>Gravel roads</td>
<td></td>
</tr>
<tr>
<td>formation</td>
<td>not depreciated</td>
</tr>
<tr>
<td>pavement</td>
<td>50 years</td>
</tr>
<tr>
<td>gravel sheet</td>
<td>12 years</td>
</tr>
<tr>
<td>Formed roads (unsealed)</td>
<td></td>
</tr>
<tr>
<td>formation</td>
<td>not depreciated</td>
</tr>
<tr>
<td>pavement</td>
<td>50 years</td>
</tr>
<tr>
<td>Footpaths - slab</td>
<td>40 years</td>
</tr>
</tbody>
</table>
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.

(f) Fair Value of Assets and Liabilities
When performing a revaluation, the Shire uses a mix of both independent and management valuations using the following as a guide:

Fair Value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date. As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.
To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs). For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

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

**Level 1**
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

**Level 2**
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

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

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

Market approach
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.
**Income approach**
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

**Cost approach**
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity. Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

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

**Financial Instruments**

*Initial recognition and measurement*
Financial assets and financial liabilities are recognised when the Shire becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Shire commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

*Classification and subsequent measurement*
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or at cost. Amortised cost is calculated as:

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

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

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

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

(iii) Held-to-maturity investments
Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Shire has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
Held-to-maturity investments are included in current assets, where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as noncurrent.

(iv) Available-for-sale financial assets
Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments. They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

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

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

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

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

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

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

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

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

(h) Impairment of Assets
In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired. Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.
For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

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

(j) Employee Benefits
Short-term employee benefits
Provision is made for the Shire’s obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled. The Shire’s obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Shire’s obligations for employees’ annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Other long-term employee benefits
Provision is made for employees’ long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire’s 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.

(k) 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.

(l) 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.

(m) Leases
Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the Shire, are classified as finance leases. Finance leases are capitalised recording an asset and a liability at the lower amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.
Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term.
Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.
Lease incentives under operating leases are recognised as a liability and amortised on a straight line basis over the life of the lease term.

(n) Investment in Associates
An associate is an entity over which the Shire has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Shire's share of net assets of the associate.
In addition, the Shire’s share of the profit or loss of the associate is included in the Shire’s profit or loss. The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the Shire’s share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired. Profits and losses resulting from transactions between the Shire and the associate are eliminated to the extent of the Shire’s interest in the associate.
When the Shire’s share of losses in an associate equals or exceeds its interest in the associate, the Shire discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently makes profits, the Shire will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(o) Interests in Joint Arrangements
Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required. Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method. Refer to note 1(n) for a description of the equity method of accounting.
Joint venture operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The Shire’s interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements. Information about the joint ventures is set out in Note

(p) Rates, Grants, Donations and Other Contributions
Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.
Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government’s operations for the current reporting period.

(q) 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.

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

(s) Rounding Off Figures
All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

(t) Comparative Figures
Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.
When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

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

(v) New Accounting Standards and Interpretations for Application in Future Periods
The AASB has issued a number of new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods, some of which are relevant to the Shire.

Management’s assessment of the new and amended pronouncements that are relevant to the Shire, applicable to future reporting periods and which have not yet been adopted are set out as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Issued / Compiled</th>
<th>Applicable (1)</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) AASB 9 Financial Instruments (incorporating AASB 2014-7 and AASB 2014-8)</td>
<td>Dec-14</td>
<td>1-Jan-18</td>
<td>Nil – The objective of this Standard is to improve and simplify the approach for classification and measurement of financial assets compared with the requirements of AASB 139. Given the nature of the financial assets of the Shire, it is not anticipated the Standard will have any material effect.</td>
</tr>
<tr>
<td>(ii) AASB 15 Revenue from Contracts with Customers</td>
<td>Dec-14</td>
<td>1-Jan-19</td>
<td>This Standard establishes principles for entities to apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The effect of this Standard will depend upon the nature of future transactions the Shire has with those third parties it has dealings with. It may or may not be significant.</td>
</tr>
<tr>
<td>(iii) AASB 16 Leases</td>
<td>Feb-16</td>
<td>1-Jan-19</td>
<td>Under AASB 16 there is no longer a distinction between finance and operating leases. Lessees will now bring to account a right-to-use asset and lease liability onto their statement of financial position for all leases. Effectively this means the vast majority of operating leases as</td>
</tr>
</tbody>
</table>
defined by the current AASB 117 Leases which currently do not impact the statement of financial position will be required to be capitalised on the statement of financial position once AASB 16 is adopted. Currently, operating lease payments are expensed as incurred. This will cease and will be replaced by both depreciation and interest charges. Based on the current number of operating leases held by the Shire, the impact is not expected to be significant.

(iv) AASB 1058 Income of Not-for-Profit Entities (incorporating AASB 2016-7 and AASB 2016-8) Dec-16 1-Jan-19

These standards are likely to have a significant impact on the income recognition for NFP's. Key areas for consideration are:
- Assets received below fair value;
- Transfers received to acquire or construct non-financial assets;
- Grants received;
- Prepaid rates;
- Leases entered into at below market rates; and
- Volunteer Services

Whilst it is not possible to quantify the financial impact (or if it is material) of these key areas until the details of future transactions are known, they will all have application to the Shire’s operations.

Notes: (1) Applicable to reporting periods commencing on or after the given date.

(w) Adoption of New and Revised Accounting Standards
The Shire adopted all of the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory and which were applicable to its operations.

Whilst many reflected consequential changes associate with the amendment of existing standards, the only new standard with material application is as follows:

(i) AASB 2015-6 March 1 July
Amendments to 2015 2016
Australian Accounting
Standards - Extending
Related Party
Disclosures to Not-for-
Profit Public Sector
Entities

The objective of this Standard was to extend the scope of AASB 124 Related Party Disclosures to include not-for-profit sector entities.

The Standard has had a significant disclosure impact on the financial report of the Shire as both Elected Members and Senior Management are deemed to be Key Management Personnel and resultant disclosures in accordance to AASB 124 have been necessary.
POLICY 3.3 Specified Area Rating

POLICY

That Specified Area Rates be levied for:

a) Expenditure incurred with the operation and maintenance of the Lake Grace Sewerage Scheme in the specified area of the Lake Grace townsite.

b) Defined specified areas of the Shire namely Lake Grace, Newdegate, Lake King and Varley to yield sufficient funds to equal the operating expenditures for the specified area as budgeted for the sub programme (Function 11) as classified in the Financial Management Regulations as:
   • Public Halls and Civic Centres
   • Swimming Areas and Beaches
   • Other Recreation and Sport
   • Libraries
   • Other Culture

c) Finance the borrowings for the construction of the Lake Grace and Newdegate Resource Centres in each Specified Area.

d) All Council capital contributions to recreational and cultural activities. Where Council’s contribution to a project under the specified area rate exceeds $50,000.00, the project is to be first approved by way of a community survey being a postal vote of ratepayers within the prescribed area.

e) In a community survey (being a postal vote of ratepayers within a prescribed area) each ratepayer has one vote. In the case of multiple owners of a property a maximum of two votes applies and in the case of companies as landowners, two nominees have one vote each.

f) *For a community survey to be successful, greater than 50% of the eligible voters are to participate and more than 50% of returned votes are to be in favour of the proposal.*

g) Where a project is proposed and managed by a community based organisation the cost of a community survey is to be borne by the applicant organisation.

OBJECTIVES

To ensure that Specified Area Rates are levied so that each locality and/or specified area is responsible for the net costs of an activity such as provision of a sewerage treatment facility and those activities as outlined in Function 11 Recreation and Culture within that locality and/or specified area.

To provide the opportunity for community consultation (being a postal vote of ratepayers within a prescribed area) in relation to the provision of recreational and cultural facilities and infrastructure development.

GUIDELINES


Budget: In accordance with Section 6.32 and 6.37 of the Local Government Act 1995 details of all Specified Area Rates are to be included in the annual adopted budget with the motion to accept the rates to be carried by an Absolute Majority of Council.
*That until Council determines that the Town Halls (Lake Grace Town Hall, Newdegate Town Hall, Lake King Town Hall, Varley Town Hall) are of an equal standard capital expenditure included in budgets be funded from general rates.*

**HISTORY**

Motion 8459 Sept 1999
Former policy 3.25, 3.27, 3.31
Motion 9216 June 2002 – Amended to include conditions regarding results and costs of ratepayer surveys in prescribed areas.
Motion 9301 September 2002 – Amended to clarify the voting rights of ratepayers when voting in surveys.
Motion 9671 March 2004 – Vote counting in ratepayer surveys amended to reflect *returned* votes rather than *eligible* votes.
Motion 10602 April 2008 – Policy Review – clarification of what is specified area rated and vote counting in ratepayer surveys amended back to reflect *eligible* votes rather than *returned* votes.
Amended 22 June 2016 Motion 12312.

**REVIEW**

Deputy Chief Executive Officer

**POLICY 3.4 Local Price Preference** *(revoked Motion 10951 Feb 2010 – included in Purchasing Policy 3.7)*
POLICY 3.5 Investments

POLICY
To invest surplus funds, with consideration of risk and the most favourable rate of interest available to Council at the time, for that investment type, while ensuring that Council’s liquidity requirements are being met.

OBJECTIVES
While exercising the power to invest, consideration is to be given to preservation of capital, liquidity, and the return on investment, where possible using the services of local financial institutions.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within the identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated cash requirements.
- The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire’s risk tolerance.

LEGISLATIVE REQUIREMENTS
All investments are to be made in accordance with:
- The Trustees Act 1962 – Part III Investments;
- Relevant Accounting Standards.

DELEGATION OF AUTHORITY
Authority for implementation of the Investment Policy is delegated by 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 senior staff or Deputy Chief Executive Officer and is subject to regular reviews.

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

ETHICS and CONFLICTS of INTEREST
Officers shall refrain from personal activities that would conflict with proper execution and management of Council’s investment portfolio. This policy requires officers and Councillors to disclose any conflict of interest to the CEO.

APPROVED INVESTMENTS
Authorised investments are limited to:
- State/Commonwealth Government Bonds;
- Interest bearing deposits;
PROHIBITED INVESTMENTS

This investment policy prohibits any investment carried out for speculative purposes including:

- Local Government (Financial Management) Regulations 1996 Regulation 19C. Investment of money, restrictions on (Act s.6.14(2)(a)); as follows:
  (a) deposit with an institution except an authorised institution;
  (b) deposit for a fixed term of more than 12 months;
  (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
  (d) invest in bonds with a term to maturity of more than 3 years;
  (e) invest in a foreign currency.
- bank accepted/endorsed bank bills;
- Commercial paper;
- Bank negotiable Certificate of Deposits;
- Managed Funds with a minimum long term rating of “A” and short term rating of “A2”;
- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

INVESTMENT GUIDELINES

Council’s direct investments will require up to (3) quotations to be obtained from authorised institutions whenever an investment is proposed. The best quote on that day will be successful after allowing for administrative and banking costs, at the discretion of the Deputy Chief Executive Officer.

The term of maturity of any Shire of Lake Grace’s direct investments may range from “at call” to 1 year unless specifically approved by Council.

RISK MANAGEMENT GUIDELINES

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

1. Portfolio Credit Framework: limit overall credit exposure of the portfolio. Investments made shall be within the percentage limits set out in the table below. When placing investments, consideration should be given to the relationship between credit rating and the interest rate. The Standard and Poor’s system of rating has been used in this policy.

The Standard and Poor’s rating system relevant to this policy is as follows:

**Long Term rating order (longer than 3 months)**

AAA to AAA-...Extremely strong capacity to meet financial commitments
AA+ to AA-......Very strong capacity to meet financial commitments
A+ to A-.........Strong capacity to meet financial commitments
BBB+ to BBB-.....Adequate capacity to meet financial commitments

**Short Term rating order (0 to 3 months)**

A1+.................Extremely strong capacity to meet financial commitments
A1.................Strong Capacity to meet financial commitments
A2.................Satisfactory capacity to meet its financial commitments
2. Counterparty Credit Framework: limit exposure to individual counterparties/institutions. Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed below:

<table>
<thead>
<tr>
<th>S&amp;P Long Term Rating</th>
<th>S&amp;P Short Term Rating</th>
<th>Direct Investment Maximum %</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA</td>
<td>A-1+</td>
<td>100%</td>
</tr>
<tr>
<td>AA</td>
<td>A-1</td>
<td>100%</td>
</tr>
<tr>
<td>A</td>
<td>A-2</td>
<td>60%</td>
</tr>
</tbody>
</table>

3. Term of Maturity Framework: limits based upon maturity of securities. To comply with the relevant Accounting Standards and the Annual Financial reports produced, it would be appropriate for all investments to be taken out for a term of 1 year or less.

If any of the Shire of Lake Grace’s investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

INVESTMENT ADVISOR
If the Shire of Lake Grace chooses to appoint an investment advisor, they must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

MEASUREMENT
The investment return for the portfolio is to be regularly reviewed by Council’s Auditors by assessing the market value of the portfolio. The market value is to be assessed at least annually to coincide with the annual audit and is to include performance figures and percentage exposure to categories as restricted by this policy.

REPORTING & REVIEW
A Monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, and maturity date.

The Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

Documentary evidence must be held for each investment and details thereof maintained in an investment Register.
Certificates must be obtained from financial institutions confirming the amounts of investments held on the Shire of Lake Grace’s behalf, at 30 June each year, and reconciled to the Investment Register.

HISTORY

Adopted Motion 10257 August 2006.
Amended Motion 10951 February 2010 to clearly define ‘approved investments’.
Amended Motion 11769 February 2014 to include Regulation 19C requirements.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.

REVIEW

Deputy Chief Executive Officer
POLICY 3.6  Authorised Use of Credit Card/Fuel Cards

POLICY  A Credit Card is to be issued to the Chief Executive Officer (CEO) only and is to be used in accordance with the guidelines detailed below.

OBJECTIVES  To reduce time spent on paper based ordering and payment arrangements thus reducing administrative costs.

GUIDELINES  Definitions
“Credit Card” is defined as a facility allowing the cardholder to pay for goods and services on credit and includes fuel cards.

“Business Expense” is defined as any expense necessary to the conduct of the business or for the benefit of the Shire of Lake Grace, is under the terms of the employee’s contract of employment with the Shire of Lake Grace or relevant Council policies.

Guidelines
To provide details for the use, allocation, control and safe custody of corporate credit cards:
1. The following guidelines govern the issue and use of corporate credit cards;
2. The use of the credit card by the CEO is restricted business expenses only. The use of corporate credit cards for any item of personal expenditure is disallowed;
3. All credit card receipts are to be handed to the Finance Department for reconciliation and allocation purposes;
4. The CEO when utilising the corporate credit card to purchase goods and services must provide to the Shire’s Finance Department, an invoice, or documentation to support the payment, before the Shire makes payment of the credit card monthly balance;
5. Council can revoke any authorised use if any of the policy conditions are breached; and,
6. A list of expenses incurred on credit is to be presented to Council with normal monthly municipal expenditure and is to be clearly marked that the purchase has been made via a credit card.

Corporate credit cards are issued with a maximum credit of $10,000.

Fuel Cards
To be issued to CEO, Deputy Chief Executive Officer, Manager Infrastructure Services & Community Emergency Services Manager for the vehicle provided under the terms of their contract;
To be used for the purchase of fuel and oils only, for the vehicle provided;
Not to be used for food or other incidentals.

HISTORY  Adopted Motion 10337 December 2006.
Motion 10602 April 2008 – amended to increase maximum credit.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.
Amended 19 December 2018 Motion 12897

REVIEW  Deputy Chief Executive Officer
POLICY 3.7 Purchasing Policy

POLICY
The Purchasing Policy as per Attachment 3.7 on the following pages is adopted as Council Policy.

OBJECTIVES
To provide compliance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations, 1996 (as amended).

To provide clear guidelines to the Council and its officers for purchasing goods and services where the value of goods will be equal to or less than $150,000 excluding GST.

To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.

To establish Council’s support for local business.

GUIDELINES
Local Government (Functions and General) Regulations 1996 (as amended).

HISTORY
The Local Government (Functions and General) Amendment Regulations 2007 increased the tender threshold to $100,000 and require local governments to have a purchasing policy for amounts equal to or less than the new $100,000 threshold.

Adopted Motion 10376 March 2007.
Motion 10602 April 2008 – amended by deletion of the administrative process for the calling of tenders which are regulated.
Motion 10951 24 February 2010 – amended to streamline requirements for written quotations where value is minimal and availability limited, and incorporate local price preferencing.
Motion 11479 25 July 2012 – amended with regard to accessing preferred suppliers and officers able to purchase on the Shire’s behalf.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.
Amended 20 February 2019 Motion 12915
Amended 17 April 2019 Motion 12976

REVIEW
Deputy Chief Executive Officer
ATTACHMENT 3.7 - SHIRE OF LAKE GRACE PURCHASING POLICY

1 POLICY
The Shire of Lake Grace (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.

2 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.

3 ETHICS & INTEGRITY
3.1 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 act in an honest and professional manner at all times which supports the standing of the Shire.

3.2 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 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 by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.
4 VALUE FOR MONEY

4.1 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.

4.2 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 boundaries to be given the opportunity to quote for providing goods and services wherever possible.

5 PURCHASING REQUIREMENTS

5.1 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.

5.2 Policy
Purchasing that is $150,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 5.6 of this Purchasing Policy.

Purchasing that exceeds $150,000 in total value (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under 0 of this Policy is not deemed to be suitable.

5.3 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; and,

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

5.4 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.

5.5 Purchasing Officers – Financial Limits

All orders with the exception of petty cash outlays require the issue of a Purchase Order.

All officers are permitted to obtain verbal or written quotations for goods and services for the Shire, however the following officers are permitted to issue purchase orders on behalf of the Shire of Lake Grace within the financial limits specified:

<table>
<thead>
<tr>
<th>Officer</th>
<th>Purchase Order Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Officer</td>
<td>Unlimited (within adopted budget and guidelines)</td>
</tr>
<tr>
<td>Deputy Chief Executive Officer</td>
<td>$50,000</td>
</tr>
<tr>
<td>Manager Infrastructure Services</td>
<td>$50,000</td>
</tr>
<tr>
<td>Marketing &amp; Engagement Coordinator</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

5.6 Purchasing Thresholds

The Chief Executive Officer (CEO) may approve of a variation in the process related to the prescribed purchase thresholds in circumstances where the CEO considers that:

- An emergency exists; or
- The specific purchasing process has been undertaken within the previous six months and no tender was accepted or contract was entered into; or
- Only one supplier is known to exist as a result of the specialised nature of the intended purchase; or
- Delays caused by undertaking the required process might create a significant financial penalty for the Shire.

The CEO will confirm by email any variation, and attach that email to the quote record.

A tender or tender-exempt purchase process is to be used where there is some uncertainty about whether the consideration will exceed the $150,000 threshold. Tender-exempt purchases are required to use a formal quote process.

The table below prescribes the purchasing process that the Shire must follow, based on the purchase value:
### Purchase Value Threshold (excluding GST) | Purchasing Requirement
--- | ---
Up to $999 | Direct purchase from suppliers not requiring any written quotations, although as best practice, one verbal quote should be obtained in most instances, and evidence of quote provided at requisition stage.

$1,000 to $4,999 | Direct purchase from suppliers requiring only two verbal quotations, and evidence of quotes provided at requisition stage.

$5,000 to $19,999 | 2 written quotations to be obtained and documented by responsible officer, and evidence of quotes provided at requisition stage.

$19,999 - $149,999 | Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations), with pre-determined written assessment criteria in addition to price, and formal quote process. Evidence of quotes to be provided at requisition stage. Obtain at least three (3) written quotations from suppliers with written specifications.

Over $150,000 | 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 under this Policy, conduct a public Request for Tender process in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996, this policy and the Shire’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. 

Note: The WALGA Preferred Supply Program does qualify for compliance under the Local Government (Functions and General) Regulations 1996.

**Note:** All or any quotations may be obtained from:
- an existing panel of pre-qualified suppliers administered by the Shire, or
- a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or
- from the open market

### 5.7 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 a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth $250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- 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.
5.8 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 also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.
If a decision is made to undertake a public Tender for contracts expected to be $150,000 or less in value, the Shire’s tendering procedures must be followed in full.

5.9 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 endorsed by the Chief Executive Officer / Deputy Chief Executive Officer / Manager Infrastructure Services, 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.

5.10 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.

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

An 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.

6 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;
7 **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.

8 **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.

**Local Price Preference**

When officers seek quotations or purchase goods or services, quotes must be obtained from businesses (if in existence) that could provide the good or service required that are located within the Shire of Lake Grace. When the provision of goods or services is not being sought by tender the following preference will be provided to local suppliers whose business is based within the Shire of Lake Grace and the product quality is comparable:

- 5% for any purchase up to $20,000.00; and
- 2% for any purchase between $20,001.00 and $100,000.

9 **PURCHASING FROM DISABILITY ENTERPRISES**

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

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

10 **PURCHASING FROM ABORIGINAL BUSINESSES**

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

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation.
of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

11 PANELS OF PRE-QUALIFIED SUPPLIERS

11.1 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 test of ‘value for money’;
- 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.

11.2 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.

11.3 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/Town/City intends to:
i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 11.4; 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 11.3(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.

11.4 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.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire’s electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

11.5 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 describes 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.
SHIRE OF LAKE GRACE

RECORD OF QUOTATIONS OBTAINED FOR PURCHASE

In accordance with the procedures contained in Council Policy 3.7 – Purchasing Policy, the following quotations for goods/services have been obtained:

Goods/Services required: _____________________________________________________________

Account No: ____________________________________________

<table>
<thead>
<tr>
<th>Quotation No</th>
<th>Date Received</th>
<th>Supplier</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

AUTHORISATION FOR PURCHASE

Purchase Order Number Issued: _________________

_______________________________
OFFICER

_______________________________
DEPUTY CHIEF EXECUTIVE OFFICER

PLEASE NOTE:
Upon completion, this form is to be forwarded to the Finance Officer along with all supporting quotations and Purchase Order.
POLICY 3.8 Outstanding Debtors

POLICY
Debtors who receive goods and services from the Shire and do not pay in a prompt manner may be referred to debt collectors to recover debt except where there is an agreed repayment arrangement in place or it is known that the debt is unrecoverable.

OBJECTIVES
To ensure that outstanding accounts are collected in a timely manner.

GUIDELINES

The following guidelines are to be followed for outstanding debtors:
- End of month statements for outstanding debts to be sent out.
- If payment outstanding at end of second month, final demand letter to be sent requesting payment within 15 days or the matter will be referred to Collection Agent.
- If payment not received and/or suitable explanation given as to explain non-payment, final letter sent advising matter referred to the Shire’s Collection Agent.
- Contact Shire’s Collection Agent with details and proceed with action to recover debt.
- Deputy Chief Executive Officer to assess cost effectiveness of collection process before deciding to proceed with action.

A debt is considered unrecoverable where the whereabouts of the debtor is unknown or is a declared bankrupt.

HISTORY
Adopted Motion 11482 25 July 2012.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.

REVIEW
Deputy Chief Executive Officer
POLICY 3.9  Outstanding Rate Debtors

POLICY  Ratepayers with outstanding rates may be referred to debt collectors to recover debt where there is no agreed repayment arrangement (it is noted that outstanding rates remain a charge against the land).

OBJECTIVE  To ensure that outstanding rates are collected in a timely manner.


The following guidelines are to be followed for outstanding rates debtors:

- Final rates notice sent to all outstanding rates debtors except those on installment plans after completion of nominated payment period giving 21 days to pay.
- Final demand letter to be sent to last known address of rate debtor giving further 15 days to pay debt otherwise legal action will proceed to recover debt.
- Unless suitable explanation or a payment arrangement is made, refer to Collection Agent.
- Contact the Shires Collection Agent with details and proceed with action to recover debt.

HISTORY  Adopted Motion 11482 25 July 2012.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.

REVIEW  Deputy Chief Executive Officer

POLICY 3.10  Financial Hardship - Water Services – Sewerage Scheme

POLICY  The Shire will assist a residential customer who cannot pay a water services portion of a rate notice because of financial hardship in accordance with the endorsed "Financial Hardship Policy" - Attachment 3.10 (A).

OBJECTIVES  To identify the Shire's willingness to provide support to customers within the District.

GUIDELINES  Approval for an agreed repayment plan will be considered by the CEO where the residential customer can show that if paying the water services portion of their rate notice the customer's basic living needs will be affected - in short they have the intention but not the financial capacity to pay.

Water Services Code of Conduct (Customer Service Standards) 2018 as per Economic Regulation Authority requirements.

HISTORY  Adopted February 2014 Motion 11770.
Amended 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.
Amended 19 December 2018 Motion 12897

REVIEW  Deputy Chief Executive Officer
1 Purpose
This Financial Hardship Policy outlines how Shire of Lake Grace ("we") will assist a residential customer ("you") who cannot pay a rate notice because of financial hardship.

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

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

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

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

Financial hardship may, for example, be caused by:
- loss of your or a family member’s primary income;
- spousal separation or divorce;
- domestic or family violence;
- loss of a spouse or loved-one;
- physical or mental health issues;
- a chronically ill child;
- budget management issues associated with a low income; and
- other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

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

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

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

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

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

2 Clause 19 of the Water Services Code of Conduct (Customer Service Standards) 2018 defines financial hardship as “being in an ongoing state of financial disadvantage in which the customer’s ability to meet the basic living needs of the customer or a dependant of the customer would be adversely affected if the customer were to pay an unpaid bill for a water service supplied in respect of the place used solely or primarily as the customer’s dwelling”.

---
4 Payment plans

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

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

If appropriate or if you ask us, we will review and revise your extension or payment plan. If our review indicates that you are unable to meet your obligations under the plan, we will revise it.

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

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

5 Debt reduction and collection

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

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

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

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

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

6 Useful information

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

- **Payment options:** You may pay your rate notice via the internet, by telephone, by credit card, in person, by mail, online banking, direct debit or via Centrepay. For more information on your payment options, please refer to your rate notice.

- **Concessions and other financial relief and assistance:** You may be eligible for a concession for the water services portion of your rate notice. For more information on concessions please refer to your rate notice.

- **Financial counselling:** We will advise you of any financial counselling services or other organisations that may be available to you. Financial counsellors offer free, independent information to help you take control of your financial situation. The Financial Counsellors’ Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the FCAWA’s Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

The FCAWA’s contact details are:

Financial Counsellors’ Association of WA
Phone: (08) 9325 1617
Financial Counselling Helpline: 1800 007 007
Email: afm@financialcounsellors.org
### Fees and charges
We will charge you for the water services we provide to you. We may charge you interest if you do not pay your rate notice by the due date.

A list of our fees and charges may be found at our website: [www.lakegrace.wa.gov.au](http://www.lakegrace.wa.gov.au).

### Complaints handling
If you have a complaint, please contact us first. Our contact details are included in section 9 below.

Our complaints handling process is available on our website, [www.lakegrace.wa.gov.au](http://www.lakegrace.wa.gov.au).

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

The Energy & Water Ombudsman’s contact details are:

- **In Person:** 2nd Floor, Albert Facey House, 469 Wellington Street, Perth WA 6000
- **By Post:** PO Box Z5386, St Georges Terrace, Perth WA 6831, Phone: 08 9220 7588
- **Free Call:** 1800 754 004

National Relay Services: 133 677 (TTY)
1300 555 727 (Speak and Listen)
Translating and Interpreting Service (TIS): 131 450

### Approval and review
The Shire’s policy was approved by the Economic Regulation Authority of WA.

The Shire will review this policy at least every five years to ensure it remains up-to-date and relevant.

### Our contact details
You can contact us at:

- **Address:** 1 Bishop Street, Lake Grace, WA, 6353
  PO Box 50, Lake Grace, WA, 6353
- **Ph:** 08 9890 2500.
- **Email:** shire@lakegrace.wa.gov.au
- **Website:** [www.lakegrace.wa.gov.au](http://www.lakegrace.wa.gov.au)
POLICY 3.11  Tenders – Selection Criteria

POLICY

Prior to publicly inviting tenders, the Shire’s assessment criteria for which the tender should be accepted is as follows with any variation to be determined by Council:

Plant and Equipment

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tender Price</td>
<td>65%</td>
</tr>
<tr>
<td>Warranty &amp; Servicing</td>
<td>15%</td>
</tr>
<tr>
<td>Performance</td>
<td>10%</td>
</tr>
<tr>
<td>Delivery/Availability</td>
<td>10%</td>
</tr>
</tbody>
</table>

Buildings

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost</td>
<td>65%</td>
</tr>
<tr>
<td>Relevant Experience</td>
<td>15%</td>
</tr>
<tr>
<td>Organisational Capacity &amp; Resources</td>
<td>15%</td>
</tr>
<tr>
<td>Demonstrated Understanding</td>
<td>5%</td>
</tr>
</tbody>
</table>

Roadworks – Bitumen & Sealing

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost</td>
<td>80%</td>
</tr>
<tr>
<td>Relevant Experience</td>
<td>10%</td>
</tr>
<tr>
<td>Organisational Capacity &amp; Resources</td>
<td>5%</td>
</tr>
<tr>
<td>Demonstrated Understanding</td>
<td>5%</td>
</tr>
</tbody>
</table>

Roadworks – Maintenance Grading & Gravel Pushing/Stockpiling

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demonstrated Capacity</td>
<td>25%</td>
</tr>
<tr>
<td>Key Personnel</td>
<td>25%</td>
</tr>
<tr>
<td>Plant &amp; Equipment</td>
<td>25%</td>
</tr>
<tr>
<td>Performance</td>
<td>25%</td>
</tr>
</tbody>
</table>

Kerbside Waste Collection Services

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost</td>
<td>40%</td>
</tr>
<tr>
<td>Relevant Experience</td>
<td>30%</td>
</tr>
<tr>
<td>Organisational Capacity &amp; Resources</td>
<td>30%</td>
</tr>
</tbody>
</table>

OBJECTIVE

To obtain the best value in the purchase of Shire assets.

GUIDELINES

Local Government Act 1995 s3.57
Local Government (Functions and General) Regulations r14 (2a).
Shire of Lake Grace Policy Manual - Policy 7.9 – Asset Management
Shire of Lake Grace Delegation Register – Delegation F09

HISTORY

Adopted: Motion 12059, 24 June 2015.
Amended: Motion 13066, 21 August 2019

REVIEW

Chief Executive Officer
POLICY 3.12  Fair Value Groupings and Frequency

POLICY: That for the purposes of fair value reporting, the Shire adopt two groupings – (Infrastructure) and (Land, Buildings, Plant, Furniture and Equipment); and

That the frequency of revaluations for fair value for each group be five (5) years, commencing with (Land, Buildings, Plant, Furniture and Equipment) in 2020/2021. With the next Infrastructure revaluation occurring in 2022/2023.

OBJECTIVES: The Shire has been undertaking the fair value assessment of each class of asset every three years. The advantage of undertaking the revaluation of assets every five years is;

- Considerable financial savings can be made by extending the period from three years to five years;

- Considerable time savings for staff during the year, as there will no longer be the need to call for quotes and appointment of a suitable valuer to undertake the fair value reporting, as well as speeding up the time taken to complete the annual financial report. Fair value reporting is notoriously time consuming;

- Affords the Shire an opportunity to group asset classes into two classes requiring only two Valuation companies to undertake each revaluation every five years – (Infrastructure) and (Land, Buildings, Plant, Furniture and Equipment).

GUIDELINES: Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Regulation 17A Assets, valuation of for financial reports etc.

Quotes are to be obtained no later the December in the given year to ensure that the valuations are received to allow the transaction to be entered in a timely manner by 30 June.

HISTORY: Adopted by Council by Resolution 12944 – March 2019

REVIEW: Chief Executive Officer
POLICY 4.1  Defence Reserves and Local Emergency Organisation Members

**POLICY**
Shire employees who are members of a reserve unit of the armed services engaged in training duties will have their salaries and wages maintained by Council for the duration of the training.

Shire employees who are members of the St John Ambulance Association participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Shire employees who are members of Fire and Emergency Service funded organisations participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Shire employees actively engaged in the control of bush fires outside of normal working hours shall be paid at the appropriate overtime rate.

**OBJECTIVES**
To identify Council’s support for employees involved with reserve units of the armed forces and the various local emergency services.

**GUIDELINES**
To ensure that employees are fit to work, the Shire’s supervising staff are to be aware of the Award provisions in relation to the need for a ten hour break after working extended hours.

**HISTORY**
Former policy 4.12
Amended Motion 9469 February 2004 to include local volunteer emergency service members.
Amended as per Motion 10235 July 2006.
Amended 24 June 2015 Motion 12059

**REVIEW**
Chief Executive Officer
# POLICY 4.2  STAFF SUBSIDY – OWNER OCCUPIED HOUSING

**POLICY**
All permanent full time staff homeowners living in their own home within the Shire shall receive an allowance of $50 per fortnight.

**OBJECTIVES**
To encourage Council employees to purchase their own homes within the Shire of Lake Grace.

**GUIDELINES**
Staff members must register their entitlement with the Deputy Chief Executive Officer to claim the allowance.

This subsidy is limited to one payment recipient per household and cannot be used in conjunction with the rental subsidy. This incentive is limited to one payment per household for sole owners or tenants in common with their partner else proportionate to percentage of ownership shown on the title.

A property owned by the partner of a shire employee with whom they exclusively occupy that property together and/or with their children will be treated as being owned by the Shire employee.

**HISTORY**
Former policy 4.26  
Motion 8794 – October 2000  
Amended Motion 10779 April 2009.  
Policy 4.2A adopted 24 June 2015 Motion 12059.  
Amended 22 June 2016 Motion 12312.

**REVIEW**
Deputy Chief Executive Officer

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# POLICY 4.2A  Home Purchase Incentive – Owner Occupied Housing

**POLICY**
All permanent full time staff who purchase their own home within the Shire of Lake Grace shall receive a once-off incentive payment of $3,000 towards the purchase of that home after the completion of 12 months service.

This incentive is limited to one payment per household.

**OBJECTIVES**
To encourage Council employees to purchase their own homes within the Shire of Lake Grace.

**GUIDELINES**
Staff members must register their entitlement with the Deputy Chief Executive Officer. This incentive is limited to one payment recipient per household for sole owners or tenants in common with their partners else proportionate to percentage of ownership.

A property owned by the partner of a shire employee with whom they exclusively occupy that property together and/or with their children, will be treated as being owned by the Shire employee.

**HISTORY**
Adopted 24 June 2015 Motion 12059  
Amended 22 June 2016 Motion 12312.

**REVIEW**
Deputy Chief Executive Officer
POLICY 4.2B  Staff Housing – Rent Subsidy

POLICY

The following rental subsidy /benefit will be provided for all permanent full time Shire employees:

Where, as part of their conditions of employment with the Shire, a residence is made available to an employee the following benefits will apply:

Contracted employees:  As per individual contracts

Other Employees:  Shire Housing - weekly rent expensed against wages pre tax (equates to the value of approximately $50 per week

Non Shire Housing - $50 per week

This subsidy is limited to one payment per household and cannot be used in conjunction with the owner occupier housing benefit.

OBJECTIVES

To provide an incentive to employees in accordance with the Shire’s Staff Attraction and Retention Policy.

Council can negotiate with its CEO, and the CEO with other staff in regards to individual contracts with senior employees that may vary from this policy.

GUIDELINES

Staff members must register their entitlement with the Deputy Chief Executive Officer. Where more than one staff member shares the same residence then the benefit will be shared.

HISTORY

Adopted 24 June 2015 Motion 12059.
Amended 22 June 2016 Motion 12312.

REVIEW

Deputy Chief Executive Officer
POLICY 4.3  Senior Employees – revoked May 2018

POLICY 4.4  Water Consumption for Shire Houses

POLICY  Where, as part of their conditions of employment with the Shire, a residence is made available to an employee 400 kilolitres of water per annum will be made available at no charge to the tenant to ensure the upkeep and presentation of the property.

If the annual consumption for the property is in excess of 400 kilolitres the tenant will be charged at the relevant levels imposed by the Water Corporation.

OBJECTIVES  To provide an incentive to employees occupying Shire provided rental properties to maintain the properties at an acceptable standard.

GUIDELINES  In the event of a change of tenancy in any one year the new employee will be deemed to have accumulated the benefit at the rate of 50 kilolitres per month.

Tenants will be charged at the relevant Water Corporation levels for all water used in excess of 400 kilolitres per year.

The CEO can negotiate individual contracts with senior employees that may vary from this policy.

HISTORY  Former policy 4.6 Amended as per review Motion 10238 July 2006
Amended 24 June 2015 Motion 12059
Amended 22 June 2016 Motion 12312

REVIEW  Deputy Chief Executive Officer
POLICY 4.5  Severance Pay (Gratuity – s5.50)

POLICY:  Payments to employees in addition to contract or Award:
(a) The circumstances in which the Council/Shire will pay an employee an amount in
addition to any amount to which the employee is entitled under a contract of
employment or award relating to the employee is limited to any decision to settle
to avoid expensive litigation; and
(b) the manner of assessment of the additional amount is to be determined by Council
on the basis as to whether it will seek a settlement and if so, the extent of any
financial offers, following consideration of:
• The strength of the respective cases in any litigation
• The cost of legal advocacy and support
• The cost of witnesses
• The cost of travel and accommodation in running the case
• The cost of having staff involved in the preparation and hearing of the case
• The disruption to operations.

Nothing in this policy prevents Council from determining that in unforeseen
circumstances, terminating employees may be paid additional monies or provided
additional benefits where justified and where it is demonstrably in the best interests of
the Shire of Lake Grace. If Council so determines to provide a payment, details of the
severance pay and benefits shall be published in accordance with section 5.50(2) of the
Act.

OBJECTIVES  The purpose of this policy is to identify any additional amount payable to terminating
employees for the purpose of section 5.50(1)&(2) of the Local Government Act 1995
(the Act) and Regulation 19A of the Local Government (Administration) Regulations
1996.

GUIDELINES  Voluntary Terminations
Employees leaving the organisation of their own volition for the purposes of retirement
or career change will not be paid an ex-gratia or severance payment except as provided
for in this policy.

Entitlements
A terminating employee is entitled to severance pay and benefits in accordance with:
1. Any federal or state award, industrial agreement or contract applicable to that
employee;
2. Any applicable provisions within the employees contract of employment;
3. 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;
4. Where Council so agrees, any recommendation made by a federal or state
industrial commissioner arising from the circumstances of that employee being
specifically brought before that commissioner.

Dismissal
Where a dismissed employee has taken or is proposing to take litigation for alleged
unfair dismissal, Council may decide to settle to avoid expensive litigation.
Redundancy
Where an employee’s position is made redundant then he/she shall receive a redundancy payment as per the award, industrial agreement or employee contract

HISTORY
Adopted Motion 9649 February 2004
Amended 24 June 2015 Motion 12059

REVIEW
Chief Executive Officer
POLICY 4.6  Occupational Health & Safety

POLICY
Council is committed to improving the Shire’s Occupational Health & Safety standards within its workforce in accordance with the following Statement of Intent.

Statement of Intent
The Shire of Lake Grace regards the promotion of sound and effective Occupational Safety and Health practices as a common objective for the CEO, Managers, Supervisors, Employees and Contractors.

The policy is designed to provide guidance and direction to Councillors, Staff, Contractors and Visitors in regards to OS&H matters and to ensure compliance with statutory requirements and the terms and conditions of the Shire’s Insurance Policies.

The Shire of Lake Grace acknowledges a duty to achieve their objectives by:
- Providing and maintaining a safe working environment
- Providing adequate training and instruction to enable employees to perform their work safely and effectively
- Investigating all actual and potentially injurious occurrences in order to eliminate the cause, and reduce the level of risk

Employees have a duty of co-operation in the attainment of these objectives by:
- Working with care for their own safety and that of other employees, contractors and public who may be affected by their acts or omissions
- Reporting conditions which appear to be unsafe to their Supervisor
- Co-operating in the fulfillment of the obligations placed on their employer
- Assisting in the investigation and the reporting of any accidents with the objective of introducing measures to prevent re-occurrence.

OBJECTIVES
To ensure that every employee works in an environment where direct efforts are made to prevent accidents, injury and disruption to employee’s health from foreseeable work hazards.

GUIDELINES
Occupational Safety & Health Act 1984 & 2005 amendments
Occupational Safety & Health Regulation 1996
Occupational Safety & Health Australian Standards, Codes of Practice and Guidance Notes.

HISTORY
Adopted 24 June 2015 Motion 12059

REVIEW
Chief Executive Officer
POLICY 4.7  Sick Leave “Cash-Out” Scheme

POLICY
Eligible qualifying employees may, each year, elect to cash out up to 5 days the equivalent of one week’s sick leave at ordinary pay rate.

OBJECTIVES
To encourage employees to limit the number of sick days taken in any one year whilst recognising that it is in the best interest of all employees to take sick leave when required.

GUIDELINES
For every sick day taken during the preceding 12 months, a day will be deducted from the 5 days available to be cashed-out.

Therefore, an employee having 5 or more sick days during the 12 month period will not be eligible for the cash-out option.

The cash-out is to be taxed at the appropriate rate as determined by the Taxation Office.

The employee’s accrued sick leave entitlement is to be amended, reducing sick leave accruals by the number of days cashed out.

Permanent Part time employees receive the same benefit based on their daily rate for each day taken.

A qualifying employee is a permanent employee of the Shire who has been employed by the Shire for 12 months prior to the offer.

Employees to be given the option, in writing, whether to cash-out or not.

HISTORY
Adopted 24 June 2015 Motion 12059
Amended 22 June 2016 Motion 12312

REVIEW
Deputy Chief Executive Officer
POLICY 4.8  Equal Employment Opportunity

POLICY

The Shire of Lake Grace will ensure equal employment opportunity for all its employees and applicants for employment.

Council’s commitment is to promote and afford equal treatment and to assure equal employment opportunity to all persons regardless of sex, gender history, marital status, pregnancy, family responsibility, family status, race, political conviction, religious conviction, sexual orientation, age, spent conviction and impairment (unless such impairment prevents the performance of the required functions of the position).

OBJECTIVES

The objectives of the Council are to:

- Ensure fair treatment and non-discrimination in hiring and employment; and
- Ensure compliance with State and Federal Acts and Regulations relating to equal employment opportunity and discrimination.

This statement applies to every aspect of employment including, but not limited to, recruitment and selection, training and development, promotion, retention and the terms and conditions of employment.

GUIDELINES

1. The Council will actively work to raise the level of awareness of Equal Opportunity and Diversity principles and practices within the Council;

2. The Council will actively promote an environment for all employees that is free of discrimination, bullying and harassment;

3. The Council will enable all employees to apply equally for all positions within the Council, for which they are qualified, through its commitment to their support, provision of career planning and development, advice and assistance;

4. The Council will recognise the diverse cultural needs of employees. To ensure that every employee and potential employee, has an equal employment opportunity and workplace diversity and are not subject to discrimination.

Section 145 of the Equal Opportunity Act 1984 requires all public authorities, including local governments, to prepare and implement an EEO management plan to ensure an inclusive workplace culture, and equal opportunities for all employees. (Refer Shire Employee Manual).

HISTORY

Adopted 24 June 2015 Motion 12059
Amended 22 June 2016 Motion 12312

REVIEW

Deputy Chief Executive Officer
POLICY 4.9  Staff Uniform

POLICY  The initial supply of uniform for infrastructure / outside staff shall be:

- One pair of safety boots at cost up to the value of $150.00;
- Four Hi-Vis long sleeve shirts per year;
- Two pairs of long pants per year;
- A full brimmed sun protection hat as required;
- Wet weather clothing as required;
- Sunscreen as required;
- One Hi-Vis Bomber Jacket per employee; and
- One Hi-Vis Jumper per year.

Infrastructure / outside staff will also be supplied with the appropriate Personal Protective Equipment as required for their position, including, but not limited to:

- Safety glasses;
- Hearing protection;
- Sun protection glasses which comply with AS1337 (1992) and AS1067 (1990) as appropriate;
- Gloves; and
- Masks / breathing apparatus.

Administration Staff will be allocated an amount of $300.00 per year to use for the purchase of the Local Government Corporate uniform.

Recreation Staff (Swimming Pools) are supplied as required with appropriate uniform.
Uniforms are to be returned if the employee does not complete six (6) months of service with the Shire.

Note: following approval from the CEO, part time and fixed term employees are permitted to purchase uniforms to the value of $150 in keeping with the Corporate Image

OBJECTIVES  By encouraging all administration, works and recreation staff to wear the appropriate Local Government Uniform the Shire of Lake Grace aims to:

- present a recognisable, tidy and professional image of staff to the community;
- ensure that 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

GUIDELINES  High Visibility Clothing
Because of the requirement for Council workers to be easily seen by vehicle users, workers must wear high visibility clothing of some description while within the road reserve or near vehicle access ways.

Shire of Lake Grace enforces the use of an overlay garment in the form of a vest or singlet. Should over garments (e.g. jumpers and jackets) be needed than the overlay garment must be worn over them.

HISTORY  New Policy Adopted by Council 19 December 2018  Motion 12897

REVIEW  Administration Coordinator
POLICY 4.10 Outdoor Work Clothing / Skin Damage Prevention

POLICY

The minimum clothing requirements for outdoor employees shall be a long sleeve shirt and long trousers. Unless there are safety related reasons, shirt sleeves must not be rolled up.

The basic dress code will apply all year round. (Exemptions may apply based upon written medical advice.)

Council provides a broad-brimmed hat which must be worn when working outside during the period September to April.

Other types of hats may be permitted so long as they provide good protection to the face, ears and neck. This may include a peak cap with non-detachable neck flap. Baseball type caps with no ear or neck protection are not acceptable.

Hats, long sleeve shirts and trousers appropriate for the nature of the work are supplied by Council. Wherever practicable, the Ultra-violet Protection Factor (UPF) of clothing fabric will be 20 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/day on a cumulative basis.

The following outdoor employees, because of the nature of their activities, may be subject to variations in dress requirements.

- Rangers
- Pool Attendants (Long pants may hinder a pool rescue and are not recommended)
- Building Surveyors
- Building Maintenance Workers (Approved Sand shoes (eg: Dunlop Volley) may be worn only when working on building roofs)
- Workers on special tasks

Where there is an obvious risk of immediate physical damage to the skin, the option to wear long shorts will not apply to:

- Mechanics, fitters and welders;
- Operators of brush cutters, concrete/bitumen saws and chainsaws;
- People handling bitumen; and
- People who handle chemicals, ie, pesticides and herbicides.

These workers must wear trousers and long sleeve shirts or overalls.

Use of Sunscreen Cream

All outdoor workers will be supplied with sunscreen cream that should be applied to their uncovered skin in accordance with the manufacturer’s directions. Information, instruction and supervision will be provided in the use of sunscreens. In particular, this refers to the face, ears, neck and backs of hands, and legs if relevant, of all outdoor employees. The cream provided will comply with Australian Standard AS/NZS 2604 and be of the SPF 30+ Broad Spectrum type. It is recommended that sunscreen be used on the face, neck and ears all year round.

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 the Shire of Lake Grace will supply.

Supply and Use of Sun Glasses

All staff working outdoors shall, when practicable, wear general purpose sun protection glasses which comply with AS1337 (1992) and AS1067 (1990) as appropriate. These will be made available to relevant staff as part of the standard personal protective equipment issue.

OBJECTIVES

The aim of the Policy is to arrive at a dress code that will:

- Protect the employee from ultra-violet light;
- Protect the employee from physical injury, such as cuts and abrasions;
- As far as it is practicable, ensure that the clothing makes the person easy to see when working on or near roads, access-ways and mobile equipment;
- Comply with relevant Statutes and Australian Standards;
- Prescribe clothing which will be comfortable and acceptable to the majority of workers; and
- Promote a team spirit and personal pride in workers with respect to their appearance.

GUIDELINES

Comfort and Overheating

Comfort and overheating problems will be considered by the Manager Infrastructure Services.

The key factors which may promote bodily overheating problems are the:

- Ambient and radiant temperature;
- Extent of air movement (wind);
- Pace and physical demand of work;
- Adequacy of water replacement required by sweating;
- Humidity;
- Person’s clothing.

Thus,

- All relevant staff should have ample supplies of fresh cool water.
- The use of natural shade should be exploited.
- The erection of temporary shade should be considered where practicable.
- Particularly heavy outdoors work should not be undertaken between 10:00am and 2:00pm where practicable.
- Temporary cessation from physically demanding work should be considered 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 possible self-dousing with water.

Staff should report immediately to their Supervisor any significant symptoms of bodily overheating.
Consultation
The Shire of Lake Grace realises that the type of clothing worn in the field is of considerable importance to outdoor employees and as such, they will be consulted with respect to changes in style, type and fabric of clothing as issued, in accordance with good management practice.
Wherever practicable, the Shire of Lake Grace, having adopted a clothing policy, will ensure that the style and fabric of garments is acceptable and appropriate to the relevant workforce.

HISTORY  New Policy Adopted by Council 19 December 2018 Motion 12897

REVIEW  Manager Infrastructure Services
POLICY 4.11 Fitness for Work

POLICY
The Fitness for Work Policy as per attachment 4.13 is adopted by Council.

OBJECTIVES
The objectives of this policy are to:

a) 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.

b) Ensure the Shire meets its duty of care under the Occupational Safety and Health Act, 1984 to, where practicable, reduce hazards in the workplace.

c) 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 the safety and wellbeing of themselves and other employees.

d) 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.

e) Establish a structured approach that for the most part is fair and equitable in dealing with employees who attend work in an ‘Unfit for Work’ state.

GUIDELINES
Where applicable the following factors are to be taken into account:

- Likely effect on the workplace;
- Cost impact; and
- Legal implications.

Notwithstanding 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.

HISTORY
New Policy Adopted by Council 19 December 2018 Motion 12897
Amended 19 June 2019 Motion 13030

REVIEW
Chief Executive Officer
Definitions
For the purpose of this procedure, being "under the influence of alcohol and/or other drugs" the following definitions and interpretations shall apply:

- **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").
- **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 of casual role.
- **Contractor** - means a person engaged by the Shire (includes sub-contractor personnel) to perform works through the issue of a purchase order.
1.0 RESPONSIBILITIES

1.1 Employee / Contractor

It is the responsibility of an employee or contractor to ensure they do 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.

1.2 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, speech is slurred or slow, or otherwise appears to be affected by drugs and/or alcohol.

1.3 Organisation

The Shire believes that the health and wellbeing of an employee and contract personnel is of great importance to the organisation.

An employee assistance program will be offered in order to support the effected employee - refer to Statement 3.0 of this Policy.

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations will be kept confidential to the extent required by law.

Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

2.0 APPLICATION

2.1 Required Testing

2.1.1 Pre-employment - Applicants being considered for hire must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration. This proviso includes internal applications.

2.1.2 Seasonal workers - all persons employed on a seasonal basis shall be tested prior to the commencement of the relevant season in each year. Eg; Swimming Pool attendants.

2.1.3 Reasonable suspicion – should an employee or contractor present to work and be suspected of being under the influence of alcohol or other drugs testing will take place.

2.1.4 Random testing - The Shire of Lake Grace reserves the right to conduct random alcohol and drug tests.

• Random testing may utilise a variety of methods for selecting candidates, such as specifically designed software, lottery selection or other means.

• All staff are required participate in the selection process.
• Random testing will be conducted at the Shire’s expense.

2.1.5 *Post-accident* - Employees are subject to testing when they cause or contribute to accidents that damage any Shire of Lake Grace vehicle, machinery, equipment or property or that result in an injury to themselves or another employee requiring medical attention.

• Probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorised vehicle is found to be responsible for causing the accident.

• In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner.

• Refusal by an employee will be treated as a positive alcohol and/or drug test result and will result in disciplinary action as outlined in this policy.

• Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or otherwise arrange for the employee to be transported.

2.2 *Alcohol*

The Shire of Lake Grace has a zero alcohol tolerance for all employees and contractors.

2.2.2 Employees and contractors who are suspected of commencing work whilst under the influence of alcohol will be stood down from their duties while Calibrated Breathalyser testing is carried out on site.

2.2.3 Employees and contractors testing positive for alcohol will be given the option to stand down from work without pay, remain on the premises and re-test within a prescribed amount of time as determined by the relevant manager/supervisor.

2.2.4 If the 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 content is recorded at 0.05mg or over, transport will be arranged by the Shire for the employee to return home.

2.2.5 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.
2.3 Drugs and Prescription Medication

Illicit Drugs and Other Substances

2.3.1 Illicit drugs and other substances are strictly prohibited by the Shire of Lake Grace.

2.3.2 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 Shire property or premises will result in disciplinary action and may result in instant dismissal. If suspected of the above, an employee must undergo a drug screen paid by the Shire.

2.3.3 A contractor under the same circumstances will be asked to immediately leave the premises and the matter will be raised with their employer.

2.3.4 Refusal by an employee to undergo a drug screen will result in instant dismissal.

2.3.5 If the drug screen yields positive results action will commence in accordance with Statement 4.0 of this policy.

Prescription and Other Medication

2.3.6 It is an employee's and contractor's responsibility to inform the relevant supervisor/manager of any medication they are taking. This includes information of any adverse effects that may occur whilst taking such medication and the amount of times 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.

2.3.7 All prescription drugs and other medication must be used in accordance with medical advice.

2.3.8 Any non-prescription drugs or other medication must be used in accordance with the manufacturer's recommendations.

2.3.9 Failure to follow these requirements will result in disciplinary action - refer to Statement 4.0 of this Policy.

2.4 Fatigue

2.4.1 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.

2.4.2 This procedure directly reflects, but is not limited to, the implications of fatigue through the following external triggers:
   • Lack of sleep
   • Voluntary Work
   • External work commitments
2.4.3 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.

2.4.4 Depending on the circumstances, the Shire may compromise 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).

2.4.5 If this agreement is abused by the employee, disciplinary action may result.

2.4.6 If deprivation of sleep is the cause of fatigue due to other external circumstances, a 
drug and alcohol screen may be imposed at the discretion of the supervisor/manager. 
If positive, disciplinary action may be taken.

2.4.7 In circumstances where the employee 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.

3.0 EMPLOYEE ASSISTANCE PROGRAM
The Shire of Lake Grace 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 (EAP). 
Assistance may be offered to first offence employees excluding items 2.3.1-5 Illicit Drugs and 
Other Substances through a co-ordinated group of strategies designed to encourage employees 
to seek professional, confidential counselling 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.

The Shire of Lake Grace will take steps to return an employee to their employment position after 
completion of the treatment program, if practicable in the circumstances.

4.0 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

4.1 First Offence (Excluding items 2.3.1-5 Illicit Drugs and Other Substances):
• The employee will be immediately suspended from duty without pay.
• The employee will be given the opportunity to explain their circumstances/actions in 
  relation to the offence.
• The employee will receive counselling from their supervisor that will focus on; the 
  unacceptability of the employee's behaviour, the risk that such behaviour creates for the 
  safety of the individual, other employees and members of the public, 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 are fit to resume duties.
4.2 **Second Offence (Excluding items 2.3.1-5 Illicit Drugs and Other Substances):**

- The employee will be immediately suspended from duty without pay.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the offence.
- The employee will receive counselling from their supervisor that will focus on the unacceptability of the employee’s behaviour, the risk that such behaviour creates for the safety of the individual, other employees and members of the public, 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/manager.
- The employee will be submitted to fortnightly or random alcohol and/or drug screening for the period of two months at the expense of the Shire. If the employee refuses to comply with the testing or the results prove positive on a consistent basis, instant dismissal may be exercised by the CEO.

4.3 **Third Offence (Excluding items 2.3.1-5 Illicit Drugs and Other Substances):**

- The employee will be immediately suspended from duty without pay.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the offence.
- If not accepted by the CEO, the employment will be terminated without notice.

4.4 **Instant Dismissal (First Offence 2.3.1-5 Illicit Drugs and Other Substances):**

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; and
- Any other unlawful behaviour.

4.5 **Other:**

If an employee is sent home without pay, it is a requirement of the supervisor/manager to:

- Contact the employee’s next of kin to arrange pick up; or

If next of kin is unable to be contacted or unable to take employee home, make alternative arrangements 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.
POLICY 5.1  Private Works

POLICY  
All private works are to be subject to a written agreement between the applicant (entity) and the Shire of Lake Grace.

Where works are to be carried out on behalf of a ratepayer the estimated cost of the works shall be prepaid.

Any additional cost is to be met by the ratepayer and any balance remaining on completion of the works shall be refunded.

Where works are to be carried out on behalf of an entity other than ratepayer the estimated total cost of the works shall be prepaid or covered by a pre-arranged payment schedule which may include a form of a bank guarantee.

Requests for private works in excess of $10,000 shall be referred to Council.

OBJECTIVES  
To ensure proper use of Shire equipment in the carrying out of private works for ratepayers and to ensure a suitable payment system for private works on larger projects for private developers, Government Departments and Agencies.

GUIDELINES  
A request in the prescribed form – Attachment 5.1 (a) - is to be submitted by the applicant and lodged with the Deputy Chief Executive Officer.

HISTORY  
Former policy 5.5 & 5.16
Amended as per review Motion 10239 July 2006.
Motion 10623 June 2008 (guidelines amended re lodging of forms)
Amended 22 June 2016 Motion 12312

REVIEW  
Deputy Chief Executive Officer
PRIVATE WORKS REQUEST FORM

Deputy Chief Executive Officer
Shire of Lake Grace
PO Box 50
Lake Grace WA 6353

I, ________________________________ hereby apply for the following private works to be carried out:

____________________________________________________________________________________
____________________________________________________________________________________

I accept that the final cost of the job may vary from that given by the Deputy Chief Executive Officer and in signing I accept responsibility for the payment of any invoices relating to the above works.

Signed: ___________________________ Date: __________________

APPLICANT DETAILS FOR INVOICE

Name: ____________________________________________________________________________
Address: _________________________________________________________________________
ABN: ____________________________________________________________________________

Registered for GST: Yes [ ] No [ ]

QUOTATION FOR WORKS

I, _______________________, Deputy Chief Executive Officer quote an amount of $________________ for the work to be completed as listed above, and accept no responsibility should the cost of the job exceed this amount.

Deputy Chief Executive Officer
Date

Office Use Only

Debtor Number ________ Total Expenditure ________ Invoice Number_________

Invoice Date ______________________________ Invoice Amount ______________________
POLICY 5.2  Annual Plant Report

POLICY  The Chief Executive Officer or a delegated officer shall prepare an annual report detailing kilometres travelled or plant hours worked, the availability and cost of repairs undertaken for each major item of plant.

OBJECTIVES  To provide Council with overview of plant costs to assist in the preparation and assessment of a ten year plant replacement program.

GUIDELINES  The report is not intended to include minor items of plant or motor vehicles which are replaced at agreed timelines or kilometres travelled.

HISTORY  Former policy 5.10  Amended as per review Motion 10240 July 2006.

REVIEW  Chief Executive Officer

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POLICY 5.3  Hire of Shire Plant

POLICY  Shire plant and equipment that has a driver operator compartment shall only be hired out with a driver operator competent in the operation of the plant and equipment.

OBJECTIVES  To ensure the safe and careful use of Shire property.

GUIDELINES  In assessing the request for the hire of Shire plant and equipment the Manager Infrastructure Services will take into consideration the suitability of the plant and equipment to undertake the tasks and the competence of the driver operator to execute the task.

HISTORY  Former policy 5.20 & 5.21  Amended as per review Motion 10242 July 2006

REVIEW  Chief Executive Officer
POLICY 5.4  Garden & General Refuse – Annual Pick Up

POLICY
An annual garden and general refuse pick up will be carried out for each town within the Shire.
A minimum of four weeks’ notice will be given to each of the towns advising the relevant dates.

OBJECTIVES
To provide the communities of Lake Grace, Newdegate, Lake King and Varley with an opportunity to dispose of excess garden and general refuse.

GUIDELINES
To comply with disposal requirements the doors of refrigerators will be removed prior to pick up.
The removal of motor vehicle bodies will require prior notice to Council staff and may result in a separate charge being levied.

HISTORY
Former policy 5.23
Amended as per review Motion 10243 July 2006
Policy number amended Motion 10623 June 2008

REVIEW
Chief Executive Officer
POLICY 5.5 Road Making Materials

POLICY
Should it be necessary to obtain road making materials from private property, then:
1. officers to establish whether any local landowner is willing to provide the material at no cost to the Shire; or,
2. any compensation is to be at a flat rate per cubic metre, as prescribed in Council’s annual budget and is to be evidenced by a written agreement [see Attachment 5.5(a)] endorsed by the Engineer / Manager of Works and countersigned by the Chief Executive Officer.

OBJECTIVES
To ensure that materials are obtained at the lowest cost to the Shire together with proper written evidence of Council’s obligations.

GUIDELINES
1) To document agreements with landholders for the supply of road making materials.
2) To outline any conditions relating to the taking of road making materials.
3) Property owner not required to obtain Extractive Industries licence as it is the Shire that is operating the pit.
4) To specify compensation payable.
5) To prescribe rehabilitation requirements.
6) To prevent disputes arising from removal of road making materials.

HISTORY
Former policy 5.8 & 5.32
Amended Motion 9605 December 2003
Policy number amended Motion 10623 June 2008
Amended 24 June 2015 Motion 12059

REVIEW
Chief Executive Officer
ATTACHMENT 5.5 (a)
ROAD MAKING MATERIALS – AGREEMENT

Owner: ____________________________________________________________

Address: __________________________________________________________

Contact details: Phone: __________ Fax: __________ Email: ______________

Materials required: __________________________________________________

Estimated volume: __________________________________________________

From locations: __________ Anticipated life of pit: _____________________

COMPENSATION

Required: YES [ ] NO [ ]

Agreed Price: ______________________________________________________

Form of Payment __________________________________________________

CONDITIONS AND REHABILITATION

1. _________________________________________________________________

2. _________________________________________________________________

3. _________________________________________________________________

4. ___________________________________________________________________

CONSENT OF LANDOWNER/S

I hereby give consent for the Shire of Lake Grace to remove road making materials, as detailed above, in accordance with the conditions outlined.

Signature: __________________________ Date: _______________________

ACCEPTANCE BY SHIRE

On behalf of the Shire of Lake Grace, I hereby undertake to ensure that the requirements as noted on this form are adhered to:

__________________________ _______________________

Chief Executive Officer Date
POLICY 5.6  Property Access and Crossovers

POLICY

The Shire of Lake Grace will provide or contribute to the cost or providing both access and a crossover to properties as per its specifications where the contribution will be determined by the Shire’s Manager Infrastructure Services based on the estimated cost of the Shire providing the access and or crossover to a maximum cost of $2,000.

Subject to variation at the discretion of Council, the specifications regarding access and crossovers will be:

1) ACCESS
Construction of 150mm compacted gravel carriageway from the property boundary to the roadside, including the installation of culvert of 375mm diameter.

Council will pay for the cost of the following standard dimensions:

a) **Residential – see diagram Attachment 5.6a**
   - Standard width over full length = 3.0m
   - Standard widening at roadside junction = 45 degrees for 1 metre on both sides with maximum allowable width at roadside = 9.0m

b) **Industrial & Commercial – see diagram Attachment 5.6b**
   - Standard width over full length = 4.0m
   - Standard widening at roadside junction = 45 degrees for 1 metre on both sides with maximum allowable width at roadside = 13.0m

c) **Rural – see diagram Attachment 5.6c**
   - Standard width over full length = 8.0m
   - Standard widening at roadside junction = 45 degrees for 2 metres on both sides or from culvert to roadside.

**General Conditions**

1) Multiple access to be separated by a minimum of 3.0 metres at the roadside.
2) No access to be located within 6.0 metres of a side road boundary or 3.0 metres of a Right Of Way.
3) Council subsidy of rural access is limited to one (1) per lot/location number.
4) All variations to be paid in full by owner/applicant.

2) CROSOVERS
Construction of surface to access.
Council to pay 50% of standard dimensions to following specifications:

a) **Residential**
   - Installation of concrete headwalls where a culvert is installed.
   - Water binding and two coat bitumen seal where footpath is not paved or otherwise sealed.
   - 100mm reinforced concrete on 100mm compacted sand where footpath is paved.

b) **Industrial & Commercial**
   - Minimum 100mm re-enforced concrete on 100mm compacted sand where footpath is paved.
c) **Rural**

Installation of concrete headwalls where culvert is installed.

*To bitumen road:* Water binding and two coat bitumen seal to standard measurements of 8 metre width and 10 metre length.

*To gravel road:* Installation of concrete headwalls to culvert only.

**General Conditions**

1) All variations to be paid in full by owner/applicant.
2) Maximum dimensions of access apply.

**Note:** The size of the metal to be utilised has been deleted to allow for discretionary standards to be determined depending on the planned use/size configuration of vehicles (June 2008).

**OBJECTIVES**

To provide uniform specifications.

**GUIDELINES**

Shire of Lake Grace Delegations Register – Delegation E07

**HISTORY**

Former policy 5.17
Amended Motion 10623 June 2008
Amended 24 June 2015 Motion 12059

**REVIEW**

Chief Executive Officer

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**ATTACHMENT 5.6 (a) PROPERTY ACCESS AND CROSSOVER - RESIDENTIAL**
POLICY 5.7 Road Classification

POLICY
Council roads, as depicted on the Road Classification Listings (refer Attachment 5.7(a) and Road Classification Plan (refer to Attachment 5.7(b) – map) are categorised into “A”, “B” & “C” class roads and will be afforded the following work criteria:

“A” Class
- Formation to be 10m width
- Carriageway to be 7m width with 200mm gravel sheet
- Shoulders to be 2 x 1.5m
- Crossfall to be 4%
- Floodways to be equipped with a minimum of 2 x 237mm culverts and headwalls
- Backslopes to be cleared annually of all regrowth

Long Term Development: bitumen surface

“B” Class
- Formation to be 10m width
- Carriageway to be 7m width with 200mm gravel sheet
- Shoulders to be 2 x 1.5m
- Crossfall to be 4%
- Floodways to be equipped with a minimum of 2 x 237mm culverts and headwalls
- Backslopes to be cleared annually of all regrowth
- One additional grading before harvest, if necessary

Long Term Development: to remain as gravel surface

“C” Class
- Formation to be 8m width
- Carriageway to be 6m width with 150mm gravel sheet
- Shoulders to be 2 x 1m

Low volume farm access roads

OBJECTIVES
To identify priority roads

GUIDELINES
Unsealed Roads Manual produced by the Australian Road Research Board.

HISTORY
Former policy 5.28
Specifications amended Motion 9545 September 2003
Road classifications amended Motion 9840 October 2004
Policy number amended Motion 10623 June 2008

REVIEW
Chief Executive Officer
ATTACHMENT 5.7 (a) ROAD CLASSIFICATION LISTINGS

**Class “A” Roads**

Council recognises the following ‘A’ Class Roads as major regional routes and are sealed or planned to be sealed.

<table>
<thead>
<tr>
<th>Road Name</th>
<th>Road Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biddy-Camm Road</td>
<td>Newdegate North Road</td>
</tr>
<tr>
<td>Mallee Hill Road</td>
<td>Newdegate Road</td>
</tr>
<tr>
<td>North LG – Karlgarin Road</td>
<td>Magenta Road</td>
</tr>
<tr>
<td>Lake Biddy Road</td>
<td>Varley South Road</td>
</tr>
<tr>
<td>Biddy-Buniche Road</td>
<td>Holt Rock South Road</td>
</tr>
<tr>
<td>Aylemore Road</td>
<td>Norseman Road</td>
</tr>
</tbody>
</table>

**Class “B” Roads**

Class ‘B’ Roads are major feeder, arterial roads and are built to a pre-seal standard.

<table>
<thead>
<tr>
<th>Road Name</th>
<th>Road Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jarring South Road</td>
<td>Ardler Road</td>
</tr>
<tr>
<td>White Dam (Jarring Nth) Road</td>
<td>Magenta Road</td>
</tr>
<tr>
<td>West Kuender Road</td>
<td>Taylor Road</td>
</tr>
<tr>
<td>Mordetta Road</td>
<td>Winchcombe Road</td>
</tr>
<tr>
<td>Willcocks Road</td>
<td>Carstairs Road</td>
</tr>
<tr>
<td>Mallee Hill Road</td>
<td>Purnta Road</td>
</tr>
<tr>
<td>Biddy Camm Road</td>
<td>Pickernell Road</td>
</tr>
<tr>
<td>Biddy Camm Road (2)</td>
<td>Kathleen Road</td>
</tr>
<tr>
<td>Buniche North Road</td>
<td>Norseman Road</td>
</tr>
<tr>
<td>Biddy Buniche Road</td>
<td>Hatters Hill Road</td>
</tr>
<tr>
<td>Aylemore Road</td>
<td>Mount Sheridan Road</td>
</tr>
<tr>
<td>Newdegate North Road</td>
<td>Burngup Road South</td>
</tr>
<tr>
<td>Tonkin Road</td>
<td>Burns Road</td>
</tr>
</tbody>
</table>

**Class “C” Roads**

Class ‘C’ are low volume farm access roads and include all other Shire roads not classified above.
ATTACHMENT 5.7 (b) ROAD CLASSIFICATION PLAN
POLICY 5.8  Unsealed Roads - Standards

POLICY  Council roads are to be constructed and maintained in accordance with the guidelines set out in the Unsealed Roads Manual produced by the Australian Road Research Board.

OBJECTIVES  To construct and maintain safe roads.

GUIDELINES  See Attachment 5.8(a): Road Profile and Specifications for “A” & “B” Class Roads.

See Attachment 5.8(b): Road Profile and Specifications for “C” Class Roads.

See also design by BSD Consultants re road profile.

HISTORY  Former policy 5.37
Guidelines amended Motion 9545 September 2003
Road Profiles and Specifications amended Motion 9843 October 2004
Policy number amended Motion 10623 June 2008

REVIEW  Chief Executive Officer

ATTACHMENT 5.8(a)
UNSEALED ROADS - ROAD PROFILE AND SPECIFICATIONS “A” & “B” CLASS ROADS
ATTACHMENT 5.8(b)
UNSEALED ROADS - ROAD PROFILE AND SPECIFICATIONS “C” CLASS ROADS

Profile and Specifications for “C” class roads

Specifications

<table>
<thead>
<tr>
<th>Formation Width</th>
<th>8.0m</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carriageway Wide</td>
<td>6.0m</td>
</tr>
<tr>
<td>Shoulders</td>
<td>2 x 0.5m</td>
</tr>
<tr>
<td>Traffic Lanes</td>
<td>3.0m</td>
</tr>
<tr>
<td>Cross Fall</td>
<td>0.1%</td>
</tr>
<tr>
<td>Satters</td>
<td>1 - 2 m</td>
</tr>
</tbody>
</table>

Road Reserve is to be kept clear of all growth by means of clearing and or by chemical spraying.

Measurements of the backslope to be declared by the Manager of Works and Services taking into account the locality.

Tree canopy to be cut back to vertical at top of backslope.

Shoulders on all bitumen roads to be graded and chemical sprayed annually.

Note: Extent of clearing to be at top of backslope.
POLICY 5.9 Storm Water Drainage

POLICY
Property owners within the townsites of Lake Grace, Newdegate, Lake King and Varley shall be permitted to drain storm water from their properties into the main roadside drainage system.

OBJECTIVES
To allow storm water from properties in townsites within the Shire of Lake Grace to be disposed of into Council’s roadside drainage.

GUIDELINES
Permission to dispose of storm water into Council’s roadside drainage system must be provided by the Manager of Works.

HISTORY
Former policy 7.21
Amended as per review Motion 10246 July 2006
Policy number amended Motion 10623 June 2008

REVIEW
Chief Executive Officer
POLICY 5.10 Drainage and Water Pipeline

POLICY
Under the provisions of Section 19 of the Local Government (Uniform Local Provisions) Regulations it is illegal for any person to interfere with the natural flow of surface water, on, across or through any thoroughfare under the care and control of Council which will cause damage to that thoroughfare unless authorised to do so.

A landowner wishing to discharge or divert water on, across, or through a thoroughfare under the care and control of Council will first make application outlining their proposed works.

If the proposed works (as assessed by staff), on, or across any thoroughfare under the care and control of Council are of no benefit to Council the landowner will be responsible for all costs associated with the works.

If the proposed works are considered to be of benefit to Council and, subject to a decision of Council, the cost may be negotiated.

OBJECTIVES
To establish the extent of Council’s responsibility for drainage and water pipeline works.

GUIDELINES
Applications to Council for drainage will be guided by the natural drainage contours and its impact on Council’s road network.

Applications for water pipelines will be guided by the following:
1. The pipe is to be buried inside a larger diameter steel pipe.
2. White posts marked ‘WATER PIPE’ are to be placed at either end of the line where it crosses the road reserve.
3. The landowner is responsible for any damage that may occur to the pipeline.

HISTORY
Policy adopted Motion 9417 April 2003
Amended as per review Motion 10247 July 2006
Amended as per review Motion 10623 June 2008

REVIEW
Manager Infrastructure Services
POLICY 5.11  Rabbit Control

POLICY  
To control declared species, in this case rabbits, and in meeting with its obligation as a land owner under the Agriculture and Related Resources Protection Act 1976 (ARRPA), the Shire shall endeavour to work with adjoining land owners and users to help combat this issue. This will be carried out by allowing restricted access to shire land to carry out harbourage and warren destruction.

OBJECTIVE  
For the Shire to allow adjoining landowners access to Shire land to control rabbit numbers and to meet its obligation under the Agriculture and Related Resources Protection Act 1976 (ARRPA) to control declared species.

GUIDELINES  
i) Mechanical methods – use of back hoe or front-end loader to collapse warrens.

ii) Restricted access – in some instances small amounts of native bush may be damaged/cleared to allow for ease of access. Land owners to seek Shire approval before bush is damaged or removed to prevent excessive clearing.

iii) The Shire to adopt the practice of removing or burning excessive amounts of debris pushed up during roadside maintenance on stretches of road that are conducive to rabbit habitat, e.g. sandy soils.

iv) The Shire shall endeavour to carry out warren destruction at opportune times when working in the vicinity of warrens.

HISTORY  
Adopted July 2010 Motion 11061

REVIEW  
Chief Executive Officer

POLICY 5.12  Open Space Specification

POLICY  
For council to provide a set of standards, to be used by the administration in setting levels of service for staff, contract works and development.

OBJECTIVE  
To provide a set level of expectations related to open space, and other recreation related open space assets, green spaces, trees, playing surfaces, built structures, reticulation, bushland (in reserve spaces), fire breaks, playgrounds, public facilities and lighting.

GUIDELINES  
The specification ‘SHIRE OF LAKE GRACE OPEN SPACE SPECIFICATION’ will be the guidance document.

HISTORY  
Adopted February 2017 Motion 12455

REVIEW  
Manager Infrastructure Services
POLICY 5.13  Road Safety Audit

POLICY

To set out the requirements for conducting Road Safety Audits in the Shire of Lake Grace

OBJECTIVES

To improve the safety of the road network and developments in the Shire of Lake Grace and ensure measures to eliminate or reduce road environment risks for all road users are fully considered with emphasis placed on fatal and serious crash risk.

To promote the development, design and implementation of a safe road system through the adoption of formal road safety auditing principles and practices.

GUIDELINES

The Policy applies to the Shire of Lake Grace road infrastructure projects and to qualifying projects that are subject to the Development Application process.

The Policy applies to all District Distributor, Local Distributor and Local Access Roads within the Shire of Lake Grace

HISTORY

Adopted September 2019

REVIEW

Chief Executive Officer
POLICY OBJECTIVES

To set out the requirements for conducting Road Safety Audits in Shire of Lake Grace.

To improve the safety of the road network and developments in Shire of Lake Grace and ensure measures to eliminate or reduce road environment risks for all road users are fully considered with emphasis placed on fatal and serious crash risk.

To promote the development, design and implementation of a safe road system through the adoption of formal road safety auditing principles and practices.

POLICY SCOPE

This Policy applies to the Shire of Lake Grace road infrastructure projects and to qualifying projects that are subject to the Development Application processes.

The Policy applies to all District Distributor, Local distributor and Local Access Roads within the Shire of Lake Grace.

DEFINITIONS / ABBREVIATIONS USED IN POLICY

**Audit Team** means a team that shall comprise of at least two people, independent of the design team, including members appropriately experienced and trained in road safety engineering or crash investigation with knowledge of current practice in road design or traffic engineering principles who undertake the road safety audit.

**Audit Team Leader** means the person with appropriate training and experience with overall responsibility for carrying out the audit and certifying the report. An Audit Team Leader practising in Western Australia must be an IPWEA/Main Roads Accredited Senior Road Safety Auditor.

**Audit Team Member** means an appropriately experienced and trained person who is appointed to the Audit Team and who reports to the Audit Team Leader. An Audit Team Member practising in Western Australia must be an IPWEA/Main Roads Accredited Road Safety Auditor.

**Corrective Action Report (CAR)** means a tabular summary report prepared by the Audit Team to be completed by the Asset Owner, Project Owner, Project Coordinator or delegated representative to respond to identified findings and recommendations detailed in the audit report.

**Crash investigation** means an examination of crashes to identify patterns and common trends that may have contributed to crash causation or crash severity. This can include the detailed investigation of a single crash.

**IPWEA** refers to Institute of Public Works Engineering Australasia.
**Main Roads** means Main Roads Western Australia.

**Permanent change** means any permanent change to the road network, excluding like for like maintenance replacement works and temporary works.

**Public road** means a road either under the control of Main Roads, Local Government, or any other road accessible by the public (excludes private roads).

**Road Safety Audit** means a formal, systematic, assessment of the potential road safety risks associated with a new road project or road improvement project conducted by an independent qualified audit team. The assessment considers all road users and suggests measures to eliminate or mitigate those risks.

**Road safety engineering** means the design and implementation of physical changes to the road network intended to reduce the number and severity of crashes involving road users, drawing on the results of crash investigations.

**Road Safety Inspection** means a formal examination of an existing road or road related area in which a qualified team report on the crash potential and likely safety performance of the location, (formerly known as an ‘Existing Road Safety Audit’).

**Safe System** means a road safety approach adopted by National and State Government to generate improvements in road safety. The Safe System approach is underpinned by three guiding principles: people will always make mistakes on our roads but should not be killed or seriously injured as a consequence; there are known limits to the forces the human body can tolerate without being seriously injured; and the road transport system should be designed and maintained so that people are not exposed to crash forces beyond the limits of their physical tolerance.

**Specialist Advisor** means a person approved by the client who provides independent specialist advice to the audit team, such as, road maintenance advisors, traffic signal specialists, police advisors and individuals with specialist local knowledge.

**POLICY STATEMENT**

This policy requires that the following commitments be adopted as part of a strategic framework for the implementation of road safety audit principles and practices in the planning and development of infrastructure within the Shire of Lake Grace.

Include road safety audit goals and objectives in our Corporate Plan and Business Management Systems (BMS).

**Background**

In accordance with the Australian National and the Western Australia State Road Safety Strategies this policy adopts a Safe System approach to the delivery of a road safety audit service by placing emphasis on fatal and serious crash risk.

The road safety audit process is an assessment of road engineering projects and as such the Safe System sphere of influence is limited to two of the four cornerstones of the Safe System approach, namely, Safe Roads and Roadsides, and Safe Speeds.

This is to be achieved by focusing the audit process on considering safe speeds and by providing forgiving roads and roadsides. This is to be delivered through the Road Safety Audit process by accepting that people will always make mistakes and by considering the known limits to crash forces the human body can tolerate with the aim to reduce the risk of fatal and serious injury crashes.
A road safety audit is a formal examination of a future road or traffic project in which an independent qualified team reports on potential crash occurrence and severity which may result from the introduction of the project.

Road safety audits are a proactive process to prevent the occurrence of road crashes. The road safety audit process provides project managers with a powerful mechanism to identify potential crash risk in the delivery of infrastructure projects and aims to reduce the risk of trauma and crashes on the road network.

In the implementation of this policy the road safety audit approach to be taken is: that it is not acceptable that any human should die or be seriously injured on the Western Australia road network, and specific road safety audit findings shall be highlighted in this regard.

Application

Road safety audits and road safety inspections must be conducted in accordance with the Austroads Guide to Road Safety Part 6: Road Safety Audit, and Main Roads Western Australia and Institute Public Works Engineering Australasia (WA division) complimentary checklists and procedures.

The road safety audit process must be completed using the Main Roads / IPWEA-WA road safety audit report template provided on the Road Safety Audit Portal website.

All road safety audits must be repeated if the project design materially changes, if there are many minor changes which together could impact on road user safety, or if the previous road safety audit for the relevant stage is more than 3 years old. Should a project not begin the next stage in its development within 3 years of the completion of the previous audit, the project must be re-audited. This is to ensure that due consideration is given to the project’s interface with the existing road network.

Relevant staff shall be trained in order to fulfil the training and experience requirements to achieve and maintain road safety auditor accreditation.

Where appropriate a reciprocal partnership agreement will be arranged with other local governments to create opportunities for road safety audit teams to include qualified independent team members from partnering local governments.

Road Safety Audit Team

- All road safety audit teams must comprise a minimum of two members.
- All audit teams must be led by a suitably qualified and experienced Western Australia IPWEA/Main Roads Accredited Senior Road Safety Auditor and shall be listed on the Road Safety Audit Portal so that the maximum emphasis is placed on road safety engineering and Safe System principles,
- All audit team members must be Western Australia IPWEA/Main Roads Accredited Road Safety Auditors and shall be listed on the Road Safety Audit Portal.
- Specialist advisors, such as, Police advisors or technical experts can assist the audit team by providing independent specialist advice on particular aspects of a project. There is no requirement for a specialist advisor to be an Accredited Road Safety Auditor. Specialist advisors shall be listed as an “Advisor” in the audit report and shall not be listed as a team member.
- The audit team shall include a Local Government officer, (they can be a specialist advisor).
• Team Leaders/Members shall excuse themselves from participation in the audit if:
  • They have had any involvement in planning, design, construction or maintenance activities for road infrastructure for the project.
  • They perceive any possibility of duress or coercion by their employer or employer’s staff in relation to the audit.

• Persons not accredited as a Road Safety Auditor or do not have relevant specialist skills may still participate as an observer if invited to do so by the Team Leader.

**When to Audit**

**Black Spot Projects**

Road Safety Audits shall be conducted on all Black Spot funded projects as per State Black Spot Program Development and Management Guidelines.

**Road projects with a project value ≥ $1 Million**

All road infrastructure projects that involve a permanent change to the Shire of Lake Grace road network with an estimated project value > $1 Million shall have a road safety audit undertaken at the following 3 stages as a minimum:

• Stage 2 - Preliminary design
• Stage 3 - Detailed design
• Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

**Road projects with a project value ≥ $150,000 and < $1 Million**

All road infrastructure projects that involve a permanent change to the Shire of Lake Grace road network with an estimated project value ≥ $150,000 and < $1 Million shall have a road safety audit undertaken at the following 2 stages as a minimum:

• Stage 3 - Detailed design
• Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

A detailed design road safety audit shall be carried out on a road project that involves a permanent change to the Shire of Lake Grace road network with a project value < $150,000 if it is considered complex and/or high risk at the discretion of the Shire of Lake Grace.

**Land Developments**

Road safety audits shall be conducted on land use developments that intersect the Shire of Lake Grace road network in accordance with the requirements of this policy. The road project value warrants above shall be used to determine audit requirements, with the exception of projects with an estimated project value less than $150,000 that meet any of the following warrants:

• Subdivisions of more than 20 lots;
• Car parks providing access for more than 50 vehicles;
• Developments that are likely to generate traffic movements in excess of 100 movements per day;
• Projects that are likely to generate increased pedestrian or cycle movements, or where significant numbers of pedestrians or cyclists are nearby; or
• Project locations where potential road safety risks are identified by the Shire of Lake Grace.

Land use developments that involve a permanent change to the public road network with an estimated project value less than $150,000 that meet any of the above warrants shall have a road safety audit undertaken at the following 2 stages as a minimum:

• Stage 3 - Detailed design
• Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

The road safety audit shall include the internal road network and parking area within the development.

Existing Roads

Road safety inspections shall be undertaken for existing intersections or road sections where there is a traffic management or road safety concern, at the discretion of the Shire of Lake Grace.

Close out

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall complete the Corrective Action Report within one calendar month and arrange for the completed and signed report to be recorded on the Shire of Lake Grace records system and a copy forwarded to the audit team leader.

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall be responsible for the proposed actions and comments resulting from the Corrective Action Report.
SECTION 6 - PLANNING
(see also Local Planning Scheme No.4)

POLICY 6.1 Residential Development in the Lake King Townsite Development Zone

POLICY
Council will permit residential development in the Lake King Townsite zone to a maximum density of R20 as provided in the Residential Design Codes of Western Australia (as amended), provided that:

i) The land, the subject of an application for approval to commence development, is designated for residential purposes in an approved Structure Plan applicable to the land; and,

ii) The development is served with reticulated sewerage or an alternative effluent disposal system approved by the Health Department of Western Australia and the Council.

OBJECTIVES
See Local Planning Scheme No 4

GUIDELINES
Refer to Local Planning Scheme No 4

HISTORY
Former policy 12.1
Amended Motion 10850 August 2009, adopted Motion 10903 November 2009 following public advertisement.

REVIEW
Chief Executive Officer

POLICY 6.2 Parking of Chemical Spray Units in Townsites

POLICY
Council will not grant its approval for the storage or parking of chemical spray units on land within a townsite boundary (as defined in Local Planning Scheme No.4), unless:

i) The land, the subject of the use is classified ‘Industrial’ or ‘Rural’ zone;
ii) It is satisfied that the use will not have a detrimental impact upon the general amenity of the locality; and
iii) It is satisfied that the use will not contaminate the soil.

In granting an approval to the use of the land for this purpose, Council may require the establishment and maintenance of landscaping to screen the activities from public view.

OBJECTIVES
To protect the safety, health and visual amenity of the townsites.

GUIDELINES
Local Planning Scheme No 4

HISTORY
Motion 7272, 20 August 1997
Amended Motion 10851 August 2009, adopted Motion 10903 November 2009 following public advertisement.

REVIEW
Chief Executive Officer
POLICY 6.3  Relocated Dwellings and Second Hand Transportable Dwellings

POLICY

For the purpose of this policy:

i) Relocated Dwelling’ means a residential building that has been previously constructed on a lot, other than on the lot which it is now proposed to be erected upon, and is not specifically designed as a transportable building.

ii) ‘Second Hand Transportable Dwelling’ means a building which has been specifically designed as a transportable residence and which has been previously used at any other place other than on the lot that it is now proposed to be erected upon.

iii) When submitting an application for planning approval the applicant, in addition to the normal information and plan requirements stipulated by clause 9.2 of Local Planning Scheme No.4, is also required to provide colour photographs showing all external elevations of the relocated dwelling or second hand transportable dwelling proposed to be erected.

Council, when determining applications may:

i) have regard to such things as, but not limited to, the age of the dwelling, its general overall condition, and its impact on the character and amenity of the surrounding area; and

ii) impose conditions requiring, but not limited to, repairs to the dwelling, internal and/or external painting, and where necessary the construction of verandah’s, awnings or other external features to enhance its overall finished appearance.

A bond of $5,000.00 is payable by the applicant for each approved relocated dwelling or second hand transportable dwelling located within a townsite boundary, or on land classified ‘Residential’ or ‘Rural Residential’ zone.

The bond will be refunded when the applicant has satisfied Council’s requirements.

OBJECTIVES

To ensure that the appearance of relocated dwellings and second hand transportable dwellings do not detrimentally impact on the amenity of the district.

GUIDELINES

Local Planning Scheme No 4

HISTORY

Motion 8940, May 2001
Former motion 28 October 1998
Amended Motion 10852 August 2009, adopted Motion 10903 November 2009 following public advertisement.

REVIEW

Chief Executive Officer
POLICY 6.4 Timber Plantations

POLICY

1. PRELIMINARY

1.1 Authority to prepare and adopt a Local Planning Policy
Part 2 of the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) allows Council to prepare a Local Planning Policy in respect of any matter related to future planning and development within the Shire.

1.2 Relationship of this Policy to Local Planning Scheme No.4
If a provision of this Local Planning Policy is inconsistent with the Shire of Lake Grace Local Planning Scheme No.4, the provision of the Scheme shall prevail.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination on any application for planning approval.

2. APPLICATION OF THE POLICY

2.1 Areas of Application
This policy applies to the development and/or use of any land classified ‘General Agriculture’ zone in the Shire of Lake Grace for the purposes of a timber plantation (i.e. agroforestry, farm forestry, tree plantation, carbon sequestration plantation, plantation management etc.).

2.2 Definitions
For the purposes of this Policy the following definitions shall apply:

‘Agroforestry’ is defined in the Scheme as:
Land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

‘Carbon Sequestration’ means:
(a) The absorption from the atmosphere of carbon dioxide by land or anything on land; and
(b) The storage of carbon in land or in anything on land.

‘Code of Practice’ means:
The Code of Practice for Timber Plantations in Western Australia 2006 (as amended) produced by the Forest Industries Federation (WA) Incorporated.

‘Farm Forestry’ means:
Any commercial tree production on agricultural land.

‘Local Government’ means:
The Shire of Lake Grace

‘Plantation Management Plan’ means:
Specified details of the development and management of a tree plantation. A plantation management plan may include plantation maps, establishment, maintenance and fire management procedures (Refer to Appendix 1 of the Code of Practice).
‘Plantation’ means:
A stand of trees of ten hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and/or environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantations. Implicit in this definition is the recognition that plantations may or may not be harvested.

‘Timber Harvesting Plan’ means:
A plan developed prior to harvesting a plantation detailing the time of harvest, procedure for harvesting and the route by which the products will be transported to a processor.

‘Transport Strategy’ means:
A plan and/or agreement outlining the transport arrangements related to the subject property and the surrounding local, district and/or regional road system for transporting harvested or processed product from the site of production.

‘Watercourse’ as defined in the Rights in Water and Irrigation Act 1914 (as amended) means:
a) any river, creek, stream or brook in which water flows;
b) any collection of water (including a reservoir) into, through or out of which anything coming within paragraph (a) flows; or
c) any place where water flows that is prescribed by local laws to be a water course and includes the bed and banks of anything referred to in paragraph (a), (b) or (c).

3. POLICY OBJECTIVES
The primary objectives of this policy are as follows:
• To facilitate a more consistent, efficient and effective planning process for timber plantation development throughout the Shire of Lake Grace;
• To encourage the establishment, management and harvesting of timber plantations in accordance with the Code of Practice for Timber Plantations in Western Australia 2006, State Planning Policy 3.7: Planning for Bushfire Risk Management, the Department of Fire and Emergency Service’s (DFES’s) Guidelines for Plantation Fire Protection 2011 and all other relevant policies, guidelines and regulations;
• To support and encourage the development of timber plantations on land classified ‘General Agriculture’ zone in the Shire for its combined economic, environmental and social benefits and its overall contribution to sustainability in agricultural areas;
• To ensure there are appropriate means of access to all timber plantations within the municipal district and that the Shire’s existing and proposed road networks and public safety are not detrimentally affected by heavy haulage vehicles;
• To protect and enhance native remnant vegetation, wetlands and watercourses and minimise the potential for land degradation including salinity, water logging and soil erosion;
• To encourage planting areas with linkages to existing remnant vegetation on the same lot or adjacent lots; and,
• To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or the biodiversity conservation and management of reserved land.
4. APPROVAL REQUIREMENTS

4.1 Council’s Planning Approval

Under the terms of the Shire of Lake Grace’s current operative Local Planning Scheme No.4 (LPS No.4) timber plantations including agroforestry, farm forestry, tree plantations for carbon sequestration, plantation management etc. may only be established on land classified ‘General Agriculture’ zone.

Timber plantations are not permitted to be developed in any other zone within the Scheme Area.

A person or organisation must not commence or carry out any development of land classified ‘General Agriculture’ zone for the purposes of a timber plantation/agroforestry without first having applied for and obtained the planning approval of the local government under Part 9 of LPS No.4.

Planning approval is not required for the planting of trees for land rehabilitation, salinity affected areas, wind belts etc. which are not proposed to be used for any commercial production or carbon sequestration purpose/s.

4.2 Assessment of Planning Applications

In assessing and determining any application for Council’s planning approval for the establishment of a timber plantation in the Shire of Lake Grace the local government will have due regard for the provisions contained in, but not limited to, the following documents (as amended):

- Shire of Lake Grace Local Planning Strategy;
- Shire of Lake Grace Local Planning Scheme No.4;
- The Code of Practice for Timber Plantations in Western Australia 2006;
- WAPC Rural Planning Guidelines;
- WAPC Guidelines for Visual Landscape Planning in Western Australia;
- WAPC State Planning Policy No.2 - Environment and Natural Resources Policy;
- WAPC State Planning Policy No.2.5 – Land Use Planning in Rural Areas;
- WAPC State Planning Policy No. 2.9 - Water Resources;
- WAPC State Planning Policy No. 3 - Urban Growth and Settlement;
- WAPC Draft State Planning Policy No. 3.7 – Planning for Bushfire Risk Management;
- WAPC State Planning Policy No 4.1 - State Industrial Buffer Policy;
- DFES Guidelines for Plantation Fire Protection 2011;
- WAPC Draft Planning for Bushfire Risk Management Guidelines; and

5. DEVELOPMENT CONTROL

5.1 Plantation Management Plan

The local government will require the preparation of a Plantation Management Plan in support of any application for planning approval for a timber plantation. The Plantation Management Plan is to contain the following information:

- The Certificate of Title details for the subject land;
- Details of the landowner(s), plantation management company and the plantation manager/s (names, contact details etc.);
- Outline of all area(s) of land proposed to be planted, maintained and harvested;
- Details of all proposed tree species;
- Details of any clearing proposals affecting native vegetation;
- Details of tending practices including fertilization and pest management; and
Suitably scaled plan/s illustrating:
- the location, dimensions and areas of the plantation compartments;
- existing and/or proposed access roads and fire breaks;
- existing or proposed essential service infrastructure;
- existing native vegetation and any areas proposed to be cleared;
- existing watercourses and dams; and
- any other information the local government considers appropriate in the circumstances.

5.2 Transport Strategy
The local government will require the preparation of a Transport Strategy in support of any application for planning approval for a timber plantation. The Transport Strategy is to contain the following information:
- The Certificate of Title details for the subject land;
- Details of the landowner(s), plantation management company and the plantation manager/s (names, contact details etc.);
- Anticipated season/s and year/s of harvest;
- Anticipated tonnage of product at harvest and methods to be used to measure tonnages of product actually harvested;
- Whether hauled end product is likely to be in the form of wood chips, logs or other;
- Proposed haulage routes on all local, district and regional roads within the Shire;
- Details regarding the nature and size of all haulage vehicles including the proposed use of any Restricted Access Vehicles (i.e. vehicles exceeding 19 metres in length, 42.5 tonnes);
- Proposals for any additions, upgrades and/or maintenance of the local, district and/or regional road network within the Shire including the payment of any financial contribution towards these works; and
- Any other information the local government considers appropriate in the circumstances to assist its assessment of the potential transport impacts.

The Transport Strategy shall be reviewed, updated and presented to the Shire of Lake Grace for Council’s final approval a minimum of eighteen (18) months prior to the commencement of harvesting.

In assessing the suitability of the proposed Transport Strategy the local government may refer the Strategy to Main Roads Western Australia (MRWA) and any other government agency or service provider for review and comment.

In issuing planning approval for the establishment of a timber plantation in the Shire of Lake Grace, Council may impose a condition requiring the applicant to pay the Shire a road maintenance bond of $2.00/tonne of timber harvested. The road maintenance bond shall be retained by the Shire in a municipal reserve account and used as required for road maintenance purposes.

5.3 Fire Management Plan
Fire management is a vital issue which requires detailed examination as part of any proposal. It must be recognised that the Shire has limited resources in relation to strategic fire management and that the applicant is required to address strategic fire management as part of any proposal.

The Shire will therefore require the preparation of a Fire Management Plan in support of any application for planning approval for agroforestry or a timber plantation. The Fire Management Plan shall be prepared in accordance with DFES’s Guidelines for Plantation
as a minimum all Fire Management Plans shall be prepared by a suitably qualified or experienced fire consultant or specialist consultant in a related field and generally follow the format of the ‘Model Fire Management Plan’ contained in DFES’s Guidelines.

All Fire Management Plans shall include the following information:

- A bushfire hazard assessment using the methodology recommended by DFES and the Western Australian Planning Commission including a detailed analysis of the risk of ignition;
- A fire suppression response examining the ability of the local fire brigade to respond to a fire on the subject land having regard for distance, existing available local equipment and the location of on-site water supply sources;
- A location/context plan examining the surrounding land uses and identifying other existing or approved plantations within the immediate vicinity and any significant surrounding industries or land uses which may impact on fire management such as rural industry (hay storage), wood stockpiling, fuel storage etc.;
- A Fire Management Plan specific to the site formulated with due regard for all relevant policies, guidelines, codes of practice and regulatory requirements;
- Clear identification of existing buildings/structures and the need for low fuel load areas;
- Details of the owners responsibilities, neighbours responsibilities, applicant’s responsibilities and Shire’s responsibilities; and
- Clear identification of all firebreak specifications in accordance with all relevant policies, guidelines, codes of practice and regulatory requirements including the Shire’s Firebreak Notices.

Whilst many agroforestry applications are of a substantially smaller scale than commercial tree plantations it is acknowledged that it may be onerous to apply the same firebreak specifications as plantations. Should an application for agroforestry propose variations to firebreak requirements or any other requirements, the applicant is required to provide an explanation and justification as part of the application. The Shire will consider any variations to firebreak specifications following advice from the local Chief Fire Brigade Officer and/or DFES.

The local government will refer the Fire Management Plan to the local Chief Fire Brigade Officer and DFES for comment prior to Council determining the application for planning approval. Any comments received from the local Chief Fire Brigade Officer and DFES will be presented to and considered by Council prior to determining the application.

### 5.4 Timber Harvesting Plan

In issuing planning approval for the establishment of a timber plantation/agroforestry in the Shire of Lake Grace, Council will impose a condition requiring the preparation and lodgment of a Timber Harvesting Plan to the local government a minimum of eighteen (18) months prior to the commencement of harvesting.

The Timber Harvest Plan will outline the area/s to be harvested, roads to be used, type of harvesting system and the timing of the operation. The Timber Harvest Plan will also identify all areas of remnant vegetation and other buffer zones in which no harvesting is to be conducted.

Any Timber Harvesting Plan with land parcels totaling 1,000 hectares or more and
located within ten (10) kilometers of a State controlled road will be referred to Main Roads Western Australia (MRWA) by the Shire for review and comment prior to determination. Additionally any proposed use of Restricted Access Vehicles (vehicles exceeding 19 metres in length, 42.5 tonnes) as part of the harvesting operations will need to conform with the MRWA’s ‘Guidelines for Assessing the Suitability of Routes for Restricted Access Vehicles’.

Prior to the commencement of harvesting the local government may require a Flora and Fauna field search and report to be undertaken by a suitably qualified person or persons to confirm that no threatened flora or fauna species will be negatively impacted by the harvest operations.

5.5 Integrated Pest & Fertiliser Management Plan
In issuing planning approval for the establishment of a timber plantation in the Shire of Lake Grace, Council will impose a condition requiring the preparation and lodgment of an Integrated Pest and Fertiliser Management Plan in support of any application for planning approval for a timber plantation within the Shire. This plan shall outline the methods of pest control and fertiliser application.

The use of insecticides must be in accordance with Public Health Guidelines and the aerial application of any insecticides and/or herbicides and fertilisers must be in accordance with the Aerial Spraying Control Act 1966 and the relevant code of practice.

5.6 Visual Impact
Any application for planning approval for the establishment of a timber plantation in close proximity and/or viewing distance to established townsites, roads of local and regional significance or areas of scenic beauty within the Shire shall be accompanied by a visual impact assessment prepared by a suitably qualified person or persons in accordance with the methods and guidelines contained in the Department for Planning’s 2007 publication entitled ‘Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design’.

5.7 Water Quantity, Quality & Buffers – (Water Impact Statement)
All applications for planning approval for the establishment of a timber plantation within the Shire shall be accompanied by a suitable Water Impact Statement that outlines the anticipated effects of the proposed plantation on the quantity and quality of water flowing to any property or properties immediately downstream of the plantation site.

Water quality should be protected by careful planning and control of the location and timing of machinery operations and vehicle movements during site preparation and harvesting.

In order to maintain water quality, the ecological values of waterways and prevent erosion, Council will require that all plantations incorporate appropriate buffers. The Department of Water (DoW) has a Water Quality Protection Note on ‘Vegetation buffers to sensitive water resources’ which recommends the following:

- 50 metres for permanent water or greater ephemeral streams (intermittent) which can be reduced to 30 metres where a combination of practices (multiple containment barriers) are used to protect water quality; and
- 30 metres for ephemeral streams and margins of water supply/drainage which can be reduced to 20 metres where a combination of practices (multiple containment barriers) are used to protect water quality.

The types of ‘multiple containment barriers’ considered suitable are listed by the DoW
and include effectively trained operators, regular supervision of activities and quality assured containment processes etc. Council will have regard for the recommended buffers of the DoW and any proposal with reduced buffers will require sufficient justification demonstrating significant environmental benefits.

Where any risk to the quantity and quality of water is identified, the local government shall refer that application to the EPA, DER and/or the DoW for comment. Any comments received from the EPA, DER and/or the DoW will be presented to and considered by Council prior to determining the application.

5.8 Natural Resource Management
When considering and determining any application for planning approval for the establishment of a timber plantation in the Shire, Council will have due regard for the aims, objectives and provisions of the WAPC’s State Planning Policy No.2 entitled ‘Environment and Natural Resources Policy’ and may impose conditions on any approval issued to secure the outcomes intended by that policy.

The local government will generally not support the establishment of a timber plantation in the Shire that requires the clearing of any native vegetation comprising an area greater than five (5) hectares unless:

i) clearing is required to enable the plantation to be managed safely and appropriately; and

ii) suitable evidence is submitted to the local government confirming that the necessary clearing permits have been sought and obtained from the Department of Environment Regulation (DER).

When planning for the establishment of timber plantations in the Shire the local government will encourage:

a) the retention and protection of existing native vegetation, particularly along watercourses;

b) the replanting of areas adjacent to watercourses with local vegetation species to help maintain and improve ecosystem function and water quality; and

c) plantation operators to work in partnership with all relevant government agencies, catchment management groups and the local community to develop best management practices for natural resource management.

5.9 Establishment of Timber Plantations near Sensitive Land Uses, Conservation Areas & Crown Reserves
To minimise the potential for any land use conflicts between timber plantations and any existing or proposed sensitive land uses Council will not approve the development of any timber plantation within:

- 1,000 metres of the designated boundaries of the Lake Grace, Newdegate, Lake King or Varley townsites;
- 500 metres of any existing or proposed dwelling/s on land classified ‘General Agriculture’ zone; and/or
- 1,000 metres of land zoned or proposed to be zoned ‘Townsite Development’ or ‘Rural Residential’.

Council may consider reducing the above buffer requirements where it can clearly be demonstrated that the planting of trees closer to any existing or proposed sensitive land use will address a natural resource management issue (e.g. salinity) and the plantation operations will not have any adverse impacts upon the amenity, character and safety of the immediate locality.
To lessen the potential adverse impacts from inappropriate siting and development of agroforestry and plantations, Council will also consider the following matters when assessing applications:

- The proximity to any land zoned or earmarked for residential or rural living development;
- Separation distances between the proposal and any non-residential / agricultural uses (e.g. commercial/industrial) or other areas such as public reserves which may be sensitive to exposure from aerial spraying;
- Any strategic plan contained in a planning strategy or townsite expansion plan;
- Separation distances and potential impacts on any existing or proposed tourism or recreational uses;
- Proximity to airstrips; and
- Proximity to any existing or proposed conservation areas and/or Crown reserves. Any proposal in close proximity to a reserve under the care and management of a government authority will be referred to the relevant authority for comment. Council will have regard for the advice of the relevant authority prior to determining the application.

5.10 Other Referrals/ Public Consultation

Any application for planning approval for the establishment of a timber plantation/agroforestry within the Shire may be referred to any adjoining or nearby landowners, government agency or private sector body for comment to assist Council’s assessment and determination of the application.

A public consultation period of twenty one (21) days from the date of notice of the proposal is to be provided. Should no comments be received by the local government during the consultation period Council shall construe that the referral person/s, government agency and/or bodies have no comment on or objection to the proposal.

6. IMPLEMENTATION

In assessing applications for planning approval for the establishment of timber plantations within the Shire Council shall have due regard for the provisions contained in this local planning policy and those documents listed in clause 4.2 above.

It is expected that all timber plantations approved by Council will be implemented in accordance with the Code of Practice for Timber Plantations in Western Australia 2006, DFES’s Guidelines for Plantation Fire Protection 2011, WAPC State Planning Policy 3.7 - Planning for Bushfire Risk Management (2014) and all conditions imposed by Council in issuing planning approval.

**HISTORY**

First Draft & Preliminary Council Consideration – May 2012
Second Revised Draft & Preliminary Adoption – October 2014
Public Advertising – November 2014
Final Adoption by Council – March 2015

**REVIEW**

Chief Executive Officer
POLICY 6.5 Advertising Signage

POLICY
This local planning policy sets out Council’s position regarding the development and use of advertising signs throughout the Shire of Lake Grace.

OBJECTIVES
- To improve the quality and appropriateness of advertising signs through the application of good design principles;
- To ensure that the display of advertisements does not have any adverse impacts on the amenity of surrounding land;
- To avoid the proliferation of advertising signs on individual sites and buildings;
- To improve the streetscape of major roads;
- To encourage the rationalisation of advertising signs on individual premises;
- To encourage the incorporation of advertising signs into the design of buildings;
- To ensure that advertising signs do not present a hazard or obstruction to pedestrians or block motorists’ views of traffic control signals or information signs;
- To ensure that all advertising signs are not discriminatory or offensive;
- To ensure that advertising signs only relate to the products and/or services provided on the site on which they are displayed; and
- To provide increased certainty for advertisers, landowners, the community and others as well as consistency in decision making by Council.

GUIDELINES
Local Planning Scheme No 4

HISTORY
Adopted October 2014 Motion 11921

REVIEW
Chief Executive Officer
1. POLICY STATEMENT
This local planning policy sets out Council’s position regarding the development and use of advertising signs throughout the Shire of Lake Grace.

In applying this policy Council will aim to ensure that any future advertising signage within the Shire satisfies the objectives and standards prescribed in the policy and does not have a detrimental impact on the amenity, character, functionality or safety of its urban and rural environments.

Council will not consider any application for planning approval proposing the erection of advertising signage within the Shire without the applicant having first provided suitable documentation and plans in support of the application which demonstrate compliance with the following policy objectives and provisions.

2. POLICY OBJECTIVES
- To improve the quality and appropriateness of advertising signs through the application of good design principles;
- To ensure that the display of advertisements does not have any adverse impacts on the amenity of surrounding land;
- To avoid the proliferation of advertising signs on individual sites and buildings;
- To improve the streetscape of major roads;
- To encourage the rationalisation of advertising signs on individual premises;
- To encourage the incorporation of advertising signs into the design of buildings;
- To ensure that advertising signs do not present a hazard or obstruction to pedestrians or block motorists’ views of traffic control signals or information signs;
- To ensure that all advertising signs are not discriminatory or offensive;
- To ensure that advertising signs only relate to the products and/or services provided on the site on which they are displayed; and
- To provide increased certainty for advertisers, landowners, the community and others as well as consistency in decision making by Council.

3. POLICY PROVISIONS
1. This policy applies to all advertising signs that are visible from outside any given property, complex or facility, either from private land or from public places or streets.
2. In accordance with Clause 8.2(g) of the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4), Council’s prior planning approval is not required for those types of advertisements listed in Schedule No.5 of LPS No.4 (i.e. ‘exempted advertisements’). The exemptions listed in Schedule No.5 do not apply to land, buildings, objects, structures and places included on the Shire’s Heritage List or within a heritage area established or designated under Clause 7.2 of LPS No.4.
3. Where an advertising sign requires Council’s planning approval, including those that form a component of a particular development proposal, the applicant shall complete and lodge an ‘Additional Information for Advertisements’ form contained in Schedule 7 of LPS No.4 (see copy in Appendix No.1 of this policy) in addition to an ‘Application for Planning Approval’ form contained in Schedule 6 of LPS No.4.
4. All advertising signage requiring Council’s planning approval shall comply with the relevant standards prescribed in Table 1 of this policy unless otherwise approved by Council.
5. In accordance with Clause 5.31 of LPS No.4, the erection of advertising signs within a road reserve managed by Main Roads Western Australia (MRWA) or near a highway or main road under the control of MRWA requires the prior approval of both Council and MRWA. It is recommended that a planning application be submitted to the Shire in the first instance and that
the proposal be formulated with due regard for the provisions and standards of Main Roads (Control of Advertising) Regulations 1996.

6. Protection of the amenity and character of an area shall be a priority when considering any planning application for advertising signage. Proposals which are not in harmony with the character and amenity of a given area shall be refused by Council.

7. The following general provisions shall apply to all proposed new advertising signs in the Shire:

**Design**
Advertising signs shall:
- i) be incorporated into the overall design of the existing and/or proposed building/s on the land;
- ii) be in keeping with the scale and form of the existing and/or proposed building/s on the land;
- iii) not cause visual clutter of the streetscape or the existing and/or proposed building/s on the land;
- iv) not obscure any architectural features of the existing and/or proposed building/s on the land;
- v) not extend beyond any boundary of a lot;
- vi) not cause a nuisance, by way of light spillage, to abutting sites; and
- vii) not comprise flashing or running lights.

**Safety**
Advertising signs shall:
- i) not pose a threat to public safety or health;
- ii) not obstruct visual sightlines of vehicles and/or pedestrians;
- iii) not interfere with or be likely to be confused with traffic control signals or information signs; and
- iii) not obstruct pedestrian movement.

**Content**
Advertising signs shall:
- i) not advertise services or products other than those available on the lot; and
- ii) not contain any material or content considered by Council to be discriminatory or offensive.

8. Approval for the continuation of advertising signage approved by Council on a temporary basis requires that a request be made to the Shire in writing prior to the designated expiry date. Approval for the continuation of advertising signage previously approved on a temporary basis may be granted by the Shire’s Chief Executive Officer under delegated authority.

9. Where, in the opinion of Council, an approved advertising sign has been permitted to deteriorate to a point where it conflicts with the objectives of LPS No.4 and this policy or it ceases to be effective for the purpose for which it was erected or displayed, the Shire may by notice in writing require the advertiser and/or landowner to:
- i) repair, repaint or otherwise restore the advertisement to a standard specified by the Shire in the notice; or
- ii) remove the advertisement in its entirety and undertake any necessary site remediation works to the standard specified by the Shire in the notice.
### ATTACHMENT 6.5 (b) ADVERTISING SIGNAGE – DEVELOPMENT STANDARDS FOR NON-EXEMPT ADVERTISING SIGNS

#### TABLE 1 – DEVELOPMENT STANDARDS FOR NON-EXEMPT ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Location/Zones &amp; Reserves</th>
<th>Sign Purpose</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| All Locations             | All Advertising    | • Signage must be complementary to its surroundings.  
• Signage is only permitted where it relates to the products or services provided on the site on which it is displayed unless otherwise approved by Council.  
• Any signage which in the opinion of Council may have any adverse impact on traffic safety shall not be approved.  
• Signage is not to obstruct pedestrian or vehicle movements.  
• With the exception for Commercial, Service Commercial, General Industry & Townsite Development zones, flashing or illuminated signs shall not be approved.  
• Should the business, organisation or activity cease to operate, all relevant signage must be removed. |
| Within Road Reserves under the control of the Local Government | Community Organisations | • Maximum area of 2m².  
• Signage must be specific to an event and time period.  
Ongoing approval shall not be granted.  
• On conclusion of the specific event, the signage shall be removed. |
| Commercial Advertising    | Not Permitted      |                                                                                                                                                    |
| Adjacent roads under the control of Main Roads WA (MRWA) | All Advertising     | • Not permitted unless approved by Council and MRWA.  
• Maximum area of 16m².  
• Maximum height of 4m above natural ground level (including any supports).  
• Limited to a maximum of one (1) sign per lot.  
• All signage must comply with the setback requirements contained in Table 2 of LPS No.4 (‘Site & Development Requirements Table’) unless otherwise approved by Council.  
• Advertising shall be for businesses, activities or events located within 5km of the sign. |
| Within Road Reserves controlled by Main Roads WA | Community Organisations | • Not permitted unless approved by Council and MRWA.  
• Signage must be specific to an event and time period.  
Ongoing approval shall not be granted.  
• On conclusion of the specific event, the signage shall be removed. |
<p>| Commercial Advertising    | Not Permitted      |                                                                                                                                                    |</p>
<table>
<thead>
<tr>
<th>Zone</th>
<th>All Advertising Signs</th>
<th>Not Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Zone</td>
<td>All Advertising Signs</td>
<td>Not Permitted</td>
</tr>
<tr>
<td>Rural Residential Zone</td>
<td>All Advertising Signs</td>
<td>Not Permitted</td>
</tr>
</tbody>
</table>
| Commercial, Service Commercial & Townsite Development Zones | All Advertising Signs | - Maximum individual area of 5m².  
- Not to exceed 10m² in aggregate per lot.  
- Signage is not permitted to protrude above the roofline of a building.  
- A limit of one (1) pylon sign per lot. Pylon signs are limited in height to 6m above natural ground level and a maximum area of 4m². |
| General Industry Zone                    | All Advertising Signs | - Maximum individual area of 6m².  
- Not to exceed 20m² in aggregate per lot.  
- A limit of one (1) pylon sign per lot. Pylon signs are limited in height to 6m above natural ground level and a maximum area of 4m². |
| General Agriculture Zone                 | All Advertising Signs | - Maximum area of 5m².  
- Limited to a maximum of one (1) sign per lot.  
- All signage must comply with the setback requirements contained in Table 2 of LPS No.4 ('Site & Development Requirements Table') unless otherwise approved by Council. |
| Reserves & Recreation Zone               | Community Organisations | - Maximum area of 4m².  
- Signage must be specific to an event and time period.  
Ongoing approval shall not be granted.  
On conclusion of the specific event, the signage is to be removed. |
| Commercial Advertising                   | Not permitted except for sponsorship signs which must comply with the following requirements:  
- All signs shall be securely fixed and include the club’s name in a legible form on at least some part of the sign;  
- All signs shall be removed at the expiration of the sponsorship agreement;  
- Signage shall be restricted to a maximum of three per club;  
- Where there are two or more clubs on one reserve, signage shall be restricted to a maximum of three per club; and  
- All signs shall comply with the relevant provisions of the club’s lease agreement with the Shire of Lake Grace where applicable. |
### APPENDIX 1 - ADDITIONAL INFORMATION FOR ADVERTISEMENTS

*Note: to be completed in addition to the Application for Planning Approval form*

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Description of property upon which advertisement is to be displayed including full details of its proposed position within that property:</td>
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<td></td>
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<tr>
<td>2.</td>
<td>Details of proposed sign:</td>
</tr>
<tr>
<td>(a)</td>
<td>Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other):</td>
</tr>
<tr>
<td></td>
<td>..............................................................................................................................................</td>
</tr>
<tr>
<td>(b)</td>
<td>Height: ........ Width: ........ Depth: ........</td>
</tr>
<tr>
<td>(c)</td>
<td>Colours to be used:</td>
</tr>
<tr>
<td>(d)</td>
<td>Height above ground level —</td>
</tr>
<tr>
<td></td>
<td>✓ (to top of advertisement): ........................................</td>
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<tr>
<td></td>
<td>✗ (to underside): ..................................................</td>
</tr>
<tr>
<td>(e)</td>
<td>Materials to be used: ...............................................</td>
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<td></td>
<td>..............................................................................................................................................</td>
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<tr>
<td></td>
<td>Illuminated: Yes / No</td>
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<td></td>
<td>If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:</td>
</tr>
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<td>..............................................................................................................................................</td>
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<td>3.</td>
<td>Period of time for which advertisement is required:</td>
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<td>..............................................................................................................................................</td>
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<tr>
<td>4.</td>
<td>Details of signs (if any) to be removed if this application is approved:</td>
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<td></td>
<td>..............................................................................................................................................</td>
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<td>..............................................................................................................................................</td>
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<td>..............................................................................................................................................</td>
</tr>
</tbody>
</table>

**Note:** This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 4 above.

Signature of advertiser(s): ........................................ |
(if different from land owners) ................................ |
Date: ................................
POLICY 7.1  Harvest Bans

POLICY  That harvesting, including the harvesting of clover, shall be prohibited on Christmas Day, within the Shire of Lake Grace.

OBJECTIVES  To minimise the likelihood of an emergency on Christmas Day.

GUIDELINES  N/A

HISTORY  Former policy 6.3 & 6.24
           Amended 22 June 2016 Motion 12312

REVIEW  Deputy Chief Executive Officer

POLICY 7.3  Liquor on Shire Property

POLICY  No liquor of any type shall be permitted to be stored or consumed on Shire controlled public property without the application for and granting of a permit by the Chief Executive Officer or other designated officer.

Clubs may apply for a seasonal permit for the consumption of liquor with all dates shown on the permit.

OBJECTIVES

GUIDELINES  The Police are to be advised each time a permit for the consumption of liquor is issued.

If liquor is to be sold, either by individual sale or as part of a ticket price, a separate permit from the Department of Racing, Gaming and Liquor is necessary.

HISTORY  Former Policy 7.4
           Policy amended November 2009, Resolution 10919 – title correction

REVIEW  Chief Executive Officer
POLICY 7.4  Freedom of Information Officers

POLICY
For the purpose of the Freedom of Information Act 1982:

a) The Chief Executive Officer is the Principal Officer and the Internal review Officer for the purposes of the Act; and,

b) The Deputy Chief Executive Officer is the FOI Coordinator for the purposes of the Act.

OBJECTIVES
N/A

GUIDELINES
In accordance with the Freedom of Information Act, s13.39, Schedule 2

HISTORY
Amended 22 June 2016 Motion 12312

REVIEW
Chief Executive Officer

POLICY 7.5  Pensioner Rates Review Officers

POLICY
For the purposes of the Rates and Charges (Rebates and Deferments) Act 1992;

a) The Chief Executive Officer is the Pensioner Rates Review Officer as defined by the Act; and,

b) The Deputy Chief Executive Officer is the Pensioner Rates Determination Officer as defined by the Act.

OBJECTIVES
N/A

GUIDELINES
In accordance with the Rates and Charges (Rebates and Deferments) Act 1992, s12 and s13.

HISTORY
Amended 22 June 2016 Motion 12312

REVIEW
Chief Executive Officer
POLICY 7.6  Record Keeping Plan

POLICY  Council will maintain a Record Keeping Plan in accordance with the requirements of the State Records Act 2000 and ensure that Elected Members records will be properly created and adequately recorded as per their obligations under the Plan.

OBJECTIVES The purpose of the Record Keeping Plan is to define the principles that underpin the Shires record keeping function and the roles and responsibilities of those individuals who manage or perform record keeping processes on behalf of the Shire.

The Plan and its associated procedures establishes a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

GUIDELINES  State Records Act 2000
See Attachment 7.6 Record Keeping Plan Guidelines

HISTORY  Adopted Motion 9655 February 2004
Amended 24 June 2015 Motion 12059

REVIEW  Chief Executive Officer

ATTACHMENT 7.6  RECORD KEEPING PLAN GUIDELINES

Scope
This policy applies to all Council records created or received by a Shire employee, contractor or Elected Member, or an organisation performing outsourced services on behalf of the Shire of Lake Grace, regardless of their physical format, storage location or date of creation.

Custodianship of Records
The Shire recognises its records as the local government owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during the course of business (including those from outsourced bodies or contractors) are vested in the Shire of Lake Grace.

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

- Elected Members are responsible for ensuring that any records they create, collect and retain relating to their role as an Elected Member are to be provided to the Shire’s Information Services for keeping in a manner commensurate with legislation and the Shire’s policies and procedures for record keeping. Party political and personal records of Elected Members are exempt.
Chief Executive Officer: The Chief Executive Officer is to ensure that an organisational system for the capture and management of records is maintained that is compliant with legislative requirements and best practice standards.

All Staff: Staff (including contractors) are responsible for creating, collecting and retaining records relating to the business activities they perform. They are to identify significant and ephemeral records (with no continuing value to the organisation), ensure significant records are captured into the Record keeping System and that all records are handled in a manner commensurate with legislation and the Shire’s policies and procedures for record keeping.

Creation of Records
Staff and contractors are to ensure appropriate and accurate records are created in the relevant format, of the Shire’s business decisions and transactions to ensure compliance with all legislative, business, administrative, financial, evidential and historical requirements.

Capture & Control of Records
Records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata (data about the record), into the local government record keeping and business systems, that are managed in accordance with sound record keeping principles.

Security & Protection of Records (to be Maintained by Information Services)
Records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

Access to Records
Access to the Shire’s records by:
1) Staff and contractors - will be in accordance with designated access and security classifications.
2) The general public will be in accordance with the Freedom of Information Act 1992, the Local Government Act 1995.
3) Elected Members will be via the Chief Executive Officer in accordance with the Local Government Act 1995 and Shire Policy.

Appraisal, Retention & Disposal of Records
Records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

POLICY 7.7 Community Housing Tenant Selection - Revoked
POLICY 7.9  Asset Management

POLICY

The Shire of Lake Grace is committed to ensuring that Asset Management is recognised as a major corporate function within Council and staff are committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of Asset Management practices across the organisation with the major outcome being the adoption by Council of an Asset Management Plan for the following classes of infrastructure assets;

- Roads
- Plant & Machinery
- Sewerage & Drainage
- Buildings
- Parks & Reserves
- Playground Equipment.

Asset Management Plans will form part of the Shire’s day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade an existing asset or dispose of existing assets to support service delivery.

The Shire of Lake Grace has limited resources and is custodian of a large number of assets, many of which have reached or gone beyond their economic life. In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
  - Need for facility (short and long term);
  - Legislative requirements;
  - Opportunities for rationalisation;
  - Future liability including ultimate retention/disposal; and
  - Opportunities for multiple use;
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost (“whole of life” cost assessment).
- Manage its assets utilising a team approach supported by the multi discipline cross-functional asset management working group.
- Asset Management Plans will be integrated into the Long Term Financial Plan.

The Shire of Lake Grace is committed to determining the Level of Service required for infrastructure assets in a collaborative manner with asset stakeholders.

OBJECTIVES

The key objective of this policy is to ensure that services delivered by the Shire of Lake Grace continue to be sustainably delivered by ensuring that the Infrastructure Assets used to support the service delivery continue to function to the level of service determined by Council.
It will also provide clear direction as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework.

GUIDELINES

Asset Management plans will be prepared in accordance with the IPWEA’s International Infrastructure Manual recommended format and will include long term (10 year) financial modelling of the renewal profile of each asset class and will be underpinned by long term financial plans.

**Linkage to the Strategic Community Plan & the Long Term Financial Plan**
The Strategic Community Plan and the Long Term Financial Plan will use the same criteria for the allocation of funding to ensure these goals can be implemented.

**Linkage to other Council Policy**
Linkage to other Council Policies will be ongoing once the Strategic Community Plan, the Long Term Financial Plan and the Asset Management Plans have been agreed to by Council and implemented.

**Responsibility and Reporting**

**Council** - is responsible for approving (including amendments to) the following documents:
- Asset Management Policy
- Asset Management Improvement Strategy
- Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

**Chief Executive Officer (CEO)** - is responsible for ensuring that systems are in place to ensure that Council’s Asset Management Policy, Asset Management Improvement Strategy, Asset Management Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.

**Senior Management Team (SMT)** – is responsible for monitoring the implementation of asset management across the organisation. The SMT will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management.

**Service & Asset Management Working Group (SAMWG)** – is responsible for ensuring that the Shire’s Asset Management Improvement Strategy is achieved and that Service & Asset Management Plans are prepared and maintained in line with Council’s Policy on Asset Management. Where changes to Council’s Asset Management Policy, the Shire’s Improvement Strategy or Plans are identified, the SAMWG is responsible for reporting this to the SMT for consideration. Where aspects of Council’s Policy, the Shire’s Improvement Strategy or Plans are not being achieved or adhered to, the SAMWG is responsible for reporting non-compliances to the SMT for corrective action. The Service and Asset Management Working Group reports to the CEO on all matters relating to Asset Management.
**Deputy Chief Executive Officer (DCEO)** – is responsible for resource allocation (from Council approved resources) associated with achieving the Shire’s Asset Management Improvement Strategy. The Deputy Chief Executive Officer reports to the CEO in relation to Asset Management resource allocation.

**Asset Management Co-ordinator (AMC)** – is responsible for supporting the SAMWG and ensuring that resources are commissioned (where appropriate) to assist the SAMWG achieve its objectives. The role is to be undertaken by the Engineering Technical Officer. The Asset Management Co-ordinator reports to the Manager Infrastructure Services on all matters relating to Asset Management.

**All Senior Managers** – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Service and Asset Management Working Group. All Directors report to the CEO on all matters relating to Asset Management under their area of control.

**Policy Definitions**

“Asset” means a physical item that is owned or controlled by the Shire of Lake Grace, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council’s priorities for service delivery.

“Asset Management Plan” means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected council (comprising Councillors) of the Shire of Lake Grace

“Infrastructure Assets” are fixed and non-fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Sewerage & Drainage, Plant & Machinery, Buildings, Parks and Play Equipment.

“Level of Service” means the combination Function, Design and Presentation of an asset. The higher the Level of Service, the greater the cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).
“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its Corporate objectives.

“Shire” means the collective Shire of Lake Grace organisation. The Chief Executive Officer of the Shire of Lake Grace is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

POLICY REVIEW This policy is to be reviewed by the Service and Asset Management Working Group on a biennial basis with recommendation for amendment made to Council.

Service & Asset Management Working Group - Membership
To ensure a team approach to asset management, representatives from across the organisation that have a direct interest in asset management are necessary. This will guarantee an integrated approach to asset management and overall ownership of asset management plan outputs.

The Working Group to comprise the following members:
- Chief Executive Officer
- Manager Infrastructure Services
- Deputy Chief Executive Officer
- Governance Officer
- Engineering Technical Officer
- Building Maintenance Representative
- Mechanic

HISTORY Policy adopted Motion 10708 November 2008
Amended 24 June 2015 Motion 12059 (as per IPAM Committee 20 April 2015)
Amended 22 June 2016 Motion 12312

REVIEW Chief Executive Officer
POLICY 7.10  Grain Storage Facilities  Application for a Demolition Licence

POLICY  
Applications in the prescribed form submitted to the Shire of Lake Grace for the demolition of any Co-operative Bulk Handling Ltd grain receival and storage facilities shall be referred to Council for determination.

OBJECTIVES  
To ensure that applications for the demolition of CBH facilities within the Shire of Lake Grace are subject to community scrutiny.

GUIDELINES  
In assessing the applications matters for consideration will include possible alternative uses for the facility and the effects of the decisions on both the local and regional roads network.

HISTORY  
Adopted Motion 10268 August 2006  
Amended Motion 10856 August 2009  
Title amended 24 June 2015 Motion 10259

REVIEW  
Chief Executive Officer
POLICY 7.11  Food Safety, Compliance and Enforcement Policy

POLICY: Under the requirements of the Food Act 2008, the Shire of Lake Grace is committed to:
1. Ensuring all food for sale within the Shire is both safe and suitable for human consumption;
2. Preventing misleading conduct in connection with the sale of food within the Shire; and,
3. Abiding by the Food Standards Code

OBJECTIVES: To provide transparency to consumers and industry on how the Shire of Lake Grace 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.

GUIDELINES: Food Act 2008
Foods Standards Australia New Zealand Act 1991 (Foods Standards Code)
Attachment 7.11 Food Safety Compliance and Enforcement Guidelines
Delegations Register: H02 & H04
Shire of Lake Grace Authorised Officers

HISTORY: Adopted May 2015 Motion 12035

REVIEW: Chief Executive Officer
These guidelines consist of the following:

1. **Scope & Objectives**
   1.1 Scope
   1.2 Objectives

2. **Compliance & Enforcement Principles**

3. **Decision Making Criteria**

4. **Privacy**

5. **Application of Compliance and Enforcement Options**
   5.1 Types of Compliance and Enforcement Action
      5.1.1 Verbal Advice and Warnings
      5.1.2 Written Warnings
      5.1.3 Improvement Notices
      5.1.4 Penalty Infringement Notices
      5.1.5 Prohibition Orders
      5.1.6 Seizure Powers
      5.1.7 Prosecution

6. **Conclusion**

**SCOPE AND OBJECTIVES**

1.1 **Scope**

The Department of Health (WA) administers the *Food Act 2008 (The Act)*. The Shire of Lake Grace 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:

(a) to ensure food for sale is both safe and suitable for human consumption;
(b) to prevent misleading conduct in connection with the sale of food;
(c) 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 Lake Grace are committed to ensuring there is a high level of compliance with the Food Act and Regulations.

These guidelines set 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 guidelines recognise 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 Lake Grace is to protect consumers from a minority who may not act in the interests of food safety. The enforcement options of these guidelines are not required to be enacted on food businesses who act responsibly and it is the Shire’s aim to provide education to food handlers to maintain the safety of food products produced or sold within the Shire of Lake Grace. 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. These guidelines describe the options that are available and provide details of the matters that will be considered in their application toward achieving the objectives of the Act. These guidelines also set out the principles the Shire 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.

1.2 Objectives
The objectives of this policy are:

- To provide transparency to consumers and industry on how the Shire of Lake Grace will make decisions on enforcement action;
- To guide decision making and action by Council Officers in the use of enforcement options; and
- To use regulatory implements in such a way as to best achieve the Council’s strategic and operational objectives.

2 COMPLIANCE & ENFORCEMENT PRINCIPLES
As a regulatory authority the Shire of Lake Grace 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.

3 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 Lake Grace in investigating and proving the elements of the particular offence or the type of offence;
- The efficiency and cost to the Shire of Lake Grace 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; and
- The need to protect the consumers either in or visiting the Shire of Lake Grace.

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.

4 PRIVACY
The Shire of Lake Grace 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.

5 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.

5.1 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; and
• Publication of the names of offenders immediately after conviction.

5.1.1 Verbal Advice and Warnings
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.

5.1.2 Written warnings
Where there is evidence that minor breaches of the Act have occurred, warning letters may be issued at the discretion of the Authorised Officer. Warning letters may be inappropriate where there are a large number of minor offences on one occasion within one food business. Similarly warning letters will not normally be issued for a series of offences within a relatively short period of time or in those cases where warning letters 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.

5.1.3 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 Chief Executive Officer. Appeals concerning Improvement Notices will be considered by the Chief Executive Officer.

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 Lake Grace 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.

5.1.4 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.

5.1.5 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 Lake Grace 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 Chief Executive Officer, 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.

5.1.6 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.

5.1.7 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 Chief Executive Officer 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 Lake Grace 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).

6 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 Lake Grace 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 Lake Grace 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.