

SHIRE
of
DANDARAGAN

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 23 MAY 2019

COMMENCING AT 4.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)



ORDINARY COUNCIL MEETING

THURSDAY 23 MAY 2019

Welcome to the Ordinary Council Meeting of the Shire of Dandaragan.

Please be advised that the Ordinary Meeting of Council will be held on the following dates, times and venues:

DAY	DATE	TIME	MEETING VENUE
Thurs	23 May 2019	4.00pm	Jurien Bay
Thurs	27 June 2019	4.00pm	Jurien Bay
Thurs	25 July 2019	4.00pm	Jurien Bay
Thurs	22 August 2019	11.00am	Jurien Bay School Visit
Thurs	26 September 2019	4.00pm	Dandaragan
Thurs	24 October 2019	4.00pm	Jurien Bay
Thurs	28 November 2019	4.00pm	Cervantes
Thurs	19 December 2019	4.00pm	Jurien Bay
Thurs	23 January 2020	5.00pm 6.00pm	Dandaragan AGM of Electors
Thurs	27 February 2020	4.00pm	Jurien Bay
Thurs	26 March 2020	4.00pm	Jurien Bay
Thurs	23 April 2020	4.00pm	Badgingarra
Thurs	28 May 2020	4.00pm	Jurien Bay
Thurs	25 June 2020	4.00pm	Jurien Bay

Brent Bailey
CHIEF EXECUTIVE OFFICER



DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

Please note:

The recommendations contained in this agenda are Officer's Recommendations only and should not be acted upon until Council has considered the recommendations and resolved accordingly.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's Decision.

Brent Bailey
CHIEF EXECUTIVE OFFICER



COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee, Working Party or Steering group to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Council has prepared an appropriate form and Public Question Time Guideline to assist.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration should it be determined appropriate by the Chief Executive Officer.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Shire of Dandaragan Administration Centre and all four libraries as well as on the website www.dandaragan.wa.gov.au seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Shire of Dandaragan Libraries and on the website www.dandaragan.wa.gov.au within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

The Shire of Dandaragan welcomes community participation during public question time as per the Shire of Dandaragan Standing Orders Local Law.

A member of the public who raises a question during question time is requested to:

- (a) provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting;
- (b) first state his or her name and address;
- (c) direct the question to the President or the Presiding Member;
- (d) ask the question briefly and concisely;
- (e) limit any preamble to matters directly relevant to the question;
- (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
- (g) each **member of the public** with a question is **entitled to ask up to 3 questions** before other members of the public will be invited to ask their questions;
- (h) when a member of the public gives written notice of a question, the President or Presiding Member may determine that the question is to be responded to as normal business correspondence.

The following is a summary of procedure and a guide to completion of the required form.

1. This is a "question" time only. Orations, explanations or statements of belief will not be accepted or allowed.
2. Questions must relate to a matter affecting the Shire of Dandaragan.
3. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Mayor or Presiding Member and therefore not considered.
4. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
5. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
6. When the President or presiding member calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, then ask the question.
7. Questions to be put to the President or presiding member and answered by the Council. No questions can be put to individual Councillors.
8. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** Questions not asked may still be submitted to the meeting and will be responded to by mail.
9. When you have put your question, resume your seat and await the reply. If possible, the President or presiding member will answer directly or invite a staff member with special knowledge to answer in his place. However, it is more likely that the question will have to be researched, in which case the President or presiding member will advise that the question will be received and that an answer will be forwarded in writing. Please note under NO circumstances, will the question be debated or discussed by Council at that meeting.
10. To maximise public participation only three questions per person will initially be considered with a time limit of 2 minutes per person. If there is time after all interested persons have put their questions the President or presiding member will allow further questions, again in limits of two per person.
11. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
12. Please ensure your form is submitted to the minute's secretary.

If you have difficulty in or are incapable of writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

SHIRE OF DANDARAGAN

QUESTIONS FROM THE PUBLIC

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.

Name: _____ Signature: _____

Address: _____

Contact No: _____ Meeting Date: _____

Council Agenda
Item No: _____

Name of Organisation Representing: _____
(if applicable)

QUESTION:

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. 15 Minutes is allotted to Public Question Time at Council Meetings.

Please see notes on Public Question Time overleaf...



SHIRE OF DANDARAGAN

Record of Disclosure

Person making disclosure:

Surname: _____

Given Names: _____

Member of Council Officer of Council Committee Member

Date of Meeting: _____

Type of Meeting: Ordinary Meeting of the Council Committee Meeting

Special Meeting of the Council Selection Panel Other _____

Report Item No: _____

Report Title: _____

Nature of Interest: Financial (section 5.60A) Proximity (section 5.60B)

Indirect Financial (section 5.61) Impartiality

Extent of Interest: _____

Signed: _____ **Date:** _____

(Office Use Only)

Minute Book Page: _____

Signature of Staff Recording Entry: _____

For the purpose of the financial interest disclosure provisions you will be treated as having an interest in a matter, if either you (as a relevant person), or a person with whom you are closely associated, has

–

- a direct or indirect financial interest in a matter; or
- a proximity interest in a matter

Section 5.60A – Financial Interest

The Act provides that: A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person. The elements are:

- there is a matter to be dealt with;
- if the matter were to be dealt with in a particular way, it would be reasonable to expect the person to enjoy a financial gain or benefit, or suffer a financial loss or detriment. All elements must exist for there to be a direct financial interest. When considering the elements to test whether you have a direct financial interest in a matter, remember that the same test must be applied to persons with whom you are closely associated.

Section 5.60B - Proximity interest

The Act requires you to disclose a proximity interest that you, or a person with whom you are closely associated, has in a matter before a council or council committee meeting. You (or a person with whom you are closely associated) have a proximity interest in any matter that concerns:

- a proposed change to a planning scheme affecting land that adjoins the person's land;
 - a proposed change to the zoning or use of land that adjoins the person's land; or
 - a proposed development of land that adjoins the person's land (development refers to the development, maintenance or management of the land or of services or facilities on the land)
- The existence of a proximity interest is established purely by the location of land, a financial effect on the valuation of your land or on the profitability of your business does not have to be established. It is therefore important that you fully understand when a proximity interest exists.

Section 5.61 – Indirect Financial Interest

The Act states that a reference to an indirect financial interest of a person includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter. The word "includes" in this context is not exhaustive and therefore other indirect financial interests do exist. An indirect financial interest also includes an interest a person has in a matter if it is reasonable to expect that the matter will, if dealt with by the local government in a particular way, result in an indirect financial gain, loss, benefit or detriment for the person.

The Act does not expressly define "financial relationship", therefore it should be taken to have its ordinary meaning of a relationship which is of a financial nature (whether or not the relationship also has other aspects). For example, you may have a personal relationship with a person (e.g. friendship), but also a business relationship with that person. It is to be remembered that the existence of an indirect financial interest in a matter can be established by showing that you, or a person with whom you are closely associated, has a financial relationship with a person requiring a local government decision in relation to that matter. There is no requirement to establish a financial gain, loss, benefit or detriment in this instance, the mere existence of a financial relationship and the requirement for a decision is sufficient for a breach of the provision to have occurred.

Elected members must remember that a financial or proximity interest can exist even though the matter is being dealt with by employees under delegated authority. Therefore you should avoid any involvement in discussions on those matters at meetings that you attend as a member. Declaring under this section means that you are required to leave the meeting whilst the item is being discussed. Once the item has been discussed you may re-enter the meeting.

If you have disclosed an interest in writing before the meeting or immediately before the matter is discussed during the meeting, you must not:

- preside at the part of the meeting relating to the matter; or
- participate in, or be present during any discussion or decision-making procedure relating to the matter. In brief, having disclosed an interest you must leave the room. You may re-enter the room and be present during the discussion on the matter in which you disclosed an interest only if allowed by the members present. The Minister for Local Government may also allow you to be present. (refer page 27 under "Can the Minister give approval to participate?").

After disclosing the nature of your interest in a matter to the meeting, or the presiding person having read out the disclosure, you may, without further disclosure, request the remaining members present who are entitled to vote (you are not entitled to vote) to allow you to be present during any discussion or decision-making procedure on the relevant matter.

Disclosure of Interest Affecting Impartiality

For the purposes of requiring disclosure, an interest is defined in Regulation 34C of the Local Government (Administration) Regulations 1996 and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 as, "an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

The existence of an interest affecting impartiality is dependent on –

- the member or employee having an association with a person or organisation that has a matter being discussed at a council or committee meeting;
- the employee being required to give advice on a matter where they have an association with a person or an organisation related to that matter; and
- the type of matter being discussed at a council or committee meeting.

For example, with the declaration of a financial interest an elected member leaves the room and does not vote (unless permitted to do so by the meeting or the Minister). With the declaration of an impartiality interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the meeting continues as if no interest existed.

If the matter in which an elected member or employee has an interest affecting impartiality is to be discussed at a council or committee meeting, the member or employee is to disclose the interest either in a written notice given to the CEO before the meeting or verbally at the meeting immediately before the matter is discussed.

To assist with making the disclosure, the Department has prepared the following declaration which elected members or employees may use when they consider it necessary to disclose an interest affecting impartiality. The nature of the interest must also be stated. "With regard to ... the matter in item x ... I disclose that I have an association with the applicant (or person seeking a decision). This association is ... (nature of the interest ... As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

All disclosures made are to be recorded in the minutes of the relevant meeting. It is important that the minutes distinguish between disclosures of interests affecting impartiality and disclosures of financial interests.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

1.2 DISCLAIMER READING

“No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission, statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard, and should only rely on written confirmation of Council’s decision, which will be provided within fourteen days.”

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor K McGlew	
Councillor D Richardson	
Councillor D Slyns	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)
Ms R Headland	(Council Secretary & Personal Assistant)
Mr R Mackay	(Planning Officer)

Apologies

Councillor R Shanhun

Approved Leave of Absence

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 CONFIRMATION OF MINUTES

**6.1 MINUTES OF THE ORDINARY MEETING HELD WEDNESDAY 24
APRIL 2019**

**7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT
DISCUSSION**

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 APRIL 2019

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	13 May 2019
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 30 April 2019.

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 April 2019.

COMMENT

Regulation 34 of the Financial Management Regulations (1996) requires the following information to be provided to Council:

1. Net Current Assets

Council's Net Current Assets [i.e. surplus / (deficit)] position as at the 30 April 2019 was \$2,143,502. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 12 and reconciled with the Statement of Financial Activity on page 3 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 6 (page 13) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 MAY 2019

Note 13 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 30 April 2019 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Financial statements for the period ending 30 April 2019 (Doc Id: 133437)
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period 30 April 2019 be adopted.

9.1.2 ACCOUNTS FOR PAYMENT – APRIL 2019

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	13 May 2019
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT and direct debit listing for the month of April 2019.

BACKGROUND

As part of the Local Government Act 1995, Financial Management Regulations 1996, a list of expenditure payments is required to be presented to Council.

COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for FEBRUARY 2019 totalled \$1,309,966.03 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the April 2019 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Cheque, EFT and direct debit listings for April 2019 (Doc Id: 133391)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Municipal Fund cheque and EFT listing for the period ending 30 April 2019 totalling \$1,309,966.03 for the Municipal Fund be accepted.

9.1.3 **AUDIT COMMITTEE (UNCONFIRMED) MINUTES – 24 APRIL 2019 & ‘TERMS OF REFERENCE’**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Audit / Internal
Disclosure of Interest:	Nil
Date:	12 May 2019
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To receive the Audit Committee Meeting Minutes (unconfirmed) held on 24 April 2019 and to endorse the “Terms of Reference” for the Shire of Dandaragan Audit Committee.

BACKGROUND

The Local Government Act (1995) requires Council to establish an Audit Committee to assist Council to fulfil corporate governance, stewardship, leadership and control responsibilities in relation to the Shire’s financial reporting and audit responsibilities.

Due to the small number of audit committee meetings held during the year there is a significant delay between the audit meetings and the subsequent confirmation of the minutes of that meeting at the following audit committee meeting and hence, a further delay in presentation to Council of the minutes for adoption.

Therefore, it is considered more appropriate to present the unconfirmed minutes to Council for receipt. Should any issue arise at the adoption of these minutes at the following audit committee meeting varying the accuracy of the unconfirmed minutes, these changes will be presented to Council at the following Council meeting.

COMMENT

The purpose of the Audit Committee Meeting held 24 April 2019 was to recommend to Council the adoption of a formal “Terms of Reference” for the Audit Committee.

Due to amendments of the Local Government Act 1995 (Act) the Shire of Dandaragan established an audit committee at the Ordinary Meeting of Council held 5 May 2005.

At the Audit Committee meeting held 23 March 2006, it was resolved to;

AUDIT COMMITTEE DECISION

Moved Councillor Short, seconded Councillor Love

That the Audit Committee recommends Council delegate the following roles and responsibilities to the Audit Committee by absolute majority;

1. Annual Budget Review;
2. Statutory Compliance Return;
3. Appointment of Auditors; and
4. Audit Report subject to confirmation from the Department of Local Government and Regional Development.

CARRIED 4 / 0

At the Ordinary Meeting of Council held 27 April 2006 the minutes of the audit committee were presented for acceptance. The officer's comments in this item were as follows;

"The Audit Committee has requested delegated authority for several roles and responsibilities but unfortunately, the Local Government Act dictates that these need to be brought before the full Council for adoption / appointment. These include:

- Annual Budget Review
- Statutory Compliance Return
- Appointment of Auditors
- Audit Report

However, this doesn't preclude the Audit Committee from reviewing these documents and appointments and making recommendations to Council."

Subsequently, the following Council decision was made;

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That the Audit Committee review the following documents and appointments and make recommendations to Council;

- a. Annual Budget Review;
- b. Statutory Compliance Return;
- c. Appointment of Auditors; and
- d. Audit Report.

CARRIED 8 / 0

While the committee has always operated within its defined functions in accordance with legislation, other than the above recommendation, the role of the Audit Committee has never been documented within a terms of reference.

On Wednesday 24 April 2019 the Audit Committee convened for a meeting and discussed the proposed “Terms of Reference” and recommended that Council adopt the “Terms of Reference” for the Shire of Dandaragan Audit Committee.

CONSULTATION

Audit Committee

STATURORY ENVIRONMENT

Section 7.1A of the Local Government Act 1995

Section 16 of the Local Government (Audit) Regulations 1996

Section 7.1A of the Act states;

7.1A. Audit committee

- (1) *A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*
- (2) *The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

** Absolute majority required.*

- (3) *A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*
- (4) *An employee is not to be a member of an audit committee.*

Section 16 of the Local Government (Audit) Regulations 1996 states;

16. Functions of audit committee

An audit committee has the following functions —

- (a) *to guide and assist the local government in carrying out —*
 - (i) *its functions under Part 6 of the Act; and*
 - (ii) *its functions relating to other audits and other matters related to financial management;*
- (b) *to guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under Part 7 of the Act;*
- (c) *to review a report given to it by the CEO under regulation 17(3) (the **CEO’s report**) and is to —*
 - (i) *report to the council the results of that review; and*
 - (ii) *give a copy of the CEO’s report to the council;*
- (d) *to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —*
 - (i) *regulation 17(1); and*
 - (ii) *the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*

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- (e) *to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;*
- (f) *to oversee the implementation of any action that the local government —*
 - (i) *is required to take by section 7.12A(3); and*
 - (ii) *has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and*
 - (iii) *has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and*
 - (iv) *has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- (g) *to perform any other function conferred on the audit committee by these regulations or another written law.*

STRATEGIC IMPLICATIONS

2016 – 2026 Community Strategic Plan

<i>Goal 5 Proactive and Leading Local Government</i>		
Objectives		How the Shire will Contribute
5.2	High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Minutes of the Audit Committee Meeting (unconfirmed) held on 24 April 2019 (Doc Id: 132730)
 - Terms of Reference (Doc Id: 132497)
- (Marked 9.1.3)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

- 1. receive the unconfirmed minutes of the Audit Committee Meeting held on 24 April 2019; and**
- 2. adopt the Terms of Reference (Doc Id: 132497) for the Shire of Dandaragan's Audit Committee.**

9.2 INFRASTRUCTURE SERVICES

9.3 DEVELOPMENT SERVICES

9.3.1 POSITION STATEMENT – POULTRY MANURE; ODOUR COMPLAINTS; AND STABLE FLY

Location:	Shire of Dandaragan Local government area
Applicant:	N/A]
Folder Path:	Business Classification Scheme / Public Health / Programs / Pest Control
Disclosure of Interest:	Nil
Date:	14 May 2019
Author:	Felix Neuweiler, Principal Environmental Health Officer
Senior Officer: Services	David Chidlow, Executive Manager of Development Services

PROPOSAL

For Council to consider adopting the attached position statement relating to poultry manure, odour complaints and stable flies.

BACKGROUND

The Shire of Dandaragan has received a number of complaints relating to poultry manure. The complaints have generally been related to odours, but individuals have also advocated that are concerned about the potential for stable fly breeding and the impacts that this will have on livestock.

Council resolved at the Ordinary Council Meeting held on 24 January 2019 meeting:

COUNCIL DECISION

Moved Cr McGlew, seconded Cr Richardson

That Council, taking into consideration the low number of stable flies in the district, desist from declaring the Stable Fly (*Stomoxys calcitrans*) a pest in the Shire of Dandaragan local government area and review this decision in 24 months' time.

CARRIED 8 / 0

As a follow-up to the above Council resolution staff prepared the attached position statement relating to poultry manure, odour complaints and stable flies.

COMMENT

This document will provide clarity around these issues for Councillors, staff and members of the public. The document should be reviewed regularly to ensure it stays current. It is recommended to review the position statement within 18 months.

CONSULTATION

Consultation was carried out amongst staff members and a draft copy circulated to Councillors at the April meeting.

STATUTORY ENVIRONMENT

Environmental Protection Act 1986, Part V — Environmental regulation; Division 1 — Pollution and environmental harm offences.

49. Causing pollution and unreasonable emissions

(1) *In this section —*

unreasonable emission means an emission or transmission of noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person.

(3) *A person who causes pollution or allows pollution to be caused commits an offence.*

(5) *A person who —*

(a) *emits an unreasonable emission from any premises;*
or

(b) *causes an unreasonable emission to be emitted from any premises,*
commits an offence.

The Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016 sets out the measures to be taken to control stable fly in the areas where it is a declared pest.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.1 Ensure planning and land availability provides opportunity for sustainable growth and lifestyle options/choices	a) Strategic land use planning and projects
<i>Goal 4: Healthy Natural and Built Environment</i>	
4.2 Support positive land and bio-diversity management practices	c) Sustainable land use
<i>Goal 5: Proactive and Leading Local Government</i>	
5.6 Implement sound corporate governance and risk management	f) Complaints system

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Position Statement - Poultry Manure, Odour Complaints and Stable Flies (Doc Id: 133597)
(Marked 9.3.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council adopt the Position Statement - Poultry Manure, Odour Complaints and Stable Flies and review the document within 18 months from the date of this Council resolution.

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 CONSENT FOR SUBLEASE – RAC CERVANTES HOLIDAY PARK

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Reserves and Public Land
Disclosure of Interest:	Nil
Date:	13 May 2019
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This purpose of this report is for Council to consider the subletting of the café / shop at the RAC Cervantes Holiday Park. Council is the lessor of the caravan park and under the current lease agreement consent is required for any subletting. The recommendation supports Council providing consent for this proposal.

BACKGROUND

The Shire has been approached by Minter Ellison lawyers who are acting on behalf of RAC Tourism Assets Pty Ltd to gain consent for subletting the café / shop to Wilchrist Pty Ltd (John and Denise Johansen). Currently the operation of the café / shop is undertaken via a license agreement between the operator and the lessee (RAC Tourism Assets Pty Ltd).

The lessee is seeking to change the instrument of agreement to run the café / shop to enable a greater level of security for the operator which will in turn increase their capacity to invest in the facility and improve service delivery. The instrument to sublease has been prepared by the lessee's solicitors and is provided as attachment 9.4.1.

The lessee will also be required to obtain consent from the Minister for Lands before the sublease is effective.

COMMENT

This proposal does not present a material change to the day to day operation or functionality of the "Seashells Café". Contained within the sublease documents are minimum standards of product lines which are consistent with current offerings. An increased length of tenure to a subtenant may provide greater opportunity for capital improvement to the building and internal fit out. The reception desk/area within the building is not included as part of this sublease.

The proposed sublease's expiry date is linked to the management agreement between the lessee and Australian Tourist Park

Management Pty Ltd – this agreement and thus the term of the sublease will expire on 5 April 2021.

The existing lease between the Shire and the lessor provides the following key terms in relation to subleases:

15.1 No Assignment or Subletting Without Consent

The rights in this lease are personal to the Lessee, and Lessee may not transfer, assign, sublet or otherwise part with possession or any way dispose of any of its rights or obligations under this Lease without the written consent of the lessor and the Minister for Lands, which consent must not be unreasonably withheld, except for the purpose of allowing tenancies under the Caravan Parks and Camping Grounds Act 1995 and the Residential Parks (Long Stay Tenants) Act 2006. The creation of these tenancies will be in the absolute discretion of the Lessee and will not require the consent of the Lessor.

15.3 Lessors Consent to Assignment and Subletting

Provided all parties whose consent is required under this Lease or at law to an assignment or subletting give their consent, then the Lessor may not unreasonably without its consent to the assignment or subletting of the leasehold estate created by this Lease if:

- a) The proposed assignee or sublessee is a respectable and responsible person of good financial standing;*
- b) All amounts payable due and payable have been paid and there is no existing remedied breach, whether notified to the Lessee or not, of any of the Lessee's Covenants;*
- c) The Lessee procures the execution by:

 - i. The proposed assignee of a deed of assignment; or*
 - ii. The proposed sublease of a deed of sublease,**To which the Lessor is a party and which deed is prepared and completed by the Lessor's solicitors; and**
- d) The deed of assignment contains a covenant, by the assignee with the Lessor, for the assignee to pay all Amounts Payable and to perform and observe all the Lessee's Covenants or the deed of sublease contains a covenant, by the sublessee with the Lessor for the sublessee to pay all the Amounts Payable and to perform and observe all of the Lessee's Covenants in respect of the subleased area of the Premises.*

The lessor has provided the Shire with documentation provided within the attachments to satisfy the requirements of 15.3(a) and the remainder of the items listed above have been incorporated into the sublease agreement.

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The proposal discussed above has the general support of staff. The lease agreement terms between the Shire and the head lease holder (RAC Tourism Assets Pty Ltd) remain in-tact to protect the Shire's interests on the broader site. The approval of a sublease with the terms presented will provide the same level of service to the community and patrons albeit with increased scope for the sublessee to reinvest in the business.

The greatest level of risk that has been identified is the loss of amenity for residents and visitors should the sublessee fail in their enterprise. If this circumstance was to eventuate the lessee would reassume the café business and either operate it themselves under the current license methodology or sublease again. Either way there would be some short term interruption to customers during the transition however it would be in the principal lessee's best interests to reinstate the commercial venture.

CONSULTATION

- RAC Tourism Assets Pty Ltd
- Minter Ellison Solicitors

STATUTORY ENVIRONMENT

Normally Section 3.58 of the Local Government Act 1995 applies to the disposal of property via lease. In this case however the lease (property disposal) is already in place between the Shire and RAC Tourism Assets Pty Ltd and this process is to accommodate a sublease. Accordingly there is no need to advertise this request for public notice.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no net financial implications associated with this position. All direct costs are funded via the lessee and there are no new revenue streams associated with the proposal.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 1 – Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.4 Ensure Shire is "open for business" and supports industry and business development	r) Tourism and Marketing s) Business development

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Lease Agreement Café and Shop Pinnacles Holiday Park (Doc Id: 133403)
- Shire Consent to sublease (Doc Id: 133404)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1) provide consent to the proposal from RAC Tourism Assets Pty Ltd to sublease a portion of Lot 229, Reserve 30838 comprising the Seashells Café building and alfresco area.
- 2) authorise the Chief Executive Officer to execute the associated sublease documents as presented within attachment 9.4.1 - Doc Id: 133403 and Doc Id: 133404.

9.4.2 COUNCIL POLICY MANUAL REVIEW

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	Nil
Date:	13 May 2019
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item addresses the modernisation of the Shire's Policy Manual. The Shire staff have been working with a consultant over the past months to review existing policies and update the policy manual. The recommendation is for Council to adopt the new policy manual.

BACKGROUND

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

The new Policy and Procedure Manual contains both the Policies adopted by Council and their respective Management Procedures established and maintained by the Chief Executive Officer. This provides the following hierarchy:

- Policy provides what can be done.
- Procedures provide for how to do it.

It is important to note that the adopted policies have been made to facilitate:

- Consistency and equity in decision making.
- Promptness in responding to customer needs.
- Operational efficiency
- To provide guidance to the community on the Council's position regarding a range of issues

A policy statement is not binding on Council, but provides a guideline for elected members and staff in determining individual applications or requests. Generally, policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is considered important that the Policy Manual be reviewed approximately every two (2) years to ensure the integrity and relevance of the Policies in place.

This is the first stage of policy manual review with Governance, Finance, Community Amenities, Recreation and Culture, Community, Housing and Employees being updated to the new format. The next stage of the review will consider existing policies

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within the Law, Order and Public Safety, Health, Education and Welfare and Engineering sections. Economic Services and Development policies will be reviewed by the Development Services department in an ongoing manner.

COMMENT

The following table provides an overview of the evolution of the Shire's Policy Manual.

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
1.1	Governance and Administration	COMMUNITY COMMUNICATION	Apr-05	Jun-15	C-1CE09 – Community Engagement C-1SCCL010 – Shire Corporate Crest / Logo
1.2	Governance and Administration	CUSTOMER SERVICE CHARTER	Apr-05	Mar-15	Recommended to adopt as standalone document with current wording.
1.3	Governance and Administration	CUSTOMER COMPLAINTS HANDLING	Apr-05	Mar-15	C-1CH014 Complaints Handling
1.4	Governance and Administration	CORPORATE CREDIT CARD	Apr-05	Mar-15	C-3CCC05 – Corporate Credit Card
1.5	Governance and Administration	PUBLICATIONS, REGALIA AND EQUIPMENT - ISSUE TO COUNCILLORS	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.6	Governance and Administration	COMMUNITY GRANTS PROGRAM	Jul-09	Jul-17	C-1CG06 – Community Grants Minor amendments made to provide flexibility at year end acquittals and align with current timelines. Notes increased allocation of Cervantes Arts Festival. Two ineligibility criteria removed being: “for events delivered by structured sporting clubs and community organisations, that are consistent within the primary purpose of that club/organization;” “applications for any activity deemed to be a component of a wider project that will ultimately result in a durable item”

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
					Committee will be able to assess and prioritise alignment of proposals with genuine need and outcomes – e.g. Golf Club using this fund for a major golf tournament.
1.7	Governance and Administration	TRAVELLING EXPENSES - MEMBERS AND NON MEMBER DELEGATES	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.8	Governance and Administration	CONFERENCES, TRAINING AND DEVELOPMENT EXPENSES - MEMBERS	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.9	Governance and Administration	ELECTED MEMBERS' INSURANCE	Apr-05		C-1EME015 Elected Members Entitlements
1.1	Governance and Administration	POLICY DEVELOPMENT AND ADOPTION	Apr-05	Mar-15	Remove as policy. Built into the manual preamble.
1.11	Governance and Administration	PUBLIC FORUM	Apr-05	May-10	C-1MSCP013 – Meeting Structure & Community Participation
1.12	Governance and Administration	LEGAL REPRESENTATION AND COSTS INDEMNIFICATION	Apr-05	May-10	C-1LR04 – Legal Representation
1.13	Governance and Administration	ELECTRONIC MAIL / INTERNET	Apr-05	Mar-15	Removed, covered by Record Keeping Plan and internal HR policies.
1.14	Governance and Administration	HONORARY FREEMAN WITHIN THE SHIRE OF DANDARAGAN	Apr-05	May-10	C-1HFS08 – Honorary Freeman within the Shire of Dandaragan
1.15	Governance and Administration	SHIRE OF DANDARAGAN PURCHASING POLICY AND TENDER GUIDE	Feb-07	Aug-17	C-1PAT01 – Purchasing and Tender
1.16	Governance and Administration	INCREASING PARTICIPATION OF WOMEN AS EMPLOYEES AND ELECTED MEMBERS OF THE SHIRE OF DANDARAGAN	Jul-09		C-1WLG05 – Women in Local Government
1.17	Governance and Administration	CODE OF CONDUCT	May-13		Recommended to adopt as standalone document with current wording. A new model is currently being development by the Department in line with the LG Act Review.
2.1	Finance and Accounting	INVESTMENT POLICY	Apr-05	Jun-13	C-3I01 – Investments
2.2	Finance and Accounting	SELF SUPPORTING LOANS	Apr-05	May-10	C-3SSL03 – Self-Supporting Loans

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
2.4	Finance and Accounting	ASSET MANAGEMENT POLICY	Jun-13	May-15	C-3AM04 – Asset Management
	Finance and Accounting	<i>SIGNIFICANT FINANCIAL ACCOUNTING POLICY</i>			C-3SAP02 – Significant Accounting Policy
3.1	Law, Order and Public Safety	BUSH FIRE ACT - ADMINISTRATIVE MATTERS	Apr-05	Jun-15	No changes – (Stage 2 Policy Review)
3.2	Law, Order and Public Safety	FIREBREAK ORDER	Apr-05	Jun-16	No changes except for removal of Bushfire Notice from policy manual which needs to change each year.
3.3	Law, Order and Public Safety	BUSH FIRE ADVISORY COMMITTEE MEETINGS	Apr-05	May-15	No changes – (Stage 2 Policy Review)
3.4	Law, Order and Public Safety	BUSH FIRE CONTROL OFFICER APPOINTMENTS	Apr-05	May-15	No changes – (Stage 2 Policy Review)
4.1	Health, Education and Welfare	FOOD REGULATION COMPLIANCE AND ENFORCEMENT POLICY	Dec-12	May-15	No changes – (Stage 2 Policy Review)
5.1	Housing	STAFF HOUSING	Apr-05	May-15	C-2SH05 – Staff Housing
6.1	Community Amenities, Recreation and Culture	JURIEN BAY INFORMATION BAY	Apr-08		Suggest removal and incorporate into future Signage policy review if required.
6.2	Community Amenities, Recreation and Culture	DISABILITY ACCESS AND INCLUSION	Apr-05		C-1DAI07 – Disability Access and Inclusion
6.3	Community Amenities, Recreation and Culture	WASTE MANAGEMENT AT JURIEN BAY, BADGINGARRA, CERVANTES AND DANDARAGAN	Apr-05	May-15	C-7WMJBBCD09 – Domestic Waste Management
6.4	Community Amenities, Recreation and Culture	COMMUNITY CENTRE - MANAGEMENT	Apr-05		C-5PMMCC02 – Provision, Management and Maintenance of Community Centres
6.5	Community Amenities, Recreation and Culture	RESERVES	Apr-05	Sep-15	No changes – (Stage 2 Policy Review)
6.6	Community Amenities, Recreation and Culture	SPORT AND RECREATION FUNDING	Apr-05	May-15	C-5SRF01 – Sport and Recreation Funding Reference to major indoor facility has been removed. This will be addressed by individual project planning. Annual grants pool now linked to

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
					<p>rates to provide ongoing growth.</p> <p>Minor wording and terminology changes in Policy statement.</p> <p>Specification of a clearer timeline for Capital Works Fund with flexibility for decision to allow for clarifications between staff and community groups.</p> <p>Amendment to 1.3(iv) to provide greater clarity around Council's commitment in the event CSRFF or other funding is not approved. Now capped at 50% of project budget which a dollar value would be specified in Council decision. Provides greater recognition of in-kind contributions without material impact on cash position of Council.</p> <p>Updates to terminology and naming of Tronox Management funding program. Reduction of years noted in 2.4(iv) to years to simplify assessment, full history of funding is still available to committee to 1970.</p> <p>Clarification of staff member's role as non-voting.</p> <p>Removal of consideration being given to the committee's assessment criteria as this already forms part of the recommendation from the committee.</p>

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
6.7	Community Amenities, Recreation and Culture	REFURBISHMENT OF COMMUNITY CENTRE KITCHENS	Mar-09		C-5PMMCC02 – Provision, Management and Maintenance of Community Centres
7.1	Engineering	PLANT AND EQUIPMENT	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.2	Engineering	SIGNS	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.3	Engineering	STREETSCAPES - TOWNSITES	Apr-05	May-10	Replaced by new policy which also incorporates 7.4 – subject to public advertising and finalisation of supporting information sheets.
7.4	Engineering	TREES - STREETS, ROAD RESERVES AND FORESHORES	Apr-05	May-10	Replaced by new policy which also incorporates 7.3 – subject to public advertising and finalisation of supporting information sheets.
7.5	Engineering	RESTRICTED ACCESS VEHICLE ROUTES	Apr-05	Nov-05	No changes – (Stage 2 Policy Review
7.6	Engineering	EXPLORATORY DRILLING ON ROAD RESERVES	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.7	Engineering	DUST MANAGEMENT REQUIREMENTS FOR DEVELOPMENT WORKS WITHIN THE SHIRE OF DANDARAGAN	Apr-08	May-10	No changes – (Stage 2 Policy Review
7.8	Engineering	VERGE BOND POLICY	Apr-05	May-10	No changes – (Stage 2 Policy Review
8.1	Economic Services and Development	RELOCATED DWELLINGS	Apr-05	May-10	No changes these policies independently reviewed by Development Services.
8.2	Economic Services and Development	MINING HORTICULTURAL AND AGRICULTURAL VENTURES – ACCOMMODATION FOR STAFF	Apr-05		Remove – Policy previously rescinded.
8.3	Economic Services and Development	CLEARING OF VEGETATION FROM RESIDENTIAL LOTS	Apr-05		No changes these policies independently reviewed by Development Services.
8.4	Economic Services and	OUTBUILDINGS AND TEMPORARY	Jun-08	Apr-12	No changes these policies independently

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
	Development	ACCOMMODATION IN RURAL RESIDENTIAL AND SPECIAL USE-RURAL DEVELOPMENT ZONES			reviewed by Development Services.
8.5	Economic Services and Development	OUTBUILDINGS - 'RESIDENTIAL AREAS'	Jun-08	Sep-11	No changes these policies independently reviewed by Development Services.
8.6	Economic Services and Development	ADVERTISING DEVICES (SIGNAGE) POLICY	Dec-10	Apr-13	No changes these policies independently reviewed by Development Services.
8.7	Economic Services and Development	PLANNING - "CAR PARKING"	Dec-10		No changes these policies independently reviewed by Development Services.
8.8	Economic Services and Development	SHIPPING CONTAINERS	Jan-11		No changes these policies independently reviewed by Development Services.
8.9	Economic Services and Development	HOME BASED BUSINESSES (INCLUDING COTTAGE INDUSTRY)	Jan-11		No changes these policies independently reviewed by Development Services.
8.10	Economic Services and Development	BED AND BREAKFAST ESTABLISHMENT	Jan-11		No changes these policies independently reviewed by Development Services.
8.11	Economic Services and Development	RESIDENTIAL DESIGN CODES - SIDE AND REAR BOUNDARY SETBACKS	Oct-11		No changes these policies independently reviewed by Development Services.
8.12	Economic Services and Development	MOBILE AND ITINERANT VENDORS AND COMMERCIAL ACTIVITIES ON RESERVED LAND (INCLUDING FORESHORE)	Nov-14		No changes these policies independently reviewed by Development Services.
8.13	Economic Services and Development	HOLIDAY HOMES	Oct-18		No changes these policies independently reviewed by Development Services.
8.14	Economic Services and Development	JURIEN BAY FORESHORE COMMERCIAL DEVELOPMENT PLAN	Jan-19		No changes these policies independently reviewed by Development Services.
9.1	Customer Service and Training	CUSTOMER SERVICE TRAINING	Apr-15		Removed, superseded by Workforce Plan and internal HR Policies.
9.2	Customer Service	SAFETY POLICY	Apr-05	Jul-11	C-2OSH03 –

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Number	Section	Title	Established	Last Reviewed	Comment / New Policy
	and Training				Occupational Safety and Health
9.3	Customer Service and Training	GRATUITY / SEVERANCE PAY			C-2SGP01 – Severance/Gratuity Payment
9.4	Customer Service and Training	MEDICAL EXAMINATION	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.5	Customer Service and Training	EQUAL EMPLOYMENT OPPORTUNITY	Apr-05	May-10	No changes – (Stage 2 Policy Review
9.6	Customer Service and Training	EDUCATION AND STUDY ASSISTANCE	Apr-05	May-10	C-2SPDCST04 – Staff Professional Development, Conferences & Study Tours
9.7	Customer Service and Training	STAFF BENEFITS	Apr-05	May-13	Removed, superseded by Workforce Plan and internal HR Policies.
9.8	Customer Service and Training	EMPLOYEE CLOTHING ALLOWANCE	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.9	Customer Service and Training	PROTECTIVE CLOTHING	Apr-05	May-10	C-2OSH03 – Occupational Safety and Health
9.10	Customer Service and Training	STAFF APPOINTMENTS AND LEAVE	Apr-05	Jul-17	C-1AACEO012 – Appointment of Acting CEO
9.11	Customer Service and Training	POLICE CLEARANCE FOR STAFF IN RISK AREAS	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.12	Customer Service and Training	STAFF VEHICLE USE	Apr-05	May-10	C-2SUOV06 – Staff Use of Vehicles
9.13	Customer Service and Training	STAFF TRAINING	Apr-05	May-10	C-2SPDCST04 – Staff Professional Development, Conferences & Study Tours

In addition to the table tracking above, there are a number of new policies proposed for adoption. These are:

- 1) C-1PPS02 – Pre-qualified Panels of Suppliers (Separated from previous purchasing policy)
- 2) C-1RPP03 – Regional Price Preference
- 3) C-1PID011 – Public Interest Disclosure (Whistle-blower)
- 4) C-2EAAR02 – Employee Achievement Award and Recognition
- 5) C-6ARMM01 – Acquisition of Road Making Material

These policies are currently in line with existing practices with the exception of the Regional Price Preference.

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The Regional Price Preference provides a pricing advantage for local suppliers in relation to all tenders. The regional price preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified in the policy.

Since the item was first addressed, but subsequently deferred by Council in April 2019, the Cervantes Arts Committee has written to Council seeking an increase in their annual Community Grant to match the maximum funding availability (\$2,000). This request as detailed in the attachments is associated with the increased costs and scope of running the event. It is supported by staff and has been included in the Community Grants policy.

CONSULTATION

- Elected Members
- Executive Management Team

STATUTORY ENVIRONMENT

There are a number of policies which interact with legislation that applies to Local Government within the Policy Manual. Each policy deals with these individually as required.

POLICY IMPLICATIONS

This items provides a review and update of Council's policies.

FINANCIAL IMPLICATIONS

There are no material changes to Council's financial position as a result of the changes proposed within the new policy manual. As noted above the annual funding round for Sport and Recreation Grants has increased by approximately \$12,000 and is now linked to 1% of budgeted rates.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5 – Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.1 High Performing Council	a) Ensure the Councillors and Council decision-making processes are well supported.
5.2 High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Proposed new policy manual (Doc Id: 131688)
- Shire of Dandaragan Code of Conduct May 2019 (Doc Id: 132454)

- Shire of Dandaragan Customer Service Charter May 2019 (Doc Id: 132447)
- Correspondence from Cervantes Cultural Committee (Doc Id: 133418)

(Marked 9.4.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1. Adopt the new Shire of Dandaragan Policy Manual - May 2019**
- 2. Adopt the Shire of Dandaragan Code of Conduct May 2019**
- 3. Adopt the Shire of Dandaragan Customer Service Charter - May 2019**
- 4. Defer implementation of Policy 7.4 - Street Trees and Streetscapes until a public consultation process has been completed and instruct the CEO to:**
 - a) Re-table the policy for Council consideration if there are any objections.**
 - b) Implement the policy if there are no objections.**

9.4.3 LEASES – CENTRAL WEST MEN’S SHED - CERVANTES

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Parks & Recreation / Usage / Leasing
Disclosure of Interest:	Nil
Date:	13 May 2019
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

The purpose of this report is for Council to consider formalising land tenure via way of lease between the Shire and the Central West Men’s Shed over 3 Madrid Street, Cervantes. The applicant is currently working towards a relocation to a site adjacent to the Cervantes Community Centre and this lease will provide short term consent to continue their operations on the Madrid Street site. The recommendation supports a 2 year lease with 2 year option and addresses a number of subsequent funding requests which are associated with the relocation project.

BACKGROUND

The Shire has been assisting the Central West Men’s Shed progress a lease for the development of a new Men’s Shed site on the north east corner of the recreation reserve in Cervantes. Council last considered this item on 23 August 2018 and resolved the following:

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Eyre

That Council:

- 1. seek the ability to lease for period up to 21 years portion of Reserve 40711, Lot 850 Aragon Street, Cervantes from the Department of Planning, Heritage and Lands;**
- 2. on receipt of the above, endorse the Central West Men’s Shed Cervantes lease agreement proposal; and**
- 3. authorise the Chief Executive Officer to formulate and finalise the lease agreement documentation to be forwarded to the Minister of Lands for final approval.**

CARRIED 8 / 0

Since this resolution the Shire has received approval from the Department of Planning Lands and Heritage to lease the portion of Reserve 40711. The project to relocate the Men’s Shed operations to the new site is some way off with the group still needing to secure funding from grant providers to progress to construction. The group is currently working on feasibility, staging and funding documentation and have identified Lotterywest as the primary source of likely funding.

In the interim Shire staff have met with the members of the Men's Shed and there remains a number of matters which need commitment or clarification from Council to inform the project planning for the new development. The letter provided as Attachment 1 (Doc Id: 133433) provides an overview and commentary of the groups requests from Council including:

- a. Council to fund power supply to the new shed
- b. Council to fund all costs associated with the surveying of the new site
- c. Council to fund all legal costs associated with the development and lodgement of the of the new lease
- d. Council to fund security fencing to the site.

The current site at 3 Madrid Street was originally a reserve managed by the Department of Transport which was used by the lobster industry. The Central West Men's Shed leased the site from the Department of Transport for \$2,200 per annum and made a number of improvements over the years. It was transferred to the Shire on 22 June 2017 and the Central West Men's Shed has continued their occupation, albeit without a formal lease agreement.

As stated in the letter attached, the Men's Shed maintain a position that the Shire has driven the need to relocate associated with a future foreshore development project and accordingly the Shire should be responsible for the costs in doing so.

COMMENT

This item deals with two separate, but connected, lease issues and will provide certainty to the Central West Men's Shed so they can continue their project planning for a new facility.

The first matter seeks to formalise a lease agreement for the current site (3 Madrid Street) based on a 2 year with 2 year option (at Council's discretion) which will align with the proposed planning timeframe for the Cervantes foreshore. At this stage the foreshore project is in its early stages and a scope of redevelopment has still not been established. The continuation of the lease for the second term would not be unreasonably withheld.

A short term lease, based on Council's new model community group lease will ensure proper lease conditions are in place, compared to the unmanaged and undetermined usage conditions currently in place. It is recommended that Council meet the costs of this lease to test the new model community group lease and recognise its implementation seeks to address an existing omission where there should have been land management arrangements in place to manage risk and land use.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 MAY 2019

Other material and variable conditions for Council endorsement specific to this lease over 3 Madrid Street should include:

- 1) Authorised use: Community Men's Shed and ancillary uses.
- 2) Term: 2 years
- 3) Additional Term: 2 years at Council's discretion (based on the progress of the Cervantes Foreshore project)
- 4) Annual Rent: \$1
- 5) Council to meet all lease preparation costs.

The items requested relating to the second lease over the Aragon Street site which require Council decision have been mentioned above. Shire staff have directed the members of the Men's Shed to the Shire's Policy 6.5 – Reserves and Policy 7.1 Plant and Equipment as the source of the current direction on their requests.

These policies provide guidance that the Shire will contribute towards the site works of a community building project by providing Shire staff and equipment to effectively level the site in readiness for building construction. When considering leases it will normally provide 21 year leases at a "peppercorn" rate. The policy is also clear in stating that lessees will be responsible for the lease preparation and lodgement costs which includes a survey diagram provided by a licensed surveyor.

These provisions and policy items have been implemented recently in the case of the Jurien Bay Men's Shed and Jurien Bay Lions Club which has driven the staff emphasis of these positions to date. Nonetheless the Central West Men's Shed have asked that Council consider their relocation different and their arguments focus on relocation being driven by the need to redevelop parts of the Cervantes foreshore. The officer recommendation takes guidance from the policy position and precedent set from the recent Jurien Bay based projects.

CONSULTATION

- Central West Men's Shed

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 3.58

Local Government (Functions and General) Regulations 1996 Sec 30

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
- (a) the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —
- (i) its market value is less than \$5 000; and
- (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
- or
- (b) **the land is disposed of to a body, whether incorporated or not —**
- (i) **the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and**
- (ii) **the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;**

POLICY IMPLICATIONS

Shire of Dandaragan Policy 6.5 - Reserves

To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

Shire of Dandaragan Policy 7.1 – Plant and Equipment

To establish Council's Policy in respect of the use and loan of Shire plant, equipment and other property.

FINANCIAL IMPLICATIONS

There are no major financial implications associated with the officer recommendation.

The costs associated with the requests made by the Central West Men's Shed are yet to be quantified by either the Shire or the group but are conservatively estimated at approximately \$60,000. The electricity connection or upgrades may be a substantial cost and incur headworks fees from Western Power if a new grid connection is required.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

Goal 5 – Proactive and Leading Local Government	
Objectives	How the Shire will contribute
5.3 Ensure community is well informed and facilitate community engagement in visioning, strategic planning and other strategic decisions that affect the community	a) Consult and engage with the community on issues, projects and decisions that affect them b) Provide relevant and timely information through the Council website, newsletters, and local media

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Letter from Central West Men’s Shed (Doc Id: 133433)
- Letter of Support from Cervantes Historical Society (Doc id: 133430)
- Shire of Dandaragan Model Lease Agreement for Community Groups (Doc Id: 133426)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1) **Authorise the Chief Executive Officer to formulate and finalise the lease agreement (based on the Shire’s model lease agreement) for 3 Madrid Street with the Central West Men’s Shed inclusive of the following material terms:**
 - a. **Authorised use: Community Men’s Shed and ancillary uses.**
 - b. **Term: 2 years**
 - c. **Additional Term: 2 years at Council’s discretion**
 - d. **Annual Rent: \$1**
 - e. **Council to meet all lease preparation costs associated with the 3 Madrid Street lease.**

- 2) **Advise the Central West Men’s Shed that the following requests for funding commitments outside of an existing competitive Shire grants round are refused based on Council’s current policy relating to reserves:**
 - a. **Council to fund power supply to the new shed**
 - b. **Council to fund all costs associated with the surveying of the new site**
 - c. **Council to fund all legal costs associated with the development and lodgement of the of the new lease**
 - d. **Council to fund security fencing to the site.**

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – APRIL 2019 COUNCIL STATUS REPORT

Document ID: 133272

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held Wednesday 24 April 2019. **(Marked 9.5.1)**

9.5.2 WALGA – 2019 / 2020 WA STATE BUDGET UPDATE

Document ID: 133347

Attached to the agenda is a copy of WALGA 2019 / 2020 WA State Budget Update, follow the link below to view the entire document <https://walga.asn.au/getattachment/b0dc7b9f-44dc-4de2-8d23-08563a27ed3c/State-Budget-2019-APPROVED>. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – APRIL 2019

Document ID: 133293

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for April 2019. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – APRIL 2019

Document ID: 133292

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for April 2019. **(Marked 9.5.4)**

9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR APRIL 2019

Document ID: 133392

Attached to the agenda is monthly report for Tourism / Library for April 2019. **(Marked 9.5.5)**

9.5.6 MELISSA PRICE MP - \$1.2 MILLION FOR JURIE BAY RSL

Document ID: 133389

Attached to the agenda is media release from Melissa Price MP announcing an election promise of \$1.2 million for the Jurie Bay RSL Community Centre. **(Marked 9.5.6)**

9.5.7 T LOFTHOUSE – SPRAY THE GREY APPRECIATION

Document ID: [132547]

Attached to the agenda is correspondence from Teresa Lofthouse expressing her appreciation for the wonderful work done at Spray the Grey. **(Marked 9.5.7)**

9.5.8 IRWIN DISTRICT HISTORICAL SOCIETY INC – JURIE BAY INTERPRETATION CENTRE

Document ID: [132568]

Attached to the agenda is correspondence from Irwin District Historical Society urging Council to support the establishment of a permanent museum. **(Marked 9.5.8)**

9.5.9 THE WEST AUSTRALIAN OPERA 2019 – OPERA IN THE PINNACLES | 2019 POST EVENT REPORT

Document ID: [133689]

Attached to the agenda is Post-Event Report for the Opera in the Pinnacles | 2019 from the West Australian Opera 2019. (**Marked 9.5.9**)

- 10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING**
- 11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC**
- 12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 13 CLOSURE OF MEETING**



ATTACHMENTS

FOR ORDINARY COUNCIL MEETING 23 MAY 2019



Monthly Statements

for the period ending 30 April 2019

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SHIRE OF DANDARAGAN
 RATE SETTING STATEMENT by Department
 as at 30 April 2019

	Note	Budget 2018/2019 \$	Y-T-D Budget 2018/2019 \$	Actual 2018/2019 \$	Variance
OPERATING ACTIVITIES					
Net current assets at start of financial year - surplus/(deficit)		1,833,416	1,833,416	1,798,962	
Revenue from operating activities (excluding rates)					
Governance		38,242	59,152	75,898	128%
General purpose funding		856,370	655,344	701,637	107%
Law, order & public safety		460,783	591,409	656,260	111%
Health		16,565	24,210	25,240	104%
Education & welfare		15,000	16,500	13,000	100%
Community amenities		1,386,002	1,272,050	1,280,559	101%
Recreation and culture		417,523	337,145	343,867	102%
Transport		325,508	250,350	251,164	100%
Economic services		243,316	213,656	218,834	102%
Other property and services		130,877	334,549	337,018	101%
		3,890,186	3,754,366	3,903,476	
Expenditure from operating activities					
Governance		(571,426)	(431,809)	(475,297)	110%
General purpose funding		(170,998)	(129,060)	(128,533)	100%
Law, order & public safety		(1,340,943)	(1,401,154)	(1,382,284)	99%
Health		(331,006)	(268,481)	(252,470)	94%
Education & welfare		(135,880)	(119,939)	(113,594)	95%
Community amenities		(2,142,518)	(1,713,033)	(1,592,994)	93%
Recreation and culture		(3,304,953)	(2,684,443)	(2,534,701)	94%
Transport		(5,561,874)	(4,388,256)	(4,193,782)	96%
Economic services		(664,821)	(524,509)	(482,362)	92%
Other property and services		(345,677)	(266,224)	(605,084)	227%
		(14,570,097)	(11,926,908)	(11,761,103)	
Operating activities excluded from budget					
(Profit)/loss on asset disposals	3	91,010	(246,479)	(277,149)	
Movement in accrued interest		(0)	(0)	(8,399)	
Movement in accrued salaries and wages		(0)	(0)	(40,694)	
Movement in employee provisions		(0)	(0)	(290,001)	
Movement in deferred rates		(0)	(0)	33,636	
Movement in accrued expenses		(0)	(0)	(10,157)	
Loss on fair value of asset through profit & loss		(0)	(0)	(0)	
Depreciation on assets		6,003,478	4,780,700	4,785,388	
Amount attributable to operating activities		(2,752,006)	(1,804,905)	(1,866,041)	
INVESTING ACTIVITIES					
Non-operating grants, subsidies and contributions	12	1,248,242	1,176,749	1,114,798	
Proceeds from disposal of assets	3	624,000	966,288	917,106	
Purchase land and buildings	2	(551,016)	(551,016)	(82)	
Purchase furniture and equipment	2	(48,000)	(48,000)	(2,507)	
Purchase plant and equipment	2	(798,649)	(825,740)	(617,525)	
Purchase infrastructure assets - roads	2	(3,112,328)	(3,139,042)	(0)	
Purchase infrastructure assets - parks & reserves	2	(106,000)	(105,340)	(0)	
Purchase infrastructure assets - other	2	(294,500)	(309,269)	(0)	
Purchases - Works in Progress (Not Capitalised)	2	(0)	(0)	(3,136,584)	
Amount attributable to investing activities		(3,038,252)	(2,835,371)	(1,724,793)	
FINANCING ACTIVITIES					
Proceeds from new borrowings	4	(0)	50,000	50,000	
Repayment of borrowings	4	(118,788)	(118,788)	(118,788)	
Payment of self supporting loan to community group	4	(0)	(50,000)	(50,000)	
Self-supporting loan principal income	4	54,362	54,362	54,362	
Community group cash advance principal income	4	4,152	4,152	4,152	
Transfer to reserves	8	(594,857)	(594,857)	(708,365)	
Transfer from reserves	8	243,213	331,111	281,111	
Amount attributable to financing activities		(411,918)	(324,019)	(487,527)	
Budgeted deficiency before general rates		(6,202,176)	(4,964,296)	(4,078,361)	
Estimated amount to be raised from general rates	6	6,202,176	4,964,296	6,221,863	
Net current assets at end of financial year - surplus/(deficit)	5	(0)	(0)	2,143,502	

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF DANDARAGAN
STATEMENT OF FINANCIAL POSITION
as at 30 April 2019

Description	Note	2018	2019
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	7	6,152,114	7,414,023
Trade and other receivables		1,236,001	596,440
Inventories		35,309	19,443
TOTAL CURRENT ASSETS		7,423,425	8,029,907
NON-CURRENT ASSETS			
Land		3,060,000	2,940,000
Buildings and improvements		30,370,919	29,391,259
Furniture and equipment		871,648	758,890
Plant and equipment		4,354,512	3,958,888
Infrastructure		249,071,943	249,011,338
Trade & other receivables		198,269	156,120
TOTAL NON-CURRENT ASSETS		287,927,292	286,216,495
TOTAL ASSETS		295,350,716	294,246,401
CURRENT LIABILITIES			
Trade and other payables		(296,962)	(72,398)
Provisions		(582,983)	(292,982)
Current portion of long term borrowings		(118,788)	0
TOTAL CURRENT LIABILITIES		(998,733)	(365,380)
NON-CURRENT LIABILITIES			
Provisions		(36,525)	(36,525)
Long term borrowings		(315,747)	(365,747)
TOTAL NON-CURRENT LIABILITIES		(352,272)	(402,272)
TOTAL LIABILITIES		(1,351,005)	(767,652)
TOTAL NET ASSETS		293,999,711	293,478,749
EQUITY			
Reserves - cash backed	8	(5,386,753)	(5,814,007)
Revaluation surplus		(87,158,696)	(87,158,696)
Retained earnings		(201,454,262)	(200,506,043)
TOTAL EQUITY		293,999,711	293,478,746

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF DANDARAGAN
STATEMENT OF COMPREHENSIVE INCOME by Nature or Type
as at 30 April 2019

	Note	Budget 2018/2019	Y-T-D Budget 2018/2019	Actual 2018/2019
		\$	\$	\$
Revenue				
Rates	6	6,202,176	6,202,176	6,221,863
Operating grants and subsidies		1,055,849	807,679	911,293
Contributions, reimbursements & donations		249,755	255,792	288,733
Service Charges		0	0	0
Fees and charges		2,307,169	2,123,466	2,104,695
Interest earnings		109,000	94,667	106,948
Other revenue		115,418	96,182	107,225
		10,039,367	9,579,961	9,740,757
Expenses				
Employee costs		(4,088,037)	(3,105,976)	(2,974,728)
Materials and contracts		(2,757,624)	(2,172,412)	(2,172,789)
Utilities		(488,072)	(410,149)	(335,752)
Insurance		(380,777)	(385,648)	(409,634)
Other expenses		(686,709)	(920,528)	(962,387)
Depreciation		(6,003,478)	(4,780,700)	(4,785,388)
		(14,404,697)	(11,775,412)	(11,640,677)
		(4,365,331)	(2,195,451)	(1,899,921)
Borrowing Costs Expense	4	(21,394)	(21,394)	(12,993)
Grants & Subsidies (towards non-operating activities)		1,248,242	1,176,749	1,114,798
Fair Value adjustment through profit and loss		0	0	0
Profit / Loss on Disposal of Assets	3	(91,010)	246,479	277,149
Net result		(3,229,493)	(793,617)	(520,965)
Other comprehensive income				
Changes on revaluation of non-current assets		0	0	0
Total other comprehensive income		0	0	0
Total comprehensive income		(3,229,493)	(793,617)	(520,965)

SHIRE OF DANDARAGAN
STATEMENT OF COMPREHENSIVE INCOME by Department
as at 30 April 2019

	Note	Budget 2018/2019	Y-T-D Budget 2018/2019	Actual 2018/2019
		\$	\$	\$
Governance		38,242	59,152	75,898
General purpose funding		7,058,546	6,857,520	6,923,500
Law, order & public safety		460,783	471,296	536,146
Health		16,565	24,210	25,240
Education & welfare		15,000	16,500	13,000
Community amenities		1,386,002	1,272,050	1,280,559
Recreation and culture		417,523	337,145	343,867
Transport		301,925	226,462	216,090
Economic services		243,316	213,656	218,834
Other property and services		101,465	101,970	107,623
		10,039,367	9,579,961	9,740,757
Expenses excluding finance costs				
Governance		(537,455)	(407,713)	(459,049)
General purpose funding		(170,998)	(129,060)	(128,533)
Law, order & public safety		(1,340,943)	(1,401,154)	(1,382,284)
Health		(331,006)	(268,481)	(252,470)
Education & welfare		(135,880)	(119,939)	(113,594)
Community amenities		(2,139,032)	(1,713,033)	(1,592,994)
Recreation and culture		(3,298,308)	(2,677,798)	(2,530,458)
Transport		(5,468,054)	(4,296,267)	(4,105,275)
Economic services		(664,821)	(524,509)	(482,362)
Other property and services		(318,200)	(237,459)	(593,657)
		(14,404,697)	(11,775,412)	(11,640,677)
		(4,365,331)	(2,195,451)	(1,899,921)
Finance costs				
Governance		(14,674)	(14,674)	(8,701)
Recreation and culture		(6,645)	(6,645)	(4,243)
Other property and services		(75)	(75)	(48)
		(21,394)	(21,394)	(12,993)
Non- operating grants and subsidies				
Recreation and culture		61,345	79,595	48,805
Transport		1,186,897	1,097,154	1,065,993
		1,248,242	1,176,749	1,114,798
Profit / (loss) on asset disposal				
Governance		(19,297)	(9,422)	(7,547)
Law, order & public safety		(0)	120,114	120,114
Community amenities		(3,486)	(0)	(0)
Transport		(70,237)	(68,101)	(53,433)
Other property and services		2,010	203,889	218,016
		(91,010)	246,479	277,149
Net result		(3,229,493)	(793,617)	(520,965)
Other comprehensive income				
Changes on revaluation of non-current assets		(0)	(0)	(0)
Total other comprehensive income		(0)	(0)	(0)
Total comprehensive income		(3,229,493)	(793,617)	(520,965)

This statement is to be read in conjunction with the accompanying notes

SHIRE OF DANDARAGAN
STATEMENT OF CHANGES IN EQUITY
as at 30 April 2019

Note	Retained Surplus	Reserves Cash Backed	Revaluation Surplus	Total Equity
	\$	\$	\$	\$
Balance as at 30 June 2018	201,454,262	5,386,753	87,158,696	293,999,711
Comprehensive Income				
Net result	(520,965)	0	0	(520,965)
Changes on revaluation of non-current assets	0	0	0	0
Total comprehensive income	(520,965)	0	0	(520,965)
Transfers from/(to) reserves	(427,254)	427,254	0	0
Balance as at 30 April 2019	200,506,043	5,814,007	87,158,696	293,478,746

This statement is to be read in conjunction with the accompanying notes.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

2. ACQUISITION / CONSTRUCTION OF ASSETS

	Actual	Total	Land & Buildings		Plant & Equipment		Furniture & Equipment		Parks & Reserves		Roads		Other	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019	2018/2019
Governance														
Jurien Admin Centre - Create active project room	1,342	2,000	1,342	2,000										
Admin Vehicle	57,578	56,649			57,578	56,649								
Jurien Admin Office - Office Layout	-	6,600		6,600										
Jurien Admin Ctre - Aircon Renewal	9,090	9,090	9,090	9,090										
Admin Vehicle	50,950	48,000			50,950	48,000								
Community Amenities														
Dand CRC Drainage Kerb & Carpark trip hazard	-	2,300		2,300										
Corunna Road toilet renovation	3,715	13,230	3,715	13,230										
Cervantes Tip - Roller doors & safe warning monitor	-	27,000		27,000										
Family Resource Centre - Exterior Paint	-	6,270		6,270										
Family Resource Centre - Replace Gutters & downpipes	-	2,980		2,980										
Family Resource Ctr - Playground Shade sails	3,636	4,000	3,636	4,000										
Family Resource Centre - Revised Security Fencing	-	2,100		2,100										
Admin Vehicle		37,000				37,000								
Transport														
Dandaragan Depot Roller Door for Tyre Store	-	4,315		4,315										
Dandaragan Depot OHS mods	82		82											
Jurien Depot - Security gates to open workshop area	5,108	14,400	5,108	14,400										
Jurien Depot - Lunch Room	975	26,000	975	26,000										
Gillingarra Road														
Coalara Road - Gravel Resheet	-	113,285										113,285		
Marchagee Track - Gravel Resheet	-	110,909										110,909		
Mazza Road - Gravel Resheet	-	110,909										110,909		
Cantabilling Rd - Gravel Resheet	71,860	82,223									71,860	82,223		
Minyulo Road - Gravel Resheet	59,149	107,968									59,149	107,968		
Waddi Road - Gravel Resheet	103,269	107,968									103,269	107,968		
Yeeramullah Rd - Gravel Resheet	-	119,278										119,278		
Banovich Road - Gravel Resheet	175,295	119,278									175,295	119,278		
Cowalla Road - Gravel Resheet	-	126,818										126,818		
Kolburn Rd Drainage - Gravel Resheet	22,797	109,342									22,797	109,342		
Gillingarra Road - Gravel Resheet	176,807	222,950									176,807	222,950		
Dandaragan Road - Regional Road Group	289,041	322,486									289,041	322,486		
Dandaragan Rd (Final Seal) - Regional Road Group	144,645	171,000									144,645	171,000		
Jurien East Rd (Final Seal) - Regional Road GroupA	141,503	165,000									141,503	165,000		
Jurien East Rd - Regional Road Group	187,874	150,696									187,874	150,696		
Rowes Road - Regional Road Group	386,268	301,256									386,268	301,256		
Santander Way - Roads to Recovery	216,475	250,000									216,475	250,000		
Cordoba Way - Roads to Recovery	188,635	150,000									188,635	150,000		
Airstrip Rd - Seal	96,085	100,000									96,085	100,000		
Cervantes Community Centre - Carpark	-	80,000												80,000
Tree Box Solution - continuation of seal program	29,505	30,000									29,505	30,000		
Beachridge Swales	15,661	30,000									15,661	30,000		
Turquoise Way - Staged Replacement	32,914	30,000											32,914	30,000
Cervantes Entry Stmt (sth) - Reskin	10,855	12,000											10,855	12,000
Sandy Cape Rd - Gravel Resheet	69,461	52,500									69,461	52,500		
Bashford St (Roberts to Doust) Path	77,000	70,000											77,000	70,000
Bashford St (Hastings to Seaward) Path	71,000	65,000											71,000	65,000
Rowes Road Underpass - (Farmer Funded)	-	88,463										88,463		
Tractor	61,880	69,000			61,880	69,000								
Tractor	76,350	90,000			76,350	90,000								
Truck	92,886	100,000			92,886	100,000								
Truck	128,130	105,000			128,130	105,000								
Tandem Dolly	27,091				27,091									

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

Loader Bucket	19,806	21,000			19,806	21,000													
Loadrite Scales	-	17,000				17,000													
Loader Bucket	11,000	10,000			11,000	10,000													
Bobcat Bucket	2,620	4,000			2,620	4,000													
Recreation and Culture																			
Badgingarra Library Messanine	-	22,370				22,370													
Badgingarra Community Ctr - Replace Exit Doors	2,112	4,330		2,112		4,330													
Jurien Sport & Rec - Paint Change Rooms	7,654	13,739		7,654		13,739													
Jurien Sport & Rec - Ceining tiles to Change Rooms	4,862	5,937		4,862		5,937													
Jurien Sport & Rec - Downlights, fans, vent grilles	4,157	4,800		4,157		4,800													
Jurien Sport & Rec - Auto Front Doors	8,951	11,000		8,951		11,000													
Ampitheatre Jurien - Replace projection screen	2,100	7,360		2,100		7,360													
Marina Park - Disabled Beach Acces	-	31,000																	31,000
CCC Renewal Project	396,667	350,874		396,667		350,874													
Cervantes Rec Reserve - Playground	56,295	40,000						56,295	40,000										
Dobbyn Park - BBQ Replacement	-	25,000																	25,000
Fauntleroy Park - Lights	37,225	35,000										37,225							35,000
Catalonia Park - Tank Replacement	12,118	15,000										12,118							15,000
Cervantes Oval Bore	-	7,500																	7,500
Civic Centre - Aircon-outside fan	1,993	1,993		1,993															
ABC Local Radio JB		5,500							5,500										
Outdoor Shower Thirsty Point	961	10,000										961							
Sandy Cape Project	11,525											11,525							
Economic Services																			
Drone	2,507	2,500						2,507	2,500										
Other Property & Services																			
7A Dandaragan Rd - Renovation taps, benchtops, fittings	-	8,330				8,330													
Utility	-	43,000																	43,000
Utility	-	56,000																	56,000
Utility	43,360	45,000				43,360													45,000
Utility	-	45,000																	45,000
Van	45,875	52,000				45,875													52,000
Totals	3,756,697	4,920,496	452,443	551,018	617,525	798,649	58,801	48,000	61,829	106,000	2,374,330	3,142,329	191,769	264,500					

WIP 3,136,584
CAPITALISED 620,113
TOTAL 3,756,697

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

3. DISPOSAL OF ASSETS

Class of Asset	Proceeds from Sale		Cost of Replacement Asset		Net Cost for Change Over		Proceeds from Sale		Written Down Value		Profit/(Loss) on Disposal	
	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant & Machinery												
Tractor	8,000	8,000	61,880	69,000	53,880	61,000	8,000	8,000	7,212	8,588	788	(588)
Tractor	20,000	10,000		90,000	(20,000)	80,000	20,000	10,000	3,896	12,644	16,104	(2,644)
Trailer	8,000	10,000	3,543		(4,457)		8,000	10,000	6,900	7,275	1,100	2,725
Truck	18,182	22,000		100,000	(18,182)	78,000	18,182	22,000	0	1,142	18,182	20,858
Truck	21,818	20,000	128,130	105,000	106,312	85,000	21,818	20,000	26,672	29,052	(4,854)	(9,052)
Admin Vehicle	32,727	22,727	50,950	48,000	18,222	25,273	32,727	22,727	39,159	40,409	(6,432)	(17,682)
Admin Vehicle		20,000		37,000	0	17,000	0	20,000		23,486	0	(3,486)
Utility		4,000		43,000	0	39,000	0	4,000		6,144	0	(2,144)
Utility	13,636	25,000	43,360	56,000	29,723	31,000	13,636	25,000	17,901	30,546	(4,265)	(5,546)
Utility		5,000		45,000	0	40,000	0	5,000		19,733	0	(14,733)
Utility		5,000		45,000	0	40,000	0	5,000		716	0	4,284
Van	11,818	15,000	45,875	52,000	34,057	37,000	11,818	15,000	18,343	19,979	(6,525)	(4,979)
Admin Vehicle	37,773	37,272	57,578	56,649	19,806	19,377	37,773	37,272	38,888	38,888	(1,115)	(1,616)
Fire truck	213,750		0		(213,750)		213,750		130,341		83,409	
Fire Utility	112,000		0		(112,000)		112,000		75,295		36,705	
Dolly (Insurance Write Off)	13,947						13,947		11,428		2,519	
Loader Bucket		10,000		21,000	0	11,000	0	10,000		10,000	0	0
Pole Saw disposal	5,455	10,000					5,455	10,000	89,697	91,536	(84,242)	(81,536)
Land												
Lot 96 Bashford Street, Jurien Bay	345,776	345,128					345,776	345,128	120,000	320,000	225,776	25,128
Building												
Lot 96 Bashford Street, Jurien Bay	54,224	54,872					54,224	54,872	54,224	54,872	0	0
Totals	917,105	623,999	391,315	767,649	(106,389)	563,650	917,105	623,999	639,956	715,010	277,149	(91,011)

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 28 February 2019

4. LOAN REPAYMENT SCHEDULE

No. Loan Details	Amount	New Loans	Interest Repayments		Principal Repayments		Principal
	Outstanding	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Actual 2018/2019	Budget 2018/2019	Outstanding
	\$	\$	\$	\$	\$	\$	\$
Self-Supporting Loans							
113 Advance Dandaragan	2,531		75	75	2,531	2,531	0
114 Cervantes Community Club	26,776		1,618	1,618	17,529	17,529	9,247
130 Jurien Bowling Club	91,846		4,277	4,277	21,309	21,309	70,537
131 Jurien Bowling Club	15,499		375	375	6,076	6,076	9,423
132 Jurien Sport & Rec Centre	17,602		375	375	6,917	6,917	10,685
133 Jurien Bay Lions Club		50000	0		0		50,000
Other Loans							
127 Jurien Admin Centre	280,281		14,674	14,674	64,426	64,426	215,855
Total	434,535	50,000	21,394	21,394	118,788	118,788	365,747
Self-Supporting							
Cervantes Bowling Club	10,380				4,152	4,152	6,228
Total	10,380				4,152	4,152	6,228
GRAND TOTAL	444,915	50,000	21,394	21,394	122,940	122,940	371,975

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

5. NET CURRENT ASSETS

	Note	2018	2019
		\$	\$
Composition of estimated net current assets			
Current assets			
Cash - unrestricted		765,361	1,600,016
Cash - restricted reserves	8	5,386,753	5,814,007
Receivables		1,236,001	596,440
Inventories		35,309	19,443
		<u>7,423,425</u>	<u>8,029,907</u>
Less: current liabilities			
Trade, other payables and provisions		(820,692)	(365,380)
Long term borrowings		(118,788)	0
		<u>(939,480)</u>	<u>(365,380)</u>
Unadjusted net current assets		6,483,945	7,664,527
Adjustments			
Less: Cash - restricted reserves	8	(5,386,753)	(5,814,007)
Less: Loans receivable - clubs/institutions		0	0
Add: Provisions		582,983	292,982
Add: Current portion of borrowings		118,788	0
Adjusted net current assets - surplus/(deficit)		<u>1,798,962</u>	<u>2,143,502</u>

Reason for Adjustments

The differences between the net current assets at the end of each financial year in the rate setting statement and net current assets detailed above arise from amounts which have been excluded when calculating the budget deficiency in accordance with Local Government (Financial Management) Regulation 32 as movements for these items have been funded within the budget estimates. These differences are disclosed as adjustments above.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 28 February 2019

6. RATING INFORMATION

Rate Type	2018/19 BUDGET					2018/19 ACTUAL			
	Rate in \$	Number of Properties	Rateable Value	Budget Rate Revenue	Budget Total Revenue	Rate Revenue	Interim Rate	Back Rates	Total Revenue
General Rate									
General GRV	0.078972	1,842	31,092,253	2,455,417	2,455,417	2,457,159	9,947	-	2,467,107
Vacant Rural Residential GRV									
General UV	0.007622	682	381,214,251	2,905,615	2,905,615	2,906,938	326	-	2,907,264
Sub-Total		2,524	412,306,504	5,361,032	5,361,032	5,364,097	10,273	-	5,374,370

Minimum Rates

General GRV	\$ 933	1012	5,425,321	944,196	944,196	964,383	-	-	964,383
Lesser GRV (Dandaragan & Badgingarra)	\$ 704	30	120,382	21,120	21,120		-	-	0
Vacant Rural Residential GRV					0		-	-	0
General UV	\$ 811	82	1,572,137	72,242	72,242	72,242	-	-	72,242
Lesser UV (non-mining)	\$ 704	53	2,880,000	37,312	37,312	37,312	-	-	37,312
Sub-Total		1,177	9,997,840	1,074,870	1,074,870	1,073,937	0	0	1,073,937
Ex Gratia Rates					1,273	1,530			1,530
		3,701	422,304,344	6,435,902	6,437,175	6,438,034			6,449,837
Discounts					(235,000)				(227,974)
Total as per Rate Setting Statement					6,202,175				6,221,863

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

7. CASH, INVESTMENTS & RECEIVABLES

Cash And Cash Equivalents

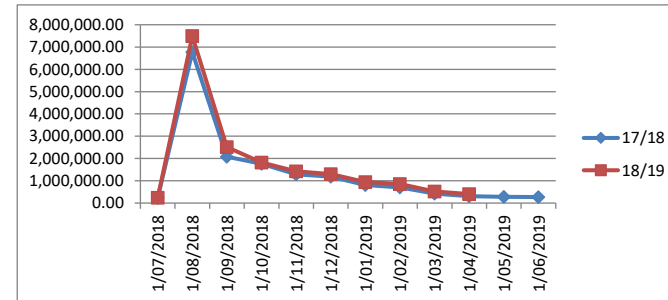
	Note	2018 \$	2019 \$
Unrestricted		765,361	1,600,016
Restricted	8	5,386,753	5,814,007
		<u>6,152,114</u>	<u>7,414,023</u>

Receivables

Rates outstanding		235,042	406,412
Sundry debtors		750,912	190,329
GST receivable		186,673	(0)
		<u>1,172,627</u>	<u>596,740</u>

Rates Outstanding

	YTD	30-Jun-18
Opening Arrears Previous Years	268,678	286,721
Levied this Year	7,603,240	7,378,635
Less Collections to date	- 7,465,506 -	- 7,396,679
Equals Current Outstanding	406,412	268,678
Net Rates Collectable	406,412	268,678
% Collected	94.84	96.49

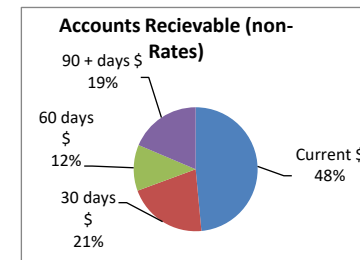


Sundry Debtors

	Current \$	30 days \$	60 days \$	90 + days \$
Receivables General	92,336.80	39,700.52	22,850.71	35,440.87
Total Receivables General Outstanding				<u>190,328.90</u>

Total Receivables General Outstanding

Amounts shown above include GST (where applicable)



**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019**

8. RESERVES - CASH / INVESTMENT BACKED

	Opening Balance	Transfer to	Transfer from	Closing Balance
	\$	\$	\$	\$
Plant Replacement Reserve	259,131.21	3660.75	12,053	250,739
Building Renewal Reserve	1,055,763.07	19854.74	106,000	969,618
Rubbish Reserve	437,166.49	37468.26		474,635
Community Centre reserve	397,290.90	10943.66	31,651	376,584
Television Reserve	95,131.69	1201.91		96,334
Computer Reserve	55,502.83	701.24		56,204
Caravan Parks Reserve	385,665.39	4872.57		390,538
Land Development Reserve	68,784.14	869.03		69,653
Parking Requirements Reserve (Lot 1154 Sandpiper Street)	11,102.23	140.26		11,242
Parks and Recreational Grounds Development Reserve (Seagate Estate)	366,293.14	4627.83		370,921
Sport and Recreation Reserve	289,428.98	36611.41		326,040
Landscaping Reserve (Lot 1154 Sandpiper Street)	2,576.49	32.55		2,609
Aerodrome Reserve	96,929.69	23666.62		120,596
Public Open Space Renewal Reserve	418,705.20	40290.01		458,995
Infrastructure Renewal Reserve	920,257.45	11552.94	131,407	800,403
Infrastructure Construction Reserve	109,904.36	1388.57		111,293
Building Construction Reserve	113,103.81	1428.98		114,533
Leave Reserve	253,625.51	2862.79		256,488
Economic Development Reserve	-	505555.00		505,555
Turquoise Way Path Reserve	50,390.27	636.64		51,027
	5,386,753	708,366	281,111	5,814,007

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019**

9. TRUST FUND

	Movement			Closing Balance
	Opening Balance	Inwards	Outwards	
	\$	\$	\$	\$
Housing Bonds	250			250
Seagate Estate	37,300			37,300
Dust Bond	11,049			11,049
Fire Fighting Facility	5,000			5,000
Housing Relocation Bond	4,000			4,000
Footpath Deposit	2,600			2,600
Burial Plots	3,909			3,909
Other Development Bonds	29,000			29,000
Dandaragan Recreation Fund	9,500			9,500
Scheme Amendment Deposit	1,000			1,000
	103,608	-	-	103,608

10. RESTRICTED ASSETS

	Movement			Closing Balance
	Opening Balance	Inwards	Outwards	
	\$	\$	\$	\$
Central Coast Strategy - Regional Strategy	13,540			13,540
DOLA - Stage 1 Fencing & Footpaths, Cervantes	41,401			41,401
Landcorp - Cash in Lieu POS	162,500			162,500
Jurien Bay Heights - \$500 x 11 Lot Contrib. Mtce of Canover Rd Stage 2	15,900			15,900
Seagate Estate - Footpath Foreshore Management Plan	20,814			20,814
Cash in Lieu of Landscaping - Lot 1146 Sandpiper Street	2,000			2,000
Rehab Bond - Lot 290 Canover	5,000			5,000
Interest	59,550			59,550
	320,706	-	-	320,706

Funds held at balance date over which the Municipality has no control and are not included in the financial statements are as follows:

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

11. BUDGET AMMENDMENTS

Description	Council Resolution	Schedule	Classification	Non-Cash Adjustment	Increase in cash available	Decrease in cash available	Amended Budget Running Balance
						Opening Surplus	34,454
Budget Adoption							
Permanent Changes							
Self Supporting Loan 134 - Jurien Bay Mens Shed	20190228	9.1.3			25,000		59,454
Jurien Bay Mens Shed contribution to facility at Lot 503 Jurien Bay	20190228	9.1.3				(25,000)	34,454
Budget Review adoption	20190228	9.1.2			71,101		105,555
Transfer budget surplus to Reserves	20190228	9.1.2				(105,555)	0
Bushfire Risk Management Planning Program Grant	20190424	9.1.3			72,951		72,951
Bushfire Risk Planning Coordinator - Employment costs	20190424	9.1.3				(72,951)	0
Bushfire Risk Planning - Purchase vehicle from Shire of Irwin	20190424	9.1.3			22,000		22,000
Bushfire Risk Planning - Purchase vehicle from Shire of Irwin	20190424	9.1.3				(22,000)	0
				0	169,052	(203,506)	0

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

12. GRANTS & CONTRIBUTIONS

Program / Details	Grant Provider	In Advance payments	Budget 2018/2019	2018 / 19 Budget Amendments	Received	Recoup Status Expenditure	Not Received
				\$	\$	\$	
Operating							
Rate Revenue							
Other General Purpose Income							
Grants Commission - General	WALGGS	379,469	343,233	21,084	273,238		470548.25
Grants Commission - Roads	WALGGS	474,355	376,337	24,461	300,599		574554.50
Fire Prevention							
Bushfire risk management Planning Program	DFES			72,951	72,951		0.00
BFB Supplement operating grant	FESA			1,199	1,199		0.00
ESL Operating Grant	FESA		50,798		50,797		0.50
Other Welfare							
Spray the Grey Grant Estimate	Healthway		3,000		3,000		0.00
Spray the Grey	Lotterywest		7,500		7,500		0.00
Spray the Grey	Department of Communities		1,000		1,000		0.00
Spray the Grey	WA police		2,400				2400.00
Streets Roads Bridges Depots Maint							
MRWA Direct Grant	MRWA		116,000	81,705	197,705		0.00
Blackspot Funding - Jurien East / Munbinea			31,047				31047.00
Blackspot Funding - Jurien East / Black Arrow			31,671				31671.00
Street Light Subsidy			3,300		3,304		-4.38
		853,824	966,286	201,400	911,293		1,110,216.87
Non-Operating							
Swimming Areas and Beaches							
Beach Numbering Project	DLGSC		15,000		13,801		1199.00
Other Recreation and Sport							
Fauntleroy Park- Solar Lights	Safer Communities		23,935		9,574	37,225	14361.00
Coastal Nodes Project	Shire of Irwin			25,430	25,430		0.00
Heritage							
LotteryWest N/Head heritage grant			22,410				22410.00
Streets Roads Bridges Depots Maint							
Regional Road Group RRG	RRG		558,716		479,312	788,938	79404.00
Commodity Route Funding	SCR		140,000		112,000	149,275	28000.00
SCR funding carryover - sandy cp	SCR		22,000		22,000	69,461	0.00
DoT Dual Use Path - Bashford to Roberts / Doust	DoT		35,000		27,000	77,000	8000.00
DoT Dual Use Path - Bashfors to Hasting / Seaward	DoT		32,500		27,000	71,000	5500.00
JAV Brown contribution to underpass	JAV Brown		88,463			-	88463.00
RTR Grant	RTR		398,681		398,681	96,085	0.00
			1,336,705	25,430	1,114,798	1,288,984	247337.00
		853,824	2,302,991	226,830	2,026,091	1,288,984	1,357,553.87

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
as at 30 April 2019

13. VARIANCES

Reporting Program	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Operating Revenue					
Governance	(16,745)	128%	▼	Permanent	Additional LGIS Members experience funding pool
General Purpose Funding	(46,293)	107%	▼		
Law, Order & Public Safety	(64,851)	111%	▼	Permanent	Grant for Bushfire Risk Coordinator Position
Health	(1,030)	104%	▼		
Education and Welfare	3,500	100%	▲		
Community Ammenities	(8,509)	101%	▼		
Recreation and Culture	(6,721)	102%	▼		
Transport	(814)	100%	▼		
Economic Services	(5,178)	102%	▼		
Other Property and Services	(2,468)	101%	▼		
Operating Expenses					
Governance	43,488	110%	▲		
General Purpose Funding	(527)	100%	▼		
Law, Order & Public Safety	(18,869)	99%	▼		
Health	(16,011)	94%	▼		
Education and Welfare	(6,345)	95%	▼		
Community Ammenities	(120,038)	93%	▼		
Recreation and Culture	(149,742)	94%	▼		
Transport	(194,474)	96%	▼		
Economic Services	(42,146)	92%	▼		
Other Property and Services	338,860	227%	▲	Timing	Overhead oncosts

SHIRE OF DANDARAGAN

ACCOUNTS FOR PAYMENT

FOR THE PERIOD ENDING

30 APRIL 2019

SUMMARY OF SCHEDULE OF ACCOUNTS APRIL 2019

<u>FUND</u>					<u>AMOUNT</u>
<u>MUNICIPAL FUND</u>					
CHEQUES		33653	-	33664	\$34,925.97
EFT'S	EFT	324	-	EFT 328	\$570,410.70
DIRECT DEBITS	GJBDEB	3582		GJBDEB 3611	\$704,629.36
TOTAL MUNICIPAL FUND					<u>\$1,309,966.03</u>

TRUST FUND
CHEQUES

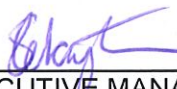
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NIL

This schedule of accounts to be passed for payment, covering vouchers as detailed above, which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown the amounts show are due for payment.



CHIEF EXECUTIVE OFFICER



EXECUTIVE MANAGER CORPORATE &
COMMUNITY SERVICES

MUNICIPAL ACCOUNT				
DATE	CHEQUE	PAYEE	INVOICE DETAILS	AMOUNT
5/04/2019	33653	PLEASE PAY CASH	Jurien Admin Petty Cash Recoup	\$137.85
5/04/2019	33654	Shire Of Dandaragan	BSL commission Mar 19	\$55.00
5/04/2019	33655	Synergy	Various Electricity Usage	\$15,356.05
5/04/2019	33656	Telstra Corporation	Various Phone Usage	\$181.00
15/04/2019	33657	Jurien Bay IGA	Jurien Admin Consumables March 19	\$944.62
15/04/2019	33658	Jurien Horse Club	20 Bales of Hay - Spray the Grey	\$90.00
15/04/2019	33659	Synergy	Various Electricity Usage	\$1,153.80
15/04/2019	33660	Telstra Corporation	Various Phone Usage	\$1,245.81
15/04/2019	33662	Water Corporation	Various Water Usage	\$9,278.50
18/04/2019	33663	GT Tinting	Supply & Fit window tinting	\$700.00
18/04/2019	33664	Telstra Corporation	Various Phone Usage	\$5,783.34
				\$34,925.97

DIRECT DEBITS				
DATE		JOURNAL NUMBER	DESCRIPTION	AMOUNT
1/04/2019		GJBDEB-3588	Westnet - Email Hosting 010419 - 010420	\$100.00
1/04/2019		GJBDEB-3589	Maia - Computer leasing 010419 -300619	\$1,976.32
1/04/2019		GJBDEB-3590	ANZ Merchant Service Fees - March 2019	\$225.91
1/04/2019		GJBDEB-3591	BWA - Paper Transaction Fee - Mar 2019	\$45.00
1/04/2019		GJBDEB-3592	BWA - BPay Maintenance Fee - Mar 2019	\$15.00
1/04/2019		GJBDEB-3593	BWA - Over the Counter Sve Fee Mar 2019	\$55.00
1/04/2019		GJBDEB-3594	BWA - BPay Trans Fee - Mar 2019	\$348.00
1/04/2019		GJBDEB-3595	BWA - Maintenance Fee Ex 117-005816-7	\$20.00
1/04/2019		GJBDEB-3596	BWA - OBB Record Fee - Mar 2019	\$23.50
1/04/2019		GJBDEB-3597	AMPAC banking 72106 - short paid	\$130.00
3/04/2019		GJBDEB-3598	CBA Merchant Fees JB Admin - March 2019	\$121.19
3/04/2019		GJBDEB-3599	CBA Merchant Fees TQVC - March 2019	\$64.77
3/04/2019		GJBDEB-3600	M/C - Fuel - PLV257	\$147.23
3/04/2019		GJBDEB-3601	M/C - FBT Training Course	\$569.00
3/04/2019		GJBDEB-3602	M/C - Airfares to Cocos Island	\$1,143.08
3/04/2019		GJBDEB-3603	M/C - Replacement Drone - Insurance Claim	\$2,412.95
3/04/2019		GJBDEB-3604	M/C - Consumables - Cocos Island	\$183.90
3/04/2019		GJBDEB-3605	M/C - Consumables - Cocos Island	\$136.87
3/04/2019		GJBDEB-3606	M/C - Refund disputed interest charges	-\$14.61
4/04/2019		GJBDEB-3582	Salary Packaging	\$5,486.52
8/04/2019		GJBDEB-3583	SuperChoice	\$19,728.07
10/04/2019		GJBDEB-3584	Budget Amendment - Muni to Reserves	\$105,555.00
15/04/2019		GJBDEB-3607	SecurePay Annual Fee + Trans Fee Mar 19	\$513.88
15/04/2019		GJBDEB-3608	JSRC - SSL 132 - Principal & Interest	\$3,645.96
18/04/2019		GJBDEB-3585	Budgeted Reserve Transfers	\$534,857.00
18/04/2019		GJBDEB-3586	Salary Packaging	\$4,565.03
18/04/2019		GJBDEB-3587	SuperChoice	\$19,791.88
24/04/2019		GJBDEB-3609	Easifleet ERV Lease 25 of 48 - April 2019	\$1,257.31
24/04/2019		GJBDEB-3610	AustPost - TCVC Comm - March 2019	\$12.99
29/04/2019		GJBDEB-3611	WEX Fuel Cards - Mar/Apr 2019	\$1,512.61
				\$704,629.36

ELECTRONIC FUNDS TRANSFER				
4/04/2019	324	Payroll	Payroll	\$99,582.21
4/04/2019	324	Payroll	Payroll	\$99,582.21
5/04/2019	325/946	Akitsu Pty Ltd	Merchandise for visitors centre	\$437.47
5/04/2019	325/946	Australia Post	Postage March 2019	\$279.62
5/04/2019	325/946	Avdata Australia	Jurien Airport Data March 19	\$276.35
5/04/2019	325/946	Badgingarra CWA	Dining and Refresh Council Meeting 24/1/19	\$598.00
5/04/2019	325/946	Badgingarra Motors	Repairs to cooling system	\$1,105.75
5/04/2019	325/946	Barnes Hydraulic Services	9kg extinguisher	\$145.86
5/04/2019	325/946	Bay Glass	Sliding door parts	\$45.00
5/04/2019	325/946	Big Wheels Truck Alignment	Inspect, wheel alignment/ workshop supplies	\$511.50
5/04/2019	325/946	Building Commission	BSL Building Permit Mar 2019	\$1,521.05
5/04/2019	325/946	Building Commission	BSL Demolition Permit Mar 2019	\$61.65
5/04/2019	325/946	Building Commission	BSL UNAUTHORISED Mar 2019	\$123.30
5/04/2019	325/946	Carnival Amusements	Hire of Storm Ride - Spray The Grey	\$2,880.00
5/04/2019	325/946	Cervantes Hardware and Marine	Davey Retic Pump	\$550.00
5/04/2019	325/946	Cervantes Hardware and Marine	Tordon Herbicide	\$440.00
5/04/2019	325/946	Cervantes Hardware and Marine	Tapping Bands & Fittings	\$118.36
5/04/2019	325/946	CircusWA	Circus Workshops - Spray The Grey	\$2,250.00
5/04/2019	325/946	Courier Australia	Freight - Dandy Library	\$39.66
5/04/2019	325/946	Courier Australia	Freight - Jurien Admin	\$15.79
5/04/2019	325/946	Courier Australia	Freight - Jurien Depot	\$726.45
5/04/2019	325/946	Courier Australia	Freight - Dandy Depot	\$30.37
5/04/2019	325/946	Courier Australia	Freight - DFES Uniforms	\$12.71
5/04/2019	325/946	Courier Australia	Freight - Badgy Library	\$31.96
5/04/2019	325/946	Courier Australia	Freight - Jurien Admin	\$61.99
5/04/2019	325/946	Courier Australia	Freight - Dandy Depot	\$18.48
5/04/2019	325/946	Courier Australia	Freight - Dandy Depot	\$39.66
5/04/2019	325/946	Dandaragan Concrete	Cement bags	\$1,908.50
5/04/2019	325/946	Dandaragan Mechanical Services	WABCO disc pad set	\$750.75
5/04/2019	325/946	Dandaragan Mechanical Services	215/85R16 Tyres	\$1,210.30
5/04/2019	325/946	David Isbister	Refund Change in Land Holdings	\$664.53
5/04/2019	325/946	Derricks Auto-Ag & Hardware Plus	V belts/bolts/nuts	\$146.00
5/04/2019	325/946	Derricks Auto-Ag & Hardware Plus	Tow ball, nuts & bolts	\$75.80
5/04/2019	325/946	Derricks Auto-Ag & Hardware Plus	Fuel Filter	\$89.90
5/04/2019	325/946	Direct Contracting Pty Ltd	Hire of loader 31/3/19	\$412.50
5/04/2019	325/946	Direct Contracting Pty Ltd	Maintenance grade 16/1/19	\$385.00
5/04/2019	325/946	Family Affair Cafe	Refreshments Council Meeting	\$152.50
5/04/2019	325/946	Family Affair Cafe	Catering team meeting 29/3/19	\$104.00
5/04/2019	325/946	Fuel Distributors of WA Pty Ltd	Dandaragan Depot - Diesel	\$21,193.20
5/04/2019	325/946	Galvins Plumbing Supplies	Caroma uniseat toilet	\$79.82
5/04/2019	325/946	Galvins Plumbing Supplies	Seat Matt Hinges	\$394.55
5/04/2019	325/946	JR & A Hersey Pty Ltd	Gas gun	\$681.12
5/04/2019	325/946	Jtagz Pty Ltd	95mm red wrap strap 0201-0400	\$151.80
5/04/2019	325/946	Jurien Bay Building	Hire of scissor lift	\$150.00
5/04/2019	325/946	Jurien Bay CRC	Craytales Advertising - Shire Matters 339	\$603.00
5/04/2019	325/946	Jurien Bay Liquor Store	Refreshments - Council Meeting	\$174.94
5/04/2019	325/946	Jurien Bay Medical Centre	Pre-Employment Medical	\$148.50
5/04/2019	325/946	Jurien Bay Newsagency	Farewell Cards	\$19.94
5/04/2019	325/946	Jurien Bayview Realty	Staff Housing	\$800.00
5/04/2019	325/946	Jurien Hardware - Thrifty Link	Protective Clothing - Gloves	\$11.40
5/04/2019	325/946	Jurien Hardware - Thrifty Link	Rapid set cement	\$29.83
5/04/2019	325/946	Jurien Hardware - Thrifty Link	Rural End Con, Poly Bush	\$17.57
5/04/2019	325/946	Jurien Hardware - Thrifty Link	Shrubber 360 Stake	\$27.55
5/04/2019	325/946	Jurien Home Timber & Hardware	Globes & Cable Ties	\$37.40
5/04/2019	325/946	Jurien Home Timber & Hardware	Poly Bush, connect end	\$23.75
5/04/2019	325/946	Jurien Pest Management	Ant Baiting	\$198.00
5/04/2019	325/946	Landmark Operations Limited	Chlorpyrifos/Carbon Ultra/Kelpplus/Response	\$549.51
5/04/2019	325/946	Landmark Operations Limited	TIMT Peeled CCA logs	\$124.23
5/04/2019	325/946	Landmark Operations Limited	NPAC Tank Fitting	\$29.37
5/04/2019	325/946	LG Assist Australia	Advertising - Employment	\$302.50
5/04/2019	325/946	Nessa Hall	Dobbyn Park BBQ & toilets Feb 19	\$866.16
5/04/2019	325/946	Nessa Hall	Fauntleroy Park BBQ & Toilets Feb 19	\$866.16
5/04/2019	325/946	Nessa Hall	Memorial Park Feb 19	\$866.16

5/04/2019	325/946	Nessa Hall	Fauntleroy Park New BBQ Feb 19	\$428.30
5/04/2019	325/946	Nessa Hall	Sanitary Bins Feb 19	\$88.00
5/04/2019	325/946	Nessa Hall	Jurien Fish Cleaning Station Feb 19	\$866.16
5/04/2019	325/946	Nessa Hall	Beachridge Park BBQ Feb 19	\$428.30
5/04/2019	325/946	Nessa Hall	Middleton Park BBQ Feb 19	\$428.30
5/04/2019	325/946	Nessa Hall	Baudin Park BBQ Feb 19	\$428.30
5/04/2019	325/946	Parkwood Hardware	Plumbing fixtures & fittings	\$4,086.08
5/04/2019	325/946	Ray White Jurien Bay	Staff Housing	\$1,430.00
5/04/2019	325/946	Ricoh Finance	Copier Lease 29/04/19 to 28/05/19	\$1,512.30
5/04/2019	325/946	Shadbolt Electrical	Replaced security light timer	\$223.74
5/04/2019	325/946	Shadbolt Electrical	Resecure lights in toilet block	\$101.20
5/04/2019	325/946	Spyker Business Solutions	Qtr 4 CCTV maintenance	\$2,149.59
5/04/2019	325/946	State Law Publisher	Advertising Government Gazette	\$218.04
5/04/2019	325/946	The Last Drop Plumbing Co	Repairs to BBQ	\$333.30
5/04/2019	325/946	Tyrecycle	Tyres & Waste Tracking levy	\$4,557.60
5/04/2019	325/946	Vanessa Australia	Merchandise for Visitors Centre	\$334.62
5/04/2019	325/946	Vari-Skilled	Catalonia St Reserve March 19	\$757.57
5/04/2019	325/946	Vari-Skilled	Memorial Park March 19	\$446.78
5/04/2019	325/946	Vari-Skilled	Administration Centre March 19	\$1,379.51
5/04/2019	325/946	Vari-Skilled	Recreation Ground March 19	\$874.13
5/04/2019	325/946	Vari-Skilled	Baudin Park March 19	\$523.73
5/04/2019	325/946	Vari-Skilled	Recreation Ground Car Park March 19	\$252.53
5/04/2019	325/946	Vari-Skilled	Rec Ground Surrounds March 19	\$582.74
5/04/2019	325/946	Vari-Skilled	Dobbyn Park March 19	\$1,029.41
5/04/2019	325/946	Vari-Skilled	Ronsard Park March 19	\$252.53
5/04/2019	325/946	Vari-Skilled	Eric Collinson March 19	\$469.55
5/04/2019	325/946	Vari-Skilled	Weston Street Reserve March 19	\$252.53
5/04/2019	325/946	Vari-Skilled	Federation Park March 19	\$397.32
5/04/2019	325/946	Vari-Skilled	JCC Surrounds March 19	\$505.68
5/04/2019	325/946	Vari-Skilled	Civic Ctr Precinct March 19	\$1,089.32
5/04/2019	325/946	Vari-Skilled	Jurien Town Hall March 19	\$112.00
5/04/2019	325/946	Vari-Skilled	JB Police Station March 19	\$609.15
5/04/2019	325/946	Vari-Skilled	Passamani Park March 19	\$514.71
5/04/2019	325/946	Vari-Skilled	Cervantes CBD March 19	\$349.64
5/04/2019	325/946	Vari-Skilled	Pioneer Park March 19	\$1,128.74
5/04/2019	325/946	Vari-Skilled	POS 4B Pacman Park/Lesueur March 19	\$514.71
5/04/2019	325/946	Vari-Skilled	POS 5A Middleton Bvd March 19	\$812.70
5/04/2019	325/946	Vari-Skilled	R E Snook Reserve March 19	\$507.49
5/04/2019	325/946	Vari-Skilled	Seinor Park March 19	\$270.91
5/04/2019	325/946	Vari-Skilled	Weld Park March 19	\$632.09
5/04/2019	325/946	Waterlogic Australia Pty Ltd	Lease W/Filters Civic Centre 1/4-30/04/19	\$678.70
5/04/2019	325/946	Waterlogic Australia Pty Ltd	Lease W/Filters Jurien Admin 1/4-30/04/19	\$286.00
5/04/2019	325/946	Waterlogic Australia Pty Ltd	Lease W/Filters Jurien Depot 1/4-30/04/19	\$591.80
5/04/2019	325/946	Western Regional Towing	Transport trailer to Lowman Engineering	\$165.00
5/04/2019	325/946	Woodlands Distributors & Agencies	Woodlands NPK Blend	\$1,114.30
5/04/2019	325/946			\$81,282.32
15/04/2019	326/947	AMPAC Debt Recovery (WA) Pty Ltd	Legal Expenses - 18/3-22/3/19	\$1,424.40
15/04/2019	326/947	AMPAC Debt Recovery (WA) Pty Ltd	Legal Expenses - 25/3-29/3/19	\$782.62
15/04/2019	326/947	Avon Waste	Rubbish - Green Bins 18/03-29/03/19	\$5,050.50
15/04/2019	326/947	Avon Waste	Fish Cleaning Bins 18/03-29/03/19	\$304.08
15/04/2019	326/947	Avon Waste	Jetty Bins 18/03-29/03/19	\$27.44
15/04/2019	326/947	Avon Waste	Street Bins 18/03-29/03/19	\$291.90
15/04/2019	326/947	Avon Waste	Additional Street Bins - Friday Collection	\$144.90
15/04/2019	326/947	Avon Waste	Additional Street Bins 19/03 & 26/03/19	\$71.40
15/04/2019	326/947	Avon Waste	Yellow Bins 18/03-29/03/19	\$3,775.85
15/04/2019	326/947	Avon Waste	Rec Process Charge 19/03 - 26/03/19	\$454.78
15/04/2019	326/947	Avon Waste	F/Lift Bins - Sandy Cape 18/03-29/03/19	\$665.00
15/04/2019	326/947	Avon Waste	F/Lift Bins - Badgy Refuse 18/03-29/03/19	\$601.68
15/04/2019	326/947	Avon Waste	F/Lift Bins - Cerv Transfer Stn 29/03/19	\$380.02
15/04/2019	326/947	Bitutek Pty Ltd	Spray & cover using bituminous products	\$159,109.52
15/04/2019	326/947	Bocchetta Plush Toys	Visitors Centre Merchandise	\$896.72
15/04/2019	326/947	BookEasy Pty Ltd	Min Monthly Fee March 2019	\$330.00
15/04/2019	326/947	BCITF	BCITF levy - 090419150947	\$1,191.22
15/04/2019	326/947	Cervantes Hardware and Marine	CCA Pine, Washers, galv frame anchor	\$91.30

15/04/2019	326/947	Cervantes Hardware and Marine	Gal Nuts. bolts & washers	\$27.72
15/04/2019	326/947	Cervantes Hardware and Marine	Batten screws	\$42.90
15/04/2019	326/947	Cervantes Hardware and Marine	Valve Box	\$15.95
15/04/2019	326/947	Cervantes Hardware and Marine	CCA pine, cutting discs, screws	\$89.11
15/04/2019	326/947	Cervantes Hardware and Marine	Penrite Ad Blue	\$55.00
15/04/2019	326/947	Cervantes Hardware and Marine	Kerosene	\$325.00
15/04/2019	326/947	Cervantes Hardware and Marine	Kerosene	\$325.00
15/04/2019	326/947	Cervantes Hardware and Marine	Gal Nuts, bolts & washers	\$21.12
15/04/2019	326/947	Coastal Trimming	Install full fixed screen - amphitheatre	\$2,310.00
15/04/2019	326/947	Courier Australia	Freight - Jurien Depot	\$13.48
15/04/2019	326/947	Courier Australia	Freight - Pathology	\$10.73
15/04/2019	326/947	Dandaragan CRC	Dandy Depot Cleaning March 19	\$82.98
15/04/2019	326/947	Dandaragan CRC	Dandy Depot Cleaning Products March 19	\$23.37
15/04/2019	326/947	Dandaragan CRC	Dandy Park Cleaning March 19	\$387.24
15/04/2019	326/947	Dandaragan CRC	Dandy Park Cleaning Products March 19	\$123.41
15/04/2019	326/947	Dandaragan CRC	Dandy Depot Cleaning Feb 19	\$78.56
15/04/2019	326/947	Dandaragan CRC	Dandy Park Cleaning Feb 19	\$437.70
15/04/2019	326/947	Dandaragan Mechanical Services	Bearing sets, seals, euclid/meritor	\$1,402.05
15/04/2019	326/947	Dandaragan Store	Unleaded Fuel - Compressor	\$40.05
15/04/2019	326/947	Dandaragan Store	Dandy Depot - Consumables March 19	\$51.70
15/04/2019	326/947	Depart of Water and Environmental	Waste Management Licence Fee	\$6,497.75
15/04/2019	326/947	Depart of Water and Environmental	Controlled Waste tracking 15-29/3/19	\$660.00
15/04/2019	326/947	Department of Parks and Wildlife	Visitors Centre -Merchandise	\$413.58
15/04/2019	326/947	Direct Contracting Pty Ltd	Maintenance Grade Cockleshell Gully Rd	\$2,310.00
15/04/2019	326/947	Dormar Indents	Visitor Centre Merchandise	\$179.30
15/04/2019	326/947	Executive Media Pty Ltd	Advertising - Caravanning Australia	\$1,500.00
15/04/2019	326/947	Fairfax Media Publications Pty Ltd	Advertising - WA Senior Newspaper	\$218.07
15/04/2019	326/947	Flame N Roopaw	Replace Pavers - Jurien Jetty	\$85.00
15/04/2019	326/947	Fuel Distributors of WA Pty Ltd	Diesel - Jurien Depot	\$8,789.72
15/04/2019	326/947	Fundraisers Dandaragan	Refreshments Citizen of the year awards	\$3,000.00
15/04/2019	326/947	Hendo's Plumbing & Gas Services	Repairs to leaking toilet	\$204.26
15/04/2019	326/947	Hillmech Pty Ltd	Machine 2 x stainless steel rollers	\$484.00
15/04/2019	326/947	Huggable Toys	Visitors Centre merchandise	\$562.10
15/04/2019	326/947	Jurien Bay CRC	Advertising Craytales - Employment	\$46.90
15/04/2019	326/947	Jurien Bay Tourist Park	BookEasy Booking 7604719	\$350.00
15/04/2019	326/947	Jurien Bay Tourist Park	BookEasy Commission 15/04/19	-\$43.75
15/04/2019	326/947	Jurien Bayview Realty	BookEasy Booking 7610474	\$355.00
15/04/2019	326/947	Jurien Bayview Realty	BookEasy Commission 15/04/19	-\$53.25
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Orbit 6stn easy dial timer	\$66.50
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Plugs, tees & nipples	\$20.47
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Hose joiner, clamps, drill bits	\$23.46
15/04/2019	326/947	Jurien Hardware - Thrifty Link	9kg gas refill	\$66.50
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Hydrochloric Acid	\$15.20
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Plants, Snail Guard	\$24.22
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Willow Jug	\$28.45
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Engine & Bilge degreaser	\$137.75
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Watering Can, Post Hole Shovel	\$38.33
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Magnetic nutsetter	\$7.88
15/04/2019	326/947	Jurien Hardware - Thrifty Link	8lt garden sprayer	\$34.20
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Rapid set cement	\$14.91
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Rapid set cement	\$14.92
15/04/2019	326/947	Jurien Hardware - Thrifty Link	9kg Gas refill	\$66.50
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Rhino Chemical Handling Glove	\$14.25
15/04/2019	326/947	Jurien Hardware - Thrifty Link	Rapid Set Cement	\$14.92
15/04/2019	326/947	Jurien Home Timber & Hardware	Jumbo Toilet Rolls	\$104.00
15/04/2019	326/947	Jurien Home Timber & Hardware	BI Jig WD Cln 100x10T Hcs 2P	\$15.90
15/04/2019	326/947	Jurien Home Timber & Hardware	20kg Postcrete	\$68.80
15/04/2019	326/947	Jurien Home Timber & Hardware	Drill Sets	\$119.50
15/04/2019	326/947	Jurien Home Timber & Hardware	Handle Chest, Padbolt	\$53.50
15/04/2019	326/947	Jurien Home Timber & Hardware	Coupler Nitto Male	\$11.50
15/04/2019	326/947	Jurien Home Timber & Hardware	Actizme pellets, padlock	\$80.75
15/04/2019	326/947	Jurien Home Timber & Hardware	Jumbo Toilet rolls	\$104.00
15/04/2019	326/947	Jurien Home Timber & Hardware	Makita Grinder & Battery	\$470.00
15/04/2019	326/947	Jurien Signs	Corflute sign, Street blades	\$210.00

15/04/2019	326/947	Jurien Signs	Thirsty Point signs	\$589.00
15/04/2019	326/947	Jurien Sport and Recreation Centre	Tronox Grant - Banquet tables & trolley	\$2,000.00
15/04/2019	326/947	Jurien Tyre & Auto	Battery, cables, terminals	\$242.90
15/04/2019	326/947	Jurien Tyre & Auto	Gas strut support	\$120.00
15/04/2019	326/947	Jurien Tyre & Auto	Gas Struts & Brackets	\$114.40
15/04/2019	326/947	Landgate	Rural UV interim valuations	\$328.40
15/04/2019	326/947	Landgate	Gross rental valuations	\$204.67
15/04/2019	326/947	Landgate	Land Enquiry	\$25.70
15/04/2019	326/947	LaVida Trading Pty Ltd	Visitors Centre Merchandise	\$1,331.99
15/04/2019	326/947	Mcleods Barristers And Solicitors	Legal Expenses	\$88.44
15/04/2019	326/947	Melrose Cellars - Cellarbrations	Refreshments - Staff function	\$103.00
15/04/2019	326/947	Mid Coast Contracting	Repairs to bore generator	\$1,358.06
15/04/2019	326/947	Moora Tyres	Tyres, fit and wheel alignment	\$1,122.00
15/04/2019	326/947	Quality Publishing Australia	Visitors Centre Merchandise	\$377.21
15/04/2019	326/947	Redgum Reports Inc	Advertising - Employment 4/4/19	\$86.00
15/04/2019	326/947	Russ - Hills Contracting	Freight - Dandy Depot	\$132.77
15/04/2019	326/947	Scavenger Fire & Safety	Fire Extinguisher Brackets	\$66.00
15/04/2019	326/947	Scavenger Fire & Safety	Fire Extinguisher Brackets	\$66.00
15/04/2019	326/947	Scott Printers Pty Ltd	Spray the grey promotional material	\$891.00
15/04/2019	326/947	Shadbolt Electrical	Investigate faulty door circuit	\$101.20
15/04/2019	326/947	Shadbolt Electrical	RCD Smoke alarm compliance inspection	\$797.69
15/04/2019	326/947	Soils Aint Soils	Enviro Mulch	\$6,300.00
15/04/2019	326/947	Telstra	Whispir SMS Usage Mar 19	\$159.50
15/04/2019	326/947	The Last Drop Plumbing Co	Repairs to water fountain	\$397.40
15/04/2019	326/947	Turquoise Coast Plumbing Gas	Expose retic lines Depot to Seaward Dr	\$242.00
15/04/2019	326/947	Turquoise Coast Plumbing Gas	Repair leaking bathroom tap	\$244.03
15/04/2019	326/947	Turquoise Safaris	BookEasy booking 7605078	\$198.00
15/04/2019	326/947	Turquoise Safaris	BookEasy Commission 15/04/19	-\$24.75
15/04/2019	326/947	Vanguard Press	Visitor guide distribution	\$575.75
15/04/2019	326/947	Worldwide Printing Solutions	Printing - Gravel/Water agreement books	\$480.00
15/04/2019	326/947			\$227,559.85
18/04/2019	327/948	Abco Products	Toilet Paper & Hand Towel	\$287.87
18/04/2019	327/948	AMPAC Debt Recovery (WA) Pty Ltd	Legal Expenses - 3-5/4/19	\$632.94
18/04/2019	327/948	Avon Waste	Rubbish - Green Bins 1/04-12/04/19	\$5,253.80
18/04/2019	327/948	Avon Waste	Recycling 1/04-12/04/19	\$3,904.20
18/04/2019	327/948	Avon Waste	Street Bins1 /04-12/04/19	\$303.02
18/04/2019	327/948	Avon Waste	Additional - Frid Collection 5/04&12/04/19	\$175.49
18/04/2019	327/948	Avon Waste	Additional Street Bins 02/04 & 09/04/19	\$67.58
18/04/2019	327/948	Avon Waste	Jetty Bins 1/04-12/04/19	\$28.36
18/04/2019	327/948	Avon Waste	Fish Cleaning Bins 1/04-12/04/19	\$314.40
18/04/2019	327/948	Avon Waste	F/Lift Bins - Sandy Cape 1/04-12/04/19	\$1,100.32
18/04/2019	327/948	Avon Waste	F/Lift Bins - Badgy Refuse 1/04-12/04/19	\$622.26
18/04/2019	327/948	Avon Waste	F/Lift Bins - Cerv Transfer Stn 3/4 & 9/04/19	\$786.04
18/04/2019	327/948	Avon Waste	Rec Process Charge 2/04 & 9/04/19	\$442.13
18/04/2019	327/948	Badgingarra Bowling Club (Inc)	Refreshments - CFO Meeting	\$215.00
18/04/2019	327/948	Badgingarra CWA	Refreshments - LEMAC meeting	\$375.00
18/04/2019	327/948	Badgingarra Motors	Replace alternator assembly	\$4,166.37
18/04/2019	327/948	Bitutek Pty Ltd	Supply CRS Emulsion	\$440.00
18/04/2019	327/948	Bitutek Pty Ltd	Supply CRS Emulsion	\$440.00
18/04/2019	327/948	Blue Sky Apartment	BookEasy Booking 7627420	\$300.00
18/04/2019	327/948	Blue Sky Apartment	BookEasy Commission 16/4/19	-\$37.50
18/04/2019	327/948	Boc Gases	Container service 26/02-28/3/19	\$98.46
18/04/2019	327/948	Boc Gases	Acetylene & Argoshield	\$155.50
18/04/2019	327/948	Central West Earthmoving	Supply gravel	\$1,457.50
18/04/2019	327/948	DBCA	Northern Wheatbelt Emergency Serv Directories	\$341.94
18/04/2019	327/948	Derricks Auto-Ag & Hardware Plus	BPW seal carrier	\$180.00
18/04/2019	327/948	Elite Electrical Contracting Pty Ltd	Disconnect/reconnect hot water system	\$104.50
18/04/2019	327/948	IQ Merchandising	Visitor Centre Merchandise	\$981.62
18/04/2019	327/948	J L Hammond t/a John's Gardening	Sandy Cape Garden Maintenance	\$1,500.00
18/04/2019	327/948	JDS Electrical Services	Elect Repairs to lighting & smoke detectors	\$1,381.00
18/04/2019	327/948	John Phillips Consulting	Professional Services - Annual Review	\$3,850.00
18/04/2019	327/948	Jurien Bay Tourist Park	BookEasy Booking 7424373	\$185.00
18/04/2019	327/948	Jurien Bay Tourist Park	BookEasy Commission 16/4/19	-\$23.13
18/04/2019	327/948	Jurien Bayview Realty	Staff Housing	\$800.00

18/04/2019	327/948	Jurien Hardware - Thrifty Link	Gas refills 9kg	\$66.50
18/04/2019	327/948	Jurien Hardware - Thrifty Link	Nuts & bolts	\$7.27
18/04/2019	327/948	Jurien Hardware - Thrifty Link	Gal barb staples	\$28.50
18/04/2019	327/948	Jurien Hardware - Thrifty Link	Poly elbow & director	\$5.93
18/04/2019	327/948	Jurien Hardware - Thrifty Link	Floor cleaner & utility stripping pad	\$53.58
18/04/2019	327/948	Jurien Home Timber & Hardware	Painting products/supplies	\$1,124.60
18/04/2019	327/948	Jurien Plumbing	Investigate and clear blockage	\$1,490.50
18/04/2019	327/948	Jurien Signs	B.E.N. signage	\$15,180.57
18/04/2019	327/948	Jurien Signs	Vehicle logo magnetics	\$57.00
18/04/2019	327/948	Jurien Tyre & Auto	Bridgestone tyres	\$570.00
18/04/2019	327/948	Local Government Professionals	Staff Training	\$400.00
18/04/2019	327/948	Ray White Jurien Bay	Staff Housing	\$1,430.00
18/04/2019	327/948	The Last Drop Plumbing Co	Annual testing of stand pipe	\$407.00
18/04/2019	327/948	The Last Drop Plumbing Co	Annual backflow valve testing	\$275.00
18/04/2019	327/948	The Last Drop Plumbing Co	Annual backflow valve testing Badgingarra	\$346.50
18/04/2019	327/948			\$52,272.62
18/04/2019	328	Payroll	Payroll	\$109,713.70
18/04/2019	328	Payroll	Payroll	\$109,713.70
Grand Total				\$570,410.70



SHIRE
of
DANDARAGAN

MINUTES

for

AUDIT COMMITTEE MEETING

held

JURIEN BAY ADMINISTRATION CENTRE MEETING ROOM

on

WEDNESDAY 24 APRIL 2019

COMMENCING AT 2.50PM

MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 24 APRIL 2019
--

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 2.50pm and welcomed those present.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members Councillor K McGlew (Chair)
 Councillor A Eyre
 Councillor P Scharf
 Councillor D Slyn

Staff Mr S Clayton (Executive Manager Corporate & Community Services)

Apologies
 Mr B Bailey (Chief Executive Officer)

Leave of Absence

Nil

3. CONFIRMATION OF MINUTES**3.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD 28 MARCH 2019****AUDIT COMMITTEE DECISION**

Moved Cr Scharf, seconded Cr Eyre

That the Minutes of the Audit Committee Meeting held 28 March 2019 be confirmed.

CARRIED 4 / 0

4. MATTERS FOR DISCUSSION**4.1 AUDIT COMMITTEE – TERMS OF REFERENCE**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Audit / Internal
Disclosure of Interest:	None
Date:	17 April 2019
Author:	Scott Clayton, Executive Manager Corporate & Community Services

MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 24 APRIL 2019
--

PROPOSAL

To recommend to Council the adoption of a formal "Terms of Reference" for the Audit Committee.

BACKGROUND

Due to amendments of the Local Government Act 1995 (Act) the Shire of Dandaragan established an audit committee at the Ordinary Meeting of Council held 5 May 2005.

At the Audit Committee meeting held 23 March 2006, it was resolved to;

AUDIT COMMITTEE DECISION

**Moved Councillor Short, seconded Councillor Love
That the Audit Committee recommends Council delegate the following roles and responsibilities to the Audit Committee by absolute majority;**

- 1. Annual Budget Review;**
- 2. Statutory Compliance Return;**
- 3. Appointment of Auditors; and**
- 4. Audit Report subject to confirmation from the Department of Local Government and Regional Development.**

CARRIED 4 / 0

At the Ordinary Meeting of Council held 27 April 2006 the minutes of the audit committee were presented for acceptance. The officer's comments in this item were as follows;

"The Audit Committee has requested delegated authority for several roles and responsibilities but unfortunately, the Local Government Act dictates that these need to be brought before the full Council for adoption / appointment. These include:

- *Annual Budget Review*
- *Statutory Compliance Return*
- *Appointment of Auditors*
- *Audit Report*

However, this doesn't preclude the Audit Committee from reviewing these documents and appointments and making recommendations to Council."

Subsequently, the following Council decision was made;

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That the Audit Committee review the following documents and appointments and make recommendations to Council;

- a. Annual Budget Review;**
- b. Statutory Compliance Return;**
- c. Appointment of Auditors; and**
- d. Audit Report.**

CARRIED 8 / 0

While the committee has always operated within its defined functions in accordance with legislation, other than the above recommendation, the role of the Audit Committee has never been documented within a terms of reference.

COMMENT

Section 7.1A of the Act states;

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*
- (4) An employee is not to be a member of an audit committee.*

Section 16 of the Local Government (Audit) Regulations 1996 states;

16. Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —*
 - (i) its functions under Part 6 of the Act; and*
 - (ii) its functions relating to other audits and other matters related to financial management;*
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;*

MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 24 APRIL 2019
--

- (c) to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —
 - (i) report to the council the results of that review;
 and
 - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - (i) regulation 17(1); and
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
 - (i) is required to take by section 7.12A(3); and
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

Whilst legislation is quite clear as to the role of an audit committee the Department of Local Government and Communities Local Government Guideline 9 states;

“Clear and comprehensive terms of reference, setting out the committee's roles and responsibilities, are essential and a model terms of reference for an audit committee is provided with this guideline.”

The Term's of Reference (Doc Id: 132497) attached to this item has use the model terms of reference referred to above as a base document.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 7.1A of the Local Government Act 1995

Section 16 of the Local Government (Audit) Regulations 1996

MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 24 APRIL 2019

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5 - Proactive and Leading Local Government</i>	
Objectives	How the Shire will Contribute
5.2 High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Proposed Terms of Reference (Doc Id: 132497)
(Marked 4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION/AUDIT COMMITTEE DECISION

Moved Cr Eyre, seconded Cr Slyns

That it be recommended to Council the Proposed Terms of Reference (Doc Id: 132497) be adopted for the Shire of Dandaragan's Audit Committee.

CARRIED 4 / 0

5 CLOSURE OF MEETING

The Presiding Member declared the Meeting closed at 2.57pm.

These Minutes were confirmed at a Meeting on.....

Signed.....

Presiding Person at the Meeting at which the Minutes were confirmed

Date.....

AUDIT COMMITTEE TERMS OF REFERENCE

Objectives of Audit Committees

The primary objective of the audit committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

The committee is to facilitate –

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance; and
- The provision of an effective means of communication between the external auditor, the CEO and the Council.

Powers of the Audit Committee

The Audit committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The committee is a formally appointed committee of council and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

Membership

The committee will consist of four elected. All members shall have full voting rights.

The CEO and employees are not members of the committee.

The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the committee.

The local government shall provide secretarial and administrative support to the committee.

Meetings

The committee shall meet at least biannually.

Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the committee will be –

- a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits;
- b) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
- c) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - ensure that audits are conducted successfully and expeditiously;
- d) Examine the reports of the auditor after receiving a report from the CEO on the matters to –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters;
- e) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;
- f) Consider and recommend adoption of the annual financial report to Council.;
- g) Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference;
- h) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;
- i) Review the annual Compliance Audit Return and report to the council the results of that review, and
- j) Consider and recommend adoption of the annual budget review to Council, and;
- k) Consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.

DRAFT



POSITION STATEMENT –
POULTRY MANURE;
ODOUR COMPLAINTS; AND
STABLE FLY (*STOMOXYS CALCITRANS*)

April 2019

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1.0 INTRODUCTION

This Position Statement was prepared by Shire officers to provide clarity on issues relating to poultry manure, Stable fly (*Stomoxys calcitrans*) and odour complaints for elected members and the public.

2.0 BACKGROUND

Costs of fertilisers has many farmers considering alternative nutrient sources to apply to crops, such as chicken manure and/or bio solids. Phosphorus-based fertiliser prices have been particularly volatile in recent years. At present, Australian prices are around \$700-750/tonne for phosphorus based products such as DAP and MAP, and \$550/tonne for nitrogen-based urea, whilst the cost of chicken manure is about \$100/tonne.

Manure and spent litter associated with egg farms and broiler chicken production has gained attention from farmers in many districts, including ours, where chicken farms are close at hand. These products contain a variety of plant nutrients and are commonly used as a source of crop nutrients. Recommended application rates range from 2m³/ha to 6m³/ha.

Poultry manure is very high in nitrogen and as it decomposes it gives off ammonia gas (NH₃). If this manure is not well managed and left too wet it will undergo an anaerobic decomposition (without oxygen), which will produce unpleasant odours and attract flies.

Stable flies deposit eggs in the top few centimetres of moist manure which means that minimizing the amount of moist surface area available to the fly is one of the many fly reduction strategies. Both ammonia and flies can become a human, animal and environmental health concern.

The Shire of Dandaragan has received a number of complaints relating to poultry manure; mainly odour complaints and also from farmers that are concerned about the potential for stable fly breeding. The complainants advocate that Council should declare the stable fly a pest and adopt the Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016. This plan would limit the use of poultry manure as organic fertilizer on farm land within the Shire of Dandaragan by prohibiting commercially derived untreated poultry manure from being stored, used or transported into or within an area to which the management plan relates. It should be noted that the management plan is currently under review by the Department of Primary Industries and Regional Development (see below).

Some envisage that the management plan could be used to address odour complaints related to the use of chicken manure. Others see it as unnecessary, creating too much 'red tape' and hampering economic development.

In response to these complaints Council held, with assistance of the Department of Primary Industries and Regional Development (DPIRD), a Stable Fly Forum in Dandaragan on the 27th of April 2017. The matter was discussed with a wide range of stakeholders at the meeting, which was attended by approximately 50 people. DPIRD representatives gave an in-depth presentation followed by a representative of the Stable Fly Action Group. When the discussion was opened to the floor members of the community opposed the proposition; the stable fly was not seen as a pest and farmers were keen to be able to have access to alternative organic fertilisers such as untreated poultry manure.

As a result of the consultation and the support for retaining access to untreated poultry manure Council felt that declaring the Stable Fly a pest was not required at this point as many of the attending farmers asserted that poultry manure is a valuable nutrient source when spread at suitable rates and the farmers using the product found that applying untreated poultry manure on non-irrigated pasture is safe in regards to fly breeding.

To further monitor the extent of the stable fly problem and to verify the actuality of the complaints stable fly traps (white boards with a sticky surface) were installed in various locations over the past three years by Shire officers. Quantities trapped (between nil and twenty in any seven day period) suggest that current stable fly numbers are low and have a very low risk of reaching plague proportions such as has been experienced in the Shire of Gingin where this fly is a declared pest.

The matter was again reviewed by Council at the ordinary meeting held on the 24 January 2019. Council subsequently resolved not to adopt the management plan, observe further developments and reconsider the matter in 2 years' time.

2.1 ODOURS

Commercial farms are businesses like any other; residing next door to a farming operation may not always meet the new resident's expectations of a peaceful life in the country. In rural areas, the sources of the impacts that may be experienced are often much easier to notice than in an urban environment, where impacts more easily blend in or are readily dispersed.

When residing in a rural area, it is important to understand that many of these impacts are produced by legitimate rural land management activities. Some odour-producing land uses which are generally permitted in rural zoned areas include:

- Abattoirs
- Dairies and piggeries
- Egg and chicken production
- Composting
- Organic fertiliser application such as manure and bio solids

These are rarely a threat to human health, yet wind direction and strength can cause impacts well beyond the boundary fence. Because wind direction is a significant factor in transmitting odours, wind breaks and strategic planting of trees and shrubs can reduce some odour impacts.

The majority of odour complaints received by the Shire are linked to the use of chicken manure on agricultural land. The main complainants live on lifestyle blocks in the Hill River area (see below):



Application of chicken manure is commonly practiced in the horticultural industry and more recently in broadacre farming due to its value as a fertiliser, ability to improve soil properties and relatively low cost. Unpleasant odours are inherently associated with poultry manure and is considered one of the major limitations in applying chicken manure to production land.

Odours originating from chicken manure result from a combination of up to 150 compounds including volatile fatty acids, mercaptans, esters, carbonyls, aldehydes, alcohols, ammonia and amines. Odours are mainly generated by decomposition of chicken faeces, broken eggs, feathers, sometimes dead birds, spilled feed, dust and bedding materials. Issues related to odour from chicken manure are associated with three main locations; sites of production, storage areas and land application.

DPIRD officers provide the following advice to farmers using chicken manure:
 No matter the length of time that manure is stockpiled, it can create an odour nuisance. Correct management of manure stockpiles should reduce the incidence and severity of odours. Stockpiles should ideally be about 1.5m - 2m in height. Piles that are too large may heat up excessively and generate odour.
 The stockpile should have a triangular cross-section to promote water-shedding and prevent manure from becoming too wet which can result in significant odour production. Wet manure should not be stockpiled as anaerobic breakdown can release strong odours. Drier manure decomposes aerobically which is a low odour process.

Odour complaints have been problematical for the Shire to deal with due to the following:-

- Odours can't be measured;
- It can be difficult to pin-point where the odour is coming from when dealing with large agricultural areas;
- Complainants are reluctant to contact the responsible person directly, which left one farmer doubting that there was a problem as he had not received any complaints;
- It can be difficult to prepare a case for prosecution as officers need to establish, beyond reasonable doubt, where the odour is coming from, who the responsible party is and that the odour is more noxious than could reasonably be expected in an area zoned 'Rural';
- The responsible authority to administer the Environmental Protection Act is the Department of Water and Environmental Regulation (DWER). No successful

prosecutions related to odours have been recorded: <https://www.der.wa.gov.au/our-work/enforcement/summary-of-prosecutions> .

- When investigating odour complaints DWER officers will take into consideration frequency, intensity, duration, offensiveness and location (for example urban, industrial, agricultural setting)

2.2 ECONOMIC DEVELOPMENT

In 2016 Council developed a 10 year Strategic Community Plan in consultation with the community. During the consultation process economic development was identified as a key goal in the Strategic Plan. Adopting the 2016 stable fly management plan would have created an impediment for the agricultural sector, as chicken manure is an economically viable fertiliser.

DPIRD officers recognized this and are presently revising the management plan to remove some of the barriers that exist in the 2016 plan.

2.3 STATUTORY ENVIRONMENT – STABLE FLY

On 2 September 2013 stable fly was included as a declared pest under the *Biosecurity and Management Act 2007*, administered by the Department of Agriculture and Food, Western Australia (now DPIRD). Regulations are in force to manage this pest in 11 designated local government areas.

Stable fly (*Stomoxys calcitrans*) is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007* (BAM Act) for the following areas:

A portion of the Shire of Murray; City of Armadale, Shire of Chittering, Shire of Gingin, Shire of Harvey, City of Joondalup, Shire of Kalamunda, City of Kwinana, City of Rockingham, Shire of Serpentine-Jarrahdale, City of Swan, City of Wanneroo, Shire of Capel.

The Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016 was published in the [Western Australian Government Gazette No. 152 \(23 August 2016\)](#). The management plan sets out the measures to be taken to control Stable fly in the areas where it is a declared pest.

A review of the legislation and the associated management plan is currently underway. Research conducted by Dr David Cook found that it is innocuous to apply chicken manure on dry land pastures and in these circumstances it may be safe to dispose of raw poultry manure on agricultural land within the declared Shires.

Spreading raw manure has been tested on several non-irrigated pasture sites by DPIRD officers. Fly emergence traps have caught very low numbers of flies in these circumstances leading to the development of the following proposed Stable Fly Management Plan 2018 guidelines for spreading poultry manure on dry land pasture:

- No more than 10t/ha dry weight of poultry manure may be spread evenly over the entire area.
- Maximum particulate size must be less than 20mm in diameter.
- Manure must not be stockpiled at the destination; it must be immediately spread.
- The minimum time period between consecutive applications is 6 weeks.

By utilising untreated poultry manure (UPM) in a controlled but practical manner, advantages may outweigh the disadvantages. DPIRD officers recommended that the prohibition of transporting UPM into, or within a declared area be removed from the Stable Fly Management Plan to reflect the above changes in handling of UPM.

The main differences between the existing management plan the proposed revised one are summarized below:

Table 1

Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016	Biosecurity and Agriculture Management (Stable Fly) Management Plan 2018
<p>7. Storage, use and transportation of commercially derived untreated poultry manure.</p> <p>(1) In this clause— commercially derived untreated poultry manure means poultry manure, whether or not mixed with other materials, that—</p> <p>(a) is the result of a commercial poultry undertaking,; and</p> <p>(b) has not been treated by composting to the current Australian Standard 4454.</p> <p>(2) Commercially derived untreated poultry manure must not—</p> <p>(a) be stored or used on relevant land that is used for an agricultural activity; or</p> <p>(b) be transported into or within an area to which this management plan relates unless with the prior approval of the Director General.</p> <p>(3) Subclause (2) does not apply to—</p> <p>(a) the storage of commercially derived untreated poultry manure at the place where it is produced for the purpose of composting; or</p> <p>(b) the temporary storage of commercially derived untreated poultry manure, at the place where it is produced.</p>	<p>7. The word 'transportation has been removed from this opening clause to reflect changes in the handling of untreated poultry manure (UPM).</p> <p>Insertion of new treatments for poultry manure: Mixing with sodium borate or calcium cyanamide; research demonstrates that treatment of poultry manure as described effectively minimize the breeding of stable fly.</p> <p>UMP not to be stored on any land subject to the requirements of the management plan.</p> <p>UPM may be spread on non-irrigated pasture provided that:- It is spread immediately upon arrival; Maximum particle size is <20mm; Manure is spread evenly at <10t/ha dry weight; Successive spreading no less than 6 weeks.</p> <p>A person intending to spread will give local government a minimum of 3 working days' notice of this intend.</p> <p>UPM may not be spread within 500m of a residence without consent of the occupier.</p> <p>Keeping of Stock Conserved fodder, including hay and silage should be fed on a hard surface or spread thinly upon the ground.</p> <p>Fruit or vegetables must not be fed to stock except in a box or trough or other approved measure.</p> <p>Animal manure and other items are to be deep buried with a cover of 1m of soil.</p>

2.4 STATUTORY ENVIRONMENT – ODOURS

Environmental Protection Act 1986, Part V — Environmental regulation; Division 1 — Pollution and environmental harm offences.

49. Causing pollution and unreasonable emissions
- (1) In this section — **unreasonable emission** means an emission or transmission of noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person.
 - (2) A person who intentionally or with criminal negligence —
 - a) causes pollution; or
 - b) allows pollution to be caused, commits an offence.
 - (3) A person who causes pollution or allows pollution to be caused commits an offence.
 - (4) A person who intentionally or with criminal negligence —
 - a) emits an unreasonable emission from any premises; or
 - b) causes an unreasonable emission to be emitted from any premises, commits an offence.
 - (5) A person who —
 - a) emits an unreasonable emission from any premises; or
 - b) causes an unreasonable emission to be emitted from any premises, commits an offence.
 - (6) A person charged with committing an offence against subsection (2) may be convicted of an offence against subsection (3) which is established by the evidence.
 - (7) A person charged with committing an offence against subsection (4) may be convicted of an offence against subsection (5) which is established by the evidence.

The complexity with odours, generated from UPM, is the establishment of an offence by evidence as odours are difficult to quantify. It would also be difficult to prove that the pollution was caused intentionally or with criminal negligence as applying fertilisers in rural areas is permitted and that practice has been carried out for centuries.

As previously mentioned the responsible authority to administer the Environmental Protection Act is the Department of Water and Environmental Regulation. No successful prosecution related to odours has been recorded to date (please refer to: <https://www.der.wa.gov.au/our-work/enforcement/summary-of-prosecutions>).

3.0 STABLE FLY

3.1 WHAT ARE STABLE FLIES?



The stable fly (*Stomoxys calcitrans*) is a species that mainly bites horses and cattle, but also bites many other shorthaired mammals. *S.calcitrans* is a worldwide pest across North and South America, Europe, Africa and more recently Australia.

A stable fly is difficult to distinguish from a housefly, except that a stable fly has a bayonet-like mouthpart (proboscis) protruding from the front of the head (please refer to the picture). In contrast to the house fly stable flies can handle higher temperatures and are therefore active throughout the summer months.

Adult stable flies of both sexes feed during the day, generally in the early morning and late afternoon. The female fly requires blood before she is able to lay eggs.

This blood-sucking parasite is a significant pest of cattle and horses; the animals will try to avoid the fly by stamping their feet, tail switching, throwing their heads down toward their front legs, and kicking sand up onto their legs and body. The stable fly is also a biting pest to dogs, cats, pigs and humans. The bite is painful, causing irritation and blood loss.

3.2 THE STABLE FLY LIFE CYCLE

Stable flies typically appear during mid-spring. They become severe during summer, and numbers tend to decrease in late summer. In prime breeding times, stable flies can develop from egg to adult in just 2 weeks. Females lay over 100 eggs per batch and may lay five batches in a lifetime, so there is potential for rapid increases in fly numbers in a short time period.

3.3 WHERE DO STABLE FLIES BREED?

Stable fly breeding is usually associated with market gardens, feed lots and piggeries. Stable fly larvae can develop in a range of animal manures, spilled feed and rotting organic material. Pure manure rarely supports larval development, while rotting organic matter, either alone or in combination with various animal manures, is an ideal medium. For example, stable flies heavily exploit poultry litter (from poultry meat producers) that has aged after exposure to soil and moisture.

Vegetative sources of stable fly breeding include rotting organic material, hay stacks/bales, lawn clippings, olive pressing residue, weeds, vine litter, etc. Organic waste should be disposed of properly by either burial, spreading in a thin layer (less than 3 cm) on open fields, submersion in water, or aerobic composting.

Stable flies represent more than 90% of flies developing from rotting crop residues of cauliflower, celery, rotting hay, broccoli, carrots, onions, potatoes and corn. This residue comprises; stalks, leaves and fruit (left in or on the ground after harvesting); and harvested crop waste (i.e., damaged and rejected produce, processing scraps) dumped into open pits or fed out to livestock.

The stable fly situation in and around Perth is unique due to the combination of our hot climate, porous sandy soils (that favour larval and pupal survival), close proximity of horticulture and livestock industries and overhead irrigation of vegetable crops (soil constantly moist, which promotes larval survival).

Although stable flies don't usually breed in dry poultry manure, usage of poultry litter (poultry manure plus an organic sawdust base) as a fertiliser and soil conditioner in horticultural crop production can become a contributor to both stable fly and house fly populations.

There is a carrot farm located on the southern boundary of the Shire; however, organic waste is well managed at this farm, stable fly monitoring in the vicinity yielded very few trapped stable flies.

3.4 STABLE FLIES AND POULTRY MANURE

A distinction needs to be made between poultry litter/broiler litter (being a mixture consisting of poultry excreta, spilled feed, feathers, and material used as bedding) and poultry manure (poultry excreta only).

Dr David Cook, Department of Primary Industry and Regional Development provides;

“Poultry broiler litter stacks that are left to age in the field represent the highest risk for stable fly breeding if they get wet through irrigation or rainfall, whereas egg layer manure (without an organic matter base) are a significantly less risk of producing stable flies.”

In trials it was found that stable flies prefer to develop in a more aged and fermented poultry litter (>4-7 day old), whereas house flies did not use poultry litter that had aged for more than 9 days. Similarly, house flies prefer fresh cattle manure as a larval breeding medium, whereas stable flies do not breed in the manure until it is at least 19 days old (Broce and Haas 1999).

3.5 WAYS TO REDUCE BREEDING NUMBERS OF STABLE FLIES.

Reducing stable fly breeding is a shared responsibility. There are five major elements contributing to the success of stable fly breeding:

1. Rotting vegetable matter (vegetable production waste, hay, bedding and animal feed).
2. Mammalian blood (preference is cattle and horse, but human, dog, kangaroo, sheep blood is targeted).
3. Sandy free draining soils (i.e. the Swan Coastal Plain).
4. Moisture (rainfall and overhead irrigation).
5. Warm temperatures (spring to autumn is ideal - Stable Flies are resilient to hot January days greater than 35°C).

Removing any one of these elements will limit the ability for Stable Flies to exist. While there are registered pesticides that can be used to control both larvae (maggots) and adult flies, the main objective should be to remove breeding sites. Effective ways to reduce stable fly numbers is to eliminate the breeding sources:

- Spread manure and moist grass clippings thinly to dry.
- Maintain (turn and aerate) compost piles to promote rapid aerobic decomposition of organic matter.
- Do not feed waste vegetables to livestock unless in a trough or box to prevent mixing with soil.
- Prevent the build-up of hay residues or split grain feed.
- Keep animal enclosures clean on a daily basis; collect manures, including soiled straw or litter bedding, from animal enclosures.
- Keep organic waste in a fly-proof bin/container, or cover it completely with a tarpaulin or heavy duty plastic sheet to keep dry.

4. FUTURE CONSIDERATIONS

Once the reviewed Biosecurity and Agriculture Management (Stable Fly) Management Plan 2018 has been approved by the Minister and the transport and application restrictions lifted Council may consider joining other local governments that have declared the stable fly a pest. As end users are unable to stockpile manure the management plan could also become a management tool to prevent odour complaints.

As stable fly breeding is generally associated with sandy soils and agricultural activities, such as irrigation and organic waste disposal, Shire officers will need to monitor horticultural farming activities in Shire areas that comprise sandy soils. Additional Shire officers may be required to monitor compliance if the stable fly management plan is adopted.

5. CURRENT POSITION

The following position was adopted by the Dandaragan Shire Council with regard to Stable Flies at the meeting held on the 24 January 2019:

That Council, taking into consideration the low number of stable flies in the district, desist from declaring the Stable Fly (*Stomoxys calcitrans*) a pest in the Shire of Dandaragan local government area and review this decision in 24 months' time.

The above decision was made taking into consideration:

- Cost implications for farmers vs net benefit;
- The low number of stable flies observed in the area;
- DPIRD advice that chicken manure represents only 10% of stable fly breeding;
- That using the management plan to manage odour complaints would negatively impact other farmers who have used chicken manure successfully for many years without causing a nuisance.

6. REFERENCES

<https://grdc.com.au/resources-and-publications/grdc-update-papers/tab-content/grdc-update-papers/2015/08/chicken-litter-as-fertiliser-for-broadacre-grain-crops>

<https://www.agric.wa.gov.au/vegetables/stable-fly-western-australia?page=0%2C1>

<https://www.agric.wa.gov.au/vegetables/stable-fly-western-australia>

<https://www.nacc.com.au/stable-fly-causing-community-unrest-bottom-end-nacc-nrm-region/>

<http://agriculture.vic.gov.au/agriculture/farm-management/business-management/new-landholders/agricultural-industries-and-their-impacts>

7.0 ATTACHMENTS

2016 stable fly Management Plan changes affecting all producers



BY DON TELFER
STABLE FLY PROJECT
MANAGER, DAFWA

The Stable Fly Management Plan was created under the *Biosecurity and Agriculture Management (BAM) Act 2007* for the control and management of stable fly breeding in horticulture and livestock production.

The plan has been in operation since 2013, however recent research by Dr David Cook from the Department of Agriculture and Food, Western Australia (DAFWA), funded by growers through Horticulture Innovation Australia and the Agriculture Produce Commission – Vegetable Producers Committee, has identified new and better ways to reduce stable fly breeding in Western Australia.

DEEP burial of vegetable waste using a counter-rotating rotary hoe or rack burier.

The treatment of vegetable production waste has altered so that **within three days** of the end of harvest, the waste must be:

- mulched, water turned off, and the area sprayed with insecticide as per the current management plan, or
- deeply buried by stone burier with compaction or soil smearing, or by mouldboard plough, or
- treated with an approved measure of deep rotary hoeing five times in five consecutive days.

Restriction on the approved processes for treating poultry manure. All poultry manure used in the stable fly affected shires will need to meet the Australian Standard for composting (4454-2012) unless treated by an approved measure. Reject vegetable waste in pits must be sprayed with insecticide and buried at least 50cm deep (burial was previously 30cm deep).

Animal manure, soiled bedding, rotting hay and feedstuffs must immediately be piled into a mound and

- treated by insecticide and left for two weeks; or
- covered with plastic sheeting until no stable fly larvae or pupae are observed.

The use of the term 'Approved Measure' in the new Stable Fly Management Plan is a measure approved by the Director General of DAFWA, for the control of stable fly, and is published on the DAFWA website, www.agric.wa.gov.au/vegetables/stable-fly-western-australia.

The use of approved measures will enable a more responsive reaction to latest research or other developments. Changes or new Approved Measures will be regularly published to ensure industry is kept up to date. (i)

MORE INFORMATION ▶

Producers with questions regarding these changes should contact Don Telfer at the DAFWA on (08) 9368 3553 or don.telfer@agric.wa.gov.au. Alternatively contact Truyen Vo on 0457 457 559 or truyen.vo@vegetableswa.com.au

For any further information on stable fly, view the DAFWA website www.agric.wa.gov.au and search Stable fly.



Department of
Agriculture and Food




Agriculture of Producers
Cooperation



Horticulture
Innovation
Australia



Stable fly and the rapid burial of waste



BY DR DAVID COOK
SENIOR RESEARCHER,
DAFWA

In recent years research by the Department of Agriculture and Food Western Australian (DAFWA) and the University of Western Australia (UWA) has concentrated on mulching, turning water off, and spraying vegetable residue to control stable flies in horticulture precincts.



Soil compaction
at 3t/m²
prevents stable fly
emergence!

RAPID burial of waste after harvest prevents stable flies being able to access and develop in the residues.

The focus of the latest research into dealing with vegetable crop residues has switched to rapid burial of waste after harvest to prevent stable flies being able to access and develop in the residues.

Below we look at the research into the use of machinery to bury crop residues and prevent stable fly development. We also look at controlled experiments (laboratory and field) where residues are buried and in some cases compacted for extra prevention of stable fly emergence.

Stable flies emerge from their pupal case, which are normally 5–10cm underground. The newly emerged adult fly digs its way to the soil surface, where it rests for an hour before flying off in search of animal blood (livestock and humans) (Figure 1).

Machinery such as counter rotating (contravator) rotary hoes or stone buriers and mouldboard ploughs are capable of completely burying material up to a depth of 30cm. This is done in a single operation and leaves a clean layer of soil ready for the next planting. This machinery will save time and money to vegetable growers, which should be a huge incentive for its adoption and a bigger driver for change than stable flies alone; the benefits to growers include:

- Less mechanical working of the soil
- Retain the organic matter from the crop residue
- No need to apply a pesticide for stable fly control

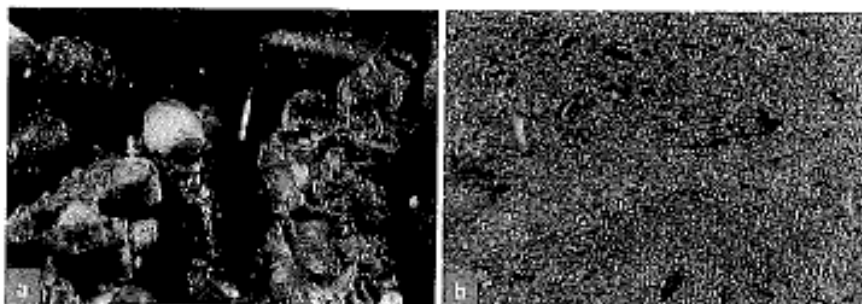


FIGURE 1 Scraping away the top 5cm of soil showing stable fly pupae (a) and an adult fly emerging from the pupal case (b)

Source: DAFWA

- Single operation ready for planting of the next crop

Residues need to be buried to a sufficient depth to totally ensure that stable flies cannot access the material; and must be buried quickly enough after harvest, before stable flies are able to lay eggs onto the residue. Field assessment of the use of Stone Burier (Figure 2) showed some excellent results in terms of the numbers of adult stable flies that developed from the areas treated by the machinery (see Figure 3), in particular when the residues were treated within 24 hours of harvest.

Whilst doing this work we also got our first indication that compaction of the soil was having a major impact on the ability of adult stable fly to dig their way out of the soil. When we measured stable fly emergence over an area where cabbage residue were first buried and then run over by the tractor several times (see Figure 3).

Leaving residue for up to one week was too late to have any impact on reducing stable fly emergence over and above standard Best Practice Management of mulching, drying and spraying of residues.

Laboratory trials were done on adult stable fly emergence to measure the exact amount of soil compaction needed, as well as simply smoothing or polishing the soil surface, when either stable fly pupae or fully developed larvae were buried in soil within tubes for easy recovery and measurement (see Figure 4).

We showed in laboratory studies that the polishing of the soil surface (smoothing of surface with no compaction) and soil compaction severely restricted adult stable fly emergence (less than 2% survival of adult flies).

Soil compaction at or above 3t/m² completely prevented any stable fly emergence (see Figure 5).



FIGURE 2 Stone burier machine putting celery crop residue into the soil within 24 hours after harvest (a) and burying freshly mulched cabbage crop residues (b)

Source: DAFWA

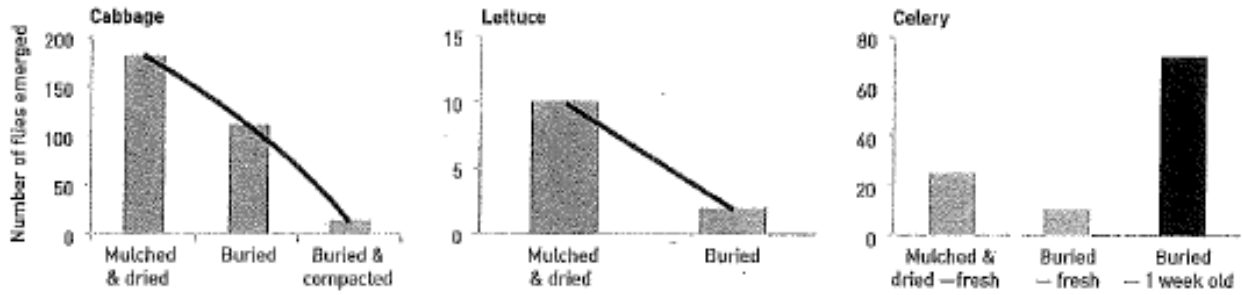


FIGURE 3 Field trial assessment of the impact of burial of vegetable crop residues on stable fly development
Source: DAFWA

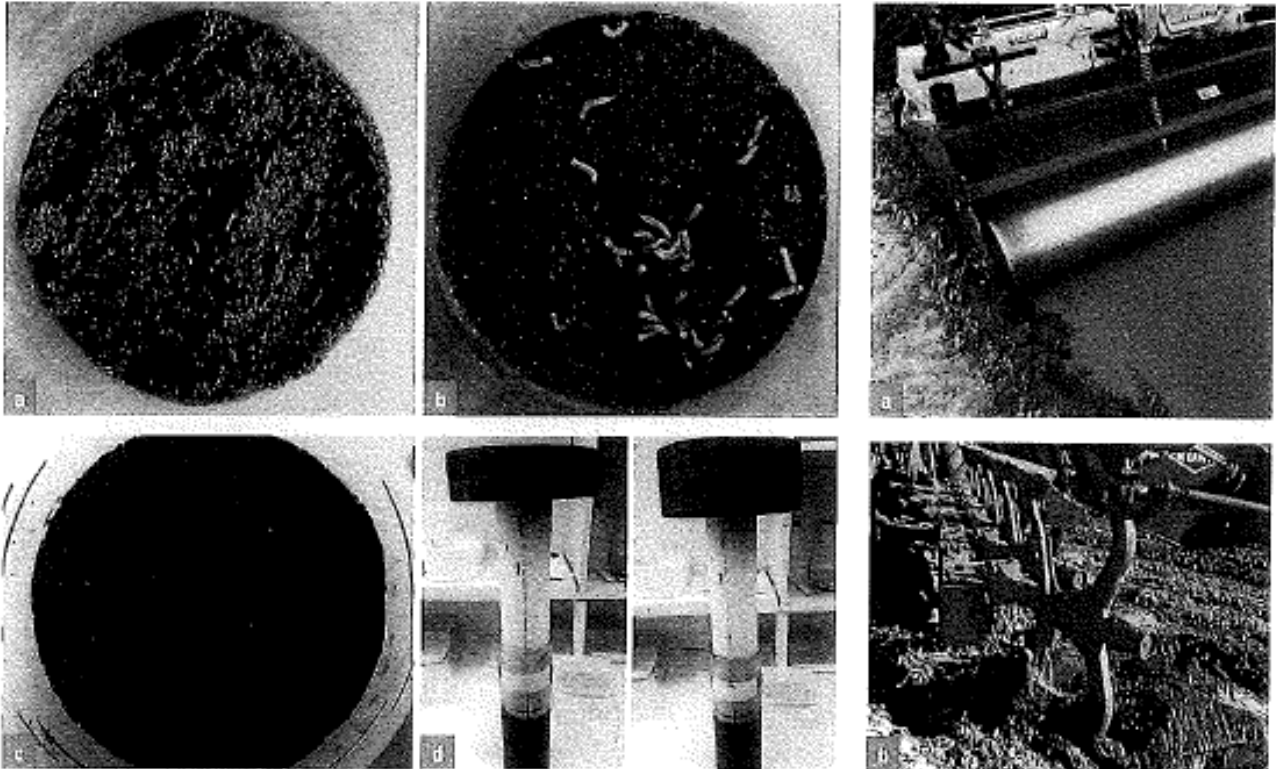


FIGURE 4 Soil with either stable fly pupae (a) or larvae (b) prior to being covered in 15cm of moist sand. The sand was then either polished (c) or compacted to 2t and 3t/m² (d) and subsequent adult stable fly emergence recorded
Source: DAFWA

FIGURE 6 Stone barrier with polishing roller (a) and mouldboard plough going through celery crop residues (b)
Source: DAFWA

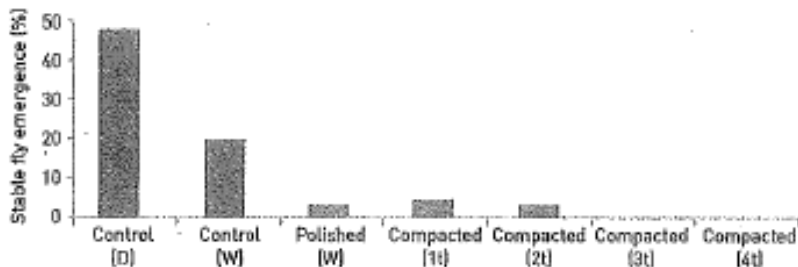


FIGURE 5 Per cent adult stable fly emergence in dry (D) or wet (W) soil following either polishing of the soil surface or compaction at either 1, 2, 3 or 4t/m²
Source: DAFWA

We will be making field assessments this fly season (October to May) on the use of machinery that both compact and polish the soil surface in a single operation (stone barrier with polishing roller) and/or bury residues beyond 30cm, such as the deep mouldboard plough (see Figure 6).

MORE INFORMATION

For more information on Stable Fly or queries on the research contact David Cook david.cook@uwa.edu.au or visit the DAFWA website www.agric.wa.gov.au/vegetables/stable-fly-western-australia.

FROM ROTTING CROP RESIDUES

Rotting crop residues of vegetables such as cauliflower, broccoli, celery, cabbage and lettuce have been continually shown to produce extremely high numbers of biting flies if not managed properly (from 100 to >1,000 flies/m² of soil). Livestock producers and rural residents across many Shires around Perth continue to bear the impact of this fly.



Fig.1. An adult biting fly with prominent biting mouthpart (LHS) and all the stages of the biting flies life cycle (RHS) from egg (left) to actively feeding larvae or maggot (centre, top), dormant pupae that lie in the soil (right) and adult biting fly that emerges from the pupae and digs its way to the soil surface where it flies away in search of a blood meal.



Fig.2. Rotting leaves and stalks left after harvest is complete from leafy crops such as cauliflower (LHS) and celery (RHS) allow biting flies to develop in huge numbers on sandy soils that are regularly watered overhead.

Vegetable crop residues that allow for biting fly development include either:

- i) stalks, leaves and fruit left in or on the ground after harvesting,
- ii) harvested crop waste (i.e., damaged/reject produce, processing scraps) either dumped into open pits, left in piles on the ground, or fed out to livestock, or
- iii) abandoned crops where all remaining fruit rot

Reject and/or damaged produce of vegetables such as eggplant, cauliflower, lettuce, cabbage, bell peppers, pumpkin, zucchini, beetroot, chinese radish, potato, spring onion, tomato and celery, left to rot on the ground allow for significant numbers of biting flies to develop. Where possible, every piece of reject produce needs to be either removed and placed into a deep pit before being covered with 300mm of sand every 3-4 days and/or sprayed if it is impractical and too costly to pick up this reject produce.

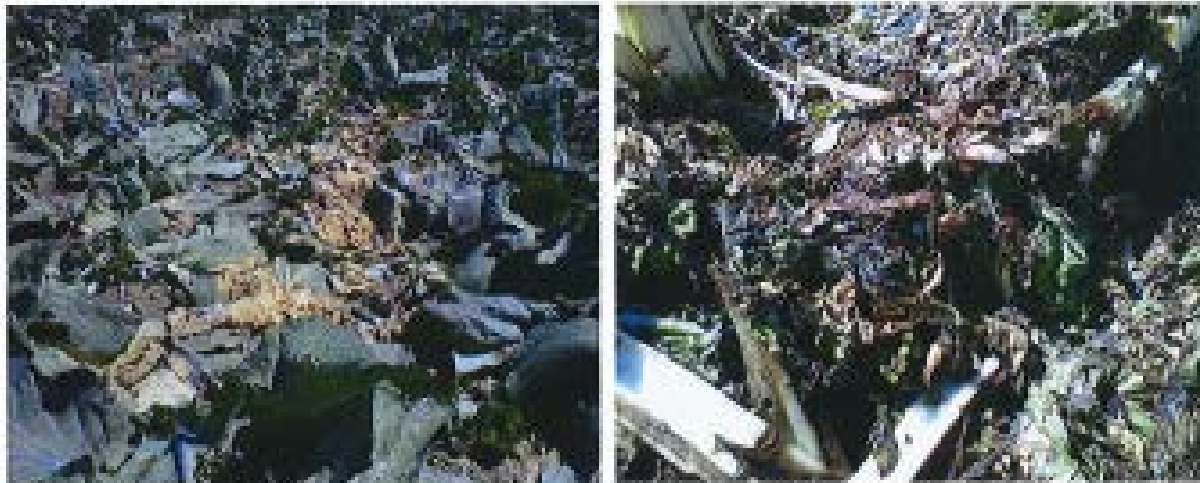


Fig.3. The huge amount of leaves and stalks and reject produce left after harvesting is complete in crop such as cabbage (left) and silverbeet (right) provide a perfect breeding ground for biting flies. Proper management of this material can significantly reduce the numbers of biting flies that are capable of developing (see below).



Fig.4. Reject and/or damaged produce such as eggplant (aubergine) (LHS) or abandoned crops (roma tomatoes RHS) left to rot allow the biting fly to develop from every fruit. As

these crops are picked daily for several months, the reject produce must be moved into an open pit and deep buried weekly with at least 300mm of soil or the abandoned crop sprayed and left to prevent fly development until completely dry.

HOW DO I KNOW I HAVE BITING FLIES?

The biting fly or “stable fly” is very similar in size and appearance to the common house fly and bush fly – the major difference between these flies is that the biting fly has, as their name suggests, a prominent biting mouthpart. Stable flies are persistent biters, feeding on animals several times a day, preferring to bite cattle and horses, but will also attack humans, dogs, pigs, newborn lambs, pet kangaroos and emus. Their bite causes a sharp pain as it quickly draws blood – the fly punctures the skin several times before drawing blood and they can increase their body weight by up to 3 times when fully fed.



Fig 5. Biting fly (LHS) v House fly (top view)

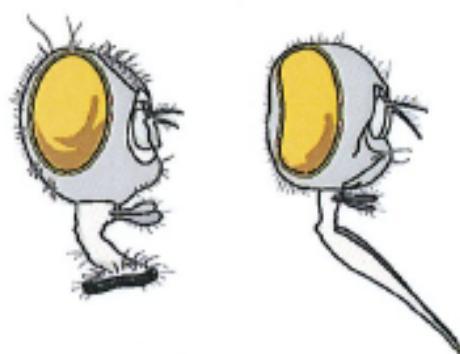


Fig 6. Housefly mouthparts v Biting Fly (Right)



Fig 7. Biting Fly piercing mouthpart



Fig 8. A Biting fly drawing blood from a human

The picture on the far left shows that the biting or stable fly is slightly smaller than a house fly but has the prominent black piercing mouthpart sticking out the front of its head – this is lowered and used to pierce the skin of animals and humans to draw blood, as is shown in Figs 7 and 8. House flies have sponge-like mouthparts that release saliva down onto a surface and then suck back up the food they have contacted (see Fig 6).

WHAT YOU CAN DO TO REDUCE BITING FLY BREEDING FROM CROP RESIDUES

The following must be done with regards to managing crop residues on a regular and on-going basis to minimise the development of biting flies:

1. All vegetable crop residue remaining after harvest is to be mechanically broken down into as small a pieces as possible with a high speed mulcher as soon as possible and/or within 3 days of harvesting being complete.
2. This crop residue must be then sprayed with registered pesticide against fly maggots (eg Dipterex 500, Lepidex 500, Chemag Dichlorvos, Barmac Dichlorvos 500, David Grays DDVP 500 or Divap 500EC) in a high spray volume of at least 1400-1600L/ha of water to ensure adequate penetration into the soil and coverage of the crop residue. This is to be done **either immediately prior to, or immediately after** incorporation of the crop residue into the soil.
3. The area treated with pesticide is to then to have no additional overhead watering and left undisturbed for at least 7 days. This is so that any eggs and/or fly larvae are killed when moving about in the residue as well as preventing any adult biting flies from laying eggs on this material. Adult biting flies that do manage to survive are killed when they contact the pesticide residue barrier when they dig their way up out of the soil.
4. Any reject crop produce or processing scraps (eg leaves, stalks, damaged fruit) that are generated from post-harvest sorting and processing are to be deep buried weekly and covered with at least 300mm of soil.
5. Whole crops abandoned due to market forces, financial hardship, disease, irrigation failure etc represent a high risk of biting fly development in the rotting produce and must be slashed and then sprayed to prevent flies developing in the material.

Both Dr David Cook and officers of the Shire of Gingin will continue to regularly inspect all commercial vegetable grower properties to ensure that this management plan is adhered to in order to reduce the numbers of biting flies. The Gingin Shire Council expects yours and many other industries cooperation in reducing the biting fly populations across the Shire.

Disclaimer: Neither the University of WA nor the Shire of Gingin endorse any of the products mentioned on this information brochure. Any product omission is unintentional and prices quoted are current as at November, 2011.

Authors: David Cook and Ian Dadour

© Centre for Forensic Science, University of Western Australia, Nedlands WA 6009

Meet Dave Blakers

— the Capel vegetable grower who has worked hard to control stable fly

BY DON TELFER
DEPARTMENT OF AGRICULTURE AND
FOOD, WA

On the surface David Blakers looks like any family man who manages a large vegetable production business on 160 hectares of irrigation. But Dave has an innovative spirit, and a will to 'do it better'.

Seventeen years ago the Blakers and the Norton families in Capel decided to set up a large vegetable production business using five centre pivots and fixed irrigation. Capel Farms has a three gigalitre water licence, pumping approximately 300 meters deep from the Yarragadee basin.

Capel Farms originally started growing carrots, potatoes and brassicas.

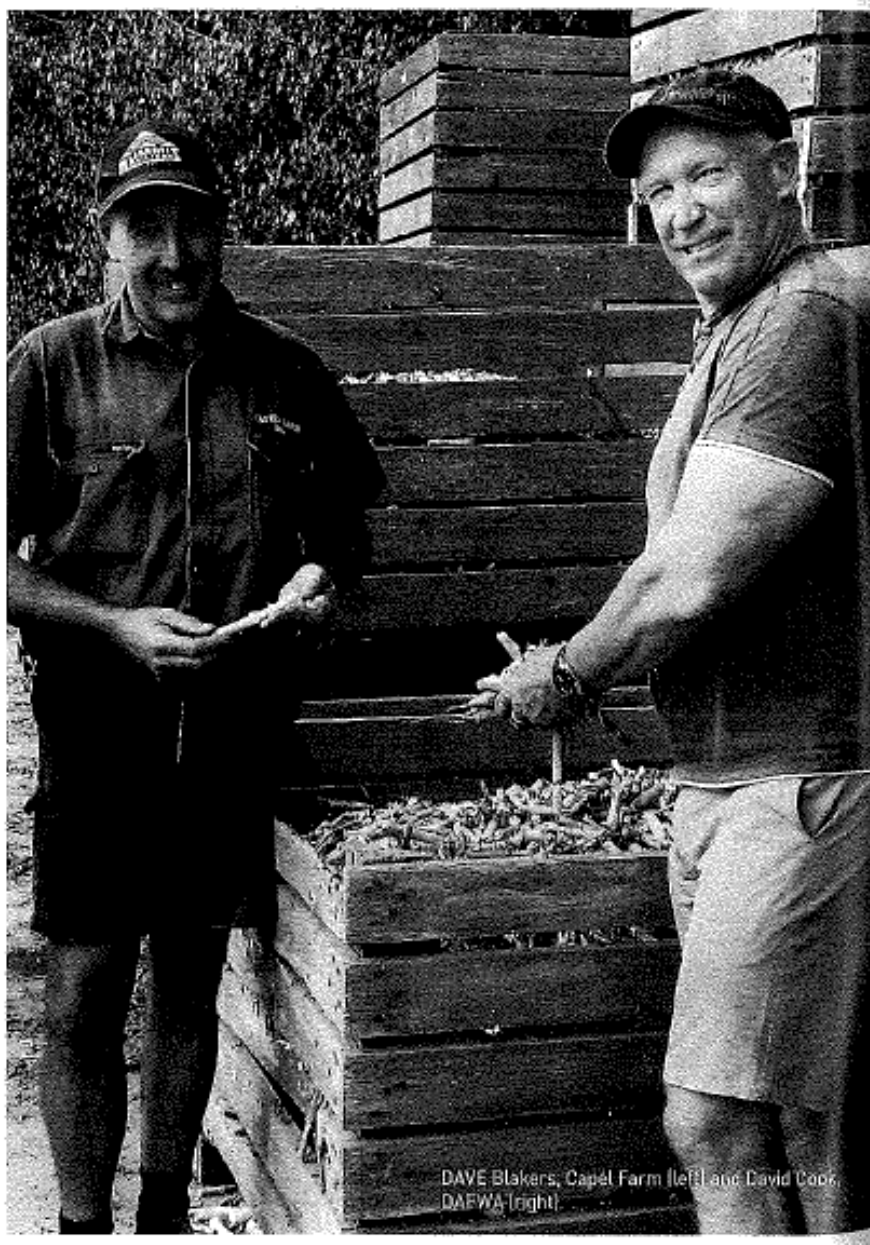
These days they concentrate on broccolini as the main contract crop, supplying Western Australian markets twelve months of the year under an exclusive contract.

They also grow baby spinach, avocados and have a grape vine nursery.

They have just moved away from growing 80 to 100ha lucerne each year and now spell paddocks by growing barley, and are looking at growing mustards as a disease break crop.

Planning is the key

Broccolini is a very labour intensive, and takes a lot of planning and inputs. In Capel, the summer growing period is 65 days, and in winter it takes up to 95 days from seeding to harvest.



DAVE Blakers, Capel Farm (left) and David Cook, DAFWA (right)

YOUR PRODUCTION

The main insect pests are diamond back moth and stable fly in summer. David is insistent on regular monitoring, getting out there and inspecting the crop for pests. That drives his control measures of soft option pesticides, only spraying when he must.

You will often see Dave in shorts, this is important he says, it's a great measure of how many flies are around when you get bitten on the legs.

Whilst stable flies have been in Capel Shire in low numbers for many years, they have only been a problem for the last five years. Dave admits that stable flies used to love his cropping program and bred on the crop waste. At the same time Dave started to grow these crops, the Capel Shire started to get complaints. These complaints peaked in the 2015 season with approximately 40 objections. To make it worse, Capel Farm is surrounded by cattle and horses — both are stable fly's favourite blood sources.

In 2014 Dave Blakers asked Dr David Cook from the University Of Western Australia (UWA) to assist in the control of stable flies. Dr Cook has been researching stable fly control measures for nearly 20 years in WA.

David was working on a Department of Agriculture and Food Western Australia (DAPWA) stable fly control project and is considered a world expert on stable fly management, especially when it comes to the interaction of fly breeding in horticulture and livestock enterprises in close proximity.



STABLE fly emergence traps placed in a broccolini crop on Capel Farms.

Know your pest

Dave Blakers first spent time learning about the stable fly life cycle, and where it liked to breed. Now with David Cook's help, they have a control system that seems to work. This year there have been no complaints directed at Capel Farms.

In fact a trial that David Cook set up at Capel Farms in November last year failed. No stable flies turned up for the trial. In hind sight this is considered a good sign.

Keep vigilant

To ensure there is good control of stable flies, Dave thinks the first step is to be vigilant; to make sure stable flies never have the chance to build up. The second bit Dave says is to follow the Stable Fly Management

Plan. Follow the four steps: 1. Shorten the harvest period; 2. Turn off the water if you can; 3. Mulch and spray with an insecticide; and 4. Come back in a week and rotary hoe the remaining crop waste to pulverise it completely.

In-crop management

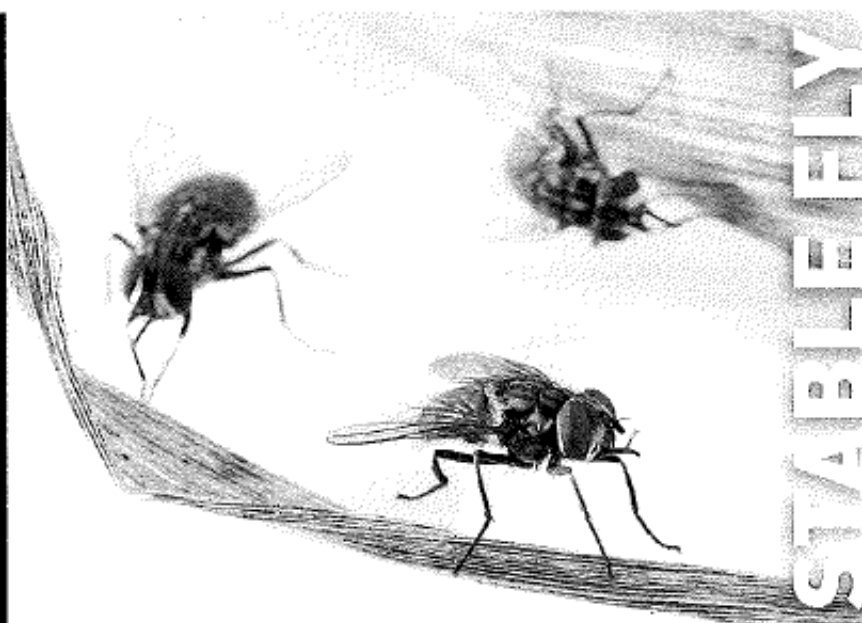
Control all starts at harvest. Dave has shortened harvest from six to three weeks, so plants some extra area to cover the production lost.

In crops such as broccolini, cauliflower, broccoli, or celery, when the head is cut, it allows bacterial and fungal rotting agents access into the stem, where the soft core will start to rot. Flies will lay their eggs in this slowly rotting stem, and this starts the flies' life cycle. Dave religiously cover sprays the crop being harvested with copper every seven days to help to sterilise the wounds on the

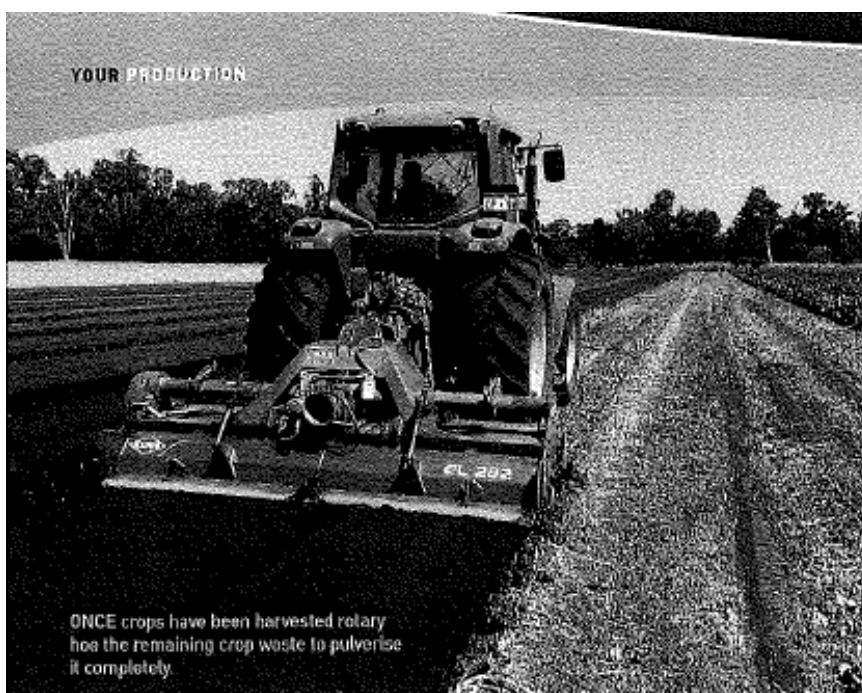
Stable fly (*Stomoxys calcitrans*) is a blood sucking fly that lays eggs in rotting vegetation such as old hay, silage, or rotting waste from vegetable production.

Both the male and female fly require three to four blood feeds each day to ensure they can lay eggs. The stable fly prefers blood from cattle and horses, but will bite all livestock, pets and humans.

Large numbers of stable flies will cause distress and weight loss with large animals, and death on small animals. Their bites are painful, and cattle with over 20 stable flies will stamp, tail flick, flick up dirt, roll, brush and mill with others, and refuse to feed. At this level of infestation there is significant economic loss.



STABLE FLY



YOUR PRODUCTION

ONCE crops have been harvested rotary hoe the remaining crop waste to pulverise it completely

plant and assist wounds to dry out. "Keep the plant as healthy as you can," says Dave. "Keeping the nutrients up reduces the rotting of the inner parts of the stems."

Insecticides used to control diamond back moths also help with controlling stable flies. Finding out what works, and what can be used is important. If there is a bad outbreak of stable flies, don't be afraid to spray for them using a short withholding period spray. Alternately Dave will stop harvest early, and treat the crop to an early haircut — mulch, spray and bury. "Stick to the Stable Fly Management Plan," says Dave.

Stable flies thrive where there are five elements;

1. Mammalian blood
2. Rotting vegetation
3. Sandy well drained soils
4. Water to keep everything wet
5. Warm temperatures

Take away any one of these elements and stable flies have difficulty in surviving in large numbers.

Post-harvest management

Dave uses a high speed forage mulcher with a roller on the back to chop the above ground crop waste off right at ground level. "Leave nothing sticking up" comments Dave "what's left will quickly shrivel up and dry out, and make the later operation of rotary hoeing a lot easier."

If it's not possible to turn the water off especially with the centre pivots, Dave may deep rotary hoe soon after mulching, going deep and slow, getting all the waste deeply buried. He will do this several times to ensure a full burial of stems and roots.

"Once stable flies get into the roots, it's very hard to control them, so don't give them the chance!"

He believes a roller on the back of the rotary hoe to compact the soil will make it better for soil protection and reduce the ability for any stable flies to emerge from the soil after emerging from the pupal stage.

The next step is to spread two tonnes of lime over the top of the renovated area. Dr Cook's research shows that making the soil more alkaline will give two benefits, it sweetens the soil for the next crop, and egg laying by stable flies are reduced. Dave would normally have limed later, but this tactic works well. In the peak of summer if stable flies promise to be bad, he may spray a residual insecticide as a safety precaution on the bare soil. He will use Bifenthrin or Chlorpyrifos in this circumstance.

The cost of good control

Does stable fly management cost much more than if they were not present? "We are not doing a great deal extra" comments Dave. "If we did not have stable fly, we would not be mulching nor going slow with our rotary hoe to bury the crop. But we would be doing two rotary hoes to macerate the crop. Doing what we now do does get the paddock back into production quickly."

Capel Farms does lime every year, so an extra half tonne is not a big ask. The only extra is perhaps an extra pesticide or two.

Baby leaf spinach is not a problem, once harvested; the roots are small and easily chopped up. Dave says it's the brassicas that cause most problems.

Capel Farms has stopped growing lucerne, partly because of the stable fly problems. As all lucerne growers know, the cutting and baling process leaves large blobs of waste hay on the ground. If this is not cleaned up before the water is turned on again, high numbers of stable fly will grow under each pile.

Dr David Cook has measured up to 2,000 stable fly larvae per square meter under waste hay. The best way to get around this is to turn large numbers of cattle onto the lucerne stubble for several days prior to commencing watering, to clean up the hay before it rots.

Next year Dave will not change the process too much from what he has done this year, however he will continue to be vigilant and keep learning. This year there have been several stable fly outbreaks nearby, not on his farm, but on silage and grape marc (pressing waste).

Dave Blakers final message is "Understand the pest, understand its lifecycle, know all the options available to control them, and don't cut corners. If you mess up the control once, you are behind the eight-ball for the rest of the season. Any prevention is better than a cure!"

MORE INFORMATION ►

It is expected that Capel Shire will be included on the list of shires in the Biosecurity and Agriculture Management (Stable Fly Management) Plan later in 2016. This will restrict Capel residents in the use of raw poultry manure, restrict vegetable growers in how they handle crop and vegetable waste, and restrict livestock owners in how they deal with waste hay, silage and feed.

For more information contact the Department of Agriculture and Food Western Australia or go to its web site at www.agric.wa.gov.au



Department of
Agriculture and Food





POLICY MANUAL

**ADOPTED AT THE ORDINARY MEETING OF COUNCIL HELD ON
23 May 2019**

SHIRE OF DANDARAGAN POLICY MANUAL

Current as adopted by Council at its
Ordinary Meeting on Council held on 23 May 2019

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INTRODUCTION TO POLICY MANUAL

This publication is a “living” document, which has been designed to serve as a tool for Council, staff and any other person who wishes to use it in their dealings with the Shire.

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

It is only one of several reference sites to guide you in conducting your daily business with the Shire of Dandaragan.

This Policy and Procedure Register contains both the Policies adopted by Council and the Shire Operational Policies endorsed by the Chief Executive Officer, together with their respective Management Procedures. Users should be mindful of the fact that in simple terms:

- Policy provides what can be done.
- Procedures provide for how to do it.

It is important to note that the adopted policies have been made to facilitate:

- Consistency and equity in decision making.
- Promptness in responding to customer needs.
- Operational efficiency
- To provide guidance to the community on the Council's position regarding a range of issues

A policy statement is not binding on Council, but provides a guideline for elected members and staff in determining individual applications or requests. Generally, Policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is considered important that the Policy Manual be reviewed approximately every two (2) years to ensure the integrity and relevance of the Policies in place

Brent Bailey
CHIEF EXECUTIVE OFFICER

DEFINITIONS

Policy: “A course or principle of action”

Council Policies will generally only be developed if they will further the achievement of the Shire’s strategic goals or contribute to the fulfilment of mandatory obligations. They are defined courses of action that should be followed in particular circumstances and are intended to give guidance to staff on what is permissible when dealing with certain matters. They guide the discretionary part of Council’s decision making and form an essential step in the delegation of Council powers.

Council Policies are determined by Council and this power is conveyed to Council in Section 2.7(2)(b) of the *Local Government Act 1995*. Shire Operational Policies are determined by the Chief Executive Officer. Both may be amended or waived according to circumstances

All policies shall be reviewed at least once every two years.

Procedure: “A series of actions conducted in a certain order or manner to perform a task”

Procedures represent the strategies and actions by which a policy is to be implemented and shall detail the steps and processes to be observed by staff.

Procedures are a function of management and are subject to review at any time according to circumstances, to ensure that policies are being implemented in a correct, efficient and effective manner.

Procedure for Developing, Amending and Reviewing Policies and Procedures

New Policy and Management Procedure

1. Where the Strategic Community Plan identifies a need or Council requests a policy, the Chief Executive Officer (CEO) or the Executive Manager who will have responsibility for it, shall nominate an officer to prepare a draft proposal / policy.
2. Where an officer has identified a need to establish a policy, he must first discuss the matter with the relevant Executive Manager and scope the proposed policy with all potential users and interested parties including Council. This is to include a determination of whether the matter involved should be a Council Policy or a Shire Operational Policy.

Following consideration by the CEO or Executive Manager, the originating officer is to prepare a formal proposal.

The proposal is to contain elements identifying:

- Details of the issue.
- The key staff / people involved.
- The impact on internal and external stakeholders.

- Any procedures and / or delegations that would be required.
- Budget implications.

When developing a policy, it shall:

- Be reasonable, equitable and sustainable at law.
 - Meet the definition of policy, ie “A course or principle of action”.
 - Be simple.
 - Be a statement mandating decision making.
 - Not be procedure.
 - Not be confused with the terms “protocol” or “practice”.
 - Not be a statement of vision.
3. The CEO or Executive Manager shall then present the draft proposal / policy to the Executive Management Team (“EMT”) for consideration.
 4. On endorsement by EMT and the Chief Executive Officer, the originating officer is to prepare the policy, procedure and any delegations in the approved format.
 5. The draft policy, procedure and any delegation is, in their final form, to be re-presented to the Chief Executive Officer for final endorsement.
 6. The policy, procedure and delegation (if necessary) is to be Council’s Forum for consideration and endorsement.
 7. On adoption by Council of a Council Policy, or endorsement of a Shire Operational Policy, the contents are to be communicated to all relevant staff by the originating officer. This may include memos, discussions with individual officers or a formalised meeting / training session.
 8. The originating officer is to forward a copy of the policy, procedure, delegation and Council resolution to the Executive Secretary, who will:
 - Include the changes in the Policy and Procedure Register.
 - Arrange prompt forwarding of updated pages to all holders of the Policy Register.
 - Arrange prompt update of the intranet and website.

Policy Amendments

Any amendment to a policy is to follow the above procedures.

Policy Review

1. A review of every policy is to be made every two years by the relevant Executive Manager.
2. The Executive Secretary is to prepare annually a list of policies due for revision and submit them to the relevant Executive Manager for action.
3. The entire Policy and Procedure Register, including procedures, shall be reviewed every in line each major review of the Strategic Community Plan.

New or Amended Procedures

1. Where a need has been identified to establish or amend a procedure relating to an adopted policy, an officer is to prepare a formal proposal for consideration by the relevant Executive Manager.
2. The Executive Manager shall then present the draft proposal to the Chief Executive Officer for consideration.
3. The Chief Executive Officer may then:
 - Approve the Procedure.
 - Refer the proposal to EMT for consideration prior to approving the procedure.
 - Refer the proposal to a Council Forum or Council for eventual endorsement in the case of a procedure which is considered to affect Elected Members.
4. On approval / endorsement of the procedure by the Chief Executive Officer (or Council), the contents are to be communicated to all relevant staff by the originating officer.
5. The originating officer is to forward a copy of the procedure, together with evidence of the formal approval / endorsement to the Executive Secretary, who will
 - Include the changes in the Policy and Procedure Register.
 - Arrange prompt forwarding of updated pages to all holders of the Policy and Procedure Register.
 - Arrange prompt update of the intranet and website.

Footnote:

Where development of a change in procedure is considered to conflict with the intent of a policy, refer to the earlier process for Policy Amendment.

1. Governance and Administration

1 GOVERNANCE AND ADMINISTRATION

1.1 C-1PAT01 – Purchasing and Tender

Previous Policy Number – 1.15

PART A - Policy

Objective

The objective of this Policy is to:

- deliver value for money using a best practice approach to the procurement of all goods and services.
- ensure consistency for all purchasing activities.
- provide compliance with the *Local Government Act 1995* and the *Local Government (Function and General) Regulations 1996*.
- ensure that the Shire considers the environmental impact of the procurement process across the life cycle of the goods and services procured.

Policy Statement

The Shire of Dandaragan and Council are committed to operating efficient, effective, economical and sustainable practices and procedures for the procurement of all goods and services which align with the principles of transparency, probity and good governance.

In achieving these objectives, the Shire will ensure all staff:

- observe the highest standards of ethics and integrity in undertaking purchasing activities;
- adopt a value for money approach, which allows the best possible procurement outcome to be achieved;
- consistently provide an opportunity for local businesses to compete for the Shire's work, within the framework and principles of the Regional Price Preference Policy; and
- ensure compliance with all relevant state legislation, including the *State Records Act 2000*, the Shire's Record Keeping Plan and associated records management practices and procedures.

1. Governance and Administration

PART B - Management Procedures

PART 1

1. General Purchasing

1.1 Objective

The objective of these Procedures and the Policy is to provide guidelines for a consistent approach for all procurement activities including obtaining quotations and tenders for the purchase and provision of materials, goods and services and consultants for the Shire of Dandaragan.

The Policy and these Procedures will assist staff in ensuring the Shire of Dandaragan:

- Obtains value for money for the provision of materials, services and consultancy works by contractors and suppliers;
- Complies with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
- Provides a best practice approach and procedures to internal purchasing.
- Consistently provides an opportunity for local businesses to compete for the Shire's work.
- Ensure compliance with the *State Records Act 2000*, the Shire's Record Keeping Plan and associated records management practices and procedures.
- Considers environmental factors in purchasing of goods and services.

1.2 Scope

These procedures and the Policy apply to all purchases by staff on behalf of the Shire, including the calling of Tenders (whether or not required by the Act).

1.3 Definitions

For the purposes of the Policy and these procedures:

Value for Money	Means an overarching principle governing Shire of Dandaragan purchasing that allows the best possible outcome to be achieved. It is important to note that compliance with specification, is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks
Sustainable Procurement	Means the procurement of goods and services that have less environmental and social impacts than competing products and services.
Value of Purchase	Means the value of a purchase net of any claimable GST and any discount other than payment discount incentives. Eg. Staff housing purchases where GST cannot be claimed the value of the purchase would include GST as against a purchase where the GST can be claimed ie through monthly Business Activity Statement (BAS).

1. Governance and Administration

Emergency Purchase	Means an unanticipated purchase which is required in response to an emergency situation that threatens life, property or equipment
The Act	Means the <i>Local government Act 1995</i>
Regulations	Means the <i>Local Government (Functions and General) Regulations 1996</i>

1.4 Legislation

Section 3.57 of the *Act* requires that “a local government is required to invite tenders before it enters into a contract of a prescribed Kind under which another person is to supply goods or services”.

Part 4 of the *Local Government (Functions and General) Regulations 1996* sets out the process that must be complied with in regard to tenders for the provision of goods and services where the consideration is, or is expected to be worth more than \$150,000.

The Regulations do not provide for the requirement for the purchase of goods or services that are worth less than \$150,000, however this policy prescribes the requirements for the implementation of fair and appropriate processes under the tender threshold.

Part 4A of the *Local Government (Functions and General) Regulations 1996* allows for the provision of Local Regional Price Preference, please refer to Policy C-RPP03

1.5 Ethics & Integrity Applicable to Shire Purchases

All officers and employees of the Shire of Dandaragan shall observe the highest standards of ethics and integrity in undertaking purchasing activities for the Shire and shall act in an honest and professional manner.

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

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

1.6 Sustainable Procurement

The Shire of Dandaragan is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage

1. Governance and Administration

to goods, services and / or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Dandaragan's sustainability objectives.

Practically, sustainable procurement means the Shire of Dandaragan shall endeavour at all times to identify and procure products and services that:

- have been determined as necessary;
- demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- demonstrate environmental best practice in water efficiency;
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste;
- for motor vehicles - select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range; and
- for new buildings and refurbishments - where available use renewable energy and technologies.

1.7 Managing Risk

The Shire recognises that the effective management of risk in procuring goods, services and works from external contractors and suppliers is integral to achieving the best procurement outcome and to meet the Shire's Corporate Plan objectives. Risk management shall be applied in accordance with the Shire's Risk Management Policy and Framework.

Assessing business risk is subjective. To assist the assessment process, an affirmative response to any of the following, after consideration of risk mitigation strategies to be utilised, means there is a high risk to the purchase:

- Is there any risk to public safety?
- Could any staff be exposed to health or safety risks?
- Could the financial value of the purchase exceed budget?
- Could the Shire receive any negative publicity by purchasing or using this item?

1.8 Purchase Order Authority and Limits

Purchase order authority and limits are to be in accordance with Delegated Authority – 103 – Purchase Order Authorisation and Authority for payment.

1.9 Regional Price Preference (buy local)

Where possible, the Shire will endeavour to maximise supply opportunities for small and medium businesses for its purchasing requirements provided it is in accordance with the shires needs and meets the set criteria and all other provisions of the Regional Price Preference Policy – C-RPP01

1. Governance and Administration

Expenditure Thresholds – Quotation Requirements for Purchasing

\$0 - \$4,999 no quotes required but responsible staff member to ensure that goods or services represent reasonable value for money.

\$5,000 - \$19,999 two email or verbal quotes to be sought, with copies of email or file note to be attached to the requisition or reference made to the relevant record number.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least two Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing.

\$20,000 - \$99,999 written specification required and two written quotes sought (unless the nature of the goods is generic). Prior to any documentation being issued a Request for Quote (RFQ) number must be obtained from the Executive Manager of Corporate and Community Services.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts or the State Common Use Agreement. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing. A Request for Quote (RFQ) number must be obtained from the Executive Manager of Corporate and Community Services.

\$100,000 - \$149,999 written specification required and three written quotes sought). Prior to any documentation being issued a Request for Quote (RFQ) number must be obtained and utilised on all correspondence. RFQ file to be developed and stored electronically.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts or the State Common Use Agreement. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing. A Request for Quote (RFQ) number must be obtained from the Executive Manager of Corporate and Community Services.

\$150,000+ Public tender process to be undertaken unless excluded under Exemptions listed below. Prior to any documentation being issued a Request for Tender (RFT) number must be obtained from the Executive

1. Governance and Administration

Manager of Corporate and Community Services, as applicable provided to maintain the Shire's Tender Register.

OR

Obtain quotations directly from a Tender exempt and pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts or the State Common Use Agreement. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing. A Request for Quote (RFQ) number must be obtained from the Executive Manager of Corporate and Community Services.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases with a value of purchase under the \$150,000 threshold. If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process must be followed.

1.10 Guidelines for Seeking Quotations

1. for Goods and Services over \$19,999 (excluding multiple purchases) it is required that a specification be developed. The specification will vary in complexity depending on **the nature and extent of the purchase**. **Consult with the relevant Executive Manager or Chief Executive Officer for the level of detail required in a specification if required.**
2. Quotations should be assessed on a value for money basis, including cost, quality and availability. Assessment of purchase and relevant approvals should be documented and kept on file. Please refer to the delegations register for requisition and purchasing authority amounts and refer to the WALGA Procurement Handbook for assessment techniques.
3. In determining the best value purchase, reference must be made to the Shire of Dandaragan Local Regional Price Preference Policy.
4. A purchase order is to be raised and forwarded to the supplier, prior to goods and services being delivered by the supplier.

At all times the responsible officer is required to demonstrate due diligence in seeking quotes and must comply with all record keeping and audit requirements.

1.11 Insufficient Suppliers

Where this procedure requires a certain number of quotations to be obtained, but it is not possible to obtain that number of quotations, then best endeavours must be used to obtain as many quotes as possible. Once determined, written confirmation must be kept on file for audit purposes.

1. Governance and Administration

1.12 Emergency Purchases

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.

Emergency purchases outside of the Shire's annual budgeted amount must be approved by the Shire President in line with the requirements of the Act and reported to Council at the next Ordinary Council Meeting.

Emergency purchases to be made from existing annual budget allocations must be approved in advance by a Shire officer with appropriate delegated authority.

1.13 Panels of Pre-qualified Suppliers

If it is determined that a panel of prequalified suppliers would provide benefit, the regulations under the *Local Government (Functions and General) Regulations 1996* Division 3 – Panel of pre-qualified suppliers apply. Refer to Policy – C-PPS01

1.14 Purchasing from Australian Disability Enterprises

Where possible and appropriate, Australian Disability Enterprises (ADEs) are to be invited to quote to supply goods, services or works under the tender threshold.

For purchases above the tender threshold, an ADE may be contracted without the need to undertake a public Tender process. The ADE will still need to be issued a request for quotation document, and a value for money assessment of the ADE's offer must be made to demonstrate benefits for the Shire's achievement of its strategic and operational objectives.

1.15 Purchasing from Aboriginal Businesses

Where possible and appropriate, businesses registered on any government-funded register of Aboriginal Businesses in Western Australia are to be invited to quote to supply goods, services or works under the tender threshold.

For purchases above the tender threshold, the Shire may take advantage of an exemption to engage an Aboriginal Business without going through a public tender process, should such exemption be available under the Regulations, and subject to any conditions outlined in the Regulations. The business will still need to be issued with a Formal RFQ document incorporating a detailed specification of the requirement and pre-determined evaluation criteria.

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1.16 Petty Cash

The purpose of petty cash is to reimburse for minor items of expenditure that do not justify the raising of orders and cheques, however the expenditure must be evidenced by receipt of monies spent. Where Council has a commercial account with a provider preference is for purchases to be made utilising a purchase order.

Minor expenditure by petty cash is restricted to sums of \$200 or less. Expenditure in excess of this amount should be processed through the normal accounts payable system accompanied by an order.

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PART 2

2. Tender Procurement Requirements

2.1 Tender Process

In conducting a tender process officers are required to comply with the *Act* and *Regulations*:

1. Exemptions

Tenders do not have to be publicly invited under the *Local Government (Functions and General) Regulations 1996 Regulation 11(2)* for the following:

- (a) *the supply of the goods or services is to be obtained from expenditures authorised in an emergency under section 6.8(1)(c) of the Act; or*
- (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*
- (c) *with the last 6 months –*
 - (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or*
 - (ii) *The local government has, under regulation 21(1) sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tender;*

Or

- (d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or*
 - (e) *the goods or services are to be supplied by or obtained through the government of the State of the Commonwealth or any of its agencies, or by a local government or a regional local government; or*
 - (ea) *the goods or services are to be supplied –*
 - (i) *in respect of an area of land that has been incorporated into a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
 - (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- or
- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
 - (g) *the goods to be supplied under the contract are –*
 - (i) *petrol or oil; or*
 - (ii) *any other liquid, or any gas, used for internal combustion engines;*
- or
- (h) *the following apply –*
 - (i) *the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small*

1. Governance and Administration

Business Development Corporation established under the Small Business Development Corporation Act 1983; and

- (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*
 - (iii) the local government is satisfied that the contract represents value for money;*
- or*
- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or*
 - (j) the contract is a renewal or extension of the term of a contract (the original contract) where –*
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
 - (ii) the invitation for tenders contained a provision for the renewal or extension of a contract entered into with a successful tenderer; and*
 - (iii) the original contract contains an option to renew or extend its term; and*
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*
- or*
- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3"*

2. Sole Source of Supply

The procurement of goods and/or services available from only one private sector source of supply (manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be authorised by the relevant Director, recorded and attached to the requisition for later audit.

3. Anti-Avoidance

Contracts for supply of Goods or Services, with a combined value of purchase >\$150,000 must not be split into multiple contracts to avoid the requirement to obtain these goods or services via Public Tender. This also applies to all purchasing thresholds.

As indicated in the Department of Local Government and Communities Circular 16-2015, no timeframe for the tender threshold has been included in the regulations. However, staff should consider the importance of testing the market through a public tender process for low value, repetitive contracts. A **best practice** suggestion is that if a **tender threshold for a category of goods and/services is reached within three years, then a public tender is invited for that good or service.**

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4. Tender Criteria

The Local Government shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and shall include a mix of skills and experience relevant to the nature of the purchase.

- For tenders between \$50,000 and \$149,999, the panel must contain two (2) members.
- For tenders \$150,000 and above, the panel must contain three members.

5. Advertising of Tenders

To comply with legislation, Tenders must be advertised Statewide. It is preferable to advertise in the Local Government Tenders section of the West Australian Newspaper, preferably on a Wednesday or Saturday and notices are to be placed on the notice boards of the Administration Building and Libraries.

Tenders may also be advertised locally if the responsible officers deems appropriate.

The tender must remain open for at least 14 full days after the date the tender is advertised and before the day the tender closes.

The notice must include:

- A brief description of the goods and services required;
- Information as to where and how tenders may be submitted;
- The date and time after which tenders cannot be submitted;
- Particulars identifying a person from who more detailed information on tendering may be obtained.

6. Issuing Tender Documentation

Issuing of tenders must be accompanied by a stringent process of recording all parties who acquire this documentation. This is essential if any clarification, addendums or further information is required prior to the close of tenders and all potential tenderers must have equal access to this information in order for the Shire of Dandaragan not to compromise its duty to be fair.

7. Tender Deadline

A tender not received in full in the required format by the advertised deadline shall be rejected.

8. Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the tender deadline.

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Tenders are to be opened in the presence of the responsible Executive Manager (or their representative) and at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tender Register.

Tenders are to be opened in accordance with the advertised time and place. Members of the public are entitled to be present. There is no obligation to disclose or record tendered prices at the tender opening and price information should be recorded as commercial-in-confidence.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Local Government Officers present at the opening of the tenders.

9. No Tender Received

Where the Local Government has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- A sufficient number of quotations are obtained;
- The process follows the guidelines for seeking quotations between \$50,000 and \$149,999 as indicated above;
- The specification for goods and/or services remains unchanged;
- A contract is formed within 6 months of the closing date of the lapsed tender.

10. Tender Evaluation

Tenders shall be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender to determine which tender is most advantageous.

It is the Shire's preference that unless otherwise directed, evaluation panels are to consist of Shire staff and/or WALGA Purchasing service personnel.

11. Addendum to Tender

If after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or conditions are required, the Shire of Dandaragan may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

12. Minor Variation

If after the tender has been publicly advertised and a successful tender has been chosen but before the Shire of Dandaragan and the tenderer have entered into a Contract, a minor variation may be made by the Shire of Dandaragan.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

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13. No Tender Accepted

In accordance with regulation 18(5) of the Local Government (Functions and General) Regulations 1996 the local government may decline to accept any tender.

14. Notification of Outcome

In accordance with regulation 19 of the Local Government (Functions and General) Regulations 1996 the CEO is to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.

15. Feedback to Unsuccessful Tenderers

Senior Staff and the responsible officer for the tender are authorised to provide feedback to individual Tenderers on deficiencies in their respective tenders if requested.

2.2 Other Procurement Options

a. Expression of Interest

The Shire may consider conducting an Expressions of Interest (EOI) process, prior to any public tender process.

All EOI processes are to be conducted as a public process and similar rules to a public tender process apply. However, the EOI shall not seek fixed price information from respondents, seeking instead qualitative and other non-price information against which submissions shall be evaluated.

b. Request for proposal

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

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PART 3

3 Administration

Record Management

A commitment to buy without a purchase order could represent unauthorised expenditure. The failure of a responsible officer to raise a purchase order **may** cause their authority to order goods and services to be suspended for three (3) months on the third failure to raise a purchase order as required by the Policy. This will be at the discretion of the CEO or Executive Manager of Corporate and Community Services.

All records associated with a tender or a direct purchase process must be recorded and retained. All purchase orders raised under a contract resulting from a quote or tender must reference the contract number.

For a tender process, this includes, but is not limited to:

- Tender documentation
- Internal documentation
- Evaluation documentation
- Enquire and response documentation
- Notification and award documentation

For a direct purchasing process this includes, but is not limited to:

- Quotation documentation
- Internal documentation
- Order forms and requisitions

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1.2 C-1PPS02 – Pre-qualified Panels of Suppliers

Previous Policy Number (Part) – 1.15

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) may create panels of prequalified suppliers in instances where goods or services are required on a continuing basis from multiple suppliers.

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

- the Shire is satisfied that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers;
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel

Policy Statement

The Shire of Dandaragan and Council are committed to operating efficient, effective, economical and sustainable procedures for the procurement of all goods and services.

A key principle of this is the adoption a value for money approach, which allows the best possible procurement outcome to be achieved whilst recognising the need to provide opportunities for local business’ and suppliers to maximise local economic benefit.

To achieve these objectives, the Shire pursuant to regulation 24AC (1) (b) of the Regulations, has satisfied itself that:

- that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers;
- the panels will streamline and will improve procurement processes;
- it has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panels;

and has therefore resolved to establish panels of at least two suppliers for the following goods and services:

1. Building & Mechanical Services

1. Roofing	2. Brick Laying and Paving	3. Electrician
4. Demolition Works	5. Glazing Works	6. Mechanical Services
7. Registered Builder	8. Working at Heights Services	9. Fabrication and Welding
10. Carpenter	11. Painting	12. General Handyman
13. Plumber		

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2. Civil Works

1. Engineering Services	2. Road Building and Bulk Earthworks	3. Urban Road Construction
4. Earthmoving Equipment	5. Haulage and Freight	6. Road and Street Maintenance
7. Provision of earthmoving Equipment at a Fire	8. Supply of Bulk Materials	

3. Technical Services

1. Strategic Community Development Consultancy Services	2. Engineering Consultancy Services	3. Environmental Consultancy Services
4. Asset Management Services	5. Architectural Services	

4. Town Maintenance

1. Vegetation Management	2. Turf Management	3. Irrigation Services
4. Fencing	5. Street Sweeping	6. Drainage Pipe Clearing and Cleaning

Purchasing from a Panel Supplier

Pursuant to regulation 24AC (2) (a), the following outlines how the Shire proposes to undertake procurement from the Pre-qualified Supplier Panel and how it will endeavour to distribute work amongst panel members accordingly.

Unless otherwise noted, all Shire of Dandaragan Pre-qualified Supplier Panels will be “non-exclusive” and the Shire is under no obligation to use suppliers short listed on the Pre-qualified Supplier Panel, and may use their own plant and workforce, and / or an alternative contractor to complete tasks.

Each Panel will outline a list of pre-qualified suppliers that allows Shire staff the discretion and flexibility to identify and engage a suitable supplier when undertaking procurement of specified goods and services.

The selection and engagement of Panel members will be on a project by project basis, at the relevant Shire officer’s discretion, utilising the thresholds of section 1.9 in Policy 1.1 C-1PAT01 – *Purchasing and Tender* as guidance to provide the best suitable outcome for the Shire of Dandaragan when procuring each individual service.

Shire officers will be encouraged to develop a written Request for Quote (RFQ) documentation and seek multiple quotations from identified Panel members by issuing the RFQ via email. The RFQ should outline specific scope, selection criteria, background information, survey data, maps and/or drawings, timeframe as well as response format as necessary in order to clarify the required scope of works to be delivered. Each RFQ should outline how the respondent Panel member should respond in order to form a written agreement with a clarified scope of works prior to engagement of a Panel member on each individual project.

Where possible Shire officers will endeavour to seek the services of those Pre-qualified Suppliers, however the Shire is under no obligation to do so, should any of the Panel members

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not be able to carry out the works or supply satisfactory items of plant or services, then the Shire of Dandaragan will go to the industry market to source the appropriate item of plant or service.

Where Shire officers require contractor input into the development of the scope for specific projects they may issue a Request for Proposal asking the contractor/s to develop a cost estimate which includes clarification of scope and a delivery methodology

Invitation to Panel Suppliers for Quotations

Pursuant to regulation 24AC (2) (b), should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel. This will be undertaken through a public invitation process.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire.

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

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment. Should the supplier agree to do so, this intention is to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

Distribution of Contracts for Work amongst Panel Suppliers

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

- a) Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; or
- b) Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- c) 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 must also prescribe whether:

- d) each Panel member will have the opportunity to bid for work under the Panel, with predetermined 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
- e) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5) when establishing the Panel. The Shire is to invite the highest ranked Panel member, who is to give written notice as

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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 Procurement Thresholds stated in section 4.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

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

Communication with Panel Suppliers

Pursuant to regulation 24AC (2) (c), the Shire will ensure clear, consistent and regular communication between the Shire and pre-qualified suppliers.

Enactment of Policy

This Policy is to be enacted in accordance with the procedures detailed in Part B.

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PART B - Management Procedures

Definitions

Nil.

Detail

Requirements when inviting persons to apply to join Panels

Pursuant to regulation 24AD, the Shire will assess applicants to join a Pre-Qualified Panel against the following criteria:

Description of Qualitative Criteria	Weighting %
<p>A) Capabilities Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan.</p> <ul style="list-style-type: none"> i. Key services and skills (10%) ii. Key personnel (10%) 	25%
<p>B) Relevant experience in providing this service (include referees) Provide details of previous successful delivery of services:</p> <ul style="list-style-type: none"> i. Up to a maximum of 5 projects (20%) ii. 1 paragraph description outlining scope of work (10%), iii. Cost (5%), iv. Timeframe (5%) v. Referee (10%) - Must include referee details. <p>Scaling of Project Clients</p> <ul style="list-style-type: none"> - Shire of Dandaragan (scale 1). - Regional WA local government authorities (scale 0.8). - WA local government authorities (scale 0.6). - State Government agencies (scale 0.4) 	50%
<p>C) Local Supplier Outline the primary location of your business</p> <ul style="list-style-type: none"> i. Shire of Dandaragan (max 25%) ii. Neighbouring local government authority (max 20%) iii. Regional WA (max 15%) iv. Perth (max 10%) v. Other (max 5%) 	25%
<p>D) Price Provide unit rates for the following relevant items where applicable</p> <ul style="list-style-type: none"> i. Service ii. Personnel iii. Equipment iv. Other 	For reference purposes only use to compare Similar Applications.

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Minimum time to be allowed for submitting application to join Panel Suppliers

Pursuant to regulation 24AE, the minimum time provided by the Shire for suppliers to submit applications will be forty two (42) days.

Recordkeeping Requirements

Pursuant to regulation 24AC (2) (e), all staff are to ensure that:

- Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept in accordance with the *State Records Act 2000 (WA)* and the Shire's Policy 1.2.10 – Records Management.
- Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.

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1.3 C-1RPP03 – Regional Price Preference

Previous Policy Number – Not applicable

PART A - Policy

Objective

The objective of this policy is to stimulate sustainable economic activity in the Shire by maximising the use of competitive local businesses in supplying goods, services and works purchased or contracted on behalf of the Shire of Dandaragan (the Shire).

Policy Statement

The Shire of Dandaragan and Council are committed to ensuring it supports local business when undertaking significant purchases through a tender process.

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

The regional price preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified in this policy.

This policy will operate in conjunction with the purchasing considerations and procedures for tender as outlined in the Shire's Purchasing Policy when evaluating and awarding tender contracts.

Regional Price Preference Categories

The following levels of regional price preference will be applied (where relevant) to tenders received from a regional tenderer:

(a) Where the contract is for goods and/or services:

Up to a 10% price preference (to a maximum price reduction of \$50,000 excluding GST) where goods and/or services are sourced from within the Shire Region.

(b) Where the contract is for construction (building) services over \$1,000,000:

Up to a 5% price preference (to a maximum price reduction of \$500,000 excluding GST) where construction (building) services are sourced from within the Shire Region.

(c) Where the contract is for goods or services (including construction (building) services), if the Shire is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Shire:

Up to a 10% price preference (to a maximum price reduction of \$50,000 excluding GST) where goods or services (including construction (building) services) are sourced from within the Shire Region.

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PART B - Management Procedures

Definitions

Construction (building) services	Means construction of and improvements to buildings (including housing) on or over any area of land, lake, river or ocean and any service related to that activity in the Shire Region.
Goods	Means tangible, quantifiable material requirements usually capable of being moved or transported that are purchased, rented, leased or hired by the Shire
Region	Means the entire geographical area encompassed within the boundaries of the Shire of Dandaragan
Services	Means any tasks, consultancy, work or advice to be performed or provided that is procured by the Shire. Included are services such as management consultancies, outsourcing, maintenance contract/agreement, cleaning, waste removal, equipment repairs, external auditors, utilities and services, public infrastructure construction and repair etc.

Legislative Requirements

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

Detail

Qualifying Criteria

A supplier of goods, services or construction (building) services is regarded as being a regional tenderer if:

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

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- (b) Some or all of the goods or services are to be supplied from regional sources. Goods and/or services that form a part of a tender submitted may be wholly supplied from regional sources; or partly supplied from regional sources, and partly sourced from non-regional sources. Only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when the regional price preference policy is in operation.

In order for the policy to apply, the tenderer is required to provide to the Shire written evidence within the tender submission which demonstrates compliance with the above criteria.

Tenderers who claim that they will use goods, materials or services supplied from regional sources in the delivery of the contract outcomes will be required, as part of the contract conditions, to demonstrate that they have actually used them.

Competitive Purchasing

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

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1.4 C-1LR04 – Legal Representation

Previous Policy Number 1.12

PART A - Policy

Objective

The objective of this Policy is to provide a framework and clear guidelines for whether financial assistance may be provided to present and past Council members and employees who become respondents in legal proceedings because of their official functions.

In most situations, the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

Policy Statement

The Council and the Shire of Dandaragan (the Shire) are committed to protecting the interests of Council members and employees in seeking legal advice or where they become involved in civil legal proceedings in the course of their official duties, provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.

The Shire may provide such assistance in the following types of legal proceedings:

- proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
- proceedings brought against members or employees in relation to a decision of Council or an employee which aggrieves another person (eg refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions); and
- statutory or other inquiries where representation of members or employees is justified.

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

The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

1. Governance and Administration

PART B - Management Procedures

1. Definitions

In this management procedure, unless the contrary intention appears:

Approved lawyer	Means: (a) a 'certified practitioner' under the <i>Legal Practices Act 2003</i> ; or (b) a law firm regularly utilised by the Shire for legal services, unless the Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise, approved in writing by the Council or the Chief Executive Officer under delegated authority
Shire	means the Shire of Dandaragan
Legal proceedings	may be civil, criminal or investigative
Legal representation	is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that is in respect of a matter or matters arising from the performance of the functions of the relevant person; and legal proceedings involving the relevant person 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 legal representation costs may be either by: (a) a direct payment to the approved lawyer (or relevant firm); or (b) a reimbursement to the relevant person.
Relevant person	means a current or former council member or employee

2. Payment Criteria

There are three (3) major criteria for determining whether the Shire will pay the legal representation costs of a relevant person. These are –

- (a) the legal representation costs must relate to a matter that arises from the performance, by the relevant person, of his or her functions;
- (b) in performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in any way that constitutes improper conduct; and
- (c) the legal representation costs must not relate to a matter that is of a personal or private nature.

3. Examples of Legal Representation Costs that maybe Approved

3.1 If the criteria in clause 2 are satisfied, the Shire may approve the payment of legal representation costs:

- (a) where proceedings are brought against a relevant person 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 relevant person;

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- (b) to enable proceedings to be commenced and/or maintained by a relevant person to permit him or her to carry out his or her functions – for example where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - (c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.
- 3.2 Subject to clause 3.1, the Shire will not approve, other than in exceptional circumstances, the payment of legal representation costs in respect of legal proceedings instituted by a relevant person, such as a defamation action or negligence action.

4. Application for Payment

- 4.1 A relevant person who seeks assistance under this policy is to make written application to the Council.
- 4.2 The written application for payment of legal representation costs is to give details of –
- (a) the matter for which legal representation is sought;
 - (b) how that matter relates to the functions of the relevant person making the application;
 - (c) the lawyer (or law firm) who is to be asked to provide the legal representation;
 - (d) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
 - (e) an estimated cost of the legal representation; and
 - (f) why it is in the interests of the Shire for payment to be made.
- 4.3 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.
- 4.4 As far as practicable the application is to be made before commencement of the legal representation to which the application relates.
- 4.5 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 Management Procedure;
 - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 8 and any other conditions to which the approval is subject; and
 - (c) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 9.
- 4.6 An application is also to be accompanied by a report prepared by the Chief Executive Officer (CEO) or, where the CEO is the applicant, by the Executive Manager Corporate and Community Services.

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5. Assistance to be Retrospective

Financial assistance will be paid retrospectively at the conclusion of the legal action for which financial assistance was sought except in cases of serious financial hardship as determined by Council.

6. Legal Representation Costs - Limit

- 6.1 Unless otherwise determined by the Council, payment of legal representation costs in respect of a particular application is not to exceed \$5,000. A relevant person may make a further application to the Council in respect of the same matter.
- 6.2 As far as practicable, approved payments for legal representation of relevant persons will be made by the Shire directly to the approved lawyer.

7. Council's Powers

- 7.1 The Council may –
- (a)) refuse;
 - (b)) grant; or
 - (c) grant subject to conditions, including a financial limit,
- an application for payment of legal representation costs.
- 7.2 In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Management Liability insurance policy (or their equivalent).
- 7.3 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 7.4 The Council may, subject to clause 7.5, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- 7.5 A determination under clause 7.4 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 7.6 Where the Council makes a determination under clause 7.4, the legal representation costs paid by the Shire are to be repaid by the relevant person in accordance with clause 9.

8. Chief Executive Officer's Powers And Duties

- 8.1 In cases where a delay in the approval of an application would be detrimental to the legal rights of the applicant, the CEO may authorise financial assistance for legal representation costs in accordance with delegated authority.

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- 8.2 Where the CEO is the applicant, the Executive Manager Corporate and Community Services may authorise financial assistance for legal representation costs in accordance with delegated authority.
- 8.3 An application approved by the CEO under clause 8.1, or by the Executive Director Corporate and Community Services under clause 9.2, is to be submitted to the next meeting of the Council which may exercise any of its powers under this policy, including its powers under clause 7.3.

9. Repayment Of Legal Representation Costs

- 9.1 A relevant person whose legal representation costs have been paid by the Shire is to repay the Shire –
- (a) all or part of those costs – in accordance with a determination by the Council under clause 7.4; or
 - (b) as much of those costs as are available to be paid by way of set-off – where the relevant person receives monies paid for costs, damages or settlement, in respect of the matter for which the Shire paid all or part of the legal representation costs.
- 9.2 The Shire may take action in a court of competent jurisdiction to recover any monies due it under these Management Procedures.

1. Governance and Administration

1.5 C-1WLG05 – Women in Local Government

Previous Policy Number 1.16

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) aims to advance the representation of women in decision making roles as councillors, managers and emerging leaders within the organisation

Policy Statement

The Council and Shire are committed to working towards increasing the participation of women in its local government, both as elected members and as senior managers and professionals.

The Council and Shire:

- acknowledges that in Local Government women are under represented both as elected members and as senior members of administrations and that their increased participation in both of these arenas should be encouraged;
- acknowledges that increasing the representation of women in leadership positions will help challenge and shift workplace cultures and provide women with a greater capacity to participate in the development and implementation of legislation, policies and services that affect their lives;
- ensures that no discrimination or impediment exists, and will take action to ensure that barriers to women's full participation in Local Government are removed; and
- agrees to create and support an environment in Local Government which is harassment-free and that encourages the expression of and respect for a wide range of views.

The Shire will:

- work towards a local government and community where women feel able to fully participate and share their skills, knowledge and experience;
- work towards a harassment-free, participative local government where opinions and differences are respected;
- develop a climate of understanding among Councillors, the Chief Executive Officer(CEO) and senior staff of the need for greater participation of women in leadership roles and to enlist their support;
- provide support for women who choose to develop their leadership capacity through specific training and networking activities for women;
- provide flexible working arrangements that enable staff to balance their work and family responsibilities so that they may grow to their full potential without unfair barriers to advancement; and
- identify career growth plans for high performing and competent women employees to develop their leadership capacity.

1. Governance and Administration

PART B - Management Procedures

Definitions

Nil.

Detail

Strategies to Increase Participation of Women in Local Government

Women bring different skills to decision-making and leadership, particularly when dealing with complex and subtle issues.

The following strategies are in many cases already occurring however, it is essential they be included as part of a policy to ensure these practices continue into the future:

1. The Shire of Dandaragan to be an employer of choice.
2. Devising a family friendly organisation that offers mutually beneficial practices.
3. Continued positive access to learning and development.

1. The Shire of Dandaragan to be an Employer of Choice

Need to make people comfortable from the beginning - Interview panels to consistently have at least one woman on them, thereby ensuring balanced representation and no bias in the job selection processes.

Workplace culture - Endorse the Code of Conduct for elected members and staff and revisit this annually to ensure all are aware of the guidelines and their ethical responsibility. This will promote an inclusive organisational culture, equal opportunity and good governance.

Open communication - Continued positive and open relationship and communication between President, CEO, Councillors and staff, ensuring effective working environment.

Consideration be given in specific circumstances to allow family friendly practices to occur. At all times finding ways to be mutually beneficial.

Promotion of women in leadership positions - When booking speakers for public events, to ensure appropriate women speakers are considered in order to give a powerful message

2. Devising a Family Friendly Organisation that Offers Mutually Beneficial Practices

There are a range of work practices and administrative measures that can be implemented that will facilitate the attraction and retention of women as employees and elected members.

The Council, Shire and the Chief Executive Officer (CEO) embrace these initiatives and will apply them where possible

Opportunity for flexibility of working hours - Some flexibility be considered if it can be arranged to be mutually beneficial and the role is not compromised.

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Job sharing - Being able to work part-time or role share may encourage more women to enter local government. This may also be appropriate upon return from maternity leave.

Working from home - If circumstances require it then consideration be given to setting up a mutually beneficial arrangement to allow a percentage of work time to be from home. This would only be applied in specific circumstances with real needs. Negotiation may need to consider network access from home in this situation.

Council workshops and meeting times - To review meeting and workshop times to ensure they occur at times that are family friendly times.

3. Continued Positive Access to Learning and Development

Access to learning - At all times within the Shire and Council, access to professional development and appropriate courses, be encouraged and well supported to continue to enhance knowledge and skills.

Increasing networking opportunities for women - To encourage increased participation of women in both elected member and officer positions it is important to provide a wide range of networking opportunities.

Joining professional organisations - Women officers and Councillors be encouraged to join professional organisations that promote women in Local Government.

Opportunity to raise specific issues - As part of performance appraisal by the CEO, consideration be given to individual circumstances pertaining to women officers and meeting their development needs.

Career opportunities - Ensure there are opportunities for promotion and career advancement generally.

1. Governance and Administration

1.7 C-1DAI07 – Disability Access and Inclusion

Previous Policy Number – 6.2

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will ensure compliance with the Disability Services Act (1993) and to promote, outline and specify the Council and the Shire's commitment to ensure people with disabilities have equal opportunities of access and community inclusion to Shire services, products, facilities and information and are consulted in appropriate and meaningful ways to facilitate participation in decision-making that affects their lives.

Policy Statement

The Shire is committed to promoting and facilitating equal opportunity, inclusion and access to all members of its community and to ensuring access and social inclusion for people with disabilities, their families and carers.

The Shire recognises that people with a disability have equal rights to quality facilities and services that enable them to live and fully participate in their communities.

The Shire believes that a community that recognises and promotes diversity and equity supports the participation and inclusion of all of its members which makes for a richer community life and contributes to positive social justice outcomes.

The Shire will work with reference to its values of relationships, excellence, vibrancy and wellbeing to create an accessible and inclusive community in which all functions, facilities, information and services (both in-house and contracted) are open, available and accessible to people with disabilities, providing them with the same opportunities, rights and responsibilities enjoyed by all other people in the community, as far as is practicable.

The Shire recognises that people with disabilities are valued members of the community who make a variety of contributions to local social, economic and cultural life.

The Shire believes that people with disabilities, their families and carers who live in country areas should be supported to remain in the community of their choice.

The Shire is committed to consulting with people with disabilities, their families and carers and where required, disability organisations and other advocates to ensure that barriers to access and inclusion are addressed appropriately.

The Shire of Dandaragan will ensure its agents and contractors work towards achieving the six desired outcomes of its Disability Access and Inclusion Plan, which are:

- Outcome 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by the Shire.
- Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of the Shire of Dandaragan

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- Outcome 3: People with disabilities receive information from the Shire of Dandaragan in a format that will enable them to access the information as readily as other people are able to access it.
- Outcome 4: People with disabilities receive the same level and quality of service from the employees of the Shire as other people receive from the employees of the Shire.
- Outcome 5: People with disabilities have the same opportunities as other people to make complaints to the Shire.
- Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by the Shire.
- Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the Shire.

1. Governance and Administration

PART B – Management Procedures

Definitions

Nil.

Detail

Implementation of this Policy will be achieved through the *Shire of Dandaragan Disability Access Inclusion Plan*, with particular reference to:

Outcome 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by the Shire.

- Ensure that events, provided or funded, are accessible to people with disabilities;
- Make library technology as accessible as possible;
- Monitor Shire services to ensure appropriate access and inclusion; and
- Ensure that people with disabilities are provided with an opportunity to comment on access to services.

Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of the Shire of Dandaragan.

- Ensure that all new or redevelopment works provide access for people with disabilities;
- Ensure the ACROD parking meets the requirements of people with disabilities in terms of quantity and location;
- Ensure that all building and facilities meet the standards for access and other needs;
- Ensure that disabled facilities and services are clearly indicated and accessible; and
- Ensure that recreational areas are accessible.

Outcome 3: People with disabilities receive information from the Shire of Dandaragan in a format that will enable them to access the information as readily as other people are able to access it.

- Ensure that the community is aware that information is available in alternative formats; and
- Improve employee awareness of information available in alternative formats.

Outcome 4: People with disabilities receive the same level and quality of service from the employees of the Shire as other people receive from the employees of the Shire.

- Ensure that Council Members and employees are aware of access needs and can provide appropriate services; and
- Improve the awareness of new Council Members and employees about disability and access issues.

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- Outcome 5: People with disabilities have the same opportunities as other people to make complaints to the Shire.
- Ensure that grievance mechanisms are accessible for people with disabilities and are acted upon.
- Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by the Shire.
- Ensure that people with disabilities are consulted about the Disability Access and Inclusion Plan and other significant planning processes; and
 - Ensure that people with disabilities are aware of and can access other established consultation processes.
- Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the Shire.

1. Governance and Administration

1.8 C-1SCCL08 – Shire Corporate Crest / Logo

Previous Policy Number – 1.1

PART A - Policy

Objective

The objective of this Policy is to provide for the protection of the use of the Shire of Dandaragan (Shire) Council Crest/Logo and to prohibit its use for unofficial purposes.

Policy Statement

The Council has adopted designs for its official crest and branding to establish a clear and positive identity for the Shire.

The official crest and branding is to be utilised for Council/Shire business and is to be shown on letterheads, envelopes and other Council/Shire material and stationery, as and when considered appropriate in accordance with the Shire of Dandaragan Corporate Style Guide.

Council supports the use of the corporate brand by local organisations seeking to identify geographically with the district.

Any application for the use or reproduction of the crest and/or branding is to be considered on its merits and the Chief Executive Officer shall determine such applications.

The crest and branding is not to be used by any Council Member of the Council or other person for election purposes.

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PART B – Management Procedures

Definitions

Nil.

Detail

Consideration for the use of Shire's crest and branding shall be within the following guidelines:

- All requests shall be in writing.
- Details of how and where the crest and branding is to be used must be supplied on application.
- In applications from organisations with a profit motive, it will normally be a requirement that Council has a direct involvement with the specific purpose.
- The use to have the effect of promoting the district to people or target groups living both inside and outside of the district.

Any such applications will only be granted permission to use the official crest and/or branding in its original design and colour.

If use is granted, it may be withdrawn at any time by the Chief Executive Officer, if evidence of abuse or by evidence of perceived or real disrepute being associated with the use is evident.

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1.9 C-1PID09 – Public Interest Disclosure (Whistle-blower)

Previous Policy Number – N/A

PART A - Policy

Objective

The objective of this Policy is to provide a framework and guidance for Shire of Dandaragan (Shire) to encourage employees, elected members, contractors and consultants to report unlawful unethical, or undesirable conduct (“Misconduct”) that they genuinely believe has been committed by a person or persons in breach of the Shire’s Code of Conduct, policies or the law.

To demonstrate the Shire’s commitment to a fair workplace and outline the process for managing matters of Misconduct.

To protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.

To assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.

To state the Shire’s commitment to the aims and objectives of the *Public Interest Disclosure Act 2003*, the purpose of which is to facilitate the disclosure of information in the public interest, and to provide protection to those who make a disclosure or who are the subject of a disclosure

Policy Statement

The Council and Shire are committed to the aims and objectives of the *Public Interest Disclosure Act 2003*. It recognises the value and importance of employees and others to enhance administrative and management practices, and strongly supports disclosures being made as to alleged Misconduct.

The Shire will not tolerate Misconduct and has developed its Policy and Procedures to assist elected members, employees, contractors, consultants and members of the public to raise concerns through a constructive and safe process.

The Shire will achieve this through the creation of an open working environment in which elected members, employees (whether they are full-time, part-time or casual), contractors and consultants, as well as members of the public, are able to raise concerns regarding actual or suspected Misconduct.

The Shire recognises that any genuine commitment to detecting and preventing Misconduct must include a mechanism whereby employees and others can report their concerns freely and without fear of reprisal or intimidation. The Public Interest Disclosure (Whistle-blower) Policy and Procedure (“the Policy”) provides such a mechanism, and encourages the reporting of such conduct.

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The Shire will endeavour to provide protection to “Whistle-blowers” from any detrimental action in reprisal for the making of a public interest disclosure.

The Shire’s Code of Conduct (“the Code”) requires elected members and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As elected members and employees and representatives of the Shire, everyone has a responsibility to practice honesty and integrity in fulfilling their responsibilities and to comply with all applicable laws and regulations.

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PART B - Management Procedures

Purpose

To establish procedures that encourage employees, elected members, contractors and consultants to report unlawful unethical, or undesirable conduct (“Misconduct”) that they genuinely believe has been committed by a person or persons in breach of the Shire’s Code of Conduct, policies or the law.

To demonstrate the Shire’s commitment to a fair workplace and outline the process for managing matters of Misconduct.

To protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.

Definitions

For the purposes of this Policy and procedure:

Investigation	A search of evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies and standards set by the Shire.
Misconduct	<p>A breach of the Shires Code of Conduct, policies or the law. Matters which should be reported under this Policy, whether actual or suspected may include:</p> <ul style="list-style-type: none"> • Dishonest, fraudulent, corrupt or unlawful conduct or practices. • Misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting or financial reporting practices. • Conduct or any proposed conduct, bid, proposal, offer, contract, product or other aspect of the Shire’s business that breaches the provisions of the Trades Practices Act 1974, all associated legislation in all States and Territories in Australia. • Coercion, harassment or discrimination by, or affecting, any member of the Shire or its affiliates. • A breach of Shire policies or Code of Conduct. • Conduct within the Shire’s control which is a significant danger to the environment. • Conduct endangering the health and safety of any person or persons which has been reported to management but not acted upon. • Any action taken against, or harm suffered by a person as a result of making a report under this Policy.

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	<ul style="list-style-type: none"> Any other conduct or act which may cause loss to the Shire or which may otherwise be detrimental to its interests.
Public Interest Disclosure Officer (“PID Officer”)	<p>A designated representative tasked with the responsibility of:</p> <ul style="list-style-type: none"> Protecting and safeguarding the interests of Whistle-blowers within the meaning of this Policy. Conducting preliminary investigations into reports received from a whistle blower. <p>The PID Officer is to investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made. The PID Officer will have access to independent financial, legal and operational advisers as required.</p> <p>The PID Officer is the Shire of Dandaragan’s Executive Manager Corporate and Community Services.</p>
Whistle-blower	<p>Any person who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with Misconduct and where the Whistle-blower wishes to avail themselves of protection against reprisal for having made the report.</p>

Detail

Reporting Responsibility

It is the responsibility of all elected members and employees to comply with the Code and to report violations or suspected violations in accordance with the Whistle-blower Policy.

Reporting Misconduct

If a person becomes aware of an issue or behaviour believed to constitute a breach of the Shire’s Code of Conduct, policies or the law, then the following reporting mechanisms are available.

- Internal Reports**

Whistle-blowers may wish to discuss the matter informally with their direct manager or with Human Resources first, to determine whether an incident of Misconduct has occurred. This is an opportune time to clarify the incident, ask questions and become familiar with the process. At all times, discussions will remain confidential.

Where this is not appropriate, or where the Whistle-blower does not feel comfortable in doing so, or where the Whistle-blower has previously done so and believes no action has been taken, the Whistle-blower may contact the Shire’s PID Officer directly to discuss the incident or complete a Misconduct Report Form (“MRF”) and submit it to the PID Officer.

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There are procedures in place for disclosures made under the protection of the PID Act – the PID Officer must determine whether the report is being made under that Act, and if so, ensure that the disclosure is treated appropriately and according to those procedures.

Refer to Attachment 1 for a sample MRF.

- **External Reports**

It is the Shire's aim to ensure that employees, elected members, contractors and consultants do not feel the need to discuss Shire related concerns outside of the Shire. However, nothing in this Policy/Procedure should be interpreted as restricting an employee, elected member, contractor or consultant from raising issues or providing information to an external party, in accordance with any relevant law, regulation or prudential standard.

Therefore, a Whistle-blower may report Misconduct (anonymously if preferred) to an external independent Whistle-blower service. Depending on the type of Misconduct, this could include the Corruption and Crime Commission, Ombudsman, the Police or the Auditor General.

It may also be appropriate to report irregularities relating to accounting matters to the Shire's Auditor.

Members of the public who wish to make a disclosure of public information, as defined in the *Public Interest Disclosure Act 2003* (PID), are to contact the PID Officer directly.

All reports under this Policy/Procedure are treated very seriously and will be investigated appropriately.

Misconduct Involving the PID Officer

If the issue of Misconduct involves the actions of the PID Officer, then the reporting of such matters should be directly to the Chief Executive Officer.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

If the report is made under the PID Act, the confidentiality requirements in relation to information which might identify or tend to identify a discloser or a person in respect of whom a public interest disclosure has been made must be complied with at all times. The disclosure of this identifying information, except in accordance with the PID Act, is an offence.

Handling of Reported Violations

The Shire's PID Officer is responsible for investigating and resolving (where possible) all reported complaints and allegations concerning violations of the Code, as well as disclosures made under the PID Act.

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The Shire's PID Officer has responsibility for protecting and safeguarding the interests of whistle-blowers within the meaning of this Policy. The PID Officer will have access to independent financial, legal and operational advisers as required.

The PID Officer has direct access to the Audit Committee and is required to report to the Audit Committee at least annually on compliance activity related to this Policy if any matters are reported.

The PID Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Accounting and Auditing Matters

The Audit Committee shall investigate all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing and may appropriate recommendations to Council. The PID Officer shall immediately notify the Audit Committee of any such complaint (within the constraints of any legislated confidentiality requirements) and work with the Committee until the matter is resolved.

Investigation

All reports of Misconduct will be treated seriously and be the subject of a thorough investigation with the objective of locating evidence that either substantiates or refutes the claims / allegations made by the Whistle-blower. Investigations are to be undertaken by the PID Officer. The PID Officer will cause an investigation to be carried out, this may require referring the matter to another person or agency.

Following a report of Misconduct, either internally or externally, the following procedure is to be followed:

- The completed MRF is to be forwarded to the PID Officer.
- The PID Officer is to review the report and determine the appropriate manner of investigation, and then inform the Whistle-blower of how the investigation will proceed.
- The PID Officer is to determine what resources are needed and secure access to those resources, including where necessary the assistance of other employees or external professional help (including lawyers, accountants, forensic analysts or operational experts).
- The PID Officer plans and conducts the investigation.
- The PID Officer is to consider process / control improvements (risk assessments, audits, etc).
- The PID Officer prepares an Investigation Report and forwards the Investigation Report to the Chief Executive Officer or Audit Committee.
- The PID Officer advises and debriefs the Whistle-blower.

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Reporting of Investigation Findings

At the end of the investigation, the PID Officer will report their findings to the Audit Committee who will, in conjunction with the Chief Executive Officer, determine the appropriate response. This report must take into account the confidentiality requirements of the PID Act.

This response will include addressing any unacceptable conduct and taking remedial action required to prevent any future occurrences of the same Misconduct. In the event of the Chief Executive Officer being the subject of an investigation or allegation, the Audit Committee is to seek independent advice on possible corrective or remedial actions.

Where issues of discipline arise the response will be in line with the Shire's Disciplinary Procedure. Where allegations of unacceptable conduct made against another person cannot be substantiated, that person will be advised accordingly and will be entitled to continue in their role as if the allegations had not been made

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense and in some cases may result in termination of employment.

Where a disclosure is made under the PID Act, the discloser is only protected if they believe on reasonable grounds that the information to be disclosed is or may be true. They will commit an offence, and lose the protection of the Act, if they know the information to be false or misleading in a material particular or are reckless about whether the information is false or misleading in a material particular.

False Misconduct Reports

Where it is established by the PID Officer that the Whistle-blower is not acting in good faith, or has made a false report of Misconduct (including where the allegation has been made maliciously, vexatiously or without any basis), then he or she will be subjected to disciplinary proceedings, including the possibility of summary dismissal.

Whilst not intending to discourage Whistle-blowers from reporting matters of genuine concern, Whistle-blowers must ensure as far as possible, that reports are factually accurate, complete, from firsthand knowledge, presented in an unbiased fashion (and any possible perception of bias of the Whistle-blower is disclosed), and without material omission.

Where the report has been made under the PID Act, the provisions in that Act relating to making false or misleading disclosures apply.

Whistle-blower Anonymity

If requested, the identity of the Whistle-blower will be kept strictly confidential unless:

- The person making the report consents to the disclosure.
- The disclosure is required by law.
- The disclosure is necessary to prevent or lessen a serious threat to a person's health or safety.

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- It is necessary to protect or enforce the Shire's legal rights or interests.
- It is necessary to defend any claims.

Whistle-blower Protection

A Whistle-blower who reports matters in good faith, and provided he or she has not been involved in the Misconduct reported, will not be penalised or personally disadvantaged because they have reported a matter. The Whistle-blower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organisation prior to seeking resolution outside the Organisation.

The Shire will not tolerate any instances of legitimate Whistle-blowers being:

- Dismissed.
- Demoted.
- Subjected to any form of harassment and persecution.
- Discriminated against.

A Whistle-blower who believes he or she, or his or her family, has been the victim of any of the above by reason of their status as a Whistle-blower, should immediately report the matter to the PID Officer. Where an incident of this nature occurs, the Shire's Code of Conduct will apply, as well as the provisions of the PID Act.

Any employee, elected member, contractor or consultant who is found to have dismissed, demoted, harassed, or discriminated against a Whistle-blower by reason of their status as a Whistle-blower, may be subjected to disciplinary measures.

A Whistle-blower who has been involved in the reported Misconduct may be provided with immunity or due consideration from Shire initiated disciplinary proceedings by agreement, however, the Shire has no power to provide immunity from criminal prosecution.

Where victimisation or reprisals are reported, a record of the report and the action taken must be placed on the file relating to the public interest disclosure. Steps taken to prevent acts of victimisation or reprisal should be recorded in a manner that they will be accessible for reference, should legal action be taken against the Shire.

Feedback and Communication with the Whistle-blower

Where possible, and assuming the identity of the Whistle-blower is known, the Whistle-blower will be kept informed of the outcome of the investigation of his or her report, subject to privacy and confidentiality considerations.

All Whistle-blowers must maintain confidentiality of all such reports, and not disclose details to any person.

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MISCONDUCT REPORT FORM (MRF)

PERSON COMPLETING THE MRF	
Whistle-blower Name	
Confidential contact details	
Date of Report	
Has the Misconduct been reported in any other by you or, to your knowledge by any other person?	Yes/No/Uncertain (please circle)
Identity of person/s engaged in Misconduct	
Location of Misconduct	
Describe in as much detail as possible the facts, circumstances and events of the Misconduct <i>(Attach additional pages if required)</i>	

RECEIPT OF MRF	
Signature	
Name	
Position	
Date	

Notes:

1. This form can be anonymously completed and the Whistle-blower can choose not to reveal their identity.
2. Unless express consent is given, the person to whom the disclosure is made cannot reveal the Whistle-blower's identity to any other party, except in relation to the Corporations Act or the ASIC Act, in which case the information may be disclosed ASIC, APRA or the Federal Police, or otherwise to the extent allowed by law.

1. Governance and Administration

1.10 C-1AACE0010 – Appointment of Acting CEO

Previous Policy Number - 9.10

PART A - Policy

Objective

To provide for the proper appointment of an Acting Chief Executive Officer during limited periods of absence of the Chief Executive Officer (CEO) in accordance with the requirements of the *Local Government Act 1995* (Act).

Policy Statement

During all periods of absence of the Chief Executive Officer of up to 30 days duration, the Chief Executive Officer will nominate a person who holds a position of Senior Employee of the Shire of Dandaragan, as defined in Section 5.37 of the Act, all of whom the Council is satisfied are suitably qualified to act as Chief Executive Officer.

In the event that no other Senior Employee has been selected, then the Executive Manager Corporate and Community Services is deemed to be the Acting Chief Executive Officer.

In instances where an appointment is required for a period exceeding 30 days, then that proposed appointment must be presented to Council for determination prior to the appointment taking effect.

1. Governance and Administration

1.11 C-1MSCP011 – Meeting Structure & Community Participation

Previous Policy Number – 1.11

PART A - Policy

Objective

The objective of this Policy is to provide a framework and clear guidance for the Council's decision making process and community participation.

Policy Statement

The Council is committed to being open, transparent and accountable in meeting its community obligation of providing good governance to the Shire of Dandaragan community.

The Council values and encourages the participation of the community in its decision making process and to meet this objective it has adopted a meeting structure comprising:

- (i) Ordinary Council Meetings;
- (ii) Public Forum; and
- (iii) Audit Committee

Whilst most Council Meetings and Forums are held at the main administration centre, a number are held at other centres within the district. The Public Forum is held at the conclusion of the Ordinary Council Meeting.

All of these meetings, except the Audit Committee, are open to the public and provide opportunities for community participation.

1. Governance and Administration

PART B - Management Procedures

Definitions

Nil.

Detail

1. Ordinary Council Meeting (OCM)

Detailed information relating to the following matters with respect to the conduct of OCM's is contained in every meeting Agenda:

- (i) Closing of meetings for confidential business;
- (ii) Public Question Time;
- (iii) Financial Interests;
- (iv) Agenda content and availability; and

This information is subject to change by Council, as required.

2. Public Forums

At the conclusion of each Council meeting a Public Forum will be conducted to encourage community comment on decisions and future issues. The Public Forum will be conducted as follows:

- (i) it does not form part of the official Council meeting;
- (ii) discussion will be conducted in an orderly manner and comments and statements directed through the Presiding Member;
- (iii) no minutes will be taken;
- (iv) no action or resolution will result from the forum;
- (v) should any participant wish to take further action regarding a matter raised at the Public Forum then it is a requirement that the request be put in writing in order that it may be dealt with through the normal meeting procedure; and
- (vi) all debate and discussion is provided in good faith and to the best of the ability and immediate knowledge of the members and staff present.

3. Audit Committee Meetings

Whilst Audit Committee Meetings are not open to the public, it's minutes and decisions are considered by Council and members of the public can ask questions and Audit Committee matters at the relevant Ordinary Council Meeting.

1. Governance and Administration

1.12 C-1CH012 Complaints Handling

Previous Policy Number – 1.3

PART A - Policy

Objective

To establish an effective complaints handling system that will provide the framework and basis for all complaints to be resolved in a fair, efficient and structured manner

Policy Statement

The Council and the Shire of Dandaragan have a statutory obligation to carry out their functions in a fair, impartial, transparent, responsive and efficient manner for the benefit of all residents.

The Council and the Shire of Dandaragan recognises that its residents have a right to expect that these principles will underpin its decisions and delivery of excellent customer service.

When residents believe that their expectations have not been met, they have the right to expect that the Shire will deal with their concerns in a professional, respectful, satisfactory and timely manner.

The Shire welcomes complaints with respect to customer service as a form of feedback, and will use this feedback to:

- provide opportunities for system and process improvement;
- provide equitable redress to customers for poor service and processes;
- provide an opportunity to actively resolve service complaints and reduce the incidence of recurring complaints.

Residents submitting a complaint to the Shire can expect that:

- officers will regularly provide updates on the progress of the complaint and the expected timeframes for resolution;
- they are provided with information on the Shire's complaints handling process;
- they will be treated with tact, courtesy and fairness at all times; and
- appropriate confidentiality of the complaint will be maintained upon request.

Definition of a Complaint

A 'Complaint' is an expression of dissatisfaction with the standard of service, action or lack of, by the Council or Shire staff, affecting an individual person or group of people. Issues the Shire will not consider as complaints under this Policy are:

- a request for Shire services.
- a request for information or explanation of policies or procedures or decisions of Council.

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- reports of damaged or faulty infrastructure (e.g.: damaged footpath, potholes in the road)
- reports of hazards (e.g.: fallen tree branch).
- reports concerning neighbours or neighbouring property (e.g.: noise or unauthorised building works). Including disputes between property owners.
- the lodging of an appeal in accordance with procedure or policy.
- issues relating to Statutory Functions with respect to Planning, Building, Health or Ranger Services.
- excludes issues relating to debt collection matters

The Shire also will not consider or investigate as complaints issues that are over two years old [this accords with the time limit for general prosecutions of issues under the *Local Government Act 1995*].

In the context of this policy, complaints involving the behaviour of Employees and Elected Members is excluded. These matters will be handled under the Shire's Code of Conduct.

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PART B - Management Procedures

Purpose

To ensure that the Shire has an effective complaints handling system incorporating guidelines for dealing with complaints submitted or referred to the Shire concerning the performance of its statutory obligations and the level or quality of services provided. See the Definitions – Complaint section for what does and does not constitute a complaint for the purposes of this procedure.

This procedure also includes the process for internal review of the Shire's complaints handling that will provide the framework and basis for all complaints to be resolved in a fair, efficient, impartial, transparent, responsive and structured manner for the benefit of residents.

Definitions

Complaint

A complaint is an expression of dissatisfaction with the standard of service, action or lack of, by the Shire or its staff, affecting an individual person or group of people. A valid complaint is one where the Council or Shire may appear to have failed to respond appropriately to a request for a decision, service or a report

For the purposes of the Policy and this Procedure, a complaint does not include:

- a request for Shire services.
- a request for information or explanation of policies or procedures or decisions of Council.
- reports of damaged or faulty infrastructure (e.g.: damaged footpath, potholes in the road).
- reports of hazards (e.g.: fallen tree branch).
- reports concerning neighbours or neighbouring property (e.g.: noise or unauthorised building works). Including disputes between property owners.
- the lodging of an appeal in accordance with procedure or policy.
- issues relating to Statutory Functions with respect to Planning, Building, Health or Ranger Services.
- excludes issues relating to debt collection matters

[An anonymous complaint will be handled as provided in the "Complaint types and subsequent actions" section of this Procedure].

Shire Officials / Delegates of Council

Shire officials include elected members, staff and delegates of Council. A delegate of Council is a person or body to whom a function of Council is delegated, such as staff, elected members, community representatives, volunteers, consultants and contractors.

Malicious complaint

A complaint made for the purpose of hurting another person (their career, their reputation or their livelihood).

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Vexatious complaint

Complaints that are not supported by any evidence and there is other evidence to suggest that the complaint was made primarily for the purpose of causing annoyance or obstruction of process.

Detail

Principles for handling complaints

- Complaints should be resolved in a timely and cost effective manner and, where possible, without recourse to legal action.
- Staff should seek to resolve difficulties, disagreements or disputes by discussion, negotiation, mediation or conciliation wherever possible.
- Complainants have the following rights:
 - Only directly involved parties can lodge a service complaint
 - The Shire should inform members of the public that they have the right to lodge a complaint if they are unsatisfied with a particular action, decision or service.
 - Any complaint lodged will be assessed and investigated in a timely manner.
 - The person who lodges the complaint has the right for their privacy to be maintained, if requested.
 - Complainants will not be subjected to any form of prejudice, harassment or reprisal.

Lodging and processing of complaints

Complaints may be lodged with the Shire in the following ways:

- In writing including by facsimile, email or other electronic means or by completing a Complaint/Feedback Form (Attachment 1) available at any of the Shire's public service counters.
- Verbally, where requested by the complainant for any reason that would prevent the person from making a written complaint. Shire staff who receive a verbal complaint are to produce a written version for internal use.

Complaints must include the name, address and contact number of the complainant and a brief description of the problem.

Where staff are subjected to anti-social or aggressive/threatening behaviour by a group or individual, they are to call the police in the first instance.

Upon receipt of an initial complaint, Shire staff will:

1. Ensure that the complaint is provided to Records Staff for registration as a Customer Complaint in InfoXpert;
2. Endeavour to resolve issues that are the subject of complaints at the first point of contact;

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3. Refer the complaint to the appropriate staff member/department should the complaint relate to a different work area of the Shire;

Referral of Compliant for Investigation

Upon receipt of a referred complaint, the responsible officer is to:

1. Provide acknowledgement to the complainant within five (5) working days following receipt of the complaint, and continue to ensure the complainant is kept informed of the progress regarding investigation and resolution of the complaint;
2. Record any actions taken, any communication (verbal or written) and the resolution in the Shire's Complaints Database in Synergy;
3. Ensure, wherever possible, all complaints are resolved within fourteen (14) working days from the date of lodgement of the complaint, and provide written advice to the complainant as to the outcome of investigations. Should there be a requirement for extra time to resolve the complaint, advice is to be provided to the complainant, including an expected completion date;
4. The complainant is to be advised of the outcome of the investigation of the complaint and where appropriate, an offer of redress will be made and the complainant will be advised of any measures taken to minimise the chances of the issue(s) underlying the complaint occurring again;
5. In instances where complaints are of a more serious nature, are not satisfactorily resolved or require investigation across a number of work or service areas, the complaint should be referred to the relevant Executive Manager or the CEO to investigate and resolve;
6. Delegates of Council who are conducting works on behalf of the Shire are required to report directly to their supervisor any complaints received by them regarding any aspects of the Shire's operations or their work. The delegate's supervisor will address issues pertaining to the complaint. Should the supervisor fail to resolve the complaint, it should be referred to the Service Area's Executive Manager/Manager for further review if appropriate.

Recording of Complaints

All complaints received by the Shire will be recorded in the Shire's Records Management System, InfoXpert as a 'complaint'. The relevant Executive Manager is to be advised of the complaint and who it has been referred to for action.

Staff must distinguish between a complaint and a request for service. Where a resident is requesting a service and there is no prior indication of failure to provide that service to the resident, the request will be recorded in the 'Works Requests' Database in InfoXpert as a standard service request.

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Complaint types and subsequent actions

Planning, Building, Health and Ranger Services – Statutory Functions

Complaints relating to Statutory Functions with respect to Planning, Building, Health and Rangers will not be investigated under the Policy or this Procedure, although the general principles for the handling of complaints in this Procedure will be applied.

Anonymous complaints and confidentiality

Anonymous complaints will not be pursued unless they can be independently corroborated as the Shire cannot determine the validity and nature of the complaint nor seek additional information to investigate the complaint when the source is unknown. Independently corroborated, for this procedure's definition, means either:

- Complaints from non-anonymous complainants on similar subjects, or the same staff member.
- An easily investigated method of corroboration. Eg, a check of records for notes from a meeting, a diary entry for access of a property, a photo from a parking infringement.

Where an anonymous complaint has been independently corroborated, such cases will be dealt with in a similar manner to complaints where the complainant has been identified, except where there is a statutory requirement for identification of the complainant.

The Shire encourages complainants to provide personal or business contact information when lodging complaints, however where a complainant requests their identity and complaint details remain confidential; the Shire will ensure that disclosure of any personal information to third parties is not made.

Malicious, Frivolous and Vexatious complaints

All complaints received by the Shire will be investigated as a serious matter. However, if following investigation, a complaint is found to be malicious, frivolous or vexatious, a recommendation will be made to the Chief Executive Officer (CEO) that no further action is to be taken regarding the complaint.

Following the recommendation, the complainant will be informed in writing of the decision.

The Shire may, at its discretion, seek legal advice with respect to implications of the suspected vexatious or malicious complaints.

Persistent complainants

In some instances, the Shire will encounter complainants who are persistent and write repeatedly to the point that resources are unreasonably diverted. Where complaints are about the same or similar issue(s) and the Shire has addressed or dismissed the issue(s) as being without substance, then an administrative control may be put in place to limit responses to future complaints.

Under these circumstances, details of the number and nature of complaints will be provided to the Executive Management Team who may make a recommendation to the CEO that further

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correspondence and/or telephone contact is to be restricted. The CEO will consider all facts and issues of the individual case prior to acting on any recommendation(s). If a decision is made to endorse the recommendation, the CEO will write to the complainant explaining the Shire's intention not to acknowledge or respond to further correspondence on the matter(s) unless new information is provided that warrants action. The complainant will be advised that future written material will be filed.

With respect to telephone calls, the complainant may be told that their calls will only be taken during restricted times and then only by a specific officer; or that no future phone calls will be accepted or interviews granted about the same matter.

Difficult Complainants

In cases where a complainant's behaviour is aggressive or threatening, or where the complainant:

- is consistently rude, abusive or makes threats to staff or third parties using Shire services or on Shire premises; or
- causes damage to Shire property or threatens physical harm to staff or third parties.

Staff should contact the CEO, and report the details of the complaints behaviour to their Manager and HR. A report, supported with any witness statements where available, should be prepared by the Executive Managers Team and the CEO to determine whether the complaint should be reported to the WA police, and to decide whether the complainant's access to the Shire premises is to be restricted.

The CEO will consider all the facts and issues of each case and may notify the complainant that they are not permitted to enter the Shire buildings for a period of time, that no phone calls will be accepted and that they may only correspond with Shire in writing.

The CEO will notify the complainant in writing of the nature and the duration of restrictions placed upon them and if a report to the WA Police has been lodged.

Where a complainant has been provided with a notice of restriction, and that person attempts to enter Shire premises, staff are advised to call the police, as the police have the authority to remove them.

Complaints that will not be investigated

This procedure primarily relates to circumstances where there is no statutory authority covering the resolution of a complaint. It focuses on complaints about Shire decisions or service delivery which is distinct from matters such as the reporting of corruption or misconduct of elected members and staff.

The Shire may determine that a complaint will not be investigated where that complaint:

- is considered frivolous, vexatious or not made in good faith or concerns trivial matters;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses the remedy or right of appeal;
- where a matter is subject to an existing mediation process;
- relates to a decision made by a meeting of Council;

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- relates to conduct before a court, coroner or tribunal;
- relates to a matter under investigation by the Minister for Local Government, Heritage, Culture and The Arts, Corruption and Crime Commission, the WA Ombudsman's office, a Minister of the Crown or Government Department or the WA Police Service;
- relates to the appointment or dismissal of an employee or an industrial or disciplinary issue;
- relates to a decision, recommendation, act or omission which is more than one year old;
- relates to a matter awaiting determination by the Council;
- relates to actions or conduct of private individuals;
- involves a matter where the complainant declines or refuses to provide further information and/or there are threats made against the Shire and/or its staff.

The Shire also will not consider or investigate as complaints, issues that are over two years old [this accords with the time limit for general prosecutions of issues under the *Local Government Act 1995*].

In the context of the Policy and these Procedures, complaints involving the behaviour of Employees and Elected Members is excluded. These matters will be handled under the Shire's Code of Conduct.

If the Shire decides not to investigate a complaint, the complainant will be advised of the reason for the decision.

Review Process

In instances where complaints have not been actioned or resolved in accordance with the above processes, or the outcome is regarded as unsatisfactory to the complainant, the following is to occur:

1. the complaint is to be referred to the relevant Executive Management Team who will investigate the matter and review the action and steps taken to resolve the complaint;
2. the relevant Executive Manager will provide a report will to the CEO detailing the history of the complaint and the actions taken to resolve the issue(s);
3. the CEO will determine the appropriate resolution of the outstanding complaint and the review of the service complaint handling process;
4. should the CEO require an independent review of a complaint this will be carried out by the Executive Manager Corporate and Community Services. In circumstances where these internal processes are unable to resolve a complaint or satisfy the complainant, the Shire will refer the complainant to an appropriate external agency for review.

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Referral of Complaint to another Authority

A complainant may at any time they are not satisfied with the Shire's handling of their complaint be advised that they can refer it to another appropriate Authority for consideration.

These include the Department of Local Government, Heritage, Culture and The Arts, the WA Ombudsman or the Corruption and Crime Commission.

Reporting

On a quarterly basis the Executive Secretary will provide a report to the CEO outlining complaints received for the previous quarter and subsequent follow-up and departmental action.

- Reports will provide the following information on each complaint:
- The issue at the centre of the complaint;
- The outcome of investigations in each instance;
- Action taken to address the complainant's issue(s);
- Time taken to address the complainant's issue(s);
- Feedback from the complainant, where possible, as to satisfactory resolution of the complaint or otherwise;
- Referral of the complaint to an external agency;
- Recommendations or actions taken to improve service.

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1.13 C-1EME013 Elected Members Entitlements

Previous Policy Numbers – 1.5, 1.7, 1.8 & 1.9

PART A - Policy

Objective

The Shire of Dandaragan's Elected Members are required to carry out certain functions and responsibilities under the *Local Government Act 1995* (the Act). In order to assist in the facilitation of their roles there are entitlements that they must/or may be provided with in order to be effective in their role.

This objective of this policy is to provide a clear outline and guidance for the support and payment of all entitlements, including meeting/attendance fees, allowances, and conference and training expenses to elected members.

Policy Statement

In recognition of the complexity and demands on Elected Members in undertaking their role, the Shire of Dandaragan is committed to ensuring adequate funding is included in the Annual Budget so that elected members are provided with appropriate facilities, equipment, material and information to support them in performing their duties of office and to enable attendance at Conferences or Professional Development training that has relevance to that role.

This policy has been prepared to conform with the provisions relevant to elected member entitlements under the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*

Legislative Provisions

Sections 5.98, 5.98A, 5.99, 5.99A and 5.100A of the *Local Government Act 1995* provides that a Local Government is to pay certain fees and allowances and may reimburse expenses.

Regulations 30, 31, 32 and 34AC of the *Local Government (Administration) Regulations 1996* prescribe the level and circumstances of the payment or reimbursement of fees, allowances and expenses.

Policy Content

Part	Title
1.	Payment of Fees and Allowances
2.	Access to Shire Buildings, Administrative Support and Technology
3.	Attendance at Conferences and Training within Australia
4.	Reimbursement of Expenses

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PART 1

3. Payment of Fees and Allowances

3.1 Objective

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

3.2 Annual Meeting Attendance Fees in lieu of Council Meeting and Committee Meeting Attendance Fees:

(a) In lieu of paying the President and Councillors a meeting attendance fee for each prescribed meeting, the Shire will pay an amount within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid annually for Meeting Attendance Fees for the President and Councillors. The amount to be paid will be set by Council as part of the adoption of the Annual Budget.

(b) Payments will be made quarterly in advance on a pro-rata basis throughout the annual period.

3.3 Annual Local Government Allowances — President and Deputy President:

(a) The Shire will pay an Annual Local Government Allowance within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to the President and Deputy President. The amount to be paid will be set by Council as part of the adoption of the Annual Budget

(b) Payments will be made quarterly in advance on a pro-rata basis throughout the annual period.

3.4 Annual Allowance for ICT Expenses

(a) The Shire will pay all Elected Members the maximum Annual Allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to Elected Members.

ICT expenses means –

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996* (Regulations); or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service

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provider fees) and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

- (b) Payments will be made monthly in advance on a pro-rata basis throughout the annual period.

3.5 Annual Allowance for Travel and Accommodation Expense

In lieu of Annual Allowance for Travel and Accommodation expenses, the Shire will reimburse Elected Members the costs incurred in accordance with clause 32 of the Regulations (*see clause 4.4 of this policy for full details*).

Travel and Accommodation expenses means –

- (a) travel costs, as prescribed by regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* (Regulations); or
- (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

3.6 Conditions of Payment

- (a) All allowances and fees shall be paid automatically into a nominated bank account unless an Elected Member has advised the Chief Executive Officer (CEO), in writing, that he/she does not want to claim any or part of those fees and allowances.
- (b) If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back-paid but accrue from the date of the CEO receiving such a request.

3.7 Claims in Excess of Annual Allowances

Any claims by Elected Members for expenses incurred over the maximum Annual Allowance for ICT or Travel are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.

3.8 Taxation Implications

The taxation liability arising from these payments is the individual responsibility of each Elected Member.

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PART 2

4. Access to Shire Administration Centre, Administration Support and Equipment

4.1 Shire President's Office

The Shire President will have access to a suitable office within the Administration Centre allocated by the CEO.

The Shire President will have access to secretarial support including management of diary and emails, photocopying, drafting official Shire business related responses and for following up on outstanding matters with the CEO.

4.2 Function Area

A Function Area and bar are available to all elected members for use in hosting guests or holding Shire related meetings. The Elected Members should advise the CEO by email that a meeting room is required so the room can be booked.

4.3 Administration Support

Elected Members will have access to:-

- (a) Conference/meeting rooms within the Administration Centre.
- (b) Limited photocopying, printing, facsimile, internet and telephone facilities within the Administration Centre.
- (c) Secretarial support as resources allow including limited word processing, photocopying, and postage is available upon request to the CEO.

4.4 Information, communication and technology (ICT) equipment & Use

The following equipment will be issued to Elected Members over and above the annual ICT Allowance detailed in Item 1.4:

- A laptop or equivalent technology

Conditions

- (i) This equipment will be new and replaced in accordance with the Shire's replacement program (normally once every three (3) years).
- (ii) Any damage and loss of the equipment during that time is the responsibility of the Elected Member to repair and fund.
- (iii) The equipment is strictly to be used for Shire purposes only including, researching Council related matters, Shire approved social media, Shire related pictures or filming, receiving and despatching email correspondence, diary requests and Council meeting agendas.
- (iv) Any issue relating to the equipment that require technical support will only be provided if the issue relates to the usage types listed in 2.4 (iii).

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- (v) The CEO, if requested, may provide assistance to Elected Members with user training and support.
- (vi) All information on Shire issued equipment is subject to Freedom of Information requests.
- (vii) A Councillor email address will be created in the form of Councillor.Name@dandaragan.wa.gov.au. The President will be provided with a specific email address of president@dandaragan.wa.gov.au.
- (viii) All emails received and sent through the Councillor.Name@dandaragan.wa.gov.au or president email accounts are captured in the Shire's Email Archive System.
- (ix) Any costs associated with upgrades or additional requirements over and above the standard equipment being offered should be met by the Elected Member.

4.5 Shire Office Access

The Shire Administration Office is protected by a coded security system.

To protect the integrity of the Administration Operations, access by Elected Members is by arrangement through the CEO's Office.

Elected members are not permitted to request staff to provide them with access into the Administration Centre and meetings with staff should be pre-booked through the CEO Office and held in an appropriate meeting room. This provision does not preclude staff arranging and booking meetings with elected members.

4.6 Documentation

The following documentation will be issued to Elected Members in electronic form or printed form:-

- *Local Government Act 1995*
- *Code of Conduct*
- *Councillor Manual – "The Complete Guide to the Local Government Act 1995"*
- *Induction Manual*
- *Local Planning Scheme No.7 all associated planning strategies and documentation*
- *Annual Budget*
- *Integrated Planning and Reporting (IPR) documentation*
- *Policy Manual and Delegations Register*
- *Information Technology Service Agreement for Elected Members*
- *Shire and Town maps*

The following documentation will be provided on request:-

- Western Australian Local Government Directory
- Annual Report (most recent edition)

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- Councillor delegates list
- Councillor meeting dates & venues (most recent edition)
- Councillor Request Forms
- List of Councillors addresses
- Local Laws
- Member's Expense Claim
- Organisational chart
- Community Centre Information

Access to Information

Section 5.92 of the Local Government Act 1995, provides:-

A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.

4.7 Other Items

The following items will be issued to Elected Members:

- Name badge
- Business cards
- Shire satchel

4.8 Gifts and Donations

From time to time Elected Members may wish to provide stakeholders or community organisations and members with gifts or donations for various reasons. Any request for a gift or donation must be submitted to the CEO in writing stating the purpose of the gift or donation and provide justification as to why the gift or donation is warranted.

The CEO is responsible for approving any such requests for gifts or donations within budget limits permitting and reasonable justification being provided.

4.9 Election Campaigns Excluded

All Shire resources, equipment and facilities subject of this Policy are provided on the absolute understanding that they will not be used for any election purposes.

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PART 3

5. Attendance at Conferences, Study Tours, Community Consultation and Training

5.1 Objective

To enable Elected Members to develop and maintain skills and knowledge relevant to their role as a representative of the Shire.

To further develop Councillors awareness of undertakings by other Local Authorities and to improve their knowledge by way of networking, visiting surroundings districts and consulting with the wider Dandaragan community and to ensure they are not financially disadvantaged in doing so.

5.2 Statement

The role of an Elected Member is complex and demanding and the Shire supports and encourages Elected Members to attend appropriate Conferences, Study Tours and Training to enable them to be more informed and better able to fulfil their duties of Office.

5.3 Conferences and Training that May be Attended

The Conferences and Training to which this Policy applies shall generally be limited to the following:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government Association and/or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities such as SEGRA or Australian Coastal Society.
- West Australian Local Government Association's or relevant provider's Councillor Induction Program.
- West Australian Local Government Association Elected Member Training and Development.
- Training relating to the role of Elected Members.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

5.4 Approval

The CEO is authorised to approve all requests for each Elected Member per annum to attend any locally provided Conference or Training within the categories outlined at clause 3.3 providing it is within the funds allocated in the Annual Budget.

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All overseas and interstate requests will require Council approval.

5.5 Study Tours

A study tour is designed to enable Elected Members (and staff) to travel intrastate, interstate and/or overseas to research and study specific issues fronting Council

Wherever possible, details of study tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of study tours have been arranged, or arrangements are incomplete, an appropriate amount may be included in the budget to cover the cost of an annual study tour.

The CEO in consultation with the Shire President may approve attendance at study tours subject to budget and in accordance with the following guidelines:-

- The maximum attendance at any study tour is to be two Elected Members (and two staff).
- Attendance at a study tour shall only take place where there are appropriate funds provided in the annual budget
- A detailed report including recommendations on each study tour is to be submitted to Council

In addition to these ad hoc study tours, the Shire will aim to undertake a best practice tour every second year to visit another local government in Western Australia to share knowledge and ascertain solutions to contemporary local issues. This best practice tour available to all elected members will alternate with attendance with the West Australian Local Government Association's annual conference.

5.6 Special Provision

To provide an opportunity to network with Federal Ministers, Members of Parliament and/or Senior Departmental Officers on issues affecting this Council, the Shire President (and the Chief Executive Officer) may attend an appropriate interstate conference that may incorporate a visit to Canberra.

5.7 Booking Arrangements

Registration, travel and accommodation for Elected Members will be arranged through the Council Secretary. In general, all costs including airfares, registration fees, and accommodation will be paid direct by the Shire.

5.8 Travel Insurance

The Shire's Travel Insurance Policy provides indemnification any personal loss an Elected Member may experience when travelling on Shire related business. The Elected Members must immediately upon return provide details of the loss to the CEO and complete an insurance claim form.

The following items are covered under the policy:

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Personal Accident & Sickness	Rental Vehicle Excess
Overseas Medical & Evacuation	Kidnap, Ransom, Extortion, Hijack & Detention
Chubb Response 24/7	Personal Liability & Identity Theft
Loss of Deposits, Cancellation & Curtailment	Alternative Employee or Resumption of Assignment
Luggage, Money & Portable Electronic Equipment	Missed Transport Connection & Overbooked Flights
Extraterritorial Workers' Compensation (ETWC)	Political Unrest & Natural Disaster Evacuation
Political Unrest & Natural Disaster Evacuation	Lifestyle Protection Benefits

5.9 Support Activities

The Shire will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

5.10 Accommodation

The Shire will pay reasonable accommodation costs for Elected Members including the night before and/or after the Conference and Training event where this is necessary because of travel and/or the Conference and Training event timetables which make it unreasonable to arrive at or return home in normal working hours.

Accommodation shall normally be booked at or within walking distance to the Conference and Training venue based on a best value for money approach.

5.11 Mode and Class of Travel

Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the Conference and Training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the Shire.

Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements. All air travel must be **economy class**, any upgrades to other classes must be paid by the elected member

If accommodation is at the Conference or Training venue, or in close proximity, taxis should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares, vehicle hire and parking, which are reasonable, required and incurred in attending Conferences and Training, will be reimbursed by the Shire.

Taxi vouchers can be requested for use by Elected Members through the office of the CEO prior to departure.

Where, in particular circumstances, Elected Members desire to travel interstate or

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intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

5.12 Extent of Expenses to be reimbursed

(a) An Elected Member attending a Conference and Training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:

- meals and refreshments for the Elected Member (that are not covered by the conference and Training registration costs);
- dry-cleaning and laundry expenses; and
- reasonable telephone, internet and facsimile charges.

(b) Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.

(c) Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:

- for the days of the Conference and Training event only; and
- for the cost of travel to and from the airport to the accommodation to be used for the Conference and Training.

(d) Where a visit is extended, as discussed in paragraph (c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the Conference and Training event. In such situations, the reimbursement of taxi fares will be to the estimated cost of travel between the Conference and Training event's accommodation and the airport.

The Elected Member will be required to pay any greater amount.

(e) Where an Elected Member attends two Conference and Training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than two days, only two days reimbursement can be claimed.

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5.13 Payment of Expense Reimbursements

The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time.

Nothing prevents an Elected Member from being reimbursed for any reasonable expense incurred whilst attending conferences or training where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

Reasonable expense may include but are not limited to:

- Meals and drinks for the elected member only
- Transport travel – taxi, Uber or public transport.
- Entry fees

5.14 Cash Advances

The Shire does not pay cash advances to elected members.

5.15 Elected Member/Delegate Accompanying Person

Where an Elected Member is accompanied at a Conference and Training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/ accompanying person and not by the Shire.

The exception to the above being the cost of attending any official Conference and Training event dinner where partners would normally attend.

An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The Shire will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the Shire in advance for the accompanying person.

Where the Shire meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Shire by the elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the Conference and Training event.

5.16 Guidelines for Conference and Training Attendance

Generally, no more than two Elected Members may attend a particular Conference or Training event outside Western Australia at the same time. The CEO or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.

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5.17 Attendance at Overseas Conferences

An Elected Member may, with Council approval, attend an overseas conference. The Council approval must include a specific Council resolution indicating that the conference attendance will be of benefit to the Shire and the Elected Member and detailing any conditions that may apply.

5.18 Report

Upon return from any Conference and Training event as detailed within this policy, where registration and other associated costs are met by the Shire of Dandaragan, the attending Elected Member is required to provide a written or verbal report on their attendance and the benefits to them and the Shire, at the next available Council forum or Council meeting.

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PART 4

6. A Reimbursement of Expenses

6.1 Objective

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their office.

6.2 Cost of Attending Functions

The Shire will pay for the registration cost or ticket cost for the elected members, plus his or her partner, attending any breakfast, dinner or similar function where invited, provided such function does not fall into the category of a Conference and Training event or is not for an election purposes.

6.3 Child Care:

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time for an Elected Member's attendance at a Council Meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.

Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.

Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.

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

6.4 Travel Expenses

Note: This clause also applies to non-elected members

1. All Elected members and Council appointed delegates (who are not elected members) will be paid the Local Government Officer's Award rate per kilometre for all travelling expenses incurred in attending the following:
 - annual and special and general meetings of electors;
 - officially called civic receptions;
 - visits by Ministers of the Crown to the Council or with it;

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- Council inspection tours;
 - Council authorised meetings with government agencies;
 - other Council called meetings of Councillors and staff;
 - committee meetings;
 - community group meetings or meetings with key stakeholders which in the opinion of the CEO or Shire President require a Council member present, and where prior approval has been provided by the CEO or Shire President.
 - official meetings as delegates of Council;
 - ordinary meetings of Council;
 - official locality inspections; and
 - Council authorised conferences / seminars / professional development courses.
2. Reimbursement of travel expenses *will not be paid* where members of Council attend
- a) social engagements (other Councils' annual dinners, sporting clubs, community groups and other organisations' functions);
 - b) meetings, functions etc where they are not the nominated Council representative; and
 - c) road / locality inspections that have not been convened by a resolution of Council.
3. Where acting as a Council representative, that requires travel outside of the Shire, and travel by motor vehicle is appropriate, travel should be undertaken by Council vehicle where available and appropriate, otherwise private vehicle use is allowed.
4. Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, seminars, training courses, meetings and functions, will be reimbursed by the Council.
5. Reimbursement of travel expenses are to be paid only on receipt of a formal claim from a member of Council or non-member delegate and are to be calculated on the number of kilometres between the member's principal place of residence or work within the Shire to the venue and return.

Provisions relating to claims for reimbursement of travel costs:-

If a council member lives or works in their own local government district or an adjoining local government district, they may be reimbursed the travel costs from either of those locations. It is not a question of determining which of the residence or workplace locations is the furthest or shortest distance and claiming either the greater or lesser amount. For the claim to be legitimate it must relate to the cost actually incurred so:

- if the council member travelled directly from the workplace to the meeting, then that is the travel cost to be claimed;
- if the council member travelled from the workplace to their home and then to the meeting, they would claim from their place of residence to the meeting; or
- the claim might relate to travel from work to the meeting and then home after the meeting.

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Provision also exists within the regulations for council members who either live or work in a location that is neither in the district nor in an adjoining district. In such cases:

- if the round trip journey is less than 100 km, they may claim the actual costs; or
- if the round trip journey is more than 100 km, they may claim an amount equal to the cost of travelling from the outer boundary of the adjoining district and back to that boundary.

If a council member lives within the district or an adjoining district but works in an outlying area (or vice-versa) it would be possible to claim either:

- on-route from work, from the outer boundary of the adjoining district to the meeting; and
- returning home, from the meeting to the residence; or
- the reverse combination of these.

In all cases, the reimbursement claims must relate to expenses actually incurred. This is clearly a reimbursement, not an allowance. The onus is on the council member to provide sufficient evidence of the expense to satisfy the council (and the auditor).

A suitable claim form will be provided by the Executive Manager Corporate & Community Services upon request.

6.5 Time Limit on Claims and Approval Process

Elected Members requiring reimbursement of expenses in accordance with the provisions of this Policy should submit the appropriate claim form to the CEO, together with supporting documentation, within three (3) calendar months after the month in which the expenses were incurred, and by 30 June of each financial year, in order to facilitate the finalisation of the Shire's annual financial statements. Any claims exceeding the three (3) month timeframe will not be reimbursed

6.6 Allowances and Limits are exclusive of G.S.T

Unless otherwise specified in this Policy, all allowances and limits set out in this Policy are exclusive of GST.

6.7 Supporting Documentation

Documentary evidence is required for all expenses claimed. Original Tax Invoices and receipts are required for audit purposes and to enable G.S.T. to be claimed.

6.8 Other Entitlements

(a) Elected Member Dinners

The Shire will provide a meal for all Council meetings and briefing sessions held in the evening.

(b) Attendance to Staff Christmas Party

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Elected Members are invited to attend the annual staff Christmas party held in late December each year.

(c) Acknowledgement of Service

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate gift.

The value of any gift provided to a retiring Elected Member is limited to the prescribed amount set out in Regulation 34AC of the *Local Government (Administration) Regulations 1996*

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2 HUMAN RESOURCES

2.1 C-2EAAR01 – Employee Achievement Award and Recognition

Previous Policy Number – Not applicable

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will appropriately recognise and reward staff who are performing over and above expectations.

Policy Statement

The Shire of Dandaragan values its employees and their contribution to the organisation.

Employees who perform “above and beyond” what is normally expected of their position will be recognised, and may be rewarded, to demonstrate that their achievements are appreciated by the Shire.

The Shire will ensure that outstanding performance is identified and recognised fairly and equitably. Reward for exceptional performance will be given, within the constraints of the Annual Budget, and subject to approval by the Chief Executive Officer.

A system of recognising and rewarding high-performing employees will assist the Shire in attracting and retaining quality employees. In addition, it will help other staff to identify the values and behaviours that the Shire seeks from its employees, and provide motivation for performance improvement.

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PART B - Management Procedures

Definitions

Recognition	refers to the acknowledgement of an employee's good performance or conduct. This may include a simple verbal "thank you", highlighting the performance at a team meeting, or giving a certificate of achievement.
Reward	involves the giving of a gift with monetary value, such as a gift voucher, an inscribed plaque, or a paid day or half-day off work.

Detail

Purpose

To ensure that Shire employees who are performing over and above expectations are appropriately recognised and rewarded.

Procedure

Identifying employee achievement

Employees are encouraged to report achievements or outstanding performance by their fellow staff members to their Manager or Supervisor. Managers and Supervisors need to promote this, perhaps by setting aside time at team meetings for staff to bring others' achievements to the attention of the whole team. They may also wish to set up a nomination process within their team (a readily available form or "suggestion box" type of arrangement).

How will achievement be recognised?

Employee achievement can be recognised either informally or formally through this Policy.

Managers and Supervisors are to informally recognise good performance on an ongoing basis. Both behaviours and outcomes are to be recognised. A note of appreciation, sending a memo to the Executive Manager or Chief Executive Officer (CEO), or mentioning the employee's achievements at a team meeting will ensure that the employee knows that their effort is appreciated.

Where a Manager or Supervisor feels that an achievement deserves formal recognition and/or a reward with a monetary value, they are to advise the CEO in writing.

A full explanation of why the employee's performance warrants reward is to be provided. The CEO may accept or reject this proposal in consultation with the Executive Management Team.

It is important that achievement is recognised in an equitable manner – some service areas, particularly those that deal with the public on a regular basis, are far more likely to receive positive feedback on their performance than those whose duties are more administrative or regulatory.

When will rewards be given?

The awarding of employee rewards should be spread throughout the year, to maintain staff

2. Human Resources

interest and enthusiasm, to recognise achievements as they happen, and to inspire other staff to achieve.

What rewards will be given?

Rewards could include a gift voucher, a monetary payment, paid time off, a donation to a charity of the recipient's choice, a plaque or inscribed gift.

The employee may have a specific idea of how they would like to be recognised. A choice of rewards should be made available where possible.

Reward is not a substitute for higher duties, training, or a warranted salary adjustment (for example, where a person's duties change significantly, or where a step increment would normally be given).

An amount for employee recognition will be allocated each year in the Annual Budget. All employee rewards are to be costed to this budget code to ensure that the expenditure is monitored and controlled.

What behaviour or achievements should be recognised?

(from *A Guide to Managing an Ageing Workforce* – Public Sector Commission WA)

1. **Strategic Role Model** – employees who demonstrate a commitment to the Shire's corporate values
2. **Performer** – employees who have achieved an excellent outcome in their area, above and beyond their normal duties
3. **Innovator** – those who develop innovative or creative ideas or solutions
4. **Quiet Achiever** – for consistently hard workers who put in significant effort without drawing attention to themselves
5. **Promoter** – recognises employees who have worked with other local governments or agencies, or provided a service which has enhanced the perception or reputation of the Shire
6. **Leader** – for employees who have demonstrated effective leadership behaviours, such as taking charge of a project, leading by example and inspiring other employees, or leading a change in the Shire
7. **Developer** – for managers who have made consistent and committed efforts to develop their team

Impact of Tax legislation

Fringe Benefits Tax (FBT) and Personal Income Tax (PIT) requirements may have an impact on the awarding of awards.

FBT will apply to any reward/gift voucher with a monetary value above \$300. PIT will apply to any cash reward provided, no matter the amount.

The Executive Manager Corporate and Community Services is to be consulted in regard to any FBT or PIT implications in relation to the proposed rewards.

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2.2 C-2OSH02 – Occupational Safety and Health

Previous Policy Number - 9.2, 9.9

PART A - Policy

Objective

The objective of this Policy is to set out guidance for the Shire of Dandaragan (Shire) to comply with the legislative requirements of the Occupational Safety and Health Act 1984 and maintain an effective Safety Management System that incorporates continuous improvement philosophy and provides as far as is reasonably practical for maintenance of occupational safety and health standards to protect the wellbeing of our staff, stakeholders and the environment.

Policy Statement

The Council and Shire values the health and safety of its staff, contractors, volunteers, visitors and the public. The Shire is resolutely dedicated to minimising workplace accidents, illness and incidents in accordance with the relevant Occupational Safety and Health Legislation.

Safety will continue to be integrated into the culture of our organisation and commitment will be demonstrated through effective leadership and consultation.

The Shire is committed to:

- Ensuring that the organisation's operations do not place the local community at risk of injury, illness or property damage.
- Take such steps as are reasonably practicable to provide and maintain a safe working environment.
- Maintaining and enhancing the wellbeing of our employees, contractors, community and environment, by:
 - Continuously improving our health and safety performance.
 - Respecting and complying with its legal obligations.
 - Seeking opportunities to share its successes.

The Shire will:

- Comply with the Western Australian Occupational Safety and Health Act 1984, all relevant Regulations, Codes of Practice and Australian Standards.
- Ensure staff and stakeholders understand and comply with their obligations regarding relevant Occupational Safety and Health Legislation and Council's policies, procedures and safe systems of work.
- Provide a safe and secure environment for residents and visitors to the Shire who may be impacted by the day to day business of the Shire, as far as is reasonably practical.
- In consultation with staff and stakeholders, manage all safety related matters to reduce risks in the workplace.
- Control physical and procedural safety and environmental hazards through continuous hazard identification and control processes.
- Provide induction and ongoing training, information and instruction to staff and relevant stakeholders, regarding Occupational Safety and Health.

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- Ensure that effective purchasing programs, contracts, tenders, leasing, hiring systems and assets comply with and are maintained in line with the Council's Policies and procedures and Australian Standards in relation to the Western Australian Occupational Safety and Health Act 1984.
- Provide an effective system of accident / incident reporting, investigation and recording.
- Ensure that staff and stakeholders are aware of the Emergency Response Plans and their responsibilities.
- Maintain sufficient qualified First Aid Officers and adequate First Aid Kits and ensure that all staff are familiar with their location throughout the organisation.
- Provide and maintain appropriate specialised Resuscitation equipment.
- Protect workers from the harmful effects of the sun by using a combination of sun protection measures including protective clothing, hats, sunglasses, sunscreens, job rotation and utilising shade.
- Establish and maintain a safety management system modelled on Australian Standard 4801:2001.
- Ensure that all Shire indoor premises and motor vehicles will be smoke free at all times.

Staff and Stakeholders will:

- Comply with the West Australian Occupational Safety and Health Act 1984, all relevant Regulations, Codes of Practices and Australian Standards.
- Report all workplace hazards and incidents to supervisors / manager.
- Work in accordance with the policies, procedures and safe systems of work of the Shire.
- Work in a safe manner that will not endanger the safety and health of yourself, your colleagues the public or the environment.
- Consult and cooperate with supervisors and management on matters relating to workplace safety and health.

The development of the Safety Management Program and this Policy and its implementation is the responsibility of the Chief Executive Officer. The application of this policy is the responsibility of staff and stakeholders.

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PART B - Management Procedures

Definitions

Nil.

Detail

PART 1

1. Occupational Safety and Health – Electrical Tagging and Testing – Workplace Facilities

Purpose

To ensure that all flexible cord-connected electrical equipment / appliances used within the Shire of Dandaragan workplace facilities are in safe working order in accordance with the requirements of AS/NZS 3760:2003 In-Service Safety Inspection & Testing of Electrical Equipment.

Definitions

Term	Definition
Competent person	A person who has acquired, through training, qualification or experience, or a combination of these, the knowledge and skills required to test electrical equipment competently.
Electrical equipment	Electrical articles that are not part of a fixed electrical installation but are intended to be connected to an electricity supply (either fixed installation or generator) by a flexible cord or connecting device. (Typical examples are portable, hand-operated and moveable plug-in electrical appliances, flexible extension cords and power outlet devices).
Fixed or stationery equipment	Equipment that cannot be carried or moved easily by hand. This includes equipment such as freezers, refrigerators, large photocopiers, vending machines, hand-dryers, fixed air conditioning units, lathes, drill presses, fixed grinders, welding equipment etc connected by a flexible cord and plug.
General Purpose Outlet ("GPO")	General purpose power outlet. Also commonly known as a switched socket outlet.
Hostile environment	One wherein the equipment or appliance is normally subjected to events or operating conditions likely to result in damage to the equipment or a reduction in its expected life span. This includes, but is not limited to, excessive cord flexing, physical abuse, exposure to moisture, heat, vibration, corrosive chemicals, and dust.

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Term	Definition
Portable equipment	Equipment that is carried or moved while the electricity supply is connected, that is either designed to be portable (ie laptop computers, power tools, vacuum cleaners, industrial polishers, etc) or can be made portable (ie overhead projectors, power boards, extension leads, urns, heaters etc). Kitchen appliances such as toasters, kettles, jugs, frypans, urns etc are also defined as portable equipment.
Powerboard	Non fixed portable outlet device.
Residual current device	A device intended to isolate supply to protected circuits, socket-outlets or electrical equipment in the event of a current flow to earth that exceeds a predetermined value.
Supply Flexible Cord	A flexible cable or cord, for supply purposes, which has one end connected to a plug with pins designed to engage with a socket outlet, and the other end either.
Tagging	Fitting of a durable, non-reusable, non-metallic tag or other indicator to electrical equipment that has been tested and found to be compliant. The tag must include the name of the person or the company who performed the test, the test or inspection date and may also include a re-test date.
Testing	Electrical testing procedures undertaken by a trained person in accordance with AS/NZS 3760: 2003 In-service safety inspection and testing of electrical equipment.

Detail

Electrical Equipment Testing Intervals

Some examples of testing and inspection intervals for electrical equipment (in accordance with AS/NZS3760:2003 In-service safety inspection and testing of electrical equipment & AS/NZS 3012:2003 Electrical installations—Construction and demolition sites):

- Power tools – six monthly (if in use in a workshop environment).
- Power tools – annually (if used on an occasional basis – two or three times per year).
- Portable electrical equipment (hostile environment) – min three monthly, max six monthly intervals.
- Portable electrical equipment (low risk environment) – annually.
- Kitchen equipment (hostile environment) – min three monthly, max six monthly intervals.
- Extension cords and Power boards – (low risk environment) – annually.
- Extension cords and Power boards – six monthly (if in use in a workshop environment, theatre).
- Printers, monitors, computers, photocopiers (fixed location/position, no cord flexing) – five years.

Note

Every workplace is different and the frequency of testing depends upon the harshness of the environment in question. There may be multiple environments in the one workplace.

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Therefore it is essential that risk assessments are undertaken and plug-in electrical equipment is categorised.

Responsibilities – Facility Managers

- Shire Depots – Executive Manager Infrastructure
- Administration Building – Manager of Building Services
- Libraries – Manager of Building Services
- Recreation Centres – Manager of Building Services
- Wellness Centre – Manager of Building Services

In consultation with Building Maintenance, ensure that a system of inspection, tagging and testing is identified and fully implemented.

Consult with staff as part of conducting a risk assessment and allocating plug-in electrical equipment to a particular risk category (see example). Plug-in electrical equipment must be allocated to a risk category based on the risks posed by particular equipment.

Monitor the electrical equipment testing frequency in accordance with the sample frequency guidelines in AS/NZ3760:2003.

Maintain records on the electrical equipment register.

Ensure personnel comply with this procedure.

All Staff

All Staff are required to comply with this procedure.

Obtain authorisation from facility manager and department manager prior to bringing personal portable electrical equipment into the workplace.

Report any concerns or adverse incidents to their manager / coordinator / supervisor / team leader.

Procedure

Identification of Electrical Equipment

All facility managers will identify and categorise electrical equipment within their control which may come under the scope of this procedure.

All facility managers will review the range of electrical equipment and the frequency of testing required based on the portability of the equipment and the environment in which it is used.

What Needs To Be Inspected, Tested And Tagged And How Often?

All portable electrical equipment and RCDs used in the workplace must be regularly inspected and tested as appropriate. All other workplaces require a risk management approach to determine the type of inspection and if necessary and testing required.

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Inspection needs to be done more frequently in an operating environment where electrical equipment is, during normal usage, subjected to adverse operating conditions likely to result in damage to the electrical equipment. Eg potential exposure to excessive cord flexing, moisture, heat, vibration, corrosive chemicals or mechanical damage.

The risk assessment should determine where more specific testing of electrical equipment is necessary and the frequency of such testing.

Testing and Tagging Of Electrical Equipment

Testing and tagging of electrical equipment is to be undertaken at all Shire of Dandaragan facilities.

Tagging of compliant electrical equipment with a visible and durable tag in accordance with AS/NZS 3760:2003 specifying:

- Date of the test.
- Name of Company performing the test.
- Date of retest.

Non-Compliant Electrical Equipment (Shire of Dandaragan)

Non-Compliant Electrical Equipment is to be labelled with an “Out of Service” tag and removed from service and either repaired or replaced.

A record of non-compliant electrical equipment is to be maintained by facility managers.

If, as a result of the inspection, tagging and testing requirements the equipment is found to be damaged and / or faulty the equipment will be disconnected from the power supply and personal equipment removed from the workplace by the owner forthwith.

Register of Electrical Equipment Testing

A register is to be established and maintained for all electrical equipment within the workplace, which comes under the scope of this procedure.

The register must specify:

- All electrical equipment (portable and fixed) within the Shire of Dandaragan workplace.
- A record of inspections and testing.
- A repair register.
- A record of all faulty equipment showing details of service or corrective actions.
- Any risk assessments completed to establish the required testing frequency of the electrical equipment in hostile, experimental or specific environments to establish category ranking and frequency of testing requirements.

General Electrical Guidelines

In general the use of privately owned electrical equipment by staff is to be discouraged. If there is portable electrical equipment that is the property of a staff member, used by the staff member in their own office or workstation or in a common area, this equipment must be approved for use by the Business Unit Manager and is to be tagged and tested and noted on

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the register.

Double adaptors are not to be used at Shire of Dandaragan facilities.

Power-boards are not suitable for long term use and should only be used pending permanent set up of a work area and subject to review of options re permanent GPOs. Where power-boards are in use they must have the following features:

- Individually switched power-boards (each socket has an individual switch).
- Fixing measure which enables the power-board to be appropriately attached to a fixture in such a way that the face of the board is in the vertical plane and is not susceptible to mechanical or water damage.
- Fitted with an overcurrent device (overload protected).
- Cord not more 1.5 metres long.

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PART 2

2. Occupational Safety and Health – Protective Clothing

Purpose

This procedure aims to establish a dress code which will:

- Prescribe clothing which will be comfortable and acceptable to the majority of workers; and
- Promote a team spirit and personal pride in the workers with respect of their appearance.

Detail

The Shire of Dandaragan will provide protective clothing, footwear and equipment in the form described below for permanent staff/fulltime employed:

1. Type of Equipment

Staff employed as:

- Works Maintenance crew;
- Works Construction crew;
- Parks and Gardens crew;
- Building Maintenance employees;
- Waste Management staff;
- Mechanic; or
- Rangers

be issued annually with the following:

- i) Three (3) shirts, three (3) pairs of trousers/long shorts, and the choice of one (1) jumper or jacket. (see Section 5 below) of industrial type clothing (drill type). All clothing supplied by the Shire of Dandaragan is to have a Council approved logo or Council's name on it.

The following to be available on a new for old basis after the initial issue at the discretion of the Executive Manager Infrastructure:

- i) one (1) pair of approved safety boots for everyday use;
- ii) one (1) fluorescent wide brimmed hat;
- iii) one (1) pair of sunglasses approved by the Cancer Foundation of WA (Inc.);
- iv) two (2) x 125g tubes of sun cream (SPF 30+) broad spectrum;
- v) appropriate insect repellent;
- vi) an appropriate flask suitable for cold liquid as determined by the Executive Manager Infrastructure at the time;
- vii) one (1) set of approved ear muffs;
- viii) one (1) sharps container and gloves;
- ix) one (1) protector wet weather pants;
- x) one (1) ¾ length protector wet weather coat;
- xi) one (1) pair of PVC gloves;

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- xii) one (1) pair leather palm gloves; and
- xiii) one (1) 600mm roll bag.

All staff shall also receive as required the following:

- xi) any other equipment deemed necessary for other duties that are required to be performed.

2. Time of Issue

- i) All staff shall sign an acknowledgement when issued with any article of protective clothing or equipment and shall return that article to the employer when it is no longer required or when employment is terminated.

3. Wearing of Protective Equipment

All staff identified above are required to:

- i) wear the provided protective clothing and footwear at all times whilst in the workplace;
- ii) wear any such protective equipment that is provided (safety vests, ear protectors) or any such other equipment;
- iii) present protective equipment that is damaged or worn to the Executive Manager Infrastructure. If the damage is due to fair wear and tear, the equipment will be replaced at the Shire of Dandaragan's cost. If the damage is due to negligence, the employee will be charged replacement costs; and
- iv) all staff who work for more than one (1) hour per day in the sun are required to wear long sleeve shirts as a form of protection against skin cancer. Either long trousers or long shorts (*see section 5 below*) may be worn depending on what duties are being carried out.

The basic dress code will apply all year around (exceptions may apply based only upon written medical advice). Failure to wear any such protective equipment provided will result in a letter of warning being issued by the Chief Executive Officer.

4. Long Shorts Provision

The wearing of long shorts by outdoor employees is subject to:

- i) signing of the Shire of Dandaragan request form detailing that staff acknowledge the dangers of UV radiation from sunlight and agree to protect exposed skin areas with an approved supplied sunscreen; and
- ii) where specified, work procedures detailed below, or specified by the Supervisor, do require long trousers to be worn for safety reasons and in these circumstances, employees will not be permitted to wear long shorts.

Work procedures where long trousers must be worn:

- mechanical repairs, fitting and welding;
- operating of brush cutters, concrete/bitumen saws and chainsaws;
- handling of bitumen products;
- handling of chemicals, i.e. pesticides and herbicides; and
- other tasks where supervisors deem long trousers for safety reasons must be worn.

2. Human Resources

Long shorts may be worn all year round except when duties require long trousers to be worn.

5. Use of Sunscreen Cream

Staff working outdoors shall apply approved supplied sunscreen to the unprotected areas of their body. All outside workers will be supplied with sunscreen cream, which shall be applied to their uncovered skin in accordance with the manufacturer's directions.

In particular, this refers to their face, ears, necks and backs of hands, and legs if relevant. The cream provided will be registered under Australian Standards and be of the SPF 30+ Broad Spectrum type or higher.

6. High Visibility Clothing

Because of the requirements for Shire of Dandaragan to be easily seen by vehicle users, high visibility clothing must be worn by workers while within the Road Reserve or near vehicle access ways, working with or near mobile machinery or equipment.

The use of an overlay garment, in the form of a vest, including reflective tabs is supplied. Should over garments (e.g. jumpers and parkas) be needed, then the overlay garment must be worn over jumpers etc.

When wearing high visibility vests that velcro up at the front, staff are to ensure that they keep the velcro fastened at the front at all times.

7. Non-Permanent Staff

All annual contractors, casual, temporary, part time staff and work experience persons shall comply in full with this Policy. It will be the intention of the Shire of Dandaragan to incorporate in future contractual documentation with contractors the right to terminate contractual arrangements for non-compliance with this Policy. It is the responsibility of supervisors to enforce that non-permanent staff have provided their own basic clothes/equipment to carry out their work.

Supervisors are responsible to ensure that part time employees have appropriate work wear e.g. safety boots

8. Consultation

The Shire of Dandaragan realises that the type of protective clothing worn in the field is of considerable importance to "outside" workers and hence workers or their representatives, will be consulted with respect to changes in style and fabric of clothing as issued.

Wherever practicable, the Shire of Dandaragan having adopted a protective clothing Policy, will ensure that the style and fabric of garments is acceptable and appropriate to the relevant work force, complies with the Shire of Dandaragan duty of care with respect to WorkSafe WA Safety Standards, and is cost effective and meets with the Shire of Dandaragan professional image.

9. Education

2. Human Resources

The Shire of Dandaragan will conduct annual educational awareness programs for outside workers on the needs for protection against the dangers of UV Rays from sunlight and other work practices requiring specialised safety equipment and work procedures.

10. Enforcement

All outdoor employees covered by this Policy shall comply with the conditions of the Policy. Failure to adhere to the conditions of the Policy will result in the formal disciplinary measures. In some circumstances, failure to adhere to the conditions of the Policy may result in termination of employment.

11. Development

Senior Staff will endeavour at all times to make itself aware of new technology and equipment and provide staff, where possible, with the most recent developments in protective equipment.

2. Human Resources

PART 3

3. Occupational Safety and Health – Smoking in the Shire Workplace

Purpose

To ensure that the health of the Shire's employees is guaranteed by eliminating the risks associated with smoking in the workplace in accordance with the Western Australian Occupational Safety and Health Act 1984.

Detail

The Shire of Dandaragan recognises that employees have the right to decide whether to smoke.

The Shire also recognises that passive smoking is hazardous to the health of non-smokers and is committed to the safety and wellbeing of all its employees.

Guidelines and Policy Procedure for Smoking in the Workplace

Smoking by employees, visitors and members of the public is prohibited in all internal or enclosed work areas under the control of the Shire of Dandaragan.

This includes areas within offices and buildings which are regularly occupied by employees, such as:

- Foyers and passageways.
- Lunchrooms, kitchens and common rooms.
- Toilets.
- Meeting rooms.

Smoking is also strictly prohibited:

- In any area or workplaces which are signposted with prohibitive signs.
- Where there is a high fire risk.
- Within 10 metres of an air conditioning intake or five metres from an entrance to a building.
- In all Shire of Dandaragan vehicles.

New employees will be advised of the Shire's smoking guidelines as part of the induction process.

Responsibilities

Applying the duty of care principle, all employees have a responsibility to comply with the Smoking in the Workplace Shire Procedure and to encourage others to comply.

2. Human Resources

PART 4

4. Occupational Safety and Health – First Aid

Purpose

The Shire of Dandaragan will provide a First Aid service which has as its main objectives the provision of emergency and appropriate treatment for person suffering illness or injury at work.

Definitions

Term	Definition
Automatic External Defibrillator (AED)	Means a portable electronic device that automatically diagnoses and treats sudden cardiac arrest (SCA). The treatment, known as defibrillation, consists of determining and delivering an appropriate level electric pulse to re-establish an effective heart rhythm.
Cardiopulmonary Resuscitation (CPR)	Means an emergency procedure often employed after sudden cardiac arrest, combining external cardiac compression and expired air resuscitation to maintain circulation of oxygenated blood to the brain.
First Aid	First aid is the immediate treatment or care given to someone suffering from an injury or illness.
First Aid Kit	Means a kit containing supplies that are used in the treatment of sick or injured persons.
First Aid Qualified	Means an employee of the Shire of Dandaragan who holds a current First Aid Certificate issued by an approved organisation and the staff member if required shall render first aid care within the workplace.
WHASR	Work Health / Safety Representative.

Detail

This procedure applies to all Shire of Dandaragan staff, volunteers, contractors and labour hire personnel.

Specialised First Aid Equipment

Defibrillators

Automated external defibrillator (“AED”) machines are located at the following locations:

- St John WA Jurien Bay Sub Centre
- Jurien Bay Community Resource Centre
- Caltex Starmart Jurien Bay
- Jurien Bay Bowling Club

2. Human Resources

- Senior Citizens Centre Jurien Bay
- Western Power Jurien Bay
- Sandpiper Tavern Jurien Bay
- Jurien Bay Hotel
- Jurien Bay IGA
- CSR Gyprock Jurien Bay Mine Site
- St John WA Cervantes Sub Centre
- Central West Mens Shed Cervantes
- Cervantes Community Club
- Cervantes Pinnacles Motel and Edge Resort
- Cervantes General Store
- Nambung National Park – Pinnacles Desert Discovery Centre
- Badgingarra Community Centre
- Badgingarra Roadhouse
- St John WA Dandaragan Sub Centre
- Dandaragan Community Recreation Club

The AED machines are to be used in conjunction with cardio-pulmonary resuscitation (“CPR”). The AED is not to be used on patients weighing less than 25 kg or less than eight years of age. A response time of six minutes from time of incident to first shock is the ideal time frame in order to increase likelihood of the patient’s survival.

Operation instructions (summary) as follows:

1. Confirm patient is unconscious, no breathing, and no pulse.
2. Turn on the AED and follow the voice and visual prompts.
3. Attach electrode pads to patient’s bare chest (male or female) as indicated.
4. Stop CPR and do not touch patient while AED analysing.
5. Deliver a shock by pressing flashing red light if indicated.
6. Continue two mins cycles CPR between shocks if victim is still not breathing until help arrives.

Eye Wash Stations

Where a first aid risk assessment has identified a requirement for an eye wash station (including portable eye wash stations) at the Operations Centre, operations vehicles, waste facilities, the Manager Infrastructure Operations shall ensure these are appropriately positioned / available within the mechanical workshop, Operations deopt yard areas, waste facilities and within vehicles.

Eyewash stations are to be tested bi-annually, with records of such testing kept on records file no: HU-OHS-019.

First Aid Kits

All staff must be able to access a first aid kit. This will require at least one first aid kit to be provided at the workplace. The first aid kit should be located in a prominent and accessible position. The location should be identified.

A portable first aid kit shall be provided in the vehicles of outdoor or mobile staff (eg Parks, Works, and Waste) and for use at events.

2. Human Resources

The contents of the first aid kit should suit the hazards that are specific to the workplace.

Locations

Offices	-	Jurien Bay Administration Centre
Libraries	-	Jurien Bay, Dandaragan, Cervantes, Badgingarra
Recreations Centres	-	Jurien Bay, Dandaragan, Cervantes, Badgingarra
Other	-	Jurien Bay Operations Depot, Dandaragan Operations Depot
Mobile Plant	-	All work vehicles (outdoor staff)

Use of First Aid Kits – For First Aid Purposes Only

- When the first aid kit is used with the involvement of a first aid qualified staff member an accident / incident form, located from the HR Officer, is to be completed.
- Any personnel accessing the first aid kit for bandaids and other items within the kit which are obtained without the involvement of a first aid qualified staff member are to record the details of the injury, their name and what items were used from the kit in the register attached, inside or alongside the first aid kit.
- The Manager, Coordinator, Supervisor is to be consulted after the incident if corrective action is required in accordance with the Accident / Incident & Investigation Procedure.
- The person responsible for the first aid kit must be informed after its use to enable used stocks to be replenished.

Maintenance and Stocking

The replenishment of all first aid kits is undertaken twice per annum to ensure that the contents listed inside the box lid or on the card supplied are complete and have not deteriorated.

A record is to be kept of the half yearly checks.

Contacting Qualified First Aid Staff

First aid qualified staff posters listing the names of first aid qualified staff are to be positioned near first aid kits and other emergency first aid response locations such as, emergency showers, defibrillators etc.

If a first aid response is required, staff should contact the closest first aid qualified staff member via telephone. If they are not available contact should be made with the next closest first aid qualified staff member from the list.

If no first aid qualified staff member can be contacted and / or the incident occurs outside normal business hours persons should contact their manager or 000 in the case of an emergency.

Employees Who Become Sick At Work

When an employee becomes ill or sustains an injury, they should seek assistance from a first aid qualified staff member in the immediate work area, who will decide upon the appropriate care required in accordance with their training. If the situation requires attention by a qualified medical practitioner, the employee should either contact a general practitioner. Transport can be arranged if required.

2. Human Resources

Legal Liability of First Aiders

First Aid Qualified staff and other individuals who attend to an emergency and render first aid assistance are protected under law from legal actions and claims so long as they act with due care and skill and according to their level of training.

In Western Australia a person is excluded from liability where, in an emergency, they help a person who is or risks being, injured. Such protection from civil liability for an act or omission exists as long as:

- The person rendering assistance does so in good faith (that is, acting honestly, without fraud, collusion, or participation in any wrongdoing).
- The person's action was without expectation of reward or payment.
- The person was not responsible for the injury in relation to which the assistance was provided.
- The person's capacity to exercise reasonable care and skill was not significantly impaired by being under the influence of alcohol or drugs.
- The person exercises reasonable care and skill

Ambulance Services

Should an ambulance be required to be called for an employee for a non-work related injury / illness during work hours, the cost of the ambulance will be the responsibility of the employee, unless it can be demonstrated that exceptional circumstances exist, which will be considered at the discretion of the Chief Executive Officer.

This does not apply where an ambulance is required due to a work-related injury or illness, as the cost will be covered by worker's compensation insurance in such circumstances.

2. Human Resources

PART 5

5. Occupational Safety and Health – Accident and Incident Reporting and Investigation Procedure

Purpose

The purpose of this procedure is to describe the methods and responsibilities for the Shire of Dandaragan's accident prevention program for Occupational Safety & Health. To be effective at minimising risk of injury or illness to employees, volunteers, damage to assets or the environment, information regarding (accidents and near-miss events) is essential to enable the management team to effectively deal with these types of uncontrolled events.

An efficient accident/incident reporting system is one of the tools organisations implement in an effort to monitor and manage safety and protection of the environment in the workplace.

The Accident/Incident Report Form is designed to document accidents or incidents which cause injury to (or have the obvious potential to injure); employees, visitors, contractors, labour hire, volunteer personnel and others in the Shire of Dandaragan workplaces.

Scope

This procedure applies to all Shire of Dandaragan employees and stakeholders, and includes damage to company property or loss to third parties; third party loss could include but is not limited to; personal injury, damage to buildings and vehicles or equipment.

References

Western Australian Occupational Health & Safety Act 1984.
Western Australian Occupational Health & Safety Regulations 1996.

Other Relevant Documentation

- Appendix 1 - Notification under section 23i of certain injuries – Occupational Safety & Health Act 1984
- Appendix 2 - Notification under section 19 of certain diseases - Occupational Safety & Health Act 1984
- Appendix 3 - Flow chart for reporting of accidents / incidents
- Appendix 4 - Accident Incident Report Form

Details

Definitions

Accident – is an unplanned event which causes some sort of loss or damage to people, environment, buildings or equipment. This would include:

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- Any injury/event which requires immediate first aid or makes the person unable to work for 5 to 10 minutes because of temporary incapacity e.g. person walks into something and gets winded and can't breathe properly for a few minutes.
- Any injury which requires the services of a doctor.
- Any damage to the environment, equipment, mobile plant and vehicles.
- Any injury to third parties (the public, visitors etc) which is caused by Company plant, equipment and vehicles; includes damage to the property of members of the public.

Incident – is an event which obviously had the potential to cause accident. An incident may be described as a near-miss. An incident could include:

- A situation where two road vehicles miss each other by less than say 200mm.
- An item rolls or falls off the top of a shelf or cupboard and narrowly misses a person.
- Temporarily losing one's footing on a loose or slippery surface.

Note: The factors which contribute to a "near-miss" event are quite often the same as those which contribute to a serious accident. Hence incidents/near-misses can provide very valuable information, without someone having to get hurt, they are in effect; "Free lessons in safety".

Hazard – is something with the potential to cause harm or injury to a person or equipment, but is not limited to:

- Articles
- Substances
- Plant or machines
- Methods of work
- The work environment
- Aspects of work organisation

Reporting of hazards should be actioned via the "Hazard Reporting" form available from the intranet or see your supervisor for a copy of this document.

Corrective action – is an action taken after an incident to correct the problem and to reduce the risk of a similar incident occurring.

Notifiable work related injuries/disease - *"If, at a workplace, an employee incurs an injury, or is affected by a disease, that –*

- a. results in the death of the employee; or
- b. is of a kind prescribed in the regulations for the purpose of this subsection,

the employer of that employee shall forthwith notify the Commissioner in the prescribed form giving such particulars as may be prescribed."

S19 (3) OS&H Act 1984, Reg 2.4 and 2.5 OS&H Regulations 1996

Lost Time Injury: means a work injury which results in a person being absent from work for a full working shift or more any time after the day or shift on which the injury occurred.

2. Human Resources

Plant: means any machinery, equipment, appliance, implement, or tool and any component or fitting used during the course of employment.

Stakeholders - (includes visitors & contract labour): a person, group, organisation, or system that has a direct or indirect position in an organisation because it can affect or can be affected by an organisations actions, objectives and policies.

Objectives

The primary objectives of accident reporting and investigation are to:

- Identify the factors that contributed to the accident so that action and control procedures can be implemented to prevent the recurrence of a similar accident and injury.
- Identify the “Change” in systems or process that lead to the error.
- Establish a systematic, routine method of reporting and the recording of accidents and injuries.
- Compile an accurately documented record of each reported incident or to which reference can be made.
- Improve the systems of work, policy and procedures.
- Determine compliance with regulations.

Responsibilities

Managers / Coordinators / Supervisors:

- Implementation of this procedure in their area of responsibility and accountability
- Complete an Accident / Incident report form with the injured person as soon as possible after the event, complete the instruction & training, corrective actions sections and ensure that the accident report form is signed off and returned to the OSH Coordinator within 12 – 24 hours.
- Obtain a statement from the injured person or the person who reported the hazard. This may be obtained at a later date if necessary.
- Ensure that the OSH Coordinator is advised as soon as practicable after any reportable event.
- If notified of a serious accident, injury such as a fracture, amputation or fatality immediately contact an Executive Manager as soon as possible.
- All near misses or lost time injuries which could have resulted in a serious incident are to be formally investigated by the relevant Executive Manager.
- Implement corrective action(s) based on the hierarchy of control principles.
- Monitor and review corrective actions to ensure the prevention of future accidents has been achieved.

Shire of Dandaragan Personnel & Contractors:

- Comply with this procedure.

In every case immediately report to manager/supervisor all accidents, injuries and hazards that arise at the workplace

2. Human Resources

Procedure

Who should report accidents / Incidents?

- An accident / incident report must be completed in the event of an accident or incident occurring at, on or near a Shire worksite involving, Shire;
 - Employees (fulltime, part-time, casual, etc)
 - Visitors to Shire worksites
 - Labour hire employees
 - Shire volunteers
 - Others (work experience people, students, trainees, etc)
- The accident / incident report form must be completed with your immediate supervisor or manager as soon as possible after the event, where this is possible.
- Should this not be practicable due to hospitalisation or other factors the HR Officer will arrange for completion of documentation as soon as possible.
- The accident / incident report must be returned to the HR Officer within 12 – 24 hours of the accident/incident occurrence.

Post-accident / incident process

- In the event of an accident or incident involving Shire employees or other people on a worksite, every effort should be made by employees and supervisors present at the scene to minimise further injury and danger to other employees, visitors and the general public.
- Shire employees need to be mindful that this process does not place them into further danger or exacerbate the pre-existing hazardous condition.
- Acting hastily in most cases will end in other people being injured, work may need to cease while safe remedial action is put in place.
- **In every case the respective manager / supervisor of the section must be notified immediately**, but this should not stop any safe work action to mitigate and isolate the hazardous situation.
- The manager or supervisor should **notify** the respective Work Health and Safety Representative as soon as practicable after any reportable event.
- All near misses or lost time injuries which could have resulted in a serious incident will be formally investigated by the relevant Executive Manager. The HR Officer will be involved in any major incident investigations.

Accident / Incident Notification Process

- In every case, in the event of an accident, the person(s) involved should immediately contact their supervisor to notify them of what has happened at the earliest opportunity.

Form Completion

- The relevant supervisor must complete the accident / incident report form, with the person who knows the most about the incident, present at the time.
- The form is available from the HR Officer, Executive Managers, the Shire intranet and depots.

2. Human Resources

The Executive Management team is to check actions and ensure they are carried out effectively.

Accident / Incident Form Distribution

- On completion of all sections the original form must be sent to the **HR Officer** for further action if required (Workers Compensation Action) within 12 – 24 hours of the accident/incident.

NB. All Accident Incident Report Forms should be retained and archived in case they are required in the future for legal purposes.

Internal Notification for Serious Personal Accident / Injury Events

- In the event of accidents or incidents which are covered in the following.

It is essential that the work area is not tampered with in any way to ensure that an appropriate investigation can take place.

For the following events, the relevant Executive Manager should be contacted immediately by phone, SMS, runner, other means:

- Attendance by an ambulance at any Council worksite;
- An amputation;
- Loss of sight of an eye;
- A vehicle accident causing (combined) damage of over \$1000;
- A vehicle accident resulting in personal injury to an employee or a third party.
- Accident / incident involving visitors.

Note: A fatality; is NOT to be communicated by two-way radio under any circumstances, but should be phoned directly to the Supervisor who in turn will communicate this to the respective Executive Manager.

Notification to WorkSafe WA

- All workplace fatalities and certain injuries and diseases require notification to Worksafe WA pursuant to Section 23(i) of the Act and OS&H Regulations 2.4 and 2.5.
- Lack of such notification constitutes an offence under the Occupational Safety and Health Act 1984. Details of what is required to be reported and how, can be found at, (**Appendix 1 & 2**)

Reporting and Recording DATA

- It is a requirement of WorkSafe Western Australia that all serious injuries are investigated and reported to the authority as soon as possible after the event, This is not limited to but includes:
 - Death
 - Fracture of the skull, spine or pelvis
 - Fracture of a bone in the arm (other than in the wrist or hand), and in the leg (other than a bone in the ankle or foot).

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- Amputation of an arm, hand, finger, finger joint, leg, foot, toe or toe joint.
- Loss of sight of an eye
- Any other injury that results in, or on the basis of medical advice, appears likely to result in the employee being unable to work for 10 or more days from the day of the injury.
- Infectious diseases as described at s2.5 (1) of the Act.
- The Shire of Dandaragan Accident / Incident reporting procedure shall be followed in order to accurately report all hazards, near miss incidents, minor and major accidents.

Monitoring and Review

- Monitoring and reviewing accident / incident report forms.
- Analyse completed accident / incident forms.

Provision of Information, Instruction and Training

All employees and management are to be trained in the requirements of this procedure.

Management must provide proper instruction and training to employees on how to report hazards, accidents and incidents.

2. Human Resources

PART 5

Occupational Safety and Health – Fitness for Work

Purpose

The objective of this policy is to highlight the Shire of Dandaragan's ongoing commitment to meeting its obligations under the Occupational Safety & Health Act 1984 in creating and maintaining a safe work environment, by managing and reducing the risks associated with employees being in an unfit for work state.

Scope

The Shire of Dandaragan has an ongoing commitment to create and maintain a safe working environment. This includes the obligations under the Occupational Safety & Health Act 1984.

The employees of the Shire also have a responsibility to maintain personal 'fitness for work' so that they are performing their duties in a safe, efficient and productive manner.

This policy provides a framework for the management of risks associated with an employee presenting as unfit for work due to being adversely affected by (but not limited to) the following:

- Alcohol
- Drugs - illicit and/or prescribed
- Other substances
- Fatigue
- Illness or personal injury

The policy applies to all employees at the Shire of Dandaragan including employees (full time, part time, casual), as well as labour hire staff, trainees, volunteers and contractors. The policy is not restricted to the Shire's workplace or work hours. It extends to work that is authorised to be performed at any location or time for the Shire.

Details

1. Education and Awareness

1.1. Attending work in an unfit manner may result in counselling or disciplinary action, depending upon the degree of awareness, and severity, of the risk to the individual and others. The focus is however, on preventative measures such as utilisation of the Employee Assistance Program, counselling options, education sessions and supporting employees who wish to seek treatment.

1.2. The Shire will:

- provide training to Supervisors and Managers to recognise impaired performance resulting from drug and/or alcohol abuse, fatigue and other factors which may affect fitness for work to address the possible resulting employee relations issues;
- promote awareness of the implications of illicit drug and alcohol use and the effect that they may have on the safety of themselves and others;
- encourage those who believe they have a drug or alcohol dependence to seek treatment and rehabilitation, with advice about Employee Assistance Programs (EAP's);

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- provide clear information about the rules regarding fitness for work, drugs and alcohol in the work place; and
- provide information and promote the use of alcohol self-testing equipment.
- actively promote employee health and wellbeing to encourage employees to maintain personal health and fitness.

2. Assessment of fitness for work

2.1. Pre-employment

To assist the Shire in determining a person's suitability and fitness to perform their duties, a medical assessment designed to suit the relevant job category will be carried out prior to awarding employment for all occupations.

2.2. Routine (daily) assessment

Line managers are responsible for the initial assessment of an employee's fitness for work on a daily basis. Where there is concern about an employee's ability to safely perform their work, they must take prompt action which may include, but is not limited to:

- Having the employee take a short break
- Sending the staff member home on approved personal leave
- Taking the employee to a doctor or the hospital
- Requiring the employee to undertake a drug or alcohol test

2.3. The Shire reserves the right to direct an employee, whom it believes is unable to safely perform their duties due to potential risk, to undergo relevant testing or attend a medical practitioner of the Shire's choice prior to continuation of duties.

2.4. Where an employee is sent home while awaiting laboratory testing normal pay will continue until results are received and assessed.

2.5. Where an employee is sent home due to the need for treatment, to 'recover' to a fit for work condition, or as a result of laboratory positive testing confirmation, the employee will be entitled to access any accrued personal, annual or unpaid leave.

3. Zero tolerance

3.1. There is a zero tolerance approach to the consumption of alcohol for all employees while engaged in work at a Shire workplace, with a requirement for a blood alcohol concentration (BAC) of no greater than 0.00%.

3.2. The exception to this is the approved service of alcohol at workplace events, which fall under the applicable Shire 'responsible service of alcohol' policy.

3.3. Any person found to be in possession of or consuming alcohol and/or drugs in the workplace outside of this Policy may be subject to the Shire's disciplinary procedure, which may include termination of employment.

4. Testing

4.1. Forms of testing

Testing may occur in any of the following forms (but not limited to):

- Pre-employment testing

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- Random and non-discriminatory testing
- Following any significant accident, incident or near miss
- At the specific request of a supervisor or manager when there is reason to believe that a person may be affected by alcohol or other substances
- In accordance with an agreed return to work program/s
- Voluntary testing whereby employees can check their breath alcohol concentration level
- Testing may include, but is not limited to, saliva, urine and blood samples as appropriate for the substance and analytical method

4.2. Collection of samples

An authorised and certified Collector will conduct screening tests for alcohol and other substances with approved devices and procedures in a controlled and confidential environment.

Prior to the administration of a test, employees will be asked if they have taken any medication in the previous three (3) weeks. The onus is on the employee to disclose this information to the Collector prior to undertaking the test.

The Shire may introduce changes to the requirements for testing, the processes applied, the selection of employees for testing and the testing methodologies used. This requirement for revision and updating may arise from improved testing methods, new technologies, new standards or the appearance of new substances of abuse within the community.

4.3. Alcohol testing at the workplace

An employee who self-tests with a breath alcohol concentration greater than 0.00% is not to commence work and shall notify their Line Manager. Employees with a breath alcohol measurement greater than 0.00% will be considered to be unfit for work under the application of this Policy and will:

- Not be permitted to return to work until the next normal shift and a subsequent test indicates an acceptable result;
- Be subject to the Shire's internal procedures and a record held on their employee file;
- May be required to take more frequent tests in the future;
- Any employees with a second positive result within a 12-month period will be subject to the Shire's Disciplinary procedure and may have their workplace access withdrawn; and
- In cases where the employee's breath alcohol level is greater than 0.00% and they are being sent home, the Line Manager will ensure the employee returns home safely.
- Be provided information on access to professional counselling / the Employee Assistance Program in relation to the impact of alcohol in the workplace.

4.4. Substance (drug) testing

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Saliva (preferred) and/or urine testing will be utilised as a preliminary screening method. A non-negative result that is not consistent with any pre-existing medical advice will require further confirmatory analysis by the Shire's chosen accredited laboratory.

The Collector in accordance with the relevant Australian Standard, NATA chain of sample custody and laboratory analysis protocols (refer AOS sampling and analysis procedure) will prepare a non-negative sample for dispatch for further analysis. The employee providing a non-negative sample shall be stood down on full pay (without prejudice) until the Shire's Authorised Person receives the laboratory report.

The laboratory will report results compared with the prescribed threshold levels in the existing analytical detection table in AS/NZS4308. If the laboratory test report indicates the presence of a drug that has not been declared in a medication declaration, or an illicit drug confirmed by analysis, it will be regarded as a positive result.

An employee who produces a positive drug test may be subject to all or some of the following:

- Not be permitted to return to work until the next normal shift and a subsequent test indicates an acceptable result;
- Be subject to the Shire's internal disciplinary procedures and a record held on their employee file;
- Will be placed on a monitoring program and required to take more frequent tests for the following twelve months;
- Will be provided information on access to professional counselling / Employee Assistance Program in relation to the impact of alcohol in the workplace; and
- Will be subject to the Shire's Disciplinary policy, which may include termination of employment.

4.5. Refusal to undertake testing

If an employee refuses a request to undertake a test, the authorised Collector shall inform the employee's Line Manager and the Shire's Authorised Person. These cases will be interpreted as the employee having provided a positive reading to drugs or other substances or for a breath alcohol reading greater than 0.00% and the appropriate action will be taken.

4.6. Retesting

Where the employee has returned an alcohol measurement greater than 0.00%, the employee may:

- Request a re-test in 20 minutes but no longer than 30 minutes after the positive first test result.
- If the re-test is again non-negative, this result is taken as final.

In the event of a positive test result for other substances, the employee may:

- Request an immediate retest of the oral fluid and/or urine; and

2. Human Resources

- If the laboratory retest confirms the positive test result, the employee cannot further challenge the result.

5. Prescription and over the counter drugs

- 5.1. Using prescription or over-the-counter drugs may impair a worker's ability to perform safely and efficiently and may include but is not limited to:
- Hypnotics and sedatives
 - Anti-depressants
 - Antihistamines
 - Stimulants and appetite suppressants
 - Analgesics/Codeine
- 5.2. Many medications have the potential to affect performance. Any person taking medication should discuss with their medical practitioner the implications for their fitness for work.
- 5.3. Where a medical practitioner advises that the medication will adversely affect the employee's fitness to undertake their role, the employee should advise their Line Manager in order to ensure that the employee does not place themselves or others at risk and complete a Medication Declaration Form.
- 5.4. If the employee does not wish to disclose the type of medication they can provide the line manager with a note from the medical practitioner advising the limitations on their fitness for work caused by the medication and the expected period of treatment. The Line Manager will review the employee's work requirements to ensure that the worker is not at increased risk.

6. Personal Injury or Illness

6.1. Work related injury or illness

All work related injury or illness is to be dealt with under the Shire's Injury Management and Workers' Compensation policy.

6.2. Non-work related injury or illness

Non-work related injury or illness (includes physical, mental or psychological conditions) are those which do not arise out of the course of employment or have not been deemed compensable under the Workers' Compensation and Injury Management Act 1981.

If an employee experiences a serious non-work related injury or illness which may affect their ability to undertake the full duties of their position then a medical clearance from a Doctor will be required before that employee will be permitted to return to work.

If an employee presents to work unable to carry out the duties of their position or where the manager believes that there is a risk to them or another employee, they will be stood down until independent medical advice is received, confirming their fitness to work.

6.3. Chronic / Long term fitness for work concerns

Where it is identified that an employee is not meeting the fitness requirements to carry out the inherent requirements of their position, a Fitness for Work Plan will be developed.

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This plan will be developed by the supervisor in consultation with the employee, and the appropriate Shire functional support officer/s. Additionally, external medical / expert advice may be sought in specific circumstances.

This plan is intended to support the employee to meet the requirements of their position over an agreed time period or to assess reasonable adjustment options where an employee has an identified disability.

The plan will include an explanation of the condition affecting fitness for work, the effects on the employee's ability to perform duties and what steps are to be put in place to remedy or manage the situation. This plan will be maintained as a confidential employee medical record with only authorised staff having access to this information.

KEY TERM DEFINITIONS

Authorised person means a Shire approved person responsible for coordinating testing, responding to issues raised by Collectors, receiving site and laboratory results, and communicating findings to appropriate management and employees.

Competent person means a person who has acquired knowledge and skills to correctly perform a specified task through a combination of training, education and experience.

Collector means a person trained and assessed as competent for specimen collection and onsite testing in accordance with Australian Standards AS/NZS 4308:2008 and AS 4760:2006.

Contractor means a service provider engaged by the Shire.

Drug or substance means a substance that is taken to alter the way the body or mind functions. This may include illicit/illegal & prescription/over the counter drugs.

Employee means persons employed by the Shire under a contract of employment (full time, part time, casual), as well as labour hire staff, trainees, apprentices, volunteers and contractors.

The Shire means The Shire of Dandaragan

Volunteer means a person working without payment or reward for an employer (under national legislation, a PCBU).

Line Manager means an employee's direct supervisor.

ROLES AND RESPONSIBILITIES

Management

- Monitoring employee's ongoing fitness for work
- Promoting, implementing and reviewing the FFW and AOS screening process and participation
- Reinforcing the need for reporting any FFW issues and for individual self-awareness and management of their exposure to AOS to ensure that safe work conditions for all employees at work are maintained
- Ensuring FFW and AOS are a regular matter for consultation and engagement with employees

Collector

- Undertake the required training under the AQTF and ensure certification is at the testing location
- Ensuring test equipment is calibrated and sufficient consumables are available
- Conduct testing in accordance with the relevant Australian Standard(s) and Shire procedures
- Notifying the appropriate Line Manager when a non-negative result is recorded

2. Human Resources

- Prepare non-negative samples for confirmation testing by the Shire's chosen accredited laboratory and completing Chain of Custody paperwork
- Complete Permanent Record of testing and notifying the Authorised Person of any employees who refuse a test

Employees

- Following and supporting the FFW policy and associated procedures for monitoring and managing employee safety, health and wellbeing
- Presenting themselves to work in a fit state including being free of alcohol or other substances as outlined under the standards/levels contained in this policy
- Observing and reporting hazards for fellow employees that may arise from a person's current health condition or state of fitness.
- Participating in this Shire safety improvement program, and supporting workmates in difficulty
- Exercising responsibility for individual and team safety with FFW matters within their influence

WORKPLACE INFORMATION

- Occupational Safety and Health Act (1984), and Regulations (1996), Western Australia
- Guidance Note, 'Alcohol and Other Drugs at the Workplace', WA Commission for OSH, 2008
- The Misuse of Drugs Act W.A. 1981
- The Liquor Control Act of 1988
- AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantification of drugs of abuse in urine
- AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid
- OPYYY Disciplinary Policy, Shire of Dandaragan, October 2016

2. Human Resources

Appendix 1

NOTIFIABLE INJURIES AND DISEASES – OCCUPATIONAL SAFETY AND HEALTH ACT 1984

NOTIFICATION UNDER SECTION 23i OF CERTAIN INJURIES

WA OS&H Regulations 2.4 (1) for the purposes of section 23 I of the Act, the kinds of injury incurred by an employee to be notified by an employer to the Commissioner are;

- (a) A fracture of the skull, spine or pelvis;
 - (b) A fracture of any bone –
 - a. In the arm, other than in the wrists or hand;
 - b. In the leg, other than a bone in the ankle or foot;
 - (c) An amputation of an arm, a hand, finger, finger joint, leg, foot, toe or toe joint;
 - (d) The loss of sight of an eye;
 - (e) Any injury other than an injury of a kind referred to in paragraphs (a) to (d) which, in the opinion of a medical practitioner, is likely to prevent the employee from being able to work within 10 days of the day on which the injury occurred.
- (2) Notification of an injury to which section 23 I of the Act applies is to be made –**
- (a) On Form 1 in Schedule 2
<http://www.commerce.wa.gov.au/WorkSafe/PDF/Commission/injury-notification.pdf> of the WA OS&H Regulations 1996., or
 - (b) By telephone contact with DOCEP.
- (3) The prescribed particulars for the purposes of the notification of an injury to which section 23 I of the Act applies are –**
- (a) Name and business address of the employer;
 - (b) Name, sex and occupation of the employee;
 - (c) Address of the place at which the injury was incurred;
 - (d) Date and time the injury was incurred;
 - (e) Brief description of how the injury was incurred and the type of machine or equipment, if any, involved;
 - (f) Nature of the injury or, where applicable, report of death, and
 - (g) The place to which the employee has been taken.

2. Human Resources

Appendix 2

NOTIFICATION UNDER SECTION 19 OF CERTAIN DISEASES

WA OS&H Regulations 2.5. (1) For the purposes of section 19(3) of the Act, the kinds of disease affecting an employee to be notified by an employer to the Commissioner are the diseases set out in column 1 of the Table to this regulation that have been contracted in the course of the kind of work set out opposite that disease in column 2 of the Table.

Disease	Work
1. Infectious diseases: Tuberculosis, viral hepatitis, Legionnaires disease and HIV	Work involving exposure to human blood products, body secretions, excretions or other material which may be a source of infection.
2. Occupational Zoonoses (infections spread from animals to humans) Q fever, anthrax, leptospirosis, Brucellosis	Work involving the handling of or contact with animals, animal hides, skins, wool, hair, carcasses or animal waste products.

- (2) Notification of a disease to which section 19(3) of the Act applies is to be made –
- (a) In the form of Form 2 in Schedule 2;
<http://www.commerce.wa.gov.au/WorkSafe/PDF/Commission/disease-notification.pdf>
or
 - (b) By telephone.
- (3) The prescribed particulars for the purpose of the notification of a disease to which section 19(3) of the Act applies are –
- (a) Name and business address of the employer;
 - (b) Name, sex and occupation of the employee;
 - (c) Name and address of the workplace where the employee works;
 - (d) Name of the disease; and
 - (e) Date of diagnosis of the disease.

2. Human Resources

PART 6

6. Occupational Safety and Health – Children in the Workplace

Purpose

This procedure aims to provide guidelines and consistency with regard to children in the workplace.

Definitions

Child or children	A person or persons under 18 years of age, and not employed at the Shire of Dandaragan.
Manager	Means a person at the level of Coordinator, Manager or Executive with one or more direct reports.
Parent	A parent of a child is any of the following persons: <ul style="list-style-type: none"> • The child's mother • The child's father • A person who exercises parental responsibility for the child.
Workplace	A workplace is any place where work is, or is to be, performed by a worker. It includes places commonly recognised as workplaces such as construction sites and vehicles supplied by an employer for use by a worker in the performance of work.
"High risk area"	<ul style="list-style-type: none"> • Operations Depots • Mechanical workshops • Sheds and storage areas • Areas where chemicals are stored • Areas where machinery is used • Food preparation areas • IT server rooms • Any other area designated to be hazardous by the Executive Management Team.
Motorised Vehicle/Plant	A motor vehicle designed specifically for use in the construction of roads, buildings and other structures. To include (but not limited to): <ul style="list-style-type: none"> • Bulldozer • Dumper truck • Digger • Road-roller • Earth leveller

2. Human Resources

Detail

The Shire of Dandaragan is committed to providing a safe work environment for all persons and strives to be supportive of family values. The workplace is typically not an appropriate place for children of employees. However, the Shire of Dandaragan recognises that employees may occasionally want to bring children to the workplace for brief visits, specific Shire events, situational convenience, or family emergencies. Appropriate limitations and guidelines are required to protect safety and health and to maintain work productivity and regulatory compliance.

In all cases of children in the workplace, the Shire is not responsible for ensuring the child is safe and well supervised. Parents are fully responsible for the safety and supervision of the child for the entire visit.

Coordinators, supervisors and managers may place additional restrictions on the presence of children in the workplace consistent with the work being performed and the demands of the work area.

Children in the workplace on a regular basis

Children are **not** to be brought to the workplace on a regular basis in lieu of childcare.

Parent Responsibility

An employee who brings a child to the workplace must accept full responsibility for any damage to property or injury to persons caused by the child's behaviour.

Infectious disease

A parent or guardian must consider the health of co-workers before bringing a child with an infectious disease to the workplace.

Guidelines for Children in the Workplace

1. Employees must always obtain permission in advance – where possible from their manager before bringing a child to work.
2. A parent or guardian must provide supervision of the child at all times.
3. Children should not be left alone at any time or left with other employees except in authorised areas as follows:
 - 3.1 Jurien Bay Administration Lunch Room.
4. Children can not interrupt normal workplace activities.
5. Children are not permitted to perform work of any kind at any time.
6. Children are not allowed to ride at any time in any Shire owned motorised vehicle/plant.
7. Children are never permitted in the defined "High risk areas":
 - Operations Depots
 - Mechanical workshops
 - Sheds and storage areas (all locations)
 - Areas where chemicals are stored
 - Areas where machinery is used
 - IT server rooms
 - Any other area designated to be hazardous by the Executive Management Team.

2. Human Resources

8. If there are repeated instances where the parent does not maintain appropriate supervision of the child, the Shire may decide that the risk of injury or harm to the child is too great to allow the employee to continue bringing the child to the workplace.

2. Human Resources

2.3 C-2SPDCST03 – Staff Professional Development, Conferences & Study Tours

Previous Policy Number – 9.13

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will encourage and support employees in their professional and career development as part of their employment with the Shire and to provide administrative guidelines to facilitate fairness and equity in the application of these general principles.

Policy Statement

The Council and Shire acknowledges that professional development is an important factor in personal job satisfaction, workplace productivity, reward and recognition, and plays an essential part in continuous improvement of the quality of its programs and services.

The Shire is committed to providing a supportive and rewarding environment for its employees and recognises that the quality, responsiveness, and professionalism of its workforce are linked to the further development of their skills and competencies.

This commitment will include providing employees with:

- The opportunity to plan and develop skills, knowledge and attributes that complement organisational and service area goals.
- The opportunity to participate in career development activities that extend and enhance their capabilities and capacity for advancement within the organisation.
- The opportunity to attend relevant professional organisation conferences.
- The opportunity to participate in relevant study tours
- Equity of access to professional development opportunities.

Professional Development opportunities and requirements are an integral component of the annual Performance Review process. Employees are encouraged as part of the performance review process to take an active role in their own ongoing professional and career development and to apply their learning to its most effective use.

2. Human Resources

PART B

Management Procedures

Application

This Policy and Management Procedure applies to all Shire staff.

Definitions

For the purposes of the Policy and these Management Procedures:

Conference/Professional Development	is defined as an activity conducted by a professional body or legitimate interest group to provide professional interaction and networking designed to improve work related knowledge and skills
Staff	refers to individuals employed by the Shire at officer, managerial and executive management level, including the Chief Executive Officer (CEO)
Continuing Professional Development (CPD)	refers to a process of ensuring continual professional and relevant-skills related development. Certain professional societies and associations have a formal CPD system, requiring recording of events attended and activities undertaken as evidence of mandatory CPD

Eligibility

Except where an Employment Contract provides otherwise for a particular staff member, the following eligibility criteria shall apply:-

- All members of staff, other than casuals, employed on a continuing or fixed-term basis are eligible to apply for conference and seminar attendance, provided they have been employed by the Shire for a continuous period of greater than twelve months.
- Attendance at conferences/seminars should have been identified as a learning and development requirement as part of the annual performance review.
- Approval shall be withdrawn should a member of staff tender their resignation from the Shire subsequent to approval being granted but prior to the attendance at the Conference / Seminar.

Members of staff who are due to retire from the Shire will not normally be entitled to apply for approval to attend a conference or seminar.

Interstate Conferences

Attendance at interstate conferences and/or seminars shall be limited to Executive Managers and the CEO, unless extenuating circumstances apply.

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Attendance at State and Federal Professional Conferences

- 1.1 Members of the Designated Senior Staff are encouraged to attend the Annual State Conference relating to their profession.
- 1.2 Members of the Designated Senior Staff may attend bi-annually, the Federal Conference relating to their profession. (Note: where the officer's professional organisation does not convene a State Conference the officer is encouraged to attend the organisations Federal Conference, annually).
- 1.3 The Chief Executive Officer is authorised to approve the attendance of staff at State and Federal Professional Conferences subject to budget and in accordance with the following guidelines:
 - (a) The Chief Executive Officer is to ensure that attendance at the conference will be beneficial to the officer and/or the Council.
 - (b) The officer is to provide a report on the issues, outcomes, etc. of the conference to colleagues at the next available staff meeting.
 - (c) Budget authority and funding arrangements are to be considered.
- 1.4 Funds for attendance at State and Federal Professional Conferences may be provided specifically where known in each annual budget or provided for generically under the provision for staff training.

International Conferences

Attendance at international conferences and/or seminars shall be limited to Executive Managers and the CEO, unless extenuating circumstances apply.

Any such request for attendance at an international event will require Council approval. The proposal to Council should include:

- the proposed participant(s);
- the objectives for attending the event, including the anticipated quantifiable benefits for the Shire;
- details of the funds available in the budget to cover the anticipated expenses associated with attendance at the event; and
- the overall total cost of accommodation, travel, registration, and any other costs associated with the specific conference/seminar.

Presentations by Shire Staff at Conferences

From time to time Shire staff may be invited to present at a conference / seminar. In such an event staff members must contact the conference/seminar organisers to discuss the monetary contribution that the organisers will make towards the cost of presenting at the conference (including but not limited to travel, accommodation and registration costs). Any attendance by Shire staff for the purposes of presenting at conferences/seminars will require the CEO's approval prior to any papers of applications etc being submitted for consideration.

Any such request will require the submission of a proposal to the CEO which includes:

- the objectives for attending the event and, including the anticipated quantifiable benefits for the Shire;

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- the proposed participant(s);
- the presentation topic;
- details of the monetary contribution that the conference organisers will make;
- details of the funds available in the budget to cover the anticipated expenses associated with attendance at the event; and
- the overall total cost of accommodation, travel, registration, and any other costs associated with the specific conference.

Special Provision

To provide an opportunity to network with Federal Ministers, Members of Parliament and/or Senior Departmental Officers on issues affecting this Council, the Chief Executive Officer and the Shire President may attend an appropriate interstate conference that can incorporate a visit to Canberra on an annual basis.

2. Human Resources

2.4 C-2SH04 – Staff Housing

Previous Policy Number – 5.1

Policy

Objective

To provide clear parameters in relation to the provision of the Shire of Dandaragan's (Shire) employee housing.

Policy Statement

A Housing budget exists for the ongoing maintenance and repairs, renovation, rates and insurances associated with the staff housing portfolio.

1. Housing Availability

In the towns of Jurien Bay and Cervantes, Shire staff or employees other than the Chief Executive Officer are required to provide their own accommodation unless an alternative arrangement is negotiated as part of the salary package.

2. Responsibilities

The following are the specific responsibilities for both the Shire and the Employee (Tenant) during the period of occupancy:

Lease Agreements

All tenants must sign a Tenancy Agreement in accordance with the *Residential Tenancies Act 1987*.

In signing it, the tenant acknowledges they have read and understood their eligibility for housing and are aware of their specific responsibilities of the tenancy.

Bonds

A security Bond equivalent to four weeks rent is to be paid by tenants. Tenants may choose to pay the bonds either in full or via Payroll Deductions over and up to four consecutive pay periods.

Bond monies shall be held in a trust account by the Shire for the duration of the lease. It shall be returned to the tenant in full or part depending on the state of repair and cleanliness of the accommodation upon final inspection.

If the accommodation requires cleaning and /or maintenance deemed to be the tenant's responsibility, then an appropriate amount shall be deducted from the bond to cover all associated expenses. Inspections shall be conducted by an independent professional and appointed by the Chief Executive Officer (CEO).

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Insurance

Insurance coverage for buildings and contents owned by the Shire is the responsibility of the Shire.

The insurance of personal possessions is the Tenant's responsibility.

Maintenance Issues

Is the responsibility of the Tenant to report any maintenance issues to the Shire, as soon as a problem is identified.

This must be done in writing and sent to, or handed in at the Administration Office.

Grounds and Gardens

The Tenant is responsible for maintaining the premises, outbuildings and grounds including regular watering of gardens.

Where the tenant does not perform these duties, the tenant will be responsible for all costs associated with any repairs or replacements caused by careless use or neglect.

Pets

Tenants who reside in Shire managed housing shall seek prior approval regarding the keeping of pets.

All costs related to pets are the responsibility of the owner. At the termination of the lease, the Tenant is required to have the carpeted areas of the house shampooed and the house sprayed internally for fleas and ticks by a reputable pest control company.

The tenant is required to provide documentation to verify the work has been carried out.

Smoking

Shire supplied housing are smoke free environments and no smoking indoors shall be permitted at any time.

Where smoke odours or stains are evident during the course of house inspections and if additional costs are incurred in removing such orders and stains, such costs shall be the responsibility of the tenant.

Water

The Shire will subsidise the cost of water consumed by occupants of staff housing where the tenants maintain the gardens and surrounds to a satisfactory standard.

The charge will be at a rate of 30% of the total water consumption bill. The following conditions and provisions will apply:

- (i) In order to assist tenants to maintain gardens and surrounds in a suitable manner, the Shire will provide free of charge, shrubs, trees and lawn where appropriate and

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- available, to enable the tenant to plant, maintain and water them,
- (ii) If the tenant does not maintain the gardens and surrounds to a satisfactory standard in accordance with the tenancy agreement, the tenant is in breach of the lease and may forfeit their bond and will not qualify for the water subsidy.
 - (iii) If any occupier of Shire housing is unsure as to their responsibility in regards to the standard to which the gardens and surrounds are to be maintained, then a meeting with the Manager Building Services is to be arranged so that Council's policy can be explained and understood.

Rates

Shire Rates, Water Rates and Land Tax are the responsibility of the Shire.

Telephones

The tenant is responsible for any fees incurred for connection or reconnection of the telephone.

Tenants are responsible for all accounts in relation to this service (unless otherwise negotiated). Accounts are to be held in the tenant's name.

Internet Connections

Connection, disconnection and ongoing costs associated with the internet service are the responsibility of the tenant (unless otherwise negotiated via employment contract).

Electricity

The tenant is responsible for any fees incurred for the connection of the electricity supply and are to contact the Electricity Supply Company prior to moving in to transfer the account into their name.

Tenants are responsible for the payment of all accounts related to electricity supply.

Replacing Light Globes and Batteries

Tenants are responsible for replacing light globes and smoke detector batteries annually.

Gas

Gas bottles are supplied and listed as part of the inventory where applicable.

The Tenants are to arrange and meet all costs associated with refilling gas bottles (including cost of gas and transportation). The Shire is responsible for the annual rental of all gas bottles. Gas bottles are not to be removed from Shire owned properties without prior consent (unless otherwise negotiated).

Air-conditioning

Tenants are to ensure air-conditioning filters are cleaned regularly.

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The Shire will service air-conditioning units annually at the Shires cost.

It is the responsibility of the tenant to advise Shire staff of any maintenance needs as soon as possible.

Pest Treatment

Treatment and inspection for white ants and other pests is carried out annually by the Shire.

The Shire will respond to additional reports of termite activity, however during the intervening periods, it is the responsibility of tenants to take whatever action deemed necessary to address incidences of other pest activity including such things as cockroaches, spiders, rodents and ants etc.

The tenant must keep all vegetation away from the sides of the house and must not store goods against the external walls of the house.

Garbage Bins

Garbage bins are provided by the Shire, any loss or damage to garbage bins should be reported to the Shire.

House Inspections

All residences should be inspected at least once a year by the Manager Building Services or independent property manager. Inspections will also be made when changes in occupancy occur. The tenant will be given at least seven (7) days' notice of the Shire's intention to inspect the premises.

Termination of Lease by Tenant

The tenant must refer to the Checklist for Vacating a Property and ensure all items are attended to prior to vacating the premise upon vacating the premises.

The completed checklist must be presented to the Shire prior to departure.

3. Housing Rentals

House rentals are considered a valuable tool in the attraction and retention of staff, and as such may not reflect market value. Rentals will be reviewed by Council in April of every second year. Any changes to rents will be effective from the first pay period in the following financial year.

In reviewing rents, Council may take into consideration the consumer price index for Perth issued by the Australian Bureau of Statistics and market values.

4. Sub-letting of Housing

Any tenant shall submit an application to the CEO for approval for persons other than Shire staff, employees and their families or partners to occupy Shire accommodation for periods greater than three (3) months.

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5. Staff housing - installation and / or Dismantling of Equipment in Shire Houses

- 5.1 Shire employees, or any other person authorised to occupy Shire accommodation shall not, without the prior written approval of the CEO remove from the exterior, interior or curtilage of the building any fittings, fixtures or window treatments that are in the premises when occupancy first takes place.
- 5.2 No fittings, fixtures or window treatments shall be added to the premises during occupancy unless written permission is granted by the CEO.
- 5.3 Any requests to install additional equipment or to repair or replace existing equipment shall be made in writing to the CEO.
- 5.4 An employee, having been granted permission to install new or to replace existing equipment shall not, on vacating the premises remove any such equipment until negotiations have been finalised with the CEO in regard to agreed compensation for allowing all or some of the equipment to remain at the premises.
- 5.5 Where approval is granted to install any fitting or fixture for the purpose of heating, cooling, television reception or any other purchases which necessitates cutting any opening in a wall, ceiling or floor, the opening shall be made by a competent tradesperson.
- 5.6 Should any of the aforementioned fittings or fixtures be removed by the occupant, having been given permission to do so by the CEO, the resultant aperture shall be made good in a tradesman like manner with materials similar to the existing. Where external walls have sheet cladding, the aperture shall be covered with a full sheet of similar cladding. In all cases the replacement work shall be painted in a similar shade to the existing finish.
- 5.7 Where installation or removal of equipment has occurred in any part of the building, the Building Surveyor (Manager Building Services) shall be satisfied with the standard of workmanship. If Council is required to rectify any defective workmanship the cost of doing so shall be deducted from the tenancy bond.

6. Termination of Employment

Upon termination of employment occupants of housing must pay a commercial rate of rent and vacate within 21 days of termination.

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SHIRE OF DANDARAGAN – PROPERTY INSPECTION CHECKLIST

ADDRESS OF RESIDENTIAL PREMISES: _____

	CLEAN	DAMAGED
ENTRY		
front door		
screen door/security door		
walls/picture hooks		
windows/screens		
Ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
LOUNGE ROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
TV/power points		
floorcoverings		
DINING ROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
KITCHEN		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		

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light fittings		
blinds/curtains		
power points		
floorcoverings		
cupboards/drawers		
bench tops/tiling		
sink/taps		
stove top/hot plates		
oven/griller		
exhaust fan/range hood		
MASTER BEDROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
SECOND BEDROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
THIRD BEDROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		

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blinds/curtains		
power points		
floorcoverings		
FOURTH BEDROOM		
doors/doorway frames		
walls/picture hooks		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
MASTER BATHROOM		
doors/doorway frames		
walls/tiles		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
bath/taps		
shower/screen/taps		
wash basin/taps		
mirror/cabinet/vanity		
towel rails		
toilet/cistern/seat		
toilet roll holder		
heating/exhaust fan/vent		
SECOND BATHROOM		
doors/doorway frames		
walls/tiles		
windows/screens		
ceiling		

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light fittings		
blinds/curtains		
power points		
floorcoverings		
bath/taps		
shower/screen/taps		
wash basin/taps		
mirror/cabinet/vanity		
towel rails		
toilet/cistern/seat		
toilet roll holder		
heating/exhaust fan/vent		
LAUNDRY		
doors/doorway frames		
walls/tiles		
windows/screens		
ceiling		
light fittings		
blinds/curtains		
power points		
floorcoverings		
washing machine taps		
exhaust fan/vent		
washing tub		
SECURITY/SAFETY		
smoke alarms		
electrical safety switch		
keys/other opening devices		
GENERAL		
garden		
lawn/edges		
letterbox/street number		
water tanks/septic tanks		
garbage bins		

2. Human Resources

paving/driveways		
clothesline		
garage/carport/storeroom		
garden shed		
hot water system		
gutters/downpipes		

2. Human Resources

2.5 C-2SUOV05 – Staff Use of Vehicles

Previous Policy Number – 9.12

Policy

Objective

To clarify the conditions of use for the Shire of Dandaragan (Shire) supplied vehicles by staff and Councillors and to ensure:

- (i) the maximisation of vehicle availability for business use;
- (ii) the minimisation of Fringe Benefit Tax (FBT) liabilities; and
- (iii) an attractive employment benefit for staff.

Policy Statement

The Shire is charged with responsibility for providing a range of services to meet the needs and wants of the local community. To enable effective delivery of services and management of resources the Shire provides a range of vehicles, plant and equipment.

Definitions

Fully Maintained	means that the Shire of Dandaragan meets all costs associated with the operation of the vehicle during all approved use. This includes the cost of licensing, insurance, fuels and oils, tyres and servicing by an authorised service centre.
Shire Supplied	means a vehicle either purchased by or leased by the Shire of Dandaragan.
Unrestricted Private Use	means a fully maintained, Shire supplied vehicle allocated for use by an officer, the spouse or partner, for private purposes outside of working hours including periods of approved leave (<i>except long service leave and leave without pay if not otherwise addressed by the employee's contract</i>).
Restricted Private Use	means a fully maintained, Shire supplied vehicle allocated for use by an officer, for private purposes outside working hours.
Commuter Use	means the use of a fully maintained Shire supplied vehicle for the purpose of commuting between the officer's place of employment and residence.

General Conditions

- (i) Shire owned vehicles remain the property of the Shire at all times.

2. Human Resources

- (ii) The vehicle is housed in a secure and preferably off street location, and kept locked at all times when not in use.
- (iii) Shire owned vehicles shall be included in a car pool for use during business hours. The vehicle will be available for Shire business on a daily basis (excluding approved periods of leave). This will take precedence over private use.
- (iv) All Shire owned vehicles with a level of private use shall carry a log book which must be completed for a minimum of three (3) months per annum by all drivers of the vehicle.
- (v) The nature and type of vehicle to be allocated shall be based on business requirements unless approved otherwise by the Chief Executive Officer.
- (vi) In regards to Restricted Private Use, during periods of leave that exceeds two (2) days, the vehicle is to be assigned to another staff member for use, as determined by the Chief Executive Officer, unless the Officer's Contract of Employment states otherwise.
- (vii) Officers not entitled to use of the vehicle on Annual Leave in excess of two (2) days are required to relinquish the vehicle at the conclusion of their final working day prior to going on leave and collect it on the morning of their first working day after the conclusion of their leave.
- (viii) When the vehicle is not required during annual leave it is to be garaged at the Shire Depot unless approved by the Chief Executive Officer.
- (ix) Only authorised persons (employee or nominee) may drive a Shire vehicle. In an emergency any person holding a WA Drivers Licence may drive the vehicle provided the employee is a passenger in the vehicle at the time the vehicle is being driven.
- (x) No smoking is permitted in Shire vehicles at any time.
- (xi) Excessive speeding or alcohol and drug offences while driving may result in the Shire withdrawing the use of a vehicle.
- (xii) An employee's employment contract or engagement letter will specify the type of private use (if any) is applicable to their position.

Employee Responsibilities

- (i) Sign their acceptance to the Shire's conditions of use of a Shire vehicle, which governs use, care and maintenance as detailed in this document.
- (ii) Acknowledge that all persons driving a Shire owned vehicle shall hold a current Western Australian Driver's Licence.

An employee whose licence has been suspended shall immediately advise their supervisor and arrange for the vehicle to be returned to the Shire Depot.

The employee will notify the HR Officer of the situation and arrange to have any deduction of payments (if being made) discontinued until the suspension expires and / or private use rights are resumed.

- (iii) The Officer/Councillor, whilst the vehicle is being driven by that Officer/Councillor, or their spouse or partner, will be responsible for any traffic infringements or parking fine received.
- (iv) In the event of an accident or damage to a vehicle to:
 - (a) Report as soon as practicable to the HR Officer, any involvement in a motor vehicle accident or upon sustaining general damage to the vehicle.
 - (b) Report any accident in a motor vehicle to the Police where required by law.

2. Human Resources

- (c) Not accept or acknowledge any liability on behalf of the Council arising from an accident.
- (d) Complete as soon as practical after the accident, the appropriate claim form and in consultation with the employee's supervisor, an incident report, and return them to the HR Officer.

Employees or their nominated person found to be driving a Shire owned vehicle under the influence of drugs or alcohol will be held personally responsible for any repairs or legal action resulting from any accident in which they are involved.

Similar conditions shall apply to damage occurring as a result of inappropriate behaviour.

Full costs relating to damage will be recovered from the employee. The employee would not normally be liable for any insurance excess costs involved if damage to the vehicle occurs in circumstances defined within authorised use.

- (v) Ensure the vehicle is maintained and cleaned. This will include:
 - (a) Weekly check of oil, water and tyres.
 - (b) The vehicle is to be maintained in a clean and tidy condition at all times. Cleaning (internal and external) will be undertaken during the employee's own time.
 - (c) Additional features including advertising material, shall not be added to the vehicle unless it can be determined that these are required to undertake the functions of the person using the vehicle.
 - (d) The vehicle is to be made available for service maintenance and repairs as required. Mechanical defects are to be resolved via local mechanics or authorised dealerships for warranty work as soon as practicable
- (vi) Acknowledge that all vehicles are designated as work places and shall be used in accordance with the Shire's Occupational Safety and Health Policies including the maintenance of a smoke free environment.
- (vii) Ensure that the first aid kit and fire extinguisher supplied, where fitted, with the vehicle is kept fully serviceable at all times.
- (viii) Ensure all vehicles shall be used in a manner that is appropriate and consistent with the nature of work requirements. Vehicles other than 4-wheel drives should not be taken off-road.

Employees shall be responsible for paying for any damage that occurs when a vehicle has been deemed to have been used inappropriately.

Reconditioning costs at change over may be recovered from staff if the vehicle is excessively damaged through negligence. The Executive Manager Infrastructure shall report excessive reconditioning costs to the relevant Chief Executive Officer. The Chief Executive Officer shall decide if excessive costs are required to be paid by the officer.

2. Human Resources

- (ix) Employees are to ensure that passengers and load limits are not exceeded at any time. Off-road use is not permitted except where the vehicle is designed for such use.

Fringe Benefit Tax Reporting

All Fringe Benefits Tax (FBT) reporting requirements are to be completed and submitted to the Human Resources Coordinator by the due date. These include:

- (i) Log books of vehicle use are to be completed when requested.
- (ii) Annual returns giving details of:
 - (a) any employee using the vehicle,
 - (b) the start and finish dates/times of each period of use, and
 - (c) details of the vehicle use when allocated to another person.
- (iii) Employees allocated vehicles for commuting or private use are required to notify the Senior Finance Officer of any changes to the allocation of the vehicle (e.g. during leave or staff rotation etc.). Failure to do so will result in the Shire assuming the vehicle is still under the employees control and associated fringe benefits will be attributed to the employee.
- (iv) The responsible Officer must provide fuel receipts which were paid for personally, by that Officer, to the Accountant by the 10 April of each year to verify contributions made by that Officer for Fringe Benefit Tax (*FBT*) purposes.
- (v) Employees superannuation surcharge and government benefits may be affected by their reportable FBT and employees allocated a vehicle are expected to actively take part in reducing the Shire's FBT liabilities.
- (vi) Employees are required to submit a log book of their business and non-business related travel for a period of 90 days during any FBT year (1 April – 31 March).

Breach of Conditions of Use

If the Officer responsible for the vehicle fails to meet any of the conditions of use, the Chief Executive Officer may, after considering the seriousness of the non-compliance, withdraw the use of the vehicle for other than work related activities for a period considered appropriate by the Chief Executive Officer.

Any such action shall be notified in writing to the officer and a copy placed on the Officer's personnel file.

2. Human Resources

2.6 C-2ME06 – Equal Employment Opportunity

Policy

Previous Policy Number – 9.5

Objective

To recognise the Shire of Dandaragan's obligations under the Equal Opportunity Act, 1984 and 1993 (as amended).

Policy Statement

Equal employment opportunity principles apply equally to Councillors and employees.

The principles of equal employment opportunity are:

- promotion of equal employment opportunity based solely on merit to ensure that discrimination does not occur;
- provision of training that is consistent with equal opportunity principles;
- ensuring that all promotional policies and opportunities are directed towards providing equal opportunity to all employees;
- ensuring that all offers of employment are directed to providing equal opportunity;
- refusal to tolerate harassment within the workplace; and
- provision of an enjoyable, challenging, involving, harmonious work environment for all employees where each employee has an opportunity to progress to the extent of their ability.

The Shire of Dandaragan has an ongoing commitment to raise awareness for the need and desirability of Equal Employment Opportunity practices and to ensure compliance with the requirements of the Equal Opportunity Act.

To ensure that equal employment opportunity practices are implemented, there is a need to establish a management plan which will include provision for:

- establishment and periodic review of consultative committee;
- appointment of grievance officers;
- appropriate training programmes;
- review and monitoring of personnel practices and policies;
- periodic review of the EEO policy; and
- periodic review of all Policies to eliminate any discriminatory practices.

The Shire of Dandaragan recognises its legal obligations under the Equal Opportunity Act 1984 and Amendments 1993 (as amended) and will actively promote amongst Councillors and employees equal opportunity based solely on merit to ensure that discrimination does not occur on the grounds of sex, marital status, pregnancy, race, impairment, religious or political convictions, age, family status and responsibility.

All employment training with the Shire of Dandaragan will be consistent with providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

All promotional Policies and opportunities with the Shire of Dandaragan will be directed towards providing equal opportunity to all employees provided their relevant experience, skills

2. Human Resources

and ability meet the minimum requirements for such promotion.

All offers of employment within the Shire of Dandaragan will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.

The Shire of Dandaragan will not tolerate harassment within its workplace. Harassment is defined as any unwelcome offensive action or remark concerning a person's race, colour, language, ethnicity, political or religious convictions, gender, material status, age, family status and responsibility or impediment (impairment).

The equal employment opportunity goals of the Shire of Dandaragan are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

2. Human Resources

2.7 C-2SGP07 – Severance/Gratuity Payment

Previous Policy Number – 9.3

PART A - Policy

Objective

The objective of this Policy is to outline the circumstances and manner of assessment upon which the Shire of Dandaragan (Shire) will pay an employee an amount (**severance/gratuity payment**) in addition to any amount to which they are entitled under a contract of employment, award, enterprise bargaining agreement or order by a Court or Tribunal. This policy shall not be considered as a contractual entitlement under the employment relationship.

Policy Statement

The Council and Shire are committed to ensuring legislative obligations are met whilst departing employees are provided with fair and equitable treatment.

Determinations

This policy applies to all employees of the Shire.

Decisions under this policy are to be made –

- (a) by the Council – where the decision involves a severance/gratuity payment to the Chief Executive Officer (CEO); or
- (b) by the CEO – where the decision involves a severance/gratuity payment to any other employee of the Shire

2. Human Resources

PART B - Management Procedures

Definitions

Nil.

Detail

The purpose of this procedure is to set down the severance payable to terminating employees for the purpose of Section 5.50(1) of the Local Government Act.

Employees leaving the organization of their own volition for the purposes of retirement or career change will not be paid a severance/gratuity payment except as provided for in this procedure.

1. Circumstances for Payment

The Shire may make a payment in the following circumstances-

- (a) Redundancy- "Redundant" will be taken to mean that the duties of a position will no longer be performed by an employee of the Shire;
- (b) local government boundary changes and amalgamations; and
- (c) to settle such other termination matters (that do not relate to an employee being made redundant) in accordance with clause 5.

2. Exclusions

2.1 A payment will not be made to an employee who-

- (a) is redeployed within the Shire;
- (b) accepts employment with a successful tenderer;
- (c) is dismissed for serious misconduct;
- (d) is employed on either a temporary or casual basis;
- (e) has less than one year's service with the Shire, or
- (f) is classified as a trainee or apprentice or is under probation.

2.2 In addition to the exclusions in clause 4.1, where an employee's position is made redundant as a result of all or part of the functions of that position being undertaken by a contractor, a payment will not be made to the employee but, in this case, the Shire will encourage the contractor to engage the employee.

3. Determination of Payment

3.1 Definition

In the context of a 'payment' to an employee, the term 'weeks pay'-

- (a) means the normal weekly salary or wage payable to the employee including any penalty rates normally paid for ordinary hours but excluding overtime or intermittent payments;
- (b) includes salary or wages specifically sacrificed for additional non-award benefits; and

2. Human Resources

- (c) does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle and where normal use of that vehicle is a non cash component of a salary package, and any over award superannuation provided to employees).

3.2 General Maximum Payment

The maximum payment to an employee under regulation 19A of the *Local Government (Administration) Regulations 1996*, where the employment with the Shire finishes after 1 January 2010, is not to exceed in total –

- (a) the value of the persons final annual remuneration, if the person –
- a. accepts, voluntary severance by resigning as an employee; and
 - b. Is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;

or

- (b) In all other cases, \$5,000.

3.3 Gratuity Payment

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Shire for any of the reasons identified below:

- resignation (not as a result of any performance management or investigation being conducted by the Shire);
- retirement; or
- redundancy.

An employee, who has been dismissed by the Shire for any reason other than redundancy, will not be eligible to receive any gratuity payment under this policy.

The annual budget will include an allocation sufficient to facilitate payments and the CEO is authorised to make such payments, in accordance with this policy.

Number of years' service	Amount of Gratuity
Continuous service greater than 2 years and up to 5 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$100.
Continuous service greater than 5 years and up to 10 years	Certificate of Appreciation and a gift to the value of \$200. Items to be presented to the employee by the CEO, or nominated representative at a function to be determined by the CEO.
10 to a maximum of 15 years continuous service	A gift to the value of \$30 per year of continuous service up to a maximum of \$500.

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Number of years' service	Amount of Gratuity
	Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the CEO.
15 to a maximum of 20 years continuous service	A gift to the value of \$50 per year of continuous service up to a maximum of \$1,000. Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the CEO.
Above 20 years' service	A gift to the value of \$70 per year of continuous service up to a maximum of \$5,000. Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the CEO.

3.4 Settlement and other terminations

For the purpose of determining the amount of a payment in respect of a settling a matter under clause 4 (c), the CEO may take into account –

- (a) the advice of an industrial advocate or legal practitioner on the strength of the cases of the respective parties in any litigation or claim in an industrial tribunal;
- (b) the costs of any industrial advocate or legal advice and support;
- (c) the general costs associated with the hearing including witness fees, travel costs and accommodation charges; and
- (d) the disruption to operations.

3.5 Recognition of Service

The Shire will recognise long serving employees with more than 10 years of service during their employment.

In order to recognise long serving employees, the Human Resources Coordinator will advise as to which employees have attained, or will attain, 10, 15, 20, 25, 30, 35 or 40 plus years' service with the Shire at the commencement of each calendar year.

Each employee listed shall receive a letter from the CEO acknowledging their length of service along with the following:

Number of years' service	Recognition of length of service
10 years continuous service	Gift to the value of \$250, certificate and award presented at a function attended by Council, staff and employee's guests
15 years continuous service	Certificate and small gift to the value of \$50 presented at a morning or afternoon tea

2. Human Resources

Number of years' service	Recognition of length of service
20 years continuous service	Gift to the value of \$500, certificate and award presented at a function attended by Council, staff and employee's guests
25 years continuous service	Certificate and small gift to the value of \$100 presented at a morning or afternoon tea
30 years continuous service	Gift to the value of \$1,000, certificate and award presented at a function attended by Council, staff and employee's guests
35 years continuous service	Certificate and small gift to the value of \$150 presented at a morning or afternoon tea
40 years continuous service	Gift to the value of \$2,000, certificate and award presented at a function attended by Council, staff and employee's guests

4. Public Notice

Nothing in these procedures prevents Council from determining that in unforeseen circumstances, terminating employees may be paid additional monies or be provided with additional benefits where justified and where it is demonstrably in the best interests of the Shire. If Council so determines, details of the severance pay and benefits shall be published in accordance with Section 5.50(2) of the *Local Government Act 1995*.

5. Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on the severance payment and agrees to fully indemnify the Shire in relation to any claims or liabilities for taxation in relation to the payment.

3. Finance

3 FINANCE

3.1 C-3I01 – Investments

Previous Policy Number – 2.1

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will invest surplus funds in a manner that maximises returns whilst balancing social and environmental benefits, with due consideration of risks, whilst protecting the initial capital investment and future cash flows.

Policy Statement

The Council and Shire are committed to ensuring all investments of surplus funds maximise return within agreed risk parameters.

The Shires investments are subject to the following principles:

- (a) preservation of capital is the principal objective of the investment portfolio;
- (b) the investment portfolio will ensure that 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 recall of an investment;
- (c) investments will be managed with care, diligence, and skill that a prudent person will exercise

The Chief Executive Officer or their delegate under the powers delegated is to invest surplus funds in accordance with Council Policy and Management Procedure, and Section 6.14(1) of the *Local Government Act 1995* and the associated Regulations.

It is incumbent upon the Chief Executive Officer or their delegate to ensure:

1. That funds surplus to immediate requirements may be placed in any of the following authorised deposit taking institutions (ADI's), being licensed banks as defined under the *Banking Act 1995*, for a period not exceeding 12 months:
 - (a) Western Australian Treasury Corporation
 - (b) Australian and New Zealand Banking Group
 - (c) National Australian Bank
 - (d) Westpac
 - (e) Bank West
 - (f) Commonwealth Bank
 - (g) IMB Ltd
 - (h) St George Bank Ltd
 - (i) Bendigo Bank
 - (j) ING Bank Australia Limited
 - (k) Suncorp Bank
 - (l) Bank of Queensland
 - (m) Rabobank

3. Finance

2. The Banks as listed in 1 above may be amended by Council from time to time.

3. Prohibitions

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

- (a) derivative based instruments;
- (b) principal only investments or securities that provide potentially nil or negative cash flow; and
- (c) stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

4. Annual Review

The combined level of Commonwealth and State Government Guarantee on funds invested should be reviewed annually.

5. Council Review

The Short Term Investment Portfolio schedule shall be presented monthly to Councillors as part of the Monthly Financial Statements Report.

6. Australian Currency

Funds invested are required to be in Australian currency.

3. Finance

PART B - Management Procedures

Purpose

To ensure effective controls and procedures are in place with respect to the investment of surplus funds, with consideration of risk and the most favourable rate of return available to it at that time.

Definitions

For the purpose of the Policy and these Procedures the following definitions apply:

ADI	Authorised Deposit – Taking Institution (“ADIs”) are corporations that are authorised under the <i>Banking Act 1959</i> to take deposits from customers.
Credit Risk	Credit risk is the risk of loss to an investor due to counterparty’s failure to pay the interest and / or repay principal on an investment.
Interest Rate Risk	Interest rate risk is the risk that the fair value of future cash flows will fluctuate because of changes in market interest rates.
Investment Portfolio	A collection of investments placed with varying ADIs.
Preservation of Capital	Preservation of capital refers to an investment strategy with the primary goal of preventing losses in an investment portfolio’s total value.
Responsible Officer	The responsible officer is the Chief Executive Officer or his delegate.

Detail

It is necessary for a responsible officer when investing to do so with care, skill, prudence and diligence that a prudent person would exercise. When selecting investments and weighing up relevant factors in relation to products, consideration is to be given to diversification, appropriateness, risk and anticipated return of investments by completing an investment policy checklist for each investment.

Surplus funds should be placed in approved ADIs as per the investment policy. The responsible officer should provide monthly reports to Council on the performance and value of the investment portfolio.

Preservation of the capital is the principal objective of the investment portfolio. Investments are to be conducted in a manner that seeks to secure and safeguard the investment portfolio. This includes managing credit and interest rate risk within 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 sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Council’s risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

Monthly reporting of investment activity should include, but not limited to, the following:

- A list of securities by maturity date.

3. Finance

- The nature and location of the investment.
- The transactions related to each investment.
- The percentage of the portfolio held by investment type and by counterparty.
- The value of the investment portfolio.
- Reporting on investment category and disclosure of market value maturity dates.
- A note on compliance with investment policy or explanation of any breaches.

3. Finance

3.2 C-3SAP02 – Significant Accounting Policy

Previous Policy Number – N/A

PART A - Policy

Objective

The objective of this Policy is to detail the accounting policies that form the basis of the Statement of Significant Accounting Policies published in the notes to the Annual Financial Report and the annual Budget of the Shire of Dandaragan (Shire).

Policy Statement

The Annual Financial Report, Budget and monthly financial report will be prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Australian Accounting interpretations, other authoritative pronouncements of Australian Accounting Standards Board, and the Local Government Act 1995 and accompanying regulations.

The Local Government (Financial Management) Regulations 1996 take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or any other sporting or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this financial report. This is not in accordance with the requirements of AASB 1051 Land Under Roads paragraph 15 and AASB 116 Property, Plant and Equipment paragraph 7.

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.

Basis of Preparation - Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that affect 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.

Local Government Reporting Entity

All Funds through which the Shire controls resources to carry out its functions will be included in the Financial Statements forming part of the financial reports (annual, monthly and budget).

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

TRUST FUND

All monies held in the Trust fund are to be excluded from the financial statements.

Rates

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

Grants, Donations and Other Contributions

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

Where contributions recognised as revenues during the reporting period are 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 a separate note.

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 period.

Investments

Investment revenues will be recognised as they accrue.

Interest Earned on Reserve Investments

Interest earned from investing moneys held in reserves will be classified as operating revenue and then transferred to the relevant Reserve Account.

Land Held for Resale

Land purchased for development and/or resale is valued at cost or net realisable value. An independent market valuation is obtained to revise the value of the land disclosed in the financial statements. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

Taxation

The Shire will comply with Australian Taxation Office (ATO) applicable taxation laws, including Fringe Benefits Tax (FBT), Goods and Services Tax (GST), Pay as You Go Tax, and Withholding Tax.

3. Finance

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the 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.

Contingent Liabilities

Contingent liabilities are disclosed as a note to the financial statements where the expected contingent liability is material.

Borrowings

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

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

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.

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.

Events Occurring After Balance Date

Events occurring after balance date are disclosed as a note to the financial statements where the amount is material.

Reconciliation of Accounts

All account balances disclosed in the financial statements are reconciled to verify their balance and ensure the integrity of the accounts. External evidence or a calculation showing the derived balance support the reconciliation of an account.

The reconciliation must be signed and dated by the employee performing the reconciliation and reviewed by their supervisor. Procedures will ensure major accounts are reconciled at least monthly.

Accounts and Records

The Executive Manager Corporate Services must keep and retain comprehensive and accurate records and accounts for the Shire and will ensure that the financial accounts and records are properly maintained and archived to ensure the Shire complies with applicable laws.

3. Finance

Payments

Payments made must be in accordance with Regulation 11 of the *Local Government (Financial Management) Regulations 1996*.

A listing of payments made is to be prepared in accordance with Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996*.

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 cash and which are subject to an insignificant risk of changes in value, and bank overdrafts.

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

Procedures are required to be in place to ensure all cash is properly controlled, secure and can be accounted for at all times. Periodically, and at least once each year, holders of cash advances (petty cash and till floats) will be required to certify the balance of these advances.

Fixed Assets

Asset Classes

The Shire will categorise assets in accordance with the following asset classes:

- Land.
- Buildings
- Plant and Equipment
- Furniture and Equipment
- Infrastructure – Roads
- Infrastructure – Footpaths.
- Infrastructure – Drainage.
- Infrastructure – Parks and Reserves
- Infrastructure – Other

Asset Valuation

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

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

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

3. Finance

Asset Capitalisation Process

Assets are to be recognised in the Asset Register as an individual asset for the purpose of depreciation if their acquisition or construction has been completed. For most asset classes acquisition or construction are generally completed in the year the items were budgeted and they may be capitalised and depreciated from their purchase or completion date.

For the infrastructure and building asset classes, construction for some projects may extend over financial years. In these cases, expenditure for these projects is recognised as “work in progress” and included in the Asset Register at the end of the financial year but not depreciated. Infrastructure asset class projects which are completed during the financial year are valued and recorded in the Asset Register at the end of the financial year and depreciated.

Asset Capitalisation Thresholds

All purchases of a capital nature will be considered for recognition as an asset if their value exceeds the threshold value guides or their expected benefit to the organisation in terms of value and useful life justifies their inclusion as an asset.

Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.

Items below the above thresholds may be expensed as operating costs in the year of acquisition and in the case of items which are readily portable, at risk of being stolen and valued between \$2,500 (excluding GST) and \$5,000 (excluding GST) they will be included in an Excluded Portable and Attractive Assets Register.

Depreciation

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

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

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

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

Buildings	25 - 50 years
Furniture and equipment	5 - 20 years
Plant and equipment	2 - 20 years

3. Finance

Infrastructure Roads	
Formation – All roads	Perpetual life
Pavement – Thin Surfaced Flexible Rural	100 years
Pavement – Thin Surfaced Flexible Urban	100 years
Pavement – Unsealed Rural	50 years
Pavement – Unsealed Urban	50 years
Surface – Asphalt	100 years
Surface – Brick	60 years
Surface – Chip seal	60 years
Surface – Concrete	100 years
Surface – Slurry Seal	100 years
Infrastructure - Footpaths	
Black Asphalt	36 years
Brick Paving	36 years
Concrete Slabs	36 years
Gravel	12 years
In situ Concrete	48 years
Red Asphalt	36 years
Sand	12 years
Timber	36 years
Unknown	48 years
Infrastructure - Drainage	60 years
Infrastructure - Other	5 - 80 years
Infrastructure - Parks and reserves	10 - 45 years

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

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

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

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 of 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.

3. Finance

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses on a straight line basis over the lease term.

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

Inventory

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.

Bad Debts

When a debt, other than a rates debt appears to be irrecoverable it is to be written off in accordance with the provisions of Section 6.12 (1) (c) of the *Local Government Act 1995*. The cost is to be expensed against the appropriate Section.

If a rates debt appears to be irrecoverable it is to be reported to Council and written off in accordance with the provisions of Section 6.12 (2) of the *Local Government Act 1995*.

Provision

Short-term employee benefits

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

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

Other long-term employee benefits

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

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any re-measurements 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

3. Finance

unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Provisions

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

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

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.

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.

Monthly Financial Reports

Monthly financial reports are to be prepared in such form as the Local Government considers to be appropriate in accordance with section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Budget Review

A detailed mid-year budget review is to be conducted and reported to Council during the financial year. This is to be reported to Council by the end of March of that financial year.

Annual Financial Reports

In accordance with section 6.4 of the *Local Government Act 1995* and Regulation 36 of the *Local Government (Financial Management) Regulations 1996*, the CEO must provide an annual financial report for each financial year. This report must be submitted to the auditor by 30 September after the end of that financial year.

Annual Report

In accordance with sections 5.53 and 5.54 of the *Local Government Act 1995*, the Chief Executive Officer must provide an annual report for each financial year. This report must be accepted by Council no later than 31 December after the end of that financial year.

Annual Budget

The Chief Executive Officer must provide to Council by the 31 August in each financial year

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an operating and capital budget in accordance with Division 2 of the *Local Government Act 1995*.

Auditors

The appointment of auditors and the conduct of audits are to be in accordance with in Part 7 of the *Local Government Act 1995*.

The accounts and annual financial report of the Local Government will be audited by an approved auditor(s). This will occur each financial year.

The auditor is required to prepare a report by 31 December each year. This report is to be forwarded to the Shire President with copies to the CEO and the relevant Minister.

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3.3 C-3SSL03 – Self-Supporting Loans

Previous Policy Number - 2.2

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will undertake the provision of self-supporting loans in a fair, equitable and balanced process, to groups within the community, for the purpose of capital projects only.

Policy Statement

The Annual Financial Report, Budget and monthly financial report will be prepared in accordance with the accounting concepts, standards and disclosure requirements of the Australian Accounting Standards, the *Local Government Act 1995* and accompanying

The Shire values the contribution to the community of Dandaragan by its community organisations and may provide financial assistance to these groups through the provision of self-supporting loans for approved capital work programs, subject to the following conditions:

1. The project being assessed as meeting a need required within the community
2. The community group being assessed as financially viable and able to meet all loan repayments.
3. The loan for capital improvements or other approved capital expenditure.
4. Whether or not a more suitable source of funding exists;
5. The Shire's debt service ratio; and
6. The community group signing a Self-Supporting Loan Agreement, which includes a requirement for the payment of all loan repayments, interest on outstanding debts, administration or other fees incurred by the Shire with respect to the agreement.

3. Finance

PART B - Management Procedures

Definitions

Self-Supporting Loan – an amount of money raised by the Shire in its own name through a specific loan for an agreed period provided to an approved community group through a Self-Supporting Loan Agreement

Detail

Applying for a Self-supporting Loan

The Shire will only provide access to self-supporting loans in exceptional circumstances and when financial circumstances of the Shire permit, and where there is compelling evidence of positive benefits to the community and the organisation seeking the self-supporting loan.

The organisation is to apply in writing, advising the following information:

- amount of loan principal required;
- purpose for which loan is to be expended;
- term of proposed loan;
- the last annual audited financial statements of the organisation;
- current monthly financial statement of the organisation;
- number of financial members of the organisation;
- financial viability of group to repay loan;
- whether the group is incorporated or not; and
- other information considered appropriate and requested by Council.

Conditions for Self-supporting Loans

Council will consider providing self-supporting loans to community organisations where the following conditions are met:

- In exceptional circumstances to mitigate serious risks and/or to meet urgent capital requirements that will deliver significant benefits to the community as a whole and in keeping with priorities set by the Corporate Business Plan.
- Where it does not have any adverse effect on the Long Term Financial Plan, and the forecast debt financial capacity of the Shire.
- Where Financial Ratios are not materially impacted.
- Where capital works are not materially impacted during the financial year.
- When there is no material impact on asset renewal / replacement funding requirements.
- Where in the view of Council, the use of Shire's borrowing for the intended purpose will deliver greater benefits to the community that far outweighs benefits for alternative purposes from which the said borrowings would have been diverted.
- Where in the view of Council there is compelling justification for the Shire to act as lender instead of a bank or other financial institution.
- Is able to demonstrate it has the capacity to service the loan repayments out of its normal operations.

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Assessments

If an application has no significant or adverse impact in relation to the abovementioned general principles and it also meets the criteria and guidance principles, the application will be assessed based on the following:

1. Provision of an appropriate fully completed application.
2. Provision of proof of incorporation.
3. Provision of latest set of audited financial statements (Operating Statement, Cash flow and Financial Position Statements).
4. Provide a track record with the Shire of paying its invoices within 60 days of issuance of invoices.
5. Provision of a forward financial plan in line with the required term of borrowing.
6. Provision of compelling evidence of ongoing capacity to service and repay the loan from existing operations.
7. Provision of a business case in support of the asset acquisition or development proposal to be financed by the requested self-supporting loan.
8. Report prepared for Council with the supporting application for Council consideration supported by the business case.

Separate Self-Supporting Loan Agreement

When a self-supporting loan is being raised, a separate "Self-Supporting Loan Agreement" needs to be completed between the Shire and the community organisation, covering the period of the loan and executed as contractual evidence of repayment on the loan.

The costs associated with the preparation and stamping of the "Self-Supporting Agreement" shall be the responsibility of the community group or sporting club.

Interest on Unremitted Loan Funds

Where the full costs of a project utilising loan funds have been drawn down but not spent on the project interest at the rate of 3% on the un-remitted funds will be credited to their debtors account.

Loan Repayments by Recipients

All loan repayments for a self-supporting loan are to be received by the Shire a minimum of 14 days before the Shire is required to make its loan repayments.

Interest on Debtors Balances

When a debtor's account is raised for the value of the next instalment of the loan, and this is not paid on time, interest will accrue and be charged on the overdue balance in accordance with the conditions of the "Self-Supporting Agreement".

Administration Costs

The following costs incurred by the Shire will be recovered from community organisation applying for self-supporting loans:

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- Actual advertising costs inclusive of GST;
- Stamp duties or and any legal expenses associated with the drawing up and registering the "Self-Supporting Agreement".

Defaults in Loan Repayments

Community organisations in financial difficulty and not meeting their loan repayments may come to terms of arrangements with the Shire to repay the overdue portion of their debt over a longer term, provided they meet their current commitments.

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3.4 C-3AM04 – Asset Management

Previous Policy Number – 2.4

PART A - Policy

Objective

The Policy provides clear direction in the provision and management of all the Shire's assets. It seeks to ensure that assets support the Shire's strategic vision and objectives, deliver sustainable service outcomes and are provided at appropriate service levels for present and future stakeholders.

Policy Statement

The Shire will provide and manage assets that support the delivery of services in line with its Strategic Vision (Strategic Community Plan). Through a commitment to continuous improvement in its organisational asset management, the Shire will develop, adopt and implement a Vision, a Strategy and Management Plans.

The Shire will manage its assets in a whole-of-life and economically, environmentally, culturally and socially sustainable manner. Asset management decisions will consider other key Shire policies and priority will be given to existing assets and services over new ones. Long term resource needs (Asset Management Plans) will be balanced against availability (Long Term Financial Plan).

Scope

The Shire considers assets (such as infrastructure, land, plant and equipment) to be any that support the delivery of one or more of the following services:

- Property
- Recreation
- Transport
- Fleet

This Policy applies to all assets which are required to be managed by the Shire, where their components have a useful life of more than one year and a replacement cost greater than \$5,000.

Framework

The Shire's Asset Management Vision shall be achieved through the implementation of an integrated planning and reporting framework. As a minimum:

- The Asset Management Strategy shall define the Shire's asset management Vision, Objectives, Outcomes, Enablers (e.g. Roles and Responsibilities, Training etc.), Performance Monitoring and Implementation Plan.
- The Asset Management Plans shall be driven by community informed service levels, future demand, long term sustainability and risk management.

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3.5 C-3CCC05 – Corporate Credit Card

Previous Policy Number – 1.4

PART A - Policy

Objective

The objective of this policy is to ensure effective controls, policies and procedures are in place with respect to the issue and use of corporate credit cards

Policy Statement

To enable the Shire to transact its business in an efficient manner, from time to time it is more cost effective and convenient to utilise a corporate credit card facility rather than a pre-purchase or purchase and reimbursement process.

Therefore, the use of corporate credit cards has been implemented

Corporate credit cards should be recognised as a valuable tool for enhancing the day-to-day operations of the Shire and not as a benefit assigned to specific individuals.

Corporate credit cards are not to be used for private expenditure under any circumstances.

3. Finance

PART B - Management Procedures

Part 1

Definitions

For the purposes of this Policy and Management Procedure, the following definitions apply:

Credit Card	A plastic card having a unique identification for each cardholder (including a magnetic stripe for storing certain information (which enables goods to be obtained on credit from merchants (i.e. Businesses or traders) which accept the card.
Corporate Business Account	Each card is allocated an "account" by the card company in which is recorded all transactions by the cardholder. With the Corporate/Business Card each of these accounts is a subset of the Municipal Account.
Corporate Business Card	A Card on which liability for charges attached to the corporation for which the cardholder works rather than to the individual cardholder.
Card Company (or card issuer)	The company (in this case Bankwest Bank) issuing the Corporate/Business card which pays the merchant and provides credit on the transactions.
Cardholder	The person in the organisation to whom the Corporate/Business Card, is issued. The card is embossed with the person's name and bears his/her signature.
Merchant (or trader)	any person, business or organisation accepting the corporate card in payment for goods or services.
Credit Limit	The limit, determined by Policy, on the total value of transactions (payments, purchases) on each Corporate Card in each billing period.
Billing Period	The cycle agreed with the card company for payment for charges on all the department cards; the arrangement with Bankwest Bank provides for immediate settlement from the Statement date.

Part 2

Authorised Card Holders and Credit Limits:

Chief Executive Officer	\$6,000
Executive Manger Development Services	\$5,000
Executive Manager Corporate & Community Services	\$5,000
Executive Manager Infrastructure	\$5,000

Part 3

Conditions Applicable to all Card

- No cash advances to be made on the card.
- All credit card voucher slips to be retained by the card user and to be submitted to the Executive Manager Corporate & Community Services once a month in order for verification to be carried out on the account.
- Payments to be made within specified time limit so that interest penalties are not incurred.
- Each credit card voucher slip is to have details attached as to what the purchase

3. Finance

was for in order for the purchase to be allocated to the correct cost centre.

- General Instructions that must be complied with are provided in Appendix 1.
- Cardholder Procedures that must be complied with are provided in Appendix 2.
- Cardholders must sign an acknowledgement of Terms and Conditions of use (as provided in Appendix 3) prior to receiving the credit card.

Part 4

Detail

1. GENERAL INSTRUCTIONS

1.1 Introduction

The Shire has entered into an agreement with the Bankwest Bank for the supply of a Corporate Business Card which will operate on the Bankwest Bank Master card.

The objectives for introducing the Corporate Card are:

- to allow the Shire's suppliers to receive speedier payments.
- to reduce paperwork for both the Shire and its suppliers.
- to reduce the number of enquiries concerning unpaid accounts.
- to facilitate productivity gains to the various departments of Council.
- to reduce requirements to obtain petty cash and to reduce the possibility of cash theft from staff.
- to take advantage of discounts being offered for early payment.
- to make use of Internet based purchased for overseas/inter-state payments.

It is not intended that Cards be used to bypass the current system of ordering goods and services by requisition through Procurement Services.

1.2 Goods and services for which the credit card can be used

The Corporate/Business Card can be used to procure goods and services up to the value of financial limits approved by Policy and to which expenditure is authorised and provided for the Council's Budget.

However, the card cannot be used to draw cash for any purposes.

Situations in which the Card may be used:

- (a) Costs in relation to attendance at approved conferences, seminars and training where such attendance is directly related to the person's performance of duties under their contract of employment;
- (b) Subscriptions/publications;
- (c) Entertainment (see appendix for definition) on occasions deemed appropriate by the cardholder;
- (d) Entertainment (see appendix for definition) on occasions that the cardholder considers it is in the furtherance of the cardholder performing duties under his/her contract of employment;
- (e) Other purchases directly related to the person's performance of duties under their contract of employment

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1.3 Establishment Arrangements

Executive Manager Corporate & Community Services is responsible for arranging the issue of the Corporate/Business Card.

1.4 Responsibilities

(1) Accounting Services

The following will be the responsibility of Executive Manager Corporate & Community Services:

- Arrange the issue of the Corporate/Business Card.
- Act as liaison point with Bankwest Bank.
- Arrange for each Corporate/Business Cardholder to be advised of their responsibilities and that guidelines are issued before issue of the card.
- Ensure the original "Cardholder Agreement" is retained in a secure place and that a copy is provided to the cardholder.
- Provide written notice of any changes made to a cardholder's billing limits and transaction limits. The original of the notice will be kept with the original "Cardholder Agreement".
- Maintain a master register of cardholders.
- Arbitrate, if necessary, on any disputes occurring with the Bankwest Bank billing statement.
- Regular reconciling of the cardholders' sale dockets against the billing statement.

(2) Cardholder

The following are the responsibilities of cardholders:

- Ensure invoices are processed as a matter of urgency and ensure payment of the relevant account by the due date by forwarding dockets, invoices to Accounting Services.
- Monitor adherence to the policies and procedures in relation to the card and ensure financial limits are adhered to.
- Cardholder must ensure that the tax invoices and payment authorisation forms include:
 - *A full and proper description of the goods purchased on the tax invoice (ie. Descriptions like "goods" are not acceptable). Similarly, where purchases of goods are not made over the counter (e.g. by telephone) cardholders need to record purchase details on a substitute tax invoice.*
 - *Allocate account numbers and appropriate costing details, relative to the expenditure and sign accordingly and return to the Accounts Payable Clerk for processing of account.*
- Process the account for payment to ensure the payment deadline is met to avoid credit charges being incurred.
- Cardholders must return the Card to the Executive Manager Corporate & Community Services immediately, if the officer:
 - *resigns or is terminated for whatever reason;*
 - *is absent from work for 4 or more consecutive weeks on authorised leave (unless a special written exemption is provided by the CEO); or*
 - *is instructed to relinquish the card.*
- If the cardholder disagrees with any transaction on the billing statement, the cardholder

3. Finance

must advise Accounting Services in writing, as soon as possible once aware of the issue. The Executive Manager Corporate & Community Services is to be informed on any disputes.

- Cardholders will collect the card from Accounting Services and will be required to sign for receiving the Card and acknowledge the Conditions of Use of the Card. If the cardholder loses a tax invoice, a substitute tax invoice which is acceptable to Accounting Services and the officer's Director (or similar) should be completed with a signed notation that it is a duplicate and that the original was lost.

Before proceeding on any extended leave (being 4 or more consecutive weeks duration), cardholders must ensure all tax invoices are forwarded to Accounting Services for processing. (The Corporate/Business Card is issued to the authorised officer and cannot be used by another officer or any other person).

The Cardholder must **immediately** report loss or theft of the Corporate/Business Card to the Executive Manager Corporate & Community Services.

The Shire, if it deems necessary, will hold the Cardholder personally liable for unauthorised use of or excessive amounts debited to the card by the Cardholder.

The Shire will seek reimbursement of such monies from the cardholder.

2. CORPORATE/BUSINESS CARDHOLDER PROCEDURES

1. You have been approved to be a holder of a Shire of Dandaragan Corporate/Business Card, the following information and guidelines are provided for your information.

1.1 While the card will be issued in your name, the card is a "corporate" card and all transactions made with it are the responsibility of the Shire of Dandaragan.

The use of the Card will in no way effect your personal credit rating.

1.2 The card is issued to you on condition that it will be used only for authorised purposes directly related to the Cardholders performance of duties under their contract of employment.

1.3 Under no circumstances is the Cardholder entitled to use the card for personal or private purposes.

1.4 The Cardholder is at all times responsible for and accountable to the Shire for use of the corporate credit card.

1.5 Any unauthorised use or excessive amounts on the card may result in disciplinary action to the cardholder, including possible termination following investigation.

1.6 You will be required to sign a statement acknowledging the limitations imposed on the use of the card and your responsibilities for its care and proper use.

1.7 The card is:

- a) Not to be used to draw cash or to purchase goods and services where the Cardholder may/will gain private advantage through the transaction, e.g. Special offers that benefit individuals rather than agencies such as Fly Buys and Frequent Flyers.

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- b) To be used only as authorised.
- c) To be used only for the purchases to which funds have been provided for in the Budget.

- 1.8 It will be necessary for you, as the Cardholder, to ensure that a **full** and proper description of the goods/service is recorded on the sales docket when issued.
- 1.9 In the event of the card being lost or stolen, you must **immediately** advise Bankwest Bank by phone during normal banking hours and afterhours) **and** the Executive Manager Corporate & Community Services, such notification to be in writing.
- 1.10 The cardholder must complete the Accounting process for all expenditure within 5 working days of advice from Accounting Services to do so.

2. Purchasing of Goods in Person

- 2.1 The Cardholder is to present the card at the time of purchase and ensure that the following information is placed on a tax invoice:
 - a brief description of the goods e.g. Nails, PVC fittings, not “various” or “goods”.
 - name of supplier/merchant is legible quoted on the docket.
 - the exact value of the transaction.
 - date of purchase of goods and/or service.
 - the Cardholder signs the docket at the time of purchase.
 - The Cardholder enters the appropriate account code on the docket.

3. GST

GST will be payable on all items purchased where applicable.

4. Entertainment Expenses - Fringe Benefits Tax Definitions

Entertainment expenses are expenses incurred in respect of food, drink or recreation.

For nominated cardholders, this relates to the purchase of food and beverages only, on occasions which have the potential to provide a benefit to the Shire and when accompanied by stakeholders of the Shire, including industry colleagues, business associates, Government representatives, Elected Members and/or Staff.

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Attachment 1

CARDHOLDER ACKNOWLEDGEMENT

Acknowledgement of Terms & Conditions of use - Council Credit Card

I, the undersigned hereby acknowledge receipt of Shire Policy "S-FIN 01 - CORPORATE CREDIT CARD" and associated General Instructions and Procedures.

As an authorised requisitioning officer I am aware of the Shire's general purchasing policies. As a card holder of a Shire of Dandaragan Master card, I hereby acknowledge that I have read the terms and conditions which must be adhered to, as listed in the general Instructions and procedures for use of the Corporate Credit Card, a copy of which I have been provided with for my own use and information.

Signed: _____

Date: _____

Name: _____

Position in Organisation: _____

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Attachment 2

AUTHORITY PURCHASE FORM



CREDIT CARD PURCHASE DECLARATION

Name of person who made the purchase: _____

Company / business purchased from: _____

Description of purchase: _____

Amount: \$ _____

Date of purchase: _____

Signature authority of purchase: _____

ATTACH THE TAX INVOICE

CODE TO THE FOLLOWING ACCOUNT	
G/L	
DEPT	
ACTIVITY	
LOC	

Name of credit cardholder: _____

Signature of credit cardholder: _____

Date signed: _____

4. Public Health

4 PUBLIC HEALTH

4.1 C-4DWM01 – Domestic Waste Management

Previous Policy Number – 6.3

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will provide an effective domestic waste management service on a cost recovery basis.

Policy Statement

The Council and Shire are committed to providing an effective and efficient domestic waste management service that recognises the needs of its residents, whilst meeting appropriate public health and safety standards and sustainable environmental practices.

Domestic waste collection services will be provided within:

- the townsites of Jurien Bay, Cervantes, Badgingarra, Dandaragan;
- in the Rural Residential areas of Alta Mare, Hill River Heights, Marine Fields and Koorungal Vale; and
- the Rural Development Zone of Jurien Bay Heights.

by a suitable contractor or engaged by the Council.

This service is subject to the Residential Refuse Removal Charge as adopted by Council for each financial year

4. Public Health

PART B - Management Procedures

Definitions

Nil.

Detail

1. The domestic waste collection service authorised to be undertaken in accordance with this Policy and Management Procedures is subject to the Residential Refuse Removal Charge adopted by Council for each financial year.

It is Council's intention to charge a Pensioner Refuse Removal Charge to those pensioner properties at a charge which is approximately 15% less than the standard refuse removal charge as set by Council.

2. The Residential Refuse Removal Charge as mentioned in (1) above entitles the ratepayer to a once weekly removal of one (1) 240 litre mobile garbage bin for refuse and a once fortnightly removal of one (1) 240 litre mobile garbage bin for recycling.

Properties Zoned Industrial within the towns will be provided with a service on the basis that only domestic type waste is to be disposed of, no industrial waste e.g. metals, engine parts etc. will be accepted. Only refuse placed in the mobile garbage bins will be removed. Refuse placed alongside the bin will not be removed.

3. All properties subject to Residential Refuse Removal Charge will be issued with four (4) tip passes each year. The intent is that the tip passes are for household refuse only as the tip pass system is in lieu of a bulk kerbside domestic refuse collection. If a bulk kerbside collection were implemented, then Commercial and Industrial would not be offered this service, hence no tip passes. If people mislay their tip passes and request a replacement, they are required to complete a Statutory Declaration to this effect, only then will another set of tip passes be issued.
4. Council will set a charge each year for rural properties wishing to dispose of 240 litres of refuse each week and will issue four (4) tip passes. A register of residents receiving this service will be kept by the Shire and the Waste Attendants will consult the register when resident are disposing of their refuse at the designated sites. The charge will be less than the standard refuse charge due to the fact that Council does not offer a refuse collection and will also not supply a 240 litre mobile garbage bin.
5. Additional bins may be requested (i.e two (2) bins for a Residential property) to be picked up. The second bin is to be charged as a multiple of the standard refuse charge, i.e two (2) bins equal two (2) standard charges. The ratepayer will only receive one set of tip passes per property regardless of the number of Residential Refuse Removal Charges applicable to the property.
6. Where requested, a service may be provided to non-rateable properties and charges at the standard refuse removal charge as set by Council.
7. Rubbish bins are to be located within one (1) metre of the kerb or sealed pavement of the road. Should the Shire consider that due to the nature of the premises or age or health of the occupier it would be unduly onerous on the occupier to place the bin in

4. Public Health

the designated location then the Contractor shall be required to empty and remove household refuse from the bin placed in an alternative position as determined by the Shire in its absolute discretion.

8. Where the Shire provides a domestic refuse collection service on a regular basis, the annual charge levied against a property / dwelling unit for that service shall not be waived by reason that the premises are only occupied on a part time basis. All dwellings on residential properties within the town sites are required to be serviced by the kerbside rubbish collection.
9. A replacement 240 litre mobile garbage bin will be provided to the ratepayer on request at the current market cost. If a request for a replacement bin is accompanied by a Police Report advising that the bin has been stolen, the replacement 240 litre mobile garbage bin will be provided to the ratepayer at no charge. If it is proven that damage occurred to the 240 litre mobile garbage bin during normal collection process, a replacement 240 litre mobile garbage bin will be provided to the ratepayer at no charge.
10. The Shire's designated Waste Management Sites are located at the following:
 - (i) Jurien Bay Waste Management Facility - Reserve 35885, Canover Road, Jurien Bay.
 - (ii) Cervantes Waste Management Facility - Reserve 36638, Cervantes Road, Cervantes.
 - (iii) Badgingarra Waste Management Facility - North West Road, Badgingarra.
 - (iv) Dandaragan Waste Management Facility - Reserve 26950, Gold Drive, Dandaragan.
11. Council has adopted a charge per volume on refuse received at all of its designated Waste Management Sites with a disposal fee per cubic metre of refuse as determined by Council annually.
12. A person who has the care, control or management of either a Caravan / Camping Ground or Park Home Park shall make provision for the hygienic collection and disposal of all domestic refuse originating from those premises in accordance with the *Caravan Park and Camping Grounds Regulations 1997*.

In the case of Resorts or Chalets, rubbish storage and removal shall be determined at Development Approval stage.

Bins shall be maintained in a good, hygienic, serviceable condition. Refuse from any of the above facilities will be disposed of at an approved Shire of Dandaragan Waste Management Facility.
13. With regard to the Sandy Cape Recreational Park, the Shire shall provide rubbish removal in accordance with the adopted Management Plan.
14. Event organisers of community events held in public places are responsible for arranging refuse disposal for the event. In cases where refuse produced as a result of the event, in excess of what can be serviced by existing receptacles at the public organiser's expense. The receptacles must be removed by the event organisers as frequently as is necessary with the minimum requirement being at the conclusion of the event.

4. Public Health

15. Where the event organisers apply for a contribution from the Shire to run the event through the Shire's Community Grant scheme or other schemes the contribution is designed to be inclusive of refuse disposal costs.

Nevertheless, the Council may in certain circumstances, grant exemption from these charges for an event of significance to the district, both socially and economically and where the entire proceeds are given to local community groups; charitable organisations; and other charitable causes.

16. The Shire recognises that the towns of Jurien Bay and Cervantes are subject to an increase in tourist populations at certain times of the year and that additional refuse services are required during these periods. The following strategies are supported by Council:

- (i) Skip bins will not be available at the information bays;
- (ii) Public street bins in parks and reserves within the townsites will be emptied on a regular basis as determined by the Executive Manager Infrastructure in consultation with the Operations Supervisor - Jurien Bay; and
- (iii) Public bins located at the shopping centres will be emptied three times a week during the Christmas / New Year period and the Easter long weekend as determined by the Executive Manager Infrastructure.

4. Public Health

4.2 C-4FRCEP02 – Food Regulation Compliance and Enforcement Policy

PART A- Policy

Previous Policy Number - 4.1

Objective

The objectives of this policy are:

- to provide for consistency and efficiency in approach to the enforcement activity;
- to provide transparency to consumers and the food industry on how the Shire of Dandaragan makes decisions on enforcement action;
- to guide decision making and action by the Shire of Dandaragan in the consistent use of enforcement options commensurate with risk; and
- to use compliance and enforcement strategies in such a way as to best achieve legislated objectives and encourage compliance with legislated provisions.

Policy Statement

Refer to the following policy from the Department of *Health* “*WA Food Regulation: Department of Health Compliance and Enforcement Policy*” via website

5. Community

5 COMMUNITY

5.1 C-5CG01 – Community Grants

Previous Policy Number 1.6

PART A - Policy

Objective

To establish an equitable and transparent process for the determination of the provision of funds to community based organisations and individuals, to support the promotion and development of social, economic, recreational, art and cultural benefits for the residents of the Shire of Dandaragan (Shire).

Policy Statement

The Council and Shire acknowledges the valuable and positive contribution made by community organisations and individuals in the provision of services and facilities to enhance the quality of life within the district for the benefit of the residents and visitors to the Shire.

To support these organisations and individuals, the Council will allocate 0.5% of the gross yield of budgeted rates income, to fund recurring and annual community grants in order to assist with;

- programs, activities and initiatives delivered by community groups;
- support community development initiatives;
- increase the range of events, activities and services in the Shire;
- encourage the development of excellence and leadership in recreational, sporting, economic, tourism and cultural pursuits; and
- encourage the promotion of the Shire's positive attributes.

A mix of recurring and annual grants will be provided, with recurring grants provided for the following purposes:-

- Local Community Newspaper publications;
- Schools - Student awards;
- Australia Day;
- Arts and Culture;
- Mid-West Group of Affiliated Agricultural Societies Inc; and
- Jurien Beach Mission and Cervantes Family Festival

5. Community

PART B – Management Procedures

Definitions

Nil.

Detail

1. Recurring Grants

1.1 Local Community Newspaper publications

Each year the Shire will incorporate within the budget a grant to be provided in September of each year to the community newspapers. The grant of \$250 each is to cover the cost of community service announcements by the Shire in the various local publications.

Advertising by the Shire is to be invoiced separately.

1.2 Schools - Student awards

Each year the Shire will contribute:

- \$100 to the Jurien Bay District High School;
- \$100 to the Central Midlands Senior High School; and
- \$50 each to the Dandaragan Primary School, Badgingarra Primary School, Jurien Bay Primary School and Cervantes Primary School, award nights.

1.3 Australia Day

Each year the Shire will grant:

- \$1,000 to the Jurien Bay Progress and Tourism Association;
- \$1,000 to the Cervantes Ratepayers & Progress Association;
- \$750 to the Badgingarra Community Association; and
- \$750 to Advance Dandaragan for Australia Day festivities.

These grants are to assist organisations with conducting an Australia Day event and are not intended to meet the total cost of the event

1.4 Arts and Culture

Each Cervantes Art Festival, the Shire of Dandaragan will contribute \$1,500 to the Cervantes Cultural Committee to purchase art, as the Shire of Dandaragan Art Prize.

The chosen piece will be determined by the Shire President or delegate, who will seek guidance from the judges. The artwork will be acquired by the Shire as part of its art collection.

In addition to the Art Prize, the Shire will donate \$2,000 towards the cost of delivering the Art Show. These funds will be spent at the discretion of the Cervantes Cultural Committee.

5. Community

1.5 Mid West Group of Affiliated Agricultural Societies Inc

Each year the Shire will contribute to the Mid-West Group of Affiliated Agricultural Societies Inc \$200, to showcase the Shire's products and attractions.

1.6 Jurien Beach Mission and Cervantes Family Festival

Each year the Shire of Dandaragan will contribute \$1,500 to each of the Jurien Bay Beach Mission and the Cervantes Family Festival to continue their summer holiday program.

2. Annual Grants

Annual grants will be determined in accordance with the following process:

- 2.1 In April of each year, advertisements will be placed in each of the four local community newspapers inviting written applications for grants.
- 2.2 Applications will be assessed against the following criteria with recommendations to Council no later than June of each year:

Extent to which project / activity benefits Shire community	50%
Level of volunteer participation and wider community participation	15%
Extent to which applicant is funding the project / activity	15%
Extent to which project / activity involves other community organisations	20%

2.3 Funding will be deemed ineligible for the following

- (a) applications that are eligible for the Shire of Dandaragan / Tronox Management Fund or CSRFF;
- (b) political organisations or events;
- (c) commercial enterprises;
- (d) any activity or project already underway or completed;
- (e) events or activities that are the responsibility of another level of government;
- (f) for the openings or celebration of new community groups or premises;
- (g) for applicants seeking to host an event for the specific purpose of raising funds for re-distribution to other non-profit community groups/clubs or charitable causes;

2.4 Requests for grants outside this policy are to be declined.

2.5 An applicant will not be excluded from applying for future grant rounds if a project remains incomplete at 30 June providing they can provide substantive evidence the funded project is substantially complete or will be completed shortly after the financial year end.

2.6 The maximum annual grant payable under this policy will be \$2,000.

2.7 Writing, assistance with writing, or preparation of, planning or strategic documents is eligible for funding under this Policy.

5. Community

5.2 C-5CE02 – Community Engagement

Previous Policy Number – 1.1

PART A - Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will undertake community engagement and seek to involve the community.

Policy Statement

The Council and Shire recognise that community engagement and participation processes are a vital part of local democracy. It helps strengthen the relationship Council and the Shire have with the community and is critical to good governance

For this reason both Council and Shire Staff are committed to engaging with the Dandaragan Community

Community engagement does not necessarily mean achieving consensus. It does involve seeking broad informed agreement and the best possible solutions for Council, the Shire and the community.

Community Engagement Plan

The Shire of Dandaragan has established a *Community Engagement Plan*, which allows all relevant parties to develop strong relationships, communicate effectively and obtain the best possible results for the Shire and the community

The purpose of the *Community Engagement Plan* is to:

- Establish standard procedures for community engagement;
- Ensure that the procedures are implemented by Shire staff and external consultants or contractors employed by the Shire;
- Promote inclusive and efficient consultation being undertaken at all times;
- Ensure that community members are provided with opportunities to be involved in development processes;
- Ensure that the community is kept informed of decisions relevant to their involvement; and
- Provide Council the opportunity to consider input from a broad spectrum of community members.

5. Community

Following the principles of the International Association for Public Participation Australasia (IAP2) Public Participation Spectrum the Plan contains three key strategies:

1. Inform.
2. Consult.
3. Involve.
4. Collaborate
5. Empower

Each Strategy has a specific goal, a commitment to the community and a set of methodologies.

Strategy	Goal	Commitment to the Community
1 Inform	To provide the community with appropriate information regarding Shire events, plans, projects, issues and services in order to provide feedback on the potential problems, alternatives, opportunities and solutions.	The Shire will keep the community informed with information that is accessible, relevant to the topic and easy to understand.
2 Consult	To capture community input on strategic plans, directions, issues, priorities and projects.	The Shire will listen to the community, consider ideas and keep the community informed about the input received, the consideration of this input and the final decision(s) made.
3 Involve	To work on an ongoing basis to ensure the community ideas, concerns and aspirations are listened to and understood and that the community is harnessed for the benefit of all.	To work on an ongoing basis to ensure the community ideas, concerns and aspirations are considered. Feedback on shire decisions will be provided.
4 Collaborate	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.
5 Empower	To place final decision making in the hands of the public.	We will implement what you decide.

5. Community

PART B – Management Procedures

Definitions

Nil.

Detail

Implementation of the Policy will primarily be undertaken in accordance with the Strategies and processes contained within the ***Shire of Dandaragan Community Engagement Plan***.

The following additional community engagement strategies are also to be undertaken:

1. Distribution of agendas and minutes to local associations

Interested persons and organisations may obtain copies of the Council's Ordinary Meeting agendas and minutes for twelve (12) months, by paying the annual fee as set by Council at its Council Meeting to set fees and charges.

A set of both agendas and minutes are displayed in the four (4) Council operated libraries.

Agendas and minutes are available free of charge on the Shire's website (www.dandaragan.wa.gov.au).

2. Locality Inspections and Public Forums

Each year Council holds an Ordinary Council meeting in each location and conducts an inspection prior to the Council meeting. Prior to any inspection, Council staff will write to the various community organisations in the area to be inspected and request to establish a list of preferred sites for Council to inspect prior to the meeting.

The inspections will target any particular issues in relation to development, planning, building, works, etc in the area.

3. Publicity

Where considered by the Chief Executive Officer to be of relevance, media releases will be prepared and distributed to:

- "The West Australian" and other papers with State wide circulation.
- Australian Broadcasting Corporation – radio.
- Local organisations that publish periodicals.
- Official newspapers circulated within the district.
- The Shire Website and Social Media sites.

4. Citizenship ceremonies

Arrangements for the presentation of Citizenship certificates shall be at the discretion of the President, and that the Shire provide the recipients with a small suitable presentation within the budget allocation.

5. Community

5. Newsletter

A monthly information bulletin will be prepared to promote and advertise the Shire's activities. The bulletin will be distributed to the four local newspapers for advertising.

6. New residents' kit

Council will distribute a copy of the new residents' kit to person(s) who have purchased property within the Shire and person(s) who have built a new residence and occupied the dwelling.

5. Community

5.3 C-5HFSD03 – Honorary Freeman within the Shire of Dandaragan

Previous Policy Number – 1.14

PART A - Policy

Objective

The objective of this Policy is to provide a framework and guidance to enable Shire of Dandaragan (Shire) to honour exceptional individuals who have made an outstanding contribution to the local and broader community.

Policy Statement

The Shire acknowledges the importance of recognising exceptional contributions by individuals within the community through the bestowing of an honorary award at the local level.

The Honorary Freeman of the Shire is an award used to honour individuals who, through their personal endeavours and commitment, have made an outstanding contribution to the local and broader community.

Award Criteria:

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

1. The title is intended to recognise outstanding community service over a significant period of time and in a wide range of activities within the Shire.
2. For the position to have desired standing within the community, it should only be applied where there is a great assurance of public approval of those recipients of it.
3. The award of Honorary Freeman will only be made occasionally for rare and exceptional behaviour over a long period of time.
4. If an elected member expresses an objection to the nomination, that elected member must give valid reasons for the objection. If no elected member objects, it shall be assumed that all agree to the nomination. One valid objection will invalidate the nomination.
5. At any one time, a maximum of four (4) living persons may hold the title 'Honorary Freeman' of the Shire.
6. The award of Honorary Freeman is recognised as the highest honour that the local community, through its Council, can offer to one of its citizens. It therefore follows that the award will be applied sparingly.
7. The nominee should have given extensive and distinguished service to the community that goes beyond services solely to local government (e.g. service to other organisations, voluntary and community groups in a largely voluntary capacity).
8. The nominee must have made an outstanding contribution to the Shire of Dandaragan such that the nominee's contribution can be seen to stand above the contributions made by most other people.

5. Community

Entitlements:

1. Any person declared an Honorary Freeman of the Shire may designate themselves as a Freeman of the Shire of Dandaragan.
2. The award of Honorary Freeman shall be recognised by a framed certificate presented to a recipient and a badge. A portrait of Honorary Freeman shall be commissioned and displayed in the Administration Centre.
3. The Honorary Freeman shall be invited to attend civic events and functions conducted by the Council.

5. Community

PART B – Management Procedures

Definitions

Nil.

Detail

Process of Nomination:

Nominations will be considered or as the need is identified by Council

1. A nomination must be sponsored by an Elected Member and supported in writing by at least three other Elected Members.
2. A nomination may be submitted by any person at any time, provided that nomination is in writing and addresses the criteria for the award.
3. A nominee must not be made aware of their nomination
4. Any nominations received will be validated and the findings presented at a Meeting of Council behind closed doors, with recommendations to approve/not approve a nominee for the award. The decision will be based on a Simple Majority vote.

Conferring of the Award

1. Acceptance of the award must be determined prior to being conferred.
2. Conferring the award upon an individual will take place at a meeting of Council or at a special event to be determined by Council.

5. Community

5.4 C-5PMMCC04 – Provision, Management and Maintenance of Community Centres

Previous Policy Numbers 6.4 & 6.7

PART A - Policy

Objective

The objective of this Policy is

- (i) to provide a framework and guidance for the provision, management and maintenance of Community Centres within the Shire of Dandaragan (Shire); and
- (ii) to brief and bring to the attention of each Community Centre Management Committee, the tasks, responsibilities and considerations associated with the management of a community facility.

Policy Statement

The Council and Shire recognise the benefits and important function that excellent community facilities play in providing a hub for the social wellbeing of the community and their activities.

To meet these objectives the Council and Shire are committed to providing well-resourced and managed community centres in the major centres of the district, including:

- (i) furniture and equipment; and
- (ii) kitchens in accordance with the established criteria.

Provision and Operator of Community Centres

The Shire has provided four community centres:

- (i) Badgingarra Community Centre - operated by the Badgingarra Community Association.
- (ii) Cervantes Community Centre - operated by Cervantes Community Recreation Centre.
- (iii) Dandaragan Community Centre - operated by the Dandaragan Community Centre Management Committee.
- (iv) Jurien Community Centre - operated by the Jurien Bay Community Centre Management Committee.

Management

In 1993, Council adopted an Information Resource Manual for the benefit of the Community Centre Management Committees and Council.

The Information Resource Manual will be reviewed and updated periodically with supplementary information following discussions between the Community Centre Management Committees and Council representatives. All Community Centre Management Committees and Councillors shall receive a copy of the Information Resource Manual

5. Community

Funding

It is intended that the any Shire funded upgrades will be financed by the Shire's community centre reserve or building reserve

The management committee will be responsible for the cost of additional works over and above the Shire committed program.

The committee's cost can be funded in any way the committee chooses except for the Shire of Dandaragan and Tronox Sporting and Recreation Facilities Fund or community budget submissions process [See policy C-5SRF01 – Sport and Recreation Funding].

5. Community

PART B - Management Procedures

Definitions

Nil.

Detail

1. Management

Management refers to the 'Information Resource Manual for Community Centre Management Committees and Council' which outlines the agreed responsibilities for the buildings, facilities and furniture and equipment.

1.1 Furniture and Equipment

Furniture and equipment provided in the Badgingarra Community Centre, Dandaragan Community Centre, Cervantes Community Recreation Centre, Jurien Bay Community Centre and the Jurien Bay Hall may be used in any other Council building with approval of the Building's Management Committee and provided suitable arrangements are made to safely transport the furniture and equipment.

The furniture and equipment provided by Council shall not be lent or hired to any individual or organisation for use outside of a Council owned building

1.2 Kitchens

The Shire recognises that the kitchens located in these four buildings are provided to service community uses and whilst they should be functional, safe and hygienic, they are not intended to be supplied for commercial use.

(i) Minimum Standard

Standard 3.2.3 of the Australian New Zealand Food Standards Code outlines the minimum standard for food premises. The Code requires that a food premises must be:

- (a) appropriate for use;
- (b) constructed to be easily and effectively cleaned;
- (c) an adequate size for the expected activities (the kitchen floor area is recommended to be at least 25% of the associated dining floor area);
- (d) effectively ventilated;
- (e) connected to an approved method of sewage disposal and to potable water;
- (f) supplied with hand wash basins; and
- (g) provided with food contact surfaces and fittings that;
 - are not likely to cause contamination;
 - don't absorb grease and food particles; and
 - are made of material that doesn't contaminate food.

The Shire will provide a minimum standard kitchen to all of the community centres consisting of:

5. Community

- (a) two ovens of adequate size (catering style ovens, not commercial ovens, is preferred);
- (b) one four burner hot plate of adequate size (preferably with hot plates set apart to accommodate large pots);
- (c) one range hood of adequate size;
- (d) one glass front fridge and one freezer OR two fridge / freezers of adequate size;
- (e) one double bowl sink;
- (f) one hand basin;
- (g) benches / cupboards, constructed of smooth and impervious material, which span the internal walls of the kitchen only ie not island benches;
- (h) wall tiling to ensure a minimum splashback behind food preparation surfaces, cooking areas and wash up areas;
- (i) suitable floor surfaces;
- (j) all necessary plumbing including a retractable shower faucet to the food preparation sink;
- (k) all necessary electrical installations including, subject to appropriate power capacity, a 15 amp power outlet to accommodate a bain-marie and lighting; and
- (l) where existing island bench surfaces are deemed to be replaceable, then Shire will carry out the work. If a new island bench is required, then the management committee is responsible for this

Note: 'adequate size' referred to above shall be determined by the Manager Building Services.

All additional fittings and appliances such as pie warmers, microwaves, cool rooms, additional ovens and fridges etc will be the responsibility of the management committee.

It is not assumed that the Shire will replace like with like ie if a stainless steel bench is currently supplied the replacement may not necessarily be stainless steel.

(ii) Responsibilities

(a) Shire of Dandaragan's responsibility:

- (1) hot water system replacement;
- (2) standard stove (supplied by the Shire) replacement;
- (3) vinyl floor coverings replacement due to normal wear and tear; and
- (4) floor tiles repair or replacement.

(b) Community Centre Committee responsibility:

- (1) hot water system repairs;
- (2) refrigerators (not supplied by the Shire);
- (3) ovens which were originally supplied by the committee;
- (4) coolroom repairs and replacement (as these are profit making ventures for the committees);
- (5) dishwasher repairs and replacement;
- (6) hot plate repairs and replacement (if supplied by committee); and

5. Community

(7) new island benches

(iii) Procedure

- (a) Eighteen months prior to the beginning of the financial year, in which the kitchen upgrade is scheduled, the Manager Building Services will inspect the kitchen and compile a schedule of works including an estimate of costs to refurbish the kitchen to the agreed minimum standard.
- (b) The schedule of works, estimate of costs and a floor plan will be submitted to Council for endorsement.
- (c) The schedule of works, once endorsed by Council, will be communicated to the relevant management committee with the understanding that any recommended changes, by the committee, will be borne by the committee.
- (d) Should the management committee request additional works, than outlined within the Manager Building Services report, then they are required to provide Council with the details of the proposed works, an estimate of overall costs and the funding source prior to April of the financial year preceding the year the works are scheduled for.

This procedure has been structured to allow the necessary timeframe for applications to external funding sources ie. CSRFF and Lotterywest should the committee wish to utilise these as their contribution.

6. Recreation

6 RECREATION

6.1 C-6SRF01 – Sport and Recreation Funding

Previous Policy Number – 6.6

PART A- Policy

Objective

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will provide assistance to sporting and recreational groups for funding:

1. capital infrastructure for sporting and recreational facilities; and
2. non-consumable sporting and recreational equipment.

Policy Statement

Council recognises and values the important part that excellent sporting and recreational facilities and equipment play in the community. It is committed to ensuring that adequate funding is provided to assist in the provision and maintenance of these facilities and the groups that utilise them.

In order to meet this objective, the Shire has established the following two funds through which annual grants will be made available:

1. Sporting and Recreational Capital Works Fund; and
2. Tronox Management and Shire of Dandaragan Sporting and Recreation Facilities Fund

6. Recreation

PART B - Management Procedures

Detail

1. Sporting and Recreational Capital Works Fund

1.1 Funding and Purpose

The Shire will in its annual budget allocate 1% of total budgeted rates to assist sporting and recreational groups with the replacement, renewal and improvement of capital infrastructure.

1.2 Funding cycle

Applications to the program will be received and considered in accordance with the following timeframes:

Funding round advertised: April

Funding round closes: Mid- May

Applications considered by Council: June / July

Sporting and recreational groups are encouraged to discuss their projects with Shire staff as early as possible to facilitate the greatest chance of funding success.

1.3 Eligible Applications.

To be eligible for funding under this program applicants must have;

- (i) Submitted a Community Sport Recreation Facilities Fund Application (CSRFF) to the Department of Local Government, Sport and Cultural Industries' or submitted an application to another funding source for the project.
- (ii) An own source contribution comprising a minimum of 1/6th of the total project cost in cash.
- (iii) In determining applications to this fund the Council will give priority to applications that;
 - have successfully sourced CSRFF funds or other source of funding;
 - can demonstrate that their organisation has a strong membership base and is financially sustainable;
 - can demonstrate strong demand for the proposed infrastructure; and
 - can deliver projects without the organisation requiring loan funds.
- (iv) Applicants that have been unsuccessful in a CSRFF application, or other major funding process, remain eligible for funding under this program, however Council's total commitment will not exceed 50% of the approved project budget or the maximum annual funding allocation in a given year.
- (v) Requests must be for a total project cost of greater than \$40,000 (exc GST).

6. Recreation

1.4 Funding of Projects

Where more than one request is received in any year, projects will be prioritised by Council. Council may allocate the full funding allocation or part thereof to the requests for funding received.

1.5 Unallocated Fund Monies.

Unless specifically determined by Council any unallocated funds from a given year will be transferred to the Sport and Recreation Reserve for reallocation in a subsequent year.

2. Tronox Management and Shire of Dandaragan Sporting and Recreation Facilities Fund

2.1 Funding and Purpose.

The Shire will, in its annual budget, allocate \$15,000 to be matched by Tronox, to fund the Tronox Management and Shire of Dandaragan Sporting and Recreation Facilities Fund.

The purpose of the program is to assist community based organisations to purchase non-consumable equipment and provide small grants to undertake projects.

2.2 Funding cycle.

Funding round advertised: April
Funding round closes: End of May
Staff review and assist applicants to ensure eligibility and completeness: June
Applications considered by committee: July
Applications considered by Council: August

2.3 Eligible Applications.

To be eligible for funding applicants must meet the Assessment Criteria as determined by the committee in accordance with this policy.

2.4 Assessment of Applications.

A committee comprising of two representatives from each of the Shire's communities, a representative from Tronox Management, the Shire President and a non-voting staff member shall be established on an annual basis to make recommendations to Council in relation to the funding of the applications.

In making its recommendation to Council the committee shall take into consideration the following items:

- (i) The membership base of the applicant's organisation.
- (ii) The demonstrated need for the equipment/project.
- (iii) The financial sustainability of the applicant's organisation.

6. Recreation

- (iv) The extent of previous funding under this program to the applicant organisation over the past 5 years.
- (v) The extent to which the applicant has attempted to seek funding from alternative sources.
- (vi) All large applications (total grant request of \$5,000 or more) must provide written evidence that at least one application to another funding body has been made.

2.5 Determination of Applications

In determining the applications the Council will give consideration to;

- (i) The recommendations of the Committee.
- (ii) Whether or not applications are consistent with the strategic direction of the Shire.

6. Recreation

6.2 C-6R02 – Reserves

Previous Policy Number 6.5

PART A- Policy

Objective

To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

Policy Statement

1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- (a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).
- (b) Annual rental to be “a peppercorn”.
- (c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.
- (d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.
- (e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc, that apply to the reserve and structural improvements.
- (f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.
- (g) The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.
- (h) The Lessee shall permit the Shire’s officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.
- (i) The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.
- (j) The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.
- (k) The Lessee shall meet all costs in relation to preparing and stamping the lease document.
- (l) Any leases entered into relating to Council’s Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.

6. Recreation

2. Ovals - Seasonal Use

Priority for the use of the Ovals shall be given to sporting organisations playing their principal sport within the appropriate season.

3. Use of Council Sports Grounds

Requests for the use of all Council Sports Grounds (eg Circus or Roadshow) and any conditions will be determined by the Chief Executive Officer.

Fees and Charges set in accordance with Council's Annual Budget will apply.

4. Fencing - Adjoining Council Controlled Land

- a) Council will not contribute financially to the erection of fencing which adjoins Council controlled land (eg. Reserves, Public Access Ways and Road Reserves). Drainage Reserves that are required to be fenced will be carried out as part of the cost of subdivision as per the Dividing Fence Act.
- b) Council will contribute 50% of the cost of fencing in relation to Council owned freehold land.

5. Lights - Shire Ovals

Permission to erect lights on Shire ovals will only be granted subject to all future maintenance and running costs etc being the responsibility of the organisation that installs the lights.

6. Shade Structures over Playgrounds - Community Requests

Council will consider applications from community groups / organisations for the erection of shade structures over playgrounds under the following conditions:

- a) all costs associated with the construction, maintenance and future capital replacement would be the responsibility of the community group and not the Shire of Dandaragan which is to be acknowledged in writing;
- b) all structures are to comply with relevant standards and building requirements;
- c) community group applications for approval to construct shade structures are to be considered by Council for approval prior to accepting any funding from third parties or grant providers; and
- d) shade structures will become an asset of the Shire of Dandaragan.

7. Engineering

7 ENGINEERING

7.1 C-7ARMM01 – Acquisition of Road Making Material

Previous Policy Number - **New**

PART A- Policy

Objective

The objective of this Policy is to provide a framework and clear guidelines for the Shire of Dandaragan's (Shire) for the acquisition of gravel and sand for construction and maintenance purposes.

Policy Statement

The Shire from time to time requires road making materials from private property to utilise for a variety of public purposes such as road maintenance and construction.

The Shire and Council are committed to ensuring that when materials for construction and maintenance purposes need to be sourced from private land, it will endeavour to obtain such material by consultation with the landowner or his/her authorised representative, in accordance with Schedule 3.2 of the *Local Government Act 1995*, with the Shire responsible for:

- (i) Satisfactory rehabilitation of the pit area.
- (ii) Construction where necessary and satisfactory repair of affected haul roads, gates, fences or other structures.
- (iii) Negotiated compensation to the landowner for materials extracted and associated justifiable imposts.

Where landowners contribute to road works by providing, without claim for compensation, gravel materials (for road construction or maintenance) or sand (for road construction, maintenance or general use), private works at the request of the landowner, to the valuation of the landowner's contribution to the road works may be authorised.

7. Engineering

PART B - Management Procedures

Definitions

Nil.

Detail

Locating a suitable quantity and quality of material is often difficult and the Shire will attempt to find the most advantageous deposits to reduce lead times and the cost to the ratepayer of Shire works.

1. Acquisition

The following procedure shall be the Shire's normal practice in securing road making materials from private property:

- (i) Request permission to search for materials from the owner. Entry powers to be used as a last resort.
- (ii) The approximate requirement for the project or yearly requirement of materials from the proposed pit shall be calculated as will the expected life of the pit.
- (iii) If suitable material is located a written agreement (as attached) is to be reached with the owner as to compensation for materials removed.
- (iv) Priority must be given at all times to reasonable negotiation to reach an amicable agreement mutually acceptable to the Shire and the owner.
- (v) Should agreement for the removal of the road making materials not be reached with the landholder, procedures to resume an area sufficient for immediate and future needs may be instigated.

2. Compensation

The rate of gravel and sand is to be aligned with the compensation rate listed in Main Roads WA Operational Guideline 95 - Extracting Road Building Materials from Land in WA. An additional \$1 per m³ will be calculated on top of this rate.

Where landowners contribute to road works by providing, without claim for compensation, gravel materials (for road construction or maintenance) or sand (for road construction, maintenance or general use), the Executive Manager Infrastructure be authorised to carry out private works at the request of the landowner, to the valuation of the landowner's contribution to the road works as assessed by the Executive Manager Infrastructure.

Such works may include works on the landholder's property such as grading, gravel sheeting, drainage works or works to enlarge or improve entrances or merely pushing gravel for the owner

The private works above may only be carried out on the property from which materials have been extracted, and subject to plant availability.

3. Pit Rehabilitation

Works to rehabilitate the gravel pit once materials have been removed shall take place and will take the form of such works agreed upon before material extraction takes place.

7. Engineering

These works may include;

- (i) Fencing;
- (ii) tree planting;
- (iii) deep ripping;
- (iv) levelling;
- (v) stockpiling of original topsoil and spreading after extraction is completed

4. Completion of Works

Upon completion of all requirements of the agreement in part 1 (iii), the Executive Manager Infrastructure shall ensure the landholder is adequately satisfied, by way of written confirmation

5. Delegated Authority

Negotiations and final approval for gravel agreements is delegated to the Chief Executive Officer or Executive Manager Infrastructure.

7. Engineering

Forms



SHIRE OF DANDARAGAN GRAVEL / WATER AGREEMENT

Preamble:

0001

This is an agreement between the Shire of Dandaragan (the Shire) and the Landholder / Manager of the property in respect to the removal of gravel / water by the Shire.

Details:

Property Name: _____

Landholder / Manager: _____

ABN: _____

Postal Address: _____

Telephone: _____

Email Address: _____

Location of Pit / Water Source: _____

Agreement:

- The Shire of Dandaragan intends to remove approximately _____ m³ / kL of gravel / water from the above location and will compensate the Landholder / Manager at the rate of \$ _____ per m³ / kL.
- The Shire will keep all records of gravel removed.
- The Shire agrees to reinstate the pit and haul roads after the completion of extraction, as agreed with the Landowner and at the expense of the Shire.
- Payment will be within 14 days of receiving an invoice from the Landholder / Manager.

Notes: _____

Signed: _____

(for Shire of Dandaragan)

Signed: _____

(for Landholder / Manager)

Name: _____

Name: _____

Date: _____

Date: _____

7. Engineering

7.2 C-7PE02 – Plant and Equipment

Previous Policy Number – 7.1

PART A- Policy

Objective

To establish Council's Policy in respect of the use and loan of Shire plant, equipment and other property.

Policy Statement

1. Shire Plant

Employees access to Shire owned plant and equipment is restricted to sundry plant ie lawnmowers, brushcutters at the discretion of the Chief Executive Officer.

Use of plant and equipment by community groups will only be considered where the request is part of a CSRFF, Shire of Dandaragan / Tronox Recreation Fund or Community Grants application.

The Shire provide in-kind site works for the construction of buildings and other infrastructure by community groups on reserves vested within the Shire at the discretion of the Chief Executive Officer.

Access roads to sporting / recreational clubs will be graded free of charge as part of the Shire's road maintenance program.

2. Portable Toilets

The Shire's two (2) portable toilets may be utilised as a donation for community and sporting based projects subject to the following:

The event organisers take responsibility for collection of the two (2) portable toilets and return following the event.

The event organisers arrange with Shire staff to have the two (2) units pumped out at their cost.

The portable toilets will not be made available to individuals i.e. parties, etc.

7. Engineering

7.3 C-7S03 – Signs

Previous Policy Number – 7.2

PART A- Policy

Objective

To provide direction regarding the erection, maintenance and removal of certain types of signs within the Shire where these are not adequately or presently covered in the Shire's Local Laws.

Policy Statement

1. Main Roads Western Australia - (Control of Advertisements) Regulations 1996 and Guide to the Management of Roadside Advertising

Council is not prepared to take on the role of administering the signs on behalf of Main Roads Western Australia (MRWA), however Council will adopt the guidelines as part of Council's Policy.

2. School Bus Signs

The Chief Executive Officer will arrange erection of school bus stop and turn around signs on request from the Principal of the school.

3. Business Sign Posting - Townsites

Business signs approved by the Chief Executive Officer under the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law are to be in accordance with the following:

- a) The signs to be professionally manufactured fingerboard type with white lettering minimum 120 mm high on blue board 200 mm deep.
- b) The sign legend to be brief eg. "Jurien Bay Chalets" and contain the international symbol when applicable.
- c) The signs are to be erected on the existing road name signposts, immediately below the road name sign plate.
- d) The applicant to be responsible for all costs associated with the purchase, erection and maintenance and replacement (when necessary) of the signs. The Chief Executive Officer to approve and control siting and erection.
- e) All signs are to conform to the requirement of Local Planning Policy 8.6 Advertising Devices (Signage).

The Shire of Dandaragan reserves the right to instruct the applicant to modify, relocate, remove and maintain the signs as is deemed necessary.

4. Business Sign Posting - Rural Areas

Business Direction Signs in the rural areas, approved by the Chief Executive Officer under the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law are to be in accordance with the following:

7. Engineering

- a) The signs to be professionally manufactured fingerboard type with white lettering 120 mm high on blue board 200 mm deep.
- b) The sign legend to be brief, eg "Cameroon Stud".
- c) The signs to be erected at the maximum of only two (2) intersections involving local roads, in addition to the Brand Highway (if applicable).
- d) If the project involves a sign on a road under the control of Main Roads Western Australia (MRWA), the applicant is to obtain written approval from them.
- e) The signs are to be erected on the existing road name signposts, immediately below the road name sign plate.
- f) The applicant to be responsible for all costs associated with the purchase, erection and maintenance and replacement (when necessary) of the signs. The Chief Executive Officer to approve and control siting and erection.
- g) The Shire of Dandaragan reserves the right to instruct the applicant to modify, relocate, remove and maintain the signs as is deemed necessary.
- h) All signs are to conform to the requirement of Local Planning Policy 8.6 Advertising Devices (Signage).

5. Farm Sign Posting

Farms signs approved by the Chief Executive Officer under the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law are to be in accordance with the following:

- a) signs on Road Reserves only to display farm and/or owners' names;
- b) only one sign per farmhouse permitted;
- c) maximum size of signs permitted on road reserve is 1200 mm long x 600 mm high. Larger signs may be located within the property boundary;
- d) the signs to be manufactured of approved materials;
- e) signs erected on the Road Reserve to be located at a suitable distance from the constructed road surface or water table dependent on road reserve width;
- f) applicant to meet all costs associated with the manufacture of the signs, posts, erection and maintenance; and
- g) the Shire of Dandaragan reserves the right to instruct the applicant to modify, relocate, remove or carry out maintenance of the signs as deemed necessary.

6. Shire Boundary Signs

The Shire of Dandaragan will maintain entry signs at;

- Brand Highway
- Indian Ocean Drive
- Dandaragan Road

7. Locality Signs

The Shire of Dandaragan will maintain locality signs throughout the Shire.

7. Engineering

7.4 C-7TSRRF04 – Street Trees and Streetscapes

Previous Policy Number – 7.3 & 7.4

PART A - Policy

Objective:

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will

- (i) promote the use, maintenance and removal of appropriate trees within the public places across the Shire, including foreshore area, urban streets and rural roads; and
- (ii) provide the community with direction regarding the development, maintenance, use and vegetation to be used in verges within townsites.

Policy Statement:

1. Street Trees

The Shire recognises the significance of streetscapes and naturally occurring and planted trees as integral to the identity of the Shire and increasing the quantity and quality of trees within towns is shown to contribute to the health and wellbeing of the community.

The Shire is committed to:

- The conservation and preservation of existing street trees.
- The protection of significant trees and remnant bushland on the roadside.
- The enhancement of streetscapes through street tree planting and landscaping with suitable species.
- The reduction of risk through pruning, canopy reduction, tree removal and verge treatments, as appropriate.
- Vegetation care principles to aid the health and resilience of plants.

In achieving these principles, the Shire will:

1. Take a proactive asset management approach to the management of street trees and streetscapes.
2. Recognise and manage budget limitations and ensure decisions reflect the principles of financial sustainability.
3. Achieve utility and infrastructure requirements.
4. Minimise risk and meet its duty of care legal obligations.
5. Deliver broader ecological, social and aesthetic benefits to present and future generations.
6. Retain trees wherever possible.
7. Remove street trees where:

7. Engineering

- (a) All or part of the tree is dead, suffering termite or other damage or is determined by the Shire or its arborist to be declining in health. In some cases, dead trees may provide habitat for local fauna and will be assessed accordingly for possible retention.
- (b) It is a cultivated street tree and is considered a hazard to residents, motorists or property.
- (c) The street tree was planted without approval from the Shire and is determined to be unsuitable in the area.
- (d) As part of the development approval process the tree is considered, by the Shire, appropriate to remove.
- (e) The tree causes reoccurring damage to public infrastructure.
- (f) The tree impacts sight lines, visibility and access.

2. Verge Treatments and Maintenance

The Shire recognises that the installation of appropriate verge treatments will enhance the streetscape and amenity of an area.

Any owner or occupier of land within the townsites, excluding Beachridge Estate, Jurien Bay where verge treatments are established by the Design Guidelines, may plant lawn on the street verge adjoining their property, without obtaining approval from the Council.

To minimise the impact of the adverse winds experienced on the coast, where reinstatement and backfill of kerbs is requested, consultation will be undertaken with the property owners adjacent to the road verge affected to identify their requirements in accordance with the approved options for this work.

7. Engineering

7.5 C-7TSRRF06 – Restricted Access Vehicle Routes

Previous Policy Number – 7.5

PART A- Policy

Objective

To designate those roads on which Restricted Access Vehicles (RAV) will be permitted and the conditions applicable.

Policy Statement

The following conditions are to be applied to all approvals given for the use of Restricted Access Vehicles, including road trains and extra mass permits:

1. As of 31 March 1997, Main Roads Western Australia (MRWA) became solely responsible for the issuing of heavy vehicle permits.

Lists of roads approved by Council are held by Main Roads Western Australia (MRWA) - Transportation Section (*as listed in items 3 – 6*). These lists form the basis of a common endorsement issued to any operator wishing to travel on any of the said roads.

A vehicle is classed as a Restricted Access Vehicle (RAV) if that vehicle alone or together with any load, exceeds one or more of the following limits:

- a) mass limit prescribed in Part 3 of the Road Traffic (Vehicle Standards) Regulations 2002; or
 - b) one of the following dimension limits:
 - c) a width of 2.5 metres;
 - d) a height of 4.3 metres;
 - e) a length of 12.5 metres in the case of a motor vehicle that is not part of a combination; or
 - f) a length of 19 metres in the case of a combination;
2. Roads may only be added or deleted from the list with Council approval.
 3. Approval for the operation of Restricted Access Vehicles shall be conditional on:
 - a) Possession by the operators of the appropriate permits issued by MRWA;
 - b) Speeds on all gravel road surfaces being limited to 80 kph;
 - c) Gravel roads that are affected by rain, operators must contact the local authority for advice if heavy rain has fallen in the area;
 - d) School buses operate on most local authority roads operators must show all courtesy to school buses and local traffic;
 - e) Roads listed in item 7 of this Policy are only to be used for accessing local properties in the Shire of Dandaragan and these roads are not to be used as through routes i.e. no short cut to gain access from one main bitumen road to another, in this case roads as detailed in point 5 must be used; and
 - f) Council reserves the right to withdraw or amend its approval at any time.
 4. In considering roads which are suitable for use under this policy, Council shall have regard to the following criteria:

7. Engineering

- a) there should exist bitumen and/or strong gravel pavement with good road shoulders; and
 - b) the existence and location of bridges and intersections will all be factors which have a bearing on the acceptability or otherwise of a road for these operations.
5. Restricted Access Vehicles up to RAV Category 4, as classified by Main Roads WA Restricted Access Vehicles – Prime Mover, Trailer Combinations – Operating Conditions, are allowed to use the following roads:

SHIRE ROAD NO.	NAME	SECTION
1	Cataby	Full length
2	Dandaragan	Full length
5	North West	Full length
6	Badgingarra	Full length
26	Koonah	Full length
227	Munbinea	Intersection of Bibby Road to Jurien Bay East Road
8	Watheroo	Full length
7	Rowes	Full length
	Bibby	Full length
	Jurien Bay East	Full length
	Cervantes	Full length
MAIN ROADS WESTERN AUSTRALIA (MRWA)		
Brand Highway	Within Shire of Dandaragan	
Indian Ocean Drive	(from Jurien Bay townsite north to Sandy Cape Road) (from Cervantes Road to Cervantes townsite)	

6. The use of Indian Ocean Drive by Restricted Access Vehicles be restricted to a route that would allow access to the nearest east west link road to the Brand Highway in recognition that the Brand Highway will remain the heavy haulage route and that Indian Ocean Drive be utilised by “as of right” vehicles and as a tourist route only.
7. Limited haulage vehicle movements, for Restricted Access Vehicles up to RAV Category 4, to access properties on the following roads is allowed subject to having delivery or receipt dockets which must be carried and produced on demand to confirm that the vehicle is on the road to access a property on that road and that it is not being used as a “through” route:

SHIRE ROAD NO.	NAME	SECTION
15	Agaton	
132	Banovich	
20	Barberton West	
59	Bidgerabbie	
52	Black Arrow	
38	Boothendarra	
21	Boundary	

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SHIRE ROAD NO.	NAME	SECTION
9	Cadda	Full length
65	Canover	
47	Cantabilling	
50	Cantabilling	
46	Capitella	
122	Caro	
141	Cataby	
19	Coalara	
51	Cockleshell Gully	
48	Cooljarloo	
32	Coomberdale West	
121	Cowalla Peak	
35	Cowalla	
11	Dambadgie	
42	Dewar	
126	Dinner Hill	
56	Eragilga	
228	Fred Weston	
10	Gillingarra	
49	Goonderdoo	
169	Herschell	
225	Jam Hill	
34	Kayanaba	Jam Hill Road 11.98 SLK to Rowes Road 18.28 SLK
120	Koodjee	
18	Koojan Pool	
221	Little Nylagarda	
129	Mahomet	
14	Marchagee Track	
189	Mazza	
40	McKays	
12	McNamara	
130	Menardie	
27	Mimegarra	
33	Minyulo	
91	Moochamulla	
23	Mullering	
4	Munbinea	Bibby Road to Wongonerrah Road.
25	Mungedar	
30	Muthawandery	
37	Namban West	
80	Nambung	
28	Nammegarra	
220	Nylagarda	
127	Sandy Cape	
81	Stockyard	
16	Waddi	

7. Engineering

SHIRE ROAD NO.	NAME	SECTION
58	Walyering	
60	Walyoo	
45	Wandawallah	
142	Wathingarra	
13	Winjardie	
24	Wolba	
62	Wongonderrah	
90	Woolka	
43	Yandan	Brand Highway 0.00 SLK to 9.19 SLK
22	Yerramullah	

8. No Restricted Access Vehicle movements whatsoever will be allowed on the following roads. The inclusion of the roads listed below does not restrict the movement of General Access Vehicle (“as of right”) combinations eg prime mover and single trailer, however extreme caution must be taken and knowledge of the road conditions must be known prior to them being used.

SHIRE ROAD NO.	NAME	SECTION
29	Beacon	
64	Bootoo	
148	Airstrip	
79	Cairn	
123	Chelsea	
143	Golf Drive	
31	Hill River	
34	Kayanaba	
57	Kolburn	
131	Lupin Valley	
236	Marridale	
163	Scenic Drive	
222	Vine Cottage Lane	
140	Walyer Walyer	
125	Warro	
63	Wedge Island	
92	Winja	
249	Woodbine	
43	Yandan	9.19 SLK to 11.99 SLK terminating at Menardie Road

This section does not restrict the movement of General Access Vehicles. General Access Vehicles may operate state-wide provided they are:

- not a road train or b-double;
- within regulation axle mass limits;
- 19 metres or less in combination length (or a maximum 12.5 metres for rigid vehicles);
- total combination mass less than 42.5 tonnes;
- width less than 2.5 metres (excluding mirrors and lights); and

7. Engineering

- f) height less than 4.3 metres.
9. The use of Restricted Access Vehicles through the townsites of Jurien Bay, Dandaragan (except Dandaragan Road), Badgingarra (except North West Road and Meagher Drive) and Cervantes will need to be considered by the Chief Executive Officer on an “application by application basis”, eg specific route for the delivery of fuel etc. Applications for the use of Restricted Access Vehicles in the townsites would be for a twelve month period and renewable on application by the operator at 30 June each year.

7. Engineering

7.6 C-7EDRR07 – Exploratory Drilling On Road Reserves

Previous Policy Number – 7.6

PART A- Policy

Objective

To set down the basis upon which exploratory drilling on road reserves will be permitted.

Policy Statement

The Chief Executive Officer is authorised (*see Delegations Register*) to approve applications for approval to carry out exploratory drilling on road reserves within the Shire District without reference to the Council, with the following conditions attached to the approval:

- (a) A plan is to be provided showing the approximate location of each hole to be drilled.
- (b) The applicant is to pay a Licence Fee at a per hole rate prior to commencement of the drilling. The fee will be included in the Schedule of Fees and Charges as part of the annual budget.
- (c) The applicant is to agree that all precautions will be taken to ensure that the drilling operations will not cause any interference or danger to traffic. With sealed roads, drilling is not to take place on the carriageway or within four (4) metres of the edge of the carriageway.
- (d) The applicant to agree to refill or cap all holes.
- (e) The applicant to agree to advise the Shire of Dandaragan of the details of any water supplies located during drilling.
- (f) The applicant to agree not to intentionally damage and to make good any damage to adjoining fences without any cost to the owner of the fence.
- (g) The applicant to agree to keep any damage to the roadside vegetation to the absolute minimum and in the case of excessive damage, the applicant is to meet the total cost of re-instatement.
- (h) Should any section of the road reserve lie within a total dieback management area the applicant shall, prior to undertaking any work whatsoever within the reserve, submit a management plan for dieback control to the Shire.
- (i) The applicant will indemnify the Shire of Dandaragan against any action being taken which may arise as a result of the activity.
- (j) Should the applicant cause any damage to the road running surface then it will be repaired by Council at the applicant's cost.
- (k) The applicant must obtain the approval of the Minister for Mines.
- (l) The applicant must obtain a "clearing permit" should it be required.

7. Engineering

- (m) The applicant must commission a “dial before you dig” report prior to any drilling commencing.

7. Engineering

7.7 C-7DMRDW8 – Dust Management Requirements for Development Works within the Shire of Dandaragan

Previous Policy Number – 7.7

PART A- Policy

Objective

The purpose of this policy is to:

1. Incorporate the Shire's "Guidelines for the preparation of dust management plans for development sites within the Shire of Dandaragan" into this policy.
2. Adopt the Department of Environment and Conservation procedure for the assessment of the potential for a development site to generate dust prior to site works commencing.
3. Not allow bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March.
4. Put in place measures and contingency arrangements to manage the potential for dust leaving the site during and after development.

Policy Statement

Extensive clearing of vegetation as part of subdivisional and development works during summer months has generated a substantial number of complaints received by the Shire of Dandaragan. This has resulted in the creation of this policy to proactively control the timing of bulk earthworks.

The Shire's guidelines describe the problems associated with airborne dust emissions from development sites. The Shire requires the preparation of dust management plans for construction works associated with development sites and subdivisional works. These dust management plans are required to be submitted and approved prior to the commencement of works.

The Shire's dust management guidelines are for the assistance of developers in preparing dust management plans. These guidelines are largely based on the Department of Environment and Conservation document titled "[A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities \(January 2011\)](#)". The Department of Environment and Conservation guidelines outline that during the summer of 1994-95, more complaints regarding dust impacts from land development sites were received by the Department of Environment and Conservation than for any previous summer. This prompted the preparation of the Department of Environment and Conservation guidelines, which deal with issues such as the;

- timing of development, development staging;
- treatment of vegetation on site;
- stabilisation of cleared areas;
- hydromulch, chemical stabilisation;
- contractual arrangements; and
- procedure for the assessment and management of dust lift off (Site Classification Assessment Chart).

7. Engineering

It is the developer's responsibility to schedule works on land development at the time in the year and in a way that reduces the potential impacts of dust to a practical minimum. The time of the year when these activities are carried out is critical since the least number of complaints occur during winter months.

Definitions

For the purpose of this policy the following definitions are applicable:

- a. Land development sites - are premises (larger than 1,500m²) on which any works are to be done to develop the land for any use.
- b. Land uses - are items of value which would be adversely affected by exposure to excessive quantities of dust and wind-borne material and include houses, commercial buildings, commercial activities, market gardens, schools, factories, roads, parks and recreational areas.
- c. Bulk earthworks - refers to works such as vegetation clearing, topsoil removal, land re-contouring and cut and fill operations.
- d. Civil earthworks - refers to works such as construction of retaining walls, installation of sewers, installation of stormwater drainage, installation of services and construction of roads / parking areas.
- e. Stabilisation - the placement of gravel or other approved stabilisation agent onto completed earthworks.

Conditions

1. All subdivisions and development must comply with the Environmental Protection Authority guidelines for dust control in subdivisional areas.
2. All earthworks on development sites must be undertaken in compliance with a dust management plan approved by the Shire, prepared in accordance with the "[A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities \(January 2011\)](#)" (Department of Environment and Conservation).
3. All development sites shall be classified in accordance with the document "[A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities \(January 2011\)](#)" (Department of Environment and Conservation).
4. Bulk earthworks will be prohibited on Class 3 or 4 development sites between 1 October and 31 March annually. Bulk earthworks must cease by the 30 September and any extensions beyond this date will not be considered.
5. Any Class 3 or 4 development sites which have undergone bulk earthworks prior to 1 October shall be completely stabilised between 1 October and 31 October, so as to remain in a stable condition with no wind borne dust being generated from the stabilised site. The standard of stabilisation required shall be achieved by applying a 60mm layer of gravel as per the Shire's procedural note for the use of gravel as a stabilisation agent.

7. Engineering

6. Bulk earthworks will be permitted in all months on Class 1 and 2 development sites, subject to approval of a dust management plan.
7. In accordance with the approved dust management plan, civil works will be permitted to be undertaken on all classes of sites all year round, subject to an ongoing program of stabilisation on all exposed land prior to the completion of lots.
8. Post subdivision responsibility for dust suppression lies with the landowner.

This policy should be read in conjunction with the following documents:

1. [A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities \(January 2011\)](#) (Department of Environment and Conservation).
2. Guidelines for the preparation of dust management plans for development sites within the Shire of Dandaragan.
3. Shire of Dandaragan's procedural note for the use of gravel as a stabilisation agent.

7. Engineering

7.8 C-7WMJBBCD09 – Waste Management at Jurien Bay, Badgingarra, Cervantes and Dandaragan

Previous Policy Number 6.3

PART A- Policy

Objective

To establish the Shire's approach to effective domestic waste management. The aim is to have waste management on a cost recovery basis across the Shire of Dandaragan.

Policy Statement

1. A rubbish collection service will be provided within the townsites of Jurien Bay, Cervantes, Badgingarra, Dandaragan and in the Rural Residential areas of Alta Mare, Hill River Heights, Marine Fields and Koorungal Vale and the Rural Development Zone of Jurien Bay Heights by a suitable contractor or engaged by the Council. This service is subject to the Residential Refuse Removal Charge as adopted by Council for each financial year.
2. The Residential Refuse Removal Charge as mentioned in (1) above entitles the ratepayer to a once weekly removal of one (1) 240 litre mobile garbage bin for refuse and a once fortnightly removal of one (1) 240 litre mobile garbage bin for recycling.

Properties Zoned Industrial within the towns will be provided with a service on the basis that only domestic type waste is to be disposed of, no industrial waste e.g. metals, engine parts etc. will be accepted. Only refuse placed in the mobile garbage bins will be removed. Refuse placed alongside the bin will not be removed.

3. All properties subject to Residential Refuse Removal Charge will be issued with four (4) tip passes each year. The intent is that the tip passes are for household refuse only as the tip pass system is in lieu of a bulk kerbside domestic refuse collection. If a bulk kerbside collection were implemented, then Commercial and Industrial would not be offered this service, hence no tip passes. If people mislay their tip passes and request a replacement, they are required to complete a Statutory Declaration to this effect, only then will another set of tip passes be issued.
4. Council will set a charge each year for rural properties wishing to dispose of 240 litres of refuse each week and will issue four (4) tip passes. A register of residents receiving this service will be kept by the Shire and the Waste Attendants will consult the register when residents are disposing of their refuse at the designated sites. The charge will be less than the standard refuse charge due to the fact that Council does not offer a refuse collection and will also not supply a 240 litre mobile garbage bin.
5. Additional bins may be requested (i.e two (2) bins for a Residential property) to be picked up. The second bin is to be charged as a multiple of the standard refuse charge, i.e two (2) bins equal two (2) standard charges. The ratepayer will only receive one set of tip passes per property regardless of the number of Residential Refuse Removal Charges applicable to the property.

7. Engineering

6. Where requested, a service may be provided to non-rateable properties and charges at the standard refuse removal charge as set by Council.
7. Rubbish bins are to be located within one (1) metre of the kerb or sealed pavement of the road. Should the Council consider that due to the nature of the premises or age or health of the occupier it would be unduly onerous on the occupier to place the bin in the designated location then the Contractor shall be required to empty and remove household refuse from the bin placed in an alternative position as determined by the Council in its absolute discretion.
8. Where Council provides a domestic refuse collection service on a regular basis, the annual charge levied against a property / dwelling unit for that service shall not be waived by reason that the premises are only occupied on a part time basis. All dwellings on residential properties within the town sites are required to be serviced by the kerbside rubbish collection.
9. A replacement 240 litre mobile garbage bin will be provided to the ratepayer on request at the current market cost. If a request for a replacement bin is accompanied by a Police Report advising that the bin has been stolen, the replacement 240 litre mobile garbage bin will be provided to the ratepayer at no charge. If it is proven that damage occurred to the 240 litre mobile garbage bin during normal collection process, a replacement 240 litre mobile garbage bin will be provided to the ratepayer at no charge.
10. It is Council's intention to charge a Pensioner Refuse Removal Charge to those pensioner properties at a charge which is approximately 15% less than the standard refuse removal charge as set by Council.
11. Council's designated Waste Management Sites are located at the following:
 - Jurien Bay Waste Management Facility - Reserve 35885, Canover Road, Jurien Bay.
 - Cervantes Waste Management Facility - Reserve 36638, Cervantes Road, Cervantes.
 - Badgingarra Waste Management Facility - North West Road, Badgingarra.
 - Dandaragan Waste Management Facility - Reserve 26950, Gold Drive, Dandaragan.
12. Council has adopted a charge per volume on refuse received at all of its designated Waste Management Sites with a disposal fee per cubic metre of refuse as determined by Council annually.
13. A person who has the care, control or management of either a Caravan / Camping Ground or Park Home Park shall make provision for the hygienic collection and disposal of all domestic refuse originating from those premises in accordance with the Caravan Park and Camping Grounds Regulations 1997.

In the case of Resorts or Chalets, rubbish storage and removal shall be determined at Development Approval stage.

Bins shall be maintained in a good, hygienic, serviceable condition. Refuse from any of the above facilities will be disposed of at an approved Shire of Dandaragan Waste Management Facility.

14. With regard to the Sandy Cape Recreational Park, Council shall provide rubbish removal in accordance with the adopted Management Plan.

7. Engineering

15. Event organisers of community events held in public places are responsible for arranging refuse disposal for the event. In cases where refuse produced as a result of the event, in excess of what can be serviced by existing receptacles at the public organisers expense. The receptacles must be removed by the event organisers as frequently as is necessary with the minimum requirement being at the conclusion of the event.
16. Where the event organisers apply for a contribution from the Shire to run the event through the Shire's Community Grant scheme or other schemes the contribution is designed to be inclusive of refuse disposal costs.
17. The Shire recognises that the towns of Jurien Bay and Cervantes are subject to a increase in tourist populations at certain times of the year and that additional refuse services are required during these periods. The following strategies are supported by Council:
 - Skip bins will not be available at the information bays;
 - Public street bins in parks and reserves within the townsites will be emptied on a regular basis as determined by the Executive Manager Infrastructure in consultation with the Operations Supervisor - Jurien Bay; and
 - Public bins located at the shopping centres will be emptied three times a week during the Christmas / New Year period and the Easter long weekend as determined by the Executive Manager Infrastructure.

7. Engineering

7.9 C-7VBP10 – Verge Bond Policy

Previous Policy Number – 7.8

PART A- Policy

Objective

To provide clear guidance to builders and their contractors of the Shire of Dandaragan's policy regarding Verge Bonds and the applicable fees.

Policy Statement

A Verge Bond will be required to protect Shire verge assets for all building development within townsites in accordance with the following process.

Builders will be required to pay the Verge Bond at the time of submitting a Building Permit application.

The person obtaining the Building Permit is required to give notification 7 days prior to the commencement of works. After which Shire staff will then carry out a pre-construction inspection. At the pre-construction site inspection, the existing condition of the verge and footpath assets will be documented and photographed.

On completion of the building works, the builder will request the refund of the bond by submitting an Application for Verge Bond Refund along with a BA7 Notice of Completion which will trigger a second site inspection and subsequent assessment of the Shire's verge assets which will be documented and photographed.

If there is no damage to the Shire's verge assets the bond is refunded. If there is damage the builder is given 21 days to rectify the damage otherwise the Shire will repair the damaged asset using the bond funds. Following the rectification works and if any bond funds remain, they will be refunded to the builder.

If the verge asset damage is above the deposited bond value, an invoice will be forwarded to the builder for the additional works.

The value of the Verge Bond will be determined annually by Council and published in the Schedule of Fees & Charges.

Responsibility for ensuring there is no damage to the verge and footpaths lies with the original Building Permit applicant and not any subcontractors that may carry out work on the site.

8. Law, Order and Public Safety

8 LAW, ORDER AND PUBLIC SAFETY

8.1 C-8BFAAM01 – Bush Fire Act – Administrative Matters

Previous Policy Number – 3.1

PART A- Policy

Objective

To provide direction to the staff and community regarding the management, control and implementation of the Bush Fires Act within the Shire, particularly in matters relevant to discretionary decisions which may be made by the Shire in accordance with the Bush Fires Act 1954 and its regulations.

Policy Statement

1. Senior Bush Fire Control Officer

The position of Chief Bush Fire Control Officer will be combined with the position of Fire Weather Officer so that the person occupying the position carries out the duties associated with both appointments.

2. Clover burns

Area limitation

It is the Council's policy to decline to establish a standard maximum area for clover burns as provided for in Section 24(b)(i) of the Bush Fires Act. The Permit Issuing Officer may use discretion and impose a maximum area if he considers it necessary and details of any maximum area set are to be specified in the permit.

Commencement time

In accordance with Regulation 19(3) of the Bush Fire Regulations, it is Council policy that the clover Permit Issuing Officer has sole discretion regarding the burning commencement times, and being between the hours of 4.00pm and midnight.

3. Burning of Shire Road Reserves

All applications to burn Shire Road Reserves within townsites and rural areas, will require assessment / pre-inspection (Appendix 1) by the Chief Bush Fire Control Officer (CBFCO) or the Community Emergency Services Coordinator. The Chief Bush Fire Control Officer, Chief Executive Officer and Community Emergency Services Coordinator (CESC) may or may not issue a permit depending on inspection outcome.

When a permit to burn is issued (Appendix 2), it is the responsibility of the permit holder to ensure that all conditions set out in the permit are complied with at all times. The CBFCO and CESC reserve the right at any stage to cancel or suspend any permit issued; if at any stage they believe that the permit holder is non-compliant with the set of conditions or safety is compromised. The permit holder will be responsible at all time for containment and suppression of any escape of fire.

8. Law, Order and Public Safety

4. Notice of intention to burn

On the day of a proposed burn and prior to the fire being lit, all landowners and occupiers outside of the townsites, are required to notify the Shire office of their intention to burn during restricted burning times.

5. Burning on Sundays and public holidays

Permits will not be issued for burning on Sundays or public holidays, unless approved by the Chief Bush Fire Control Officer during the restricted burning period.

6. Clearing burns

Fire permits are required for burning of bush until the 30 April each year.

7. Bush fire control

Bush fires on Crown land

The control of fires on unallocated Crown land in order to protect privately owned land is at the discretion of the Chief Bush Fire Control Officer.

Shire staff may utilise Shire plant and equipment to control fires following a request for assistance from the Chief Bush Fire Control Officer. Only adequately trained Shire staff may drive Shire plant at fires.

Standard operating procedures

Department of Fire and Emergency Services (DFES) Operating Procedures, with the exception of the clause relating to personnel operating from the rear of vehicles while fighting fires, is the adopted procedure for firefighting within the Shire of Dandaragan. Copies of the procedure are distributed to all Bush Fire Brigades.

8. Harvesting

Harvesting is permitted on Sundays and all public holidays with the exception of Christmas Day, Boxing Day and New Years Day.

9. Fire fighting appliances in paddock

It is a requirement of the Shire of Dandaragan that an approved firefighting appliance be present in the paddock being harvested whilst crop harvesting operations and straw raking and baling are being carried out during restricted and prohibited periods. Further, that the unit must be in a state of readiness and is to have a minimum of four hundred (400) litres of water on board.

10. Firebreaks on road reserves

Consideration for firebreaks within road reserves will only be given to those road reserves which are larger than thirty (30) metres width where it is clear that the firebreak would not detract from the amenity of the area. In all other cases, the applications are to be submitted to the Council for determination.

8. Law, Order and Public Safety

Approvals granted under this policy do not remove the obligation of the landowner to provide firebreaks inside of external boundaries in accordance with the Firebreak Order.

8. Law, Order and Public Safety

Appendix 1 - PRE-INSPECTION CHECK LIST TO BURN SHIRE RESERVE'S



0051

SHIRE of DANDARAGAN

PO Box 676, 69 Bashford Street Jurien Bay 6516

PRE-INSPECTION CHECK LIST TO BURN SHIRE RESERVE'S

To be completed by CBFCO & CESC Shire of Dandaragan

Mr/Mrs/Miss..... of
(Full Name) (Town – Residential) Address)

Postal Address

.....
(Home Phone) (Mobile Phone) (Email Address)

Location of proposed Burn

Purpose of the Burn: Weed Control Fuel Reduction Burn Regeneration Burn Protection Burn

Can the area be controlled by other means: Yes No Slashing Spraying Mulching

Declared Rear Flora & Fauna: Check with the Department of Parks and Wildlife if there is any DRF or threatened Fauna within the Reserve. **Check Completed:** Yes No

If DRF or Priority Species present Burn is not to be approved.

Please indicate if the following infrastructure is present:

School Bus Route	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Telecommunication	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Western Power Transmission Lines	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Water Corporation Valves/Pipes	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Gas Pipelines	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Road Signage	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Culverts	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Guide Post/Marker	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Will Firebreaks need upgrading or installing within the Shire Reserve: Yes No

Other items not listed above:

INSPECTION COMPILED BY:

CBFCO
(Signature) (Date)

CESC
(Signature) (Date)

8. Law, Order and Public Safety

Appendix 2 - PERMIT TO BURN SHIRE RESERVE'S



0051

SHIRE of DANDARAGAN
PO Box 676, 69 Bashford Street Jurien Bay 6516
PERMIT TO BURN SHIRE RESERVE'S

I, Mr/Mrs/Miss of
(Full Name) (Town - Residential Address)

Postal Address

Apply to the Shire of Dandaragan for permission to burn Shire Road Reserve/Reserve's for the

Purpose of.....on.....
(Fuel Reduction, Strategic Protection, Weed Management or other) (Road Name)

.....Distance to be burnt.....
(Location) (Metre/Kilometres)

Date of Burnto

Timing of the Burn is to take place betweenam pm

Specified Wind Directions.....

Fire appliances to be in attendance

Numbers of personnel in attendance

Special Conditions

Road Signage must be installed by the Shire prior to burn commencing. Signage to remain in place if smoke is still present or by request of the CBFCO/CESC. Radio notification must be completed by the Shire prior to commencing the Burn.

Other Special condition:

APPROVALS:

CHIEF BUSH FIRE CONTROL OFFICER
(Signature) (Date)

COMMUNITY EMERGENCY SERVICES COORDINATOR
(Signature) (Date)

CHIEF EXECUTIVE OFFICER
(Signature) (Date)

It is the responsibility of the Permit Holder to ensure that all condition set out in the above approval is complied with at all time. The CBFCO/ CESC reserves the right at any stage to cancel or suspend the Permit to burn shire reserves, if at any stage they believe that the Permit Holder is not in compliance with the above conditions or safety is compromised. The Permit Holder will be responsible at all time for containment and suppression of any escape of fire. Assistance with suppression by the shire may result in the recouping of costs from the Permit holder.

Permit Holder
(Signature) (Date)

8. Law, Order and Public Safety

8.2 C-8FO02 – Bush Fire Advisory Committee Meetings

PART A- Policy

INTRODUCTION

This policy specifies when Bush Fire Advisory Committee meetings are to be held.

Objective

To specify a minimum number of Bush Fire Advisory Committee meetings to be held in a year.

To specify what items are required to be considered at these meetings except, general agenda items.

Policy Statement

1. The Bush Fire Advisory Committee shall meet a minimum of once per year with a meeting to be held in the February / March period.
2. The following items shall be considered at the February / March meeting of the Bush Fire Advisory Committee each year:
 - a. The report of each Brigade Equipment Officer required under Clause 3.7 of the Bush Fire Brigades Local Law.
 - b. Nominations for the National Medal.
 - c. The members of the Advisory Committee are to consist of the following representatives:
 - Chief Bush Fire Control Officer
 - 1 x representative from the Department of Parks & Wildlife
 - 1 x representative from the Department of Fire and Emergency Services (DFES)
 - 1 x representative from each Bush Fire Brigade
 - Community Emergency Services Coordinator
 - Rangers

8. Law, Order and Public Safety

8.3 C-8FO03 – Bush Fire Control Officer Appointments

INTRODUCTION

This policy provides a guide for suitability for a person to be appointed as a Bush Fire Control Officer (BFCO).

Objective

Council will encourage all Bush Fire Control Officers to attend Bush Fire Control Officer Training and to maintain these qualifications where possible.

Policy Statement

1. Council acknowledges the importance of formal training and qualifications, and encourages all persons to engage in formal training if and where possible. Council will support all persons who engage in formal training.
2. A Bush Fire Control Officer will be appointed until the person resigns from the position of BFCO or unless revoked by Council.

9. Economic Services and Development

9 ECONOMIC SERVICES AND DEVELOPMENT

9.1 C-9RD01 – Relocated Dwellings

Policy

Objective

To control and guide the overall finished appearance of all relocated dwellings which are relocated to within, or from within the Shire of Dandaragan.

Policy Statement

For the purpose of this policy, a relocated dwelling is described as any dwelling which is of prefabricated construction and is therefore classified as a transportable dwelling, i.e. constructed by a manufacturer and transported to a predetermined site, placed on stumps or other Council approved materials and used for the purpose of human habitation.

1. Application

An application for the relocation of a transportable dwelling is to be accompanied by a certificate from a practising Structural Engineer, stating that the house has been built as a transportable house, that it is in sound condition and when relocated and set in place, will comply with all relevant requirements of the Building Code of Australia 1988.

The house when relocated is to be repaired where necessary, painted internally and externally.

All applications are to be accompanied by coloured photographs showing all elevations of the house.

All applications are to be submitted to Council for determination of approval or otherwise.

Council, when determining applications, may have regard to such matters as:

- a. the age of the structure and general overall condition;
- b. the impact such a structure may have on the surrounding areas where these relate to the local character and the amenity of the area generally;
- c. it may be desirable with some applications to require the construction of front and/or rear verandahs to the dwelling to enhance the overall finished appearance; and
- d. that all asbestos must be removed externally from the dwelling in accordance with legislative requirements and disposed of at a designated landfill site, prior to the building being removed from its existing location.
- e. Where a transportable house is proposed to be located from a townsite within the Shire of Dandaragan to a rural area in the Shire of Dandaragan, the house may be relocated without removing the asbestos subject to;
 - (i) the applicant providing a certificate from a certified asbestos remover / inspector, certifying that the condition of the asbestos is suitable for relocation without being removed from the house; and
 - (ii) the dwelling being transported is no more than three sections and if those sections contain asbestos they cannot be substantially dismantled.

9. Economic Services and Development

A bond of \$2,000 is applicable for relocated dwellings in all townsites and Special Rural Zones and is also applicable to applications in Rural areas that abut Rural Residential Zoning. The bond money is to be refunded when the applicant has complied with Council's requirements and the dwelling inspected by Council's Building Surveyor (Manager Building Services). The bond or part thereof will only be returned after the relocated dwelling has achieved an acceptable minimum level of finish as determined from an inspection by Council's authorised person.

2. Perimeter of House

Relocated dwellings are to have the perimeter of the dwelling enclosed only when the dwelling is relocated into townsites or on land zoned other than Residential where it abuts Residential Zoning and is to be of a material acceptable to the Building Surveyor (Manager Building Services).

3. Relocation of Conventionally Constructed Homes

There may be occasions when approval is sought from Council or the CEO under delegated authority to relocate a conventionally constructed house.

All such applications are to be judged on their merits by Council.

The aforementioned matters will be taken into account when determining such applications.

9. Economic Services and Development

9.2 C-9CVRL02 – Clearing of Vegetation from Residential Lots

PART A- Policy

Objective

To provide guidelines to owners when they are undertaking development and/or clearing vegetation from their properties.

Policy Statement

- a) Any vegetation, or fallen timber requiring removal from the lot on which development is to occur is to be removed and disposed of in a designated Landfill Site/Waste Transfer Station.
- b) Any such vegetation or fallen timber is not to be pushed on to, or deposited or dumped at the rear or side of the lot or on Crown Land or upon any adjoining properties.

9. Economic Services and Development

9.3 C-9CVRL03 – Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones

PART A- Policy

Introduction

Part 2 of Shire of Dandaragan Local Planning Scheme No 7 provides for the local government to prepare local planning policies to assist it in making decisions under the Scheme.

This policy provides direction and guidance on the floor area and height of outbuildings, and approval processes for outbuildings, within Rural Residential and Special Use-Rural Development zones of the Shire of Dandaragan.

This policy does not exempt compliance with all other requirements of the Shire of Dandaragan Local Planning Scheme and any other policy of Council.

Objective

To ensure outbuildings in Rural Residential and Special Use-Rural Development zones do not adversely affect the amenity of neighbouring properties or the locality generally.

To establish appropriate procedures for the consideration and determination of outbuilding applications within Rural Residential and Special Use-Rural Development zones.

To provide guidelines for those wanting to build an outbuilding on land zoned Rural Residential and Special Use-Rural Development.

To provide guidelines to a Rural Residential and Special Use-Rural Development Lot owner of Council's requirements for temporary accommodation approval on a lot where a permanent dwelling is being constructed.

Definitions

"Ancillary Accommodation" is a self-contained living accommodation on the same lot as a single house which may be attached to, integrated with or detached from the single house.

"Lean-to" is a roof extension to an outbuilding that extends the roof profile only and is designed to accommodate one or more motor vehicles, unenclosed except to the extent that it abuts an outbuilding.

"Outbuilding" is an enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.

"Self-contained" is a structure that has its own kitchen, bathroom, and toilet not shared by others.

9. Economic Services and Development

Statutory Powers

This policy is made pursuant to the Shire of Dandaragan Local Planning Scheme.

Policy Statement

Positioning of Outbuildings

1. Where there is a designated building envelope for a lot, an outbuilding is to be located within that building envelope, unless an alternative building envelope is granted planning approval.
2. Where there is no designated building envelope, adjoining landowners shall be consulted regarding any application for planning approval to an outbuilding on that lot.
3. Any application for planning approval for an outbuilding on a lot without a designated building envelope that is subject of objection from adjoining landowner(s) requires Council approval.
4. In considering such applications, the Council shall have regard to boundary setback requirements of the Local Planning Scheme but also the nature of any reasonable objections based on planning grounds. If Council believes the objections can be addressed by modifying the location of the outbuilding, then Council may require the outbuilding to be relocated.

Fill for Building Pads

5. Any fill or retaining in excess of 500mm above natural ground level as part of any outbuilding development plans requires planning approval.
6. Proposed cut and fill needs to be shown on plans submitted with an application for planning approval.
7. For the purposes of measuring wall / ridge height and for any cut / fill, natural ground level will be measured from the midpoint point of the natural ground for the area where development is proposed.
8. Adjoining landowners shall be consulted regarding any proposal for an alternative base point.

Lean-tos

9. Subject to compliance with other provisions, lean-tos not exceeding a roof area of 54m² and not resulting in a total roof area of greater than 216m² do not require consultation with adjoining landowners and shall be approved.
10. The Council may approve applications for lean-tos that exceed the size limits defined in Clause 9 where the following criteria apply:
 - a) The lean-to is located to the rear of an existing outbuilding or is otherwise located in a way that Council considers makes it difficult to see the lean-to from street frontage(s) and any other key view points;

9. Economic Services and Development

- b) The Council comes to the conclusion that the lean-to will not adversely affect the streetscape or amenity of the area;
 - c) The lean-to is adequately screened with landscaping to lessen the visual impact on adjoining properties and streetscape; and
 - d) Notification to adjoining landowners has been obtained.
11. All lean-tos shall be constructed of materials that match or complement the outbuilding to which they are attached.

Outbuildings

12. The following approval processes apply to the related area and height specifications for outbuildings in Rural Residential and Special Use-Rural Development zones:

External Cladding	Floor Area (In Aggregate)	Wall Height	Ridge Height	Neighbour Consultation	Determination by Council
Zincalume, White Colorbond and Off White Colorbond	Up to 12m ²	Up to 2.4m	Up to 4.2m	Not required	Not required
Non-Reflective Material	Up to 162m ²	Up to 4.0m	Up to 5.5m	Not required	Not required
	> 162m ² – 216m ²	> 4.0m – 4.2m	Up to 5.5m	Required	Only required if objections received from adjoining landowners
Non-Reflective Material Hill River Heights	Up to 120m ²	Up to 3.6m	Up to 4.5m	Not required	Not required

13. The Council shall not approve outbuildings with a floor area greater than 300 m² in aggregate.
14. Any application for an outbuilding proposing to exceed 216m² in size and a wall/ridge height exceeding the above will need to be supported by information justifying a larger outbuilding and evidence demonstrating to Council's satisfaction that:
- the outbuilding will be compatible with the setting;
 - the amenity of the locality will not be adversely affected; and
 - the height, bulk, scale, orientation and appearance of the outbuilding is acceptable in relation to development on adjoining land or on other land in the locality.
15. Where neighbour consultation is required, Council will provide adjoining landowners (and any other landowners Council believes could be affected) shall be provided a copy of the proposed plans for the outbuilding, including elevations. Landowners who receive a copy of the proposed plans will be given a period of 14 days to lodge a written submission to the Council. If no submission is received, it shall be assumed that they have no objection to the outbuilding.

9. Economic Services and Development

16. In the Hill River Heights Rural Residential zone, there is a presumption against placement of outbuildings on lots prior to construction of a dwelling. Outbuildings will only be approved in the Hill River Heights Rural Residential zone where it can be demonstrated that the visual impact of the proposed outbuilding from Indian Ocean Drive is unobtrusive or where it can be shown that the visual impact can be suitably moderated so it will be unobtrusive.
17. Where there is an existing dwelling on a lot upon which an outbuilding is proposed, the outbuilding should be located behind the dwelling, as viewed from the primary street frontage, a minimum distance of 1.8m (please note that in Hill River Heights, Indian Ocean Drive is not the primary street frontage).
18. Wall and roofing materials used in the outbuilding should match or complement the existing dwelling on the property.
19. Where there is not an existing dwelling or an outbuilding is not proposed behind the existing dwelling, the application will be determined having regard for the criteria set out under Clauses 12 and 14 above.

Temporary Accommodation and Habitation of Outbuildings

20. The Building Surveyor (Manager Building Services) is authorized to approve/refuse an application for temporary accommodation on a Rural Residential and Special Use – Rural Development lot upon which approval for the construction of a permanent dwelling has been issued subject to the requirements.
21. Temporary accommodation is defined by Council as a self-contained structure which includes:
 - a) A habitable caravan.
 - b) A portable habitable single room structure.
 - c) A habitable room not exceeding 50m² in area.
 - d) An outbuilding having a habitable area not exceeding 50m².
22. The temporary accommodation is to be subject to the following:
 - a) To be supplied with a drinking water supply to the satisfaction of Council.
 - b) Connected to a power supply from Western Power.
 - c) Connected to an approved onsite effluent disposal system.
 - d) Be provided with a laundry, shower, toilet facilities and kitchen sink all connected with a supply of water and an onsite effluent disposal system.
 - e) The structure must be brought up to the minimum standards of a dwelling house as specified in the Building Code of Australia
 - f) The conditions of the development approval specifying the purpose of the habitation, its duration and its reversion following cessation of temporary habitation.
23. Approval is limited to a period of twelve (12) months, or the completion of the permanent dwelling, whichever occurs first, at which time habitation of the temporary accommodation is to cease immediately and be decommissioned.

9. Economic Services and Development

24. Subject to Clause 23 above, the temporary accommodation is to be decommissioned so as to not be self-contained by the removal of all kitchen facilities (bathroom and toilet facilities can be retained).
25. If the applicant wishes to reapply for temporary accommodation, given that a permanent dwelling has not been completed, an application must be received by Council prior to expiration of the approval issued. Subject to this clause, habitation of the temporary accommodation is permitted to continue until a determination is made on the subject application.
26. The accommodation is not to be used as ancillary accommodation unless approval is granted by Council.
27. Application for Temporary Accommodation is to be accompanied with a completed application for planning approval form and a non-refundable planning application fee as outlined in the Shire of Dandaragan's Annual Budget.
28. The Building Surveyor (Manager of Building Services) is to maintain a register of these properties that Council has approved under this Policy and report non-compliance of Clause 23 to Council.

9. Economic Services and Development

9.4 C-9ORA04 – Outbuildings – Residential Areas

PART A- Policy

INTRODUCTION

This policy provides direction and guidance on the area and height of outbuildings that the Shire of Dandaragan will permit within Residential areas, inclusive of Beachridge Estate. The policy provides the basis for determining applications for outbuildings that do not meet the 'deemed to comply criteria' of the Residential Design Codes (2013).

Objective

To provide some flexibility in the requirements for outbuildings in residential areas.

To ensure that the design principles of the Residential Design Codes (2013) are appropriately addressed.

To improve customer service standards through the timely processing of planning and building applications for outbuildings

DEFINITIONS

'Carport' is a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.

'Garage' is any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.

'Outbuilding' is an enclosed non-habitable structure that is detached from any dwelling, but not a garage.

'Residential Area' is an area with a density zone of Residential R20 or less.

STATUTORY POWERS

In accordance with the provisions of the Residential Design Codes (Clause 5.4.3 - Outbuildings), where an outbuilding exceeds an area of 60m² (or 10% of the site area, whichever is the lesser) or has a wall height greater than 2.4m or a ridge height greater than 4.2m, Council's approval should be sought under the design principles.

The design principles relative to outbuildings (Clause 5.4.3) states:

"Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties."

This policy does not alter or change in any way the design principles of the Residential Design Codes (2013).

9. Economic Services and Development

In accordance with the provisions of the Residential Design Codes (Clause 3.3.1), where a component of the proposal proposes to apply one or more design principle (s), it is necessary to assess that component of the design against the relevant design principle(s). Additional supporting information shall include:

- (a) identification of all design elements that are not deemed-to-comply; and
- (b) written justification as to how the application/proposal meets the design principles and objectives of the R-Codes and any relevant scheme and local planning policy objectives and requirements

Policy Statement

Carports and Garages

1. All garages and carports shall not exceed a floor area of 40m², a wall height of 3.0m or a ridge height of 4.5m.
2. The Council may consider applications for carports and garages that exceed the size limitations defined in Part 1, where the following criteria are, in the opinion of Council, satisfactorily addressed;
 - a) the garage or carport is attached to and forms part of the adjoining dwelling;
 - b) the garage or carport is situated under the roof line of the adjoining dwelling;
 - c) the garage or carport is located at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony);
 - d) the garage or carport will not have an impact on the streetscape or amenity of the area; and
 - e) the garage or carport complies with any design guidelines adopted by Council.
3. All carports and garages shall be constructed of materials that match or complement the dwelling on the site.
4. The use of zincalume wall cladding in garages and carports will not be permitted.

Outbuildings

5. An outbuilding within a Residential area shall be deemed as meeting the performance criteria of Clause 5.4.3 of the Residential Design Codes where the following area and height requirements can be achieved:

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
Reflective Cladding	12m ²	2.4m *	4.2m *
Non-Reflective Cladding or Masonry	80m ² , or 10% of the site area, whichever is the lesser	3.6m *	4.5m or the highest point of the roof cladding of the residence whichever is lesser *
* Note that total wall / ridge heights are measured from the ground level at the closest common boundary			

6. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the design principles contained in section 5.4.3 of the Residential

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Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.

7. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a council decision.
8. Where a parapet/boundary wall is proposed (ie a wall within 600mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision
9. This policy does not exempt compliance with all other requirements of the Residential Design Codes (2013) and any other policy of Council.
10. A wall height in excess of 3.6m (to a max. of 3.9m) to the top of a skillion or curved type of roof construction may be permitted at the discretion of the Shire Building department where the following criteria can be achieved;
 - the higher end of the sloping wall is adequately screened from the roadside;
 - the higher wall is orientated away from the closest common boundary/s;
 - the skillion roof is pitched between the lesser wall span; and
 - boundary setbacks are as per clause 7.
11. A Building application will not be approved for an outbuilding on a vacant residential property, unless said property has a substantially commenced dwelling onsite.
12. All outbuildings must be located behind the existing dwelling on a property or as pursuant to clause 13.
13. Applications to locate outbuildings adjacent but not forward of an existing dwelling will be considered for approval dependant on the written comment of adjoining property owners and the structure being of matching construction to the dwelling.
14. The wall and roofing materials used in the outbuilding should match or complement the existing dwelling on the property.
15. Any proposed shed outbuildings with a floor area of 9sqm or less and a wall height of 2.1m or less are exempt from needing Shire building approval.
16. Council will take into account the rural amenity of the townsites of Badgingarra and Dandaragan when outbuildings are considered, that do not comply with the requirements under table 5.

9. Economic Services and Development

9.5 C-9ADSP05 – Advertising Devices (Signage) Policy

PART A- Policy

PURPOSE

The purpose of this Policy is to ensure that the display of advertisements within the Shire of Dandaragan does not adversely impact on the amenity of surrounding land while providing appropriate exposure for businesses, activities or services.

For the purposes of this Policy, the erection, placement and display of any advertisement (other than an exempted advertisement) and the use of land, buildings or vehicles for that purpose is classed as development requiring the approval of Council.

The erection, placement and display of any proposed hoardings or advertising structures, on or in the vicinity of any road under the care and control of Main Roads WA, will also require approval in accordance with the *Main Roads Act 1930*, in addition to the approval required by Council.

This Policy should be read in conjunction with “Shire of Dandaragan Local Government Property Local Law” and the “Shire of Dandaragan Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law”, both made pursuant to the Local Government Act 1995.

Objective

- To enable businesses and community groups to effectively advertise goods and services;
- To provide valuable information for travellers and tourists that will be easily understood while ensuring the safety of all road users is maintained.
- To ensure that the display of advertisements does not adversely impact on the amenity of surrounding land;
- To avoid a proliferation of signs on individual sites and buildings;
- To improve the streetscape of major roads;
- Encourage the rationalisation of advertising signs on individual premises;
- Encourage the consideration of advertising signs as part of the design of buildings; and
- To ensure that signs are not discriminatory or offensive;

SIGN TYPES NOT LISTED

If a Sign Type or a particular advertisement sign is not mentioned in this Policy or the Scheme, then the sign shall be assessed on its individual merits in accordance with the objectives of the Shire of Dandaragan’s Local Planning Scheme.

EXEMPT SIGNS

An exempt sign for the purpose of this Policy is:

- (a) any sign which is classified as exempt under Schedule 5 of Local Planning Scheme No.7;
- (b) any sign which is the subject of an existing approval made prior to the date of effect of this Policy;
- (c) any advertisement affixed to or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop;

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- (d) any sign within a building;
- (e) any building name sign on residential flats or home units which has a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (f) any newspaper poster;
- (g) one freestanding sign. The sign is to be placed or erected only to direct attention to a place, activity or event during the hours of that activity or event;
- (h) a sign placed on or in front of a property advertising the sale or lease of a building, property or business, providing;
 - i. the aggregate area of such onsite signage does not exceed 3m² in area;
 - ii. the signage is contained within the property boundary, unless in the instance that the sign will be substantially obstructed, in which case the sign can be located on the road reserve providing it does not obstruct public visibility or access; and
 - iii. the signage does not protrude above surrounding elements of the landscape.
- (i) a flag sign associated with a commercial property, where;
 - i. the aggregate area of surfaces that provide advertising is 0.2m² per 1m of street frontage of the subject tenancy (max aggregate area of 2m²);
 - ii. minimum ground clearance of 2.4m
 - iii. maximum height is less than 3m above ground level; and
 - iv. project less than 0.6m from the façade of building.
- (j) a banner used for a temporary period and not longer than fourteen days.

Policy Statement

1. STANDARDS COMMON TO ALL SIGNS

All signage within the Shire of Dandaragan must consider the following general requirements.

1.1 Design and Amenity

- 1.1.1 A sign shall be designed and located so as to not significantly obstruct or impede all or part of a view of a river, the sea or other place or feature which in Council's opinion is of significance to the district.
- 1.1.2 Every sign attached to buildings shall be incorporated into the features of the building in placement, style, proportions, materials and finish and shall be designed, constructed, finished, installed and professionally maintained.
- 1.1.3 The design, number or variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality.
- 1.1.4 All signs shall be simple and provide for instant recognition.
- 1.1.5 A sign shall not contain any discriminatory or offensive material.
- 1.1.6 All permanent signs shall have sign writing, design work, lettering and colouring that is clearly legible for the intended audience (i.e. whether the reader is a pedestrian, cyclist or motor vehicle occupant).
- 1.1.7 Materials of construction and placement should bear consideration of long term maintenance and repairs.
- 1.1.8 All signs shall be maintained in good order and clean condition.
- 1.1.9 Every sign shall be designed to utilise colour schemes and materials that fit in with the overall style of the surrounding development and/or precinct. (size, placement / location and style)

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1.2 Safety

1.2.1 A sign shall:

- a) be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;
- b) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed.
- c) Be constructed and erected in accordance with generally accepted industry standards
- d) not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
- e) not be located such that it obscures or is likely to be confused with traffic signals or signs;
- f) not obstruct access to or from any door, fire escape or window;
- g) not be constructed of readily combustible material including but not limited to paper, cardboard or cloth, except in the case of posters securely affixed to a signboard or other structure.

1.3 Siting

1.3.1 Unless expressly permitted within this policy, signs shall not be supported on private land that is not associated with the goods and services advertised on the sign.

1.3.2 Unless expressly permitted within this policy, permanent signs shall not be located on land that is zoned or used for residential purposes.

1.4 Content

1.4.1 Every sign will be limited to the following content:

- (a) the name of the occupier;
- (b) the business carried on in or on the premises;
- (c) the occupier's telephone number, internet or email address
- (d) a description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
- (e) graphics relating directly to the effective advertising of the business, product or event; and
- (f) any other matter specifically approved by the Shire.

1.4.2 Council reserves the right to refuse any sign in which the content of the advertisement:

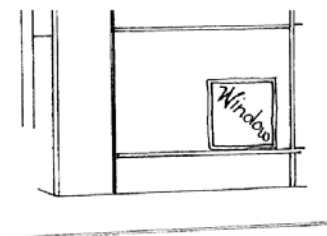
- a) could harm or cause detriment to the State;
- b) make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
- c) contains confusing, misleading, political, religious, offensive or objectionable information; and
- d) would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.

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2. REQUIREMENTS FOR PARTICULAR SIGNS

Bill / Fly Posting

(Shopfront Window)



DEFINITION:

An advertisement affixed to, or painted on a shop window by the occupier of the shop that relates to the business carried on in the shop. (any sign within a building)

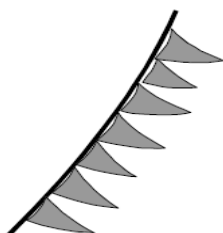
REQUIREMENTS:

Shall not Cover more than 50% of the glazed area of any one window or exceed 10.0m² in area in aggregate per tenancy per lot.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Bunting



DEFINITION:

A thin strip of plastic or material used for decorative purposes or to highlight a location.

REQUIREMENTS:

Not encouraged as device creates visual clutter.

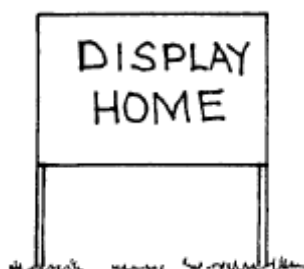
Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.

APPLICATION:

Requires Planning Approval (Council approval)

Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign.

Development Sign



DEFINITION:

A sign to facilitate the sale, auction or leasing of a group of housing or building sites

REQUIREMENTS:

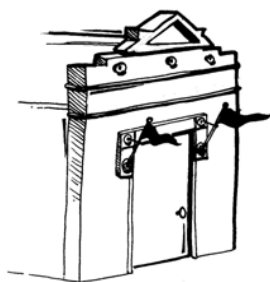
- a) Shall not exceed 32m² in area;
- b) Displayed at the entrance to the subdivision and not remote from the lots being sold unless special approval is granted by Council; and
- c) Shall be removed within 2 years from the date of approval or when 80% of lots have been sold, whichever is the sooner, unless Council approval has been granted for a longer period.

APPLICATION:

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Requires Planning Approval (Under Delegation of the Manager of Planning)

Flag Sign (A)



DEFINITION:

An advertising sign that is printed onto a flag (typically flown from a pole) and associated with a commercial property.

REQUIREMENTS:

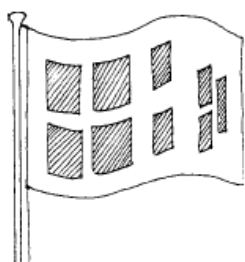
Aggregate area of surfaces that provide advertising is 0.2m² per 1m street frontage of the subject tenancy (max 2m² aggregate area)

APPLICATION:

Exempt from planning approval providing it complies with the requirements.

Note: Refer to (i) of Exempt Signs of this Policy

Flag Sign (B)



REQUIREMENTS:

- a) Max 2 flag poles per lot (where not considered superfluous or unnecessary);
- b) Max height of 6m;
- c) Each flag no greater than 4.0sqm (with a pole of a size to satisfactorily support the flag under all conditions).

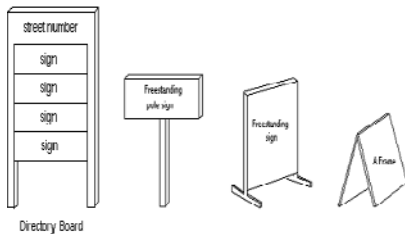
APPLICATION:

Requires planning approval (Under Delegation of the Manager of Planning)

9. Economic Services and Development

Freestanding Signs

(Inc. A – frame, pole sign, board directory)



DEFINITION:

A portable sign that is displayed on a sign structure that is mounted on the ground on one or more supports.

REQUIREMENTS:

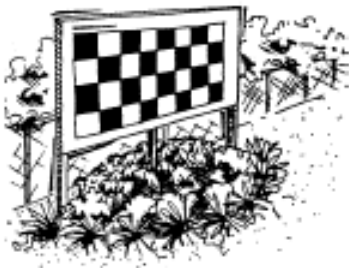
- a) Max 1m in height;
- b) Max area of 1m² on each side;
- c) Erected immediately adjacent to building or business sign relates;
- d) Removed each day at close of business and erected next trading day.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Refer to Clause 1.2 Safety and Clause 3.8

Hoarding (Billboard)



DEFINITION:

Detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel.

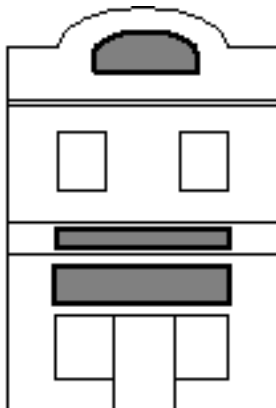
REQUIREMENTS:

The applicant is required to provide adequate justification for the use of a hoarding sign. Refer to Appendix 1.

APPLICATION:

Requires Planning Approval (Council approval).

Horizontal Sign



DEFINITION:

A sign fixed parallel to the wall of a building to which it is attached and with its largest dimensions being horizontal.

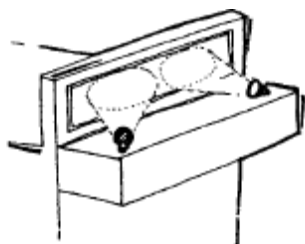
REQUIREMENTS:

- a) To be fixed parallel to the wall of the building to which it is attached;
- b) not project more than 150mm from the wall to which it is attached;
- c) afford a minimum headway of 2.27m where the sign projects more than 12mm into pedestrian thoroughfare;
- d) not exceed 5m² in area; and
- e) conforms to the following table:

Min distance of sign above street	Max depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

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Illuminated Sign



APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning).

DEFINITION:

A sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light.

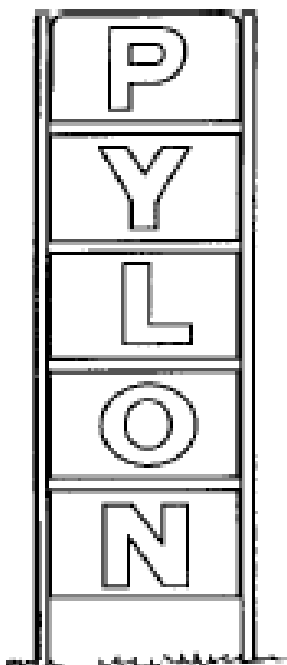
REQUIREMENTS:

- be constructed entirely of non-flammable materials;
- be maintained to operate as an illuminated sign;
- not be displayed where may be confused with or mistaken for the stop or tail light of a vehicle;
- no encouraged to be of flashing, pulsating, chasing or running lights; and
- Use a low level of illumination.

APPLICATION:

Requires Planning Approval (Council Approval).

Pole or Pylon Sign



DEFINITION:

A sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infill's may be added.

REQUIREMENTS:

- Max 6m above the level of the ground immediately below it;
- Not exceed 4m² in area unless approved by the Shire;
- Be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions;
- Not within 2m of side boundaries of the lot on which is it erected unless the lot abuts an intersecting street or right-of-way, where the Shire may authorise the erection of the sign at a distance less than 2m;
- Not be within 6m of another sign erected on the same lot;

Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected the Shire may require all pylon signs to be incorporated into one sign in which case:

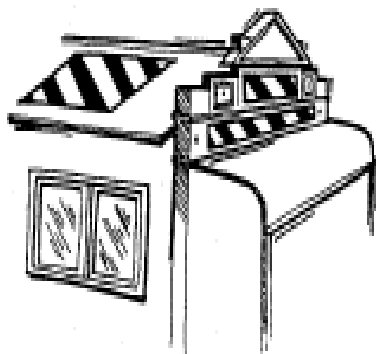
- All of the constituent or infill signs are of an equal size; and
- One constituent or infill sign is provided for each business, shop or unit on the lot.

APPLICATION:

Requires Planning Approval (Council Approval).

9. Economic Services and Development

Roof Sign



DEFINITION:

An advertising sign which is fixed to or painted on a fascia, or to the roof itself, or which forms part of a projection above the eaves, or ceiling of the subject building.

REQUIREMENTS:

A roof sign shall comply with the following table:

Height of building where sign is to be fixed	Maximum height of sign
4m and under 5m	1,250mm
5m and under 6m	1,800mm
6m and under 12m	3,000mm

Rural Producer Sign

DEFINITION 1:

A sign erected on land zoned rural under the Local Planning Scheme indicating the products grown, reared or produced on the property.

REQUIREMENTS:

- Not indicate or display any matter otherwise than for the purpose of indicating the products grown, reared or produced on the property on which the sign is erected;
- Be erected within the boundaries of the property; and
- Not exceed 2m² in area.

APPLICATION:

Exempt from planning approval providing it complies with the requirements.

DEFINITION 2:

A sign erected on land zoned rural under the Local Planning Scheme advertisement other than that expressed in Definition 1 of Rural Producer Sign.

REQUIREMENTS:

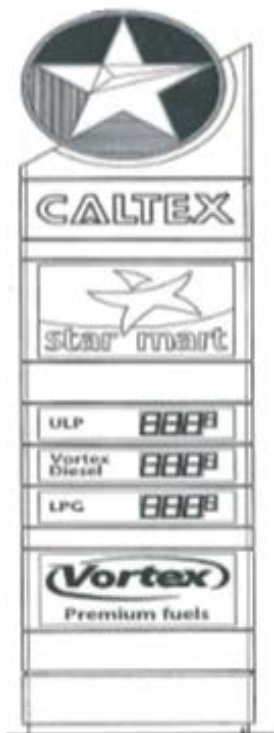
- Be erected within the boundaries of the property; and
- Not exceed 2m² in area.
- Will need to be accompanied with an explanation for the need and requirement of the proposed sign.

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning).

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Service Station Sign



DEFINITION:

A sign or signs used solely for the purpose of advertising the price of petrol, diesel, gas or other fuels and products sold from the premises.

REQUIREMENTS:

The following types of business identification signs will be permitted for service stations:

- i. Fascia signs;
 - ii. Top hamper signs;
 - iii. A pole / pylon sign;
 - iv. A wall sign; and
 - v. Entry / Exit signage.
1. Only one (1) pole / pylon sign permitted along the public road frontage;
 - a. Max height shall be 8 metres for sites located within a townsite;
 - b. Max height for sites within rural zone shall be 2 metres;
 2. The face of the pole / pylon sign should include a display of the current price of fuel for the service station operation.

APPLICATION:

Planning Approval Required (Under Delegation of the Manager of Planning).

Note: a service station sign application is to be submitted as part of an overall sign strategy for the site. Refer to Appendix 1

Signs on Fences

DEFINITION:

Any advertising painted or attached to a fence of a property.

REQUIREMENTS:

Signs on fences shall not be permitted, except in designated industrial areas. Free standing signs adjacent to the fence line are permitted elsewhere.

APPLICATION

Requires Planning Approval (Under Delegated Authority of the Manager of Planning).

Note: For home businesses refer to Schedule 5 of the Scheme

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Signs on Vehicles



DEFINITION:

An advertising sign which is applied to, or attached to, or placed on a vehicle. This excludes sign writing on the side of a registered vehicle and/or any form of advertising that does not alter the shape of the vehicle body and/or the advertisement on the vehicle relates to the registered business of which the vehicle owner operates.

REQUIREMENTS:

Not permitted to park on any thoroughfare (other than within an approved car park) without a Shire permit.

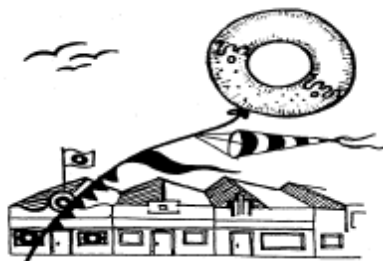
Display signs shall:

- a) Have no moving parts;
- b) Have a maximum vertical or horizontal dimensions of 2.0m; and
- c) Limited to a maximum of one sign per street frontage on any one lot.

APPLICATION:

Exempted from planning approval providing it complies with the requirements

Tethered Signs



DEFINITION:

Advertising sign which is suspended from, or tethered (tired) to any structure, or tree or pole (with or without supporting framework) and made of paper, plastic, fabric or of similar material. The term includes lighter than air aerial devices, inflatables, bunting, banners, flags and kites.

REQUIREMENTS:

Not encouraged as device creates visual clutter.

Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.

APPLICATION:

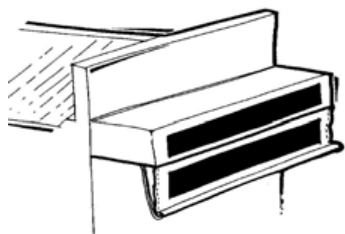
Requires Planning Approval (Council approval)

Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign.

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Verandah Signs

(Awning)



DEFINITION:

An advertising sign fixed to the outer or return fascia of an awning or verandah associated with a commercial building, and includes signs on blinds, sunshades and similar structures.

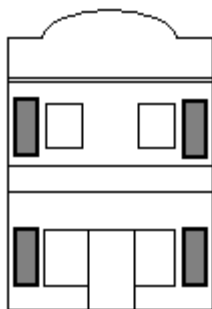
REQUIREMENTS:

- a) only one such sign per street frontage of the subject tenancy;
- b) It has an area of 0.4m² per 1m of street frontage of the subject tenancy (max area of 10m²); and
- c) Is contained within the width of the building.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Vertical Signs



DEFINITION:

A fixed sign parallel to the wall of a building to which it is attached and with its largest dimensions being vertical.

REQUIREMENTS:

A vertical sign shall:

- a) Not project more than 50mm from the face of the building to which it is attached;
- b) Not be within 600mm of either end of the wall to which it is attached;
- c) Be of a height of at least twice its width;
- d) Not be placed on a corner of a building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets;
- e) Not exceed 750mm in width exclusive of the back projection; and
- f) Not exceed 2m² in total area on premises being a shop or office or both

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning)

3. REMOTE ADVERTISING

- 3.1 Council will generally not support remote advertising or advance warning signs (other than a service or tourist sign), as this may lead to an undesirable precedent and proliferation of signage to the detriment of the amenity of the Shire.
- 3.2 All signage within road reserves must be co-located to maintain the visual amenity of the area.

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- 3.3 All signage within road reserves shall be assessed in accordance with the proposed sign type requirements and clause 1 and 2 of this policy.
- 3.4 Should any conflict arise between the provisions of this Policy and the Shire of Dandaragan's 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places' Local Law, then the local law is to prevail.
- 3.5 Signage within Road Reserves inside designated tourist precincts
 - 3.5.1 Notwithstanding any provisions in this policy, no pylon / post signage other than that erected by the Shire of Dandaragan is to be approved within the road reserve on Bashford Street.
 - 3.5.2 The Shire is responsible for the approval, installation and routine maintenance of these signs. In all cases the Shire retains ownership of the signs and the right to relocate, modify or remove them as necessary.
 - 3.5.3 A grouped signage scheme will be utilised for the various economic precincts within the tourist precincts; the commercial and industrial precincts, allowing individual businesses to advertise. Such that, any further advertisements may be required to use existing signage infrastructure.
- 3.6 Signage within Road Reserves outside designated tourist precincts.
 - 3.6.1 Council will consider approving a planning application for a development sign (given that the development is within close proximity to the sign), a sign advertising a tourist attraction, community association or not for profit organisation on properties, buildings or reserves that are not directly related to that sign outside the designated tourist precincts, in the following circumstances:
 - i. Where the proponent can satisfy Council as to the community economic and/or social merits of erecting such signage or advertising;
 - ii. Where the sign falls within the definition of 'Special Events Sign', and will be only placed on the property, buildings or reserves for the period that the special event is being run; and
 - iii. In any other situations that Council sees fit.
 - 3.6.2 Applicants are advised that signage within Road Reserves may require the dual approval of Council and Main Roads WA. In most instances Main Roads WA require the approval of Council before an application for signage can be considered. The requirement for Main Roads WA approval is only a requirement on roads under the care, control and responsibility of Main Roads WA.
 - 3.6.3 Council, in considering applications may have regard to Main Roads WA Guidelines 'Guide to the Management of Roadside Advertising'.
- 3.7 Signage Register
 - 3.7.1 Council will maintain a register of approved signs on Public Land.
- 3.8 Sign Liability
 - 3.8.1 Council takes no responsibility for any damage to, theft of or claims arising from a sign within the road reserve.
 - 3.8.2 It is the applicant's responsibility to ensure that a private sign on the road reserve is insured against any claims arising from the public.
 - 3.8.3 Where a sign / advertisement is proposed to be placed in, or overhang, a public place or street, the owner of the property / applicant will be required where appropriate, to provide a public liability insurance policy indemnifying the Shire against all actions, suits, claims, damages, losses and expenses made against or incurred by the Shire arising from the approval. The applicant and/or land owner may be required by the Shire to –

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- a) take out a public liability insurance policy in the name of the owner or applicant and the Shire, for an amount considered appropriate to the risk involved;
- b) keep that insurance policy current for the duration of the approval;
- c) include a clause in the policy which prevents the policy from being cancelled without the written consent of the Shire;
- d) include a clause in the public liability insurance policy, which requires the owner or applicant and the insurance company, to advise the Shire if the policy lapses, is cancelled or is no longer in operation;
- e) on the request of an authorised person, provide for the inspection of a certificate of currency for the required insurance policy.

4. VARIATION OF STANDARDS

- 4.1 All proposals that do not conform to the standards prescribed in this policy and the applicable Local Planning Scheme shall be referred to the Council for determination.
- 4.2 If it is established to the satisfaction of the Council that a particular standard or provision contained within this Policy is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion, vary the standard or provision.
- 4.3 The Council may only vary a standard or provisions where it is satisfied that:
 - a) Approval of the variation will not set an undesirable precedent;
 - b) The applicant demonstrates exceptional circumstances warranting support for a variation;
 - c) Approval of the application is in accordance with variations to site and development requirements contained within the Shire of Dandaragan's Local Planning Scheme (Section 5.6).
- 4.4 Any request by an applicant to vary a standard within the Scheme or this policy shall cause the Council to require a sign strategy to be developed and submitted by the applicant as part of the submission.

5. SIGNAGE STRATEGY

- 5.1 A "signage strategy" means an overall plan of the whole of the subject site showing the location and size of all advertisement signs proposed for the site, as well as the outline of any buildings, car parking areas, vehicular access points to the site, etc. Any existing signs must also be included on the plan and clearly delineated.
- 5.2 All subsequent applications for an advertisement sign on the subject lot must be in accordance with the approved sign strategy. If not, a new sign strategy will be required by Council.
- 5.3 Examples of a "Simple Signage Strategy" and a "Complex Signage Strategy" can be found in appendix 1.

6. CONTROL OF ADVERTISEMENT SIGNS

- 6.1 The erection, placement or display of advertisements signs and the use of land or buildings for that purpose requires the prior approval of the Council (except where the advertisement signs are exempted as outlined in this policy).
- 6.2 An application for planning approval shall be accompanied by a duly completed 'Additional Information for Advertisements', as set out in Schedule 7 of the Shire of Dandaragan's Local Planning Scheme.

9. Economic Services and Development

- 6.3 Any signs, with the exception of exempted advertisements outlined in this policy, erected on a property or reserve prior to obtaining a formal planning approval would be in breach of the Shire of Dandaragan's Local Planning Scheme.
- 6.4 With exception to requirements provided for in this policy, an approval granted pursuant to this policy remains valid until an alteration is proposed to be made to the structure or area of the sign in respect of which an approval has been issued and in such event the applicant shall apply for a new planning approval.
- 6.5 The Council may impose any conditions it thinks fit to an approval pursuant to this policy.

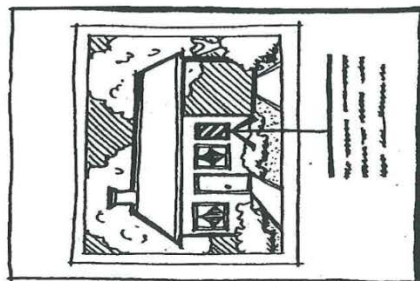
9. Economic Services and Development

APPENDIX 1

Signage Strategy

An Example of a 'Simple Sign Strategy'

A Simple Sign Strategy is required in those zones shown in Table 1 of this Policy.

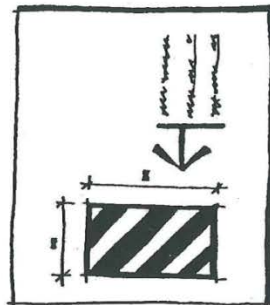


1. A clear illustration of where the sign/s will be placed on the site or building.

This could be;

- a drawing of the sign done to the correct scale and pasted to a photograph;
- a sketch on your builder's plans and/or elevations or;
- a perspective drawing.

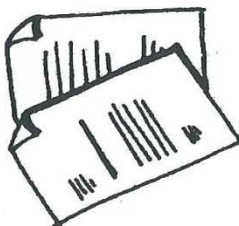
The illustration must also show the relation of the sign to neighbouring properties, so that Council can check it will not have a negative impact on your neighbours.



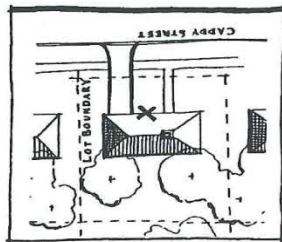
2. An illustration or photograph of the sign(s) with dimensions marked. (The actual content of the sign need not be shown.)

9. Economic Services and Development

3. Additional notes to support your application and outline the reasons why you may wish to vary from the standards.



4. A Site Plan showing clearly where each sign is to be located in relation to the building, site boundaries and neighbouring properties.



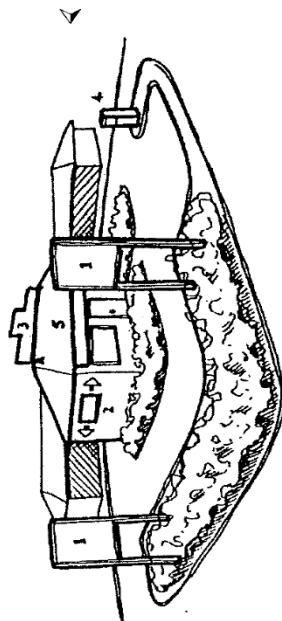
5. Any other additional notes to support your application along with a Form 1 Planning Application must be lodged with Council with two sets of the above drawings and the appropriate fee.

9. Economic Services and Development

An Example of a 'Complex Sign Strategy'

A Complex Sign Strategy is required in those zones shown in Table 1 of this Policy.

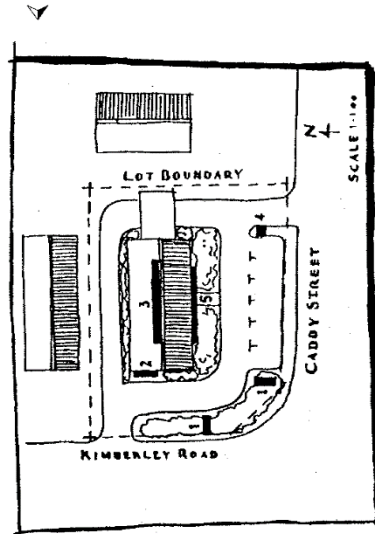
1. A Site Plan showing clearly where each sign is to be located in relation to the building, site boundaries and neighbouring properties.



The plan must show;

- A scale and a North point
- Lot boundaries
- Street and Road names
- Existing signs to be removed or retained

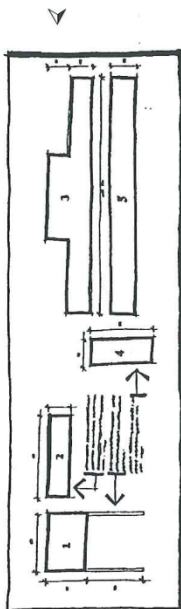
2. A perspective drawing or photomontage showing;
 - Neighbouring buildings or sites
 - Lot boundaries
 - Existing signs to be removed or retained



9. Economic Services and Development

3. A sheet illustrating each sign to be installed and clearly showing;

- dimensions
- surface areas
- heights above ground



4. Any other additional notes to support your application along with a Form 1 Planning Application must be lodged with Council with two sets of the above drawings and the appropriate fee.

9. Economic Services and Development

9.6 C-9PCP06 – Planning – Car Parking

PART A- Policy

Objectives

- a) To provide sufficient parking for all developments within the Shire of Dandaragan;
- b) To recognize the need for different standards to be applied for coastal and rural town sites, and rural areas of the Shire.
- c) To provide clarity on the application of cash in lieu of onsite parking; parking requirements/ratios inclusive of buses, bicycles and cars for various land uses; and general guidance on the standards of construction.
- d) To ensure developments are provided with an acceptable standard of car parking, which is safe, convenient and practical for the operation of the site and for the community in general.

Policy Statement

1.0 Introduction

This car parking policy is to complement car parking standards set out in the Local Planning Scheme and further add bicycle parking requirements for different land uses as a way to encourage the use of non-fossil fuel mode of transportation. It also provides a guideline for cash in lieu parking arrangements and car parking access and design.

In regard to payment of cash in lieu for car parking, Section 3 of this policy is not intended to conflict with Clause 5.8 of Local Planning Scheme No.7, but more so provide clarity and a consistent approach to the application of cash in lieu parking arrangements. Similarly, the Standards Table included in Section 4 of the policy is to provide consistency in parking ratios for development across the Shire.

2.0 Legislative and Strategic Context

The policy has been prepared in accordance with Part 2 of Local Planning Scheme No. 7. The policy does not bind the local government with respect to any applications for planning approval, although the local government should have due regard to this policy when determining development applications that are reliant on the provision of car parking.

Should there be any inconsistency between this policy and the Planning Scheme, the Planning Scheme provisions shall prevail.

3.0 Cash in Lieu Arrangements

- 3.1 Where a person who applies for planning approval is required to provide car parking spaces in accordance with the Local Planning Scheme that person may pay cash in lieu of the provision of car parking spaces providing the Local government so agrees and is satisfied that adequate parking is available or can be constructed in close proximity to a proposed development;

9. Economic Services and Development

- 3.2 The local government will where desirable support an agreed cash-in lieu arrangement up to a 100% concession to facilitate the conservation of a heritage place contained on the State Register of Heritage Places, the Heritage List or situated within a heritage area.
- 3.3 In light of the minimal lot areas and historical nature of subdivision the Council will waive, pursuant to Clause 5.5.1 of the Shire of Dandaragan Local Planning Scheme No.7, the car parking provision applicable to the ground level portion (net lettable area) of development on Lots 1145 to 1151 Sandpiper and Andrews Street, Jurien Bay.
- 3.4 The cash in lieu payment is not to be less than the estimated cost for the owner or developer of providing and constructing the parking spaces required by the Scheme plus the value of that area of the land which would have been occupied by the parking space inclusive of manoeuvring area.
- 3.5 Before the local government agrees to accept a cash payment of parking spaces, there must be:
- (a) An existing public car parking area located within 300 metres of the proposed development and the parking has not already been allocated to another development; or
 - (b) An area within a 300 metre radius of the development that has been identified on a plan endorsed by the Council as suitable for construction of a public car park and can be developed within eighteen months from the time of agreeing to accept the cash payment;
- 3.6 The estimated cost of the land referred to in clause 3.4 shall be determined by the Valuer General or by a licensed valuer appointed by the Local government, with this service to be funded by the party requesting the parking concession.

Note: Valuations for the purposes of calculating cash in lieu payments for car parking will only be valid for a period of 6 months from the date of valuation. If payment is not received within the 6 months of the date of valuation a new valuation will be required.

- 3.7 The estimated cost of constructing parking bays referred to in clause 3.4 shall be determined by the local government or by a person nominated by the local government who is competent in the field of architecture or engineering, with any associated cost for this service to be funded by the party requesting the parking concession;

Note: The estimated cost of construction is reviewed annually as part of the Council annual budgetary process.

- 3.8 The monies received by the local government under clause 3.4 will be paid into a separate car parking fund and only be used for the acquisition or development of land as a public car park or to reimburse the local government for any expenses it has incurred including loan repayments, within the locality and shall relate as much as practicable to the development of the land the subject of the payment;

9. Economic Services and Development

- 3.9 If the parties cannot agree upon the amount payable, it shall be determined by arbitration in accordance with the *Commercial Arbitration Act 1985*. The costs of the arbitration shall be borne by the party requesting the parking concession.
- 3.10 Where offsite bays are proposed to be located within the road reserve adjoining or within 300 metres of the property, the developer is to pay the local government:
- The land value component for each car bay, as determined in accordance with statement 3.6 and based on an area of 27.5 m² per car bay inclusive of manoeuvring area, but excluding standard crossovers, and
 - The estimated construction cost as determined in accordance with statement 3.7, unless the applicant accepts responsibility to construct the said bays to the local government's parking and engineering specifications.
- 3.11 The use of cash in lieu payments to meet car parking requirements is not 'as of right' and shall be determined at local government's discretion applicable to commercial development within the Town Centre areas of the four gazetted town site within the Shire.
- 3.12 Where the Developer is granted a cash-in-lieu payment and the where the Shire of Dandaragan has acquired land for car parking a further amount, being 15% of the cash-in-lieu payment, is to be paid to the local government for the future maintenance of the car parking and landscaping as provided by the Shire with the cash-in-lieu funds.
- 3.13 Any cash in lieu payment paid to the local government will be held in trust to be applied solely for the provision, construction and maintenance of further car parking facilities including associated lighting, paths and landscaping for car parking, which should be in reasonable proximity (a 300m radius to allow for walkability) to the premises from which the payment was derived.
- 3.14 Cash in lieu contributions will be included as a condition of planning approval for the proposed development and shall be payable prior to the issue of a building licence, unless other wise agreed too by the Shire CEO, but at the very least, prior to occupation of the building. Where a cash-in-lieu contribution is to be provided for more than 10 car parking bays, the applicant may enter into an agreement for staged payments at the discretion of Council.

4.0 Car, Bus and Bicycle Parking Requirements

- 4.1 The Minimum Parking Requirements in Table B shall apply across the Shire, unless otherwise specified as a lesser standard in Table 2 of the Local Planning Scheme.

Table B - Minimum Parking Requirements

LAND USE	CAR BAYS	BICYCLE RACKS	BUS BAYS
Aged or Dependent Persons (Ancillary Accommodation)	In accordance with the Residential Design Codes		
*Amusement Parlour	1 bay for 4 seats or 1 bay for 4 people accommodated	1 rack for 50 m ² GFA	

9. Economic Services and Development

LAND USE	CAR BAYS	BICYCLE RACKS	BUS BAYS
Aquaculture & Incidental Use	1 bay for each employee plus 1 bay for 40m ² of display, demonstration or lecture area.		
*Art and Craft Centre	1 bay for 30 m ² GFA plus 1 bay for every employee		
*Backpackers Accommodation	1 bay for every 2 beds plus 1 bay for every employee		
Bed and Breakfast	1 bay for each guest bedroom plus 1 bay for each employee		
*Betting Agency	1 bay for 20 m ² GFA	1 rack	
Caravan Park/ Camping Ground	1 bay for each site plus 1 visitor bay for every 10 sites.	2 racks at reception area	
Caretaker's Dwelling	1 bay (under cover) for every dwelling unit		
Child Care Premises/ Day Care Centre	1 bay for every employee plus 1 bay for every 4 children attending	1 rack	
Cinema/Theatre	1 bay per every 4 seats plus 1 bay for each employee	1 rack for every 50 seats	
Civic Use	1 bay for 40 m ² GFA plus 1 bay per staff member	1 rack for 30 seats	
Club Premises	1 bay for 45 m ² GFA		
Community Purposes/Clubs	1 bay for 4 persons/seats	1 rack for 30 seats	
Consulting Rooms (medical)	1 bay for 30 m ² GFA plus 1 bay for each employee.		
Convenience Store	1 bay for 20 m ² GFA	2 racks	
Dwelling (Single)	1 bay (under cover) for each dwelling.		
Exhibition Centre	1 bay for 30 m ² GFA plus 1 bay for each employee		
Fast Food Outlet/Takeaway	1 bay for 20 m ² GFA or 1 bay for every 4 seats provided whichever is greater.	2 racks	
Fuel Depot	1 bay for 30 m ² of ancillary office floor area, with a minimum of 2 bays, plus 1 bay for each employee.		
Funeral Parlour	1 bay for 30 m ² of administration/ customer service area plus 1 bay for every 4 persons in a memorial service - minimum of 6 bays		
Group Dwelling	In accordance with the Residential Design Codes	1 rack for every 20 dwelling units	
*Health Studio/Centre	1 bay for 45 m ² GFA (including swimming pools)	3 racks	
Hospital	1 bay for 4 Beds plus 1 for every employee	1 rack for every 50 beds	
Hotel/Tavern	1 bay for every bedroom plus 2 bays for 25 m ² of bar and public area plus 1 bay for 2 every employees	1 rack for 75 m ² of bar and public area	1 bay for every 75 beds

9. Economic Services and Development

LAND USE	CAR BAYS	BICYCLE RACKS	BUS BAYS
Industry- General, light & Service	1 bay for 100 m ² GFA plus 1 bay for every two employees		
Industrial Unit Building (Multiple Occupancy)	2 bays for each industrial unit or 1 bay for 100 m ² GFA, whichever is greater		
*Laundromat / Dry Cleaning Premises	4 customer car bays plus 1 car bay for each employee onsite		
*Liquor Store	1 bay for 20 m ² GFA.		
*Lunch Bar	1 bay for 20 m ² GFA	1 rack	
*Market	At the discretion of Council.		
Motel	1 bay for each unit plus 3 bays for 25 m ² of service area		1 bay for every 100 beds
*Motor Vehicle Hire	1 car bay for 30 m ² of sales/customer service area and office space plus 1 car bay for every hire vehicle.		
Motor Vehicle Repairs	1 bay for 30 m ² of sales/customer service area and office space plus 2 bays for each service bay.		
Motor Vehicle Sales	1 bay for every 250 m ² of sales area plus 1 bay for every employee		
*Motor Vehicle Wrecking	1 bay for 50 m ² GFA		
Multiple Dwelling	In accordance with the Residential Design Codes	1 rack for every 20 dwelling units	
*Museum	1 bay for 40 m ² GFA	1 rack for 100m ² GFA	
Office	1 bay for 20 m ² nla	1 rack for 200m ² GFA	
*Open Air Display	1 bay for 50 m ² of open display		
*Plant nursery	1 bay for 100 m ² of publicly accessible sales area plus 1 car bay for each employee		
Place of Worship / Public Assembly	1 bay for every 4 seats	1 rack for every 50 seats	
Reception Centre	1 bay for every 10 m ² GFA or 1 bay for every 4 seats provided, whichever is the greater		1 bay for every 100 seats
*Recreation - Outdoor/Indoor (Commercial Activity / Event)	1 bay for every participant plus 1 car bay for every 4 spectators		1 bay for every 50 spectators in lieu of car bays

9. Economic Services and Development

LAND USE	CAR BAYS	BICYCLE RACKS	BUS BAYS
Residential Building or Residential hostel or Boarding House	1 bay for each bedroom plus 1 bay for every 2 employees.	1 rack for every 5 bedrooms	
Restaurant / Café (including Alfresco dining areas)	1 bay for every 10 m ² GFA or 1 bay for every 4 seats, whichever is the greater.		
Rural Pursuit	1 bay for each employee		
Service Station	1 bay for every service unit plus 1 car bay for every employee - minimum of 4 bays		
Shop	1 bay for 20 m ² nla	1 rack for 200m ² GFA	
Showroom	1 bay for 50 m ² GFA		
*Tourist Accommodation (Resort Units, Chalets, Cabins)	1 bay for each accommodation unit	2 racks at reception area	1 bay for every 50 beds
Trade Display	1 bay for every trade participant plus 1 car bay for every 4 spectators		1 bay for every 50 spectators in lieu of car bays
*Transient Accommodation / Workers' Accommodation	1 bay for every 4 beds	At the Council's discretion	1 bay for every 50 beds
Transport Depot	1 bay for every 30 m ² of office area plus 1 bay for each employee.		
Veterinary Centre	1 bay for every 10 m ² GFA plus 1 bay for every employee		
Warehouse	1 bay for every 100 m ² GFA		

** Denotes use class is not listed in Table 1 of the Shire of Dandaragan Local Planning Scheme No.7*

- 4.2 The Council may consider the reciprocal use of parking bays subject to justification being provided that adequately demonstrates a shared parking arrangement without causing conflict or a shortfall in parking availability.
- 4.3 The Council may consider a reduction in the minimum number of car parking bays as prescribed in Table B based on the provision of additional bus bays and/or bicycle racks in consideration of practicality and appropriateness associated with the proposed development or use.
- 4.4 The Council may require the provision of parking bays to be line marked and/or sign posted exclusively for the use of vehicles with disabled people, motor cycles, bicycles, delivery and services vehicles, taxis, buses, coaches and courier services.

9. Economic Services and Development

- 4.5 Except for single residences and group dwelling developments to a maximum of two units (duplexes), all car parking spaces must be situated such that vehicles can enter and leave the site in a forward direction.
- 4.6 Car parking must be designed so that ingress to or egress from each space can be achieved in one movement.
- 4.7 Tandem or stack car parking will not be permitted in any commercial development other than for staff purposes. Although generally discouraged Council may permit tandem or stack parking in some forms of residential development.
- 4.8 Internal driveway access shall be of a sufficient width to accommodate two way traffic and shall not be less than 5.5 metres in width.
- 4.9 Internal battle-axe driveway access shall not be less than 4.0 metres in width for residential developments.
- 4.10 A vehicular driveway (ingress and/or egress) shall where practical:
- (a) be located to the street with the lowest traffic volume;
 - (b) have separate entry/exit if the driveway is likely to be used simultaneously by vehicles entering and leaving the site where potential obstruction to traffic in the street could occur; and
 - (c) be more than 6 metres from:
 - an intersection;
 - a break in the median strip;
 - the commencement of a curve linking the carriageways of the public streets at an intersection; and
 - the approaches to “stop” or “give way” signs.
 - (d) not be closer than 1.5 metres to side boundaries, other than for residential development where a vehicular driveway may be adjacent to the boundary;
 - (e) be located such that any vehicle turning from the street into the driveway or into the street from the driveway can be readily seen by the driver of an approaching vehicle and be clear of all obstructions which may prevent drivers from having a timely view of pedestrians (clear line of sight);
 - (f) be relatively level within 6 metres of the site boundary or any footpath.
- 4.11 Council may require that new commercial or industrial developments be provided with dedicated service access and loading bays, which must be situated such that commercial vehicles can be positioned wholly within a bay when loading and that loading activities can occur without undue disruption to, or access to, other car spaces.

5.0 Construction Standards

- 5.1 Car parking bays for all developments, including all forms of residential development, shall conform to the minimum internal dimensions and manoeuvring areas as outlined in Appendix 1 to this policy.

9. Economic Services and Development

- 5.2 Bus parking for all developments shall conform to the minimum internal dimensions of 16.5 metres in length and 3.5 metres in width, with adequate manoeuvring area.
- 5.3 All car and bus parking areas with the town sites of Jurien Bay and Cervantes are to be sealed, line-marked, kerbed and drained standard to the satisfaction of the local government, except as provided for in statement 5.5 below.
- 5.4 All car and bus parking areas with the town sites of Badgingarra and Dandaragan are to be constructed to an all weather paved standard with appropriate open drainage to the satisfaction of the local government, except as provided for in statement 5.5 below.
- 5.5 Car parking situated in industrial and rural zones may be constructed to a suitable gravel standard only. All car parking within front setbacks and/or associated with showroom/front office use shall be constructed to an all weather paved standard (ie suitable aggregate material over a compacted sub-grade soil on a grade of less than 10%) and landscaped to the satisfaction of the local government.
- 5.6 Car and bus parking design and construction shall include adequate provision for landscaping comprising screen features and shade trees and/or shrubs (of indigenous species) as appropriate.
- 5.7 Staff, resident, visitor car and bus parking shall be appropriately marked and/or signposted to the satisfaction of the local government.
- 5.8 Council may require the lodgement of performance (bank) guarantees against the satisfactory construction, completion and establishment of car and bus parking areas and associated landscaping.

6.0 Responsibilities

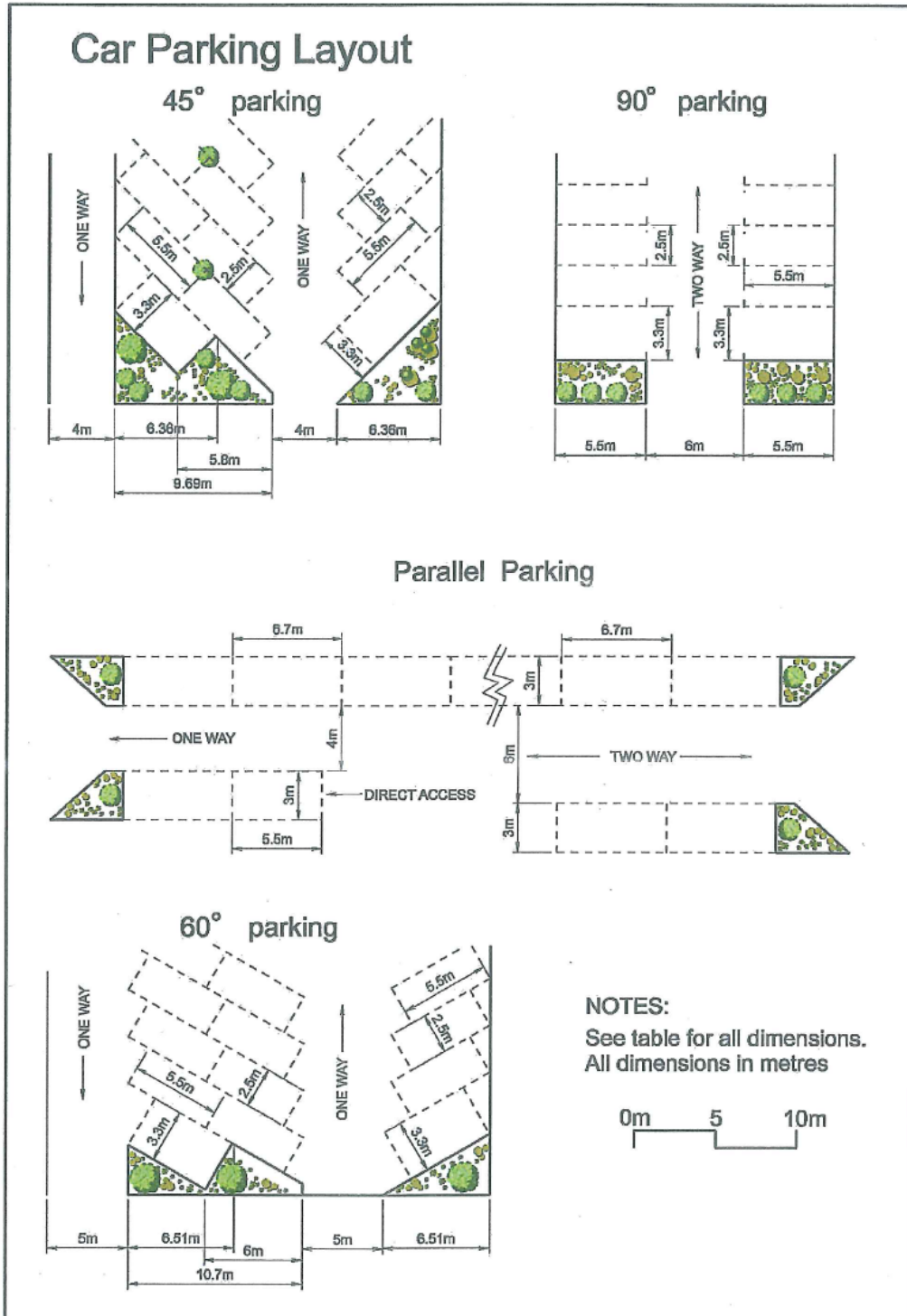
All proposals that do not conform to the standards prescribed in this policy and the applicable Local Planning Scheme shall be referred to the Council for determination.

GOVERNANCE REFERENCES

Statutory Compliance	<ul style="list-style-type: none"> ▪ Shire of Dandaragan Local Planning Scheme No. 7 ▪ <i>Planning and Development Act 2005</i> ▪ <i>Australian Standards 1428 and 2890.1</i> ▪ <i>Shire of Dandaragan Parking and Parking Facilities Local Law 2010</i>
State Policy	N/A
Organisational Relationship	<i>Internal – Technical Works and Services Department -f Shire Road Works Specifications</i> <i>External – Main Roads Western Australia</i>

9. Economic Services and Development

APPENDIX 1



9. Economic Services and Development

9.7 C-9SC07 – Shipping Containers

PART A- Policy

INTRODUCTION

Shipping containers have a useful purpose as an alternative means of storage however, they can have an adverse effect on the visual amenity of streets, neighbourhoods and scenic rural or coastal landscapes.

Local Planning Scheme No 7 currently makes no direct reference to the use of shipping containers, and they have historically been regulated under the 'preservation of the amenity of the locality' provision of section 10.2(n) of the Scheme.

This policy has therefore been created to provide some further guidance for Council and landowners in the appropriate use and siting of shipping containers.

Objective

This policy is intended to ensure that an acceptable quality of development is achieved that does not detrimentally affect the amenity of a locality.

EXEMPTIONS

Shipping containers used temporarily onsite (ie for no more than 12 months) for storage of materials and equipment associated with a construction site are exempt from requiring Shire approval, provided that they:

- a) do not impinge on any car parking bays required to satisfy a minimum parking requirements on any property; and
- b) do not obstruct any existing access or visual truncation provided to an access-way (pedestrian or traffic).

The placement of a shipping container on land in a 'Rural', 'Industrial' or 'Harbour' zone is exempt from requiring Shire approval, provided that they:

- a) are located behind the prescribed front boundary setback for the property;
- b) that containers in 'Industrial' and 'Harbour' zones are painted a uniform colour if more than one container is onsite; and
- c) are in a satisfactory state of repair.

Policy Statement

For the purpose of this policy a shipping container shall also include a re-locatable 'box type' storage container or unit. A shipping container modified for the purpose of human habitation is not addressed in this policy and further may be subject to detailed consideration by the local government based on merit.

1. Shipping containers will not be permitted in 'Residential', 'Special Use' or 'Tourist' zones, nor on any local reserves, inclusive of road reserves.
2. One larger Shipping Container (up to 12m) may be used for storage only on a property zoned 'Special Use – Rural Development', 'Rural Residential' or 'Commercial' provided that:

9. Economic Services and Development

- a) The applicant is granted approval by the Shire Planning Department prior to it being installed onsite;
 - b) The application to the Shire Planning Department includes colour photographs of the proposed container;
 - c) The container shall be located in accordance with the setback prescribed under Local Planning Scheme No.7 and relevant development guidelines for the locality;
 - d) In 'Special Use – Rural Development' and 'Rural Residential' zones the container shall be located to the rear of buildings so as to not be prominently visible from the street;
 - e) In 'Commercial' zones the sea container is to be located so as to not be highly visible from the street. If the container cannot be placed so as to be generally concealed from the street then the Shire will require the installation of screening to a minimum height equal to that of the container.
 - f) The container shall be painted to match or at the very least compliment the other buildings on the lot;
 - g) The container shall not be located over septic tanks, leach drains or utilities;
 - h) Should the container fall into disrepair, or become unsightly, the Shire may direct it be upgraded or removed.
3. The placement of any shipping container in non-conformity with this policy may result in enforcement action being taken by the local government, that could involve removal and impoundment of the shipping container at the cost to the land owner.

NOTE: Should there be any conflict between this policy and the Shire of Dandaragan Local Planning Scheme, the Local Planning Scheme shall prevail.

RESPONSIBILITIES

The authority is delegated to the Chief Executive Officer, Manager of Planning and Manger of Building Services to process applications and issue planning approval subject to full compliance.

GOVERNANCE REFERENCES

Statutory Compliance	<ul style="list-style-type: none">▪ Shire of Dandaragan Local Planning Scheme No. 7▪ <i>Planning and Development Act 2005</i>▪ Building Code of Australia
Industry Compliance	N/A
Organisational Compliance	N/A
Process Links	<ul style="list-style-type: none">▪ <i>Local Government (Miscellaneous Provisions) Act 1960</i>

9. Economic Services and Development

9.8 C-9HBB08 – Home Based Businesses (including Cottage Industry)

PART A- Policy

▪ **Objective**

- To provide clarification as to the different types and scale of home based businesses (commonly referred to as “home occupations” or “cottage industries”).
- To ensure that these types of uses do not compromise the amenity of the area.
- To ensure that the activity remains an ancillary use to the main dwelling or the principle land use on the property.

Policy Statement

1. Definitions

For the purposes of this policy the following definitions shall apply:

Cottage Industry - means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home business, home occupation, home office or hobby and which:

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
- (c) is conducted in an outbuilding which is compatible with the principle use to which land in the zone in which it is located may be put;
- (d) does not occupy an area greater than 50m²; and
- (e) does not display a sign exceeding 0.2m² in area.

Hobby - means an activity or interest that is undertaken for pleasure or relaxation, often in one's spare time, and where the goods and products produced:

- (a) is of a low key nature that will not cause nuisance or amenity issues (ie noise, dust, odour, or electrical interference);
- (b) is kept; gifted or donated or sold on a non-commercial basis (not subject to taxation declaration).
- (c) does not involve retail trade other than at a weekend market, fund raising or charitable event.

Home Business - means a business, service or profession (but not medical) carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50m²;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight.
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

9. Economic Services and Development

Home Occupation - means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20m²;
- (d) does not display a sign exceeding 0.2m² in area;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood; does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and does not include provision for the fuelling, repair or maintenance of motor vehicles.
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone.

Home Office - means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not:

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling.

2. General

- 2.1 This policy acknowledges that a "home business" and "home office" by their omission in Table 1 of the Shire of Dandaragan Local Planning Scheme No.7 are deemed to have the same level of permissibility as a 'Home Occupation' in Table 1 of the Local Planning Scheme.
- 2.2 Planning approvals for all types of home based businesses (other than a Home Office) shall be limited to a maximum period of 12 months, after which the further renewal of the approval by the local government is required annually, including payment of a fee. **This is the responsibility of the applicant as the local government will not automatically re-issue approvals.**
- 2.3 Planning approval is not required for a "Hobby" provided the activity is fully compliant with the definition as per Part 1, but may be subject to other approvals or licensing depending on the nature of the activity.
- 2.4 Planning approvals are issued only to the specific occupier of the particular parcel of land and is not transferable to any other person or to any other land parcel. Should there be a change of the occupier on the land in respect of which the planning approval was issued the approval shall no longer be valid.
- 2.5 Operating hours for home based businesses should be determined on the type of business being undertaken and having regard to the objectives of this policy.

As a general guide only, operating hours for businesses in residential areas should conform to what are considered normal business hours (generally 7.30am to 5.30pm, Monday to Friday and 8.30am to 1.00pm on Saturday).

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- 2.6 Where an activity involves the visitation of clients or customers these appointments should be limited to 10 per day in accordance with hours as per Clause 2.5.
- 2.7 With the exception of a home office or hobby, activities should not be located on a site which has been intensely developed for group or multiple dwellings.
- 2.8 All materials and/or equipment used in relation to the activity must be stored within the dwelling, outbuilding and/or rear yard of the property, or behind property fences or appropriately maintained screening vegetation.
- 2.9 Activities must be ancillary to the principal use of the land as a residence, and are not to be construed as an alternative use.
- 2.10 For activities involving the preparation of food for commercial purposes, the domestic premises may need to be upgraded in accordance with the relevant health regulations.
- 2.11 Activities involving the following services will not be supported as a “Home Occupation” or “Cottage Industry”:
- spray painting of any kind;
 - vehicle wrecking/body repairs; and
 - the use of machinery causing excessive noise or processes causing unacceptable aromas, dust levels, rhythmic vibrations, lighting conditions, or electrical interference.
- 2.12 A “Cottage Industry” involving the retail sale, display or hire of goods of any nature will not be supported in medium or high density residential areas. Special Residential and Rural Residential areas will be considered at the discretion of Council.
- 2.13 The land use permissibility of home based businesses (including cottage industries) shall be in accordance with the Local Planning Scheme designations.

3. Application Requirements

- 3.1 Applications shall include the following information:
- details of the proposed activity inclusive of any equipment used, proposed hours of operation, employees (if any) and their relationship to the occupier of the dwelling, frequency of clients or customers to the site and any other information considered relevant to the proposal; and
 - a site plan, and where applicable a floor plan, showing the dwelling and curtilage of the dwelling depicting where the activity is to take place, including areas for storage and/or administration and car parking provision where necessary.
- 3.2 Annual renewal of approvals is granted under delegation to the Shire Chief Executive Officer provided there have been no written complaints received during the 12 months period preceding the request for renewal, and there has been no change in the circumstances under which the previous approval was granted.

4. Consultation

Unless otherwise provided for in the Local Planning Scheme an application for a home based business involving a variation to the standards as prescribed in the relevant definition

9. Economic Services and Development

or this policy will require consultation with effected landowners and/or occupiers of neighbouring properties.

5. Responsibilities:

The authority is delegated to the Chief Executive Officer and Manager of Planning to process applications and issue planning approval subject to full compliance.

GOVERNANCE REFERENCES

Statutory Compliance	<ul style="list-style-type: none">▪ Shire of Dandaragan Local Planning Scheme No. 7▪ <i>Planning and Development Act 2005</i>▪ <i>Health Act 1911</i>▪ <i>Food Act 2008</i>▪ <i>Environmental Protection Act 1986</i>▪ <i>Subsidiary Regulations to relevant Acts</i>
Industry Compliance	N/A
Organisational Compliance	N/A
Process Links	<ul style="list-style-type: none">• <i>Shire Local Planning Scheme</i>• <i>Food Registration</i>

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9.9 C-9BBE9 – Bed and Breakfast Establishment

PART A- Policy

Objective

1. To provide clarification on the standards applicable to Bed and Breakfast Establishments within the Shire.
2. To ensure that this type of alternative tourist accommodation use does not compromise the amenity of the area.
3. To ensure the bed and breakfast activity remains an ancillary use to the main dwelling and the standard of accommodation accords with the expectations of the local tourism industry.

Policy Statement

1.0 Definitions

For the purposes of this policy the following definition shall apply:

Bed and Breakfast - means a dwelling used by a resident of the dwelling to provide accommodation for persons away from their normal place of residence on a short-term commercial basis (maximum of 3 months in any 12 month period) and includes the provision of breakfast.

2.0 General

- 2.1 A Bed and Breakfast use shall be limited to a maximum of three guest bedrooms capable of accommodating no more than six guests.
- 2.2 Planning approval may be withheld or refused by the Council should:
 - a) the proposal not conform to the minimum requirements of this policy; or
 - b) the existing dwelling be considered (in the opinion of the local government) inappropriate from an amenity and/or tourism perspective for a Bed and Breakfast use.

3.0 Location & Access

- 3.1 When assessing an application for a Bed and Breakfast establishment the local government will take into account the standard of the local road network, including road status and condition whether gravel or bitumen seal.
- 3.2 Where a Bed and Breakfast establishment is to be served by a gravel road the applicant shall provide written confirmation that no demand will be placed on the local government for the upgrade or improvement of the road, unless:
 - a) a financial contribution for such works has been agreed to and received from the respective business owner/proprietor; or
 - b) the road (or portion of the road) is deemed to be unsafe as assessed by the local government.

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- 3.3 Locations where there is a need to provide more than two directional signs from a main arterial road is not encouraged.
- 3.4 For Bed and Breakfast Establishments the following works will need to be completed to the dwelling:
- Smoke detectors and evacuation lighting will need to be installed and configured in the dwelling to achieve compliance with part 3.7.2.5 of the Building Code of Australia for a change of building classification from a Class 1a 'single dwelling' to a Class 1b 'boarding house, guest house or hostel use' residence.
 - A minimum of two RCDs will need to be fitted to protect all power point and lighting circuits as prescribed under regulation 12 of the Electricity Regulations, 1947.

4.0 Car Parking

- 4.1 A bed and Breakfast establishment shall have provision of onsite parking based on one bay for per guest bedroom constructed to the following standards:
- Town site - impervious surface (ie concrete, bitumen, brick paving)
 - Rural - all weather surface (ie concrete, bitumen, brick paving, compacted gravel or limestone)

5.0 Facilities

- 5.1 As a minimum a Bed and Breakfast establishment shall consist of:
- a dedicated bedroom and bathroom/toilet facility for exclusive use of the operator/s;
 - separate guest bedrooms and at least bathroom and toilet facility for guest use;
 - communal sitting and dining room areas.

All rooms are to be clearly identified on a floor plan submitted with the application

- 5.2 Guest rooms shall not be self contained with separate cooking and laundry facilities, unless already retrospectively provided. En-suite bathroom facilities however may be provided for each room.
- 5.3 Kitchen facilities used for the preparation of breakfasts will need to be registered with the Shire's Environmental Health Department and comply with the *Food Act, 2008* and Australian New Zealand Food Standard Code (Australia Only).
- 5.4 Where two or three guest rooms are provided an additional rubbish service may apply at the operator's expense. This may be by way of an additional collection service (wheeled bin) or an alternative arrangement as approved by the local government.

6.0 Water Supply

- 6.1 A bed and Breakfast establishment must be connected to a reticulated water supply or alternatively be serviced by a minimum 92,000 litre rainwater tank fed by roof catchment or a 10,000 litre storage tank fed from the on-site dam or under ground bore. If connected to an onsite supply the water must first be tested and

9. Economic Services and Development

then approved for public consumption by the Shire of Dandaragan Environmental Health Department prior to commencement of the use.

7.0 Signage

7.1 Signage for Bed and Breakfast establishments shall conform to limit of two business directional signs and one business sign to be erected at the front of the property. For residential properties the business sign shall not exceed 0.2m² in area (ie 1.0 metre in length and 0.2 metre in height), while for rural residential and rural areas the onsite business sign shall to accord with the Shire's Local Planning Policy 8.7 - Signage.

8.0 Responsibilities

The authority is delegated to the Chief Executive Officer and Manager of Planning to process applications and issue planning approval subject to full compliance.

GOVERNANCE REFERENCES

Statutory Compliance	<ul style="list-style-type: none">▪ Shire of Dandaragan Local Planning Scheme No. 7▪ <i>Planning and Development Act 2005</i>▪ <i>Health Act 1911</i>▪ <i>Food Act 2008</i>▪ <i>Environmental Protection Act 1986</i>▪ <i>Subsidiary Regulations to relevant Acts</i>
Industry Compliance	N/A
Organisational Compliance	N/A
Process Links	<ul style="list-style-type: none">• <i>Shire Local Planning Scheme</i>• <i>Food Registration</i>• <i>Shire Signage Policy 8.7</i>

9. Economic Services and Development

9.10 C-9RDC10 – Residential Design Codes – Side and Rear Boundary Setbacks

PART A- Policy

INTRODUCTION

The purpose of the Residential Design Codes (referred to herein as the R-Codes) is to provide a comprehensive basis for the control, through local government, of residential development throughout Western Australia.

They are intended to cover all requirements for development control purposes and to minimise the need for local government to introduce separate planning policies concerning residential development.

This policy seeks to provide additional delegated authority and modified 'deemed to comply' criteria in regard to various provisions of the R-Codes, and is to be read in conjunction with the 'Residential Development' provisions of the 'Schedule of Delegation - Town Planning' (found in the Delegation Register) as adopted by Council on the 30 September 2010.

Objective

To provide for consistent, fair and thorough assessment of residential development in the Shire of Dandaragan, taking into account local context and current development precedents.

In addition, this policy aims to expedite the processing efficiency of applications for residential development that include variations to the 'acceptable development' criteria for side and rear boundary setbacks as contained within the R-Codes.

Policy Statement

The following 'Table 1' provides a summary of the side and rear boundary setback variations for residential development that can be approved under the delegated authority prescribed for 'Residential Development' in the 'Schedule of Delegation - Town Planning' as adopted by Council on the 30 September 2010.

Table 1

R-Code Provision	Delegated Authority
5.1.3 P3.1 'Buildings setback from the boundary'	Authorised to approve of a wall(s) situated closer to an adjoining residential boundary(ies) than the standards prescribed in Tables 1, 2a and 2b of the R-Codes, where the following are observed: a) The design principles of section . 5.1.3 of the R-Codes are sufficiently addressed to the satisfaction of the Shire Manager Planning or Shire Manager Building Service.

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R-Code Provision	Delegated Authority
	b) No objection or concern has been raised by an adjoining landowner or resident(s).
5.1.3 P3.2 'Buildings on Boundary'	<p>Authorised to approve of a residential parapet wall (inclusive of incidental development) built up to a property boundary in areas zoned R20 or less dense, where the following are observed:</p> <ul style="list-style-type: none"> a) The parapet wall has a height no greater than 3.3 metres (measured from the ground level of the affected adjoining property). b) The parapet wall has a maximum aggregate length of 9m. c) The design principles of section 5.1.3 P3.2 of the R-Codes are sufficiently addressed to the satisfaction of the Shire Manager Planning or Manager Building Services. d) No objection or concern has been raised by an adjoining landowner or residents. e) Construction inside an existing fence (unless otherwise agreed to by the affected adjoining landowner). f) That both the applicant / builder and affected adjoining landowner enter into a written agreement as to the standard of construction / finish to the neighbouring side of boundary. <p>OR</p> <ul style="list-style-type: none"> g) The proposed wall would abut an existing or simultaneously constructed wall of similar or greater dimension.
5.3.8 'Setback of retaining walls'	Retaining walls not exceeding 0.5 metres in height may be built up to the side boundary. Retaining walls exceeding 0.5 metres, setback from common boundaries in accordance with the setback provisions of Table 1 and Table 2.

NOTE: Should there be any conflict between this policy and the Shire of Dandaragan Local Planning Scheme, the Local Planning Scheme shall prevail.

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9.11 C-9MICCARL11 – Mobile and Itinerant Vendors and Commercial Activities on Reserved Land (including Foreshore)

PART A- Policy

Objective

- To allow for the operation of trading activities in such manner that they do not conflict with or prejudice the Shire's permanent retail and service base, or other normal functions of the Shire;
- To protect existing levels of public amenity and safety from the impact of trading activities by adequately addressing potential risk management issues;
- Set appropriate minimum standards in the interest of public safety, environmental protection and social amenity;
- Identify specific locations for particular activities and cap the number of activities weighted against the environment, conflict of use and broader public interest to accessibility;
- To ensure that commercial activities on reserves do not diminish the recreational amenity of residents or visitors who are attracted to the Shire for its natural wonders and environment.

Policy Statement

This Policy has been developed to provide clarity and guidance on the preparation and assessment of stallholder / mobile and itinerant vendor applications including commercial activities on foreshore land within Jurien Bay and Cervantes. Each application is assessed on its merits. The Shire encourages applications that are creative and innovative that would support the attraction of the Shire as a tourist destination.

With the introduction of the Food Act 2008 and associated legislation, all regulation of Itinerant Vendors (e.g Food Vans) was repealed, necessitating these businesses being considered 'traders' and therefore captured by the Trading in Public Places Local Law

1.0 Definition

- 1.1 The main difference between an "Itinerant Vendor" and a "Mobile Vendor" is that a mobile vendor can solicit business from a parked location whereas an itinerant vendor has to be stopped by customers (an ice cream van is an itinerant vendor whereas a vehicle parked selling fresh flowers or produce is a mobile vendor).

For the purposes of this Policy:

"Mobile" means working in one place for a short period of time and then moving on to operate in another place.

"Itinerant" means a person who travels along a road looking for customers and who sells, hires or provides a product or service from a vehicle which is parked temporarily to customers who stop the vendor or come to the vendor while the vehicle is parked

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“**Vendor**” means someone who promotes, exchanges or hires goods or services for money.

“**Public Place**” includes a road or place which the public are allowed to use, whether or not the road or place is on private property.

2.0 Licensing

The following conditions apply to all **itinerant and mobile food vendors** operating or intending to operate within land under the management, care and control of Shire of Dandaragan'. Trading on land not vested with the Shire will require the applicant to seek the necessary statutory approvals from the managing authority.

- 2.1 All food vendors must have a health clearance certificate issued under the Food Act and Regulations.
- 2.2 Vendors must be present to receive the licence and vehicles must have received a health clearance certificate (see 6.2).
- 2.3 The approval period will be from 1st July each year to 30th June the following year.
- 2.4 Approvals are not transferable.
- 2.5 A separate approval must be obtained for each vehicle.
- 2.6 Employees of the applicant must be nominated on the licence application form.
- 2.7 An approval fee will exist as specified in Council's fees and charges policy.
- 2.8 All vendors shall be limited to the supply of products and services approved by the Shire.
- 2.9 In response to an issue of public safety (as determined by the Chief Executive Officer) all operations shall cease until the matter has been resolved to the satisfaction of the local government.

3.0 General

- 3.1 The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted unless otherwise approved by the Shire..
- 3.2 Itinerant vendors are to move on when all customers at a particular location have been satisfied when operating within the Jurien Bay and Cervantes townsite (refer to Clause 1.1 for definitions).
- 3.3 Public liability insurance cover of \$20 million is required where an activity occurs on local government managed land.
- 3.4 The local government may seek contribution towards the upgrading and/or construction of a site.

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- 3.5 An approval to operate may be cancelled by Council at its discretion due to non-compliance with any of the requirements outlined in this policy or if a reasonable complaint is received by Council.
- 3.6 A vehicle, cart, stall or the type of food sold etc., cannot be altered without consulting Councils Environmental Health or Planning Officers for approval.
- 3.7 No animal is to be used as part of the vehicle, cart or stall etc without Shire approval.
- 3.8 No additional flashing or rotating lights, except that required under the Motor Traffic Act, are permitted.
- 3.9 All vehicles must be registered as per the requirements of the Motor Traffic Act.
- 3.10 Trading within a reserve controlled by Main Roads WA will not be permitted unless permission is received from Main Roads WA.
- 3.11 Vendors shall not obstruct traffic, pedestrians, entrance ways to shops and laneways.
- 3.12 Illegal, dangerous or offensive goods are not to be sold by the vendor.
- 3.13 No direct soliciting or collecting of donations will be permitted without approval by the Shire.
- 3.14 Banners, signs, bunting and the like are not permitted to be erected without approval.
- 3.15 The vendor's operation must not unduly disrupt normal business activities nor unduly disturb the ambience of both residents and passers-by.
- 3.16 Persons granted approval shall comply with the requirements of this code and such licences must be available to be shown on demand by an authorised officer.
- 3.17 All elements of the stall / vehicle will need to be of a high standard and maintained as to not detract, damage, or lead to the degradation of the natural coastal environment or townsites. In the case of such an event occurring, The Shire is to be notified immediately.
- 3.18 Approval for Trading in Public Places Licence is strictly limited to one-year. Inspections and reviews of the service may be conducted by the Shire of Dandaragan. The Shire of Dandaragan reserves the right to decline the renewal of, or amend the conditions of all Trading in Public Places Licence in the future.

4.0 Application of Policy

- 4.1 Vendors are not permitted to operate within 100m of an outlet selling a similar product if that outlet is open.
- 4.2 Vendors are required to obtain permission from event organisers when attending events (For example festivals, charity markets and sporting events).

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- 4.3 Trading on Bashford Street, Jurien Bay and Aragon Street, Cervantes is prohibited.
- 4.4 Any rubbish or waste associated with the business is the responsibility of the Vendor. If not complied to, Council may revoke the licence to operate or an infringement will be issued.

5.0 Legislative Requirements

- 5.1 A vendor's operation, including the vehicle, cart or stall, must be in accordance with the requirements of the Food Act 2008.
- 5.2 A vendor's operation must be in accordance with the Environmental Protection Noise Regulations.

6.0 Inspections

- 6.1 Regular Food Inspections will be carried out by Council's Manager of Environmental Health at random. A fee will be charged if the vendor's operation is unsatisfactory in accordance with the Shire's schedule of fees and charges.
- 6.2 A vendor's vehicles, carts, stalls, etc., must be made available for inspection by the Manager of Environmental Health for a health clearance certificate which is required to obtain approval. A fee for the inspection, as set out in Council's fees and charges policy, will exist.

7.0 Commercial Recreational Tourism Activity On Crown Land

- 7.1 If local government roads, car parks or dual use paths are to be used, then the activity will be assessed in terms of whether it will create a danger or obstruct other uses, or result in a major loss of car parking spaces.
- 7.2 Activities are to be ancillary and beneficial to the designated purpose of the reserve and do not damage, or lead to the degradation of the coastal and marine environment or local government property. In the event of damage to infrastructure or the environment the Shire may seek costs for repair and restoration works.
- 7.3 All activities are to demonstrate that they will not create a public nuisance to adjacent residential areas in context of noise, traffic, etc and not create a conflict with the informal users of the reserves and marine park.
- 7.4 Where appropriate, activities should be located adjacent to constructed public car parking areas and public conveniences (within 100 metres). The applicant may be required to contribute towards the construction of the public facilities. Approved applications may be required to contribute towards the upkeep of the local public infrastructure and facilities if considered necessary as a consequence of that activity.
- 7.5 If the beach is to be used then the activity must be determined as compatible with the beach environment.

9. Economic Services and Development

- 7.6 Water-based activities will be given permission to use the beach area for guided tours/hiring of water based equipment, provided the applicant is prepared to comply with the terms of any licence of the relevant authority of the water body.
- 7.7 In the case of jet ski hire activity and other motorised craft, signage shall give adequate notice of warning that the particular area is not suitable for informal recreation use.
- 7.8 All activities are to comply with the Department of Transport Restricted Areas of Navigable Waters
- 7.9 All activities are to comply with the Department of Fisheries and Department of Parks and Wildlife commercial operator licencing requirements, the Jurien Bay Marine Park Management Plans, the Zoning Scheme and relevant legislation.
- 7.10 In response to an issue of public safety (as determined by the Chief Executive Officer) all operations shall cease until the matter has been resolved to the satisfaction of the local government.

8.0 Specific Restrictions

- 8.1 Based on the experience of the impacts of previous/similar activities (within or outside the Shire), the fragile nature of coastal areas, and/or the dominant public use of these areas, the Shire is of the view that a restriction on the number and type of certain activities in these areas should be prescribed.
- 8.2 These restrictions (if any) are attached to this policy and are based on the knowledge and experience at this time and may be amended from time to time by the local government as further knowledge and experience is accumulated.

9.0 Application For Approval

- 9.1 Applicants should address the criteria as outlined in Clause 9.3 and provide the local government with the following information:
- a) Full details of type of service to be operated;
 - b) Previous relevant experience of the applicant(s);
 - c) Appropriate level of knowledge and understanding of local conditions, natural and cultural history, ecological process and possible constraints;
 - d) capability to promote interpretive and educational information that ensures clients are receiving instructions in minimal impact techniques, environmental protection and ethics of appropriate behaviour;
 - e) Preferred location of operation;
 - f) Hours and dates of operation;
 - g) Method of operation, e.g. hourly hire, 15 minute rides, day trips;
 - h) Type and numbers of equipment to be hired/used including details of make, age, special features;
 - i) Ability to provide appropriate safety requirements and duty of care responsibilities, all of the intended safety measures – i.e. marker buoys, rescue boats, signs;

9. Economic Services and Development

- j) A cover note or similar statement from an insurance company indicating a willingness to promote insurance coverage (minimum \$20 million public liability coverage required and must be held in Australia);
 - k) Any additional information specific to the individual service to be provided.
- 9.2 Applicants are to provide a Plan/Diagram of layout of operation upon the Reserve showing location of equipment, trailers, signs, operators table, what areas are to be used and the like. This needs to be of a scale that demonstrates the location clearly and should not be indicated as being for the entire reserve.

10 General Agreement Terms

- 10.1 The local government will prepare all agreements.
- 10.2 For land not under the care, control and management of the local government, a draft agreement will be forwarded to the relevant statutory authority for consent prior to execution.
- 10.3 Copies of the agreement will be prepared and stamped with one (1) copy to be forwarded to the applicant, one (1) copy to be forwarded to the Department of Lands to be endorsed and one (1) copy to be retained by the local government.
- 10.4 The agreement should be signed prior to the commencement of the permitted period to which the agreement relates.
- 10.5 The agreement will include an automatic termination clause, if the activity is found to breach any of the conditions of the agreement.
- 10.6 The agreement is with the individual parties and is non-transferable.
- 10.7 All agreements and Permits are non-exclusive and do not grant the proponent the right to a particular portion of the reserve. The proponent will need to renegotiate access with the Shire and/or event organisers when events are scheduled on Shire Reserves.
- 10.8 All agreements are for one year and subject to review after the first year. The Shire reserves the right to decline the renewal of, or amend the conditions of the agreement in the future.

Attachment 1 Specific Location and Activity Restrictions

Location	Restriction
Reserve 28541 Jurien Bay Foreshore	
Reserve 19206 Sandy Cape	
Reserve 19206 North Head to Pumpkin Hollow	
Reserve 19206 North of the Marina	
Reserve 19206 Beachridge to Cervantes	
Cervantes Township	
Cervantes (south)	

9. Economic Services and Development

9.12 C-9HH12 – Holiday Homes

PART A- Policy

Introduction

This Policy provides direction and guidance on the use of Single Houses, Grouped Dwellings or Multiple Dwellings for “Holiday Homes” and “Holiday Homes (Large)” in the Regional Centre and Residential zones of Cervantes and Jurien Bay in the Shire of Dandaragan. This Policy intends to help protect consumers, support the local tourism industry and avoid conflict between holiday users and permanent residents through the use of development approvals and registration.

Statutory Basis

Pursuant to the Shire’s *Local Planning Scheme No.7* (the Scheme), the use of a Regional Centre or Residential zoned property as a commercial Holiday Home is a discretionary (D) use. Whereby, the local government must exercise discretion in granting development approval. This Local Planning Policy outlines the planning requirements for Holiday Home operators and provides clear delegation to staff to approve planning applications based on compliance with the Policy standards.

The ability to prepare a local planning policy is afforded to the Shire under clause 3 of the Deemed Provisions of the Scheme. Clause 3 outlines the Shire can prepare local planning policies in respect to any matter related to the planning and development of the Shire. In considering an application for planning approval, the local government must have due regard to relevant local planning policies as required under the Scheme.

Objective

- To recognise the increasing market demand for holiday accommodation and to provide operators and other stakeholders with clarity on the issues that the Shire wishes to address.
- To establish clear guidelines whereby Holiday Homes can be permitted and controlled in the Regional Centre and Residential zones of Cervantes and Jurien Bay.
- To ensure that these types of uses do not compromise the amenity of Residential zoned areas or nearby residents.
- To support the role of Holiday Homes as part of the tourism industry.
- To encourage the provision of good quality, well managed Holiday Homes.

Definitions

“**Dwelling**” means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

9. Economic Services and Development

“Holiday Home” means a single house which might also be used from time to time for short stay accommodation for no more than six (6) people but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit.

“Holiday Home (Large)” means premises conforming to the definition of “Holiday Home” with the exception that the premises provide short stay accommodation for more than 6 people but not more than 12 at any one time.

“Grouped Dwelling” means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partially vertically above another, except where special conditions of landscape or topography dictate.

“Multiple Dwelling” means a dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but does not include a group dwelling.

“Short-Stay Accommodation” means a building or group of buildings forming a complex, designed for the Accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months in any 12-month period.

“Single House” means a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access to services and excludes dwellings on titles with areas held in common property.

Policy Statement

- 1.1 This Policy is applicable to all land zoned “Regional Centre” and “Residential” under the Scheme within Cervantes and Jurien Bay and all land within Special Development Area 1 (Residential).
- 1.2 This policy only applies to Holiday Homes that are made available for the commercial booking of short stay rental purposes. This includes entire homes listed on peer to peer online organisations. Holiday Homes utilised for personal use by friends and / or family of the landowner(s) are excluded from this Policy.
- 1.3 Applicants wishing to utilise their Regional Centre or Residential zoned property for a Holiday Home will need to apply for development approval in accordance with the Zoning Table the Scheme.
- 1.4 Applications for development approval for Holiday Homes will be advertised in accordance with the Scheme. Comments received during the advertisement process will be considered in the assessment of the application.
- 1.5 All development approvals for Holiday Home or Holiday Home (Large) shall expire on 30 June each year. Invoices for the annual renewal fees of development approval will be mailed to applicants on 1 June each year. For successful renewal, invoices for fees are required to be paid before the 30 June expiry date. The first annual renewal fees will be waived for a Holiday Home or Holiday Home (Large) which receives initial development approval within six (6) months of 30 June in the same calendar year.
- 1.6 Development approval does not affect the existing and future use of the Holiday Home or Holiday Home (Large) as a Single House, Grouped Dwelling or Multiple Dwelling.

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- 1.7 The annual renewal fee payable shall include a charge for:
- the renewal of development approval at a maximum 50% of the initial application fee, pursuant to Schedule 2 the *Planning and Development Regulations 2009*; and
 - the health inspection at the Council adopted budget amount for the given financial year in which the renewal occurs.

2.0 Conditions Of Approval

- 2.1 All applications will be assessed and evaluated for suitability in accordance with this Policy and any other legislation and policies reasonably related to the development application.
- 2.2 The operation of the Holiday Home or Holiday Home (Large) does not result in adverse impacts on the amenity of neighbouring properties or the surrounding area.
- 2.3 The Shire should be notified of any changes to a Holiday Home or Holiday Home (Large) that may be deemed to affect the approval of the dwelling(s) for such a use.
- 2.4 The total number of people to be accommodated in the proposal for a Holiday Home does not exceed 6 people.
- 2.5 The total number of people to be accommodated in the proposal for a Holiday Home (Large) exceeds 6 people, but does not exceed 12.
- 2.6 Approval for a Holiday Home (Large) will require the applicant to obtain (if not already) an extra rubbish bin service from the Shire than what is compulsory for approved Single House dwellings.
- 2.7 All car parking is to be contained on-site and no verge area should be used for car parking. A minimum of 2 car parking bays are required for a Holiday Home and a minimum of 3 car parking bays for a Holiday Home (Large).
- 2.8 A Holiday Home management plan, code of conduct and fire and emergency plan is required to be submitted as part of the application for development approval.
- 2.9 The applicant shall supply any other information requested by the Shire that is reasonably related to the application for development approval for a Holiday Home or Holiday Home (Large). e.g. Details of the subject residence's septic system may be required to be submitted as part of the application for planning approval which would be referred to the Shire's Environmental Health Officer as an upgrade to the septic system may be required.
- 2.10 Approval for a Holiday Home or Holiday Home (Large) will run with the land (*Right in Rem*). Therefore if a subsequent purchaser buys the land, he or she is able to continue the use as stated in the approval and conditions imposed.
- 2.11 Annual renewal of approvals is granted under delegation to the Shire's Chief Executive Officer. The following will be considered and weighted accordingly when assessing an application for renewal:
- any complaints received during the annual period and responses by applicant to

9. Economic Services and Development

- such complaints; and
- b) if there is any change in the circumstances under which the previous approval was granted.

3.0 Holiday Homes Register

3.1 A register of approved Holiday Homes will be established and maintained by the Shire. The register will record basic details of the property including the contact details of the owner and/or manager/caretaker; property address; configuration (number of bedrooms, beds, bathrooms and car parking), renewal dates and fees and the attachment of the management plan, code of conduct and the fire and emergency plan for the premises.

3.2 A person must not use a Residential zoned dwelling(s), or allow a residential zoned dwelling(s) to be used, as a Holiday Home or Holiday Home (Large):

- a) unless planning approval has been granted under the Scheme to use the dwelling(s) as a Holiday Home or Holiday Home (Large);
- b) unless the dwelling(s) is registered as a Holiday Home or Holiday Home (Large) under the subsequent register; and
- c) other than in accordance with—
 - i. the conditions of the approval; and
 - ii. the provisions of this Local Planning Policy.

3.3 Registration does not affect the obligations of an owner or a manager, or any other person, to comply with a relevant law.

3.4 Schedule 1 of this Policy contains the Certificate of Registration to be issued to Holiday Home operators once all matters of development approval are finalised to the satisfaction of the Shire. The Certificate of Registration shall be displayed within the approved premises at all times.

3.5 The Shire may provide details of the Holiday Homes Register to third parties for emergency purposes only.

4.0 Non Compliance And Cancellation

4.1 Any breach of development approval conditions or the management plan will be dealt with in accordance with the enforcement provisions of Part 13 of the *Planning Development Act 2005* and/or cancellation of a registration. A new application may be considered after 3 months have expired from the cancellation date.

- a) A breach of a development approval may be brought to the attention of the Shire as a result of an inspection or report by Shire staff, police report or by a member of the public.

5.0 Further Information

5.1 If a Residential zoned property is brought to the attention of the Shire to be operating as a commercial Holiday Home, a notice may be served requesting inspection, conducted by the Shire's Manager of Building Services, to ensure building requirements are up to standard and abide by fire safety requirements. This noticed served will also require a subsequent development approval to be obtained.

9. Economic Services and Development

- 5.2 It is recommended that landowners/managers seek independent legal advice on legislative requirements regarding the use and management of holiday homes. This would include, but is not limited to, checking the requirements of the *Equal Opportunity Act 1984* and the *Fair Trading Act 1987*.
- 5.3 As many residential public liability insurance policies exclude the use of premises for short term rentals, it is recommended that landowners/managers check this matter with their insurance providers.

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SCHEDULE 1: CERTIFICATE OF REGISTRATION

CERTIFICATE OF REGISTRATION

Shire of Dandaragan
LOCAL PLANNING POLICY 8.13: HOLIDAY HOMES

Date...../...../.....

This certifies that the dwelling at

.....
(address of holiday home)

owned by

.....
(name/s of owner/s)

managed by..... and

..... (name of manager) (name of acting manager)
is registered as a holiday home which may be used to accommodate occupants for hire or
reward in
accordance with—

- (a) the provisions of the *Local Planning Policy 8.13: Holiday Homes*;
- (b) any other relevant law; and
- (c) the conditions set out on the back of this certificate.

.....
Signature of CEO/CEO's delegate.

Notes:

1. *An application for registration of a holiday home cannot be approved unless planning approval has been granted under the Shire of Dandaragan Local Planning Scheme No. 7 to use the dwelling as a holiday home or holiday home (large).*
2. *Registration of a holiday home does not affect the rights and obligations of an owner or occupier under the by-laws of a strata company, including any requirement to obtain approval, or to comply with any restrictions, in connection with the use of a dwelling as a holiday home.*

CONDITIONS OF REGISTRATION

This registration is subject to the following conditions –

- 1.
- 2.

9. Economic Services and Development

9.13 C-9JBFCDP13 – Jurien Bay Commercial Development Plan

PART A- Policy

Purpose

The purpose of the Jurien Bay Foreshore Commercial Development Plan is to achieve a vibrant and active Jurien Bay Foreshore area that will attract tourism and commercial activity to Jurien Bay, whilst balancing the potential conflicts between commercial and public use of the Foreshore.

Objectives

- Activation of the Jurien Bay Foreshore recognising that while public open space is high priority and should not be compromised, people want amenities and activities that enhance their experience of the Foreshore.
- Provide specific guidance on the requirements for the operation of commercial and community land uses on the Jurien Bay Foreshore.
- Encourage commercial operators to operate in locations that support the activation of the Jurien Bay Foreshore, while complementing the existing businesses within the Jurien Bay City Centre.
- Identify the preferred locations for particular activities and to regulate the intensity of commercial activities on the Jurien Bay Foreshore.
- The effective use and management of the Jurien Bay Foreshore resulting in a space that is people focused which promotes health and wellbeing through active and passive recreation.

Policy Statement

3.0 Application of Policy

This Policy only applies to commercial and community land uses operating in the Jurien Bay Foreshore. For the purpose of the Jurien Bay Foreshore Commercial Development Plan, the Foreshore comprises the reserved land immediately abutting the seaward side of Grigson Street and Heaton Street, extending from Cook Street to the south to Doust Street to the north (portion of Reserve 28541 and Reserve 26939), as shown on the **Policy Area Map**.

Land uses considered by the Policy include:

- Commercial use of permanent or transportable structures;
- Mobile vendors (e.g. food trucks/ice cream vans);
- 'Pop up' restaurants/bars and other seasonal or temporary commercial uses;
- Adventure tour and hire businesses;
- Annual, occasional or regularly scheduled community events (e.g. markets and fairs);
- Personal trainers and organised group fitness classes;
- Concerts; and

9. Economic Services and Development

- Annual cultural and sporting events.

This policy should be read in conjunction with the Shire of Dandaragan's *Local Planning Policy 8.12 – Mobile and Itinerant Vendors and Commercial Activities on Reserved Land (Including Foreshore)* (LPP 8.12).

3.1 Approvals, Permits and Licensing

3.1.1 Mobile and Itinerant vendors who intend to operate on the Jurien Bay Foreshore are required to comply with the following, in accordance with LPP 8.12:

- a) Hold a valid Trading in Public Places Permit / Itinerant Food Vendors Permit granted by the Shire of Dandaragan;
- b) Hold a current *Food Act 2008* Certificate of Registration from a Western Australian Local Government if the vendor operates a Food Stall; and
- c) Obtain any other relevant approvals e.g. a Commercial Operations Licence from the Department of Biodiversity, Conservation and Attraction for use of the Jurien Bay Marine Park.

3.1.2 Development approval is required for uses where:

- a) Permanent or transportable structures are proposed; or
- b) The operation of the proposed activity is to exceed a 48 hour period or a series of dates, at the Shire's discretion.

3.1.3 Where required, a development application should be submitted to the Shire at least a month prior to the intended operation date, and should be accompanied by:

- a) A completed Shire of Dandaragan Application for Development Approval Form;
- b) Full details of the type of goods or services to be offered;
- c) A site plan demonstrating the location of the proposed operation;
- d) Floor plans and elevations of any proposed structure(s);
- e) Details of the times and dates of operation sought;
- f) Evidence of public liability insurance cover to the value of \$20 million; and
- g) Any other such information as may be required by the Shire to consider the Application.

3.1.4 Applications for community events and weddings should be made to the Shire of Dandaragan's Community Development Department via a completed Public Events or Wedding Application form and in accordance with the requirements set out in the Shire's Public Events Support Information Sheet.

3.2 Fees

3.2.1 All operators are required to pay the relevant Council adopted application costs listed within the Shire's *Schedule of Fees and Charges*.

3.2.2 Not-for-profit community groups and charities are exempt from fees and charges.

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3.3 Leases

- 3.3.1 The Shire of Dandaragan has the power to lease portions of the Foreshore for a maximum period of 21 years.
- 3.3.2 The granting of Foreshore leaseholds will generally only be considered for the paved area adjacent the Jurien Bay Jetty within Activity Area 1 of this Policy for permanent or transportable structures.
- 3.3.3 leasehold proposals will be subject to the procedures of section 3.58 of the *Local Government Act 1995* - Disposing of property.

3.4 Location and Siting

- 3.4.1 The approved commercial activity areas (Activity Area 1 and Area 2) within the Jurien Bay Foreshore available for commercial activity are shown on the **Policy Area Map**. Existing community infrastructure is shown on the plan for reference.
- 3.4.2 Activity Area 1 is intended to accommodate all of the commercial uses such as seasonal community events and markets, recreational based commercial activities, as well as the use of permanent and transportable structures as part of lease agreements in accordance with clause 3.4.
- 3.4.3 Activity Area 2 is intended to accommodate the civic and passive use of fixed public recreational infrastructure located within this area.
- 3.4.4 All vendors are to locate and operate in accordance with their, but not limited to, development approval conditions, traders permit conditions and/or user agreements as per LPP 8.12.
- 3.4.5 The Shire of Dandaragan reserves the right to make any approved location unavailable for a set period of time for community events, infrastructure works or any other reason the Shire deems necessary.

3.5 Waste Management

- 3.5.1 All operators are to demonstrate that all waste produced as a result of the operation of their activity is appropriately managed to the satisfaction of the Shire in accordance with clause 15 of Shire's *Community Amenities, Recreation and Culture Policy 6.3: Waste Management*.

3.6 Trading Hours

- 3.6.1 Trading in the Foreshore is generally permitted to occur between the hours of 7.00am to 8.00pm each day of the week.
- 3.6.2 Variations to these trading hours may be considered by the Shire during the relevant assessment stage.
- 3.6.3 Permitted trading hours shall be included on any approval or permit issued by the Shire.

3.7 Liquor Licensing

- 3.7.1 Applications that include the sale or provision of alcohol may be required to

9. Economic Services and Development

obtain one or both of the following:

- a) Liquor Licence issued by the Department of Racing, Gaming and Liquor; and/or
- b) A Consumption of Alcohol Permit issued by the Shire of Dandaragan.

3.8 Noise

3.8.1 All activity must comply with noise levels set out in the *Environmental Protection (Noise) Regulations 1997*.

3.8.2 Variations to the Noise Regulations may be considered by the Shire's Environmental Health Officer, at least 60 days prior to the event.

3.9 Advertising

3.9.1 In the case of mobile vendors, all advertising is to be fitted to the primary vehicle or immediately adjacent to the approved trading area. In addition, one temporary A-frame sign will be permitted for all operators where:

- a) It is located within 75m of the location of the business;
- b) It does not exceed any dimension of 1m or an area of 1m² on any side; and
- c) It is not sited on a main thoroughfare or as to obstruct any pedestrian traffic.

3.9.2 In the case of events, detached signage shall only be permitted for the event holder and not the individual stallholders.

3.10 Power

3.10.1 Mobile vendors shall provide their own power supply unless otherwise approved by the Shire.

3.10.2 Temporary wiring shall not be permitted to be laid on the ground or accessible to the public unless it is adequately protected or positioned in such a manner that is not considered a safety hazard.

3.10.3 Generators are to be installed in accordance with the relevant standards, and should be positioned to ensure supervision at all times.

3.11 Ablution Facilities

3.11.1 Existing ablution facilities within the Jurien Bay Foreshore are illustrated on the

Policy Area Map

Events which are anticipated to accommodate more than 500 people shall generally provide the ablution facilities set out in **Appendix 1**, in accordance with Appendix 7A – Recommended toilet facilities for temporary events of the *Guidelines on the Application of the Health (Public Buildings) Regulations*.

3.12 Other Management Considerations

3.12.1 Specific management requirements shall be detailed on the relevant approvals or permits issued by the Shire.

9. Economic Services and Development

Definitions

Itinerant means a person who travels along a road looking for customers and who sells, hires or provides a product or service from a vehicle which is parked temporarily to customers who stop the vendor or come to the vendor while the vehicle is parked.

Mobile means working in one place for a short period of time and then moving on to operate in another place.

Pop-up means a seasonal or temporary hospitality land use activity.

Public Place includes a road or place which the public are allowed to use, whether or not the road or place is on private property.

Permanent Structure means any building that has a permanent foundation, solid load bearing walls, and is solid in its built form.

Stallholder means a person owning or running a stall at a market.

Temporary Use means a use that is in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period.

Trading Area means the approved or permitted individual operating area, as granted by the Shire of Dandaragan.

Transportable Structure means any building that is brought to a property, held in place primarily by its own mass or affixed to the ground and includes, but not limited to, sea containers, decommissioned railway carriages, transport conveyances and prefabricated buildings.

Vendor means someone who promotes, exchanges or hires goods or services for money.

Legislation relevant to this policy

- Local Planning Scheme No.7
- Local Planning Policy 8.12: Mobile and Itinerant Vendors and Commercial Activities on Reserved Land
- Local Government Property Local Law
- Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
- Policy 6.3: Waste Management
- Local Government Act 1995
- Environmental Protection (Noise) Regulations 1997
- Food Act 2008
- Liquor Control Act 1988
- Health (Public Buildings) Regulations 1992

9. Economic Services and Development

Appendix 1 – Recommended Toilet Facilities for Temporary Events

Total Attendance	Male Facilities			Female WC's	Hand Basins	
	WC's	Urinals Trough or wall hung			Male	Female
Up to 1000	2	1.5 Metres	3	5	1	1
1000 – 2000	3	3 Metres	6	10	2	2
2000 – 3000	4	4.5 Metres	9	15	3	3
3000 – 4000	5	6 Metres	12	20	4	4
4000 – 5000	6	7.5 Metres	15	25	5	5
5000 – 6000	7	9 Metres	18	30	5	6
6000 – 7000	8	10.5 Metres	21	35	6	7
7000 – 8000	9	12 Metres	24	40	7	8
8000 – 9000	10	13.5 Metres	27	45	8	9
9000 – 10000	11	15 Metres	30	50	9	10
10000 – 11000	12	16.5 Metres	33	55	9	11
11000 – 12000	13	18 Metres	36	60	10	12
12000 – 13000	14	19.5 Metres	39	65	11	13
13000 – 14000	15	21 Metres	42	70	12	14
14000 – 15000	16	22.5 Metres	45	75	13	15
15000 – 16000	17	24 Metres	48	80	13	16
16000 – 17000	18	25.5 Metres	51	85	14	17
17000 – 18000	19	27 Metres	54	90	15	18
18000 – 19000	20	28.5 Metres	57	95	16	19
19000 – 20000	21	30 Metres	60	100	17	20
20000 – 21000	22	31.5 Metres	63	105	17	21
21000 – 22000	23	33 Metres	66	110	18	22
22000 – 23000	24	34.5 Metres	69	115	19	23
23000 – 24000	25	36 Metres	72	120	20	24
24000 – 25000	26	37.5 Metres	75	125	21	25
25000 – 26000	27	39 Metres	78	130	21	26
26000 – 27000	28	40.5 Metres	81	135	22	27
27000 – 28000	29	42 Metres	84	140	23	28
28000 – 29000	30	43.5 Metres	87	145	24	29
29000 – 30000	31	45 Metres	90	150	25	30

Females increase at the rate of 1 WC per 100 Females.

Males increase at the rate of 1 WC per 500 males plus 1.5 metres urinal or 3 urinals

Per 500 males. (This table uses 500mm as 1 urinal space – BCA uses 600 mm).

Hand wash basins 1 per 5 WC's or urinals.

These figures are for events where alcohol is available.

Duration of event

More than 8 hours

6 hours but less than 8 hours

4 hours but less than 6 hours

Less than 4 hours

If no alcohol then reduce the above table by

Be flexible – Utilise experience to ascertain the relevance of this table to your events.

Percentage of the table values

100%

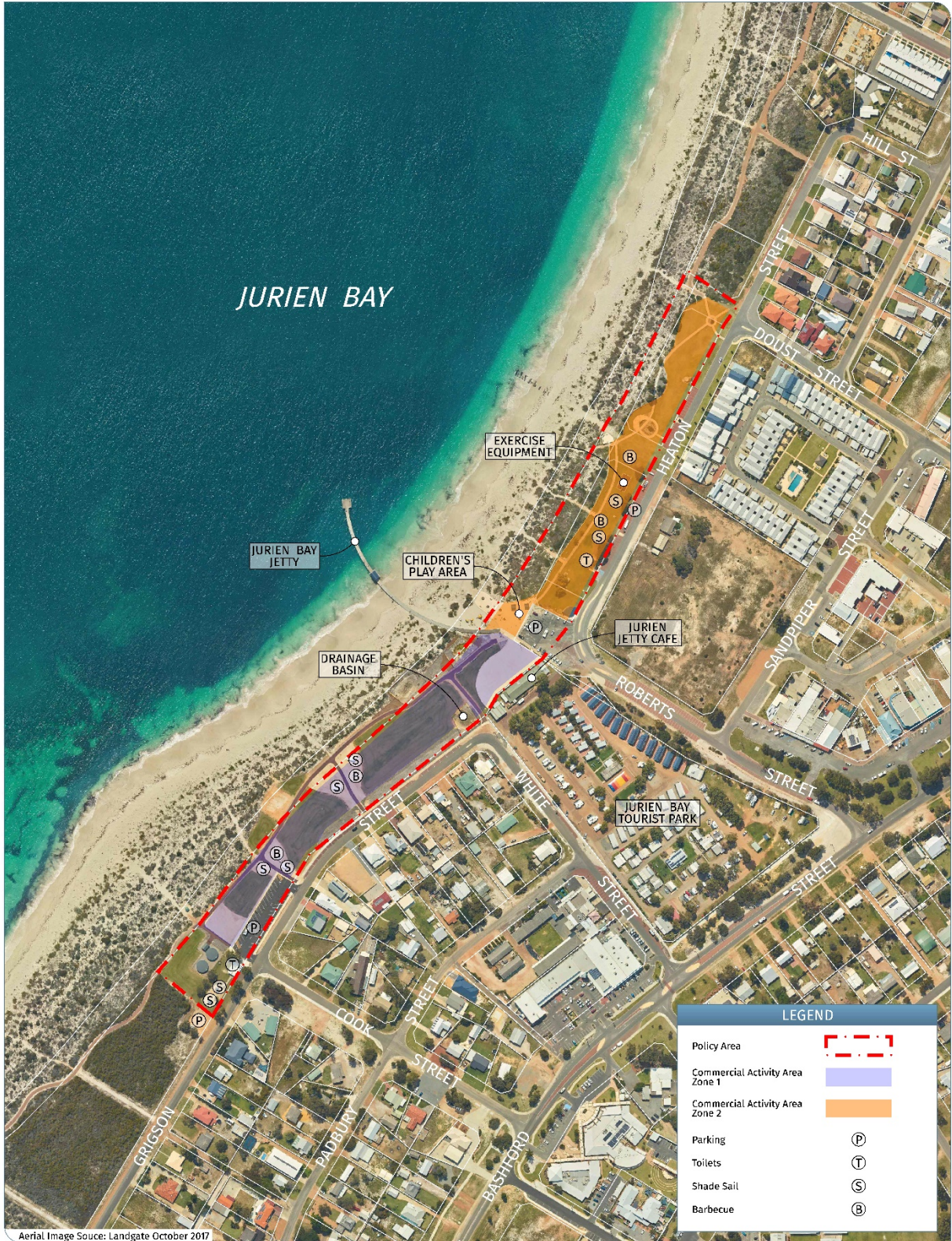
80%

75%

70%

50%

9. Economic Services and Development



Aerial Image Source: Landgate October 2017

**Jurien Bay Foreshore
Commercial
Development Plan
Policy Area Map**

Plan No. | 21224-04
Date | 05/11/18
Drawn | JW
Checked | MM
Revision | B

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Scale | 1:3000@A3

0 40m 80m

NO PLAN HAS BEEN PREPARED FOR PLANNING PURPOSES. AREAS, COLOURS AND SIZINGS ARE SUBJECT TO SURVEY



Harley Dykstra
PLANNING & SURVEY SOLUTIONS



CODE OF CONDUCT

OBJECTIVE

The Code of Conduct provides council members, committee members and employees with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

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

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

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

Head of Power

Local Government Act 1995. s.5.103

- (1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

Scope and Limitations

Applies to all Shire of Dandaragan council members, committee members, and employees.

RULES OF CONDUCT

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

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

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

CODE OF CONDUCT

“A Councillor -

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

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

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government’s finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents’ concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995:

“The CEO’s functions are to -

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*

CODE OF CONDUCT

- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.”*

1.3 Role of Council

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

- “(1) The council -
 - (a) *directs and controls the local government’s affairs; and*
 - (b) *is responsible for the performance of the local government’s functions.**

- (2) Without limiting subsection (1), the council is to —
 - (a) *oversee the allocation of the local government’s finances and resources; and*
 - (b) *determine the local government’s policies.”**

1.4 Relationships between Council Members and Staff

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

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

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

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

- (b) Staff will not engage in private work with or for any person or body with an

CODE OF CONDUCT

interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

- (c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

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

2.3 Disclosure of Interest

Definition:

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

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

- (a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -

CODE OF CONDUCT

- (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
 - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
 - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property

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

CODE OF CONDUCT

3.3 Improper or Undue Influence

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

3.4 Gifts

Definitions:

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

“activity involving a local government discretion” means an activity:

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

“gift” has the meaning given to that term in S 5.82(4) except that it does not include:

- (a) a gift from a relative as defined in S 5.74(1); or*
- (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

“notifiable gift”, in relation to a person who is an employee, means -

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;*

“prohibited gift”, in relation to a person who is an employee, means -

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

- (a)** A person who is an employee is to refrain from accepting a prohibited gift from a person who:
 - (i)** is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii)** it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- (b)** A person who is an employee and who accepts a notifiable gift from a person who:
 - (i)** is undertaking or seeking to undertake an activity involving a local government discretion; or

CODE OF CONDUCT

- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.
- (c) The notification of the acceptance of a notifiable gift must be in writing and include:
 - (i) the name of the person who gave the gift; and
 - (ii) the date on which the gift was accepted; and
 - (iii) a description, and the estimated value, of the gift; and
 - (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition):
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance, of each other gift accepted within the 6 month period.
- (d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF

4.1 Personal Behaviour

- (a) Council Members, Committee Members and staff will:
 - (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and

CODE OF CONDUCT

- (v) always act in accordance with their obligation of fidelity to the Local Government.
- (b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- (b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

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

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional

CODE OF CONDUCT

and responsible management practices.

4.6 Corporate Obligations

- (a) **Standard of Dress**
Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly:
- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
 - (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.
- (b) **Communication and Public Relations**
- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
 - (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
 - (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members:

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

CODE OF CONDUCT

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and staff will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

- (a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- (b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Legislation:

Local Government Act 1995, s.5.103, 5.59-5.90

Local Government (Administration) Regulations, r.34B & 34C

Local Government (Rules of Conduct) Regulations 2007, r.11

Notes:

Based on WALGA Model Code of Conduct, released 19 March 2008



CUSTOMER SERVICE CHARTER

INTRODUCTION

The very nature of local government necessitates a broad definition of customer. Council has both explicit and implicit customers which include:

- users of services and infrastructure;
- people affected or potentially affected by physical works and / or changes to service;
- future inhabitants and generations;
- internal service divisions; and
- Councillors and staff.

OBJECTIVE

To establish the principles upon which Council will drive its Customer Service Customer.

Customer Service Charter is as follows:

The Shire of Dandaragan's commitment to you:

"Our Customer Service Charter (CSC) reflects our commitments in the quality of service which is provided to you.

Our CSC will be regularly reviewed and adapted to meet the changing needs of our customers."

OUR CUSTOMERS

- ✓ Residents, electors, members of the business community and community groups.
- ✓ Future generations, residents and electors who will be affected by today's planning decisions.
- ✓ Government Departments and non-Government agencies.
- ✓ Shire of Dandaragan staff and management.
- ✓ Visitors to the Shire.
- ✓ Contractors and suppliers.

SERVICE STANDARDS YOU CAN EXPECT

Regardless of your method of enquiry, in person, by telephone, email or letter:

Face to Face - Customer Service

- ✓ You will be greeted in a friendly, polite manner.
- ✓ Staff will wear a name badge and uniform where issued.
- ✓ Staff will endeavour to resolve an issue on the spot or will handover to an appropriate member of staff (if available) to respond.



CUSTOMER SERVICE CHARTER

On the Telephone

- ✓ All calls will be answered.
- ✓ All calls will be directed to the staff member responsible. If the appropriate member of staff is not available the customers call will be returned within 24 hours unless an alternative timeframe is agreed.
- ✓ Once contact is established the staff member will provide contact details for future communication.

In Writing

- ✓ All correspondence on receipt will receive a response within 10 working days.
- ✓ Responses will contain accurate information and will be written in a clear, concise and easily understood language.
- ✓ If a full response is unable to be provided within 10 working days correspondence will be sent outlining a timeframe for the preparation of a detailed response.

For Planning Applications

- ✓ We will process standard development applications within 60 working days or 90 working days if the application is required to be advertised or as agreed with the applicant where all information required for us to properly assess your application is available.
- ✓ We will acknowledge complex planning applications within 10 working days and keep you informed at each stage of the application process.

For Building Permit and Demolition Permit Applications

- ✓ Complete building and demolition permit applications may be lodged as Certified Applications or Un-certified Applications.
- ✓ Applications that are certified by a private certifier are to be provided with a building permit within 10 business days starting from the first business day after the day of lodgement.
- ✓ Un-certified Applications given a certificate of design compliance by the permit authority (local government) are to be provided with a building permit within 25 business days starting from the first business day after the day of lodgement.
- ✓ The prescribed times may be extended in the interest of customer service if the applicant has agreed to some other timeframe to allow them the opportunity to provide further information in support of the application which has prevented the permit authority from granting the building or demolition permit as provided for in the *Building Act 2011* and the *Building Regulations 2012*.

Overall

- ✓ All interaction will be undertaken in a professional, fair and unbiased manner.
- ✓ Privacy and confidentiality will be respected.
- ✓ Dissatisfied customers will be advised of Council's complaint handling procedures.



CUSTOMER SERVICE CHARTER

We will achieve our commitment to you by

- ✓ Progressively reviewing and improving forms, systems and procedures from a customer's perspective.
- ✓ Conducting regular customer service employee training programs.
- ✓ Making information available in alternative formats for people with specific requirements.
- ✓ By making the development of positive customer service attitudes part of the performance review programme for all staff.
- ✓ By formally acknowledging staff who provide excellent customer service.
- ✓ By conducting regular market research to ensure we are meeting the needs of our customers, such as via a customer feedback survey available at all our Shire offices.

Helping us to help you

You can help us to meet these commitments by:

- ✓ Having a note pad and pen by the phone when you call the Shire.
- ✓ Providing accurate and complete details when phoning us with any queries or requests.
- ✓ Phoning to make an appointment if you have a complex enquiry, need to see a specific officer or need to discuss your enquiry with officers of more than one service area.
- ✓ If phoning as a result of correspondence from the Shire, phoning directly to the officer nominated on the correspondence and quoting the reference number on the letter.
- ✓ Providing all information required for assessing planning and building applications.

Feedback

The Shire of Dandaragan values the feedback that our customers provide and welcome suggestions, compliments and complaints. We would like to hear from you by:

Phoning our Customer Services Officer on (08) 9652 0800 and giving details.

Writing to the Chief Executive Officer, Shire of Dandaragan, PO Box 676, JURIE BAY WA 6516

Emailing to: council@dandaragan.wa.gov.au

Or by completing our feedback form either via the website or mailing or dropping a hard copy back to our office in Bashford Street, Jurien Bay.

Shire of Dandaragan
69 Bashford Street (PO Box 676)
Jurien Bay WA 6516
Phone: 08 9652 0800 | Fax: 08 9652 1310
email: council@dandaragan.wa.gov.au
website: www.dandaragan.wa.gov.au

Office hours: 8am - 5pm Mon to Fri



Cervantes Cultural Committee Inc
Post Office Box 184
Cervantes, wa. 6511

Dear Brent

Thank you for your email and in answer to your question why we would like to have funding increased from the original annual donation of \$1500 to \$2000 is as following ;

- 1) We have increased our prize awards in all categories, costing us \$8300.00 this is to help to attract more Artists and better quality art to our Festival and this increase is still not in align with other similar Art Exhibitions around the state. Artists have informed me that art materials have increased considerably over the last 2 years and therefore they are looking at the higher award exhibitions to enter to make it worthwhile.
- 2) General sponsorship has become less over time as businesses just cannot afford the costs of sponsoring the many requests made to them and the big corporates have refused where once they were happy to contribute.
- 3) Judges Fees have increased
- 4) Workshop fees have increased. Most workshop Artist fees have increased over the last 5 years considerably
- 5) Advertising has increased
- 6) Hall Fees have increased for future workshops etc.
- 7) Lastly but most importantly it has cost the Cervantes Art Committee \$22,000 to run the Art Festival each biannual year and we believe strongly this is still a very worthwhile event to run and to have in our Shire but we cannot continue without your support.

I hope Brent this has given a glimps into some of our running costs of the Cervantes Art Exhibiton and we very much appreciate any increase that may come our way from the Shire.

Yours Sincerely

Anne Murray (President)



**Cervantes Art Committee Inc.
Post Office Box 184
Cervantes WA 6511**

Robyn Headland

From: Bob Howe <bobhowe13@gmail.com>
Sent: Wednesday, 8 May 2019 1:31 PM
To: Brent Bailey; Leslee Holmes; Wayne Gibson
Cc: Jason Clarke; Dahlia Richardson; Kaye McGlew; Peter Scharf; Rob Shanhun; Ann Eyre; Ann Eyre; Rob Shanhun
Subject: Acceptance of the 2&2 lease offer

Follow Up Flag: Follow up
Flag Status: Flagged



Brent Bailey,

The members of the Cervantes Community Men’s Shed, voted to accept the 2&2 lease offer so that the lease documents maybe drawn up.

While the council have not assisted the Jurien Men’s Shed or the Lions Club, both these organizations have not been in the situation that the Cervantes Men’s Shed are now in. The Cervantes Men’s Shed are at present occupying a building owned by the Shire, and it is the Shire that have asked the CCMS to move for future foreshore developoment, The Shed the CCMS are now in Madrid St, we paid a to have a lease through the Department Of Transport, raised money, secured grants to improve the shed, found money to pay the rent (\$2200pa) and built extensions , with the Shire’s approval,

We (the membership) feel that as the Shire want us to move from a Shire owned building, some consideration should be given to compensate the CCMS for this work and the inconvenience of moving and acquiring the associated grants in this exercise. While we note this is outside Shire policy we feel that the extra ordinary consideration given to the Cervantes Football Club regarding their shed, would indicate that the Shire can go outside of the Shire policy.

Along with the agreement to level the block, that has been designated to the CCMS, we list our requests below giving the highest priority at the top of the list

1. Power Supply to the New Shed
2. Council meets all costs of surveying

3. Council to meet all costs of the new lease
4. Security fencing to the site.

NOTE The CCMS intend to install tanks to collect rain water, so water to site is not a major priority.

We ask the Councillors to give consideration to the different situation we are in to that of other organizations and offer some assistance to achieve Both the Shire and the CCMS Goals.

Regards
K.R Howe (sec)

CERVANTES HISTORICAL SOCIETY INC.
PO Box 222 CERVANTES WA 6511
cervantes50th@hotmail.com

13th May 2019

The CEO, Mr Brent Bailey
Shire of Dandaragan

Dear Mr Bailey

The members of the Cervantes Historical Society support whole heartedly the Cervantes Community Men's Shed in their endeavour to obtain suitable, permanent housing as they have to move from their current premises.

We understand the Shire has offered a block off Aragon Street, to the rear of the Community Recreation Centre for development but it would be up to the Men's Shed to finance the majority of the costs involved, ie the surveying (which as it is Shire property, surely this has already been recorded), power supply, fencing and the lease agreement.

As this move is at Shire request (order?) our members feel that the Shire should be covering the majority of these costs. After all, the Men's Shed and other community groups involved are just that – volunteer community groups who all contribute greatly to the benefit of members, the community in general and therefore to the Shire.

The Historical Society has 25 members. Since the incorporation of the society in 2009, a large collection of photographs, information and memorabilia has been amassed that need a permanent home. The Men's Shed building would allow that to happen.

A group of our members has just returned from a tour through the Midwest that included visiting museums and historical societies. The majority of these groups all receive wonderful support from their local government bodies, some in the form of complete buildings and land supplied and peppercorn rents. Many city groups also enjoy this support from their local councils as well.

The Cervantes Community Men's Shed, the Cervantes Historical Society and other Cervantes community groups are very progressive in their activities and all deserve the support of our local government body – the Shire of Dandaragan.

Yours Faithfully
Marilyn Gazeley, President
CC to all Councillors

SHIRE-MANAGED LAND LEASE TEMPLATE

NOTE: Pages 1 - 3 of this document are for **guidance only** and must be **deleted** once the document is complete.

TITLE OF DOCUMENT: SHIRE-MANAGED LAND LEASE TEMPLATE

NOTES:

Purpose of this template:

This lease template should be used where Shire-managed land is being leased to a tenant.

This lease template should **not** be used in relation to:

1. Shire-owned land; or
2. a “retail shop lease” within the meaning of that term in section 3 of the *Commercial Tenancy (Retail Shops) Agreements Act 1985 (WA)*.

How to use this template

1. Copy the template to a new document.
2. Populate the template to suit the transaction.
3. Ensure that all # [redacted] # symbols are completed. The variable sheet on pages 2 and 3 of this document will assist with the completion of the # [redacted] # symbols.
4. Ensure that any special conditions are included in Schedule 2.
5. If the lease is over **part** of a reserve, ensure that a plan of the leased area is included in Annexure A.
6. If the lease is over the **whole** of a reserve, ensure that Annexure A is removed from the document.
7. Check the final document carefully.
8. Delete pages 1-3 of this document.

VARIABLE SHEET FOR SHIRE-MANAGED LAND LEASE TEMPLATE

[Use this sheet to complete the variable details in this document. Each variable number corresponds to a variable detail in the document. Make sure you search the word “variable” before you finalise your document to ensure you have completed all the variable details. You must still read the document in its entirety to ensure it is suitable for your transaction.]

Variable Number	Page/ Clause Reference	Information to be inserted
1	Cover page	Address of Leased Premises
2	Cover page Page 1	Name of Lessee
3	Cover page Page 1	ACN of Lessee (if applicable). If not, delete this line.
4	Cover page Page 1	Name of Guarantor (if applicable). If not, delete this line.
5	Cover page Page 1	ACN of Guarantor (if applicable). If not, delete this line.
6	Page 1	Year
7	Page 1	Address of Lessee
8	Page 1	Address of Guarantor (if applicable). If not, delete this line.
9	Item 1 Schedule 1	Authorised Use
10	Item 2(a) Schedule 1	Term
11	Item 2(b) Schedule 1	Further Term
12	Item 3 Schedule 1	Commencement date of lease
13	Item 4 Schedule 1	End date (of the initial Term)
14	Item 5(a) Schedule 1	Lot & Plan/ Deposited Plan/ Diagram details
15	Item 5(a) Schedule 1	Volume & Folio details
16	Item 5(a) Schedule 1	Street address (if applicable). If not, delete the text “being commonly known as...”
17	Item 5(b) Schedule 1	Specify whether the whole or part of the land is being leased by deleting the non-applicable option.
18	Item 8 Schedule 1	List the Lessor’s Fixtures. If there are none then insert “Not applicable”.
19	Item 9 Schedule 1	List any clauses of the Lease (if any) that do not apply. If there are none, then insert “Not applicable”. Note: this is to prevent deletions or amendments to the clauses in the body of the lease, which can affect the numbering of clauses etc.
20	Schedule 2	Include any additional special conditions that apply.
21	Annexure A	If the lease is over only part of a reserve then a plan needs to be inserted, with the leased portion of land hachured. If the lease is over the whole of a reserve then Annexure A should be removed.

LEASE

[# variable 1 #]

SHIRE OF DANDARAGAN
("Lessor")

AND

[# variable 2 #]
(ACN [# variable 3 #])
("Lessee")

AND

[# variable 4 #]
(ACN [# variable 5 #])
("Guarantor")

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SCHEDULE 127
SCHEDULE 229

THIS DEED is made the
#]

day of

200[# variable 6

B E T W E E N

SHIRE OF DANDARAGAN of PO Box 676, Jurien Bay, Western Australia (“Lessor”)

and

[# variable 2 #] (ACN [# variable 3 #]) of **[# variable 7 #]** (“Lessee”)

and

[# variable 4 #] (ACN [# variable 5 #]) of **[# variable 8 #]** (“Guarantor”)

RECITALS:

- A. The Lessor is the management body in respect of the Land.
- B. Under the Management Order for the Land, the Lessor has the power to lease the Land subject to the approval of the Minister.
- C. The Lessor has agreed to lease the Leased Premises to the Lessee on the terms and conditions of this Lease.

THE PARTIES COVENANT AND AGREE AS FOLLOWS:

1. **Definitions and Interpretation**

In this Lease, unless such an interpretation is excluded by or contrary to the context:

1.1 **Definitions**

The following terms are defined:

"Authorised Person" means:

- (a) an agent, employee, licensee, contractor or invitee of the Lessee;
- (b) any person visiting the Leased Premises with the express or implied consent of any person referred to in paragraph (a) of this definition;
and
- (c) any person claiming under or through the Lessee;

"Authorised Use" means the use specified in item 1 of Schedule 1;

"Business Day" means a day other than a Saturday or Sunday or a day that is a public holiday in Western Australia;

"Commencement Date" means the commencement date specified in item 3 of Schedule 1;

"Common Areas" includes those parts of the Land that the Lessor has set aside (if any) as areas which are open to the public or otherwise available for

access and egress, common use, amenity, or convenience by other users or occupiers;

"End Date" means the date specified in item 4 of Schedule 1;

"Event of Default" means the events specified in clause 17 of this Lease;

"Facilities" means the water supply, drainage, sewerage, gas and electrical fixtures, fittings or appliances (if any) in or on the Land or the Leased Premises;

"Force Majeure" includes the following:

- (a) Act of God;
- (b) fire, explosion, flood, fog or other adverse weather conditions or natural disaster;
- (c) the act of any Relevant Authority (including refusal or revocation of any licence or consent);
- (d) power failure, failure of telecommunications lines, failure or breakdown of plant and equipment, machinery or vehicles;
- (e) default of suppliers or independent contractors;
- (f) theft or malicious damage;
- (g) outbreak of hostilities, riot, civil disturbance, acts of terrorism; or
- (h) any cause or circumstance whatsoever beyond the reasonable control of a party to this Lease;

"Further Term" means each further term specified in item 2(b) of Schedule 1;

"LAA" means the *Land Administration Act 1997* (WA);

"Land" means the land described in item 5(a) of Schedule 1;

"Laws" means all statutes, rules, regulations, proclamations, ordinances, legislative instruments or by-laws present or future that apply to the Land, the Leased Premises and this Lease;

"Lease" means this lease and the Schedules and, where applicable, any appendices, plans or other attachments to this lease as amended from time to time;

"Leased Premises" means that part of the Land described in item 5(b) of Schedule 1 together with any buildings and improvements situated thereon;

"Lessee's Activities" means the activities carried on by the Lessee from the Leased Premises;

"Lessee's Fixtures" means each fixture and fitting installed by the Lessee in or on the Leased Premises with the Lessor's consent including any structural improvements;

"Lessee's Obligations" means each covenant, obligation and duty contained or implied in this Lease or required by law to be performed by the Lessee, the Guarantors (if any) or any Authorised Persons;

"Lessee's Rights" means the Lessee's rights under this Lease or implied by law;

"Lessor's Fixtures" means the Lessor's fixtures and fittings in or on the Leased Premises and any structural improvements which are classified by the Lessor as the property of the Lessor in accordance with this Lease;

"Lessor's Works" means any refurbishment, upgrade and renovation works carried out or to be carried out on or to the Leased Premises as notified to the Lessee by the Lessor from time to time;

"Lessor's Rights" means the rights of the Lessor under this Lease or implied by law, including without limitation the benefit of the performance of the Lessee's Obligations;

"Maintain" includes maintain, repair, renovate, replace, decorate and refurbish, and "Maintenance" and "Maintaining" have equivalent meanings;

"Minister" means the Minister for Lands, a body corporate under section 7 of the LAA;

"party" and "parties" mean respectively a party or parties to this Lease;

"Plant and Equipment" means the plant and equipment (if any) used in connection with the provision of any Services or the heating, cooling, lighting, power or plumbing for the Leased Premises;

"Rate" means the interest rate specified in item 6 of Schedule 1;

"Rates and Taxes" means:

- (a) council rates and charges including, but not limited to, rubbish removal rates and charges;
- (b) land tax (including metropolitan region improvement tax) on a single holding basis;
- (c) water, drainage and sewerage rates, including, but not limited to, meter rents, charges for the disposal of storm water and excess water charges;
- (d) rates, taxes, charges, duties and fees levied, charged, assessed or imposed by a Relevant Authority in respect of any part of the Leased Premises or the ownership or occupation of any part of the Leased Premises,

together with any related interest, penalties, fines and expenses in connection with them but excluding any tax imposed by the *Income Tax Assessment Act 1936 (Cth.)* or the *Income Tax Assessment Act 1997 (Cth.)*;

"Relevant Authority" means any government, statutory, public or other authority or body having jurisdiction over the Leased Premises or any matter or thing relating to the Leased Premises;

"Rent" means the rent specified in item 7 of Schedule 1;

"Schedule" means a schedule to this Lease;

"Services" means any telecommunication, electricity, gas, oil, fuel, water or other similar commodity, facility or service (if any) in, to or on the Leased Premises or otherwise serving the Leased Premises or, where applicable, any other part of the Land;

"Term" means the term specified in item 2(a) of Schedule 1;

"Termination" means the expiry of the Term by effluxion of time or by termination in accordance with this Lease;

"Works Conditions" means in respect of any Maintenance or other works carried out on or to the Leased Premises by the Lessee, the Lessee must:

(a) do so:

- (i) only with the prior written approval of the Lessor (not to be unreasonably withheld) and all Relevant Authorities;
- (ii) at the Lessee's cost;
- (ii) in a safe and proper workmanlike manner and to the satisfaction of the Lessor, acting reasonably;
- (iii) using only materials that are the same or of a similar quality to existing materials of the Leased Premises;
- (iv) in full compliance with:
 - (A) any approval given and conditions imposed by the Lessor acting reasonably and all Relevant Authorities;
 - (C) all plans and specifications approved by the Lessor;
 - (D) all other requirements, notices, orders or directions of any Relevant Authority; and
 - (E) all relevant Laws;

(b) ensure that the Lessee and all its employees, agents, contractors and workmen employed in executing the relevant works:

- (i) as soon as reasonably practicable comply with the reasonable directions of the Lessor in relation to their conduct in and access to the Leased Premises and when going to and from the Land and the Leased Premises; and
- (ii) take all necessary steps to cause as minimum disturbance to the greatest extent possible to the Lessor and to the owners or occupiers of any nearby properties having regard to the nature of the works being carried out;

- (c) if required by the Lessor, erect and maintain a fence around the Leased Premises during the erection and completion of the works and ensure that such fence is sufficiently sound, high and secure to prevent entry upon the Leased Premises by unauthorised persons and members of the public;
- (d) clean up the Leased Premises progressively during the construction, installation or demolition of the works as the case may be and promptly remove from the Leased Premises all rubbish and waste arising from such works; and
- (e) pay on demand to the Lessor all the reasonable costs of the Lessor in connection with the relevant works including the Lessor's administrative and other reasonable costs of giving consent and the fees of any architect or other consultant used by the Lessor in connection with the relevant works EXCEPT THAT such costs do not include any costs or expenses incurred by the Lessor or entitled to be recovered by the Lessor in its capacity as the local government charged with the responsibility of approving such works; and

"Written Law" has the same meaning given to that term in the *Interpretation Act 1984*.

1.2 Interpretation

The following interpretations shall apply:

- (a) words importing the singular shall include the plural and vice versa, words importing gender shall include the masculine, feminine and neuter genders and words importing persons shall include individuals, firms, associations, partnerships, government authorities, incorporated and unincorporated entities and corporations;
- (b) if two (2) or more persons by this Lease undertake an obligation or make or give any warranty or undertaking, or waive any right or entitlement, they shall be bound both jointly and jointly and severally;
- (c) where the day or last day for doing an action or for the payment of any money or on which any entitlement is due to arise or a notice is deemed served is not a Business Day, the day or last day for doing that act or payment of that money or on which that entitlement arises or notice is deemed served, shall be deemed to be the next Business Day;
- (d) a reference to any party includes that party in its own right and in its capacity as trustee of any trust (whether specified or not), and also includes that party's executors, administrators, successors, substitutes and permitted assigns in accordance with this Lease, including any person taking by way of novation;
- (e) all headings and any table of contents or index have been inserted for convenience purposes only and shall not affect the interpretation hereof;
- (f) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form in respect of such word or phrase shall have a corresponding meaning;

- (g) all references to monetary amounts are references to Australian dollars unless stated otherwise;
- (h) a reference to:
 - (i) a right includes a benefit, remedy, discretion, authority or power;
 - (ii) an obligation includes a warranty or representation;
 - (iii) a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (iv) provisions or terms of this Lease include a reference to both express and implied provisions or terms;
 - (v) writing includes any means or mode of representing or reproducing words in a tangible and permanently visible form, and includes facsimile transmissions.
 - (vi) signature and signing includes due execution by a corporation or other relevant entity;
 - (vii) a month means a calendar month;
 - (viii) conduct includes, without limitation, an omission, statement or undertaking, whether or not in writing; and
 - (ix) an amount for which a person is contingently liable includes, without limitation, an amount which that person may become actually or contingently liable to pay if a contingency occurs, whether or not that liability will actually arise;
- (i) no rule of construction of documents shall apply to the disadvantage of a party, on the basis that that party put forward this document or any relevant part of it;
- (j) “including” and similar expressions are not words of limitation;
- (k) a covenant, agreement, representation or warranty in favour of two (2) or more persons is for the benefit of them jointly and severally;
- (l) a reference to a statutory, professional or industry body includes a reference to a successor or substitute for that body;
- (m) unless repugnant to the context, a covenant by a party to do or omit to do anything includes a covenant by an Authorised Person to do or omit to do that thing, and the party is liable for all acts or omissions of an Authorised Person;
- (n) a general description of any matter or thing whatever shall not be read down if followed by any specific examples of that matter or thing; and
- (o) covenants implied by Laws are not incorporated in the Lease, unless the relevant Law provides that certain covenants are to be implied and cannot be excluded by agreement.

1.3 Performance of Functions by Minister

- (a) All acts and things which the Minister is required or empowered to do under this Lease must be done by the Minister or the Minister's delegate appointed under section 9 of the LAA;
- (b) Where payments and rights accrue to the Minister or obligations are imposed on the Minister pursuant to this Lease the same are for the benefit and burden respectively of the Lessor unless the context otherwise requires.

1.4 Approval by the Lessor or Minister

In any case where under this Lease the doing or executing of any act, matter or thing by the Lessee is dependent on the approval or consent of the Lessor or the Minister such approval or consent will not be effective unless it is given in writing. Such consent may be given or withheld by the Lessor in the Lessor's reasonable discretion or by the Minister in the Minister's absolute discretion and may be given subject to such conditions as the Lessor or the Minister may reasonably determine unless otherwise provided in this Lease.

1.5 Consent of Western Australian Planning Commission

If for any reason this Lease requires by law the consent of the Western Australian Planning Commission then this Lease is made expressly subject to and is conditional upon the granting of the consent of the Western Australian Planning Commission.

2. Operative part

2.1 Lease of Leased Premises

- (a) In consideration of the Lessee agreeing to duly pay the Rent and other money payable under this Lease and to duly observe and perform the Lessee's Obligations, the Lessor leases the Leased Premises and grants the Lessee's Rights to the Lessee for the Term subject to the reservation of the Lessor's Rights under this Lease.
- (b) This Lease is subject to and expressly conditional upon:
 - (i) the Lessor, to the extent required, complying with the procedures it is required to comply with under any Written Law including, but not limited to, the *Local Government Act 1995* (WA); and
 - (ii) the approval in writing of the Minister being obtained under the LAA.

2.2 Quiet enjoyment

The Lessor warrants that the Lessor has full capacity to grant this Lease, and if the Lessee:

- (a) pays the Rent and other money payable under this Lease; and
- (b) duly observes and performs the Lessee's Obligations,

the Lessor agrees that the Lessee may quietly hold the Leased Premises and enjoy the Lessee's Rights during the Term without any disturbance from the Lessor or any person lawfully claiming through the Lessor, except to the extent that the interruption, disturbance or interference arises because of the exercise of the Lessor's Rights or is otherwise permitted by any provision of this Lease.

2.3 Lessee responsible as if owner

The Lessee is subject to the same responsibilities relating to persons and property during the Term as if the Lessee were the owner of the Leased Premises.

3. Reservation of Lessor's rights

Without limiting any other provision of this Lease, the Lessor reserves the following rights:

3.1 Improvements to Leased Premises

The Lessor may at any time carry out any Lessor's Works as are reasonably required but, in exercising these rights, the Lessor shall use the Lessor's reasonable endeavours not to cause any undue interference with the conduct of the Lessee's Activities.

3.2 Right to enter

(a) The Lessee shall permit the Lessor to enter the Leased Premises at all reasonable times on the giving of reasonable notice, or immediately in the case of emergency, with or without workmen or other interested persons and with or without plant, equipment and materials to:

- (i) view the state of repair of the Leased Premises and to ensure compliance with the Lessee's Obligations;
- (ii) comply with any requirement or order of any local government or other Relevant Authority;
- (iii) carry out any Maintenance on or to the Leased Premises or the Land, the Plant and Equipment or cables, pipes or wires within the Leased Premises or the Land;
- (iv) view the Leased Premises with any persons interested in the Land or the Leased Premises; and
- (v) carry out any Lessor's Works,

but, in exercising these rights, the Lessor shall use the Lessor's reasonable endeavours not to cause any undue interference with the conduct of the Lessee's Activities.

(b) The Lessor may enter the Leased Premises at any time for the purpose of doing anything which should have been done by the Lessee under this Lease but which has not been done or has not been done properly.

3.3 Common Areas

With respect to structures and Facilities in the Common Areas (if any), the Lessor may in its absolute discretion at any time erect or modify such structures or Facilities.

3.4 Granting easements etc

The Lessor may grant easements of support or any other easements or similar rights over any part of the Land or the Leased Premises but the Lessor shall not without the Lessee's prior consent do anything which will substantially and permanently derogate from the quiet enjoyment of the Lessee's Rights by the Lessee.

4. Rent

The Lessee must pay the Rent to the Lessor in the manner set out in item 6 of Schedule 1.

5. Outgoings

The Lessee must pay punctually to the Lessor, or to such person as the Lessor may from time to time direct, all the following outgoings or charges (if applicable), assessed or incurred in respect of the Leased Premises:

- (a) all Rates and Taxes;
- (b) telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring, internet connections or telephone connection and the Lessee shall ensure that any accounts for all charges and outgoings in respect of telephone, gas and other power and light charges are taken out and issued in the name of the Lessee; and
- (c) any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Leased Premises.

6. Use of Leased Premises and Facilities

6.1 Authorised Use

The Lessee shall not:

- (a) use the Leased Premises for any purpose other than the Authorised Use specified in item 1 of Schedule 1; or
- (b) use any Facility, Service, item of Plant and Equipment or Lessor's Fixture for a purpose for which it was not designed or designated.

6.2 Licenses and Limitations

If the carrying on of the Lessee's Activities at the Leased Premises is permissible only with the consent, licence or authority under any Law, the

Lessee shall obtain and maintain the currency of that consent, licence or authority and comply with that Law.

6.3 Comply with requirements

The Lessee shall:

- (a) not do or omit to do any thing which might interfere with or impair the efficient supply or operation of any Facility, Service, item of Plant and Equipment or Lessor's Fixtures;
- (b) comply with the Lessor's reasonable requirements for the use of each Facility, Service, item of Plant and Equipment, Lessor's Fixtures and other structural improvements on the Leased Premises; and
- (c) comply with all relevant requirements imposed by any Law or any Relevant Authority in respect of the Land and any structural improvements in or on the Land.

7. Security of Leased Premises

The Lessee must ensure that the Leased Premises, including the Lessor's Fixtures, are appropriately secured at all times.

8. Maintenance and Works

8.1 Obligation to Maintain

- (a) The Lessee shall:
 - (i) Maintain the Leased Premises in a good condition and state of repair, except in respect of fair wear and tear or damage which is or will be reinstated from the proceeds of insurance;
 - (ii) promptly repair any damage to the Leased Premises for which the Lessee is responsible to the satisfaction of the Lessor;
 - (iii) keep the Leased Premises clean and free from rubbish and other debris;
 - (iv) Maintain the Lessor's Fixtures, the Lessee's Fixtures and the Facilities on or in the Leased Premises (if any) in good condition and, where necessary, make good any breakage, defect or damage or replace that Lessor's Fixture, Lessee's Fixture or Facility to the satisfaction of the Lessor except in respect of fair wear and tear or damage which is or will be reinstated from the proceeds of an insurance policy;
 - (v) not do or omit to do anything which might cause the Leased Premises or the Lessor's Fixtures to deteriorate or become impaired except for fair wear and tear, to be obstructed, or to be in a condition other than a good and sanitary condition;
 - (vi) replace any light bulbs or fluorescent tubes in the Leased Premises when necessary;
 - (vii) promptly replace any broken glass in or on the Leased Premises;

(viii) as often as is necessary in the reasonable opinion of the Lessor, paint, colour varnish and paper to the satisfaction of the Lessor all such parts of the Leased Premises as have been previously painted, coloured, varnished or papered;

(ix) take reasonable measures to keep the Leased Premises free of ants, termites, rodents, pests and vermin; and

(x) if there is any carpet or other floor coverings in the Leased Premises, keep the said carpet and floor coverings clean and promptly repair any damage to them, save that the Lessee is not liable for normal wear and tear.

(b) For the avoidance of doubt, nothing in this clause 8 obliges the Lessee to carry out any structural work or work of a capital nature except to the extent rendered necessary by any wrongful act or omission, negligence or default of the Lessee or by the installation or removal of the Lessee's Fixtures.

8.2 Alteration and Substantial Works

The Lessee must not make any alteration or addition to, or demolish, any part of the Leased Premises, or remove or alter any of the Lessor's Fixtures, the Plant and Equipment or any Facility or Service in or on the Leased Premises without the prior written consent of the Lessor which consent may be granted or refused or granted subject to conditions at the absolute discretion of the Lessor EXCEPT THAT the Lessor shall not arbitrarily or unreasonably withhold its approval in the case of any mandatory alterations required by a Relevant Authority.

8.3 Standard for Maintenance and Works

The Lessee must comply with the Works Conditions in carrying out all Maintenance and any other work which affects the Leased Premises or the Lessor's Fixtures.

8.4 Remove Non-approved Works

If the Lessee carries out any works or erects any building or structure on the Leased Premises which have not been previously approved in writing by the Lessor, or which are not undertaken in accordance with the provisions of this Lease, the Lessor may require the Lessee (but without limiting any other right or remedy available to the Lessor) at the Lessee's cost, to dismantle and remove any such works, building or structures and the Lessee shall carry out the same in accordance with the Lessor's directions.

9. Positive covenants

9.1 Costs and Expenses

The Lessee must pay to the Lessor on demand all the Lessor's costs, charges and expenses in connection with:

(a) the negotiation, preparation and execution of this Lease;

(b) any consent, approval or exercise of any right, waiver, variation, release, surrender or discharge in connection with this Lease, including but not

limited to all costs and expenses of and incidental to the preparation and service of a notice under Section 81 of the *Property Law Act 1969*;

- (c) any breach of the Lessee's Obligations; and
- (d) any action, suit or proceeding to which the Lessor is joined as a party as a result of the Lessee's occupation of the Leased Premises and the Lessee's Fixtures,

and such costs, charges and expenses include, but are not limited to:

- (e) taxes and fees and fines and penalties which may be payable in connection with this Lease;
- (f) all legal costs and expenses on a full indemnity basis; and
- (g) all interest which the Lessor is entitled to claim.

9.2 Reimburse Lessor Expenses

The Lessee shall pay to the Lessor on demand all money paid by the Lessor on behalf of the Lessee in the discharge of any of the Lessee's Obligations.

9.3 Report to Lessor

The Lessee shall as soon as reasonably practicable report to the Lessor in writing:

- (a) all damage or defects in the Leased Premises, the Lessor's Fixtures, the Plant and Equipment or the Facilities (if any) in or on the Leased Premises of which the Lessee is aware;
- (b) any notice or order received from any court relating to the Leased Premises or the Lessee's Fixtures; and
- (c) any circumstances likely to be a danger or cause any damage or danger to the Leased Premises or any person in or on the Leased Premises of which the Lessee is aware.

9.4 Comply with Laws

The Lessee shall comply promptly with all Laws affecting the Leased Premises and the Lessee's Fixtures or the use of the Leased Premises and the Lessee's Fixtures.

9.5 Services

- (a) The Lessee must observe and comply with any conditions of supply of any Services by the Lessor, or where no conditions of supply are imposed by the Lessor, observe and comply with the conditions of supply of Services imposed by the Relevant Authority; and
- (b) If any Service is not provided by the Lessor, the Lessee is responsible to make the Lessee's own arrangements at the Lessee's own cost for the supply of the Service to the Leased Premises. For the avoidance of

doubt, the Lessor is not obliged to provide or to facilitate the procuring of any Services or Facilities to or for the Leased Premises.

10. Negative covenants

The Lessee shall not:

- (a) except for reasonable quantities for normal applications in connection with the use of the Leased Premises and in the carrying out of the Lessee's Activities, bring onto, store or use any chemical or inflammable substance on or in the Leased Premises;
- (b) store goods on or in the Leased Premises other than those necessary in the carrying out of the Lessee's Activities;
- (c) without the Lessor's prior consent, place or operate in any part of the Leased Premises any radio, television, loud speaker, amplifier or other similar device;
- (d) except as is lawful and necessary and an ordinary incident of carrying out the Lessee's Activities, do or carry on in the Leased Premises any activity which might be harmful, offensive or illegal, or cause a nuisance, damage or disturbance to the Lessor or the owners or occupiers of any nearby properties unless with the prior written consent of any Relevant Authority and the Lessor;
- (e) place any rubbish on or in any part of the Leased Premises except in a suitable receptacle;
- (f) burn any rubbish in or on the Leased Premises, unless permitted by Law or is otherwise necessary or an ordinary incident of carrying out the Lessee's Activities;
- (g) deliver or permit to be delivered goods or materials to or from the Leased Premises except in a manner which causes minimum interference to the owners or occupiers of any nearby properties;
- (h) sell or permit the sale of alcohol or alcoholic beverages on or in the Leased Premises except with the prior written consent of the Lessor and in accordance with a licence granted to the Lessee under the *Liquor Control Act 1988* (WA);
- (i) permit smoking inside the Leased Premises;
- (j) erect or install any signs in or on the Leased Premises without the prior written consent of the Lessor;
- (k) in relation to the Common Areas (if any):
 - (i) cause an obstruction in any part of the Common Areas;
 - (ii) use any part of the Common Areas for purposes for which they are not designed;
 - (iii) leave any goods or articles in any part of the Common Areas; or
 - (iv) conduct any business from the Common Areas; or

- (l) use the name of the Leased Premises in the Lessee's own name or in any business name without the prior written consent of the Lessor, which consent shall not be unreasonably withheld.

11. Insurance

- 11.1 The Lessee, at its own cost, shall effect and maintain with an insurance company authorised to transact insurance business in Australia all policies of insurance relating to the Leased Premises referred to in item 7 of Schedule 1 and the Lessee shall:
 - (a) supply to the Lessor upon request current details of all insurance effected in accordance with this clause in the form of a certificate of insurance; and
 - (b) ensure that each policy of insurance includes a provision for cross liability and waiver of subrogation rights in favour of the Lessor.
- 11.2 The Lessee must not by any act or omission cause or allow anything to be done which might result in any insurance policy effected under this Lease or in respect of the Leased Premises becoming void or voidable or which might increase the premium on any policy.

12. Indemnities

12.1 General indemnity

Except to the extent contributed to by the Lessor or the Minister as the case may be, the Lessee shall indemnify and keep indemnified the Lessor and the Minister against all losses, claims, damages, demands, costs and expenses for which the Lessor or the Minister becomes liable in respect of loss or damage to property or death or injury of any nature and however or wherever sustained:

- (a) which are caused or contributed to by the use or occupation of the Leased Premises and the Lessee's Fixtures by the Lessee or an Authorised Person, except to the extent caused or contributed to by the Lessor or the Minister;
- (b) resulting from an act or omission of the Lessee; or
- (c) resulting from a notice, claim or demand against the Lessee to do or refrain from doing any thing except to the extent that the Lessor is obliged by this Lease to pay for or contribute to the cost of compliance with the notice, claim or demand and fails to do so.

12.2 Nature of indemnity

The obligation of the Lessee to indemnify the Lessor and the Minister under this Lease or at law is not affected by the obligation of the Lessee to effect insurance and all indemnities shall survive Termination.

13. Assignment

13.1 No assignment

The Lessee shall not assign, mortgage or charge the Lessee's leasehold estate in the Leased Premises, nor sublet, part with possession or dispose of the Leased Premises in any way.

13.2 Property Law Act excluded

Sections 80 and 82 of the *Property Law Act* 1969 are excluded.

13.3 Changes in beneficial ownership of shares

If the Lessee is a company whose shares are not listed on any Stock Exchange in Australia, a change in the beneficial ownership of more than fifty per cent (50%) of the shares or the redemption, cancellation or issue of shares in that company or any holding company of that company will be deemed to be an assignment of the Lessee's leasehold estate.

13.4 Lessor may consent to assignment or sublease

The Lessee will not be in breach of the covenant in clause 13.1 in respect of an assignment or a sublease of the whole or part of the Leased Premises if the Lessor consents to the assignment or sublease. The Lessor will not unreasonably withhold consent if the following criteria are satisfied:

- (a) The Lessee satisfies the Lessor that:
 - (i) the proposed assignee or sub-lessee is a respectable and responsible person of good financial standing, with sound business acumen, with adequate business experience and who is capable of meeting all the financial commitments of the Lessee under this Lease or the sub-lessee under a sublease of this Lease whichever the case may be;
 - (ii) there is no Rent or other money payable under this Lease due but unpaid; and
 - (iii) there is no unremedied breach of the Lessee's Obligations and there have been no substantial breaches of the Lessee's Obligations during the Term; and
- (b) the Lessee procures the execution by the proposed assignee of an assignment of lease, or by the proposed sub-lessee of a sublease, prepared by the Lessor's solicitors at the Lessee's cost which contains terms consistent in all respects with this Lease and which are acceptable to the Lessor.

13.5 Lessor may consent to charge

- (a) The Lessee will not be in breach of the covenant in clause 13.1 in respect of a charge or mortgage if the Lessee obtains the Lessor's consent to that charge or mortgage.
- (b) The Lessor may consent to or refuse to give its consent to a charge or mortgage in its absolute discretion.

13.6 Compliance with Acts

The Lessor and the Lessee acknowledge that if in granting its consent to any assignment or sublease the Lessor has to first comply with or satisfy any obligations or requirements under any Written Law including, but not limited to, the *Local Government Act 1995 (WA)* and the LAA then the Lessor's consent is made expressly conditional upon and subject to satisfaction of the relevant obligations or requirements.

14. Damage, Destruction or Resumption

14.1 Abatement of Rent

If the Leased Premises or any part of the Leased Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged by fire or other risk covered by insurance so as to render the same unfit for the use and occupation of the Lessee then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Leased Premises or the relevant part thereof have been rebuilt or made fit for the use and occupation of the Lessee.

14.2 Termination

If the Leased Premises or any part of the Leased Premises are totally or partially damaged or destroyed so as to require major rebuilding, either party will have the option to terminate this Lease by giving a notice in writing to the other party within sixty (60) days of such occurrence. The Term will terminate upon such notice being given and the Lessee must vacate the Leased Premises and surrender the same to the Lessor but such termination will be without prejudice to the parties' rights against each other in respect of any antecedent breach of this Lease.

14.3 Dispute Resolution

Any dispute arising out of the provisions of this clause 15 shall be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 2012 (WA)* and the parties may each be represented by a legal practitioner of their choice.

15. Limit of Lessor's liability

15.1 No warranties or representations

The Lessee acknowledges and agrees that:

- (a) all the Lessee's property in or on the Land and the Leased Premises shall be at the sole risk of the Lessee during the Term and the Lessor shall not be liable for any claim, loss or damage that the Lessee may suffer as a result of:
 - (i) any fault in the construction or state of repair of the Leased Premises or the Lessee's Fixtures;
 - (ii) any defect in any of the Facilities or the Services;

- (iii) any flow, overflow, leakage or breakdown of any water, airconditioning, gas, power or other source of energy whether from the Leased Premises or otherwise;
- (i) any event of Force Majeure;
- (b) the Lessor gives no warranty as to the use to which the Leased Premises may be put; and
- (c) the Lessee has not relied on any representation or warranty of the Lessor in entering into this Lease and further acknowledges that the Lessee has relied on the Lessee's own skill and judgment and has made the Lessee's own enquiries in determining the suitability of the Leased Premises for the Authorised Use and the Lessee's Activities.

15.2 Lessee acts at own risk and expense

Unless this Lease provides otherwise, whenever the Lessee is obligated or required by this Lease to do or omit to do any act or thing, the doing or the omission of the act or thing will be at the sole risk and expense of the Lessee.

16. **Default**

An event of default occurs if:

- (a) the Lessee fails to pay the Rent or other money payable under this Lease within seven (7) Business Days of the due date for payment, regardless of whether demand has been made;
- (b) the Lessee fails to perform any of the Lessee's Obligations for ten (10) Business Days after the Lessor has given notice to the Lessee of the default;
- (c) the Lessee is in breach of any document other than this Lease giving the Lessee a right to occupy any part of the Land or the Leased Premises;
- (d) a receiver or receiver and manager or controller as defined in the Corporations Act is appointed in respect of any part of the Lessee's property;
- (e) a person is appointed under legislation to investigate or manage any part of the Lessee's affairs;
- (f) the Lessee ceases to carry on the Lessee's Activities from the Leased Premises; or
- (g) where the Lessee is a company and:
 - (i) an application is made to a court for an order or an order is made that the Lessee be wound up;
 - (ii) an application is made to a court for an order appointing a liquidator or provisional liquidator in respect of the Lessee;
 - (iii) except for the purposes of reconstruction or amalgamation, the Lessee enters into a scheme of arrangement, deed of company arrangement or composition with, or assignment for the benefit of, all or any class of the Lessee's creditors;

- (iv) the Lessee resolves to wind itself up or otherwise dissolve itself;
- (v) the Lessee states that it is insolvent; or
- (vi) the Lessee takes any step to obtain protection or is granted protection from its creditors under any applicable legislation.

17. Lessor's powers on default

17.1 Lessor's right of possession

- (a) On the occurrence of an Event of Default the Lessor may:
 - (i) give notice to the Lessee that it intends to enter and retake possession of the Leased Premises if the Lessee fails to remedy the Event of Default the subject of the notice within thirty (30) days of the date of the notice; and
 - (ii) enter the Leased Premises and re-take possession of the Leased Premises if the Lessee fails to remedy the Event of Default within thirty (30) days of the date of the notice referred to in clause 17.1(a)(i) above.
- (b) If the Lessor enters and retakes possession of the Leased Premises pursuant to clause 17.1(a)(ii) above then the Term will immediately determine.

17.2 Lessor may remedy Lessee's default

- (a) If an Event of Default occurs or the Lessee otherwise fails to perform any of the Lessee's Obligations, the Lessor may without prejudice to the Lessor's rights arising from the Event of Default or the failure to perform, remedy that Event of Default or the failure to perform as if the Lessor was the Lessee, at the Lessee's cost. The Lessee must pay to the Lessor all liabilities incurred by the Lessor in remedying an Event of Default or failure to perform.
- (b) None of the following events constitutes a re-entry or forfeiture or waiver of the Lessor's rights to recover in full all Rent and other money payable by the Lessee under the Lease:
 - (i) acceptance of the keys or other access devices for the Leased Premises;
 - (ii) entry to the Leased Premises by the Lessor for the purpose of inspection or for the purpose of showing the Leased Premises to prospective lessees or to remedy an Event of Default; or
 - (iii) advertising the Leased Premises for re-letting.

17.3 No prejudice of Lessor's rights

Any re-possession or attempted re-possession of the Leased Premises by the Lessor or any demand for or acceptance of any of the Rent or other money payable under this Lease will not:

- (a) prejudice or affect the Lessor's rights under this Lease;
- (b) release the Lessee from performing the Lessee's Obligations; or
- (c) be deemed an election by the Lessor as to the exercise of the Lessor's rights under this Lease or at law.

17.4 Exercise of rights by Lessor

The Lessor may exercise the Lessor's rights under this Lease or at law notwithstanding laches, neglect or waiver in respect of any breach of the Lessee's Obligations, and without giving notice except in accordance with this Lease or as required by law, and without having to prove default by the Lessee or the continuance of that default.

18. Essential terms

18.1 Breach of Essential Terms

- (a) If the Lessee's conduct constitutes a breach of an essential term of this Lease and the Lessor elects to treat that breach as repudiation or the conduct otherwise constitutes repudiation of this Lease, the Lessee shall compensate the Lessor for all loss or damage suffered by reason of or arising from the repudiation.
- (b) Clauses 4 ("Rent"), 5 ("Outgoings"), 6 ("Use of Leased Premises and Facilities"), 8 ("Maintenance and Works"), 11 ("Insurance") and 13 ("Assignment") of this Lease are deemed to be essential terms.

18.2 Damage for Breach of Essential Terms

Any loss or damage for the unexpired residue of the Term suffered by the Lessor as a result of the Lessee's breach of an essential term may be recovered as damages at any time.

18.3 Lessor's Entitlement to Damages

The Lessor's entitlement to recover damages from the Lessee or any other person will not be limited or affected by any of the following:

- (a) if the Lessee abandons or vacates the Leased Premises;
- (b) if the Lessor elects to re-enter the Leased Premises or terminate this Lease;
- (c) if the Lessor accepts the Lessee's repudiation; or
- (d) if the parties' conduct (or that of any of their servants or agents) constitutes or may constitute a surrender by operation of law.

18.4 Lessor to Mitigate Damages

- (a) If the Lessee vacates the Leased Premises or if the Lessor accepts the Lessee's repudiation based on the Lessee's breach of an essential term of this Lease and terminates this Lease, the Lessor must take reasonable steps to mitigate its loss and endeavour to re-lease the Leased Premises on reasonable terms.
- (b) The entitlement to damages will be assessed on the basis that the Lessor has observed the obligation to mitigate damages.
- (c) The Lessor's conduct in mitigating its damages will not of itself constitute acceptance of the breach or repudiation or a surrender by operation of law.

18.5 Calculation of Damages

Following repudiation by the Lessee if the Lessor terminates this Lease then, without prejudice to any other right or remedy, the Lessor may recover the difference between the aggregate of the Rent and the reasonable estimate of the other money payable by the Lessee for the unexpired residue of the Term less any amount the Lessor obtains, or could in the Lessor's opinion reasonably be expected to obtain, by observing clause 18.4.

19. Termination

19.1 Yield up Leased Premises

The Lessee shall on Termination surrender and yield up the Leased Premises to the Lessor in a condition consistent with the compliance of the Lessee's Obligations during the Term and deliver to the Lessor all keys, access cards and other security devices (if any) for the Leased Premises and the Land.

19.2 Remove Lessee's Fixtures

The Lessee shall:

- (a) prior to Termination or on the termination of any period of holding over, unless the Lessor agrees or directs to the contrary, remove from the Leased Premises all of the Lessee's Fixtures and other property of the Lessee and make good any damage caused to the Leased Premises by the removal of the Lessee's Fixtures and other property of the Lessee;
- (b) comply with the Works Conditions in respect of the removal of those items specified in clause 19.2(a); and
- (c) submit details of the proposed removal works for the Lessor's approval not less than two (2) months prior to Termination, or in the event of the sooner determination of this Lease, on or prior to that sooner determination.

19.3 Making Good of Leased Premises on Termination

Subject to clause 19.2, the Lessee shall, unless the Lessor agrees or directs to the contrary, prior to Termination or on the termination of any period of holding over, make good the Leased Premises, the Facilities on the Leased Premises and those parts of the Plant and Equipment affected by the Lessee's use and occupation of the Leased Premises.

19.4 Lessor Can Make Good

If the Lessee does not comply with the obligation to make good as set out in clause 19.3, the Lessee shall pay the Lessor within ten (10) Business Days after the Lessor requests payment any costs reasonably incurred by the Lessor to make good the Leased Premises, the Facilities on the Leased Premises and those parts of the Plant and Equipment affected by the Lessee's use and occupation of the Leased Premises. The obligation to pay those costs does not limit any other rights of the Lessor in relation to the Lessee's default.

19.5 Dealing with Lessee's property not removed at Termination

The Lessor may exercise any of the following rights in respect of the Lessee's property, including Lessee's Fixtures, which are not removed at Termination:

- (a) demolish and dispose of the Lessee's property or remove and store the Lessee's property in alternative premises at the Lessee's cost;
- (b) sell or dispose of the Lessee's property and apply the proceeds of sale towards payment of any unpaid Rent or other money payable under this Lease; and
- (c) elect that the Lessee's property is the absolute property of the Lessor and deal with the Lessee's property as the Lessor sees fit;

and the Lessee shall indemnify the Lessor in respect of any loss or damage suffered by the Lessor as a result of:

- (d) the Lessee failing to remove all of the Lessee's property by Termination; or
- (e) any claim against the Lessor by any person by reason of the exercise by the Lessor of its rights under this clause 19.5.

19.6 Lessee to continue to pay Rent and other moneys payable

If the Lessee fails to make good the Leased Premises as specified in clause 19.3, or fails to remove the Lessee's property by Termination, then until the Leased Premises are restored in accordance with this Lease or the Lessor elects to take the absolute property in the Lessee's property left after Termination, the Lessee shall continue to pay the Rent and other moneys payable under this Lease as if the Lessee were holding over as a lessee in the Leased Premises.

20. Option of Renewal

If, and only if, no earlier than six (6) months or no later than three (3) months before the date of Termination, the Lessee gives notice to the Lessor exercising an option of renewal for a Further Term, and the Lessor is satisfied that:

- (a) there is no Rent or other money payable under this Lease which is due but unpaid; and
- (b) there is no unremedied breach of the Lessee's Obligations; and
- (c) the Lessee has correctly and punctually observed and performed all of the Lessee's Obligations up to the expiry of the Term; and
- (d) there have been no breaches of any of the essential terms of this Lease during the Term,

the Lessor will grant the Lessee a lease of the Leased Premises for the relevant Further Term at the Rent payable immediately before Termination and otherwise on the same terms and conditions of this Lease except for:

- (e) this provision of renewal unless there is more than one (1) Further Term in which event the number of Further Terms will be reduced by the Further Term then exercised; and
- (f) any incentive or inducement to enter into this Lease or any waiver or abatement of Rent or any other payment to the Lessee or any benefit given to the Lessee, which is expressly excluded and which will not apply to a Further Term.

21. Holding Over

If after the expiry of the Term the Lessee continues in possession of the Leased Premises, the Lessee shall be deemed to be holding over as a monthly lessee and:

- (a) the Rent for the relevant period of holding over shall be the Rent payable immediately before the expiry of the Term;
- (b) the Lessee's right to remain in possession of the Leased Premises shall be subject to the continued performance of the Lessee's Obligations; and
- (c) the monthly tenancy created by this clause may be terminated by either party giving the other party one (1) months' written notice of termination which notice may be given at any time.

22. Trustee Provisions

If the Lessee has entered into this Lease in the capacity of trustee, whether or not the Lessor has any notice of the trust, the Lessee:

- (a) is taken to enter into this Lease both as trustee and in the Lessee's personal capacity and acknowledges that the Lessee is personally liable for the performance of the Lessee's Obligations under this Lease;
- (b) will take any action necessary to ensure the assets of the trust are available to satisfy any claim by the Lessor for any default by the Lessee; and

- (c) warrants that the Lessee has the power and authority under the terms of the trust to enter into this Lease.

23. Special Conditions

- 23.1 The special conditions (if any) set out in Schedule 2 shall be deemed to be incorporated into and form part of this Lease as if fully set out in the body of this Lease.
- 23.2 If there is any inconsistency between the provisions of this Lease generally and the special conditions, the special conditions shall prevail to the extent of the inconsistency.

24. Caveats and registration of Lease

24.1 Registration

- (a) The Lessee may register this Lease but must not lodge an absolute caveat over the Leased Premises to protect the interest of the Lessee under this Lease and the Lessee must surrender any registered lease and withdraw any caveat lodged by or on behalf of the Lessee over the Leased Premises on or before Termination.
- (b) In consideration of the Lessor leasing the Leased Premises to the Lessee, the Lessee irrevocably appoints the Lessor and every officer of the Lessor as defined by the *Corporations Act 2001* (Cth) to be attorney of the Lessee, in the name and on behalf of the Lessee, and as the act and deed of the Lessee to sign and lodge at Landgate, Perth, a surrender of lease and a withdrawal of any caveat lodged by or on behalf of the Lessee and not surrendered or withdrawn on Termination, and the Lessee;
 - (i) undertakes to ratify all that the attorney does or causes to be done under or by virtue of this subclause; and
 - (ii) indemnifies the Lessor in respect of any loss arising from any act done under or by virtue of this subclause, and the Lessor's costs and expenses of and incidental to the surrendering of the Lease and withdrawing of any caveat lodged by or on behalf of the Lessee affecting the Leased Premises.

24.2 Lessee must withdraw Caveat and any Registered Encumbrances

- (a) The Lessee on or before Termination must:
 - (i) withdraw any caveat lodged by the Lessee over the Leased Premises;
 - (ii) discharge any mortgage or other registered encumbrance relating to any liability of the Lessee registered over the Leased Premises;
 - (iii) surrender any registered lease over the Leased Premises;

- (iv) execute a withdrawal of caveat in a form approved or any other document that may be required to remove any encumbrance on the certificate of title for the Leased Premises, and to execute a deed or surrender of lease in the form approved or any other document that may be required in order to remove any lease or notification of it as an encumbrance on the Certificate of Title for the Leased Premises;
 - (v) if requested by the Lessor, do all things necessary to assist in the cancellation of any qualified title for the Leased Premises.
- (c) The Lessee hereby indemnifies, and shall keep indemnified, the Lessor against all loss or damage suffered by the Lessor as a result of the Lessee's failure to comply with section 24.2(a) on or before Termination.

25. Miscellaneous

25.1 Lessee not to permit prohibited matters

If under this Lease the Lessee is required to do or is prohibited from doing any act, matter or thing the Lessee must also ensure that the Authorised Persons comply with that requirement or prohibition.

25.2 Cost of Complying with Obligations

Unless otherwise stated in this Lease, the Lessee must pay the cost of performing or complying with every obligation of the Lessee under this Lease.

25.3 Schedules

The Schedules shall form part of this Lease.

25.4 Lessor's consent

Unless otherwise stated in this Lease, the Lessor may give a conditional or unconditional consent or approval at its absolute discretion to any matter in this Lease.

25.5 Proper Law and Jurisdiction

This Lease is governed by the law in force in Western Australia, or where applicable, the Commonwealth of Australia, and the parties consent to the jurisdiction of the courts of Western Australia.

25.6 Time for payment

Any amount payable by the Lessee to the Lessor unless otherwise specified must be paid to the Lessor within seven (7) Business Days after the Lessor gives a notice to the Lessee requiring payment.

25.7 Time of the essence

Time shall be of the essence in all respects.

25.8 Certificates

A certificate signed by the Lessor or the Lessor's solicitors about a matter or a sum payable is sufficient evidence of the matter or sum stated in the certificate unless the matter or sum is proved to be false.

25.9 Exercise of rights by Lessor

The Lessor may exercise each right, power or remedy at its discretion, separately or concurrently with any other right, power or remedy, and:

- (a) a single or partial exercise of a right, power or remedy does not prevent a further exercise of that right, power or remedy;
- (b) a failure to exercise or any delay in the exercise of a right, power or remedy does not prevent its exercise;
- (c) the rights, powers and remedies of the Lessor are cumulative with and not exclusive of the rights, powers and remedies provided by law; and
- (d) any demand made shall not in any way be deemed to constitute a waiver by the Lessor of any breach or non-observance of a Lessee's Obligation and shall not prejudice any other right of the Lessor in relation to such breach.

25.10 Lessor may act by agent

All acts and things which may be done by the Lessor may be done by a solicitor, agent, employee or contractor of the Lessor, including, without limitation, a managing agent.

25.11 Variation

This Lease may not be varied except in writing signed by each party.

25.12 Giving of notice

Any notice, approval, consent or other communication given under this Lease:

- (a) shall be in writing and in English;
- (b) may be served on the recipient:
 - (i) personally; or
 - (ii) by addressing it to the person and leaving it at or posting it by registered post to the address of the party appearing in this Lease or any other address nominated by the party by notice to the other;
 - (iv) by facsimile transmission sent to the recipient's facsimile number (if known);
- (c) will be deemed to be given or made:
 - (i) if served personally - at the time of handing the notice to the recipient;
 - (ii) if left at the recipient's address as specified in clause 25.12(b)(ii) above - at the time of leaving the notice;

- (iii) if sent by pre-paid post to the recipient's address as specified in clause 25.12(b)(ii) above - on the sixth Business Day after the date of posting;
 - (iv) if sent by facsimile transmission, on the same date as transmitted if transmitted prior to 4:00pm on a Business Day and if transmitted on a non-Business Day at or after 4:00pm on a Business Day then on the next Business Day; and
- (d) if given by the Lessor, may be signed by the Lessor or a solicitor or agent of the Lessor.

25.13 No moratorium

The provisions of any Law which extends a date for paying money under this Lease or which abrogates, nullifies, postpones or otherwise affects any provision in this Lease shall not apply to limit the terms of this Lease.

25.14 Further assurances

Each party shall execute and do all acts and things necessary to give full force and effect to this Lease.

25.15 Effect of execution

This Lease binds each person who executes it notwithstanding the failure by any other person to execute the Lease.

25.16 Severance

If any part of this Lease is or becomes unenforceable or void or voidable, that part will be severed from this Lease and those parts that are unaffected shall continue to have full force and effect.

25.17 Entire Agreement

This Lease constitutes the entire agreement between the parties and contains all the representations, warranties, covenants and agreements of the parties in relation to the subject matter of this Lease. This Lease supersedes all previous correspondence or documentation relating to the Lessee's leasehold interest in the Leased Premises.

25.18 Termination

Termination does not affect the Lessee's obligation to pay any money which is payable or do any act which is to be done after Termination as provided by this Lease.

25.19 Lease clauses that do not apply

The parties agree that the clauses of this Lease specified in Item 9 of Schedule 1 (if any) do not apply to this Lease.

SCHEDULE 1

Item 1 **Authorised Use**

[# variable 9 #]

Item 2 **Term and Option for Further Term**

(a) Term

[# variable 10 #] () years commencing on the Commencement Date and ending on the End Date.

(b) Further Term(s)

[# variable 11 #] () years

[# variable 11 #] () years

Item 3 **Commencement Date**

[# variable 12 #]

Item 4 **End Date**

[# variable 13 #]

Item 5 **Land and Leased Premises**

(a) Land

Lot **[# variable 14 #]** on **[# variable 14 #]** being the land in Certificate of Title Volume **[# variable 15 #]** Folio **[# variable 15 #]** and being commonly known as **[# variable 16 #]**.

(b) Leased Premises

The **whole** of the Land

or **[# variable 17 #]**

That **part** of the Land hachured on the plan in Annexure "A" to this Lease.

Item 6 **Rent**

The Rent is ONEDOLLAR (\$1.00) per annum with the first payment due on the Commencement Date and each subsequent payment due on each one year anniversary of the Commencement Date.

Item 7 **Lessee's Insurance Obligations**

Without affecting any further insurance to be effected by the Lessee as specified by the Lessor in writing to the Lessee, the Lessee shall effect policies of insurance in respect of:

- (a) public liability insurance for an amount not less than TEN MILLION DOLLARS (\$10,000,000.00) for any one incident or such greater amount as may be specified from time to time by the Lessor;
- (b) employers' indemnity insurance (if applicable) including workers' compensation insurance in respect of all employees of the Lessee employed in or about the Leased Premises;
- (c) the full insurable value on a replacement or reinstatement basis of all plate glass windows and doors forming part of the Leased Premises,

on the terms specified in clause 11 of the Lease.

Item 8 **The Lessor's Fixtures**

The Lessor's Fixtures shall include but not be limited to the following:

[# variable 18 #]

Item 9 **Lease clauses that do not apply**

[# variable 19 #]

SCHEDULE 2 - SPECIAL CONDITIONS

These are the special conditions referred to in clause 23 of the Lease.

All words and expressions used but not defined in these special conditions but which are defined in clause 1 of the main body of the Lease, shall have the same meanings respectively assigned to them in clause 1 of the Lease.

1. All structural improvements on the Leased Premises shall be and shall remain at law the property of the Lessor. The Lessee shall have the sole use, benefit and enjoyment of the Leased Premises and all structural improvements thereon during the Term of the Lease.
2. The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Lessee (at its sole cost) shall take remedial action as directed by the Lessor.

[# variable 20 #]

ANNEXURE "A"

PLAN WHICH IDENTIFIES LEASED PREMISES

[# variable 21 #]