



POLICY MANUAL



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FOREWORD

The Local Government Act 1995 defines 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.



INTRODUCTION

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) –

- Legislation – Acts of Parliament, Regulations etc.
- 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 21 February 2024 and adopted under Resolution No. 13818

Cr Leonard William Armstrong
President

21 February 2024

Date

Alan George
Chief Executive Officer

21 February 2024

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.



SECTION 1 - GOVERNANCE

POLICY 1.1 POLICY MANUAL AMENDMENTS

POLICY	<p>Addition, deletions or alterations to Council Policy shall only be affected by specific Council resolution stating –</p> <ul style="list-style-type: none">• The proposed policy, and• That the Manual be updated
OBJECTIVE	<p>To ensure that the Policy Manual is up to date, relevant and reflects only Council's specific instructions.</p>
GUIDELINES	<p>Where applicable, the following factors are to be considered:</p> <ul style="list-style-type: none">• Likely effect on the residents – consultation if necessary• Cost impact• Need to include a sunset clause• Legal Implications <p>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.</p> <p>If it is not in the Policy Manual, it may be usual practice, but is not policy.</p> <p>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.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 24 June 2015, Motion 12059</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 1.2 MEETING DATES

POLICY	<p>Council is to meet on the fourth Wednesday of the months of February to December.</p> <p>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.</p>
OBJECTIVE	<p>To regulate and set meeting dates.</p>
GUIDELINES	<p>Dates to be published at least once per year. Local Government Act s5.3 Local Government (Administration) Regulations – Reg 12</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended Motion 12897 – 19 December 2018 Amended Motion 12181 – November 2015 Amended as per review Motion 10222 - June 2006 Amended as per review Motion 9649 – February 2004 Former Policy 3.7</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



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 of Lake Grace Flag are to be flown during office hours.

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

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

OBJECTIVE & GUIDELINE

Refer to State and Commonwealth protocol.

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

HISTORY Review, 23 June 2021 – Resolution No. 13425
 Former Policy 1.6 and 1.14

REVIEW Chief Executive Officer / Deputy 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.
OBJECTIVE	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	Review, 23 June 2021 – Resolution No. 13425 Amended as per Review Motion 10222 June 2006 Former Policy 1.24
REVIEW	Chief Executive Officer / Deputy 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	<p>That Council will reimburse expenses incurred for attendance at conferences and Council endorsed business as follows:</p> <p>That where possible, Councillor's travel and accommodation arrangements be made prior to departure with charges covered through the use of official Shire orders.</p> <p>Where this is not possible, Council has adopted Schedule 1, Travelling, Transfer and Relieving Allowance of the Public Service Award 1992, as amended from time to time as the basis for reimbursing Councillors for expenses incurred for accommodation and travel. See attachment 1.6.</p>
OBJECTIVE	To set Councillor's expense parameters when travelling on official business.
GUIDELINES	<p>Generally the following charges will apply and are to be included on the official Shire order:</p> <ul style="list-style-type: none">• Accommodation• Meals• Parking• Daily newspaper• Laundry and dry cleaning where the length of stay is in excess of 72 hours <p>Claims with supporting documentation are to be forwarded to the Deputy Chief Executive Officer Local Government Act 1995 – s5.98(2)(3) Local Government (Administration) Regulations 1996 – Regulations 31 and 32</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended Motion 12897 – 19 December 2018 Amended Motion 12059 – 24 June 2015 Amended as per review Motion 10222 – June 2006 Motion 8971 – June 2001 Former Policy 3.1</p>
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.6 (a) - Members Travel Expenses

TRAVELLING, TRANSFER AND RELIEVING ALLOWANCE

Reference: Schedule: Public Service Award 1992 (as at 31 March 2023)

ALLOWANCE TO MEET INCIDENTAL EXPENSES:

<u>Item</u>	<u>Particulars</u>	<u>Daily Rates</u>
1	WA South of 26 degrees latitude	\$14.55
2	WA North of 26 degrees latitude	\$21.70
3	Interstate	\$21.70

Accommodation involving an Overnight Stay in a Hotel or Motel

4	WA Metropolitan Hotel/Motel	\$305.45
5	Locality South of 26 degrees latitude	\$208.55
6	Locality North of 26 degrees latitude	refer to Schedule of rates for town name

MOTOR VEHICLE ALLOWANCE PER KILOMETRE:

Reference: Section 19.3(c) of the Local Government Industry Award 2020

Motor vehicle \$0.95 per kilometre



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.
OBJECTIVE	To clarify what costs can be recouped by Councillors.
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended as per review Motion 10222 June 2007 Former Policy 3.1.3
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.8 CODE OF CONDUCT

POLICY The Code of Conduct for Council Members, Committee Members and Candidates

OBJECTIVES The Shire of Lake Grace Code of Conduct will provide 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 provides a guide and a basis of expectations for Elected Members, Committee Members and Candidates. It encourages commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

GUIDELINES The Code of Conduct complies with several sections of the Acts, Regulations and/or local laws that apply:

- Local Government Act 1995
- Local Government (Administration) Amendment Regulations 2021
- Local Government Regulations Amendment (Employee Code of Conduct Regulations 2021)
- Local Government (Model Code of Conduct) Regulations 2021

HISTORY Review, 23 June 2021 – Resolution No. 13425
Resolution 13194, Special Council Meeting 23 February 2021
Former Policy 3.29
Motion 9479 June 2003
Motion 8980 June 2001
Amended Motion 12059 24 June 2015

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.8 (a) - Code of Conduct

DIVISION 1 – PRELIMINARY PROVISIONS

1. Citation

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

2. Terms used

(1) In this code —

Act means the Local Government Act 1995;

Candidate means a candidate for election as a council member;

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

Publish includes to publish on a social media platform.

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

Division 2 — General principles

DIVISION 2 – GENERAL PRINCIPLES

3. Overview of Division

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

4. Personal integrity

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

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in council members and committee members; and

(b) participate in decision making in an honest, fair, impartial and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

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

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

(b) respect and value diversity in the community.



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

6. Accountability

A council member or committee member should —

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

DIVISION 3 - BEHAVIOUR

7. Overview of Division

This Division sets out —

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

8. Personal integrity

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

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

(2) A council member or committee member —

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

9. Relationship with others

A council member, committee member or candidate —

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



10. Council or committee meetings

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

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

11. Complaint about alleged breach

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

12. Dealing with complaint

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



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

13. Dismissal of complaint

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

14. Withdrawal of complaint

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

15. Other provisions about complaints

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

Division 4 — Rules of conduct

Notes for this Division:

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



16. Overview of Division

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

17. Misuse of local government resources

- (1) In this clause —
electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918;
resources of a local government include —
 - (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

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

19. Prohibition against involvement in administration

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

20. Relationship with local government employees

- (1) In this clause —
local government employee means a person —
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.



- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.

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

21. Disclosure of information

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



22. Disclosure of interests

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

23. Compliance with plan requirement

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



POLICY 1.9 LEGAL REPRESENTATION COST INDEMNIFICATION

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

OBJECTIVE 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 Review, 23 June 2021 – Resolution No. 13425
Amended Motion 12059 – 24 June 2015
Amended as per review Motion 10222 – June 2006
Motion 8822 – November 2000

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.9 (a) - Legal Representation for Council Members and Employees

EXPLANATION OF KEY TERMS

Approved lawyer is to be –

- (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 involve 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 –

- (b) 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;



- (c) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- (d) 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 the constitutes improper conduct; and
- (e) The legal representation costs do no 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 proceeding 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 organization 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 and 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) Grants 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 employee's 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, in respect of the matter for which legal representation costs has been 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. Delegations 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 of 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.



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.

OBJECTIVE To recognise 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 Review, 23 June 2021 – Resolution No. 13425
Amended Motion 12059 – 24 June 2015
Amended as per review Motion 10222 – June 2006
Motion 9159 – March 2002
Previously awarded under the Local Government Act 1960 s691A

REVIEW Chief Executive Officer / Deputy 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:

- Deed 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.

OBJECTIVE To validate the procedure for the executive 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 Review, 23 June 2021 – Resolution No. 13425
Amended Motion 12059 – 24 June 2015
Adopted Motion 9469 – February 2004

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.12 COMMUNITY ENGAGEMENT

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

OBJECTIVE 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 DLGSC Integrated Planning and Reporting Framework Guidelines

HISTORY Review, 23 June 2021 – Resolution No. 13425
Adopted 27 April 2011 – Motion 11204

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.12 (a) - 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 1. Values

Values	Actions	Notes
Integration	We will engage with community in ‘their space’ not a space that we create.	Community members already have a variety of ‘communities of interest’ and spaces where they interact; these will be utilised as starting points.
Respect	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.	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.
Communication	We will engage with the community at all levels using the most appropriate form of communication given the programme, project or task at hand.	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.
Inclusiveness	We will use an inclusive process that treats the participants with recognition & respect and seeks a balanced outcome; brings the community close to us so we understand more of what they	Government and the community are involved together in everything we do.



	want and how to include the community's thoughts.	
Community Well-being	We believe in the creation of a sense of community well-being, and the provision of essential services and infrastructure.	Feeling included is an important aspect of meeting people's needs.
Tolerance and Understanding	We believe it is important to have the community & shire understand each other and the systems under which they work.	Statutory requirements as well as funding programs are often not well understood.

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 2. Community Engagement Actions

Actions	Notes
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.	Communities can be over-consulted resulting in consultation burn-out; the appropriate level will be inbuilt in the planning process.
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.	The IPF is accepted, however, there is a need to update across the system with the state engaging at local levels as well.
Council commits to using all reasonable engagement practices and electronic means wherever reasonable to do so.	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.
Council identifies priority projects as those financially & physically achievable within available budgets, officer resources & timeframes.	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.
Council will engage outside 'experts' whenever needed.	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.

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

Information sharing	Consultation	Active Participation
<i>Objective</i>	<i>Objective</i>	<i>Objective</i>
To provide the public with balanced and objective information to assist them in understanding a problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
<i>Promise to the public</i>	<i>Promise to the public</i>	<i>Promise to the public</i>
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns, and provide feedback on how public	We will look to you for direct advice and innovation in formulating solutions and incorporate



	input influenced the decision.	your advice and recommendations into the decision to the maximum extent possible.
<i>General Nature</i>	<i>General Nature</i>	<i>General Nature</i>
<ul style="list-style-type: none"> • involves minimal level of engagement and community influence. • advises community of decisions or services. • information received by phone, postal, internet, educational activity, public notice boards, media. 	<ul style="list-style-type: none"> • involves shared level of engagement and community influence. • government asks for views, considers views, provides feedback on how views affected final decision. • feedback takes time as decisions and changes take long time. • includes face-to-face meetings, on-line surveys, phone interviews. 	<ul style="list-style-type: none"> • involves a substantial level of engagement and community influence. • individuals, communities and government work closely together to develop better policy, programs and services. • includes regular meetings and participation of committees, reference groups or advisory groups.
<i>Example Tools</i>	<i>Example Tools</i>	<i>Example Tools</i>
<ol style="list-style-type: none"> 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 	<ol style="list-style-type: none"> 1. discussion groups & workshops 2. 1 on 1 interviews 3. open days 4. polls 5. road shows 6. survey research 7. web-based consultation 	<ol style="list-style-type: none"> 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



		<ul style="list-style-type: none">16. learning circles17. participatory editing18. precinct committees19. partnerships for active participation20. negotiation tables21. nominal group workshops22. photovoice23. policy action teams24. planning for Real25. open space technology26. summits
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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/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

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

The Shire's 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 risk 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 organizational 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 utilized, however, these cannot exceed to 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/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives

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

Note 2: Objectives can be 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:

- Review and approved the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria
- Appoint/Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act 1995.

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	Review, 23 June 2021 – Resolution No. 13425 February 2017 – major review adopted by Council March 2017 Resolution No. 12494 Adopted by Council 22 October 2014 Resolution No. 11928
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.13 (a) - Risk Management

MEASURES OF CONSEQUENCE

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



MEASURES OF CONSEQUENCE (PROJECT)

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

MEASURES OF LIKELIHOOD

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



Consequence		Insignificant	Minor	Moderate	Major	Extreme
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

RISK ACCEPTANCE

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



Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is little scope for improvement.	Processes (Controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
Adequate	There is some scope for improvement.	Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
Inadequate	A need for corrective and / or improvement actions exist.	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.



POLICY 1.14 CHRISTMAS / NEW YEAR CLOSURE OF COUNCIL FACILITIES

POLICY	<p>The Administration Centre will be closed for business on Christmas Eve and re-open on the first working day following New Year's Day.</p> <p>Shire staff will take leave entitlements during this closure period for those days that are not designated public holidays.</p> <p>The Lake Grace and Newdegate landfill sites close on Christmas Day only. All other normal operating times apply over the Christmas/New Year period.</p> <p>The Lake Grace and Newdegate Swimming Pools close on Christmas Day only. All other normal operating times apply over the Christmas/New Year period.</p>
OBJECTIVE	<p>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.</p>
GUIDELINES	<p>An emergency contact list must be provided with the office closure and advertised in the local newspapers from mid-November.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No.13425 Resolution 13303, Ordinary Council Meeting – 16 September 2020 Adopted by Council 26 October 2016, Resolution No. 12383</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 1.15 ELECTORAL CARETAKER PERIOD

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

OBJECTIVE 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 Review, 23 June 2021 – Resolution No. 13425
New Policy Adopted by Council 19 December 2018 Motion 12897

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 1.15 (a) - Electoral Caretaker Period

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 Circumstance apply and how potential electoral impacts will be managed or mitigated. Details of this advice is to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.

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 does 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
- Freeman of the Shire of Lake Grace
- Immediate family members of Freemen of the Shire of Lake Grace
- Persons honoured as 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:

- A public expression of sympathy on behalf of the district, by placing a notice in the Death Notices of The West Australian newspaper
- Sending a sympathy (condolence) card or a personal note to the immediate family (if known) on behalf of Council and staff
- A Floral tribute where this form of sympathy is considered acceptable by the family
- 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
- 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.

OBJECTIVE The purpose of this policy is to ensure proper and appropriate recognition of deceased persons closely associate 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 Review, 23 June 2021 – Resolution No. 13425
New Policy Adopted by Council 19 December 2018 Motion 12897

**SHIRE OF LAKE GRACE
POLICY MANUAL**



REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.17 BULLYING AND HARASSMENT POLICY

POLICY The Shire of Lake Grace is committed to meeting its obligation to provide a working environment free from harassment and bullying. The scope of this policy extends beyond Shire of Lake Grace premises, for example, applying during employee events such as parties or employee attendance at conferences.

The Shire of Lake Grace recognises that it has a legal and ethical responsibility to ensure that employees are not subject to inappropriate behaviour that will not only affect their performance but also their health and wellbeing.

All employees have a responsibility to challenge bullying, harassment or unfair treatment of any kind that they witness and to bring it to the attention of relevant supervisor / manager or senior executive ensuring that this type of behaviour will not be tolerated.

This policy applies to all of the Shire of Lake Grace employees, contractors, volunteers, apprentices / trainees and work experience students at all Shire of Lake Grace worksites, with breaches of this policy treated as misconduct or serious misconduct where deemed appropriate.

OBJECTIVES All Shire of Lake Grace employees are responsible for ensuring that breaches of this policy do not occur.

All staff are entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics;
- work free from discrimination, bullying and harassment; and
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised.
- All staff must:
 - follow the standards of behaviour outlined in this policy and the Shire of Lake Grace's Code of Conduct (Policy 1.8)
 - avoid gossip and respect the confidentiality of complaint resolution procedures; and
 - treat everyone with dignity, courtesy and respect.

GUIDELINES Managers and supervisors have a leadership role and must also:

- model appropriate standards of behaviour;



- take steps to educate and make staff aware of their obligations under this policy and the law;
- intervene quickly and appropriately when they become aware of inappropriate behaviour;
- act fairly to resolve issues and enforce workplace behavioural standards, making sure all relevant parties are heard;
- help staff resolve complaints informally;
- refer formal complaints about breaches of this policy to the appropriate manager/supervisor or Human Resources; and
- ensure staff who raise an issue or make a complaint are not victimised.

What is bullying at work?

Bullying can take many forms, including unwelcome jokes, teasing, nicknames, emails, pictures, text messages, social isolation or unfair work practices. Bullying behaviour can be obvious or covert and may involve, for example, any of the following types of behaviour:

- Aggressive or intimidating conduct
- Belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or “*initiation ceremonies*”
- Exclusion from work-related events
- Unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- Displaying offensive material
- Pressure to behave in an inappropriate manner.

However, in order for it to be defined as bullying, the behaviour is usually repeated and unreasonable, inappropriate, offensive or degrading and could be reasonably regarded as creating a risk to health and safety to individuals at the workplace.

What is unlawful harassment?

Unlawful harassment occurs when a person, or a group of people, is intimidated, insulted or humiliated because of one or more characteristics. Unlawful harassment can arise as the result of a single incident as well as repeated incidents.



Just because someone does not object to inappropriate behaviour in the workplace at the time, does not mean that they are consenting to the behaviour.

Harassment can occur through behaviour such as:

- telling jokes about particular racial groups;
- sending explicit or sexually suggestive emails or texts;
- displaying offensive or pornographic websites or screen savers;
- making derogatory comments or taunts about someone's race or religion, gender or sexual orientation;
- asking intrusive questions or statements about someone's personal life;
- creating a hostile working environment, for example, where the display of pornographic materials or crude conversations, innuendo or offensive jokes are part of the accepted culture.

Sexual harassment

Sexual harassment is a specific and serious form of harassment. It is any unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look;
- sexually suggestive behaviour, such as leering or staring;
- brushing up against someone, touching, fondling or hugging;
- sexually suggestive comments or jokes;
- displaying offensive screen savers, photos, calendars or objects;
- repeated unwanted requests to go out;
- insults or taunts of a sexual nature;
- sending sexually explicit emails or text messages;
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Sexual harassment in the workplace can occur at work, at work-related events, between people sharing the same workplace, or between colleagues outside of work. All staff and volunteers have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment, it does not have to be repeated. All incidents of sexual harassment, no matter how large or small or who is involved, require employers and managers to respond quickly



and appropriately. The Shire of Lake Grace recognises that comments and behaviour that do not offend one person can offend another.

What is not bullying or harassment

A single incident of unreasonable behaviour does not constitute bullying.

An isolated incident of inappropriate or unreasonable behaviour may be an affront to dignity at work but as a one-off incident, is not considered to be bullying. However, as part of providing a workplace that is free from behaviours that pose a risk of injury or harm to employees, these types of incidents should not be ignored and may breach other City policies.

'Reasonable management practices' are not classed as bullying and can include (but are not limited to):

- a) a direction to carry out reasonable duties and instructions;
- b) a direction to comply with City rules, protocols, policies and procedures;
- c) setting reasonable goals, standards and deadlines;
- d) providing reasonable comments and advice (including relevant negative comments or feedback) on the work performance of an individual or group;
- e) rostering and allocating reasonable working hours;
- f) performance managing employees in accordance with the City's policies and procedures;
- g) providing informal and formal feedback about behaviour and conduct in a reasonable way; or
- h) implementing organisational change or restructuring.

The following conduct does not constitute unlawful harassment:

- i) a person receives reasonable comment and advice (including relevant negative comments or feedback) from managers and supervisors on the work performance of an individual or group;
- j) a person is not offered a job because, notwithstanding that reasonable adjustments have been made, they cannot meet the inherent requirements of the job;
- k) another applicant was preferred in a recruitment and selection or promotion process where they have better demonstrated the skills and experience to meet the required criteria of the job;
- l) the City implements specific equal employment opportunity or 'affirmative action' strategies, plans or programs designed to ensure genuine equal opportunities in the workplace, particularly in relation to groups that have been disadvantaged in the past.



Breach of policy

A breach of this policy may have the following actions, but are not limited to:

1. Disciplinary action up to and including termination of employment;
2. The complainant receiving an oral or written apology from the respondent with a commitment to cease the behaviour;
3. The parties being required to participate in some form of counselling, mediation or conciliation;
4. The respondent undertaking training in relation to their behaviour; and
5. Drawing up a management plan to document agreed or proposed actions by the parties.

Vexatious claims and claims made without reasonable cause

Employees should not raise allegations which are vexatious or without reasonable cause. Any allegations which are later shown to be vexatious or made without reasonable cause will be dealt with according to the Shire of Lake Grace disciplinary proceedings.

'*Without reasonable cause*' means that a claim is made without there being any real reason, basis in fact(s) or purpose.

Vexatious means that:

- the main purpose of a claim is to harass, annoy or embarrass the other party; or
- there is another purpose for the grievance other than the settlement of the issues arising in the claim (or response).

Making a Complaint

As far as possible, employees should attempt to resolve issues informally by one of the following means:

- Directly approaching the person (either on their own or with another person as a support person) they believe is responsible for the bullying /harassment and;
- Telling them which behaviour they consider unreasonable and unacceptable; and
- Asking them to stop; and
- Keeping a written record of this action.

If a worker believes they have experienced or witnessed behaviour in breach of this policy and an attempt to informally resolve the matter fails or is not appropriate they can make a complaint in any of the following ways:



- To their manager / supervisor or, if their manager / supervisor is the person whose behaviour is concerning them, the next person of seniority in their area;
- To a Grievance Officer / OSH Representative; or
- A member of the executive team

Whether or not the matter has been raised formally and whether or not the allegations have been raised verbally or in writing, managers / supervisors are responsible for addressing workplace bullying. If a manager / supervisor receives a complaint or otherwise becomes aware of workplace bullying, they should act to attempt to resolve the matter.

Where a manager / supervisor is unsure whether the alleged behaviour may constitute bullying, they should contact the executive management team.

The matter will be thoroughly investigated and a report of the facts made in complete confidence. All complaints will be treated seriously and confidentially with the appropriate support and action taken to resolve the offending behaviour.

Please refer to the Grievance Handling Policy & Procedure regarding lodging a formal complaint and to understand the process and how it will be dealt with.

Confidentiality and Victimisation

The parties to a bullying / harassment complaint are required to maintain confidentiality in relation to the concern or complaint. The parties must not disclose, by any form of communication, either the fact or the substance of the allegations or issues to anyone other than a support person or a qualified counsellor or other professionals bound by confidentiality.

The victimisation of people making complaints is unlawful and will not be tolerated. A person must not victimise or otherwise subject another person to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the resolution of a complaint under Shire's policies and procedures.

Any breach of either the confidentiality or non-victimisation requirements will be treated seriously by the Shire of Lake Grace, and may result in disciplinary action. Any such breach will be referred for investigation and dealt with according to the Shire of Lake Grace disciplinary proceedings.

Further Support

For more information please contact:

For policy queries, support or training please your manager / supervisor;



For policy queries please contact a Grievance Officer / OSH Representative;
For personal support please consider the Employee Assistance Program (EAP).

Associated Documents

- Policy 1.8 – Code of Conduct for Council Members, Committee Members and Candidates (Resolution 13194 Special Council Meeting 23 February 2021, Carried by Absolute Majority -
- Occupational Safety & Health Policy
- Grievance Handling Policy & Procedure
- Managing and Improving Performance and Workplace Procedure
- Equal Employment Opportunity and Discrimination Policy
- Employee Code of Conduct

References:

- Occupational Safety and Health Act, 1984
- Occupational Safety and Health Regulations, 1996
- Fair Work Act 2009 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)

HISTORY

Review, 23 June 2021 – Resolution No. 13425
Updated on 23 February 2021 in connection with Policy 1.8 Code of Conduct for Council Members, Committee Members and Candidates
Adopted - Resolution 13256, 17 June 2020

REVIEW

Chief Executive Officer / Deputy Chief Executive Officer



**POLICY 1.18 ELECTED MEMBER, CHIEF EXECUTIVE OFFICER AND EMPLOYEE
ATTENDANCE AT EVENTS POLICY**

POLICY The Shire of Lake Grace is required under the Local Government Act 1995 to approve and report on attendance at events for Elected Members and the Chief Executive Officer. The purpose of this policy is to outline the process associated with attendance at an event.

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

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

Notations

- If an Elected Member receives a ticket in their name in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.
- Whilst the law permits gifts greater than \$300 to be accepted by the Chief Executive Officer (but not other employees), in their role with the Shire, the Chief Executive Officer and all other employees, by operation of this Policy, are prohibited from accepting any gifts greater than \$300, unless from the Shire as the organiser of the event, or as a gift pursuant to Section 5.50 of the Local Government Act 1995 (gratuity on termination).
- If the Chief Executive Officer or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct re notifiable and prohibited gifts.
- An event does not include training, which is dealt with separately via Policy 1.6 Members Travel and Out of Pocket Expenses.
- Nothing in this Policy shall be construed as diminishing the role of the Chief Executive Officer in approving attendance at activities or events by other employees that in the opinion



of the CEO, are appropriate, relevant and beneficial to the Shire of Lake Grace and its employees.

Definitions

'District' is defined as the Wheatbelt Region of Western Australia.

'Elected Members' includes the Shire President and all Councillors.

In accordance with Section 5.90A of the Local Government Act 1995 an event is defined as a:

- Concert
- Conference
- Function
- Sporting event
- Occasions prescribed by the Local Government (Administration) Regulations 1996.

Acronyms

- CEO – Chief Executive Officer
- GST – Goods & Services Tax
- LGIS – Local Government Insurance Services
- WALGA – Western Australian Local Government Association

Scope

This policy applies to Elected Members, the Chief Executive Officer and all employees of the Shire of Lake Grace (the Shire) in their capacity as an Elected Member or employee of the Shire.

Elected Members, the Chief Executive Officer and Executive Managers and Managers occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community. The event may be a paid event or a ticket/invitation may be gifted in kind, or indeed it may be to a free / open invitation event for the community in general.

1. Pre-Approved Events

In order to meet the policy requirements tickets and invitations to events must be received by the Shire (as opposed to in the name of a specific person in their role with the Shire).

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



The Shire approves attendance at the following events by Elected Members, the Chief Executive Officer and employees of the Shire:

- (a) Advocacy, lobbying or Members of Parliament or Ministerial briefings (Elected Members, the Chief Executive Officer and Executive Management only);
- (b) Meetings of clubs or organisations within the Shire of Lake Grace;
- (c) Any free event held within the Shire of Lake Grace;
- (d) Australian or West Australian Local Government events;
- (e) Events hosted by Clubs or Not for Profit Organisations within the Shire of Lake Grace to which the Shire President, Elected Member, Chief Executive Officer or employee has been officially invited;
- (f) Shire hosted ceremonies and functions;
- (g) Shire hosted events with employees;
- (h) Shire run tournaments or events;
- (i) Shire sponsored functions or events;
- (j) Community art exhibitions within the Shire of Lake Grace or District;
- (k) Cultural events/festivals within the Shire of Lake Grace or District;
- (l) Events run by a Local, State or Federal Government;
- (m) Events run by schools within the Shire of Lake Grace
- (n) Major professional bodies associated with local government at a local, state and federal level;
- (o) Opening or launch of an event or facility within the Shire of Lake Grace or District;
- (p) Recognition of Service events within the Shire of Lake Grace or District;
- (q) RSL events within the Shire of Lake Grace or District;
- (r) Events run by WALGA, LGIS or a recognised and incorporated WA based local government professional association;
- (s) Where Shire President, Elected Member or Chief Executive Officer representation has been formally requested.

All Elected Members, the Chief Executive Officer and employees with the approval of the CEO or their respective Executive Manager, are entitled to attend a pre-approved event.

If there is a fee associated with a pre-approved event, the fee, including the attendance of a partner, may be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under clause 5 of this policy.

If there are more Elected Members than tickets provided then the Shire President shall allocate the tickets.

2. Approval Process



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

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the Chief Executive Officer may be approved by the Shire President; and
- Events for employees may be approved by the Chief Executive Officer or their respective Executive Manager.

Considerations for approval of the event include:

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

Where an Elected Member has an event approved through this process and there is a fee associated with the event, then the cost of the event, including for attendance of a partner, is to be paid out of the Members Receptions budgets.

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

3. Non-Approved Events

Any event that is not pre-approved, is not submitted through an approval process, or is received personally is considered a non-approved event.

- If the event is a free event to the public then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays a discounted rate, or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$50 for employees, other than the Chief Executive Officer, and greater than \$300 for Elected Members and the CEO.

4. Conference Registration, Bookings, Payment and Expenses

Shall be dealt with in accordance with Council Policy 1.6 Members Travel Expenses – Conferences.

5. Dispute Resolution



All disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Elected Members and the Chief Executive Officer and the CEO in relation to other employees.

Procedures

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

Free or discounted Invitations / Offers or Tickets that are provided to the Shire without denotation as to who they are for, are be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

Forms and Templates

Register of Gifts and Contributions to Travel Form is required to be completed and lodged within 10 days If the gift is provided in their name due to or as part of their role with the Shire of Lake Grace as follows;

- If the gift is provided to the Elected Member and the discount or free value is over \$300, inclusive of GST, with the Chief Executive Officer;
- If the gift is provided to the Chief Executive Officer and the discount or free value is over \$300, inclusive of GST with the Shire President; and
- If the gift is provided to an employee, other than the Chief Executive Officer, and the discount or free value is over \$50, inclusive of GST, with the Chief Executive Officer.

HISTORY Review, 23 June 2021 – Resolution No. 13425
 Ordinary Council Meeting 21 October 2020, Resolution 13320

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.19 CONTINUING PROFESSIONAL DEVELOPMENT – ELECTED MEMBERS

POLICY Pursuant to the Local Government Act 1995, all Elected Members must complete Council Member Essentials which include the following training topics:

- Understanding Local Government
- Conflicts of Interest
- Serving on Council
- Meeting Procedures and Debating
- Understanding financial Report and Budgets

OBJECTIVE To ensure that appropriate training is provided to all Elected Members to enable them to undertake and understand the responsibilities and obligations of an elected member.

GUIDELINES The following guidelines shall apply to this policy:

- The Shire of Lake Grace nominates WALGA (WA Local Government Association) as the preferred training provider.
- All associated costs for the training will be paid by the Shire
- All essential training must be completed by 30 June in the year immediately following the Elected Member's election. The training is valid for their term of office.
- As per the Local Government Act 1995, the Shire will publish on its website all training undertaken by all Elected Members within one month after the end of the financial year.
- Elected Members can choose to nominate their preferred training method e.g. face-to-face or via eLearning.

PROCEDURES The following considerations for approval shall apply to this policy

- All applicable costs e.g. registration, travel and accommodation
- Provisions in the budget and the uncommitted or unspent funds remaining
- The benefits to the Shire of the person attending
- Must be aligned to the Shire's Strategic Objectives
- The number of Shire representative already approved to attend
- Attendance to training must be approved and authorized by the Chief Executive Officer

HISTORY New Policy, Ordinary Council Meeting 23 June 2021 – Resolution No. 13425

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



**POLICY 1.20 USAGE OF INFORMATION & COMMUNICATION TECHNOLOGY (ICT)
INCLUDING SOCIAL MEDIA**

POLICY	<p>This policy applies to the appropriate use of information and communication technology as well as social media platforms and tools where people may comment, contribute, create, upload and share contents including but not limited to:</p> <ul style="list-style-type: none">• Video and photo sharing websites• Blogs including personal and corporate blogs• Forums, discussion boards and groups• Instant messaging geo-spatial tagging• All other emerging electronic/digital communication applications
OBJECTIVES	<p>Information and communication technology as well as social media provides opportunities to enhance community engagements, a two-way communications and improved access to service delivery.</p>
GUIDELINES	<p>The Chief Executive Officer (CEO) and/or the Deputy Chief Executive Officer (DCEO) are responsible in facilitating compliance to this policy which is to include but is not limited to:</p> <ul style="list-style-type: none">• Employees, consultants, contractors identified to have access to ICT• General use of ICT resources including unacceptable use• System and network activities including security and proprietary information• Email activities including remote access• Provision of mobile phones and other communication devices• Department of Transport licensing• Consequences of breach of confidentiality• Use of social media for Shire purposes to be authorized by the CEO/DCEO• Limitations on private use of Shire corporate sites• Use of any site to comment on Shire related matters, particularly if such comment is considered to be bullying, harassing or derogatory in nature which causes damage to the Shire's reputation, this will make the employee liable to disciplinary action
HISTORY	<p>New Policy, Ordinary Council Meeting 23 June 2021 – Resolution No. 13425</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 1.21 INTERNAL CONTROLS

POLICY This policy serves as evidence of Council's commitment to proper and effective internal controls and their significance to the organisation and provides a basis for establishing documented internal controls that are implemented based on risk management policies and standards.

The policy ensures that Council meets its obligations under the Local Government Act 1995, related Regulations and other legislation.

The policy will aid the organisation to address the risks as outlined under the objectives.

OBJECTIVES To ensure that the Shire of Lake Grace meets its obligations under the Local government Act 1995, related Regulations and other legislation

This policy:

1. Assists the Shire to carry out its activities in an efficient and effective manner in order to achieve its strategic objectives, to ensure adherence to policies, to safeguard the Shire's assets, and to secure (as far as possible) the accuracy and reliability of Shire financial records.
2. Applies to all aspects of the Shire of Lake Grace operations.
3. Documents Council's commitment to appropriate and effective internal controls and their importance to the organisation.
4. Provides a framework for the establishment of documented internal controls that are implemented based on risk management policies and principles.
5. Assist the organisation in addressing the risk of; material misstatement of financial information, fraud and corruption, misappropriation of funds and loss of physical assets and ensure that Council meets its obligation under the Local Government Act 1995, associated Regulations and other legislation.
6. Encourages Internal Control for the systems of policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with laws and regulations and achieve effective and efficient operations. These systems not only relate to accounting and reporting but also include communication and organisational processes both internally and externally, staff management and error handling.
7. Guides the Principles of –
 - a. A risk-based approach to address and reduce the risk of loss caused by fraud, error or misstatement.
 - b. Protection of the Shire of Lake Grace's assets – people, property, reputation, financial sustainability and information.
 - c. On-going audit and identification of system gaps and improvement of internal controls at the Shire of Lake Grace.



8. Assigns Roles and Responsibilities for –
 - a. An appropriate and effective internal control framework is the responsibility of all employees.
 - b. All employees accountable for implementing systems, controls, processes and procedures in their own area of responsibility and will play a part in the internal control framework in differing degrees.
 - c. The Audit Committee and Council responsible for mandating that a strong internal control framework is implemented to ensure the good governance of the organisation.
 - d. The Chief Executive Officer to report at least three yearly to the Audit Committee and Council on the review and improvement to Council's internal control framework.
9. Encourage a Monitoring, Reviewing and Reporting process/system to be implemented which will provide at least three yearly reports to management, the Audit Committee and Council on the status of Risk Management, Internal Controls and Legislative Compliance within the Shire and which will identify the need for specific areas for review.

GUIDELINES In accordance with Regulation 17 of the Local Government (Audit) Regulations 1996, the Chief Executive Officer is required to report on a review of the above three areas every three years.

This is in addition to the three-yearly review required by Regulation 5(2)(c) of the Local Government (Financial Management) which includes a review of the Shire's financial internal controls.

HISTORY New Policy – Ordinary Council Meeting – 23 June 2021 Resolution No.13425

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.22 LEGISLATIVE COMPLIANCE

POLICY

The Shire of Lake Grace has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Council will comply with applicable legislation and the Council should take all appropriate measures to ensure that that expectation is met.

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

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

OBJECTIVES

1. The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the local government.
2. The processes and structures will aim to –
 - a) Develop and maintain a system for identifying the legislation that applies to the Shire's activities.
 - b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented.
 - c) Provide training for relevant employees, elected members, volunteers and other relevant people in the legislative requirements that affect them.
 - d) Provide people with the resources to identify and remain up-to-date with new legislation.
 - e) Establish a mechanism for reporting non-compliance.
 - f) Review accidents, incidents and other situations where there may have been non-compliance.
 - g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.
3. Roles and Responsibilities
 - a) Elected members and committee members have a responsibility to be aware and abide by legislation applicable to their role.



- b) Senior management should ensure that directions relating to compliance are clear and unequivocal and that legal requirements which apply to each activity for which they are responsible are identified. Senior Management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.
 - c) Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation
4. The Shire will have procedures in place to ensure that when legislation changes, steps are taken to ensure that future actions comply with the amended legislation.
5. Legislative Compliance Procedures comprising:
- a) Identifying Current Legislation – The Shire accesses electronic up to date versions of legislation through the Department of Justice Parliamentary Counsel’s Office website at www.legislation.wa.gov.au. Direct access to this site is provided from the Shire’s networked computers.
 - b) Identifying New or Amended Legislation –
 - i. Western Australian Government Gazette
The Government Gazette publishes all new or amended legislation applicable to Western Australia. Copies of Government Gazettes are able to be downloaded from the State Law Publisher website at slp.wa.gov.au. It is incumbent on the CEO and Senior Staff to determine whether any gazetted changes to legislation need to be incorporated into processes.
 - ii. Department of Local Government, Sporting and Cultural Industries –
The Shire receives regular circulars from the Department on any new or amended legislation. Such advice is received through the Shire’s Records section and is distributed to the CEO and relevant Shire officers for implementation.
 - iii. Department of Planning, Lands and Heritage (DPLH) –
The Shire receives Planning Bulletins from DPLH on any new or amended legislation. Such advice is received through the Shire’s Records section and is distributed to the relevant Shire officers for implementation.
 - iv. Western Australian Local Government Association (WALGA) –
The Shire receives regular circulars from WALGA and these circulars highlight changes in legislation applicable to local governments.
 - c) Obtaining advice on Legislative Provisions
The Shire will obtain advice on matters of legislation and compliance where this is necessary. Contact can be made with the Department of Local Government, Sporting and Cultural Industries, WALGA or the relevant initiating government department for advice.



- d) Informing Council of legislative change
 - i. If appropriate the CEO will, on receipt of advice of legislative amendments, advise the Council on new or amended legislation.
 - ii. The Council's format for all its reports to Council meetings provides that all reports shall have a section headed 'Statutory implications' which shall detail the sections of any Act, Regulation or other legislation that is relevant.
- 6. The CEO shall review all incidents and complaints of non-compliance. Such reviews will assess compliance with legislation, standards, policies and procedures that are applicable.
- 7. Reporting of Non-compliance:
 - a) All instances of non-compliance shall be reported immediately to the supervising Executive Manager.
 - b) The Executive Manager shall determine the appropriate response and then report the matter to the CEO.
 - c) The CEO may investigate any reports of significant non-compliance and if necessary report the non-compliance to the Council and/or the relevant government department.
 - d) The CEO will also take the necessary steps to improve compliance systems.

HISTORY New Policy – Ordinary Council Meeting – 23 June 2021 Resolution No. 13425

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.23 FRAUD AND CORRUPTION PREVENTION

POLICY

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

OBJECTIVE This policy will assist the Shire of Lake Grace in assessing fraud and corruption, misappropriation of funds and loss of physical assets and ensure that the Shire of Lake Grace meets its obligations under the Local Government Act 1995 and all associated regulations and legislations.

GUIDELINES Local Government Act 1995
Local Government (Audit) Regulations 1996
Shire of Lake Grace Policy Manual
Policy 1.8 – Code of Conduct

HISTORY New Policy – Ordinary Council Meeting 23 June 2021 – Resolution No. 13425

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.24 PRIVACY POLICY

OBJECTIVE:

The objective of this Privacy Policy is to:

- Protect the privacy of individuals by safeguarding personal information against unauthorised use or disclosure.
 - Ensure compliance with relevant legislative and regulatory obligations regarding the collection and management of personal information.
 - Build trust with the community by demonstrating the Shire’s commitment to privacy and data security.
 - Provide individuals with clear information on how their personal information is handled and how they can access, update, or request correction of their information.
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Purpose

The purpose of this Privacy Policy is to outline how the Shire of Lake Grace (the “Shire”) collects, manages, uses, discloses, and protects personal information in accordance with the requirements of the *Privacy Act 1988 (Cth)* and the Australian Privacy Principles (APPs).

This policy ensures that the Shire maintains transparency and accountability in handling personal information to uphold the privacy rights of individuals who engage with the Shire.

Introduction

The Shire of Lake Grace (the “Shire”) is committed to protecting your privacy and ensuring that your personal information is handled securely, transparently, and in compliance with relevant privacy laws, including the *Privacy Act 1988 (Cth)* and the Australian Privacy Principles (APPs).

This Privacy Policy explains how the Shire collects, uses, stores, and discloses personal information and how you can access or correct your information or make a complaint about privacy-related matters.

1. What Personal Information We Collect

The Shire may collect personal information about you, including but not limited to:

- Your name, address, phone number, and email address.
- Date of birth or age details.
- Financial details (for payments, rates, or fines).



- Information related to property ownership or development applications.
- Employment or volunteer-related information (for job applicants or volunteers).
- Other details as required to deliver services or comply with legislative obligations.

We collect this information only when it is necessary for us to carry out our functions and services or to comply with legal requirements.

2. How We Collect Personal Information

We collect personal information directly from you when you:

- Complete forms or applications (online or in person).
- Contact us by phone, email, or in writing.
- Use our website or digital services.
- Participate in surveys, events, or public consultations.

We may also collect information from third parties, such as government agencies, law enforcement, or other authorised entities, when necessary.

3. Use of Personal Information

The Shire uses personal information to:

- Provide municipal services, including rates, waste management, and planning applications.
- Manage community programs, facilities, and events.
- Respond to inquiries, complaints, and service requests.
- Meet legislative, regulatory, and law enforcement obligations.
- Improve our services and community engagement.

We will not use your personal information for purposes other than those outlined above unless you provide your consent or as required by law.

4. Disclosure of Personal Information

The Shire may disclose your personal information to:

- Third-party service providers who are engaged to assist in delivering services.
- Government agencies or regulatory authorities, as required by law.
- Law enforcement or emergency services in relevant circumstances.



We do not sell or trade personal information to third parties.

5. Security of Personal Information

The Shire takes reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification, or disclosure. This includes secure physical and electronic storage systems, staff training, and adherence to internal policies.

6. Access and Correction of Personal Information

You have the right to access and request correction of your personal information held by the Shire. To make a request, please contact us using the details provided below. We may require verification of your identity before processing your request.

7. Website and Digital Services

When you visit the Shire's website, we may collect non-personal information such as your IP address, browser type, and pages accessed to improve website functionality.

Cookies may also be used to enhance your browsing experience. You can modify your browser settings to reject cookies if preferred.

Our website may contain links to external sites. The Shire is not responsible for the privacy practices of these third-party websites.

8. Complaints and Enquiries

If you have concerns or complaints about how the Shire has handled your personal information, please contact us:

Privacy Officer
Shire of Lake Grace
Address: 1 Bishop Street, Lake Grace WA 6353
Phone: 08 9890 2500
Email: shire@lakegrace.wa.gov.au

We will investigate your complaint and respond in a timely manner. If you are not satisfied with our response, you may refer your complaint to the **Office of the Australian Information Commissioner (OAIC)**.

9. Updates to this Policy

The Shire may update this Privacy Policy from time to time to reflect changes in legislation, technology, or our practices. Any updates will be published on our website.



HISTORY

New Policy – Adopted 12 February 2025 Resolution number 14003

REVIEW: Chief Executive Officer / Deputy Chief Executive Officer



POLICY 1.25 DATA BREACH POLICY

OBJECTIVE:

The objective of this Data Breach Policy is to:

- Protect the privacy of individuals by safeguarding personal information against unauthorised use or disclosure.
- Ensure compliance with relevant legislative and regulatory obligations regarding the collection and management of personal information.
- Build trust with the community by demonstrating the Shire's commitment to privacy and data security.

Purpose

The Shire of Lake Grace is committed to protecting personal and sensitive information from misuse, loss, unauthorised access, modification, or disclosure. This policy establishes the framework for identifying, managing, and responding to data breaches in compliance with the *Privacy and Responsible Information Sharing (PRIS) Act 2024 (WA)* and the *State Records Act 2000 (WA)*.

Scope

This policy applies to all employees, contractors, volunteers, and elected members handling information on behalf of the Shire. It governs all forms of data, including physical and digital records, and sets forth procedures to mitigate risks associated with data breaches.

1. Definition of a Data Breach

A data breach includes unauthorised access, loss, disclosure, or alteration of sensitive information, such as:

- Accidental loss of physical or digital records containing personal data.
- Unauthorised access due to cyberattacks, phishing, or malware.
- Improper disposal of confidential information.
- Unauthorised sharing of personal or confidential records.

2. Data Breach Response Plan

2.1. Reporting

All suspected or confirmed data breaches must be reported immediately to the Privacy Officer and the Information Management Team.

Reports should include:

- A description of the incident.



- Types of data involved.
- Individuals affected.
- Initial containment measures taken.

2.2. Containment

Upon discovery, steps must be taken to prevent further exposure, including:

- Disabling compromised accounts or network access.
- Retrieving lost or stolen records if possible.
- Securing affected databases and IT systems.

2.3. Assessment

Within two business days, the Privacy Officer and IT team will conduct an initial risk assessment to determine:

- The extent of the breach.
- Potential harm to affected individuals.
- Legal and regulatory obligations.

A full investigation report must be completed within 30 days.

2.4. Notification

If a breach is deemed significant, affected individuals and relevant authorities will be notified.

Notifications must include:

- The nature of the breach.
- Potential risks and impact.
- Steps taken to mitigate harm.
- Contact details for further assistance.

The Office of the Information Commissioner of WA and Chief Data Officer of WA must be notified if required under the PRIS Act.

2.5. Post-Incident Review

After managing the breach, a review will be conducted to:

- Identify the root cause.
- Improve security measures and breach prevention.
- Update employee training and recordkeeping practices.
- Conduct a security audit of IT and physical storage systems.



3. Prevention Strategies

To reduce the likelihood of future breaches, the Shire will implement:

- Regular cybersecurity training for staff.
- Multi-factor authentication and data encryption.
- Secure storage and controlled access to sensitive information.
- Compliance audits and policy reviews.

This policy ensures that the Shire of Lake Grace upholds transparency, security, and accountability in managing data breaches while complying with legal obligations and community expectations.

HISTORY

New Policy – Adopted 12 February 2025 Resolution number 14004

REVIEW Chief Executive Officer / Deputy 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 206 May St, 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 and 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 206 May 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 and Playground, Lot 40 Bennett Street, Lake Grace
- Varley and Districts Progress Association “Chicken Ranch”, Lot 22 Seward Avenue, Varley

OBJECTIVE To provide support for essential community services and recognize 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 consideration.
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 19 December 2018 Motion 12897 Amended 22 June 2016 Motion 12312 Former Policies 2.2, 2.3 & 2.4 – amended as per review Motion 10893 October 2009 – consolidation of policies Amended as per review Motion 10230 July 2006 Former policy 1.20 as amended August 2001 Motion 9035
REVIEW	Chief Executive Officer / Deputy 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 organisation.

- 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 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 Review, 23 June 2021 – Resolution No. 13425
Amended 22 June 2016 Motion 12312
Policy adopted as per Motion 10248 July 2006

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 2.9 COMMUNITY FUNDING REQUEST

POLICY Community Funding Request is available to community groups / not-for-profit organisations within the shire of Lake Grace for activities which will benefit the community and demonstrate the principal interest of the Shire of Lake Grace.

OBJECTIVES The Shire of Lake Grace Community Funding program provides financial support to community groups within the shire to:

- support community driven initiatives and activities that will enhance community engagement and development,
- build community resilience and wellbeing, and
- develop pride and leadership.

GUIDELINES

In order to be successful in receiving the grant from the Shire of Lake Grace, the following conditions and guidelines must be adhered to:

1. funding is available up to a maximum of \$5,000 each financial year
2. the Shire of Lake Grace will provide the funding which can be used for professional fees and charges associated with an event or project (e.g., entertainment/talent fees, judges/adjudicators, printing, fixed equipment and skilled labour) or expenses associated with the production of an event or project (e.g., equipment hire, materials, advertising, venue hire)
3. projects must be completed within the current financial year, unless a request in writing for an extension of time is approved by the Shire of Lake Grace
4. only one (1) application must be submitted by each group to be received before the stipulated deadline, late applications will not be entertained
5. each project will be considered on its merits, allocation of monies will be made within the constraints of the budget
6. applicants must recognise the Shire's support in its advertising or publicity and wherever possible, the Shire of Lake Grace logo must be included in the promotional materials
7. the grant must be acquitted at the completion of the project and included in the acquittal are:
 - project outcomes / summary
 - financial reports (expenses incurred)
 - any residual and/or unexpended funds – **Note:** unexpended funds must be returned to the Shire of Lake Grace within 3 months of the acquittal; funds that remain in the custody of the organisation/group will be treated the same as for any Shire debt.

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8. please note that not all applications will be successful; but for the successful applicants, grant allocations that are not accessed within 6 months from notification of success, the grant allocation will be forfeited.
9. the Shire of Lake Grace will endeavor to promote grant funding opportunities to the wider community using various mediums (e.g. Facebook, website, Community News, newsletters and email networks).
10. the decision of the grant funding panel is final and no further communications to influence its decision will be entertained.

HISTORY Review, 23 June 2021 – Resolution No. 13425
 Ordinary Council Meeting – 24 March 2021, Resolution 13388

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 2.10 CHILD SAFE AWARENESS

- POLICY** Shire of Lake Grace supports and values all children and young people. Shire of Lake Grace makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways Shire of Lake Grace demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.
- OBJECTIVES** This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. Shire of Lake Grace is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.
- This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that Shire of Lake Grace is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. Shire of Lake Grace will promote the safety and wellbeing of children across the community.
- Consistent with the [National Principles for Child Safe Organisations](#) and [Commonwealth Child Safe Framework](#), this policy provides a framework that outlines the role of Shire of Lake Grace in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

GUIDELINES

The safety and wellbeing of children is everyone's responsibility. This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire of Lake Grace, regardless of their work related to children or young people. It applies to occupants of Shire of Lake Grace facilities and venues, including visitors, contractors and suppliers.

DEFINITIONS

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions



- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.
- Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

POLICY PRINCIPLES

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

POLICY STATEMENT

The Shire of Lake Grace will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.



Developing a process to deliver child safe messages (for example at Shire of Lake Grace venues, grounds and facilities or events).

Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

RESPONSIBILITIES

The Shire of Lake Grace has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although the Shire of Lake Grace is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise Shire of Lake Grace facilities to operate in alignment with the Child Safe Awareness policy.

The Shire of Lake Grace will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

Relevant Legislation

Child Care Services Act 2007

Children and Community Services Act 2004

Civil Liability Act 2002

Corruption, Crime and Misconduct Act 2003

Equal Opportunity Act 1984

Freedom of Information Act 1997

Local Government Act 1995

National Principles for Child Safety Organisations

Parliamentary Commissioner Act 1971

Public Interest Disclosure Act 2003r

Public Sector Management Act 1994

United Nations Convention on the Rights of the Child (CRC)

Work Health and Safety Act 2020

Working with Children (Criminal Record Checking) Act 2004

Related Documentation

Strategic Community Plan

HISTORY Ordinary Council Meeting – 21 February 2023, Resolution 13818

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



SECTION 3 - FINANCE & ACCOUNTING

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.
OBJECTIVE	To identify Council's willingness to provide support to groups and organisations within the Shire.
GUIDELINES	<p>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.</p> <p>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.</p> <p>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.</p>
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Former policies 2.4 & 2.6. Updated Motion 1062 April 2008
REVIEW	Chief Executive Officer / 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.
OBJECTIVE	To clearly identify the basis upon which Council's financial statements are prepared.
GUIDELINES	Please see Attachment 3.2 – Statement of Significant Accounting Policies
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 19 December 2018 Motion 12897 Amended 22 June 2016 Motion 12312 Amended 24 June 2015 Motion 12059 Motion 9292 September 2002 – Effective July 2002 Policy adopted to comply with Accounting Standard AASB 1041 “Revaluation of Non-Current Assets” Former Policy 2.14
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 3.2 (a) - Summary of Significant Accounting Policies

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. Restricted financial assets are not available for general use by the Shire due to externally imposed restrictions. Restrictions are specified in agreement, contract or legislation. This applies to Reserves, unspent grants that have not been fully expended in the manner specified in the agreement.

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. Rates and statutory receivables are recognised when the taxable event has occurred and can be measured reliably.

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.

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

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with Financial Management Regulation 17A(5). These assets are expensed immediately.

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

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings, and infrastructure and investment properties acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluation at the next revaluation date consistent with Financial Management Regulation 17A(4).

Revaluation

The fair value of land, buildings, and infrastructure and investment properties is determined at least every five years in accordance with the regulatory framework. This includes buildings and



infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period, the carrying amount for each asset class is reviewed and, where appropriate, the fair value is updated to reflect current market conditions consistent with Financial Management Regulation 17A (2) which requires land, buildings infrastructure, investment properties and vested improvements to be shown at fair value.

For property, plant and equipment and infrastructure, increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss. Subsequent increases are then recognised in profit or loss to the extent they reverse a net revaluation decrease previously recognised in profit or loss for the same class of asset.

Depreciation

The depreciable amount of all property, plant and equipment and infrastructure, are depreciated on a straight-line basis over the individual asset’s useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

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

Buildings	30 to 50 years
Furniture and equipment	4 to 10 years
Plant and equipment	5 to 15 years
Sealed roads and streets	
• Formation	not depreciated
• pavement	50 years
Seal	
• bituminous seals	20 years
• asphalt surfaces	25 years
Gravel roads	
• formation	not depreciated
Pavement	50 years
• gravel sheet	12 years
Formed roads (unsealed)	
• Formation	not depreciated
• pavement	50 years
Footpaths - slab	40 years
Sewerage piping	100 years
Water supply piping and drainage systems	75 years



Depreciation on revaluation

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

- (i) The gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset.
- (ii) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

Amortisation

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

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

Impairment

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 or losses on disposal

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.

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.

(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.

(g) 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.

(i) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. Contract liabilities represents the Shire's obligation to transfer goods and services to a customer for which the Shire has received consideration from the customer. Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

(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 equal 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:

The financial report comprises general purpose financial statements which have been prepared in accordance with the Local Government Act 1995 and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the Local Government Act 1995 read with the Local Government (Financial Management) Regulations 1996 prescribe that the financial report be prepared in accordance with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting

Standards Board except for disclosure requirements of:

- AASB 7 Financial Instruments Disclosures
- AASB 16 Leases paragraph 58
- AASB 101 Presentation of Financial Statements paragraph 61
- AASB 107 Statement of Cash Flows paragraphs 43 and 45
- AASB 116 Property, Plant and Equipment paragraph 79
- AASB 137 Provisions, Contingent Liabilities and Contingent Assets paragraph 85
- AASB 140 Investment Property paragraph 75(f)
- AASB 1052 Disaggregated Disclosures paragraph 11
- AASB 1054 Australian Additional Disclosures paragraph 16

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease.



All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial 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.

The Local Government Reporting Entity

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

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 25 of the financial report.

Judgements and Estimates

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

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

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

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

Initial Application of Accounting Standards

During the current year the following new or revised Australian Accounting Standards and Interpretations were applied for the first time.

- AASB 2020-3 Amendments to Australian Accounting Standards -
 - Annual Improvements 2018-2020 and Other Amendments



- AASB 2020-6 Amendments to Australian Accounting Standards –
 - Classification of Liabilities as Current or Non-current – Deferral of Effective Date

- AASB 2021-7a Amendments to Australian Accounting Standards
 - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [general editorials]

- AASB 2022-3 Amendments to Australian Accounting Standards
 - Illustrative Examples for Not-for-Profit Entities accompanying AASB 15

These amendments have no material impact on the current annual financial report

New Accounting Standards for Application in Future Years

The following new accounting standards will have application to local government in future years:

- AASB 2014-10 Amendments to Australian Accounting Standards
 - Sale or Contribution of Assets between an Investor and its Associate or Joint Venture

- AASB 2020-1 Amendments to Australian Accounting Standards -
 - Classification of Liabilities as Current or Non-current

- AASB 2021-2 Amendments to Australian Accounting Standards -
 - Disclosure of Accounting Policies or Definition of Accounting Estimates

This standard will result in a terminology change for significant accounting policies

- AASB 2021-7c Amendments to Australian Accounting Standards
 - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [deferred AASB 10 and AASB 128 amendments in AASB 2014-10 apply]

- AASB 2022-5 Amendments to Australian Accounting Standards
 - Lease Liability in a Sale and Leaseback

- AASB 2022-6 Amendments to Australian Accounting Standards
 - Non-current Liabilities with Covenants

- AASB 2022-7 Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards

- AASB 2022-10 Amendments to Australian Accounting Standards
 - Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities

The amendment may result in changes to the fair value of non-financial assets. The impact is yet to be quantified.

**SHIRE OF LAKE GRACE
POLICY MANUAL**



Except as described above these amendments are not expected to have any material impact on the financial report on initial application.



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.
OBJECTIVES	To ensure that Specified Area Rates are levied so that the specified area of the Lake Grace townsite is responsible for the net costs of the provision of a sewerage treatment facility.
GUIDELINES	Sections 6.32 and 6.37 of the Local Government Act 1995. Budget - In accordance with Section 6.32 and 6.37 of the Local Government Act 1995 details of the 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.
HISTORY	Review 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Policy Review April 2008 Motion 10602 – clarification of what is specified area rated and vote counting in ratepayer surveys amended back to reflect “eligible” votes rather than returned votes Policy Review March 204 Motion 10602 – Vote counting in ratepayer surveys amended to reflect returned votes rather than eligible votes Amended September 202 Motion 9301 – Amended to clarify the voting rights of ratepayers when voting in surveys Amended June 2002 Motion 9216 – amended to include conditions regarding results and costs of ratepayer surveys in prescribed areas Former Policy 3.25, 3.27, 3.31 September 1999 Motion 8459
REVIEW	Chief Executive Officer / 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:

- Local Government Act 1995 – Section 6.14;
- The Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 19C, Regulation 28, and Regulation 49;
- 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; B
- 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:

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

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	100%
AA	A-1	100%
A	A-2	60%

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:

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	50%
AA	A-1	50%
A	A-2	20%



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 Review 23 June 2021 – Resolution No. 13425
 Amended 22 June 2016 Motion 12312
 Amended 24 June 2015 Motion 12059
 Amended February 2015 Motion 11769 to include Regulation 19C requirements
 Amended February 2010 Motion 10951 to clearly define "approved investments"
 Adopted August 2006 Motion 10257

REVIEW Chief Executive Officer / 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) and other Senior Staff if required 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.

“Credit Card Agreement” shall be signed by the Cardholder which sets out the responsibility and legal obligations when using the corporate credit card.

Guidelines

To provide details for the use, allocation, control and safe custody of corporate credit cards, the following guidelines govern the issue and use of corporate credit cards:

- The use of the credit card is restricted to business expenses only. The use of corporate credit cards for any item of personal expenditure is not allowed.
- All credit card receipts are to be handed to the Finance Department for reconciliation and allocation purposes.
- 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.
- Council can revoke any authorised use if any of the policy conditions are breached.
- 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.
- Credit Card is not to be used for cash withdrawals.



Corporate credit cards are issued with a maximum credit of \$5,000.

Fuel Cards

To be issued to CEO, Deputy Chief Executive Officer, Manager Infrastructure Services, Manager Corporate Services, and Community Emergency Services Manager (CESM) 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 Review, 23 June 2021 – Resolution No.13425, Updated 18 August 2020
Amended 19 December 2018 Motion 12897
Amended 22 June 2016 Motion 12312
Amended 24 June 2015 Motion 12059
Motion 10602 April 2008 – amended to increase maximum credit
Adopted Motion 10337 December 2006

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 3.7 PURCHASING POLICY

POLICY The Shire of Lake Grace (the “**Shire**”) is committed to delivering the objectives, principles and practices outlined in this Policy, when purchasing goods, services or works to achieve the Shire strategic and operational objectives.

This policy complies with the Local Government (Functions and General) Regulations 1996 (‘the Regulations’).

OBJECTIVES

- The Shire’s purchasing activities will achieve:
- The attainment of best value for money;
- Sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment;
- Consistent, efficient and accountable processes and decision-making;
- Fair and equitable competitive processes that engage potential suppliers impartially, honestly and consistently;
- Probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- Compliance with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, as well as any relevant legislation, Codes of Practice, Standards and the Shire’s Policies and procedures;
- Risks identified and managed within the Shire’s Risk Management framework;
- Records created and maintained to evidence purchasing activities in accordance with the State Records Act and the Shire’s Record Keeping Plan;
- Confidentiality protocols that protect commercial-in-confidence information and only release information where appropriately approved.

1 ETHICS & INTEGRITY

The Shire’s Code of Conduct applies when undertaking purchasing activities and decision making. Elected Members and employees must observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

2 VALUE FOR MONEY

Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire achieving its strategic and operational objectives.



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

2.1 Assessing Value for Money

Assessment of value for money will 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, training, maintenance and disposal;
- Timeliness on delivery of the goods and/or services;
- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, tenderers resources available, capacity and capability, 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 the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- A strong element of competition by obtaining a sufficient number of competitive quotations wherever practicable and consistent with this Policy;
- The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy; and
- Providing opportunities for businesses within the Shire's boundaries to quote wherever possible.

2.2 Policy Purchasing Value Definition

Purchasing value for a specified category of goods, services or works is to be determined upon the following considerations:

- Exclusive of Goods and Services Tax (GST); and
- Where a contract is in place, the actual or expected value of expenditure over the full contract period, including all options to extend specific to a particular category of goods, services or works.

OR

- Where there is no existing contract arrangement, the Purchasing Value will be the estimated total expenditure for a category of goods, services or works over a minimum three-year period. This period may be extended to a maximum of 5 years only where the



supply category has a high risk of change i.e. to technology, specification, availability or the Shire's requirements (Regulation 12).

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

2.3 Purchasing from Existing Contracts

The Shire will ensure that any goods, services or works required that are within the scope of an existing contract will be purchased under that contract.

2.4 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 and raise requisitions, however the following officers are permitted to issue purchase orders on behalf of the Shire of Lake Grace within the financial limits specified:

Officer	Purchase Order Value
Chief Executive Officer	Unlimited (within adopted budget and guidelines)
Deputy Chief Executive Officer	\$50,000
Manager Infrastructure Services	\$50,000
Manager Corporate Services	\$50,000

Purchasing officers cannot authorise requisitions they have raised themselves.

2.5 Table of Purchasing Thresholds and Practices

Terms used in this section are defined as such:

'Local Supplier' is a business or contractor who is based in, or whose majority of employees reside in, the Shire of Lake Grace local government area.

The following table prescribes Purchasing Value Thresholds and the applicable purchasing practices which apply to the Shire's purchasing activities:

Purchase Value Threshold	Purchasing Practice Required
Up to \$1,000 (ex GST)	<p>Purchase directly from supplier using a Purchase Order or Corporate Credit Card issued by the Shire of Lake Grace.</p> <p>The preference is to purchase from a Shire based business if such suitable supplier can be sourced.</p>



	<p>Alternative suppliers are encouraged to be used if possible to ensure best value for money and adequate market share.</p>
<p>From \$1,001 up to \$10,000 (exc. GST)</p>	<p>Purchase directly from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire of Lake Grace, seek at least one (1) verbal or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire of Lake Grace; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or • from the open market.
<p>From \$10,001 up to \$50,000 (exc. GST)</p>	<p>If there is a relevant Panel of Pre-Qualified Supplier, seek quotations in accordance with the contract requirements.</p> <p>If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then at least one (1) written quote must be sought from either:</p> <ul style="list-style-type: none"> • a supplier included in the relevant WALGA Preferred Supplier Arrangement; or • other suppliers that are accessible under a State Government Common Use Arrangement (CUA); or • the open market.
<p>From \$50,001 up to \$100,000 (exc. GST)</p>	<p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, seek quotations in accordance with the contract requirements.</p> <p>If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then at least one (1) written quote must be sought from either:</p> <ul style="list-style-type: none"> • a supplier included in the relevant WALGA Preferred Supplier Arrangement; or • other suppliers that are accessible under a State Government Common Use Arrangement (CUA); or • a WA Disability Enterprise; or • an Aboriginal Owned Business; or • a Local Supplier; or



	<ul style="list-style-type: none"> • At least two (2) quotes on the open market. <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price.
<p>From \$100,001 up to \$249,999 (exc. GST)</p>	<p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, seek quotations in accordance with the contract requirements. If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then at least one (1) written quote must be sought from either:</p> <ul style="list-style-type: none"> • a supplier included in the relevant WALGA Preferred Supplier Arrangement; or • other suppliers that are accessible under a State Government Common Use Arrangement (CUA). <p>Otherwise, a Request for Quote process must be undertaken with at least three (3) written quotations from:</p> <ul style="list-style-type: none"> • a WA Disability Enterprise; and/or • an Aboriginal Owned Business; and/or • a Local Supplier; and/or • the open market. <p>The Request for Quote process is where the supplier is chosen based upon assessment of their response to:</p> <ul style="list-style-type: none"> • a detailed written specification for the goods, services or works required; and • pre-determined evaluation criteria that assesses all best and sustainable value considerations.
<p>Over \$250,000 (exc GST)</p>	<p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, seek quotations in accordance with the contract requirements.</p> <p>If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then either:</p> <ul style="list-style-type: none"> • Seek at least three (3) written quotations from a supplier included in the relevant WALGA Preferred Supplier Arrangement and/or another public tendering exemption per Clause 3.7;



	<p>OR</p> <ul style="list-style-type: none"> Conduct a Public Request for Tender process in accordance with the <i>Local Government (Functions and General) Regulations 1996</i> and relevant Shire Policy requirements. <p>The purchasing decision is to be based upon the suppliers response to:</p> <ul style="list-style-type: none"> a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and pre-determined evaluation criteria that assesses all best and sustainable value considerations.
<p>Emergency Purchases (Within Budget)</p>	<p>Must be approved by the President or by the Chief Executive Officer under delegation and reported to the next available Council Meeting.</p>
<p>Emergency Purchases (Not Included in Budget)</p>	<p>Only applicable where, authorised in advance by the President in accordance with s6.8 of the <i>Local Government Act 1995</i> and reported to the next available Council Meeting.</p> <p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, the emergency supply must be obtained from the Panel suppliers.</p> <p>If there is no relevant Panel of Pre-qualified Suppliers or a suitable supplier from WALGA Preferred Supplier Arrangement, then the supply may be obtained from any supplier capable of providing the emergency purchasing requirement, and to the extent that it is reasonable in context of the emergency requirements, with due consideration of best and sustainable consideration.</p>
<p>LGIS WA Services</p>	<p>The suite of LGIS insurances are established in accordance with s9.58(6)(b) of the Act and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a</p>



	<p>member-based service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should quotations for insurance services be sought from alternative insurance suppliers, compliance with this Policy is required.</p>
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2.6 Exemptions from Public Tendering

An exemption from the requirement to publicly invite tenders may apply when the purchase is:

- obtained from a pre-qualified supplier under the WALGA Preferred Supplier Arrangement or other suppliers that are accessible under another tender exempt arrangement.
- from a pre-qualified supplier under a Panel established by the Shire;
- from a Regional Local Government or another Local Government;
- acquired from a person/organisation 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 (exc. GST) and represents value for money;
- acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is authorised under auction by Council under delegated authority;
- within 6 months of no tender being accepted;
- where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- the purchase is covered by any of the other exclusions under Regulation 11 of the Regulations.

2.7 Exemptions from Competitive Purchasing Process

The following exemptions where the Shire is not required to undertake a competitive purchasing process (as detailed in the Table of Purchasing Thresholds and Practices in section 2.5 of this Policy) and where the total value of the purchase does not exceed \$250,000 (exclusive of GST) include:

- Services / Memberships of WALGA, Local Government Insurance Services WA (LGIS WA), 4WDL, VROCs and other cooperative local government groupings the Shire is involved with;
- Aboriginal Corporations registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation;
- Advertising – Newspapers and publications (for example: local papers, The West Australian, State Government Gazette);
- Annual Memberships / Subscriptions;
- Annual Service / Software Maintenance / Support Fees;



- Fuels and oils for shire vehicles, plant and equipment;
- Provision of utility services (where only sole provider exists); and
- Purchases for maintenance of equipment from Original Equipment Manufacturer (OEMs) and where warranty provisions may be void.

Where for various reasons it is considered in the best interest of the Shire to undertake procurement activities which are not provided for by this policy, an officer may:

- Recommend to the CEO reasons to undertake unique or urgent expenditure up to a value of \$10,000;
- CEO to evaluate the recommendation of unique and urgent expenditure for approval or refusal;
- Copy of any approval to be attached to the purchase order.

2.8 Inviting Tenders Under the Tender Threshold

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 threshold.

This decision will be made after considering:

- Whether the purchasing requirement can be met through the WALGA Preferred Supplier Program or any other tender exemption arrangement; and
- Any value for money benefits, timeliness, risks; and
- Compliance requirements.

A decision to invite Tenders, though not required to do so, may occur where an assessment has been undertaken and it is considered that there is benefit from conducting a publicly accountable and more rigorous process. In such cases, the Shire's tendering procedures must be followed in full.

All Public Tender requirements under the Regulations are applicable to a Public Tender process even if the purchase value is under \$250,000.

2.9 Other Procurement Processes

2.9.1 Expressions of Interest

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value, or contains significant complexity of project delivery that may solicit responses from a considerable range of industry providers.

In these cases, the Shire may consider conducting an EOI process, preliminary to any Request for Tender process, where the purchasing requirement is:

- unable to be sufficiently scoped or specified;
- open to multiple options for how the purchasing requirement may be obtained, specified, created or delivered;



- subject to a creative element; or
- to establish a procurement methodology that allows for an assessment of a significant number of tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes are conducted as a public process and similar rules to a Request for Tender apply. However, the EOI should not seek price information from respondents, seeking qualitative and another non-price information only. All EOI processes should be subsequently followed by a Request for Tender through an invited process of those shortlisted under the EOI.

2.9.2 Request for Proposal

As an alternative to a Request for Tender, the Shire may consider conducting a Request for Proposal where the requirements are less known, or less prescriptive and detailed. In this situation, the Request For Proposal would still be conducted under the same rules as for a Request For Tender but would seek responses from the market that are outcomes based or that outline solutions to meet the requirements of the Shire.

2.9.3 Emergency Purchases

An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act and includes natural disasters such as fire and flood. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

2.10 Sole Source of Supply

A sole source of supply arrangement may only be approved where the:

- Purchasing value is estimated to be over \$10,000; and
- purchasing requirement has been documented in a detailed specification; and
- specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- market testing process and outcomes of supplier assessments have been documented, inclusive of a rationale for why the supply is determined as unique and cannot be sourced through more than one supplier.

A sole source of supply arrangement will only be approved for a period not exceeding three (3) years. For any continuing purchasing requirement, the approval must be re-assessed before expiry to evidence that a Sole Source of Supply still genuinely exists.

2.11 Anti-Avoidance



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

Utilising rolling contract extensions at the end of a contract term without properly testing the market or using a Tender exempt arrangement, will not be adopted as this would place this Local Government in breach of the Regulations (Regulation 12).

The Shire administration will conduct regular periodic analysis of purchasing activities within supply categories and aggregating expenditure values in order to identify purchasing activities which can be more appropriately undertaken within the Purchasing Threshold practices detailed in section 2.4 above.

3 SUSTAINABLE PROCUREMENT

3.1 Local Economic Benefit

The Shire encourages the development of competitive local businesses within its boundary first, and second within its broader region. As much as practicable the Shire will:

- 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 local suppliers.

To assist in this, a Regional Price Preference is introduced into the procurement process.

3.2 Regional Price Preference

3.2.1 Purpose

The Shire aims to support the local economy by granting a discount to businesses situated in the region for the purposes of procurement assessment.

3.2.2 Definitions

Local Area means the geographical areas of the Shire of Lake Grace, Shire of Dumbleyung, Shire of Kondinin, Shire of Jerramungup, and the Shire of Ravensthorpe.

Construction & Building Services means:



- any physical works involved in road construction or maintenance (formation widening, gravel resheeting, sealing, resealing, maintenance grading, drainage cleaning, vegetation mulching within maintenance corridor, etc.), and
- any large-scale earthworks, and
- the construction, demolition, alteration, maintenance, repair, refurbishment, additions or fit-outs of structures and buildings, and
- any other meaning as interpreted by Shire Administration to fit the definition of construction or building work.

3.2.3 Application

This Regional Price Preference can be applied to all procurement carried out by the Shire of Lake Grace, unless specifically excluded in the advertising for the procurement of a specific good or service. **For procurements undergoing a tender process, the Regional Price Preference must be explicitly stated to either be in effect, or excluded, on advertisement of the tender.**

For a business/organisation's quotes/tender submissions to be considered for Regional Price Preference, they must:

- have a branch or home office that carries out a substantial amount of work or sale of goods within the *Local Area*, and
- have been operating out of this branch of home office for at least six (6) continuous months.

The Regional Price Preference is applied by discounting the total value of a quote or tender submission by a percentage (up to a maximum amount) and using the discounted value for cost comparisons during tender/quotation assessment.

The discount is calculated as—

Construction & Building Services: 5% of tender/quote value, to a maximum of \$50,000.

Goods and Non-Construction/Non-Building Services: 10% of tender/quote value, to a maximum of \$50,000.

3.3 Purchasing from Disability Enterprises

An Australian Disability Enterprise may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, where a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and Tenders to provide advantages to Australian Disability Enterprises, in instances where not directly contracted.

3.4 Purchasing from Aboriginal Businesses

A business registered in the current Aboriginal Business Directory WA (produced by the Small Business Development Corporation) may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, only where:



- the contract value is or is worth \$250,000 or less, and
- a best and sustainable value assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.

3.5 Purchasing from Environmentally Sustainable Businesses

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

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to suppliers which:

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

4 PANELS OF PRE-QUALIFIED SUPPLIERS

4.1 Objectives

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

Part of the consideration of establishing a panel includes:

- 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 a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

4.2 Establishing and Managing a Panel

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



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

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

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

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

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

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

4.3 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 will prescribe one of the following as to whether the Shire intends to:

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

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

- 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
- 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 will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. 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 1.4.3 of this Policy. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

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

4.4 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 Panel 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 can be made through eQuotes (or other nominated 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.

5 PURCHASING POLICY NON-COMPLIANCE

Purchasing Activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire's policies and procedures.

A failure to comply with the requirements of this policy will be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- an opportunity for additional training to be provided;
- a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*;
- misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.

6 RECORD KEEPING

All purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire of Lake Grace Record Keeping Plan. This includes those with organisations involved in a tender or quotation process, including suppliers.

All Purchase Orders are to have attached:

- a completed Record of Quotations Obtained for Purchase;
- written quotations received, if purchase was not under a Contract or verbal quotations are not permissible at that purchasing threshold process;



- the relevant contract's cover page and schedule of specifics or rates, if purchased under a contract; and
- a completed Conflict of Interest Declaration form, if the purchase was the result of a Request for Quote or Request for Tender process.

For the tendering process, additional documents required to be retained are:

- advertising of the Request for Tender, including newspaper clippings;
- tender documentation;
- evaluation documentation;
- enquiry and response documentation; and
- notification and award documentation.

HISTORY Amended 22 April 2026 Resolution 14176
Amended 21 February 2024 Resolution 13818
Resolution 13469, 29 September 2021
Review, 23 June 2021 – Resolution 13425
Amended 20 May 2020 Motion 13243
Amended 17 April 2019 Motion 12976
Amended 20 February 2019 Motion 12915
Amended 22 June 2016 Motion 12312
Amended 24 June 2015 Motion 12059

Motion 11479 25 July 2012 – amended with regard to accessing preferred suppliers and officers able to purchase on the Shire's behalf

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 10602 April 2008 – amended by deletion of the administrative process for the calling of tenders which are regulated.

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



SHIRE OF LAKE GRACE

RECORD OF QUOTATIONS OBTAINED FOR PURCHASE / EVALUATION REPORT TEMPLATE

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/Job	Account/Job Description

Quotation No	Date Received (dd/mm/yyyy)	Supplier	Amount (GST inc.)

AUTHORISATION FOR PURCHASE

Purchase Order or Requisition Number: _____

Additional Purchasing Information

Conflict of Interest Form: Yes (required for RFQs/RFTs)
 No

OFFICER

AUTHORISING 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.

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

GUIDELINES Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

The following guidelines are to be followed for outstanding debtors:

- End of month statements for outstanding debts to be sent out
- If payment is outstanding at end of second month, final demand letter to be sent requesting payment within 15 days or the matter will be referred to a Collection Agent
- If payment is not received and/or suitable explanation given as to explain non-payment, final letter is sent advising matter and 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 Review, 23 June 2021 – Resolution No. 13425
Amended 22 June 2016 Motion 12312
Amended 24 June 2015 Motion 12059
Adopted Motion 11482 25 July 2012

REVIEW Chief Executive Officer / 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

GUIDELINES Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

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

- Final rates notice sent to all outstanding rates debtors except those on instalment 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, the debt will be referred to the Collection Agent
- Contact the Shires Collection Agent with details and proceed with action to recover debt

HISTORY Review, 23 June 2021 – Resolution No. 13425
Amended 22 June 2016 Motion 12312
Amended 24 June 2015 Motion 12059
Adopted 25 July 2012 Motion 11482

REVIEW Chief Executive Officer / 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 ATTACHMENT 3.9 (a) - Financial Hardship – Water Services – Sewerage Scheme
OBJECTIVE	To identify the Shire’s willingness to provide support to customers within the District.
GUIDELINES	<p>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.</p> <p>Water Services Code of Conduct (Customer Service Standards) 2018 as per Economic Regulation Authority requirements.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 19 December 2018 Motion 12897 Amended 22 June 2016 Motion 12312 Amended 24 June 2015 Motion 12059 Adopted February 2014 Motion 11770</p>
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 3.10 (a) - Financial Hardship – Water Services – Sewerage Scheme

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.¹ 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 needs² – 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.

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”.



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

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

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
Website: www.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.

7 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

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

8 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.

9 Our contact details

You can contact us at:

Address: 1 Bishop Street, Lake Grace, WA, 6353
PO Box 50, Lake Grace, WA, 6353
Phone 08 9890 2500.
Email: shire@lakegrace.wa.gov.au
Website: 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

Tender price	65%
Warranty & Servicing	15%
Performance	10%
Delivery/Availability	10%

Buildings

Cost	65%
Relevant Experience	15%
Organisational Capacity & Resources	15%
Demonstrated Understanding	5%

Roadworks – Bitumen & Sealing

Cost	80%
Relevant Experience	10%
Organisation Capacity & Resources	5%
Demonstrated Understanding	5%

Roadworks – Maintenance Grading & Gravel Pushing/Stockpiling

Demonstrated Capacity	25%
Key Personnel	25%
Plant & Equipment	25%
Performance	25%

Kerbside Waste Collection Services

Cost	70%
Relevant Experience	15%
Organisational Capacity & Resources	15%

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

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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	Review, 23 June 2021 – Resolution No. 13425 Adopted Motion 12059, 24 June 2015
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 3.12 FAIR VALUE GROUPINGS AND FREQUENCY

POLICY	<p>That for the purposes of fair value reporting, the Shire adopt two (2) groupings – (Infrastructure) and (Land, Buildings, Plant, Furniture and Equipment); and</p> <p>That the frequency of revaluations for fair value for each group be five (5) years.</p>
OBJECTIVES	<p>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 (5) years is;</p> <ul style="list-style-type: none">• 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 fairvalue 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	<p>Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Regulation 17A - Assets, valuation for financial reports etc.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Adopted by Council Resolution 12944 – March 2019</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 3.13 PORTABLE AND ATTRACTIVE ITEMS

POLICY This policy applies to all items:

- That are portable and attractive with an acquisition value less than the asset recognition threshold for non-current assets and where the item satisfies all of the following criteria
 - i) Portable – that is the item can be easily moved between locations by one person:
 - ii) Attractive – by its nature (size, utility, marketability) is susceptible to theft or loss:
 - iii) Valued at or within the Shire’s portable and attractive asset recognition thresholds.
- Items defined as portable and attractive asset
 - i) Purchased by the Shire, irrespective of the funding source and
 - ii) Includes items gifted to the Shire

OBJECTIVES The objective of this policy is to clearly set the guidelines in identifying, recording and tracking items that are portable and attractive within the Shire of Lake Grace.

GUIDELINES

Thresholds

a) The thresholds for portable and attractive items:

Category	Threshold Ex GST
Information Technology/electronic devices	\$500 to less than \$5,000
• Cameras, video & audio equipment	
• Mobile phones	
• Laptop computer, tablets, printers	
• GPS devices	
• Other items as determined by the CEO	
General equipment and items	
• Power tools, chainsaws	
• Trade equipment	
• Floating plant/loose tools	



• Road counters/ traffic classifiers	
• Other items as determined by the CEO	

Recording

- a) To facilitate internal control over these items, each item will be individually registered and maintained in an Excel database.
- b) Where possible, each item will be uniquely identified and an individual custodian who due to their ability to directly exercise control over the item, will be responsible for the safe custody of the item.
- c) Purchases will be captured via the purchasing system and the acquisition cost, acquisition date, description, serial number, item custodian and any other relevant details are to be recorded within the spreadsheet.
- d) Portable and attractive items are removed from the register when they are disposed of (e.g. due to being obsolete, surplus or damaged beyond repair) or identified as lost or stolen.

Stocktake

- a) Each Manager is responsible for ensuring that a stocktake of all registered portable and attractive items within their jurisdiction is carried out on a regular basis, but at least once every three years.
- b) In addition, all registered and attractive items may be subject to spot audits on a periodic basis by the Manager Corporate Services or their delegate to ensure that adequate control over these items has been maintained.
- c) Audits may take the following form:
 - In conjunction with tag and testing,
 - Recognition of existence through regular servicing/maintenance schedules,
 - Include a condition rating
- d) Outcomes of the stocktake will be reported to the Manager Corporate Services highlighting those items as lost, stolen or unaccounted for in detail and reported to appropriate Manager.

Reporting

A report will be produced at least every three (3) years for each Manager:

- a) Outlining the staff who are noted as custodians of portable and attractive items.
- b) The last time the item was part of a stocktake and where applicable.
- c) The condition of the item

Disposal of Portable and Attractive Items



- a) Disposal of Portable and attractive items will be undertaken in accordance with the Disposal of any Shire asset.

Statutory Context Local Government (Financial Management) Regulations 1996:

- Reg 17(5) assets to be excluded from asset register if fair value at date of acquisition is under \$5,000
- Reg 17B – CEO to take steps to protect excluded portable and attractive assets

HISTORY Review, 23 June 2021 – Resolution No. 13425
Resolution 13316, Ordinary Council Meeting 21 October 2020

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 3.14 PETTY CASH POLICY

POLICY This policy applies to petty cash held by the Shire of Lake Grace that may be utilised by staff for small purchases at the discretion of the senior managers or the Petty Cash Custodian.

OBJECTIVE To implement a petty cash process that complies with the Shire of Lake Grace requirements.

GUIDELINES

Petty cash may be utilised to meet minor payments for company/office related expenses e.g. minor purchase of office stationaries, minor food items but not for catering purposes, minor cleaning products and other similar minor expenses.

The limit on any one payment is \$50.00

Cash must be kept in a secure location at all times, during office hours and after hours must be put in the safe.

Cash Advance/reimbursement

It is permitted to keep a small amount of petty cash on site to cover small expenses. The Chief Executive Officer or Senior Manager must approve the petty cash reimbursement request from a staff member.

Guidelines

- Only one staff member must be the custodian of a petty cash and is accountable for it (the advance holder).
- The limit on any one payment is \$50
- All reimbursements must be recorded on a petty cash form detailing the date of reimbursement, signature of the claimant, goods or services obtained and payment made.
- All original tax invoices/receipts are required to be attached to the petty cash form.
- The petty cash form should be kept in secure location.
- Before petty cash is replenished, a reconciliation must occur to ensure that the total payments made plus the balance of cash on hand are equivalent to the original petty cash float.



Internal checking system

The Manager Corporate Services (MCS) or an officer appointed by the MCS must check the petty cash balance without giving advance notice of the check. The check should not be at the end of a reimbursement period and is intended to ensure that:

- Records are up to date
- Loans or IOUs are not being taken from the petty cash float
- Security is being maintained over the advance and receipts/invoices
- The custodian must be present at all times during the check

HISTORY Review, 23 June 2021 – Resolution No. 13425
 Resolution 13321, Ordinary Council Meeting 21 October 2020

REVIEW Manager Corporate Services



POLICY 3.15 RELATED PARTY DISCLOSURE POLICY

OBJECTIVES

To ensure that the Shire of Lake Grace Financial Statements contain disclosures necessary to comply with the Australian Accounting Standard AASB 124 Related Party Disclosures, which draws attention to the possibility that the Shire's financial position and profit or loss may have been affected by the existence of transactions with a related party and any outstanding balances and commitments with such parties.

STATEMENT

- The scope of AASB 124 Related Party Disclosures was extended in July 2015 to include application by not-for-profit entities, including Local Governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.
- The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire is to make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.
- The purpose of this policy is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

GUIDELINES

Identification of Related Parties

AASB 124 provides that the Shire is required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances. Related parties include a person who has significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person. KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

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

- An elected Council member;
- Key management personnel being a person employed under section 5.36 of the *Local*



- *Government Act 1995* in the capacity of Chief Executive Officer or Senior Employee;
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner;
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Shire is therefore required to assess all transactions made with these persons or entities.

Identification of Related Party Transactions

A related party transaction is a transfer of resources, services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged. For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criterion:

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

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

Disclosure Requirements

For the purposes of determining relevant transaction in point 2 above, elected Council members and key management personnel as identified above are required to complete a *Related Parties*



Declaration form for submission to the Administration.

Ordinary Citizen Transactions (OCTs)

The following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the annually *Related Party Disclosures - Declaration* form is required.

- Paying rates;
- Fines;
- Use of Shire owned facilities such as Recreation Pavilions and Grounds, Halls, Libraries, parks, ovals and other public open spaces (whether charged a fee or not);
- Attending council functions that are open to the public.

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

All other transactions

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

Frequency of disclosures

- Elected Council members and KMP are required to complete a *Related Party Disclosures Declaration* form annually.
- Disclosures are to be made by all elected Council members immediately prior to any ordinary or extraordinary election.

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

Confidentiality

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

Materiality

Management should apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management is to consider both the size and nature of the transaction,

SHIRE OF LAKE GRACE POLICY MANUAL



individually and collectively.

Relevant Legislation

AASB 124 Related Party Disclosures

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

HISTORY Ordinary Council Meeting, Resolution 13490 – 27 October 2021

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



SECTION 4 - STAFF

POLICY 4.1 DEFENCE RESERVES AND LOCAL EMERGENCY ORGANISATION MEMBERS

POLICY	<p>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.</p> <p>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.</p> <p>Shire employees actively engaged in the control of bush fires outside of normal working hours shall be paid at the appropriate overtime rate.</p>
OBJECTIVES	<p>To identify Council's support for employees involved with reserve units of the armed forces and the various local emergency services.</p>
GUIDELINES	<p>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.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 24 June 2015 Motion 12059 Amended July 2006 Motion 10235 Amended February 2004 Motion 9469 to include local volunteer emergency service members Former Policy 4.2</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 4.2 STAFF HOUSING – SHIRE OWNED PROPERTIES

POLICY	All employees, at the discretion of the Chief Executive Officer, where as part of their conditions of employment, a residence is made available.
OBJECTIVES	<p>To provide an incentive to employees in accordance with the Shire’s Staff Attraction and Retention Policy.</p> <p>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.</p>
GUIDELINES	<p>Shire of Lake Grace employees receive subsidised housing which is based upon market rental values.</p> <p>The Shire of Lake Grace will undertake rental valuations on properties rented by Staff to obtain the Lake Grace market values. The rental value of these properties and subsidised percentage will be reviewed bi-annually.</p> <p>The Shire housing rental rates are set under the following principles:</p> <p>Executive Homes – 100% subsidised unless otherwise specified in letter of engagement. It is recommended that if not subsidised in letter of engagement, the employee will be charged 10% of Housing Equivalents in Lake Grace market rentals</p> <p>Standard Homes – 40% of Housing Equivalents in Lake Grace market rental</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425</p> <p>Adopted – Resolution 13336 18 November 2020</p>
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.2A STAFF SUBSIDY – OWNER OCCUPIED HOUSING

POLICY	All permanent full-time and part 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	<p>Staff members must register their entitlement with the Deputy Chief Executive Officer to claim the allowance.</p> <p>The 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 proportionate to percentage of ownership shown on the title.</p> <p>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.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Policy 4.24A adopted 24 June 2015 Motion 12059 Amended April 2009 Motion 10779 October 2000 Motion 8794 Former Policy 4.26</p>
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.2B HOME PURCHASE INCENTIVE – OWNER OCCUPIED HOUSING

POLICY	<p>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.</p> <p>All permanent part time staff who purchase their own home within the Shire of Lake Grace shall receive a once-off payment pro-rata calculated in accordance with their hours of work.</p> <p>This incentive is limited to one payment per household.</p>
OBJECTIVE	<p>To encourage Council employees to purchase their own homes within the Shire of Lake Grace.</p>
GUIDELINES	<p>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 proportionate to percentage of ownership.</p> <p>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.</p>
HISTORY	<p>Amended, 28 September 2022 – Resolution 13635 Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Adopted 24 June 2015 Motion 22059</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 4.2C STAFF HOUSING – RENT SUBSIDY

POLICY The following rental subsidy/benefit will be provided for all permanent full time and part time Shire employees on a pro-rata basis.

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.

OBJECTIVE 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 Amended, 28 September 2022 – Resolution 13636
Review, 23 June 2021 – Resolution No. 13425
Amended 22 June 2016 Motion 12312
Adopted 24 June 2015 Motion 12059

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.3 SENIOR EMPLOYEES – REVOKED MAY 2018

POLICY 4.4 WATER CONSUMPTION FOR SHIRE HOUSES

POLICY	<p>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.</p> <p>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.</p>
OBJECTIVE	<p>To provide an incentive to employees occupying Shire provided rental properties to maintain the properties at an acceptable standard.</p>
GUIDELINES	<p>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.</p> <p>Tenants will be charged at the relevant Water Corporation levels for all water used in excess of 400 kilolitres per year.</p> <p>The CEO can negotiate individual contracts with senior employees that may vary from this policy.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Amended 24 June 2015 Motion 12059 Former policy 4.6 Amended as per review Motion 10238 July 2006</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 4.5 SEVERANCE PAY (GRATUITY – s5.50)

POLICY	<p>Payments to employees in addition to contract or Award:</p> <ol style="list-style-type: none">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; andb) 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:<ul style="list-style-type: none">• 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. <p>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.</p>
OBJECTIVE	<p>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.</p>
GUIDELINES	<p><u><i>Voluntary Terminations</i></u></p> <p>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.</p>

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 Review, 23 June 2021 – Resolution No. 13425
 Amended 24 June 2015 Motion 12059
 Adopted Motion 9649 February 2004

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.6 WORK HEALTH & SAFETY

POLICY Council is committed to improving the Shire's Work 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 Work Health & Safety (WHS) 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 WHS 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
- Comply with AS/NZS 4801:2001 Work Health and Safety (General) Regulations 2022 and Work Health and Safety Act 2020 and relevant WHS Australian Standards, Codes of Practice and Guidance Notes.

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.

OBJECTIVE 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.

**SHIRE OF LAKE GRACE
POLICY MANUAL**



GUIDELINES	Work Health and Safety Act 2020 Work Health and Safety (General0 Regulations 2022 Occupational Safety & Health Australian Standards, Codes of Practice and Guidance Notes.
HISTORY	Review, 21 December 2022 – Resolution 13523 Review, 23 June 2021 – Resolution No. 13425 Adopted 24 June 2015 Motion 12059
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.7 SICK LEAVE “CASH OUT” SCHEME

POLICY	<p>Each year, eligible qualifying employees may elect to cash out the balance of their sick leave after banking up to five (5) days or the equivalent of one week's sick leave at ordinary pay rate.</p> <ul style="list-style-type: none">• Paid sick leave must not be cashed out if the cashing out would result in the employee's remaining accrued entitlement to paid sick leave being less than 5 days per year.• The employee must be paid at least the full amount that would have been payable to the employee had the employee taken the leave that the employee has forgone. (Fair work Ombudsman, Local Government Industry Award 2020, Section 102, The National Employment Standards - https://www.fwc.gov.au/documents/awardmod/download/nes.pdf)
OBJECTIVE	<p>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.</p>
GUIDELINES	<p>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 who takes 5 or more available sick days during the 12-month period will <u>not</u> 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 and payments will be made in the last pay period of December in that year.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Adopted 24 June 2015 Motion 12059</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



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. Councils 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).

OBJECTIVE 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.
 5. 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 Review, 23 June 2021 – Resolution No. 13425
Amended 22 June 2016 Motion 12312
Adopted 24 June 2015 Motion 12059

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.9 STAFF UNIFORM

POLICY

Outside Staff

The Shire will supply protective clothing to outside staff at the following intervals.

Yearly

- One pair of safety boots;
- Four Hi-Vis long sleeve shirts;
- Two pairs of long pants;
- One Hi-Vis Jumper.

Every Two Years

- One Hi-Vis Bomber Jacket

As Needed

- A wide brimmed sun protection hat;

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

Recreation Staff (Swimming Pool Staff, etc.) 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.

Administration Staff

Administration Staff will be allocated an amount of \$400 per year to use for the purchase of appropriate Corporate wardrobe.

Reimbursement of the amount shall be done through Payroll.

Note: following approval from the CEO, part time and fixed term employees are permitted to purchase uniforms to the value of \$200 in keeping with the Corporate Image



OBJECTIVES	<p>By encouraging all administration, works and recreation staff to wear the appropriate Local Government Uniform the Shire of Lake Grace aims to:</p> <ul style="list-style-type: none">• 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	<p><u>High Visibility Clothing</u></p> <p>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.</p> <p>If Council workers do not possess any Hi-Vis clothing, they must wear a Hi-Vis vest or other Hi-Vis over garment to meet requirements.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 New Policy adopted 19 December 2018 Motion 12897</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



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 50 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 the sun for more than one (1) hour total per day.

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 (e.g.: 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, i.e., 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 at a time as part of their daily responsibilities are also required to wear a broad brimmed hat (or equivalent) and sunscreen, both of which the Shire of Lake Grace will supply.

Use of Sunglasses

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

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.

Consultation

The Shire of Lake Grace realises that the type of clothing worn is of considerable importance to both outdoor and indoor 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 Review, 23 June 2021 – Resolution No. 13425
New Policy Adopted 19 December 2018 Motion 12897

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.11 FITNESS FOR WORK

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

OBJECTIVE 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 *Work Health and Safety Act 2020* 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 considered:

- 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 Review, 23 June 2021 – Resolution No. 13425
Amended 19 June 2019 Motion 13030
New Policy Adopted 19 December 2018 Motion 12897

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 4.11 (a) - Fitness for Work

1.0 Definitions

For the purpose of this procedure, being "*under the influence of alcohol and/or other drugs*" the following definitions and interpretations shall apply:

Alcohol - means any beverage containing alcohol.

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

Drugs - means Amphetamines, Cannabinoids THC, Opiates, Barbiturates, Cocaine, Methadone, Benzodiazepines, Alcohol and other narcotics, prescription drugs and non-prescription drugs.

Employee - means a person employed by the Shire in a permanent, part-time or casual role.

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.

Impaired Work Performance - means sudden or gradual deterioration of a person's ability to function appropriately at work.

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.

Substance - means any drug that may have adverse effects causing impaired work performance.

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.

2.0 RESPONSIBILITIES

2.1 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.

2.2 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.

2.3 Organisation (Person Conducting Business or Undertaking)

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

An employee assistance program will be offered in order to support the affected 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.

3.0 APPLICATION

3.1 Required Testing

- 3.1.1 *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.
- 3.1.2 *Seasonal workers* - all persons employed on a seasonal basis shall be tested prior to the commencement of the relevant season in each year, e.g., Swimming Pool attendants.
- 3.1.3 *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.
- 3.1.4 *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.
- 3.1.5 *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.

3.2 Alcohol

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

- 3.2.1 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.
- 3.2.2 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.
- 3.2.3 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 0.05 BAC or over, transport will be arranged by the Shire for the employee to return home.
- 3.2.4 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.

3.3 Drugs and Prescription Medication

Illicit Drugs and Other Substances

- 3.3.1 Illicit drugs and other substances are strictly prohibited by the Shire of Lake Grace.
- 3.3.2 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.
- 3.3.3 A contractor under the same circumstances will be asked to immediately leave the premises and the matter will be raised with their employer.
- 3.3.4 Refusal by an employee to undergo a drug screen will result in instant dismissal.
- 3.3.5 If the drug screen yields positive results action will commence in accordance with Statement 4.0 of this policy.

Prescription and Other Medication

- 3.3.6 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.
- 3.3.7 All prescription drugs and other medication must be used in accordance with medical advice.
- 3.3.8 Any non-prescription drugs or other medication must be used in accordance with the manufacturer's recommendations.
- 3.3.9 Failure to follow these requirements will result in disciplinary action - refer to Statement 4.0 of this Policy.

3.4 Fatigue

- 3.4.1 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. 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

3.4.2 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.

3.4.3 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).

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

3.4.5 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.

3.4.6 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.

4.0 EMPLOYEE ASSISTANCE PROGRAM

The Shire of Lake Grace understands employees may be experiencing difficulties external to work that may influence their behaviour 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 3.3.1-3.3.5 *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.

5.0 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

5.1 First Offence (Excluding items 3.3.1-5 *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.

5.2 Second Offence (Excluding items 3.3.1-5 *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

5.3 Third Offence (Excluding items 3.3.1-5 *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.

5.4 Instant Dismissal (First Offence 3.3.1-5 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.

5.5 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.

6.0 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 4.12 STAFF – DRESS CODE

POLICY This Policy is in conjunction with the Policy 4.9 – Staff Uniform

OBJECTIVES The Shire of Lake Grace is encouraging all staff (administration, infrastructure, outside staff) to wear the appropriate clothing (uniforms or otherwise) and 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 the employees and environmental conditions.

GUIDELINES

Standards of Staff Uniform

In accordance with Policy 4.9, outside / infrastructure staff are supplied with items/uniforms and personal protective equipment that are appropriate to be used in the performance of their duties. Administration staff are allocated \$400 per year to use for the purchase of the Corporate uniform. Recreation staff (swimming pool) are supplied as required with appropriate uniforms that must be returned if the employee does not complete six (6) months of service with the Shire of Lake Grace.

Unacceptable Standards of Wear

The following are unacceptable standards of attire/wear at the Shire of Lake Grace and should not be worn to the workplace (administration, infrastructure and outside staff):

- Dirty or wrinkled clothes
- Tight or revealing clothing (mini-skirts, shorts, leggings, plunging necklines, skin baring tops, sundress, ripped clothing, halter tops)
- Clothing that are too casual (thongs, singlets, offensive t-shirts)
- Club or party clothes
- Clothing that contains messages or designs that may be offensive to others including but not limited to items of clothing which may be considered racist, sexist or derogatory.
- Staff are encouraged to wear enclosed footwear for safety reasons.



Wearing of Uniform out of Hours

Primarily, uniforms are to be worn only during working hours and employees should take care to refrain from wearing uniforms outside of work. Employees must be aware that when wearing the uniform, they are recognised as representing the Shire of Lake Grace. Employees must adhere to the Shire of Lake Grace's Code of Conduct, policies and procedures if they are wearing the uniform outside of work.

Casual Dress Day

On "casual dress" days, "smart casual" is the minimum required standard. Further guidance is available from the respective managers.

HISTORY Review, 23 June 2021 – Resolution No. 13425
 Adopted, Resolution 13336, 18 November 2020

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.13 STAFF LEAVE

POLICY Leave entitlements for the Shire of Lake Grace for all full time and part time non-casual employees.

OBJECTIVE The objective of this policy is to afford structure and clarity around the taking of personal leave, particularly sick leave, by individual employees to ensure that equity, accountability and consistency in approach and procedure is achieved and afford some additional benefit to the taking of other forms of leave.

DEFINITION *Annual Leave* means the number of hours or days an employee of the organisation is permitted to be away from their employment position on full pay for the purpose of taking a break of holiday.

Personal Leave means sick leave, but not compassionate leave, annual leave or long service leave.

Compassionate Leave means leave taken when an employee's immediate family member dies or contracts/develops a life-threatening illness or injury that may result in imminent death or permanent disability.

Long Service Leave means leave granted after having continuously worked 10 years or more for the Shire of Lake Grace or pro-rated after completion of at least seven (7) years of continuous service (Long Service Leave Act 1958 – Part 3).

GUIDELINES

General

- Personal and compassionate leave entitlements will be paid to an employee in accordance with the local government award and the related procedure.
- An employee can take personal/carer's leave if he/she or an immediate family member is sick, injured or has an unexpected emergency
- An employee seeking approval for personal (sick) leave is to submit a medical certificate or other supporting evidence of illness:
 - a) For absences greater than 2 days;
 - b) For a single day of leave on a Monday or Friday, immediately before or after a public holiday or rostered day off; or
 - c) If the manager/supervisor considers that the staff member is taking a series of single day's personal leave to a pattern or on a regular or frequent basis;
- To ensure that the best possible levels of working efficiency and service to internal and external customers are maintained, communication and plenty of notice to take a form of



leave must be given prior to approval being granted to ensure the needs of the Shire and the employee can be met. Adequate staffing requirements are maintained at all times (Manager's responsibility).

- To reflect the requirements above, no two (2) employees can be on Annual Leave or RDO at the same time where the Shire may be left with a staff shortage.

Time in Lieu/Rostered Days Off/Flexi Time

- all full-time depot-based employees are entitled to one rostered day off (RDO) every two weeks structured on working 76 hours each pay period with the nominated day determined by their manager/supervisor
- all full-time administration employees are entitled to one rostered day off every four (4) weeks structured on working 80 hours each pay period. Accrual of time-in-lieu hours must not exceed 30.4 hours (i.e. 4 days) in total unless prior written approval has been obtained from the CEO.

HISTORY New Policy included in the Policy Review, 23 June 2021, Resolution No. 13425

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.14 SENIOR EMPLOYEES AND ACTING CHIEF EXECUTIVE OFFICER APPOINTMENTS

POLICY	<p>This policy covers the process to be followed by the Shire of Lake Grace in relation to:</p> <ul style="list-style-type: none">a) Employing a person in the position of Chief Executive Officer for a term not exceeding one (1) year;b) The appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding one (1) year
OBJECTIVE	<p>The Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations) section 5.39C took effect on 3 February 2021, which requires all local governments to adopt a policy to cover the process of hiring a Chief Executive Officer for a term of not exceeding one (1) year.</p>
GUIDELINES	<p>Pursuant to Section 5.37 of the Local Government Act 1995, the following employees are designated as senior employees:</p> <ul style="list-style-type: none">a) Deputy Chief Executive Officer; andb) Manager Corporate Services; andc) Manager Infrastructure Services <p>For the purposes of Section 5.36 (2) of the Local Government Act 1995, the Council has determined that employees that are appointed in one of the above positions are suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave, subject to the following conditions;</p> <ol style="list-style-type: none">1. The CEO is not and interim CEO or Acting in the position;2. The term of appointment is no longer than 20 working days consecutive;3. That the employee's employment conditions are not varied other than the employee is entitled at the CEO's discretion, no greater than the salary equivalent to that of the CEO during the Acting period. <p>In the case of the unavailability of the CEO due to an emergency, the Deputy Chief Executive Officer is automatically appointed as the Acting CEO for up to 2 weeks from commencement, and continuation is then subject to determination by the Council.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Ordinary Council Meeting, 24 March 2021 – Resolution 13382</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 4.15 PRIVATE WORKS

POLICY	<p>All private works are to be subject to a written agreement between the applicant (entity) and the Shire of Lake Grace.</p> <p>Where works are to be carried out on behalf of a ratepayer the estimated cost of the works shall be prepaid.</p> <p>Any additional cost is to be met by the ratepayer and any balance remaining on completion of the works shall be refunded.</p> <p>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.</p>
OBJECTIVE	<p>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.</p>
GUIDELINES	<p>A request in the prescribed form – ATTACHMENT 4.15 (a) - Private Works Request Form is to be submitted by the applicant and lodged with the Deputy Chief Executive Officer.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Motion 10623 June 2008 (guidelines amended re lodging of forms) Amended as per review Motion 10239 July 2006 Former policy 5.5 & 5.16</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



ATTACHMENT 4.15 (a) - Private Works Request Form

PRIVATE WORKS REQUEST FORM

Deputy Chief Executive Officer

Shire of Lake Grace

PO Box 50

Lake Grace WA 6353

Cost Centre:

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 4.16 ADOPTED STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

POLICY Model standards for CEO recruitment, performance and termination [Local Government Act 1995 S5.39A & Local Government (Administration) Regulations 1996 R18FA].

A copy of these Standards is to be placed on the local government's official website, pursuant to Section 5.39B(6) of the Local Government Act 1995.

1. Citation

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

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

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

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

CEO means the local government's Chief Executive Officer; **contract of employment** means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

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

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

local government means the [The Shire of Lake Grace **selection criteria** means the selection criteria for the position of Chief Executive Officer determined by the local government under clause 5(1) and set out in the job description form; **selection panel** means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division



- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of Chief Executive Officer which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

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

7. Job description form to be made available by local government

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

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

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
- (b) an employee of the local government;
- (c) a human resources consultant engaged by the local government.



- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

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

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



- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
- (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

- (c) the making of the offer of employment to the applicant; and
- (d) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

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

- (1) In this clause —
- commencement day means the day on which the Local Government (Administration) Amendment Regulations 2021 regulation 6 comes into operation.
- (2) This clause applies if —
- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO
—
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and
 - (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.



(4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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



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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

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

22. Additional principles applying to termination for performance-related reasons

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

Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by



resolution of an absolute majority of the council.

23. Notice of termination of employment

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

– End of Schedule

HISTORY Policy adopted 24 March 2021, Resolution 13381

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 4.17 RECRUITMENT AND SELECTION

Objective

This policy is designed to ensure appropriate and consistent recruitment and selection standards are applied at the Shire of Lake Grace. It outlines Shire's commitment to undertake recruitment and selection in accordance with the principles outlined in section 5.40 of the *Local Government Act 1995*, and to ensure successful recruitment and selection decisions are made.

Purpose

To promote fair, consistent, transparent, and professional recruitment and selection practices that support the strategic goals of the Shire of Lake Grace and ensure legal compliance with employment legislation

Introduction

The Shire of Lake Grace is committed to ensuring recruitment, selection, promotion and other personnel decisions are:

- Based on merit and equity.
 - Free from nepotism and patronage.
 - Fair and consistent for all applicants.
 - Compliant with *Equal Opportunity Act 1984 (WA)* and the *Work Health and Safety Act 2020 (WA)*.
 - Supporting a safe and inclusive work environment.
-

Application

This policy applies to the recruitment and selection of all vacant positions excluding the Chief Executive Officer. (Refer to Policy 4.16 for CEO recruitment, performance, and termination standards.)

If the CEO is recruiting a 'senior employee' under section 5.37 of the Act, this policy applies in addition to the requirement to inform Council of any decision to employ or dismiss a senior employee.



Equal Opportunity Employment:

The Shire recognises its legal, moral, and ethical responsibility to actively promote equal opportunity in all employment activities. It ensures:

- All advertisements and documentation are non-discriminatory.
 - Appointments are based on qualifications, skills, experience, and aptitude.
 - Consistent and fair treatment across all personnel processes.
 - Equal access to benefits and entitlements.
-

Authorities and Responsibilities:

Managers must:

- Assess the need to recruit.
- Act within scope of supervision and budget.
- Follow policy and procedures in consultation with Human Resources.
- May execute employment contracts upon CEO approval.

Human Resources will:

- Work with managers to maintain integrity and consistency in the process.
-

Confidentiality and Conflict of Interest:

All employees involved in the recruitment process must uphold:

- Confidentiality.
 - Disclosure of interest requirements under the Shire's Code of Conduct.
-

Review of Positions:

The Shire reserves the right to review the need for any position to ensure alignment with the Workforce Plan, Community Strategic Plan, and Corporate Business Plan.

Internal Appointments:

Internal applicants will undergo the same process and checks as external applicants to ensure fairness and transparency.



Selection and Appointment:

Selection decisions must align with the requirements defined in the Recruitment Strategy. All relevant pre-employment checks must be completed before offering a contract.

Probation:

All new permanent or fixed-term roles exceeding six months require a probationary period between three to six months.

Recordkeeping:

Records must be maintained in accordance with the Shire's Recordkeeping Plan and the *State Records Act 2000 (WA)* to demonstrate compliance with this policy.

Variation to the Policy:

This policy may be cancelled or varied to reflect changes in law, organisational priorities, or best practice recruitment processes.

Applicable Legislation:

- *Equal Opportunity Act 1984 (WA)*
 - *Local Government Act 1995 (WA)*
 - *Local Government (Administration) Regulations 1996 (WA)*
 - *Work Health and Safety Act 2020 (WA)*
-

History:

New Policy – Adopted 23 April 2025 Resolution number 14033



POLICY 4.18 EMPLOYEE CODE OF CONDUCT – Attachment 4.18a

OBJECTIVE

The objective of this Employee Code of Conduct Policy is to establish clear standards of ethical and professional behaviour, promote integrity and accountability, ensure compliance with legislation, and guide employees in carrying out their duties appropriately.

PURPOSE

This Policy outlines the expected standards of conduct for employees of the Shire of Lake Grace and provides a framework for ethical decision-making.

SCOPE

This Policy applies to all employees, contractors and the CEO of the Shire of Lake Grace and covers all work-related activities.

POLICY STATEMENT

The Shire of Lake Grace is committed to maintaining the highest standards of ethical conduct. Employees are expected to act with integrity, professionalism and accountability at all times.

STANDARDS OF CONDUCT

Employees must act professionally, honestly, impartially, and comply with all lawful directions and policies.

ETHICAL OBLIGATIONS

Employees must disclose conflicts of interest, not accept prohibited gifts, and obtain approval for secondary employment.

USE OF RESOURCES AND INFORMATION

Employees must use Shire resources responsibly and protect confidential information.

REPORTING AND COMPLIANCE

Breaches must be reported and will be handled in accordance with Shire policies and legislation.

LEGISLATIVE COMPLIANCE

Local Government Act 1995; Local Government (Administration) Regulations 1996; Corruption, Crime and Misconduct Act 2003.



HISTORY

Council Resolution – 14149 (Amendment)

DOCUMENT CONTROL

Chief Executive Officer

Deputy Chief Executive Officer



POLICY 4.19 CASHING OUT ACCRUED LONG SERVICE LEAVE POLICY

POLICY

The Shire of Lake Grace may permit eligible employees to voluntarily cash out part of their accrued long service leave entitlement, subject to compliance with the Local Government (Long Service Leave) Regulations 2024.

Cashing out may only occur after the entitlement has accrued and must be supported by a written agreement signed by both the employee and the Shire. Employees must receive not less than the ordinary pay that would have been payable had the leave taken.

OBJECTIVE

To provide flexibility to employees in managing accrued long service leave, reduce excessive leave liabilities, support workforce planning, and ensure legislative compliance while maintaining employee wellbeing.

SCOPE

This policy applies to all permanent full-time and permanent part-time employees of the Shire of Lake Grace. Casual employees are eligible only where long service leave entitlements are accrued under legislation.

GUIDELINES

- Participation is voluntary.
- Requests must be submitted in writing.
- A written agreement must specify the amount of leave to be cashed out and payment details.
- Payment will be calculated at the employee's ordinary pay rate at the time of agreement.
- Overtime and penalties are excluded unless legislatively required.
- Cashing out will generally be limited to a maximum of fifty percent (50%) of the employee's accrued long service leave balance. Any request to exceed this limit will only be approved in exceptional circumstances and at the discretion of the Chief Executive Officer.
- Payments will be taxed in accordance with ATO requirements.
- Accurate records must be maintained and balances adjusted accordingly.
- Approval is subject to operational requirements and CEO discretion.



RESPONSIBILITIES

Employees – submit written requests and understand the impact on future leave.

Managers – assess operational implications.

Payroll/HR – calculate payments and maintain records.

Chief Executive Officer – approve or decline requests.

RELATED DOCUMENTS

Local Government (Long Service Leave) Regulations 2024

Shire of Lake Grace Leave Procedures

Payroll Procedures

HISTORY

Adopted: Council Resolution – 14150 (New Policy)

REVIEW

Deputy Chief Executive Officer – review every three (3) years or upon legislative change.



SECTION 5 - WORKS

POLICY 5.1 ANNUAL PLANT REPORT - REVOKED

POLICY 5.2 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.

OBJECTIVE 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 Review, 23 June 2021 – Resolution No. 13425
Amended as per review Motion 10242 July 2006
Former policy 5.20 & 5.21

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 5.3 GARDEN & GENERAL REFUSE – ANNUAL PICK UP

POLICY	<p>An annual garden and general refuse pick up will be carried out for each town within the Shire.</p> <p>A minimum of four weeks' notice will be given to each of the towns advising the relevant dates.</p>
OBJECTIVE	<p>To provide the communities of Lake Grace, Newdegate, Lake King and Varley with an opportunity to dispose of excess garden and general refuse.</p>
GUIDELINES	<p>To comply with disposal requirements the doors of refrigerators will be removed prior to pick up.</p> <p>The removal of motor vehicle bodies will require prior notice to Council staff and may result in a separate charge being levied.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Policy number amended Motion 10623 June 2008 Amended as per review Motion 10243 July 2006 Former Policy 5.23</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 5.4 ROAD MAKING MATERIALS

POLICY	Should it be necessary to obtain road making materials from private property, then: <ul style="list-style-type: none">• officers to establish whether any local landowner is willing to provide the material at no cost to the Shire; or,• any compensation is to be at a flat rate per cubic meter, as prescribed in Council's annual budget and• is to be evidenced by a written agreement [see Attachment 5.5(a)] endorsed by the Manager Infrastructure Services and countersigned by the Chief Executive Officer.
OBJECTIVE	To ensure that materials are obtained at the lowest cost to the Shire together with proper written evidence of Council's obligations
GUIDELINES	<ol style="list-style-type: none">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 license 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	Review, 23 June 2021 – Resolution No. 13425 Amended 24 June 2015 Motion 12059 Policy number amended Motion 10623 June 2008 Amended Motion 9605 December 2003 Former Policy 5.8 & 5.32
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 5.4 (a) - Roadmaking Materials Agreement

AGREEMENT FOR THE EXTRACTION OF ROAD MAKING MATERIALS

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 5.5 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 \$3,000.

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 meter 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 meter 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 meters 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) CROSSOVERS

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.
 - Rural installation of concrete headwalls where culvert is installed:
 - To bitumen road: Water binding and two coat bitumen seal to standard measurements of 8-meter width and 10-meter length.
 - To gravel road: Installation of concrete headwalls to culvert only.

3) 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).

OBJECTIVE To provide uniform specifications

GUIDELINE Shire of Lake Grace Delegations Register – Delegation E07

HISTORY Review, 23 June 2021, Resolution No. 13425
Amended 24 June 2015 Motion 12059
Amended Motion 10623 June 2008

**SHIRE OF LAKE GRACE
POLICY MANUAL**

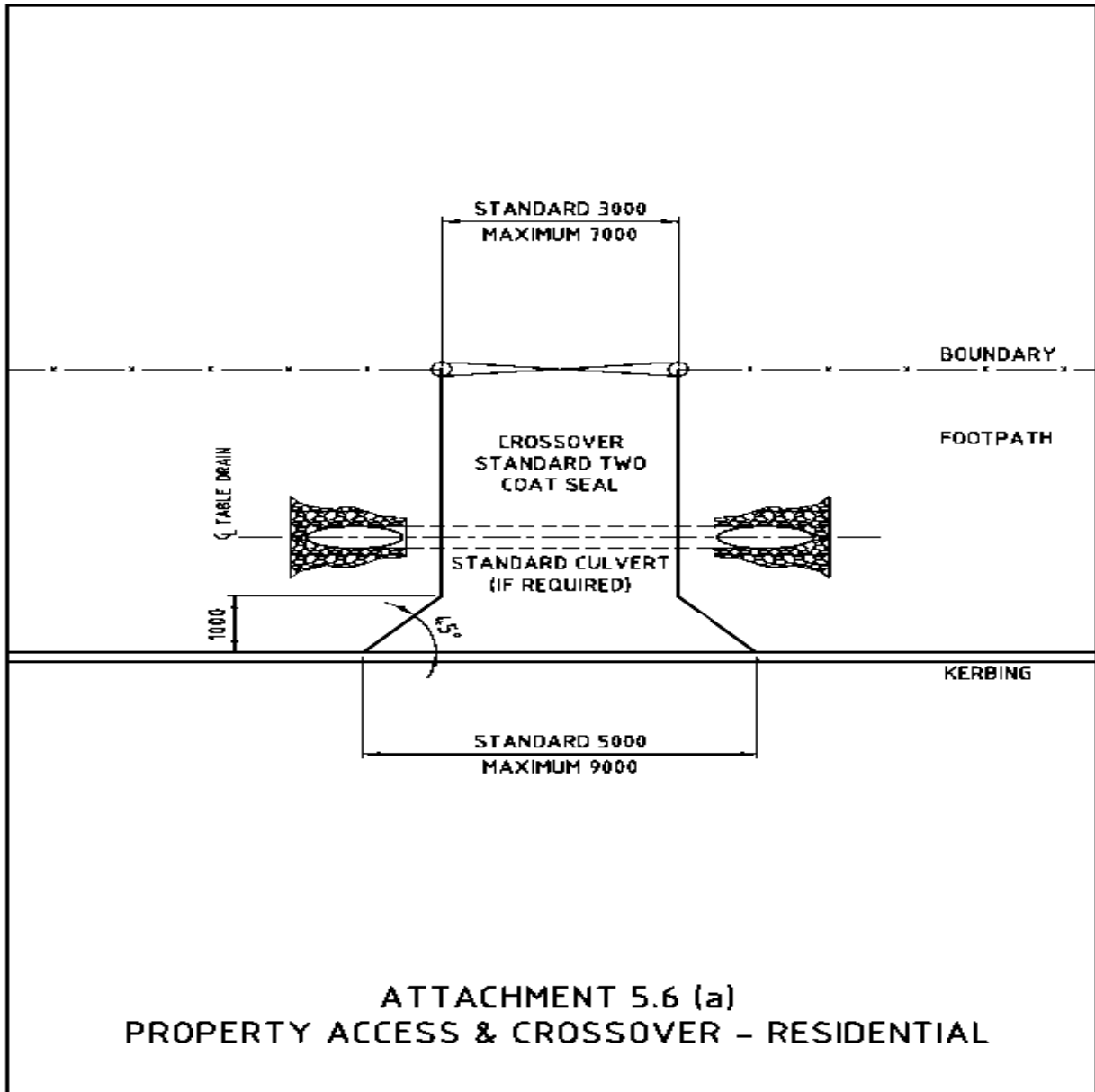


Former Policy 5.17

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 5.5 (a) - Property Access and Crossover - Residential

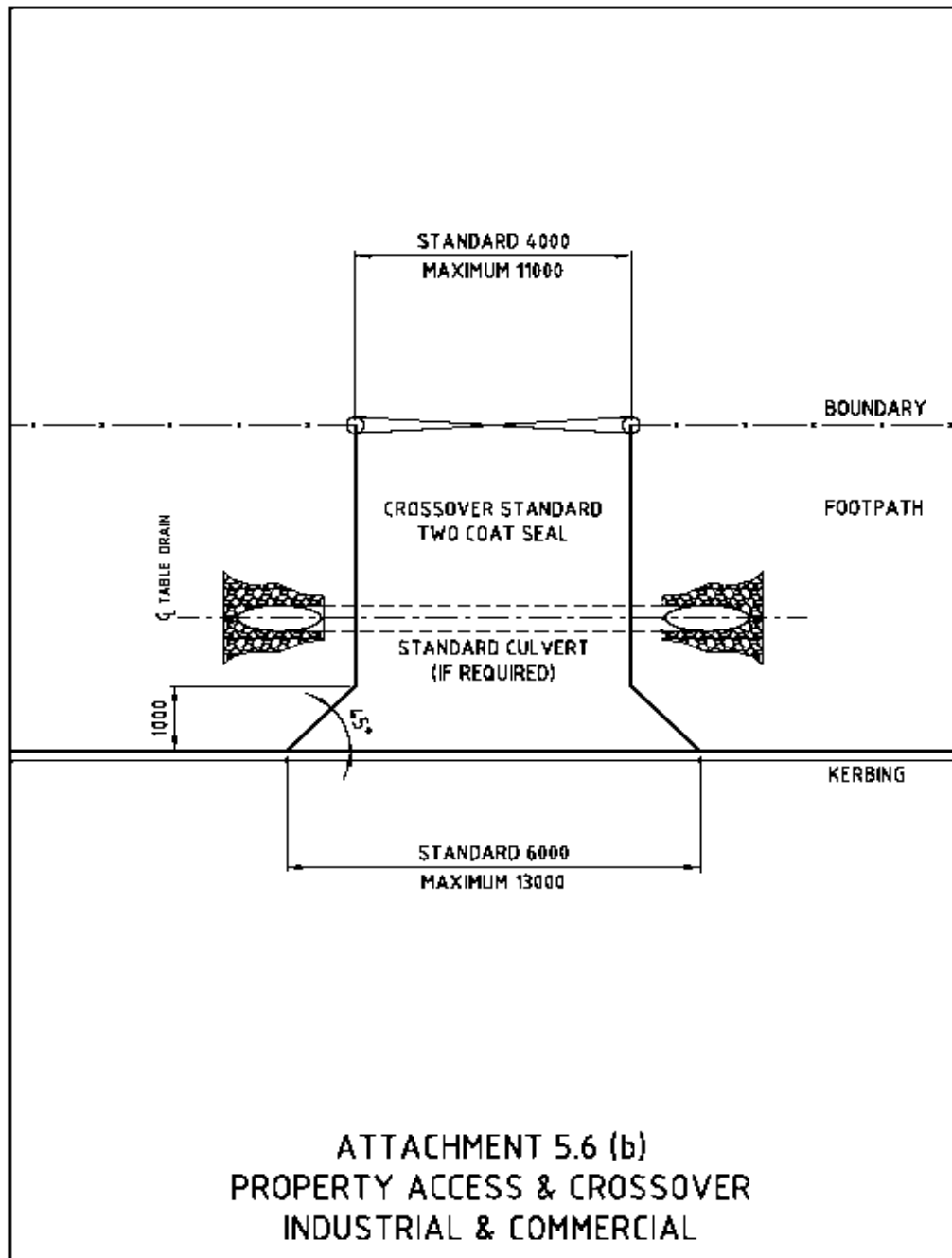


**ATTACHMENT 5.6 (a)
PROPERTY ACCESS & CROSSOVER - RESIDENTIAL**

	SHIRE OF LAKE GRACE	Drawn J TREVENEN	PROPERTY ACCESS AND CROSSOVER RESIDENTIAL		A4
	PD Box 50 Lake Grace WA 6353 Ph: 48 9899 2540 Fax: 48 9899 2599	Date 26/01/09	GENERAL ARRANGEMENT		
		Sheet No.	Scale 1:75	Drawing No. 10623-10-0001	Rev. A



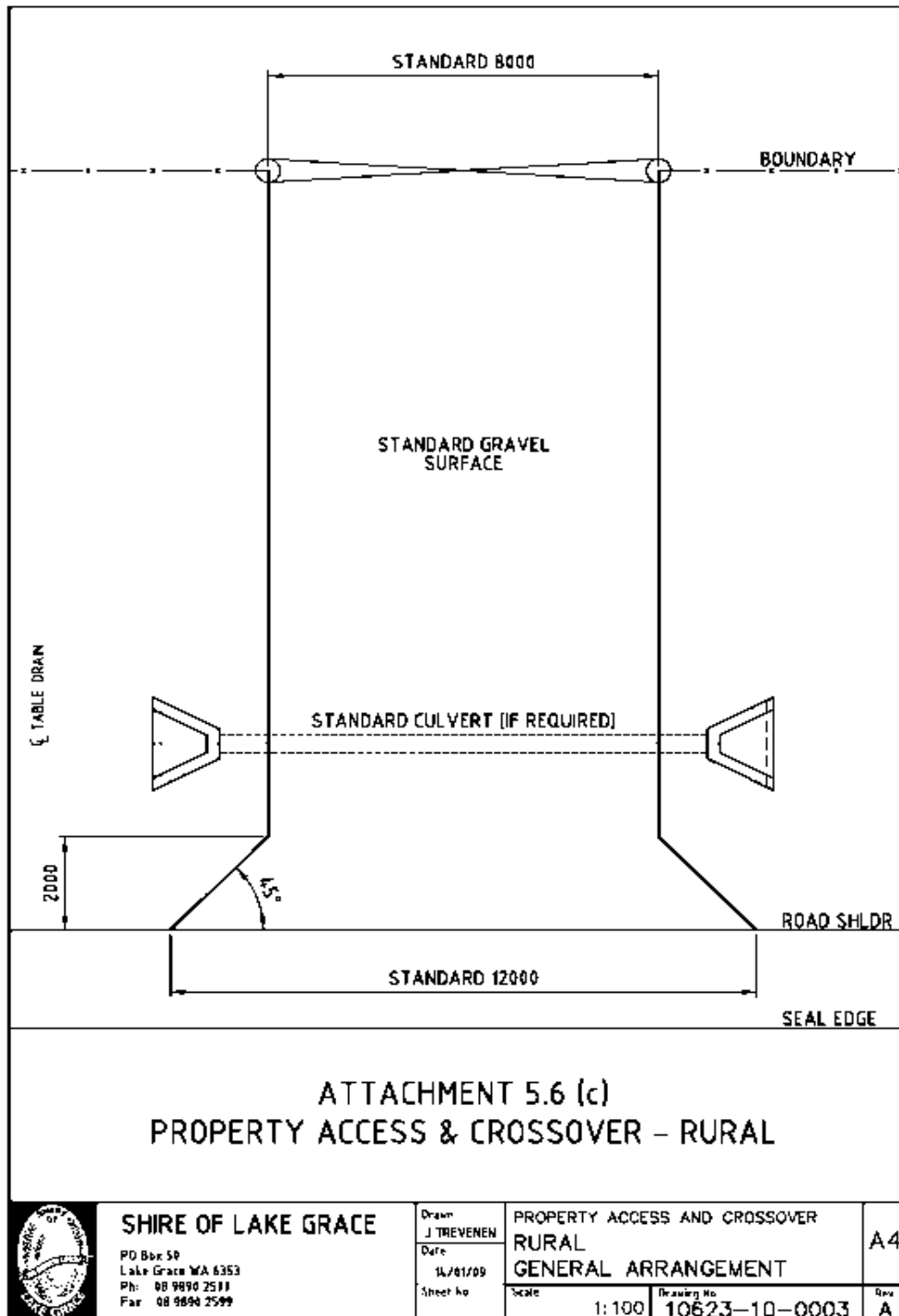
ATTACHMENT 5.5 (b) - Property Access and Crossover – Industrial & Commercial



	SHIRE OF LAKE GRACE	Drawn J. TREVENEN	PROPERTY ACCESS AND CROSSOVER INDUSTRIAL & COMMERCIAL GENERAL ARRANGEMENT		A4
	PD Box 50 Lake Grace WA 6353 Ph: 08 9890 2511 Fax: 08 9890 2599	Date 29/11/09			



ATTACHMENT 5.5 (c) - Property Access and Crossover - Rural





POLICY 5.6 ROAD CLASSIFICATION

POLICY Council roads, as depicted on the Road Classification Listings (refer ATTACHMENT 5.6 (a) - Road Classification Listings) and Road Classification Plan (refer ATTACHMENT 5.6 (b) - Road Classification Plan) 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
- Cross fall 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
- Cross fall 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

OBJECTIVE To identify priority roads

GUIDELINES Unsealed Roads Manual produced by the *Australian Road Research Board*.

HISTORY Review, 23 June 2021 – Resolution No. 13425
Policy number amended Motion 10623 June 2008
Road classifications amended Motion 9840 October 2004
Specifications amended Motion 9545 September 2003
Former policy 5.28

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 5.6 (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.

Road Name	Road Name
Biddy-Camm Road	Newdegate North Road
Mallee Hill Road	Newdegate Road
North LG – Karlgarin Road	Magenta Road
Lake Biddy Road	Varley South Road
Biddy-Buniche Road	Holt Rock South Road
Aylemore Road	Norseman Road

Class “B” Roads

Class ‘B’ Roads are major feeder, arterial roads and are built to a pre-seal standard.

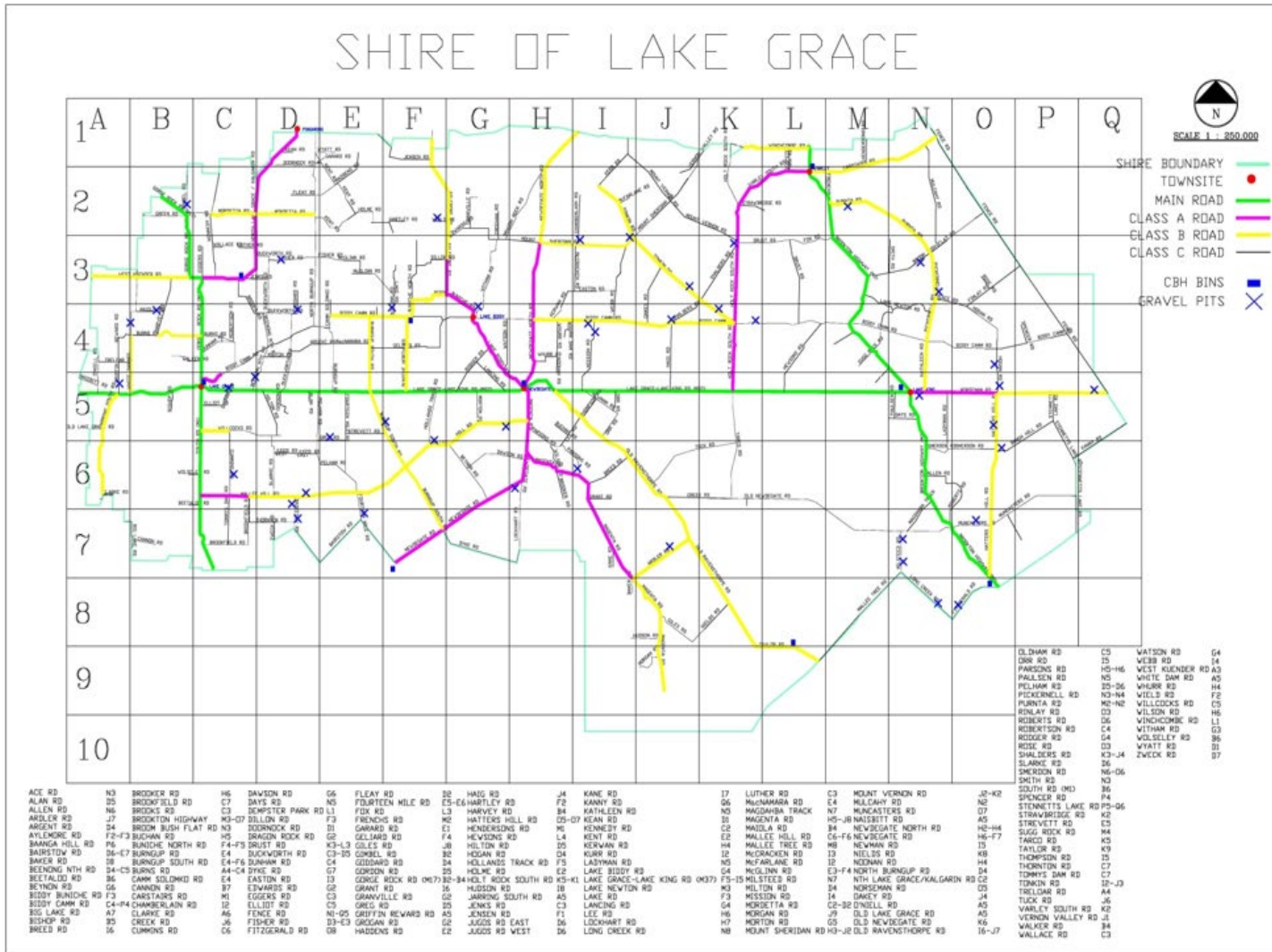
Road Name	Road Name
Jarring South Road	Ardler Road
White Dam (Jarring Nth) Road	Magenta Road
West Kuender Road	Taylor Road
Mordetta Road	Winchcombe Road
Willcocks Road	Carstairs Road
Mallee Hill Road	Purnta Road
Biddy Camm Road	Pickernell Road
Biddy Camm Road (2)	Kathleen Road
Buniche North Road	Norseman Road
Biddy Buniche Road	Hatters Hill Road
Aylemore Road	Mount Sheridan Road
Newdegate North Road	Burngup Road South
Tonkin Road	Burns Road
Old Ravensthorpe Road	

Class “C” Roads

Class ‘C’ are low volume farm access roads and include all other Shire roads not classified above.



ATTACHMENT 5.6 (b) - Road Classification Plan



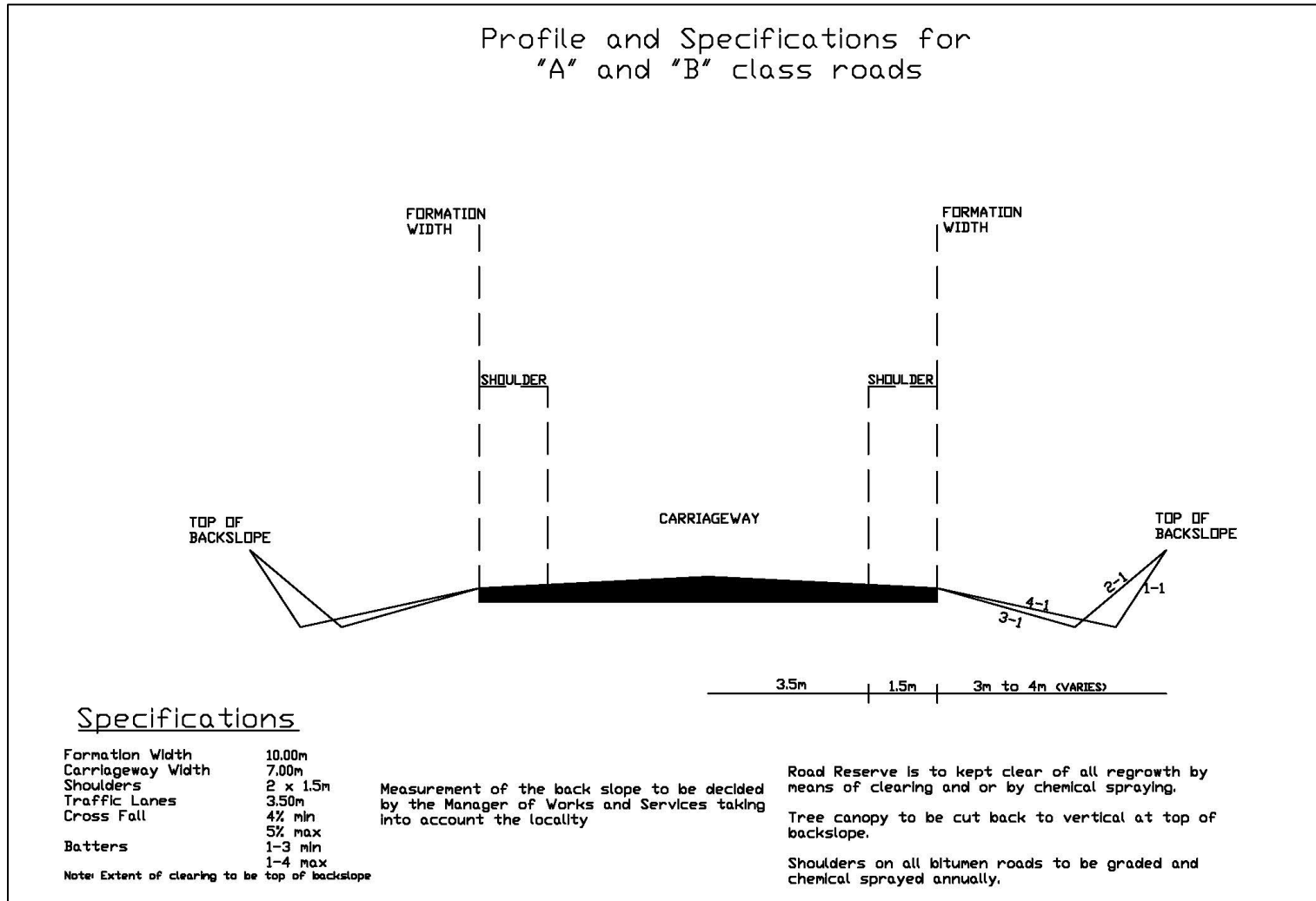


POLICY 5.7 UNSEALED ROADS - STANDARDS

POLICY	Council roads are to be constructed and maintained in accordance with the guidelines set out in the Unsealed Roads Manual produced by the <i>Australian Road Research Board</i> .
OBJECTIVE	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	Review, 23 June 2021 – Resolution No. 13425 Policy number Amended Motion 10623 June 2008 Road Profiles and Specifications amended Motion 9843 October 2004 Guidelines amended Motion 9545 September 2003 Former policy 5.37
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 5.7 (a) - Unsealed Roads – Road Profile and Specifications "A" & "B" Class Roads

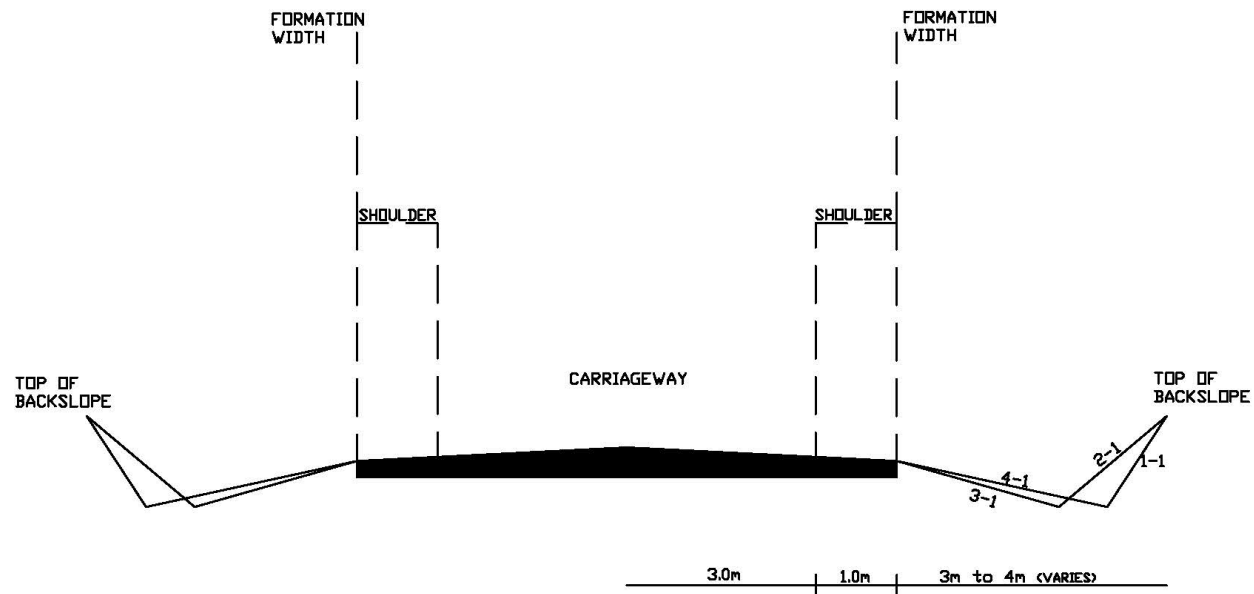




ATTACHMENT 5.7 (b) - Unsealed Roads – Road Profile and Specification "C" Class Roads



Profile and Specifications for "C" class roads



Specifications

Formation Width	8.00m
Carriageway Width	6.00m
Shoulders	2 x 1.0m
Traffic Lanes	3.00m
Cross Fall	4% min 5% max
Batters	1-3 min 1-4 max

Note: Extent of clearing to be top of backslope

Measurement of the back slope to be decided by the Manager of Works and Services taking into account the locality

Road Reserve is to kept clear of all regrowth by means of clearing and or by chemical spraying.

Tree canopy to be cut back to vertical at top of backslope.

Shoulders on all bitumen roads to be graded and chemical sprayed annually.



POLICY 5.8 STORMWATER DRAINAGE

POLICY	Property owners within the townsites of Lake Grace, Newdegate, Lake King and Varley shall be permitted to drain stormwater 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 Infrastructure Supervisor.
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 5.9 DRAINAGE AND WATER PIPELINE

POLICY	<p>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.</p> <p>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.</p> <p>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.</p> <p>If the proposed works are considered to be of benefit to Council and, subject to a decision of Council, the cost may be negotiated.</p>
OBJECTIVE	<p>To establish the extent of Council's responsibility for drainage and water pipeline works.</p>
GUIDELINES	<p>Applications to Council for drainage will be guided by the natural drainage contours and its impact on Council's road network.</p> <p>Applications for water pipelines will be guided by the following:</p> <ol style="list-style-type: none">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	<p>Review, 23 June 2021 – Resolution No. 13425 Amended as per review Motion 10623 June 2008 Amended as per review Motion 10247 July 2006 Policy adopted Motion 9417 April 2003</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 5.10 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), firebreaks, playgrounds, public facilities and lighting.
GUIDELINES	The specification 'SHIRE OF LAKE GRACE OPEN SPACE SPECIFICATION' will be the guidance document.
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Adopted February 2017 Motion 12455
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 5.11 GRAVEL EXTRACTION FROM RESERVES

Policy	Under no circumstances will gravel be removed from any Reserve or Road Reserve without first obtaining the necessary clearing permits from the Department of Water and Environmental Regulation under the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. This includes the expansion of any existing gravel pits within the Reserves.
Objective	To ensure that all supplies of gravel are sourced from approved sites.
Guidelines	<ol style="list-style-type: none">1. A register of approved sites is to be maintained.2. When long term plans are prepared for road maintenance sources of gravel are to be noted and early intervention made should permits be required.3. In the first instance officers are to establish if gravel can be sourced from local land owners and compensation negotiated as per Policy 5.4 Road Making Materials.4. If gravel is obtained from any Reserve and the supply is exhausted a rehabilitation plan is to be implemented firstly entailing the spreading of any removed overburden over the site and secondly the re-vegetation of the site within 24 months if necessary.
History	New Policy, 28 September 2022 – Resolution 13639
Review	Chief Executive Officer/ Manager Infrastructure Services



POLICY 5.12 ROAD SAFETY POLICY

Vision Statement

A safe and connected Shire where well-maintained roads, responsible driving, and community awareness contribute to the well-being of all residents and visitors.

Through proactive planning, sustainable infrastructure, and collaborative engagement, we strive to ensure a road network that enhances mobility, supports economic growth, and prioritises the safety of every road user.

Purpose

The purpose of this policy is to provide a framework for improving road safety within the Shire of Lake Grace, in alignment with the WALGA RoadWise initiative and the Driving Change Road Safety Strategy for Western Australia.

This policy outlines strategies to reduce road trauma, enhance community awareness, and promote a culture of road safety.

Scope

This policy applies to all road users, including residents, businesses, and visitors within the Shire of Lake Grace. It covers local government roads, community engagement, infrastructure improvements, and road safety initiatives.

Objectives

The key objectives of this policy are to:

- Align with the WALGA RoadWise program and contribute to achieving the objectives of the State Road Safety Strategy.
- Reduce road trauma and fatalities through proactive planning and engagement.
- Support initiatives that encourage safe road user behaviour.
- Improve road infrastructure to enhance safety.
- Foster partnerships with key stakeholders, including Main Roads WA, WA Police, local community groups, and emergency services.
- Implement strategies in line with the Safe System Approach, emphasising safe roads and roadsides, safe speeds, safe vehicles, and safe road users.
- Enhance post-crash response and support systems to minimise trauma impacts.

Policy Principles

- **Safe System Approach:** The Shire will adopt the Safe System approach, which includes safe roads and roadsides, safe vehicles, safe speeds, and safe road users.



- **Community Engagement:** The Shire will engage with the local community to promote road safety awareness through education and public campaigns.
- **Data-Driven Decision Making:** The Shire will utilise road safety data to prioritise projects and initiatives that have the greatest impact on reducing road trauma.
- **Continuous Improvement:** The Shire will monitor and review road safety initiatives to ensure they remain effective and aligned with best practices.
- **Speed Management:** Implement strategies to align with the Driving Change Road Safety Strategy, ensuring safer speed limits and compliance through education and enforcement.
- **Fleet Safety Management:** Encourage safe vehicle technology adoption and fleet management policies to enhance road safety for all road users.

Implementation Strategies

To achieve the policy objectives, the Shire of Lake Grace may:

- Establish and support a local RoadWise Committee to coordinate road safety efforts.
- Implement road safety education programs in schools and community groups.
- Conduct regular road audits and implement improvements such as signage, lighting, and speed management.
- Advocate for improved road safety funding and initiatives at the state and federal levels.
- Promote responsible driving behaviour through local media and community events.
- Support the adoption of safe vehicle technologies and fleet safety policies within the Shire's operations.
- Partner with emergency services and health agencies to enhance post-crash response effectiveness.
- Improve pedestrian and cyclist safety through dedicated infrastructure enhancements and education programs.

Roles and Responsibilities

- **Council:** Provide leadership and governance for road safety initiatives.
- **Shire Administration:** Plan, implement, and review road safety projects and policies.
- **Community Members:** Actively participate in road safety programs and adhere to road rules.
- **Stakeholders and Partners:** Collaborate to enhance road safety efforts across the region.

Monitoring and Review History

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The effectiveness of this policy will be reviewed biennially, considering road safety data, community feedback, and alignment with the WALGA RoadWise program and State Road Safety Strategy. Adjustments will be made as necessary to ensure continuous improvement.

HISTORY: New Policy adopted 26 March 2025 Resolution 14022

REVIEWED BY: Chief Executive Officer / Deputy Chief Executive Officer/Manager
Infrastructure Services



**SECTION 6 - PLANNING
(Refer to 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.
OBJECTIVE	Please refer to Planning Scheme No. 4
GUIDELINES	Please refer to Planning Scheme No. 4
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended Motion 10850 August 2009, Adopted Motion 10903 November 2009 following public advertisement Former Policy 12.1
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 6.2 PARKING OF CHEMICAL SPRAY UNITS IN TOWNSITES

POLICY	<p>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:</p> <ul style="list-style-type: none">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; andiii) It is satisfied that the use will not contaminate the soil. <p>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.</p>
OBJECTIVE	<p>To protect the safety, health and visual amenity of the townsites.</p>
GUIDELINES	<p>Please refer to Local Planning Scheme No. 4</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Amended Motion 10851 August 2009, Adopted Motion 10903 November 2009 following public advertisement. Motion 7272, 20 August 1997</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 6.3 RELOCATED DWELLINGS AND SECOND HAND TRANSPORTABLE DWELING

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.

When applying 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:

- 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
- impose conditions requiring, but not limited to, repairs to the dwelling, internal and/or external painting, and where necessary the construction of veranda'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

OBJECTIVE To ensure that the appearance of relocated dwellings and second-hand transportable dwellings do not detrimentally impact on the amenity of the district.

GUIDELINES Please refer to Local Planning Scheme No. 4

**SHIRE OF LAKE GRACE
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HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended Motion 10852 August 2009, Adopted Motion 10903 November 2009 following public advertisement Motion 8940 May 2001 Former Motion 28 October 1998
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 6.4 TIMBER PLANTATIONS

POLICY PRELIMINARY

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.

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.

APPLICATION OF THE POLICY

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.).

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:

- c) *The absorption from the atmosphere of carbon dioxide by land or anything on land; and*
- d) *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).*

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.

APPROVAL REQUIREMENTS

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.

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 2.0 - Environment and Natural Resources Policy;
- WAPC State Planning Policy 2.5 – Rural Planning;
- WAPC State Planning Policy 2.9 – Water Resources;
- WAPC State Planning Policy 3.0 – Urban Growth and Settlement;
- WAPC State Planning Policy 3.7 – Planning in Bushfire Prone Areas;
- WAPC State Planning Policy 4.1 – Industrial Interface;
- DFES Guidelines for Plantation Fire Protection 2011;
- WAPC Guidelines for Planning in Bushfire Prone Areas; and

DEVELOPMENT CONTROL

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.

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.

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

Fire Protection (2011) and with due regard for the standards and requirements all relevant policies, guidelines and regulations published by the Western Australian Planning Commission and the local government's firebreak notices.

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 owner's 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.

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 lodgement 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 totalling 1,000 hectares or more and

located within ten (10) kilometres 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 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.

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 lodgement 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.

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'.

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.

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 2.0 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:

1. clearing is required to enable the plantation to be managed safely and appropriately; and
2. 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.

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.

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.

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 in Bushfire Prone Areas and all conditions imposed by Council in issuing planning approval.

HISTORY

Review, 23 June 2021 – Resolution No. 13425
Final Adoption by Council – March 2015
Public Advertising – November 2014
Second Revised Draft & Preliminary Adoption – October 2014
First Draft & Preliminary Council Consideration – May 2012

REVIEW

Chief Executive Officer / Deputy 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

1. To improve the quality and appropriateness of advertising signs through the application of good design principles;
2. To ensure that the display of advertisements does not have any adverse impacts on the amenity of surrounding land;
3. To avoid the proliferation of advertising signs on individual sites and buildings;
4. To improve the streetscape of major roads;
5. To encourage the rationalisation of advertising signs on individual premises;
6. To encourage the incorporation of advertising signs into the design of buildings;
7. 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;
8. To ensure that all advertising signs are not discriminatory or offensive;
9. To ensure that advertising signs only relate to the products and/or services provided on the site on which they are displayed; and
10. To provide increased certainty for advertisers, landowners, the community and others as well as consistency in decision making by Council.

GUIDELINES Please refer to Local Planning Scheme No. 4

HISTORY Review, 23 June 2021 – Resolution No. 13425
Adopted October 2014 Motion 11921

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 6.5 (a) - Advertising Signage

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

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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
- (iv) 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.
- (h) 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.



- (i) 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

Location/Zones & Reserves	Sign Purpose	Development Standards
All Locations	All Advertising Signs	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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



		<p>Table') unless otherwise approved by Council.</p> <ul style="list-style-type: none"> Advertising shall be for businesses, activities or events located within 5km of the sign.
Within Road Reserves controlled by Main Roads WA	Community Organisations	<ul style="list-style-type: none"> 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.
	Commercial Advertising	Not Permitted
Residential Zone	All Advertising Signs	Not Permitted
Rural Residential Zone	All Advertising Signs	Not Permitted
Commercial, Service Commercial & Townsite Development Zones	All Advertising Signs	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Maximum area of 5m². Limited to a maximum of one (1) sign per lot. <input type="checkbox"/> 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	<ul style="list-style-type: none"> Maximum area of 4m². Signage must be specific to an event and time period. Ongoing approval shall not be granted.



		<ul style="list-style-type: none"> • On conclusion of the specific event, the signage is to be removed.
	<p>Commercial Advertising</p>	<p>Not permitted except for sponsorship signs which must comply with the following requirements:</p> <ul style="list-style-type: none"> • 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.



ATTACHMENT 6.5 (c) - Advertising Signage – APPENDIX 1 - ADDITIONAL INFORMATION FOR ADVERTISEMENTS

APPENDIX 1 - ADDITIONAL INFORMATION FOR ADVERTISEMENTS

Note: to be completed in addition to the Application for Planning Approval form

1.	Description of property upon which advertisement is to be displayed including full details of its proposed position within that property:
2.	Details of proposed sign: (a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other): (b) Height: Width: Depth: (c) Colours to be used: (d) Height above ground level — ☐ (to top of advertisement): ☐ (to underside): (e) Materials to be used: Illuminated: Yes / No If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:
3.	Period of time for which advertisement is required:
4.	Details of signs (if any) to be removed if this application is approved: <p style="text-align: center;">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.</p> Signature of advertiser(s): (if different from land owners) Date:



SECTION 7 - ADMINISTRATION

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.
OBJECTIVE	To minimise the likelihood of an emergency on Christmas Day.
GUIDELINES	Not Applicable
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312 Former Policy 6.3 & 6.24
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.2 LIQUOR ON SHIRE PROPERTY

POLICY	<p>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.</p> <p>Clubs may apply for a seasonal permit for the consumption of liquor with all dates shown on the permit.</p>
OBJECTIVE	<p>Not applicable</p>
GUIDELINES	<p>The Police are to be advised each time a permit for the consumption of liquor is issued.</p> <p>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.</p>
HISTORY	<p>Review, 23 June 2021 – Resolution No. 13425 Policy amended November 2009, Resolution 10919 – title correction Former Policy 7.4</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



POLICY 7.3 FREEDOM OF INFORMATION OFFICERS

POLICY	For the purpose of the Freedom of Information Act 1982: <ul style="list-style-type: none">• The Chief Executive Officer is the Principal Officer and the Internal review Officer for the purposes of the Act; and,• The Deputy Chief Executive Officer is the FOI Coordinator for the purposes of the Act.
OBJECTIVE	Not Applicable
GUIDELINES	In accordance with the Freedom of Information Act, s13.39, Schedule 2
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.4 POLICY PENSIONER RATES REVIEW OFFICERS

POLICY	<p>For the purposes of the Rates and Charges (Rebates and Deferments) Act 1992;</p> <ul style="list-style-type: none">• The Chief Executive Officer is the Pensioner Rates Review Officer as defined by the Act; and,• The Deputy Chief Executive Officer is the Pensioner Rates Determination Officer as defined by the Act.
OBJECTIVE	Not Applicable
GUIDELINES	In accordance with the Rates and Charges (Rebates and Deferments) Act 1992, s12 and s13.
HISTORY	Review, 23 June 2021 – Resolution No. 13425 Amended 22 June 2016 Motion 12312
REVIEW	Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.5 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.

OBJECTIVE 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 establish 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 Review, 23 June 2021 – Resolution No. 13425
Amended 24 June 2015 Motion 12059
Adopted February 2004 Motion 9655

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



ATTACHMENT 7.5 (a) - 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 7.6 COMMUNITY HOUSING TENANT SELECTION - REVOKED

POLICY 7.7 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 Review, 23 June 2021 – Resolution No. 13425
 Amended, 22 June 2016 – Motion 12312
 Amended, 24 June 2015 – Motion 12059 (as per IPAM Committee Meeting
 20 April 2015)
 Adopted November 2008 – Motion 10708

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



**POLICY 7.8 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.

OBJECTIVE 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 Review, 23 June 2021 Resolution No. 13425
Title amended 24 June 2015 Motion 10259
Amended Motion 10856 August 2009
Adopted Motion 10268 August 2006

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.9 FOOD SAFETY, COMPLIANCE AND ENFORCEMENT POLICY

POLICY	<p>Under the requirements of the <i>Food Act 2008</i>, the Shire of Lake Grace is committed to:</p> <ul style="list-style-type: none">• Ensuring all food for sale within the Shire is both safe and suitable for human consumption;• Preventing misleading conduct in connection with the sale of food within the Shire; and,• Abiding by the <i>Food Standards Code</i>
OBJECTIVES	<p>To provide transparency to consumers and industry on how the Shire of Lake Grace will make decisions on enforcement action.</p> <p>To guide decision making and action by Council Officers in the use of enforcement options.</p> <p>To use regulatory implements in such a way as to best achieve the Council's strategic and operational objectives.</p>
GUIDELINES	<p>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</p>
HISTORY	<p>Review, 23 June 2021 Resolution No. 13425 Adopted May 2015 Motion 12035</p>
REVIEW	<p>Chief Executive Officer / Deputy Chief Executive Officer</p>



ATTACHMENT 7.9 (a) - Food Safety, Compliance and Enforcement Guidelines

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.



POLICY 7.10 INFORMATION TECHNOLOGY MANAGEMENT SYSTEMS SECURITY

POLICY Guidelines for the protection and use of information technology assets and resources within the Shire of Lake Grace.

OBJECTIVE To ensure that all staff, elected members, contractors and others that are granted access to the systems of the Shire of Lake Grace adheres to the integrity, confidentiality and availability of data and assets are maintained adequately.

GUIDELINES:

Physical Security

- For all servers, mainframes and other network assets, the area must be secured with adequate ventilation and appropriate access through secure locked door with approved access.
- It will be the responsibility of the Deputy CEO and Manager Corporate Services to ensure that this requirement is followed at all times. Any employee becoming aware of a breach to this security requirement is obliged to notify the Deputy CEO and Manager Corporate Services immediately.
- All security and safety of all portable technology, such as laptop, notepads, iPad etc. will be the responsibility of the employee who has been issued with a laptop, notepads, iPads, and mobile phones. Each employee is required to use locks or passwords, and to ensure the asset is kept safely at all times to protect the security of the asset issued to them.
- In the event of loss or damage, the Deputy CEO and Manger Corporate Services will assess the security measures undertaken to determine if the employee will be required to reimburse the business for the loss or damage.
- All portable digital assets, such as laptop, notepads, iPads when kept at the office desk is to be secured by relevant security measure, such as keypad, lock provided by relevant staff member.



Information Security

- All significant records of the Shire that has administrative, fiscal, legal evidential historic or legal value and includes records that relate to Shire business is to be backed-up.
- It is the responsibility of the Deputy CEO and Manager Corporate Services to ensure that data back-ups are conducted daily for Server back up and weekly tape back-ups and the backed-up data is as follows:
- Daily server backups:
 - On a NAS located with the servers at Lake Grace Shire Offices
 - IT Provider off site
 - At Lake Grace Shire Offices Communications Room.
 - Monthly tapes offsite at Building Email Archives
- Technology Access
 - The Shire of Lake Grace provides ongoing information security awareness to all employees and contractors to ensure responsibility and understanding of this policy.
 - All technology that has internet access must have anti-virus software installed. It is the responsibility of Deputy CEO and Manager Corporate Services to ensure anti-virus software is installed up to date on all technology used by the business.
 - All information used within the business is to adhere to the privacy laws and the business's confidentiality requirements.
 - IT Provider (Integrated ICT) is responsible for the issuing of initial password for all employees. Every employee will be issued with a temporary password to access the business technology and will be required to set a password for access which would need to be set at first login.
 - Where an employee forgets the password or is 'locked out' after three attempts, then contact Integrated ICT to initiate new password.

Password Set-Up

- Maximum password age = 90 days (System will force password change after 90 days)
- Password history = 12 remembered (people cannot use the last 4 passwords)
- A password must meet the following conditions. These cannot be changed.
 - Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
 - Be at least eight characters in length
 - Contain characters from three of the following four categories:
 - English uppercase characters (A through Z)
 - English lowercase characters (a through z)
 - Base 10 digits (0 through 9)
 - Non-alphabetic characters (for example, !, \$, #, %)
- Complexity requirements are enforced when passwords are changed or created.
- Staff are not to allow the use of their password to other staff members or external parties to ensure privacy of data is maintained.

SHIRE OF LAKE GRACE POLICY MANUAL



- Remote access to Shire corporate systems is approved by CEO for Managers, approval at other levels is to be supported by the relevant Manager and approved by Chief Executive Officer.
- All Councillors and Staff who have access to Council data, must have a password to secure the data at all times.

HISTORY Review 23 June 2021 Resolution No. 13425
Resolution 13318, Ordinary Council Meeting 21 October 2020

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.11 CITIZENSHIP CEREMONIES DRESS CODE POLICY

POLICY This policy applies to all conferees and guests attending the Shire of Lake Grace Citizenship Ceremony

OBJECTIVES To ensure that the Citizenship Ceremonies Dress Code outlines the Shire of Lake Grace's expectations for conferees and guests attending the Shire of Lake Grace Citizenship Ceremonies to reflect the significance of the occasion.

GUIDELINES

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

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

Ceremonies can be held at a range of venues throughout the year. Attendees should also ensure they dress appropriately for the venue and season in which the ceremony is being held.

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

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

HISTORY Review 23 June 2021 Resolution No. 13425
Resolution 13322, Ordinary Council Meeting 21 October 2020

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.12 DISPOSAL OF SHIRE OF LAKE GRACE PROPERTY

POLICY This policy clarifies the circumstances and methods by which the Shire of Lake Grace property is to be disposed.

OBJECTIVE To provide guidance on the management of the disposition of property (land or otherwise) ensuring full compliance with applicable legislative obligations and principles of transparency.

GUIDELINES

Disposal of Land

The Shire of Lake Grace disposal of land includes the sale, lease or assignment of all or any part of the land. The Shire's owned land shall be disposed in accordance with the provisions of Section 3.58 of the Local Government Act 1995 either by:

- Public auction
- Public tender or
- Local public notice of intention to dispose

Under Regulation 30 of the Local Government (Functions and General) Regulations, exemptions apply where land is disposed:

- To an owner of adjoining land (subject to value less than \$5,000)
- To charitable or non-profit organisations
- To the Crown
- Leased to an employee of the local government for use as the employee's resident or
- A residential property leased in person

The provisions of the Act or the Regulation states that any disposal of the Shire of Lake Grace land is to:

- Have regard to the commercial value of the land being disposed as determined by a qualified valuer and or the Valuer General's Office and
- Be brought to the Council for consideration

Disposal of Goods (including uncollected/confiscated)

In accordance with Section 3.47 of the Local Government Act 1995, uncollected/confiscated goods are to be disposed of as if it were the property of the Shire of Lake Grace and therefore subject to the provisions of Section 3.58 of the Local Government Act 1995.

Disposal of other goods, property

As a general guideline, the following will apply based on the estimated value of the property:



- All property, equipment and goods up to \$20,000 or based on a 'reasonable judgement' valuation shall be disposed of firstly through a local public tender process with a subsequent report presented to Council in the event of there being no response to the tender process, or highest bidder at public auctions
- At the discretion of the Chief Executive Officer (CEO), furniture, equipment or goods reasonably considered being valued between \$1,000 to \$5,000 shall be offered to local community members, groups, sporting clubs or charities through a locally advertised expression of interest process which may comprise either an expression of interest or be on a "first in, first served" basis.
- A written register is to be kept of all bids received and purchases made including a register of any property that is donated to local service organization.
- All properties less than \$1,000 (based on reasonable judgement valuation), the Chief Executive Officer (CEO) will have the discretion to offer the property to local community members, groups, sporting clubs or charities or if no interest is received, to appropriately dispose the property through a waste collection service.
- The Asset Register shall reflect the disposal where applicable.

HISTORY Review 23 June 2021 Resolution No. 13425
 Adopted 18 November 2020 Resolution 13336

REVIEW Chief Executive Officer / Deputy Chief Executive Officer



POLICY 7.13 TEMPORARY ACCOMMODATION

POLICY This policy provides guidance to support applications seeking an approval for temporary accommodation on private property or in an area other than a caravan park.

SCOPE A person may stay in temporary accommodation on a property for up to 5 nights per 28-day consecutive period without a shire approval. Any period greater than this, requires an application to the local government for assessment and possible approval for a maximum of 24 consecutive months. An applicant may reapply after 24 months to renew their application. If an applicant is seeking to camp on a state or federal reserve, approval must be obtained from the relevant authority who manages that land. If there is more than one approved application on a private lot, an additional approval may be given for up to 3 months by the local government. Any period longer than 3 months is required from the Minister for Local Government, Sport and Cultural Industries.

PRACTICE

This policy is supported by the Shires temporary accommodation guidelines, application and assessment process. For applications to be considered, the requirements detailed in the guidelines must be adhered to.

The applicant must own or have a legal right to occupy the land and is to complete the application form and submit to the Shire with the applicable fee.

Applications will not be considered outside the following zoned areas;

- Residential
- Rural Residential
- Rural Smallholdings
- Rural Townsite
- Rural
- Tourism

Any camp is to be located wholly on the property and be at least 1 metre from the property boundary, at least 1 metre from vehicle access areas, and at least 1.8 metres from structures.

Occupiers of adjacent properties will be notified in writing and the responses will be considered prior to the approval of any application.



Approvals will only be granted where health, safety and hygiene requirements have been met. This includes the following requirements;

- power
- potable water
- waste water management
- cooking and laundry facilities
- emergency management (fire suppression and smoke detection)
- waste and recycling (rubbish collection service or waste management plan is required)
- any other requirement at the request of the Shire.

Upon receipt of an application and fee, Environmental Health will assess the application, conduct an evaluation of the site, and issue a permit where the application is approved. Follow-up site assessments may be conducted throughout the duration of the approval period

Approval can be for a maximum period for 24 months, and any reapplication will require the completion of a new form, fee payable and be accompanied by a structural report confirming the integrity of the habitable camp.

The temporary accommodation cannot be used as holiday rental or for tourism purposes.

Should the temporary accommodation cease prior to the expiry of the permit, the local government must be notified. No refund is applicable.

The Shire reserves the right to withdraw an approval, where a breach of an approval condition has occurred.

REFERENCING DOCUMENTS

- *Local Government Act 1995*
- *Caravan and Camping Ground Act 1995*
- *Caravan and Camping Ground Regulations 1997 (as amended 1 September 2024)*
- *Health (Miscellaneous Provisions) Act 1911*
- *Building Code of Australia / National Construction Code*
- *Shire of Lake Grace Local Planning Scheme*

HISTORY New Policy adopted 23 April 2025 Resolution 14031

REVIEW Chief Executive Officer



SECTION 8 - POLICY ADOPTION / AMENDMENTS / ALTERATIONS / DELETIONS

SECTION 1 - GOVERNANCE

No.	Policy Name	Adopted / Amended / Revoked
1.1	Policy Manual Amendments	Amended June 2015 Motion 12059
1.2	Meeting Dates	Adopted November 2015 Motion 12181
1.3	Bi Annual Dinner (policy revoked)	Revoked June 2015, Motion 12059
1.4	Flying of Flags including Shire of Lake Grace Flag	December 2018, former Policy 1.6 & 1.14
1.5	Floral Emblem – Shire of Lake Grace	December 2018, former Policy 1.24 Amended June 2006 Motion 10222
1.6	Members Travel Expenses	Amended June 2015 Motion 12059
1.7	Members Partners Expenses	December 2018, former Policy 3.1.3 Amended June 2007 Motion 10222
1.8	Code of Conduct	Resolution 13194, Special Council Meeting 23 February 2021 Amended June 2015 Motion 12059
1.9	Legal Representation Cost Indemnification	Amended June 2015 Motion 12059
1.10	Honorary Freeman of the Municipality	Amended June 2015 Motion 12059
1.11	Use of Common Seal	Amended June 2015 Motion 12059
1.12	Community Engagement	Adopted April 2011 Motion 11204
1.13	Risk Management	Adopted October 2014 Motion 11928
1.14	Christmas / New Year Closure of Council Facilities	Resolution 13325 Ordinary Council Meeting 21 October 2020 Adopted October 2016 Motion 12383
1.15	Electoral Caretaker Period	Adopted December 2018 Motion 12897
1.16	Bereavement Recognition	Adopted December 2018 Motion 12897
1.17	Bullying and Harassment	Resolution 13425 Ordinary Council Meeting 23 June 2021
1.18	Elected Members, Chief Executive Officer and Employee Attendance at Events	Resolution 13320, Ordinary Council Meeting 21 October 2020
1.19	Continuing Professional Development	Resolution 13425 Ordinary Council Meeting 23 June 2021,
1.20	Information & Communication Technology Usage including Social Media	Resolution 13425 Ordinary Council Meeting 23 June 2021
1.21	Internal Controls	Resolution 13425 Ordinary Council Meeting 23 June 2021
1.22	Legislative Compliance	Resolution 13425 Ordinary Council Meeting 23 June 2021
1.23	Fraud and Corruption Prevention	Resolution 13425 Ordinary Council Meeting 23 June 2021
1.24	Privacy Policy	Adopted February 2025 Motion 14003
1.25	Data Breach Policy	Adopted February 2025 Motion 14004



SECTION 2 – COMMUNITY SUPPORT

2.1	Charitable Works (policy revoked)	Revoked June 2015, Motion 12059
2.2	Donations – Water, Rates and Charges	Amended June 2016 Motion 12312
2.5	Joint Venture Housing (policy revoked)	Revoked June 2015, Motion 12059
2.6	Concessions – Hall Hire Fees – Not for Profit Groups/Residents (policy revoked)	Revoked June 2015, Motion 12059
2.7	Australia Day Breakfast	Amended June 2015 Motion 12059
2.8	Vehicle Licence Plates – Special Local Authority Series	Amended June 2016 Motion 12312
2.9	Community Funding Request	Resolution 13388, Ordinary Council Meeting – 24 March 2021
2.10	Child Safe Awareness	21 February 2024 – Resolution 13818

SECTION 3 – FINANCE / ACCOUNTING

No.	Policy Name	Adopted / Amended / Revoked
3.1	Self-Supporting Loans	Amended June 2016 Motion 12312
3.2	Significant Accounting Policies	Amended attachment 3.2 (a) February 2024 Motion 13818 Amended June 2015 Motion 12059
3.3	Specified Area Rating	Amended June 2016 Motion 12312
3.4	Local Price Preference	Revoked February 2010, Motion 10951
3.5	Investments	Amended June 2016 Motion 12312 Amended February 2010 Motion 10951
3.6	Authorised Use of Credit Card / Fuel Cards	Updated 18 August 2020 Amended June 2016 Motion 12312
3.7	Purchasing Policy	Amended February 2024 Resolution 13818 Resolution 13243, Ordinary Council Meeting 20 May 2020 Amended June 2015 Motion 12059
3.8	Outstanding Debtors	Amended June 2016 Motion 12312 Amended June 2015 Motion 12059 Adopted July 2012 Motion 11482
3.9	Outstanding Rate Debtors	Amended June 2016 Motion 12312 Amended June 2015 Motion 12059 Adopted July 2012 Motion 11482
3.10	Financial Hardship – Water Services Policy Attachment 3.10 – Financial Hardship – Water Services Policy	Amended June 2016 Motion 12312 Amended June 2015 Motion 12059 Adopted February 2014 Motion 11770
3.11	Tenders – Selection Criteria	Adopted June 2015 Motion 12059
3.12	Fair Value Groupings and frequency	Amended February 2024 Resolution 13818 Adopted March 2019 Motion 12944
3.13	Portable and Attractive Items	Resolution 13321, Ordinary Council Meeting 21 October 2021
3.14	Petty Cash Policy	Resolution 13321, Ordinary Council Meeting 21 October 2021



SECTION 4 – STAFF

No.	Policy Name	Adopted / Amended / Revoked
4.1	Defence Reserve and Local Emergency Organisation Members	Amended June 2015 Motion 12059
4.2	Staff Housing – Shire Owned Properties	Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2015 Motion 12059
4.2-A	Staff Subsidy – Owner Occupied Housing	Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2016 Motion 12312 Amended June 2015 Motion 12059
4.2-B	Home Purchase Incentive Owner Occupied Housing	Amended 28 September 2022, Resolution 13635 Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2016 Motion 12312 Amended June 2015 Motion 12059
4.2-C	Staff Housing – Rent Subsidy	Amended 28 September 2022, Resolution 13636 Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2016 Motion 12312 Amended June 2015 Motion 12059
4.3	Senior Employees (policy revoked)	Revoked May 2018, Motion 12764 Amended June 2016 Motion 12312 Amended June 2015 Motion 12059
4.4	Water Consumption for Shire Houses	Amended June 2016 Motion 12312 Amended June 2015 Motion 12059
4.5	Severance Pay	Amended June 2015 Motion 12059
4.6	Work Health and Safety	Adopted June 2015 Motion 12059
4.7	Sick Leave “Cash Out” Scheme	Resolution 13425 Ordinary Council Meeting 23 June 2021 Amended June 2016 Motion 12312 Adopted June 2015 Motion 12059
4.8	Equal Employment Opportunity	Adopted June 2016 Motion 12312 Adopted June 2015 Motion 12059
4.9	Staff Uniform	Amended February 2024 Resolution 13818 Resolution 13425 Ordinary Council Meeting 23 June 2021
4.10	Outdoor Work Clothing / Skin Damage Prevention	Resolution 13425 Ordinary Council Meeting 23 June 2021
4.11	Fitness for Work	Adopted December 2018 Motion 12897
4.12	Staff – Dress Code	Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2015 Motion 12059
4.13	Staff Leave	Resolution 13425 Ordinary Council Meeting 23 June 2021
4.14	Senior Employees & Acting CEO Appointments	Review 23 June 2021 – Resolution Ordinary Council Meeting 24 March 2021 – Resolution 13382
4.15	Private Works	Amended June 2016 Motion 12312
4.16	Adopted Standards for CEO Recruitment, Performance and Termination	March 2021 Resolution 13381
4.17	Recruitment & Selection	Adopted 23 April 2025 Resolution 14033



SECTION 5 – WORKS

No.	Policy Name	Adopted / Amended / Revoked
5.1	Annual Plant Report	Revoked February 2024 Resolution 13818 Amended July 2006 Motion 10240 Former Policy 5.10
5.2	Hire of Shire Plant	Amended July 2006 Motion 10242 Former Policy 5.20 & 5.21
5.3	Garden and General Refuse – Pick up	Amended June 2008 Motion 10623 Amended July 2006 Motion 10243 Former Policy 5.23
5.4	Road Making Materials	Amended June 2015 Motion 12059 Amended June 2008 Motion 10623 Amended December 2003 Motion 9604 Former Policy 5.8 & 5.32
5.5	Property Access and Crossovers	Amended June 2015 Motion 12059 Amended June 2008 Motion 10623 Former Policy 5.17
5.6	Road Classification	Amended June 2008 Motion 10623 Amended October 2004 Motion 9840 Amended September 2003 Motion 9545 Former Policy 5.23
5.7	Unsealed Roads – Standards	Amended June 2008 Motion 10623
5.8	Storm Water Drainage	Policy Number amended Motion 10623 June 2008 Amended as per review Motion 10246 July 2006 Former Policy 7.21
5.9	Drainage and Water Pipeline	Amended as per review Motion 10623 June 2008 Amended as per review Motion 10247 July 2006 Policy Adopted Motion 9417 April 2003
5.10	Open Space Specification	Adopted February 2017 Motion 12455
5.11	Gravel Extraction Reserves	New – 28 September 2022 Ordinary Council Meeting- Resolution 13639
5.12	Road Safety Policy	Adopted 26 March 2025 Resolution 14022

SECTION 6 – PLANNING

No.	Policy Name	Adopted / Amended / Revoked
6.1	Residential Development	Adopted Motion 10903 November 2009 following public advertisement Amended Motion 10850 August 2009 Former Policy 12.1
6.2	Parking of Chemical Spray Units in Townsites	Adopted Motion 10903 November 2009 following public advertisement Amended Motion 10850 August 2009 Motion 7272 – 20 August 1997
6.3	Relocated Dwellings and Second-Hand Transportable Dwellings	Adopted Motion 10903 November 2009 following public advertisement Amended Motion 10850 August 2009 Motion 8940 – May 2001 Former Motion 28 October 1998



6.4	Timber Plantations	Adopted June 2015 Motion 12059 Adopted March 2015 Motion 12010
6.5	Advertising Signage Attachment 6.5 (a) Attachment 6.5 (b) Development Standards for non-exempt advertising signs Attachment 6.5 (c) Appendix 1 – Additional information for advertisements	Adopted October 2014 Motion 11921

SECTION 7 – ADMINISTRATION

No.	Policy Name	Adopted / Amended / Revoked
7.1	Harvest Bans	Amended June 2016 Motion 12312
7.2	Liquor on Shire Property	Former Policy 7.4 Amended November 2009 Resolution 10919 – Title Correction
7.3	Freedom of Information Officers	Amended June 2016 Motion 12312
7.4	Pensioner Rates Review Officers	Amended June 2016 Motion 12312
7.5	Recordkeeping Plan	Amended June 2015 Motion 12059
7.6	Community Housing Tenant Selection (policy revoked)	Revoked June 2015, Motion 12059
7.7	Asset Management	Amended June 2016 Motion 12312 Amended June 2015 Motion 12059 (policy as presented to IPAM Committee 20 April 2015)
7.8	Grain Storage Facilities Application for a Demolition Licence	Amended June 2015 Motion 12059
7.9	Food Safety, Compliance and enforcement Policy	Adopted May 2015 motion 12035
7.10	IT Management Systems Security	Resolution 13318, Ordinary Council Meeting 21 October 2020
7.11	Dress Code Policy – Citizenship Ceremonies	Resolution 13322, Ordinary Council Meeting 21 October 2020
7.12	Disposal of Shire of Lake Grace Property	Resolution 13336 Ordinary Council Meeting 18 November 2020 Amended June 2015 Motion 12059
7.13	Temporary Accommodation	Adopted 23 April 2025 Resolution 14031



SECTION 9 - POLICY MANUAL FULL REVIEW AND ADOPTION BY COUNCIL

MEETING DATE	RESOLUTION
23 June 2021	13425
21 February 2024	13818