

ORDINARY COUNCIL MEETING

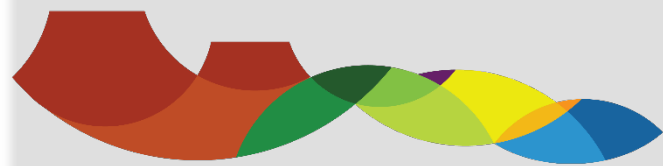
AGENDA

9:00am Wednesday
16 March 2022
Council Chambers

MARCH 2022

SHIRE OF CHAPMAN VALLEY
Jamie Criddle
CHIEF EXECUTIVE OFFICER

*"A thriving
community,
making the
most of our
coastline,
ranges and
rural
settings to
support us
to grow and
prosper"*



SHIRE OF
Chapman Valley
love the rural life!

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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on WRITTEN CONFIRMATION of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

Jamie Criddle
CHIEF EXECUTIVE OFFICER

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ORDER OF BUSINESS

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional owners of the land we are meeting on today, the Naaguja people, and we pay our respects to elders both past, present and emerging.

3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3.1 Attendees

3.2 Apologies

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Nil

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

5.0 APPLICATIONS FOR LEAVE OF ABSENCE (by Resolution of Council)

6.0 DISCLOSURE OF INTEREST

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

“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.”

Section 5.60B:

“a person has a proximity interest in a matter if the matter concerns –

(a) a proposed change to a planning scheme affecting land that adjoins the person’s land;
or

(b) a proposed change to the zoning or use of land that adjoins the person’s land; or

(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”

Regulation 34C (Impartiality):

“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.”

Item No.	Member/Officers	Type of Interest	Nature of Interest

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions
Nil

7.2 Presentations

Citizenship Presentation – 10:30am

7.3 Deputations
Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 16th February 2022.

That the Minutes of the Ordinary Meeting of Council held Wednesday 16th February 2022 be confirmed as true and accurate.

9.0 ITEMS TO BE DEALT WITH EN BLOC

10.0 OFFICERS REPORTS

10.2

Manager of Finance & Corporate Services

10.2 AGENDA ITEMS

10.2.1 Financial Management Reports

10.2.2 Annual Budget Review

10.2.1 Financial Management Report

PROPONENT:	Shire of Chapman Valley
SITE:	Shire of Chapman Valley
FILE REFERENCE:	307.00
PREVIOUS REFERENCE:	Nil
DATE:	16 March 2022
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.1(a)	February 2022 Financial Management Reports		✓
10.2.1(b)	Confidential List of Accounts February 2022		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Local Government (Financial Management) Regulations require monthly statements of financial activity to be reported and presented to Council.

COMMENT

The financial position at the end of February 2022 are detailed in the monthly management report provided as a separate attachment for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As presented in the Financial Management Report for February 2022

Long Term Financial Plan (LTFP):

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

CONSULTATION

Not applicable

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of financial activity. Risk rating is considered Level 1 – Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council receives the financial management report supplied under separate cover for the month of February 2022 comprising the following:

Statement of Financial Activities with notes

Note 1 – Net Current Assets

Note 2 – Cash & Financial Assets

Note 3 – Receivables

Note 4 – Other Current Assets

Note 5 – Payables

Note 6 – Rate Revenue

Note 7 – Disposal of Assets

Note 8 – Capital Acquisitions

Note 9 – Borrowings

Note 10 – Lease Liabilities

Note 11 – Cash Reserves

Note 12 – Other Current Liabilities

Note 13 – Operating Grants and Contributions

Note 14 – Non Operating Grants and Contributions

Note 15 - Trust Funds

Note 16 - Explanation of Material Variances

Additional Information

Budget by Program

Summary of Payments

Bank Reconciliation

Credit Card Statement

10.2.2

Annual Budget Review 2021/2022

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	306.13
PREVIOUS REFERENCE:	Nil
DATE:	16 March 2022
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.2(a)	Budget Review Report		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Local Government Act and Regulations require a local government to review its annual budget between 1st January and 31st March in each year. Regulation 33A of the Local Government (Financial Management) Regulations 1996 states:

“33A Review of budget

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
** Absolute Majority required*
- (4) *Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.”*

COMMENT

Prudent management of the Shire's Annual Budget includes a full review of the Shire's progress part way through the financial year. This review process has been undertaken having regard for:

- actual revenues and expenditures for the first six (6) months of the financial year,
 - forecast revenue and expenditure levels for the remaining six (6) months of the year,
- the more significant (in dollar terms) variances to budget rather than the minor 'under & over's' which will generally balance out

Council's adopted budget, at times will need variations made, to reflect changes which occur after the original budget has been adopted. There are several amendments identified in the review document (Budget Review Report) which accommodate unforeseen situations and reallocation revenue and expenditure since the Original Budget was adopted.

The items listed in the Attachment 10.2.2(a) Budget Review Report have been identified as variations required to the Annual Budget yet having a nil overall effect on the 2020/2021 Adopted Budget.

The Budget Review Report provides information on the identified revenue and expenditure expectations for the full year and is based on the review period 1 July 2021 to 31 January 2022. The report identifies amendments and provides explanations for these variances. The financial statements are provided as a guidance to reflect a general revised full year budget based on the proposed amendments being adopted with no further changes to the budget for the remaining year.

The original 2021/2022 budget as adopted by Council forecast a closing position of \$1,339,356; after the annual financial audit, the actual audited closing position is \$1,779,565 increasing the carried forward surplus by an amount of \$440,209. The change in position is due generally to the estimating of 30 June 2021 creditors paid in July 2021,

along with the retrospective adjustment in accounting provisions for movement in long term employee benefits .
(Refer Note 18(a) and Note 27 of the 2020/2021 Annual Financial report).

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As presented in the Financial Management Report for February 2021

Long Term Financial Plan (LTFP):

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

CONSULTATION

Senior Staff have been consulted to determine the various proposed budget amendments requested.

RISK ASSESSMENT

Risk Rating Level 1 - Insignificant is appropriate as associated risk would be a failure to comply with relevant Financial Management Regulations requiring local governments to review their annual budget. The proposed changes to the 2020/2021 Adopted Budget does not have a financial impact, simply a NIL affect overall. The proposed increase adjustments to expenditures are offset by reducing expenditure allocations elsewhere in the budget; increase to income not previously allocated and additional opening surplus, with the view to ensuring a budget outcome for the year achieves or delivers an improved overall result than the original budget

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

That Council adopts the 2021/2022 Statutory Budget Review, which includes all amendments listed in the Budget Review Report attached.

10.3

Chief Executive Officer

10.3 AGENDA ITEMS

10.3.1 Policy and Procedures Review

10.3.2 Roads Infrastructure Committee

10.3.3 Building and Disability Committee

10.3.4 Review of Delegations Register

10.3.5 Tourism Events AG

10.3.6 Review of Meeting Dates and Venue

10.3.1 Review of Council Policies and Procedures

PROPONENT:	Shire of Chapman Valley
SITE:	Whole of Shire
FILE REFERENCE:	411.01
PREVIOUS REFERENCE:	Minute Reference: 03/21-10
DATE:	16 MARCH 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Building & Projects Policy, Procedures & Guidelines Manual		✓
10.3.1(b)	Finance Policy, Procedures & Guidelines Manual		✓
10.3.1(c)	Governance and Policy Manual		✓
10.3.1(d)	HR Induction & Guidelines Manual		✓
10.3.1(e)	Organisational Corporate Policy, Procedure & Guidelines Manual		✓
10.3.1(f)	Planning & Development Policy, Procedures & Guidelines Manual		✓
10.3.1(g)	Works & Services Policy, Procedures & Guidelines Manual		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

To allow Council to review and consider changes to the Shire Policy & Procedures Manuals

At the March 2021 OCM the following was resolved:

Council endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented.

Building & Projects Policy, Procedures & Guidelines Manual

(i) *CMP-010 – Building & Facility Hire Conditions with the additional amendment to include all School P&C's being listed as exempt from paying hire charges for the annual events:*

- *Annual Christmas Tree*
- *Annual Quiz Night*
- *School Presentation Night*

(ii) *CMP-014 Sports Ground move from Building & Projects to Works & Services Policy, Procedures & Guidelines Manual*

Finance Policy, Procedures & Guidelines Manual

(i) *CP-024 - Purchasing*

(ii) *CMP-006 - Use of Electronic Signature*

(iii) *CMP-039 - COVID-19 Financial Hardship to be brought back to Council July 21*

(iv) *CMP-045 - Staff Payment of Expenses*

(v) *CMP-046 - Relocation Expenses*

(vi) *CMP-047 – Superannuation*

(vii) *CMP-048 – Salary Sacrifice Arrangements & variation of Cash Component*

(viii) *CMP-067 - Community Growth Fund Operational Section 10 Evaluation and Acquittal – Financial Report – amend wording to “For Grants \$10,000 and over an independent audit may be required as determined by the Chief Executive Officer”*

HR Induction & Guidelines Manual

- (i) CMP-042 – Annual Leave
- (ii) CMP-043 – Hours of Work
- (iii) CMP-044 – Motor Vehicles – Usage of
- (iv) CMP-051 – Pre-Placement Medical Certificate Appointments
- (v) CMP-053 - Staff Attraction, Incentive & Retention Allowances & Conditions
- (vi) CMP-054 – Working From Home
- (vii) CMP-057 – Chapman Valley Attractions & Retention Procedure
- (viii) CMP-060 – Recruitment and Selection Procedure
- (ix) CMP-063 – Information Technology Usage
- (x) CMP-069 – Probationary Period of Employment

Works & Services Policy, Procedures & Guidelines Manual

- (i) CMP-002 – Stock on Roads
- (ii) IMP-023 – Gravel Acquisitions

Voting F7/A0
CARRIED

Minute Reference: 03/21-10

COMMENT

Council undertook an extensive review of all policies and procedures during 2018 with the result being an up to date, segregated manual, which has categorised policies and procedures into specific organisation responsibility areas. This has ensured there are specified areas of responsibility and a defined process on how the policies & procedures are communicated to Elected Members & Staff.

The Polices & Procedures are categories in the following areas, which will have separate Manuals for each area of responsibility i.e.

Building
Finance
Governance
HR Induction
Organisational Corporate
Planning & Development
Works & Services

Each Manual has a designated *Responsible Officer* who is required for ensuring the policies & procedures relevant to their areas are communicated to staff under their management and to present recommended updates, amendments, additions, etc. to the CEO for consideration as required.

The *Elected Members Governance & Policy Manual* has been provided to all Elected Members and will be CEO's responsibility to present to Council any recommended updates, amendments, additions, etc. for consideration.

All staff proposed Policy & Procedures adjustments presented will have the recommended amendments, adoption or deletion tracked and shown in colored text to assist Council with clearly identifying any proposed changes to the existing policies & procedures.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 2.7(2)(b)

Role of Council

- 1) *The council:*

- (a) *Governs the local government's affairs; and*
- (b) *Is responsible for the performance of the local government's function.*

- 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 policies.**

The legislation has no specific period for the review of Policies, yet Council has attempted to undertake a review annually.

POLICY IMPLICATIONS

All of the Shire of Chapman Valley existing policies & procedures are reviewed annually by Senior Staff, with those being recommended for amendments, adoption or deletion presented to Council for consideration.

FINANCIAL IMPLICATIONS

No effect on financial operations of the Shire.

Long Term Financial Plan (LTFP):

No effect on LTFP of the Shire.

STRATEGIC IMPLICATIONS

It is important Councillors and staff are fully conversant with Policies and Procedures of the organisations in the first instance and for these to be accessible to the Elected Members, Staff and the community to ensure all ambiguity are removed regarding how the Shire operates.

It is also important Councillors and staff review the policies & procedures to ensure these remain current and relevant.

- **Strategic Community Plan/Corporate Business Plan**

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

CONSULTATION

All *Responsible Staff* members have been given to opportunity to recommend to the CEO any amendments, deletions and additions to the existing policies & procedures, which forms the basis of the Staff Recommendation presented for Council consideration.

RISK ASSESSMENT

There is a risk associated with the organisation's Policies and Management Procedures being antiquated and not relevant, which could lead to poor operations and possible areas of non-compliance with legislation. However; I believe this risk is considered **"insignificant"** in this instance i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented i.e.

Organisational Corporate Policy, Procedure & Guidelines Manual

- (i) CP-003 – Complaints Handling System

10.3.2 Roads Infrastructure Committee Meeting

PROPONENT:	Roads Infrastructure Committee
SITE:	Shire of Chapman Valley
FILE REFERENCE:	403.03
PREVIOUS REFERENCE:	NA
DATE:	16 th MARCH 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.2(a)	Roads Infrastructure Committee Meeting Minutes		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Road Infrastructure Committee met on the 21st February 2022 to review the following:

- ~ Road Works Program;
- ~ Road Hierarchy;
- ~ Heavy Haulage Vehicle Permit Roads; and
- ~ Plant Replacement Program

The Unconfirmed Minutes of the meeting have been provided under separate cover for Council reference and information (see **Attachment 10.3.2(a)**).

COMMENT

Determination from the Road Infrastructure Committee will form recommendations to Council for consideration and endorsement for allocation of funding and resources to the forthcoming Draft Budget.

Rather than repeat the content of the Committee Meeting in this report I refer Councillors to the Committee Minutes and welcome any comments/questions.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

As stated in the Road Infrastructure Committee Minutes, various Policies and Procedures affect the decision-making process. These Policies and Procedures were considered during the Committee's deliberations.

FINANCIAL IMPLICATIONS

Road works is the largest income and expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximised, whilst remaining conscious of the need to ensure road infrastructure maintenance is also preserved.

• **Long Term Financial Plan (LTFP):**

The Proposed 2022/2023 Road Works Program, Ten Year Road Works Program and Plant Replacement Program have been structured in a way to complement the LTFP. However; the Annual Budget can vary the amounts shown in the LTFP due to these Programs being more detailed. There will also be variation to the amounts

indicated in the Programs when compared to the forthcoming budget as, again, the budget figures will be more detailed and analysed prior to being placed into the Draft Budget

STRATEGIC IMPLICATIONS

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for. The Shire’s Road Hierarchy identifies the priority roads into the following categories:

- A. Main Arterial Roads (Significant Roads and approved by the RRG only);
- B. Main Feeder Roads;
- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

It is important the Policy/Procedure to amend the Road Hierarchy is adhered to. This will ensure the integrity of the Road Hierarchy list and therefore the integrity of how Council allocates its resources to road works within the Shire is maintained.

• Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
4.2	Manage and maintain roads, drainage and other essential infrastructure	Capital Road Works Programs	Review Road Hierarchy and Ten-Year Road Works Program
		Plant Replacement Programs	Review Plant Replacement Program

CONSULTATION

Consultation occurred with the Shire’s Manager Works and Services (Esky Kelly), Works Leading Hand (Marty Elks) and Greenfield Technical Services (consultant engineer) when developing the proposed road works and/or plant replacement programs.

RISK ASSESSMENT

There is a risk associated with limited resources not being allocated to the roads in most need, hence the reason for the Road Hierarchy and consultation with the road works staff being essential to the integrity of the process of funding allocations. Council should not be subject to allocating funds to road because of the “*squeaky wheel receiving the most oil*” concept.

However; as I am confident the processes and procedure are in place to ensure resources are appropriately allocated to the various programs I believe the risk in this instance is “**Moderate**” i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATION

Council receive the Road Infrastructure Committee Minutes and endorse the recommendations within i.e.

1. Minute Reference RIC 02/22-2

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Procedure (IMP-025)* as presented at **Attachment 9.1(a)** without change.

2. Minute Reference RIC 02/22-5

The Road Infrastructure Committee recommends Council endorse the 10 Year Road Works Program 2022/23 to 2031/2032 as presented at **Attachment 9.2(a)** with the following changes and this Program be used as a basis for resource allocation into the Draft 2022/2023 Budget:

- 1- Include gravel sheeting of Nanson Showground internal track to Chapman Valley Agricultural Society
- 2- Include gravel sheeting of Wandana and Newmarracarra Roads
- 3- Include Nanson Showgrounds access track within Minor Maintenance Program

3. Minute Reference RIC 02/22-6

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits* as presented without change.

4. Minute Reference RIC 02/22-9

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 9.4(a)** with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget

1. Include a quote on catchers for mowers
2. Include Traffic Management Lights
3. Increase the value of purchase for the Prime Mover by \$40,000

10.3.3 Building and Disability Services Committee Meeting

PROPONENT:	Chief Executive Officer
SITE:	Various Sites
FILE REFERENCE:	801.00
PREVIOUS REFERENCE:	NIL
DATE:	16 th MARCH 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.3(a)	Building & Disability Services Committee Meeting Unconfirmed Minutes		✓
10.3.3(b)	Operating Building Maintenance Program & Capital Building Works Program		✓
10.3.3(c)	Disability Access Inclusion Plan		✓
10.3.3(d)	List of Items		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Building & Disability Services Committee met on the 22nd February 2022 to review:

- Buildings Capital Works Program;
- Buildings Maintenance Works Program; and
- Disability Access & Inclusion Plan

The Unconfirmed Minutes of the meeting have been provided under separate cover for Council reference and information (see **Attachment 10.3.3(a)**).

COMMENT

The Minutes and recommendations from the Building & Disability Services Committee meeting are presented for Council consideration.

Rather than repeat the content of the Committee Meeting in this report I refer Councillors to the Committee Minutes and welcome any comments/questions.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Various Policies & Procedures are referred to and considered as part of the Committee process.

FINANCIAL IMPLICATIONS

Recommendations from the Committee are presented to Council for consideration for allocation into the forthcoming and future draft budgets. Not all cost estimates have been undertaken at time of writing this report.

- **Long Term Financial Plan (LTFP):**

The *Five Year Building Program* will have an effect on the Shire's Integrated Planning and Reporting, which sets Councils future long term direction and planning.

STRATEGIC IMPLICATIONS

It is important for Council to have a strategic approach to managing all its assets, which included buildings.

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
4.1	Develop, manage and maintain built infrastructure	Asset Management Plan	Review Asset Management Plan regularly and maintain integration with other Strategic Plans within the Shire

CONSULTATION

Council staff continually monitors buildings and facilities owned/controlled by the Shire. Staff also continually liaises with users of these facilities.

RISK ASSESSMENT

There is a risk of buildings and facilities deteriorating if adequate resources are not allocated to address depreciation and fair wear and tear of the buildings/facilities. However; in this instance, I believe the risk is currently **Minor** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATIONS

Council receive the Minutes of the Building & Disability Services Committee and endorse the recommendations within i.e.

1. Minute Reference: BDSC 02/22-4

The Committee recommends Council consider the draft “Operating & Capital Building Programs” **Attachment 10.3.3(b)** as presented with the following amendments and this be used as a basis to develop the Draft 2022/2023 Budget:

2. Minute Reference: BDSC 02/21-5

Council request staff undertake an in-house, desk-top review of the Plan and if necessary, recommending any amendments to Council for consideration.

10.3.4 Review of Delegation Register

PROPONENT:	Chief Executive Officer
SITE:	Whole of Shire
FILE REFERENCE:	411.03
PREVIOUS REFERENCE:	Minute Reference: 03/21-3
DATE:	16 th MARCH 2021
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.4(a)	Existing Delegation Register		✓
10.3.4(b)	Dept. Local Government – Delegations Guidelines		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The purpose of this Agenda Item is to allow Council to review the current Delegations Register for delegations given to the Chief Executive Officer as required by the Local Government Act 1995:

s5.46 - *'Register of, and records relevant to, delegations to CEO's and employees':*

s5.46(2) - *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.'*

The Shire of Chapman Valley has the following power under the Local Government Act 1995:

5.42. *Delegation of some powers and duties to CEO*

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

The Act also allows the Chief Executive Officer to sub-delegate any of his/her powers to any employee; such sub-delegation must be done in writing. The Chief Executive Officer is permitted under the Act to place conditions on any sub-delegation passed onto another employee.

Council last undertook a full review of the Delegations Register at the March 2021 OCM i.e.

Council endorse the current Delegations Register as presented with the following changes:

1. *Add the following wording to the LEGISLATIVE POWER heading for Delegation 1006:*

"..Local Government Act 1995, Litter Act 1979, Bushfire Act 1954, Dog Act 1976, Cat Act 2011, Control of Vehicles (Off Road Areas) Act 1978, Caravan Parks & Camping Grounds Act 1995 and any other relevant legislation as determined by the CEO"

2. *Amend wording in Delegation 3010 to read:*

“Unless otherwise specified, the CEO is delegated authority to accept a tender when the consideration involved does not exceed the legislated threshold provided appropriate provision is made in Council’s Budget.”

*Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03*

COMMENT

The Chief Executive Officer and staff have reviewed the current Delegations Register (see **Attachment 10.3.4(a)**) with the continued emphasis bringing on this document remaining relevant, integrated and cross-referenced with all relevant Policies and Procedures.

The Policy & Procedures Manual has also continued to be cross-reference with all relevant Delegations.

Provided under separate cover for Council information is a copy of the Department of Local Governments Delegations Guidelines (**Attachment 10.3.4(b)**).

As the existing delegations appear to be working satisfactorily the Staff Recommendation is to endorse the current Delegations Register as presented with only minor changes i.e.

~~DELEGATION NUMBER 1016~~

Delete. This is a designation by the CEO according to s 23(1)(a) of the PID Act 2003, not a delegation. To be recorded in a separate register.

~~LEGISLATIVE POWER Public Interest Disclosure Act 2003~~

~~DELEGATION SUBJECT Appointment of Public Interest Disclosure (PID) Officer~~

~~DELEGATE CHIEF EXECUTIVE OFFICER~~

~~RELEVANT POLICY/PROCEDURE Nil~~

~~Under Section 23(1)(a) of the Public Interest Disclosure Act 2003, the CEO is authorised to appoint a Public Interest Disclosure Officer for receiving and responding to disclosures of public interest information.~~

~~DELEGATION NUMBER 1017~~

Delete. This is not a delegation. According to s145 (2) (h) of the EEO Act 1984, the CEO is responsible for administrative operations and ensuring that the Shire has an EEO Management Plan for employees and that it is implemented.

~~LEGISLATIVE POWER Equal Opportunity Act 1984~~

~~DELEGATION SUBJECT Appointment of Equal Employment Opportunity (EEO) Implementation Officer~~

~~DELEGATE CHIEF EXECUTIVE OFFICER~~

~~RELEVANT POLICY/PROCEDURE CP-015~~

~~Under section 145(2)(h) of the Equal Opportunity Act 1984 the CEO is authorised to appoint an officer to have responsibility for implementing the provisions of the Equal Opportunity Act 1984 and Council’s Equal Opportunity Employment Policy.~~

~~Refer to relevant Policy/Procedure when exercising this delegation.~~

~~DELEGATION NUMBER 1020~~

Delete. This is a designation by the CEO. To be recorded in a separate register as per s5.120 of the Local Government Act 1995.

~~LEGISLATIVE POWER Local Government Act 1995 (Section 5.120(1))
Code of Conduct – Complaints Officer~~

~~DELEGATION SUBJECT Complaints Officer~~

~~DELEGATE CHIEF EXECUTIVE OFFICER~~

~~RELEVANT POLICY/PROCEDURE CP-003~~

~~The CEO is designated as the Council’s Complaints Officer for receiving investigation and, if deemed valid, registering and reporting Elected Member breaches or Alleged breaches of the Council’s Code of Conduct or Rules of Conduct.~~

~~Refer to relevant Policy/Procedure when exercising this delegation.~~

STATUTORY IMPLICATIONS / REQUIREMENTS

Local Government Act 1995 – Section 5.42, 5.43, 5.44, 5.45 and 5.46.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No Impact

• **Long Term Financial Plan (LTFP):**

No Impact

STRATEGIC IMPLICATIONS

It is essential for the smooth operations of the organisation to have appropriate delegation provided to the Chief Executive Officer. Such delegation need to be reviewed at least annually in accordance with legislation.

• **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

CONSULTATION

The legislative process to review the Delegation Register requires discussion and consultation at a Council and Staff level, which is the basis of this Agenda Item.

RISK ASSESSMENT

It is important the Delegations Register is relevant and regularly reviewed to ensure efficiencies are in place for the operations of the organisation. There is a risk of the *day to day* operations being slowed and cumbersome if delegations are not in place and minor operational activities are continually taken back to Council for determination. With the current delegations I believe the risk is **insignificant** in this instance i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Absolute Majority – If Changes made i.e.

Section 5.46 (2) states Council must review the Delegation Register annually, however, if no amendments are made to the existing register a simple majority may accept it without amendment.

Section 5.42 (1) states that any decision to amend or revoke a delegation by a Local Government is to be by an Absolute Majority.

STAFF RECOMMENDATION (Absolute Majority Required)

Council endorse the current Delegations Register as presented with the following changes:

- 1) **Delete Delegation 1016** as it is a designation by the CEO according to s23(1)(a) of the PID Act 2003.
- 2) **Delete Delegation 1017** as it is a designation by the CEO according to s145 (2) (h) of the EEO Act 1984.
- 3) **Delete Delegation 1020** as it is a designation by the CEO according to s5.120 of the Local Government Act 1995.

10.3.5 Tourism & Events Advisory Group

PROPOSERS:	Tourism & Events Advisory Group
SITE:	Shire of Chapman Valley
FILE REFERENCE:	403.04
PREVIOUS REFERENCE:	Nil
DATE:	16 March 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.5(a)	CONFIDENTIAL – TEAG Minutes		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Tourism & Events Advisory Group met on 18 March 2020 to discuss potential budget items for Council consideration in the 2020/2021 Draft Budget and set future priorities within the tourism and events focus.

COMMENT

The Shire of Chapman Valley Tourism & Events Advisory Group comprises of the following Council appointed representatives:

Cr Liz Elliott-Lockhart (Presiding Member)

Cr Nicole Batten

Cr Darrell Forth

Chief Executive Officer

Deputy Chief Executive Officer

Community Development Officer

The TEAG met to discuss:

The purpose of the Advisory Group is as follows:

- Australia Day- Community function- feedback
- 2021-22 Budget – Signage
- 2021-22 Budget – Entry Statements/Art Installations
- Corporate Business Plan – Annual Community Event
- Discussion points submitted by Cr Elliott-Lockhart
- Discussion points submitted by Cr Batten

A large amount of discussion was held around funding for planned and impromptu community events such as the listed CPB -Annual Community event as well as the numerous one-off events (particularly post Seroja) which the Community Development Officer struggles to attract funding or co-funding for. An Annual budget allocation under strict “Terms of Reference” controls could be administered by the CEO & CDO once meeting the pre-determined criteria.

Additional discussion was held around the Art Installation/Entry Statement projects and was felt the two projects should be treated separately to ensure their individual success. We were simply asking too much of Jane Barndon with the initial budget and have therefore increased to reflect the true cost of the project. The additional funds requested to start the Entry Statement project is to again have a clear design for future works and then work on each site year by year, until complete.

There are also a number of Concept Forum discussion points that arose from the meeting.

A copy of the Unconfirmed Briefing Notes of the Tourism & Events Advisory Group held on the 18th March 2020 is provided at **Attachment 10.3.5(a)**.

STATUTORY ENVIRONMENT

Not applicable.

POLICY/PROCEDURE IMPLICATIONS

Below is an extract from Management Procedure CMP-033 (Honour Awards) relevant to the Australian Day Awards:

Shire of Chapman Valley Australia Day Awards and Function

For personal commitment, service and contribution to the community of the Shire of Chapman Valley

Nominations called in October and close in November (or as determined by the Australia Day Council).

The Council Appointed Working Group shall:

- *Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function.*
- *Assist with coordinating the annual Australia Day function(s).*
- *Discuss all other item(s) referred to them by Council in the areas of tourism and events.*

FINANCIAL IMPLICATIONS

No financial implications are envisaged at this stage as the costs for Australia Day Awards/Event has been budgeted for as per previous years and it not expected to exceed this amount.

Potential Budget implications on approval of TEAG recommendations

Long Term Financial Plan (LTFP):

No adverse effect of the LTFP envisaged.

STRATEGIC IMPLICATIONS

It is important to both recognize the achievement of constituents and Australia Day.

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.

CONSULTATION

Nil.

RISK ASSESSMENT

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

ADVISORY GROUP RECOMMENDATIONS – TEAG 02/22-2

The Tourism & Events Advisory Group recommend that Council consider:

- 1 Increasing the 2021/2022 budget for the concept design art installation project by \$2,500.
- 2 The listing of a continued budget line item over the next three years of \$10,000 per year for community enhancement projects and promotion with an associated terms of reference be brought to a future Concept Forum for discussion.
- 3 The listing of \$10,000 in the 2022/2023 draft budget for entry statement design be brought to a future Concept Forum for discussion.
- 4 The listing of a continued budget line item over the next three years of \$10,000 per year for entry statement projects be brought to a future Concept Forum for discussion.

ADVISORY GROUP RECOMMENDATION - TEAG 02/22-3

The Tourism & Events Advisory Group recommend that Council consider the engagement of external consultants/contractors to activate the events calendar and a communication/social media plan and platforms; and list in the 2022/2023 draft budget an amount of \$6,000.

10.3.6**Review of Council Meeting Dates and venue 2022**

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	401.09
PREVIOUS REFERENCE:	NA
DATE:	16th March 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is required under the Local Government Act 1995 to at least once a year set and advertise meeting dates, times and venues for Ordinary Council meetings for the next 12 month period.

Council has previously resolved to reach out to the community, with one of the proposals being to move the Ordinary Monthly Council Meeting(s) around the shire. In 2021 Council held two of its OCM away from the Nabawa Administration Building i.e.

- March 2021 OCM – Bill Hemsley Park Community Centre; &
- August 2021 OCM - Yuna Multipurpose Community Centre

Council resolution at the August 2021 meeting follows:

Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations:

DATE	MEETING LOCATION
<i>16 February</i>	<i>Nabawa Chambers</i>
<i>16 March</i>	<i>Nabawa Chambers</i>
<i>20 April</i>	<i>Nabawa Chambers</i>
<i>18 May</i>	<i>Nabawa Chambers</i>
<i>15 June</i>	<i>Nabawa Chambers</i>
<i>20 July</i>	<i>Nabawa Chambers</i>
<i>17 August</i>	<i>Nabawa Chambers</i>
<i>21 September</i>	<i>Nabawa Chambers</i>
<i>19 October</i>	<i>Nabawa Chambers</i>
<i>16 November</i>	<i>Nabawa Chambers</i>
<i>14 December</i>	<i>Nabawa Chambers</i>

Note: All Ordinary Council Meetings are to commence at 9am.

**Voting F5/A1
CARRIED**

Minute Reference: 08/21-10

Reason for Deviation from Staff Recommendation: Council felt over past years the practice of holding meeting away from Nabawa to encourage residents to attend the Council Meetings was not a success.

Council meetings are usually held at Nabawa on the third Wednesday of the month, commencing at 9:00am, with the exception of January when no Ordinary Council Meeting is held.

COMMENT

Since that meeting, various discussions were held at Concept Forums in December and February resulting in Councillors being surveyed as to their appetite for change. The survey results will be included in this agenda item.

Monday	Wednesday	Thursday
1	2 + 3 (other pref)	4 + 3 (other pref)

Four Councillors liked Thursday, (one preferring Monday, one could do Wednesday)
Two Councillors requested no change to the existing format.
Two Councillors were happy with any day.

Depending on the meeting day, six Councillors preferred the Concept Forum on the same day, one a week prior.

All Councillors were in favour of a 8.30/9.00am start, with one flexible at 4pm.

Of the comments to come from the survey, there is an appetite to tighten the meeting times by reducing discussion around items by requesting clarification prior to the meeting and tabling Councillor reports prior to the agenda closing.

As a side issue, a motion was raised at the Annual Electors meeting in relation to holding a meeting at Bill Hemsley Community Centre.

ELECTORS MOTION

MOVED: John Collingwood

SECONDED: Delphine Williams

That one (1) Ordinary Meeting of Council a year be held at Bill Hemsley Park Community Center

Voting F20/A1

CARRIED

Minute Reference: AEM 02/22-03

In order to resolve a motion that is contrary to an existing motion, the Council must:

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
 - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Council are now required to determine a position on the following issues:

- **Meeting Day and start time (currently 3rd Wednesday of the month);**
- **Location of the existing or proposed meetings.**

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 Clause 12 (1) states: Public notice of Council or Committee meetings – s 5.25(G)

At least once each year a local government is to give local public notice:

1. Of the dates, time and place of the ordinary council meetings;
2. The committee meetings that are required under the Act to be open to the members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

Local Government (Administration) Regulations 1996 Reg 10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

POLICY/PROCEDURE IMPLICATIONS

No Policy or Procedure affected.

FINANCIAL IMPLICATIONS

Minor advertising costs involved.

Long Term Financial Plan (LTFP):

No effect on the LTFP is envisaged.

STRATEGIC IMPLICATIONS

It is important for Council to include and engage all sectors of our community and the concept of structuring meeting times, dates and location to reach out to the community is one means of improving this.

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

CONSULTATION

The practice of relocating the Council Meetings has previously been discussed in the past and I believe this has proven to be successful as it portrays a clear indication Council will continue to reach out to the community.

RISK ASSESSMENT

There is a risk of Council being perceived as not engaging the community by insisting OCMs are always held at Nabawa.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Voting Requirements: Part 1 - Absolute Majority (Regulation 10 of the Local Government (Administration) Regulations 1996)
Parts 2 – 4 Simple Majority.

In accordance with Clause 16.1 of the Standing Orders as the motion proposes to revoke a previous decision of Council it is recommended that the motion be broken down into two parts:

- first to consider revoking the decision;
- and second, if that revocation is agreed to, the new course of action.

ELECTED MEMBER RECOMMENDATION/COUNCIL RESOLUTION

Motion was received from Councillor Elliott-Lockhart to revoke Council’s resolution
Support for the motion will be sort by Councillors prior to the meeting.

In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996, this Notice of Motion was signed by the respective Councillors on (date to be inserted).

The Notice of Motion is “That Council:

ELECTED MEMBER RECOMMENDATION 1 (Absolute Majority)

1 REVOKES Council resolution OCM08/21-10 made at the Ordinary Council Meeting on 18 August 2021;

ELECTED MEMBER RECOMMENDATION 2 (Simple Majority)

2. That Council hold Ordinary Council Meetings & Concept Forums for the remainder of 2022 on the third Thursday of the month and give public notice as per s 5.25(G) of the Local Government Act 1995.

ELECTED MEMBER RECOMMENDATION 3 (Simple Majority)

3. That Council commence the Ordinary Council Meeting at 8.30am with the Concept Forum to follow for the remainder of 2022 and give public notice as per s 5.25(G) of the Local Government Act 1995 .

ELECTED MEMBER RECOMMENDATION 4 (Simple Majority)

4. One meeting per year be held at the Bill Hemsley Community Centre in the month of (insert month) and give public notice as per s 5.25(G) of the Local Government Act 1995 .

- 11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**
- 13 DELEGATES REPORTS**
- 14 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 15 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**
- 16 CLOSURE**



SOURCE DOCUMENTATION

SHIRE OF CHAPMAN VALLEY
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
FOR THE PERIOD ENDED 28 FEBRUARY 2022

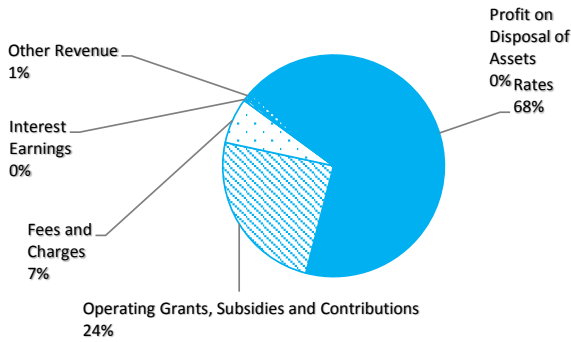
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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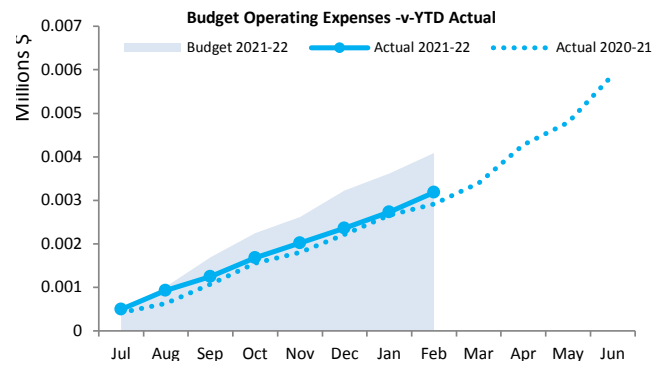
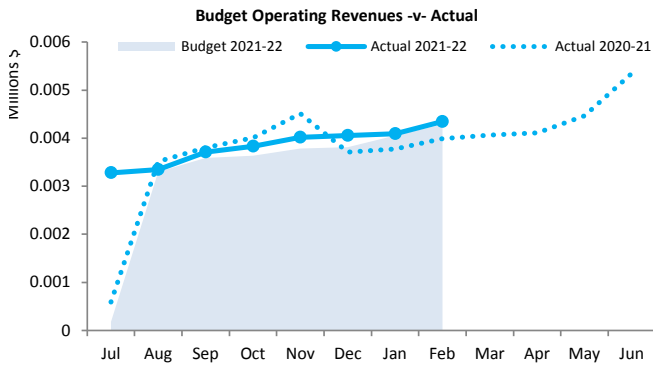
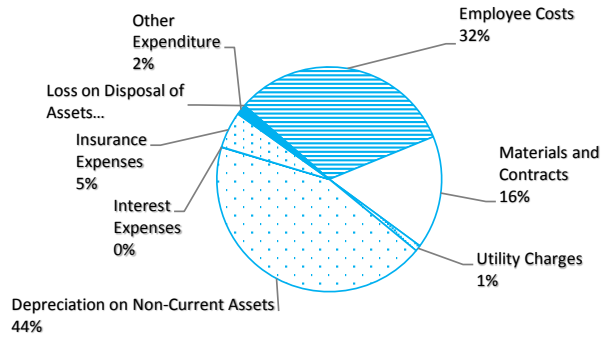
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OPERATING ACTIVITIES

OPERATING REVENUE

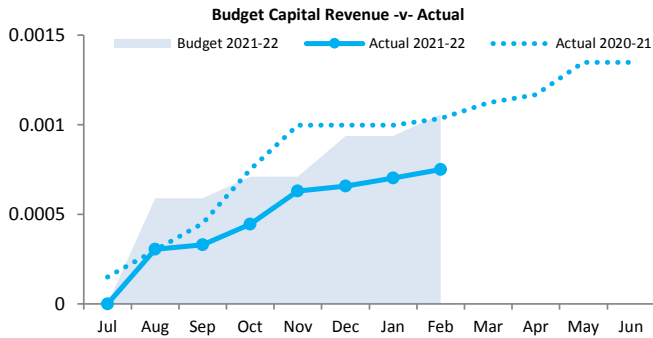


OPERATING EXPENSES

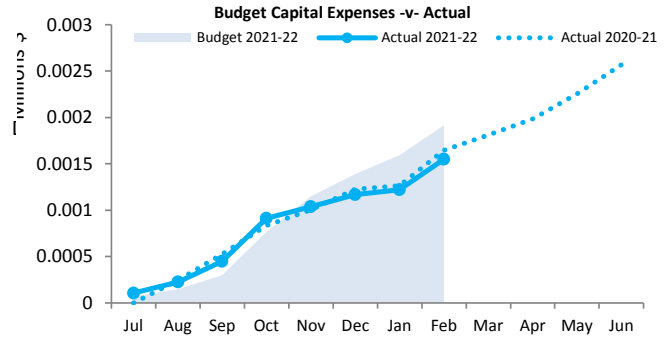


INVESTING ACTIVITIES

CAPITAL REVENUE



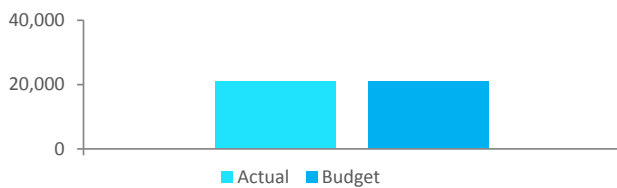
CAPITAL EXPENSES



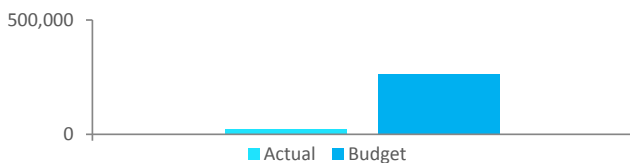
FINANCING ACTIVITIES

BORROWINGS

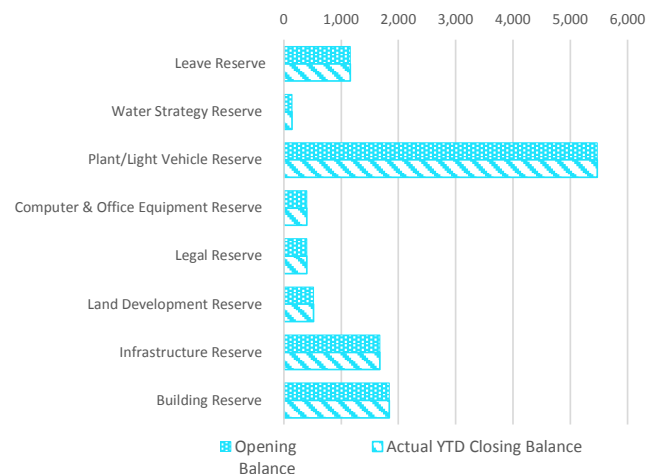
Principal Repayments



Principal Outstanding



RESERVES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.34 M	\$1.34 M	\$1.78 M	\$0.44 M
Closing	\$0.00 M	\$2.59 M	\$3.50 M	\$0.91 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$4.65 M	75.0%
Restricted Cash	\$3.49 M	25.0%
	\$1.16 M	

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.21 M	
0 to 30 Days	\$0.02 M	100.0%
30 to 90 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$0.36 M	
Trade Receivable	\$0.30 M	90.1%
30 to 90 Days	\$0.06 M	% Outstanding
Over 90 Days		2.8%
		97.4%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.68 M	\$1.49 M	\$2.55 M	\$1.06 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$2.94 M	
YTD Budget	\$2.94 M	0.1%

Refer to Note 6 - Rate Revenue

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$1.06 M	
YTD Budget	\$1.06 M	(0.2%)

Refer to Note 13 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.29 M	
YTD Budget	\$0.26 M	12.3%

Refer to Statement of Financial Activity

Key Investing Activities prepared: All known transactions up to 31 August 2021

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$2.26 M)	(\$0.86 M)	(\$0.80 M)	\$0.06 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.13 M	(100.0%)

Refer to Note 7 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$1.55 M	
Adopted Budget	\$3.92 M	(60.4%)

Refer to Note 8 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.75 M	
Adopted Budget	\$1.53 M	(50.9%)

Refer to Note 8 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.25 M	\$0.61 M	(\$0.03 M)	(\$0.64 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.02 M
Interest expense	\$0.00 M
Principal due	\$0.02 M

Refer to Note 9 - Borrowings

Reserves	
Reserves balance	\$1.16 M
Interest earned	\$0.00 M

Refer to Note 11 - Cash Reserves

Lease Liability	
Principal repayments	\$0.01 M
Interest expense	\$0.00 M
Principal due	\$0.05 M

Refer to Note 10 - Lease Liabilities

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES	ACTIVITIES
GOVERNANCE To provide a decision making process for the efficient allocation of scarce resources	Administration and Operation of facilities and services to members of council; Includes fees, expenses and allowances paid to elected and committee members, election costs, insurance, subscription, conference expenses, council chamber expenses and members' entertainment. Also includes the allocation of administration expenses for the CEO and staff in preparation, administration and attendance at meetings and assisting elected members and other committees of Council. Research, development and preparation of policy documents, development of local laws, strategic planning, principal activity plans, annual budgets, annual financial reports, audit fees and the annual report.
GENERAL PURPOSE FUNDING To collect revenue to allow for the provision of services.	Revenue from rates levied, interest and fees on instalment arrangements and arrears, government subsidy for entitled pensioners and rates deferred, less discounts and concessions relating to rates levied. Expenditures incurred in administration and maintaining rate records, rating valuations, serving notices, postage, stationery, advertising, debt collection, printing, indirect administration costs etc. Income receivable from the WA Grants Commission and any other Government Grant of a general purpose nature. Interest earnings from deposits and investments, including reserve accounts. General overdraft expenses.
LAW, ORDER, PUBLIC SAFETY To provide services to help ensure a safer and environmentally conscious community.	Administration and operations on fire prevention services, including volunteer fire brigades, outlays on roadside clearing operations and other protective burning. Revenues include fines and penalties imposed under relevant Acts and fines, fees or charges for clearing fire breaks. Administration enforcement and operations relating to the control of animals. Costs of impounding, destroying and disposal of stray animals. Revenues include dog registration fees, fines and penalties relating to straying animals, impounding and destruction fees. Ranger's expenses are collected here and apportioned throughout the various programs to which they relate.
HEALTH To provide an operational framework for environmental and community health.	Food quality and pest control, inspections of eating houses, lodging and boarding houses, itinerant food vendors, offensive trade, and any other outlays concerned with general health inspections and administration services provided by the Council.
EDUCATION AND WELFARE To provide services to disadvantaged persons, the elderly, children and youth.	Operation, improvements and maintenance of pre-school facilities; assistance to playgroups and other voluntary services. Annual awards and prizes to Nabawa and Yuna Primary Schools.
HOUSING To provide and maintain residential housing for staff, with the surplus available for private rental.	Collection of revenue and expenditure in respect of the administration and operation of residential housing for council staff. The expenditure is reallocated to the relevant programmes using staff duties as a basis.
COMMUNITY AMENITIES To provide services required by the community.	Administration and operation of domestic refuse collection and disposal services, including delivery to a regional disposal site. Provision and maintenance of rubbish disposal sites. Collection and disposal of public litter bins, special rubbish clean ups, special litter enforcement and control. Includes administration and operation of foreshore protection project. Administration and operation of town planning and regional development services. These include planning control, the preparation of town planning development schemes, zoning and rezoning. Costs associated with resumption of land for recreational purposes. Hosting of a Natural Resource Management Officer to assist community groups and landowners.
RECREATION AND CULTURE To establish and effectively manage infrastructure and resources which will help the social well being of the community.	Administration, provision and operation of public halls, community centre, sporting complex, ovals, swimming areas and beaches. Includes contributions towards operations, subsidies and improvements of sporting clubs, sporting facilities and recreational areas. Administration, provision and operation of local libraries and library services. Contributions towards heritage issues such as municipal inventory, local Historical society operations - museum development/improvement etc.
TRANSPORT To provide safe, effective and efficient transport services to the community.	Construction and maintenance of streets, roads, bridges; cleaning and lighting of streets and maintenance of depots. Purchase of plant used predominantly for the construction and maintenance of streets, roads, bridges etc. Operations relating to the licensing or regulating of traffic under the control of the local government; includes vehicle registration and renewals facilities.
ECONOMIC SERVICES To help promote the shire and its economic wellbeing.	Eradication of noxious weeds and control of vermin. The development, promotion, support etc. of tourism and area promotion to attract tourists. Administration, inspection and operations concerned with application of the building standards including examination, processing and inspections services, swimming pool inspections etc. Revenues and outlays associated with water supply - standpipes.
OTHER PROPERTY AND SERVICES To monitor and control council's overheads operating accounts.	Administration, inspection, and operation of work carried out on property or services not under the care, control and management of the Council. These include road works on private property. Public Works Overheads - Overheads incurred as the result of the use of direct labour, which is subsequently apportioned to the appropriate works and services absorbing the total expenditure. Includes expenditure incurred in the maintenance and operation of plant, Council's hire rate absorbing the total expenditure of plant running costs and usage. The total salaries and wages incurred during the year is recorded here and allocated over the various works and services to which it relates.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022**

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,339,356	1,339,356	1,779,565	440,209	32.87%	▲
Revenue from operating activities							
Governance		1,200	800	3,003	2,203	275.38%	
General purpose funding - general rates	6	2,937,703	2,937,703	2,940,404	2,701	0.09%	
General purpose funding - other		480,191	363,030	470,726	107,696	29.67%	▲
Law, order and public safety		263,460	175,711	158,164	(17,547)	(9.99%)	
Health		5,007	4,063	4,262	199	4.90%	
Community amenities		184,259	173,581	176,596	3,015	1.74%	
Recreation and culture		1,057,644	304,270	180,663	(123,607)	(40.62%)	▼
Transport		619,546	272,376	365,639	93,263	34.24%	▲
Economic services		23,430	16,886	16,337	(549)	(3.25%)	
Other property and services		81,000	37,509	30,647	(6,862)	(18.29%)	
		5,653,440	4,285,929	4,346,441	60,512		
Expenditure from operating activities							
Governance		(435,202)	(255,206)	(198,719)	56,487	22.13%	▲
General purpose funding		(125,533)	(75,252)	(65,464)	9,788	13.01%	
Law, order and public safety		(399,952)	(265,422)	(164,884)	100,538	37.88%	▲
Health		(31,390)	(17,592)	(12,030)	5,562	31.62%	
Community amenities		(791,886)	(486,653)	(364,551)	122,102	25.09%	▲
Recreation and culture		(1,156,790)	(868,707)	(542,687)	326,020	37.53%	▲
Transport		(3,495,990)	(1,836,509)	(1,596,436)	240,073	13.07%	▲
Economic services		(371,471)	(233,181)	(190,018)	43,163	18.51%	▲
Other property and services		(59,999)	(48,550)	(47,230)	1,320	2.72%	
		(6,868,213)	(4,087,072)	(3,182,019)	905,053		
Non-cash amounts excluded from operating activities	1(a)	1,893,922	1,292,592	1,382,916	90,324	6.99%	
Amount attributable to operating activities		679,149	1,491,449	2,547,338	1,055,889		
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions	14	1,528,260	1,058,844	750,162	(308,682)	(29.15%)	▼
Proceeds from disposal of assets	7	126,000	0	0	0	0.00%	
Payments for property, plant and equipment and infrastructure	8	(3,917,804)	(1,917,222)	(1,550,798)	366,424	19.11%	▲
Amount attributable to investing activities		(2,263,544)	(858,378)	(800,636)	57,742		
Financing Activities							
Proceeds from new debentures	9	240,000	240,000	0	(240,000)	(100.00%)	▼
Transfer from reserves	11	378,000	378,000	0	(378,000)	(100.00%)	▼
Payments for principal portion of lease liabilities	10	(7,686)	(5,103)	(5,103)	0	0.00%	
Repayment of debentures	9	0	0	(20,925)	(20,925)	0.00%	▼
Transfer to reserves	11	(365,275)	(78)	(78)	0	0.00%	
Amount attributable to financing activities		245,039	612,819	(26,106)	(638,925)		
Closing funding surplus / (deficit)	1(c)	0	2,585,246	3,500,161			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 16 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

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

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 28 FEBRUARY 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book Date prepared: All known transactions up to 31 August 2021

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022**

BY NATURE OR TYPE

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,339,356	1,339,356	1,779,565	440,209	32.87%	▲
Revenue from operating activities							
Rates	6	2,937,703	2,937,703	2,940,404	2,701	0.09%	
Operating grants, subsidies and contributions	13	2,183,640	1,061,021	1,058,385	(2,636)	(0.25%)	
Fees and charges		305,236	258,291	290,123	31,832	12.32%	▲
Interest earnings		13,475	10,642	15,601	4,959	46.60%	
Other revenue		153,380	18,272	41,928	23,656	129.47%	▲
Profit on disposal of assets	7	60,006	0	0	0	0.00%	
		5,653,440	4,285,929	4,346,441	60,512		
Expenditure from operating activities							
Employee costs		(2,246,397)	(1,352,163)	(1,031,957)	320,206	23.68%	▲
Materials and contracts		(2,306,138)	(1,146,812)	(517,494)	629,318	54.88%	▲
Utility charges		(52,103)	(35,072)	(27,317)	7,755	22.11%	
Depreciation on non-current assets		(1,938,889)	(1,292,592)	(1,389,283)	(96,691)	(7.48%)	
Interest expenses		(3,336)	(2,220)	(1,481)	739	33.29%	
Insurance expenses		(184,419)	(183,745)	(166,730)	17,015	9.26%	
Other expenditure		(136,931)	(74,468)	(47,757)	26,711	35.87%	▲
Loss on disposal of assets	7	0	0	0	0	0.00%	
		(6,868,213)	(4,087,072)	(3,182,019)	905,053		
Non-cash amounts excluded from operating activities	1(a)	1,893,922	1,292,592	1,382,916	90,324	6.99%	
Amount attributable to operating activities		679,149	1,491,449	2,547,338	1,055,889		
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	14	1,528,260	1,058,844	750,162	(308,682)	(29.15%)	▼
Proceeds from disposal of assets	7	126,000	0	0	0	0.00%	
Payments for property, plant and equipment	8	(3,917,804)	(1,917,222)	(1,550,798)	366,424	19.11%	▲
		(2,263,544)	(858,378)	(800,636)	57,742		
Amount attributable to investing activities		(2,263,544)	(858,378)	(800,636)	57,742		
Financing Activities							
Proceeds from new debentures	9	240,000	240,000	0	(240,000)	(100.00%)	▼
Transfer from reserves	11	378,000	378,000	0	(378,000)	(100.00%)	▼
Payments for principal portion of lease liabilities	10	(7,686)	(5,103)	(5,103)	0	0.00%	
Repayment of debentures	9	0	0	(20,925)	(20,925)	0.00%	▼
Transfer to reserves	11	(365,275)	(78)	(78)	0	0.00%	
Amount attributable to financing activities		245,039	612,819	(26,106)	(638,925)		
Closing funding surplus / (deficit)	1(c)	0	2,585,246	3,500,161			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 16 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

BASIS OF PREPARATION

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

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

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

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

THE LOCAL GOVERNMENT REPORTING ENTITY

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

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

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

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

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

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 28th of February 2022.

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
Non-cash items excluded from operating activities				
Adjustments to operating activities				
Less: Profit on asset disposals	7	(60,006)	0	0
Less: Fair value adjustments to financial assets		0	0	(2,998)
Movement in pensioner deferred rates		0	0	0
Movement in inventory		0	0	2,032
Movement in employee benefit provisions		15,039	0	0
Movement in contract liabilities		0	0	0
Movement in lease liabilities		0	0	(5,103)
Movement in other provisions		0	0	(298)
Add: Loss on asset disposals	7	0	0	0
Add: Loss on revaluation of non current assets		0	0	0
Add: Depreciation on assets		1,938,889	1,292,592	1,389,283
Total non-cash items excluded from operating activities		1,893,922	1,292,592	1,382,916

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation*

32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing	This Time Last Year	Year to Date
		30 June 2021	28 February 2021	28 February 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	11	(1,160,486)	(805,189)	(1,160,564)
Add: Borrowings	9	42,125	45,996	21,201
Add: Provisions - employee	12	394,118	435,584	394,118
Add: Lease liabilities	10	7,686	2,517	2,583
Total adjustments to net current assets		(716,557)	(321,092)	(742,662)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	3,786,799	4,735,999	4,650,599
Rates receivables	3	97,209	202,617	299,216
Receivables	3	83,580	29,662	61,125
Other current assets	4	13,522	30,171	34,376
Less: Current liabilities				
Payables	5	(855,603)	(275,928)	(214,509)
Borrowings	9	(42,125)	(23,150)	(21,201)
Contract liabilities	12	(185,456)	(281,916)	(170,082)
Lease liabilities	10	(7,686)	(2,517)	(2,583)
Provisions	12	(394,118)	(435,584)	(394,118)
Less: Total adjustments to net current assets	1(b)	(716,557)	(321,092)	(742,662)
Closing funding surplus / (deficit)		1,779,565	3,658,262	3,500,161

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the Council's operating period.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution
		\$	\$	\$	\$	
Cash on hand						
Municipal Account	Cash and cash equivalents	263,872	0	263,872		Westpac Banking Corporation
Petty Cash	Cash and cash equivalents	700	0	700		Westpac Banking Corporation
Municipal Investment Account	Cash and cash equivalents	3,225,463	0	3,225,463		Westpac Banking Corporation
Leave Reserve	Cash and cash equivalents	0	115,723	115,723		Westpac Banking Corporation
Water Strategy Reserve	Cash and cash equivalents	0	14,246	14,246		Westpac Banking Corporation
Plant/Light Vehicle Reserve	Cash and cash equivalents	0	547,247	547,247		Westpac Banking Corporation
Computer & Office Equipment Reserve	Cash and cash equivalents	0	39,767	39,767		Westpac Banking Corporation
Legal Reserve	Cash and cash equivalents	0	40,039	40,039		Westpac Banking Corporation
Land Development Reserve	Cash and cash equivalents	0	52,105	52,105		Westpac Banking Corporation
Infrastructure Reserve	Cash and cash equivalents	0	167,235	167,235		Westpac Banking Corporation
Building Reserve	Cash and cash equivalents	0	184,202	184,202		Westpac Banking Corporation
Trust Account	Cash and cash equivalents	0	0		175,453	Westpac Banking Corporation
Total		3,490,035	1,160,564	4,650,599	175,453	
Comprising						
Cash and cash equivalents		3,490,035	1,160,564	4,650,599	175,453	
		3,490,035	1,160,564	4,650,599	175,453	

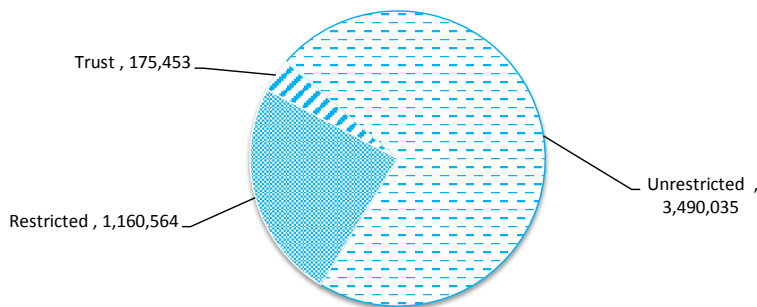
KEY INFORMATION

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

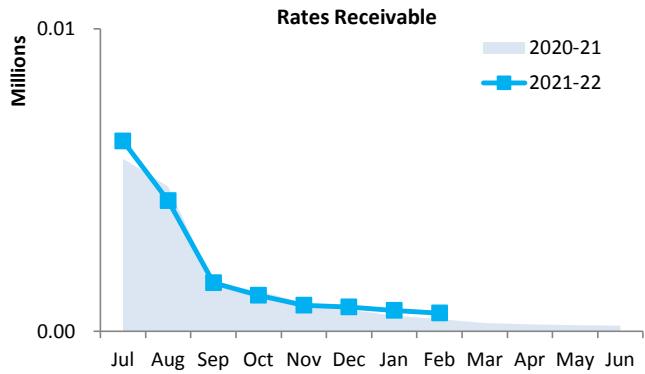
The local government classifies financial assets at amortised cost if both of the following criteria are met:

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

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Rates receivable	30 June 2021	28 Feb 2022
	\$	\$
Opening arrears previous years	89,683	97,209
Levied this year	2,854,496	2,940,404
Less - collections to date	(2,846,970)	2,738,397
Equals current outstanding	97,209	299,216
Net rates collectable	97,209	299,216
% Collected	96.7%	90.1%

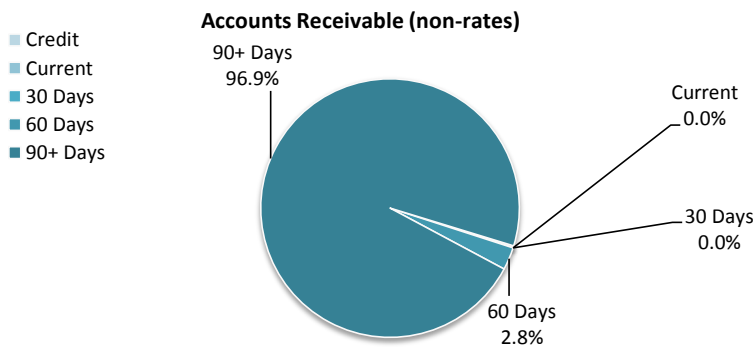


Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(50)	0	0	542	18,556	19,048
Percentage	(0.3%)	0%	0%	2.8%	97.4%	
Balance per trial balance						
Sundry receivable						19,048
GST receivable						33,778
ESL receivable						8,299
Total receivables general outstanding						61,125

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



	Opening Balance 1 July 2021	Asset Movement	Closing Balance 28 February 2022
	\$	\$	\$
Other current assets			
Inventory			
Stock on hand	5,141	2,032	7,173
Other current assets			
Prepayments	8,382	18,821	27,203
Total other current assets	13,523	20,853	34,376
Amounts shown above include GST (where applicable)			

Inventory

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

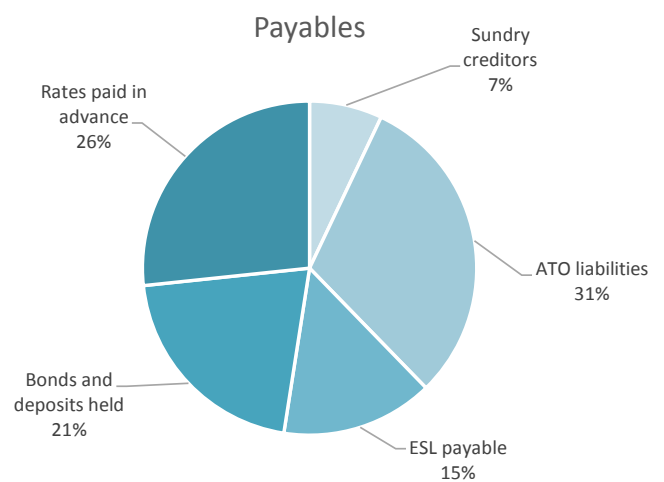
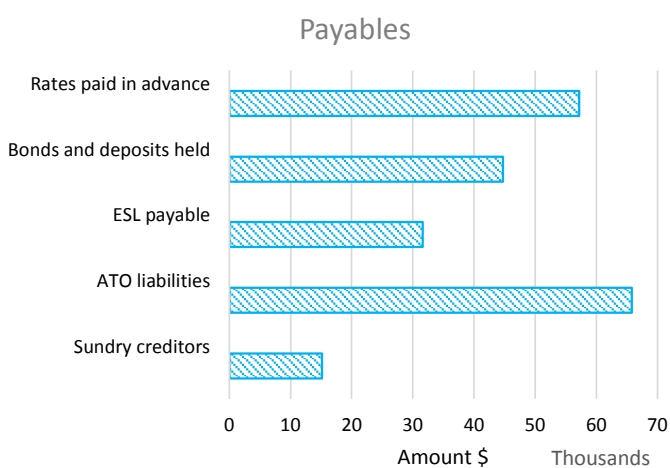
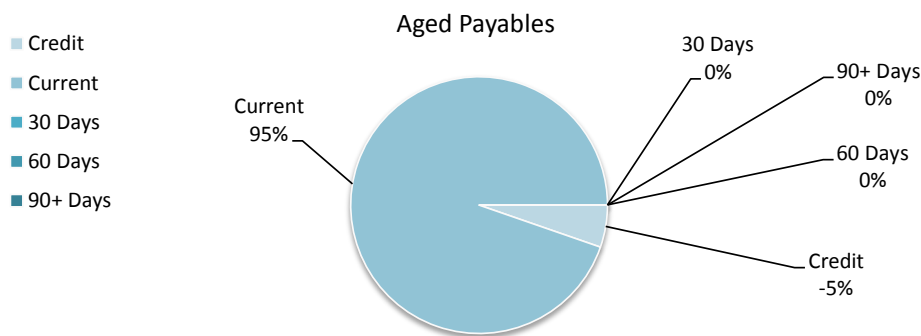
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	(898)	16,015	0	0	5	15,122
Percentage	-5.9%	105.9%	0%	0%	0%	
Balance per trial balance						
Sundry creditors						15,122
ATO liabilities						65,803
ESL payable						31,618
Bonds and deposits held						44,754
Rates paid in advance						57,212
Total payables general outstanding						214,509

Amounts shown above include GST (where applicable)

KEY INFORMATION

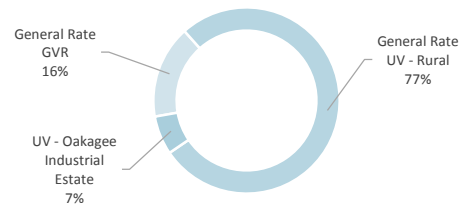
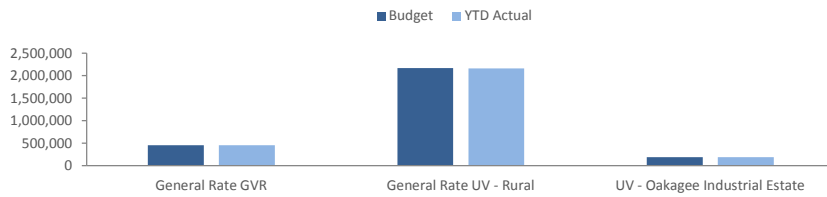
Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are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



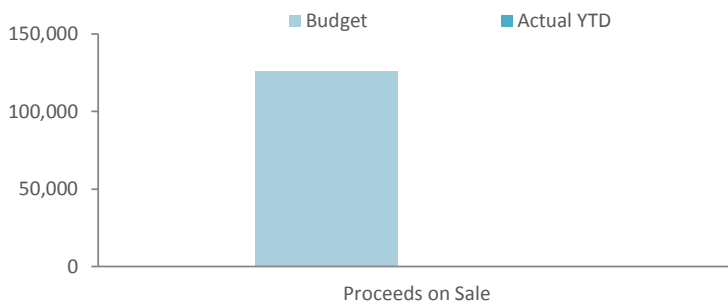
General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
Gross rental value											
General Rate GVR	0.094315	288	4,776,050	450,453	0	0	450,454	450,453	2,551	430	453,433
Unimproved value											
General Rate UV - Rural	0.010900	413	198,688,350	2,165,703	0	0	2,165,703	2,165,703	(1,393)	(2,204)	2,162,106
UV - Oakagee Industrial Estate	0.021000	2	8,826,000	185,346	0	0	185,346	185,346	3,297	22	188,665
Sub-Total		703	212,290,400	2,801,502	0	0	2,801,503	2,801,502	4,455	(1,752)	2,804,204
Minimum payment	Minimum \$										
Gross rental value											
General Rate GVR	700	186		130,200	0	0	130,200	130,200	0	0	130,200
Unimproved value											
General Rate UV - Rural	400	15		6,000	0	0	6,000	6,000	0	0	6,000
Sub-total		201	0	136,200	0	0	136,200	136,200	0	0	136,200
Total general rates							2,937,703				2,940,404

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Land - Freehold land								
100	Lot 26 & 27 CV Road	20,000	20,000	0	0	0	0	0	0
	Plant and equipment								
	Transport								
P23	Caterpillar Grader (2007)	43,194	90,000	46,806	0	0	0	0	0
P43	Ford Ranger PX (2013)	1,500	6,000	4,500	0	0	0	0	0
P48	Mazda BT50 (2014)	1,300	10,000	8,700	0	0	0	0	0
		65,994	126,000	60,006	0	0	0	0	0



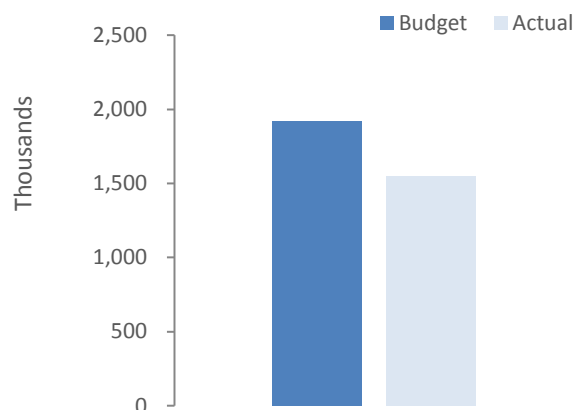
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022**

**INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land and buildings	827,374	50,000	13,291	(36,709)
Furniture and equipment	15,000	0	0	0
Plant and equipment	902,600	218,600	190,438	(28,162)
Tools and equipment	37,000	0	11,536	11,536
Infrastructure - roads	2,135,830	1,648,622	1,335,533	(313,089)
Payments for Capital Acquisitions	3,917,804	1,917,222	1,550,798	(366,424)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,528,260	1,058,844	750,162	(308,682)
Borrowings	240,000	0	0	0
Lease liabilities	0	0	0	0
Other (disposals & C/Fwd)	126,000	0	0	0
Cash backed reserves				
Leave Reserve	0	0	0	0
Water Strategy Reserve	0	0	0	0
Plant/Light Vehicle Reserve	278,000	0	0	0
Unspent Grant Reserve	0	0	0	0
Computer & Office Equipment Reserve	0	0	0	0
Legal Reserve	0	0	0	0
Land Development Reserve	0	0	0	0
Infrastructure Reserve	0	0	0	0
Building Reserve	100,000	0	0	0
Contribution - operations	1,645,544	858,378	800,636	(57,742)
Capital funding total	3,917,804	1,917,222	1,550,798	(366,424)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and culture										
Bill Hemsley Park	98	42,125	0	0	20,925	20,925	21,201	21,201	412	556
Transport										
Replacement Grader	99	0	0	240,000	0	0	0	240,000	0	0
Total		42,125	0	240,000	20,925	20,925	21,201	261,201	412	556
Current borrowings		42,125					21,201			
Non-current borrowings		0					0			
		42,125					21,201			

All debenture repayments were financed by general purpose revenue.

New borrowings 2021-22

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total	Interest Rate	Amount (Used)	Balance
	Actual	Budget				Interest & Charges		Actual	Unspent
	\$	\$				\$	%	\$	\$
Replacement Grader	0	240,000	WA Treasury	Fixed Rate	5	0	1.2	0	0
	0	240,000				0		0	0

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Movement in carrying amounts

Information on leases Particulars	Lease No.	1 July 2021	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Community amenities										
Nabawa Fuel Station	LE01	58,180	0	0	5,103	7,686	53,077	50,494	958	1,476
Total		58,180	0	0	5,103	7,686	53,077	50,494	958	1,476
Current lease liabilities		7,686					2,583			
Non-current lease liabilities		50,494					50,494			
		58,180					53,077			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

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

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	115,715	40	8	15,000	0	0	0	130,755	115,723
Water Strategy Reserve	14,245	5	1	0	0	0	0	14,250	14,246
Plant/Light Vehicle Reserve	547,211	80	36	150,000	0	(278,000)	0	419,291	547,247
Computer & Office Equipment Reserve	39,764	15	3	0	0	0	0	39,779	39,767
Legal Reserve	40,036	15	3	0	0	0	0	40,051	40,039
Land Development Reserve	52,101	20	4	20,000	0	0	0	72,121	52,105
Infrastructure Reserve	167,224	35	11	80,000	0	0	0	247,259	167,235
Building Reserve	184,190	65	12	100,000	0	(100,000)	0	184,255	184,202
	1,160,486	275	78	365,000	0	(378,000)	0	1,147,761	1,160,564

	Note	Opening Balance 1 July 2021	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 28 February 2022
		\$		\$	\$	\$
Other current liabilities						
Other liabilities						
- Contract liabilities - Grant Funding		185,456	0	1,958,921	(1,974,295)	170,082
Total other liabilities		185,456	0	1,958,921	(1,974,295)	170,082
Provisions						
Provision for annual leave		208,511	0	0	0	208,511
Provision for long service leave		185,607	0	0	0	185,607
Total Provisions		394,118	0	0	0	394,118
Total other current liabilities		579,574	0	1,958,921	(1,974,295)	564,200
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

KEY INFORMATION

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.

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 calculation of net current assets.

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

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability 1 July 2021	Increase in Liability	Decrease in Liability (As revenue)	Liability 28 Feb 2022	Current Liability 28 Feb 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
WA LG Grants Commission - Road Funding	0	203,800	(203,800)	0	0	241,604	181,204	203,800
WA LG Grants Commission - General Purpose	0	231,308	(231,308)	0	0	202,912	152,184	231,308
Law, order, public safety								
DFES Grant Funding	0	27,432	(27,432)	0	0	19,500	13,000	27,432
Various Other	169,855	148,203	(306,571)	11,487	11,487	217,960	143,279	86,325
Recreation and culture								
LRCIP Round 3	0	0	0	0	0	730,874	0	0
DWER Water Supply Grant	0	100,000	(100,000)	0	0	100,000	100,000	100,000
Various Other	0	4,255	(4,255)	0	0	0	0	4,255
Transport								
Mainroads WA Direct Grant Funding	0	137,540	(137,540)	0	0	137,540	137,540	137,540
Mainroads WA Regional Road Funding	0	180,000	(140,946)	39,054	39,054	300,000	120,000	140,945
Various Other	15,602	56,679	(72,281)	0	0	0	0	72,281
	185,457	1,089,217	(1,224,133)	50,541	50,541	1,950,390	847,207	1,003,885
Operating contributions								
General purpose funding								
Ex Gratia Rates	0	0	0	0	0	10,000	10,000	10,273
Law, order, public safety								
Contributions & Reimbursements	0	0	0	0	0	14,400	9,600	2,400
Community amenities								
Dolby Creek Management Plan Income	0	0	0	0	0	1,000	0	0
Reimbursements & Sundry Income (Environment)	0	0	0	0	0	300	0	0
Cemetery Contributions	0	0	0	0	0	900	900	400
Recreation and culture								
Contributions & Reimbursements	0	0	0	0	0	154,150	154,150	0
Transport								
Hudson Resources Contribution	0	0	0	0	0	12,500	12,500	12,357
Other property and services								
Diesel Fuel Rebates	0	0	0	0	0	40,000	26,664	29,070
	0	0	0	0	0	233,250	213,814	54,500
TOTALS	185,457	1,089,217	(1,224,133)	50,541	50,541	2,183,640	1,061,021	1,058,385

Provider	Unspent non operating grants, subsidies and contributions liability					Non operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	Current Liability	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	1 July 2021			28 Feb 2022	28 Feb 2022			
	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies								
Recreation and culture								
Dept of LG - Beach Emergency Signage	0	1,137	(1,137)	0	0	0	0	1,137
Transport								
Main Roads WA Regional Road Group Funding	0	660,000	(540,458)	119,542	119,542	1,200,000	840,000	540,458
Roads to Recovery Funding	0	208,567	(208,567)	0	0	328,260	218,844	208,567
TOTALS	0	869,704	(750,162)	119,542	119,542	1,528,260	1,058,844	750,162

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022**

**NOTE 15
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2021	Amount Received	Amount Paid	Closing Balance 28 Feb 2022
	\$	\$	\$	\$
Bonds - Hall Hire	4,330	6,390	(6,750)	3,970
Nomination Deposits	0	320	(320)	0
Post Office Deposit	1,581	0	0	1,581
Contributions from Sub Divider	150,357	0	0	150,357
Refundable Deposit	11,580	5,000	(580)	16,000
CTF Levy	4,349	4,089	(6,910)	1,529
Building Commission	3,688	3,944	(5,716)	1,916
Unclaimed Monies	250	236	(486)	0
Standpipe Card Bond	100	0	0	100
	176,235	19,979	(20,761)	175,453

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of variances	
			Timing	Permanent
	\$	%		
Revenue from operating activities				
General purpose funding - other	107,696	29.67%	▲	Permanent Financial Assistance Grants
Recreation and culture	(123,607)	(40.62%)	▼	Timing Variance
Transport	93,263	34.24%	▲	
Expenditure from operating activities				
Governance	56,487	22.13%	▲	Timing Variance
Law, order and public safety	100,538	37.88%	▲	Timing Variance
Community amenities	122,102	25.09%	▲	Timing Variance
Recreation and culture	326,020	37.53%	▲	Timing Variance
Transport	240,073	13.07%	▲	
Economic services	43,163	18.51%	▲	
Investing activities				
Proceeds from non-operating grants, subsidies and contributions	(308,682)	(29.15%)	▼	Timing Variance
Payments for property, plant and equipment and infrastructure	366,424	19.11%	▲	Timing Variance
Financing activities				
Proceeds from new debentures	(240,000)	(100.00%)	▼	Timing Variance
Transfer from reserves	(378,000)	(100.00%)	▼	Timing Variance
Repayment of debentures	(20,925)	0.00%	▼	Timing Variance

Internal working documents Budget by Program

	2021/2022	2021/2022	2021/2022	Last Years Acutal YTD
	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	For the period ending
	28/02/2022	28/02/2022	30/06/2022	30-June-2021
Operating Expenditure				
Governance	198,719	255,206	435,202	332,084
General Purpose Funding	65,464	75,252	125,533	100,951
Law, Order and Public Safety	164,884	265,422	399,952	326,419
Education	0	0	0	0
Health	12,030	17,592	31,390	24,583
Community Amenities	364,551	486,653	791,886	608,127
Recreation and Culture	542,687	812,043	1,071,790	822,472
Transport	1,596,436	1,836,509	3,495,990	3,479,110
Economic Services	190,018	233,181	371,471	284,980
Other Property and Services	47,232	48,549	59,999	76,576
Total Expenditure (E)	3,182,020	4,030,408	6,783,213	6,055,302
	2021/2022	2021/2022	2021/2022	Last Years Acutal YTD
	Year to Date Actuals	Full Year Original Budget	Full Year Original Budget	For the period ending
	28/02/2022	28/02/2022	30/06/2022	30-June-2021
Operating Revenue				
Governance	(3,003)	(800)	(1,200)	(23,307)
General Purpose Funding	(3,411,130)	(3,300,733)	(3,417,894)	(3,856,818)
Law, Order and Public Safety	(158,164)	(175,711)	(263,460)	(100,430)
Health	(4,262)	(4,063)	(5,007)	(9,808)
Housing	0	0	0	0
Community Amenities	(176,596)	(173,581)	(184,259)	(247,839)
Recreation and Culture	(181,800)	(304,270)	(1,057,644)	(331,521)
Transport	(1,114,664)	(1,331,220)	(2,147,806)	(1,988,020)
Economic Services	(16,337)	(16,886)	(23,430)	(43,179)
Other Property and Services	(30,646)	(37,509)	(81,000)	(60,530)
Total Revenue (R)	(5,096,603)	(5,344,773)	(7,181,700)	(6,661,453)
Operating (Profit)/Loss (R-E)	(1,914,583)	(1,314,365)	(398,486)	(606,151)

Working Documents
2021/2022 Budget by Program

Prog	General Purpose Funding	2021/2022	2021/2022	2021/2022	2020/2021			
01	Rate Revenue	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	YTD BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
0022	Rates Legal Expenses	0	0	1,200	0	0		
0032	Rates Stationary/Postage	1,434	2,200	3,500	1,580	766		
0062	Sundry Expenses	11	0	0	18	(11)		
0082	Rates Other Costs	107	250	500	0	143		
0132	Valuation Expenses	2,141	2,586	15,000	10,884	445		
0352	Admin Allocation (Rates)	61,766	68,552	102,833	86,867	6,786		
	Total Operating Expenditure	65,458	73,588	123,033	99,349			
COA	Operating Revenue							
0030	General Rates Income	(2,937,702)	(2,937,703)	(2,937,703)	(2,857,240)	(1)		
0010	Rates Written Off	0	0	0	0	0		
0012	Legal Fees	0	0	(1,200)	0	0		
0033	Back Rates	1,752	0	0	3,210	(1,752)		
0061	Ex Gratia Rates	(10,273)	(10,000)	(10,000)	(10,023)	273		
0071	Interim Rates Raised	(4,454)	0	0	(466)	4,454		
0113	Interest (Overdue Rates)	(9,699)	(4,672)	(7,000)	(10,473)	5,027		
0123	Interest (Rates Instalments)	(5,602)	(5,000)	(5,000)	(4,268)	602		
0133	Interest (Deferred Rates)	0	0	0	0	0		
0143	Administration Charges	(3,645)	(5,000)	(5,000)	0	(1,355)		
0173	Legal Fees (Recovered)	0	0	0	0	0		
0183	Account Enquiry Charges	(6,100)	(4,000)	(6,000)	(9,959)	2,100		
	Total Operating Revenue	(2,975,723)	(2,966,375)	(2,971,903)	(2,889,219)			
	Total Rate Revenue	(2,910,265)	(2,892,787)	(2,848,870)	(2,789,870)			

03	General Purpose Funding	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
9992	Interest & Overdraft Fees	6	1,664	2,500	1,602	1,658		
COA	Operating Revenue							
0201	Legal Reserve Income	(3)	(9)	(15)	(13)	(6)		
0203	Leave Reserve Income	(8)	(18)	(40)	(38)	(10)		
0204	Land Development Reserve Income	(3)	(12)	(20)	(17)	(9)		
0205	Building Reserve Income	(12)	(44)	(65)	(64)	(31)		
0206	Roadworks Reserve Income	(11)	(23)	(35)	(33)	(12)		
0215	Unspent Grants Reserve Income	0	0	0	(0)	0		
0223	Water Strategy Reserve Income	(1)	(2)	(5)	(5)	(1)		
0233	Grants Commission (Road Funding)	(203,800)	(181,204)	(241,604)	(546,587)	22,596	*	19 - Financial Assistance Grant based on 20-21
0243	Computer and Office Equipment Reserve Income	(3)	(9)	(15)	(13)	(6)		
0253	Grants Commission - (General Purpose)	(231,308)	(152,184)	(202,912)	(419,700)	79,124	*	19 - Financial Assistance Grant based on 20-21
0273	Plant/Light Vehicle Reserve Income	(36)	(53)	(80)	(84)	(17)		
0453	Interest Received (Municipal Account)	(223)	(800)	(1,200)	(1,046)	(577)		
0506	Landcare Reserve Income	0	0	0	0	0		
	Total Operating Revenue	(435,407)	(334,358)	(445,991)	(967,599)			
	Total General Purpose Income	(435,402)	(332,694)	(443,491)	(965,997)			
	Total General Purpose Funding	(3,345,666)	(3,225,481)	(3,292,361)	(3,755,867)			

Prog	Governance	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET to BUDGET VARIATION	>\$10K	Budget PROFILE Comments
04	Members of Council	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
0112	Election & Poll Expenses	7,323	16,710	21,710	0	9,387		
0182	Subscriptions & Memberships Expense	26,099	29,900	29,900	24,524	3,801		
0192	Members Conference & Training Expenses	10,271	16,000	20,000	1,536	5,729		
0202	Members Insurance Expense	13,362	14,226	14,226	12,370	864		
0212	Donations & Gifts	5,025	6,850	10,350	230	1,825		
0232	Consultancy & Legal Expenses	0	6,250	12,500	1,881	6,250		
0242	Members Sitting Fees	32,935	37,640	75,280	67,752	4,705		
0252	Members Remuneration Expenses	1,925	2,200	4,400	3,960	275		
0262	President & Deputy Allowances	6,250	6,250	12,500	12,603	0		
0272	Council Chambers Repairs & Maintenance	4,527	12,000	15,500	332	7,473		
0332	Furniture & Equipment Expense	152	0	5,500	4,329	(152)		
0442	Admin Allocation (Members)	82,355	93,360	140,036	115,823	11,005	*	Timing
0462	Meeting & Refreshments Expense	6,695	21,000	30,500	18,660	14,305	*	Timing of functions and events
1822	Accounting & Audit Expenses	1,800	0	42,800	45,800	(1,800)		
7202	Depreciation (Members)	0	0	0	0	0		
	Total Operating Expenditure	198,719	262,386	435,202	309,800			
COA	Operating Revenue							
1213	Governance Income	(2,998)	0	0	(2,804)	2,998		
COA	Capital Expenditure / Reserve Transfers							
0454	Council Chamber Improvements (NCA)	3,740	0	8,000	0	(3,740)		
	Total Governance	199,461	262,386	435,202	306,996			

05	Other Governance	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
0102	Provision for Long Service Leave	0	0	5,000	(15,313)	0		
0222	Fringe Benefits Tax	0	22,500	45,000	36,272	22,500	*	52 - Fringe Benefit Tax \$45k - qtrly PRE- payments on BAS
0282	Superannuation (Admin)	33,824	38,800	58,202	54,280	4,976		
0292	Salaries Expense (Admin)	392,309	387,512	581,272	551,818	(4,797)		
0294	Staff Housing Allowance (Admin)	6,644	8,960	13,444	13,016	2,316		
0312	Council Super Contribution 3% (Admin)	6,994	9,744	14,612	11,399	2,750		
0362	Accrued Annual Leave (Admin)	0	0	0	1,918	0		
0372	Workers Compensation Insurance (Admin)	12,811	14,062	14,062	12,227	1,251		
0402	Insurance Expense	6,635	6,897	6,897	5,998	262		
0422	Office Gardens Expenses	14,036	20,128	30,195	25,566	6,092		
0432	Admin Building Operations	5,185	6,236	7,237	6,831	1,051		
0472	Office Expenses (General)	6,769	8,328	14,000	10,396	1,559		
0473	Admin Building Repairs & Maintenance	13,602	27,200	32,500	2,506	13,598	*	Timing - expenses lower than budget profile year to date
0482	Office Telephone & Internet Expenses	5,725	8,192	15,300	16,977	2,467		
0492	Advertising Expenses	6,208	5,600	8,400	6,102	(608)		
0502	Computer Hardware Service & Repair	26,721	29,664	44,500	43,343	2,943		
0512	Furniture & Equipment Expense	1,091	8,000	10,000	8,009	6,909		
0522	Freight & Postage Expense	1,265	1,050	1,550	1,609	(215)		
0542	Printing & Stationery Expense	8,156	11,200	16,800	16,612	3,044		
0552	Motor Vehicle Expenses	3,351	4,664	7,000	5,956	1,313		
0562	Long Service Leave Expense (Admin)	12,706	0	14,646	22,321	(12,706)	*	Timing
0592	Admin Allocation (Other Governance)	(686,291)	(776,512)	(1,164,771)	(965,191)	(90,221)	*	Timing - expenses lower than budget profile year to date
0622	Uniform Expense	0	1,574	1,669	716	1,574		
0632	Staff Training, Conference and Recruitment	4,400	13,750	27,500	14,763	9,350		
0662	Public Liability Insurance	21,260	24,356	24,357	21,180	3,096		
0682	Consultancy Fees	23,595	35,250	68,500	27,659	11,655	*	Timing - expenses lower than budget profile year to date
0702	Bank Fees & Charges	5,995	5,336	8,004	7,400	(659)		
0712	Occupational Health & Safety	1,653	6,250	10,500	3,782	4,597		
0722	Accounting Software Operating Expenditure	41,752	41,000	49,000	37,600	(752)		
7002	Depreciation (Governance)	23,604	23,080	34,624	36,530	(524)		
	Total Operating Expenditure	(0)	(7,179)	0	22,284			
COA	Operating Revenue							
0383	Minor Income Received (General)	(5)	(800)	(1,200)	(2,426)	(795)		
1233	Insurance Reimbursement	0	0	0	(6,509)	0		
0573	Reimbursements & Contributions	0	0	0	(11,569)	0		
1243	Long Service Leave Reimbursement	0	0	0	0	0		
	Total Operating Revenue	(5)	(800)	(1,200)	(20,504)			

COA	Capital Expenditure / Reserve Transfers						
0364	Office Furniture & Equipment (NCA)	0	0	15,000	9,252	0	
0351	Transfer from Leave Reserve (Admin) (EQ)	0	0	0	0	0	
0355	Transfer from Building Reserve (EQ)	0	0	0	0	0	
0371	Transfer from Office Equipment Reserve (EQ)	0	0	0	0	0	
0564	Building Improvements (NCA)	795	0	17,500	0	(795)	
0405	Proceeds from Disposal of Assets	0	0	0	0	0	
4750	Transfer to Leave Reserve (EQ)	8	0	15,000	38	(8)	
4785	Transfer from Unspent Grant Fund	0	0	0	0	0	
4770	Transfer to Office & Equipment Reserve (EQ)	3	0	0	13	(3)	
4780	Transfer to Plant/Light Vehicle Reserve (EQ)	36	0	0	84	(36)	
	Total Capital Expenditure / Reserve Transfers	842	0	47,500	9,386		
	Total Administration	837	(7,979)	46,300	11,166		
	Total Governance	200,298	254,406	481,502	318,164		

Prog	Law, Order, Public Safety	2021/2022	2021/2022	2021/2022	2020/2021			
06	Fire Prevention	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
	COA Operating Expenditure							
0602	Admin Allocation (Fire Prevention)	6,863	7,776	11,670	9,652	913		
0672	Fire Break Inspection Fees	1,409	2,000	2,000	1,305	591		
0762	Ranger Allocation (Fire Prevention)	16,414	24,152	36,230	24,632	7,738		
0832	Emergency Services Levy (Shire Properties)	792	800	800	756	8		
0882	Fire Prevention Enforcement Expenditure	0	1,000	1,000	0	1,000		
1023	Motor vehicle Expenses - BRPC Vehicle	2,780	6,864	10,291	9,636	4,084		
1622	Grant Funded Projects Fire Prevention	15,670	90,420	149,360	54,445	74,750	*	Job: 1058 - Grant funded position balance 2020/2021 agreement and continuation into 2021/2022 for Bushfire Risk Management Plan Project Officer - Grant finalised pending acquittal funds to be returned
1722	Brigades Operating Expenses	27,375	15,340	19,309	18,991	(12,035)	*	Additional PPE for Bushfire Volunteers
8012	Loss on Sale of Assets	0	0	0	0	0		
7012	Depreciation (Fire Prevention)	39,645	37,528	56,294	59,549	(2,117)		
	Total Operating Expenditure	110,948	185,880	286,954	178,967			
	COA Operating Revenue							
0703	Fines & Penalties Income	(250)	(1,250)	(1,250)	(3,000)	(1,000)		
0713	Emergency Services Levy Administration Fees	(4,000)	(4,000)	(4,000)	(4,000)	0		
0733	DFES Grant Income	(27,432)	(13,000)	(19,500)	(26,947)	14,432	*	DFES Additional funds rec'd for fire fighting PPE
0743	Operating Grants & Contributions	(86,325)	(143,279)	(217,960)	(48,931)	(56,954)	*	19 - DFES Grant Water Tank Howatharra BFB 100% \$68600 DFES Bushfire Risk Management Plan Project Officer grant acquittal pending funds to be returned
0953	Contributions & Reimbursements	(2,400)	(9,600)	(14,400)	(7,200)	(7,200)		
0883	Fire Prevention Enforcement Income	0	(1,000)	(1,000)	0	(1,000)		
	Total Operating Revenue	(120,407)	(172,129)	(258,110)	(90,078)			
	COA Capital Expenditure / Reserve Transfers							
0745	Transfer from Unspent Grant Reserve (EQ)	0	0	0	0	0		
0754	Plant & Equipment (NCA)	2,613	68,600	68,600	0	65,987	*	99 - DFES Grant Water Tank Howatharra BFB - delay in purchasing tank
	Total Capital Expenditure / Reserve Transfers	2,613	68,600	68,600	0			
	Total Fire Prevention	(6,846)	82,351	97,444	88,889			

07	Animal Control	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA Operating Expenditure								
0792	Admin Allocation (Animal Control)	13,726	15,560	23,339	19,304	1,834		
0812	Depreciation (Animal Control)	0	0	0	0	0		
0822	Other Minor Expenditure	0	0	0	1,432	0		
0842	Animal Control Expenses	328	760	1,000	384	432		
0852	Ranger Allocation (Animal Control)	14,444	24,152	36,230	21,676	9,708		
Total Operating Expenditure		28,498	40,472	60,569	42,796			
COA Operating Revenue								
0843	Impoundment Fees	(245)	0	(250)	(807)	245		
0853	Dog/Cat Registrations Income	(3,935)	(3,182)	(3,500)	(5,246)	753		
0863	Fines & Penalties	(2,980)	(400)	(400)	(2,000)	2,580		
Total Operating Revenue		(7,160)	(3,582)	(4,150)	(8,053)			
Total Animal Control		21,338	36,890	56,419	34,742			
08	Other Law, Order and Public Safety	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA Operating Expenditure								
0802	Fines Enforcement Registry	0	0	1,200	308	0		
0902	Ranger Allocation (Other Law and Order)	14,444	24,152	36,230	21,676	9,708		
0962	Miscellaneous Expenses (Other Law and Order)	10,993	15,000	15,000	84,175	4,007		
Total Operating Expenditure		25,438	39,152	52,430	106,159			
COA Operating Revenue								
0823	Fines Enforcement Registry Fees & Charges	0	0	(1,200)	(2,299)	0		
0973	Community Safety & Crime Prevention	(30,597)	0	0	0	30,597	*	Reimbursement Disaster Recovery TC Cyclone Seroja Shire asset works
0983	Fines & Penalties Levied	0	0	0	0	0		
Total Operating Revenue		(30,597)	0	(1,200)	(2,299)			
Total Other Law, Order and Public Safety		(5,160)	39,152	51,230	103,861			

18	Rangers Expenses	2020/2019	2020/2020	2020/2021	2019/2020	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Full Year Original Budget	Full Year Original Budget	Full Year Original Budget	Current YTD Actuals			
COA Operating Expenditure								
0152	Provision for Long Service Leave	0	0	0	2,085	0		
0772	Trainee Ranger Expense	0	0	0	0	0		
0872	Superannuation Council 3% (Rangers)	0	0	0	0	0		
0892	Salary & Wages (Rangers)	48,764	75,224	112,831	75,027	26,460	*	Timing
0912	Workers Compensation Insurance (Rangers)	1,369	1,650	1,650	1,434	281		
0922	Superannuation (Rangers)	4,826	7,488	11,231	7,000	2,662		
0932	Conference & Training	0	500	1,000	0	500		
0982	Rangers Expense	10,698	11,008	17,207	16,924	310		
1012	Tools & Equipment (Low Value)	0	664	1,000	0	664		
3872	Accrued Annual Leave (Rangers)	0	0	0	(5,445)	0		
0952	Rangers Expenses Reallocated	(65,656)	(96,616)	(144,919)	(98,529)	(30,960)	*	10 - reallocated across programs
Total Operating Expenditure		0	(82)	0	(1,503)			
COA Operating Revenue								
0773	Grant Revenue (Rangers)	0	0	0	0	0		
COA Capital Expenditure / Reserve Transfers								
0874	Plant & Equipment Purchases (Rangers) (NCA)	0	0	0	0	0		
0875	Transfer from Leave Reserve (EQ)	0	0	0	0	0		
Total Capital Expenditure / Reserve Transfers		0	0	0	0			
Total Rangers Expenses		0	(82)	0	(1,503)			
Total Law, Order and Fire Safety		9,332	158,311	205,092	225,990			

Prog	Education & Welfare	2021/2022	2021/2022	2021/2022	2020/2021			
09	Schools/Pre Schools	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	YTD BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
0992	Pre-School Repairs & Maintenance	0	0	0	0	0		Retained for prior years reporting as required by AASB
COA	Operating Revenue							
0993	Lease Income (Pre School)	0	0	0	0	0		
	Total Education	0	0	0	0	0		

PROG	Health	2021/2022	2021/2022	2021/2022	2020/2021			
14	Health Inspection and Administration	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
1282	Ranger Allocation (Pool Inspections)	7,879	11,592	17,390	11,823	3,713		
1292	Health Expenses (General)	4,151	6,000	14,000	12,760	1,849		
	Total Operating Expenditure	12,030	17,592	31,390	24,583			
COA	Operating Revenue							
1373	Swimming Pool Inspection Fees	(659)	0	0	0	659		
1383	Swimming Pool Inspection Fees	(1,755)	(1,575)	(1,575)	(1,755)	180		
1393	Licences & Fees Income	(354)	(600)	(600)	(776)	(246)		
1573	Septic Tank Fees (Health)	(590)	(944)	(1,416)	(3,186)	(354)		
1583	Administration Fees (Health)	(904)	(944)	(1,416)	(4,091)	(40)		
	Total Operating Revenue	(4,262)	(4,063)	(5,007)	(9,808)			
	Total Health Inspection and Administration	7,768	13,529	26,383	14,775			

Prog	Community Amenities	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET		Budget PROFILE Comments
25	Sanitation - Household Refuse	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	VARIATION	>\$10K	
COA	Operating Expenditure							
1762	Domestic Rubbish Collection Expenses	73,470	98,664	148,000	141,174	25,194	*	Contracted Rubbish Removal timing of invoices
1772	Depreciation (Sanitation)	3,647	2,960	4,439	4,696	(687)		
1792	Refuse Site Repairs & Maintenance	11,130	8,486	53,171	39,928	(2,644)		
2502	Admin Allocation (Domestic Rubbish)	27,452	31,120	46,679	38,608	3,668		
	Total Operating Expenditure	115,698	141,230	252,289	224,405			
COA	Operating Revenue							
1903	Domestic Rubbish Collection Fees	(156,709)	(155,975)	(155,975)	(155,030)	734		
1904	Other Rubbish Collection	0	0	0	0	0		
	Total Operating Revenue	(156,709)	(155,975)	(155,975)	(155,030)			
COA	Capital Expenditure / Reserve Transfers							
1764	Land & Building Purchases (NCA)	0	0	0	21,475	0		
	Total Sanitation - Household Refuse	(41,011)	(14,745)	96,314	90,850			
26	Sanitation - Other	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
1882	Parks & Gardens Rubbish Collection Expenses	7,282	5,808	8,718	5,912	(1,474)		
1912	Other Waste Management Expenses	1,127	0	7,000	0	(1,127)		
1922	Depreciation (Other Sanitation)	267	256	379	401	(11)		
	Total Operating Expenditure	8,676	6,064	16,097	6,313			
COA	Operating Revenue							
2003	Grants, Contributions & Reimbursements (Other Sanitation)	0	0	0	(21,475)	0		
4503	Sale of Scrap	0	(5,000)	(5,000)	(10,249)	(5,000)		
	Total Operating Revenue	0	(5,000)	(5,000)	(31,724)			
	Total Sanitation - Other	8,676	1,064	11,097	(25,411)			

29	Protection of Environment	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
1962	Abandoned Vehicle Expense	0	1,000	1,500	930	1,000		
2022	Landcare Expenditure	0	0	0	0	0		
2040	Dolby Creek Expenditure	3,463	1,761	2,698	2,756	(1,702)		
2942	Prior Period Write Off (Protection of Environment)	0	0	0	0	0		
	Total Operating Expenditure	3,463	2,761	4,198	3,686			
COA	Operating Revenue							
2923	Dolby Creek Management Plan Income	0	0	(1,000)	(2,756)	0		
2933	Reimbursements & Sundry Income (Protection of Environment)	0	0	(300)	(300)	0		
	Total Operating Revenue	0	0	(1,300)	(3,056)			
COA	Capital Expenditure / Reserve Transfers							
2055	Transfer from Landcare Reserve (EQ)	0	0	0	0	0		
2080	Transfer to Landcare Reserve (EQ)	0	0	0	0	0		
	Total Capital Expenditure / Reserve Transfers	0	0	0	0			
	Total Protection of Environment	3,463	2,761	2,898	630			

30	Town Planning and Regional Development	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
0162	Long Service Leave (Town Planning) Provision	0	0	7,500	(7,848)	0		
0942	Depreciation (Town Planning)	3,094	7,968	11,948	11,982	4,874		
1992	Planning Consultancy Expenses	2,600	16,664	25,000	7,420	14,064	*	Timing external contract services
2102	Workers Compensation Insurance (Town Planning)	2,157	2,600	2,599	2,260	443		
2112	Salaries & Wages (Town Planning)	97,199	95,456	143,178	138,456	(1,743)		
2122	Superannuation Council 3% (Town Planning)	2,957	2,816	4,219	3,988	(141)		
2132	Superannuation (Town Planning)	9,485	9,376	14,063	12,999	(109)		
2162	Accrued Annual Leave (Town Planning)	0	0	0	(2,118)	0		
2182	Other Employee Expenses (Town Planning)	0	0	4,000	1,493	0		
2202	Town Planners Expenses	946	664	1,000	1,606	(282)		
2222	Motor Vehicle Expenses	2,676	5,000	7,500	4,423	2,324		
2232	Legal Expenses (Town Planning)	2,735	9,518	12,500	3,845	6,783		
2242	Engineering Expenses	0	8,000	12,000	8,495	8,000		
2252	Advertising Expenses	0	4,500	5,000	143	4,500		
3012	Admin Allocation (Town Planning)	41,178	46,680	70,018	28,956	5,503		
3082	Prior Period Write Off (Town Planning)	0	0	0	0	0		
7052	Surveying & Land Expenses	1,193	16,668	25,000	14,426	15,475	*	Timing external contract services
7072	Project Expenses (Town Planning)	0	0	10,000	74	0		
	Total Operating Expenditure	166,219	225,910	355,525	230,601			
COA	Operating Revenue							
0163	Town Planning Projects - Income	0	0	0	(4,063)	0		
2233	Town Planning Fee Income	(9,286)	(4,664)	(7,000)	(28,384)	4,622		
2243	Outsourced Planning Fees - Other LGs	(8,976)	(6,000)	(12,000)	(18,640)	2,976		
2253	Outsourced Planning Fees - Other LGs	(134)	0	0	0	134		
3603	Outsourced Planning Fees - Other LGs	(25)	0	0	0	25		
	Total Operating Revenue	(18,420)	(10,664)	(19,000)	(51,087)			
COA	Capital Expenditure / Reserve Transfers							
4820	Transfer to Legal Reserve (EQ)	3	0	0	13	(3)		
	Total Capital Expenditure/Reserve Transfers	3	0	0	13			
	Total Town Planning and Regional Development	147,801	215,246	336,525	179,528	0		

31	Other Community Amenities	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
3102	Cemetery Expenses	5,767	14,464	20,690	18,120	8,697		
3132	Community Development Expenses	473	5,000	6,000	2,242	4,527		
3162	Admin Allocation (Other Community Amenities)	34,315	38,896	58,348	48,259	4,581		
3212	Depreciation (Other Community Amenities)	9,713	9,152	13,730	14,512	(561)		
3222	Community Growth Fund	803	8,000	12,000	26,700	7,197		
3232	Community Development Officer Expenses	19,424	35,176	53,009	33,288	15,752	*	Timing
	Total Operating Expenditure	70,494	110,688	163,777	143,122			
COA	Operating Revenue							
3093	Cemetery Income (GST Free)	(1,067)	(1,042)	(2,084)	(2,811)	25		
3113	Cemetery Income (GST Applicable)	(400)	(900)	(900)	(3,132)	(500)		
3613	Reimbursements & Contributions	0	0	0	0	0		
3633	Community Development Grants	0	0	0	0	0		
	Total Operating Revenue	(1,467)	(1,942)	(2,984)	(6,943)			
COA	Capital Expenditure / Reserve Transfers							
2415	Nabawa Cemetery Capital Expenses (NCA)	0	0	0	8,449	0		
3085	Transfer from Unspent Community Growth Fund Reserve (EQ)	0	0	0	(9,500)	0		
7155	Transfer from Building Reserve (EQ)	0	0	0	0	0		
	Total Capital Expenditure/Reserve Transfers	0	0	0	(1,051)			
	Total Other Community Amenities	69,027	108,746	160,793	135,128			
	Total Community Amenities	187,957	313,072	607,627	380,725			

Prog	Recreation and Culture	2021/2022	2021/2022	2021/2022	2020/2021			
32	Public Halls and Civic Centres	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
2602	Depreciation (Public Halls)	63,800	58,608	87,907	92,990	(5,192)		
2722	Public Halls & Showgrounds Expense	71,550	126,532	147,206	81,076	54,982	*	Timing of Cyclone Seroja Shire Asset Damage repairs
2732	Nabawa Community Centre Expenses	33,435	40,036	55,611	41,083	6,601		
2742	Interest (Loan 89 - Nabawa Stadium Upgrade)	0	0	0	151	0		
3202	Admin Allocation (Public Halls)	41,178	46,680	70,018	57,912	5,503		
	Total Operating Expenditure	209,963	271,856	360,742	273,212			
Prog	Recreation and Culture	2021/2022	2021/2022	2021/2022	2020/2021			
32	Public Halls and Civic Centres Cont.	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Revenue							
2443	Yuna Camping & Hall Hire Revenue	(1,251)	(1,000)	(1,000)	(1,458)	251		
2453	Showground/Halls Income Received	(5,546)	(3,500)	(3,500)	(4,858)	2,046		
2683	Contributions & Reimbursements	0	(154,150)	(154,150)	0	(154,150)	*	Timing of claim for Cyclone Seroja Shire Assets Damage Reimbursement from Insurance Claim Expenditure
3423	Grant Funding Revenue	0	0	(730,874)	(77,500)	0		
	Total Operating Revenue	(6,798)	(158,650)	(889,524)	(83,816)			
COA	Capital Expenditure / Reserve Transfers							
2550	Transfer to Building Reserve (EQ)	12	0	100,000	64	(12)		
2644	Land & Buildings Purchases (Public Halls) (NCA)	8,756	50,000	780,874	138,963	41,244	*	Timing of projects for LRCIP round 3
4925	Principal Loan Repayment (Loan 89) (CL)	0	0	0	4,961	0		
7385	Transfer from Building Reserve (EQ)	0	0	(100,000)	(25,000)	0		
	Total Capital Expenditure / Reserve Transfers	8,769	50,000	780,874	118,988			
	Total Public Halls and Civic Centres	211,934	163,206	252,092	308,384			
33	Swimming Areas and Beaches	2021/2022	2021/2022	2021/2022	2020/2021			
33	Swimming Areas and Beaches	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
3302	Admin Allocation (Swimming Areas & Beaches)	20,589	23,336	35,009	28,956	2,747		
3412	Coronation Beach Expenses	39,012	50,819	75,443	45,459	11,807	*	Timing
7082	Depreciation (Swimming Areas & Beaches)	8,148	6,208	9,312	9,850	(1,940)		
	Total Operating Expenditure	67,749	80,363	119,764	84,265			
COA	Operating Revenue							
3433	Grant Income (Swimming Areas & Beaches)	(1,137)	0	0	0	1,137		BEN Signs
3443	Coronation Beach Camping Fees	(62,107)	(43,336)	(65,000)	(74,078)	18,771	*	Timing
3453	Grant and Other Income (Swimming Areas & Beaches)	(4,254)	0	0	(76,163)	4,254		
	Total Operating Revenue	(67,498)	(43,336)	(65,000)	(150,241)			
COA	Capital Expenditure / Reserve Transfers							
7164	Land and Buildings	0	0	0	66,788	0		
	Total Swimming Areas and Beaches	250	37,027	54,764	812			

34	Other Recreation and Sport	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>-\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
1472	Yuna Oval Expenses	5,405	10,000	15,998	16,496	4,595		
1482	Sporting Clubs Expenses	34,077	79,250	106,097	65,615	45,173	*	Timing of Cyclone Seroja Shire Asset Damage repairs
1532	Interest (Loan 98)	518	556	836	1,867	38		
2642	Parks & Gardens Expenses	61,391	154,342	193,855	95,851	92,951	*	Timing of Cyclone Seroja Shire Asset Damage repairs
2702	Sports Pavilion & Basketball Stadium (Nabawa Recreation Centre)	10,117	55,326	58,671	17,084	45,209	*	Timing of Cyclone Seroja Shire Asset Damage repairs
2712	Tennis Clubs Expenses	4,580	29,948	32,679	6,114	25,368	*	Timing of Cyclone Seroja Shire Asset Damage repairs
2772	Minor Gardening Equipment Purchases	0	1,336	2,000	1,474	1,336		
2812	Golf Courses	2,298	2,282	2,360	2,053	(16)		
3442	Admin Allocation (Recreation & Sport)	20,589	23,336	35,009	28,956	2,747		
7022	Depreciation (Recreation & Sport)	79,667	29,120	43,683	88,988	0		
	Total Operating Expenditure	218,641	385,496	491,189	413,487			
COA	Operating Revenue							
2743	Sports Club Hire Income	(4,275)	(620)	(620)	(520)	3,655		
2803	Grants & Other Income Received	(100,000)	(100,000)	(100,000)	(69,119)	0		
3444	Fig Tree Camping Fees	(3,229)	(1,664)	(2,500)	(5,825)	1,565		
	Total Operating Revenue	(107,504)	(102,284)	(103,120)	(75,464)			
COA	Capital Expenditure / Reserve Transfers							
1304	Plant & Equipment Purchases (NCA)	143,120	150,000	150,000	2,616	6,880		Carry Over project Shire contribution \$50,000 Total Project \$152,616 Rockwell-Yuna Pipeline Rejuvenation Project Funded through DWER Community Water Supply Program Project: Rockwell-Yuna Pipeline Rejuvenation Project
1314	Transfer to Building Reserve (EQ)	0	0	0	0	0		
2834	Land & Building Purchases (NCA)	0	0	0	113,257	0		
2844	Tools & Equipment Purchases (NCA)	0	0	20,000	0	0		
2864	Transfer to Unspent Grant Reserve (EQ)	0	0	0	0	0		
2824	Principal Loan Repayment (Loan 98) (CL)	20,925	20,925	42,125	41,035	0		
7275	Loan Funds Received (NCL)	0	0	0	0	0		
7471	Transfer from Unspent Grant Reserve (EQ)	0	0	0	0	0		
	Total Capital Expenditure / Reserve Transfers	164,044	170,925	212,125	156,908			
	Total Other Recreation and Sport	275,181	454,137	600,195	494,932			

35	Library	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
2902	Library Expenses	4,914	11,485	19,784	3,707	6,571		
2912	Honorarium Librarian Payment	500	2,400	3,600	1,000	1,900		
3582	Admin Allocation (Libraries)	20,589	23,336	35,009	28,956	2,747		
6922	Depreciation (Libraries)	363	0	0	0	(363)		
	Total Operating Expenditure	26,365	37,221	58,393	33,662			
COA	Operating Revenue							
2983	Grants, Contributions & Reimbursements	0	0	0	(22,000)	0		
	Total Operating Revenue	0	0	0	(22,000)			
	Capital Expenditure / Reserve Transfers							
3504	Land & Building Purchases (Libraries) (NCA)	0	0	0	27,266	0		
	Total Capital/Reserves	0	0	0	27,266			
	Total Library	26,365	37,221	58,393	38,929			

36	Other Culture	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
3626	Museum & Road Board Expense	12,814	30,331	31,540	7,098	17,517	*	Timing repairs for Cyclone Seroja Shire Asset Damage - Museum shed at Nanson
3652	Depreciation (Other Culture)	7,156	6,776	10,161	10,748	(380)		
	Total Operating Expenditure	19,970	37,107	41,701	17,846			
	Operating Revenue							
3445	Grant Funding Received	0	0	0	0	0		
	Total Operating Revenue	0	0	0	0			
	Capital Expenditure / Reserve Transfers							
3604	Land & Building Purchases (NCA)	0	0	0	0	0		
3635	Transfer from Building Reserve (EQ)	0	0	0	0	0		
	Total Capital/Reserves	0	0	0	0			
	Total Other Culture	19,970	37,107	41,701	17,846			
	Total Recreation and Culture	533,700	728,698	1,007,145	855,636			

Prog	Transport	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
37	Constuction Streets, Roads, Bridges, Depots	Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
3702	Admin Allocation (Road Construction)	54,903	62,240	93,357	86,867	7,337		
COA	Operating Revenue							
3173	MW Regional Road Funding	(540,458)	(840,000)	(1,200,000)	(900,000)	(299,542)	*	Timing Revenue recognition for RRG funding for Dartmoor Rd, Valentine Rd, East Nabawa (West) Rd & East Nabawa (East) Rd
3193	R2R (Construction) Income	(208,567)	(218,844)	(328,260)	(328,260)	(10,277)	*	Timing Revenue recognition for R2R funding for Dartmoor Rd & Valentine Rd
	Total Operating Revenue	(749,025)	(1,058,844)	(1,528,260)	(1,228,260)			
COA	Capital Expenditure							
3114	Capital Roadworks Program Purchases (Incl Grant Funded Jobs) (NCA)	1,335,533	1,648,622	2,135,830	1,674,229	313,089	*	Job: C08 - Dartmoor Rd - Upgrade from gravel to a 7.2m wide seal Job: C16 - East Nabawa (West) - Upgrade from existing unsealed road to 7.2m wide seal Job: C16E - East Nabawa Rd (East) -Upgrade from gravel to 7.2 m wide seal Jobs yet to commence : Job: C13 - Valentine Road - Upgrade from an existing gravel road to 7.2m wide seal Job: C59 - McCagh Rd - Upgrade from an existing gravel road to 6.2m wide seal Job: 1040 - YMCC Car Park & Road Seal (Bawden Road)
4840	Transfer to Infrastructure Reserve (EQ)	11	0	80,000	65,053			
	Total Capital Expenditure / Reserve Transfers	1,335,544	1,648,622	2,215,830	1,739,283			
	Total Road Construction	641,422	652,018	780,927	597,890			

38	Maintenance Streets, Roads, Bridges, Depots	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
3182	ROAD RENEWAL GRANT FUNDED	81,405	0	458,317	0	(81,405)	*	Job: RC131 - Northampton Nabawa Rd allocated Job 3 in the program
3372	Road Maintenance Expense	447,318	793,441	1,493,133	1,922,560	346,123	*	Timing for Allocations S&W across jobs Job: RC04 - Wandana Road - Reconstruct and gravel sheet \$268k Job: RV01 - Road Maintenance Program Minor & Major Mtce \$897k
3502	Depot Maintenance	23,322	20,944	27,857	22,092	(2,378)		
3512	Street Lighting Expense	6,028	6,668	10,000	10,441	640		
3522	Depreciation (Road Maintenance)	39,877	43,232	64,853	68,309	3,355		
3532	Street Trees	200	15,000	15,000	0	14,800	*	Timing
3542	Licences & Subscriptions	10,159	15,000	15,000	8,895	4,841		
3562	Road Sign Expense	2,855	10,000	15,000	7,557	7,145		
3802	Admin Allocation (Road Maintenance)	54,903	62,240	93,357	86,867	7,337		
3822	Bore Maintenance	5,405	10,000	10,000	12,422	4,595		
3832	Crossover expenses to ratepayers	0	2,000	3,500	800	2,000		
6912	Depreciation (Roads)	842,608	764,624	1,146,937	1,213,692	(77,984)	*	Timing for non cash allocations - depn
	Total Operating Expenditure	1,514,081	1,743,149	3,352,954	3,353,635			
COA	Operating Revenue							
3143	MRWA Direct Grant	(137,540)	(137,540)	(137,540)	(127,990)	0		
3153	Other Grant Income	(213,227)	(120,000)	(300,000)	(516,120)	93,227	*	Timing Revenue recognition for RRG Funding Northampton Nabawa Rd
3393	Hudson Resources Contribution (Dartmoor Road)	(12,357)	(12,500)	(12,500)	(36,483)	(143)		
	Total Operating Revenue	(363,124)	(270,040)	(450,040)	(680,593)			
COA	Capital Expenditure							
3264	Depot Construction (NCA)	0	0	21,000	0	0		
3205	Transfer from Infrastructure Reserve (EQ)	0	0	0	0	0		
	Total Capital Expenditure / Reserve Transfers	0	0	21,000	0			
	Total Road Maintenance	1,150,957	1,473,109	2,923,914	2,673,043			

39	Road Plant Purchases	2021/2022 Year to Date Actuals	2021/2022 Year to Date Budget	2021/2022 Full Year Original Budget	2020/2021 30 June 21 YTD Actuals	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
COA	Operating Expenditure							
3642	Loss on Sale of Assets	0	0	0	0	0		
3902	Interest Expense - Loan 99	0	0	0	0	0		
	Total Operating Expenditure	0	0	0	0			
COA	Operating Revenue							
3543	Profit on Sale of Assets	0	0	(60,006)	(72,554)	0		
3575	Proceeds from Disposal of Assets	0	0	(106,000)	0	0		
3903	Grants, Contributions & Reimbursement Road Plant	0	0	0	0	0		
	Total Operating Revenue	0	0	(166,006)	(72,554)			
COA	Capital Expenditure / Reserve Transfers							

3554	Plant & Equipment Purchases (NCA)	48,074	0	684,000	489,116	(48,074)	*	Timing of Plant Replacement Program Changeover
3584	Tools & Other Equip > \$5000 (Capex)	4,091	0	7,000	7,786	(4,091)		
3587	Principal Loan Repayments (Loan 97)	0	0	0	0	0		
3904	Principal Repayment - Loan 99 (Plant Purchase)	0	0	0	0	0		
4781	Transfer to Plant/Light Vehicle Reserve (EQ)	0	0	150,000	290,250	0		
3561	Transfer from Plant/Light Vehicle Reserve (EQ)	0	0	(278,000)	0	0		
6225	Realisation on Disposal of Assets	0	0	0	0	0		
7135	Loan Funds Rec'd.	0	0	(240,000)	0	0		
	Total Capital Expenditure / Reserve Transfers	52,165	0	323,000	787,152			
	Total Road Plant Purchases	52,165	0	156,994	714,598			

41	Traffic Control	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
4102	Admin Allocation (Traffic Control)	27,452	31,120	46,679	38,608	3,668		
4572	Traffic Control Expense	0	0	3,000	0	0		
7572	Traffic Counters Expense	0	0	0	0	0		
	Total Operating Expenditure	27,452	31,120	49,679	38,608			
COA	Operating Revenue							
7513	Licensing Commission Income	(2,515)	(2,336)	(3,500)	(3,414)	179		
7573	Traffic Counter Income	0	0	0	(3,200)	0		
	Total Operating Revenue	(2,515)	(2,336)	(3,500)	(6,614)			
	Capital Expenditure / Reserve Transfers							
7574	Tools & Equipment Purchases (NCA)	7,445	0	10,000	13,243	(7,445)		
7685	Proceeds from Disposal of Assets	0	0	0	0	0		
	Total Capital Expenditure / Reserve Transfers	7,445	0	10,000	13,243			
	Total Traffic Control	32,382	28,784	56,179	45,237			
	Total Transport	1,876,926	2,153,911	3,918,014	4,030,767			

Prog	Economic Services Rural Services	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
3362	Ranger Allocation (Roadside Spraying)	5,909	12,560	18,839	8,867	6,651		
3852	Weed & Vermin Control Consultancy	0	0	3,000	0	0		
4462	Admin Allocation (Rural Services)	6,566	7,736	11,602	9,853	1,170		
6722	Noxious Weeds & Pest Expense	6,299	11,111	11,664	10,043	4,812		
	Total Operating Expenditure	18,774	31,407	45,105	28,764			
COA	Capital Expenditure / Reserve Transfers							
4404	Plant & Equipment Purchases (NCA)	0	0	0	0	0		
	Total Rural Services	18,774	31,407	45,105	28,764			

45	Tourism and Area Promotion	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
3952	Signage Expense (Tourism)	0	0	0	0	0		
3982	Tourism Expense	0	0	0	1,410	0		
4282	Promotional Expense (Tourism)	6,500	22,500	39,500	550	16,000	*	Timing for Tourism Signage
	Total Operating Expenditure	6,500	22,500	39,500	1,960			
COA	Operating Revenue							
3973	Contr. & Reim. (Tourism).	0	0	0	0	0		
3953	Contr. & Reim. (Tourism).	(25)	0	0	0	25		
	Total Operating Revenue	(25)	0	0	0			
	Total Tourism and Area Promotion	6,475	22,500	39,500	1,960			

46	Building Control	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
4132	Building Surveyor Expenses	88,294	86,309	132,050	138,386	(1,985)		
4152	Provision for Leave (Building Control)	0	0	10,000	0	0		
4162	Non Contract Expenses	0	0	1,000	0	0		
4622	Admin Allocation (Building Control)	48,040	54,456	81,687	67,563	6,416		
	Total Operating Expenditure	136,335	140,765	224,737	205,949			
COA	Operating Revenue							
4153	Building Licenses Income	(6,507)	(8,000)	(12,000)	(29,838)	(1,493)		
4173	CTF Commissions Received	(173)	(120)	(180)	(225)	53		
4213	Building Commissions Received	(185)	(304)	(450)	(586)	(119)		
4183	Contributions & Reimbursements (Building Control)	0	0	0	0	0		
	Total Operating Revenue	(6,865)	(8,424)	(12,630)	(30,649)			
COA	Capital Expenditure / Reserve Transfers							
4215	Transfer from Leave Reserve (EQ)	0	0	0	0	0		
	Total Capital Expenditure/Reserve Transfers	0	0	0	0			
	Total Building Control	129,470	132,341	212,107	175,300			
49	Other Economic Services	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
4232	Water Supply Stand Pipes Expense	0	300	300	0	300		
4222	Admin Allocation (Other Economic Services)	27,452	31,120	46,679	48,259	3,668		
4242	Rehabilitation of Gravel Pits Expense	0	0	5,000	0	0		
4252	Purchase of Stamps	0	25	50	20	25		
4272	Other Expenditure	0	7,064	10,100	28	7,064		
7274	Other Expenditure	958	0	0	0	(958)		
	Total Operating Expenditure	28,409	38,509	62,129	48,307			
COA	Operating Revenue							
4223	Commission Received Australia Post	(5,425)	(4,664)	(7,000)	(8,713)	761		
4243	Annual Post Office Box Fee	(3,415)	(3,300)	(3,300)	(3,300)	115		
4253	Postage Stamp Income	(6)	(48)	(50)	(25)	(42)		
4333	Photocopying Income	(2)	0	0	(42)	2		
4913	Shire Leased Reserves Income	(600)	(450)	(450)	(450)	150		
	Total Operating Revenue	(9,448)	(8,462)	(10,800)	(12,531)			
COA	Capital Expenditure / Reserve Transfers							
4760	Transfer to Water Strategy Reserve (EQ)	1	0	0	5	(1)		
7273	Transfer to Water Strategy Reserve (EQ)	5,103	0	0	0	(5,103)		
	Total Other Economic Services	24,065	30,047	51,329	35,777			
	Total Economic Services	178,784	216,295	348,041	241,801			

Prog	Other Property & Services	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
47	Plant Depreciation							
COA	Operating Expenditure							
5012	Depreciation (Other Property & Services)	253,390	229,008	343,517	364,676	(24,382)	*	Non Cash item offset below
7102	Depreciation of Unclassified Assets (Other Property & Services)	0	0	0	0	0		
6890	Depreciation Posted to Jobs (Other Property & Services)	(190,492)	(229,008)	(343,517)	(364,676)	(38,517)	*	Non Cash item offset above
	Total Plant Depreciation	62,898	0	0	0			
50	Private Works							
COA	Operating Expenditure							
7302	Private Works Expense	141	0	10,000	5,992	(141)		
COA	Operating Income							
7333	Private Works Income	(1,551)	(5,845)	(11,000)	(8,825)	(4,294)		
	Total Private Works	(1,411)	(5,845)	(1,000)	(2,833)			
52	Public Works Overheads							
COA	Operating Expenditure							
0342	Provision for Long Service Leave (Public Works Overheads)	0	0	20,000	(9,930)	0		
4312	Superannuation Council 3% (Public Works Overheads)	6,344	11,024	16,540	13,499	4,680		
4322	Superannuation (Manager of Works)	7,344	7,680	11,524	10,641	336		
4332	Superannuation (Public Works Overheads)	47,853	63,480	95,219	74,830	15,627	*	Timing - expenses lower than budget profile year to date
4342	Salaries & Wages (Works Manager)	72,034	75,088	112,636	109,943	3,054		
4352	Superannuation Council 3% (Manager of Works)	2,199	2,304	3,457	3,360	105		
4372	Public Works Sundry Expense	16,662	7,800	9,200	10,607	(8,862)		
4382	Works Manager Expenses	2,271	2,768	4,150	3,614	497		
4392	External Engineering Services	8,250	6,500	13,000	9,350	(1,750)		
4402	Sick Leave (Public Works Overheads)	17,214	25,624	38,239	25,646	8,410		
4412	Annual Leave (Public Works Overheads)	34,062	79,163	94,625	75,243	45,101	*	Timing - expenses lower than budget profile year to date
4432	Public Holiday Pay (Public Works Overheads)	18,497	23,772	45,047	39,692	5,275		
4422	Long Service Leave Expense (Public Works Overheads)	3,297	0	0	25,305	(3,297)		
4442	Occupational Health & Safety Expense	3,828	11,332	15,000	4,160	7,504		
4452	Protective Uniform/ Minor Workwear	2,072	0	8,293	9,191	(2,072)		
4602	Training Expense	7,679	8,957	15,000	3,259	1,278		
4652	Works Staff Allowances (Public Works Overheads)	14,431	22,336	33,500	23,288	7,905		
5202	Admin Allocation (Public Works Overheads)	89,218	101,136	151,705	125,474	11,918	*	Timing - expenses lower than budget profile year to date
6782	Workers Compensation Insurance (Public Works Overheads)	18,236	20,854	20,854	18,134	2,618		
7422	Less Public Works Overheads Allocated to W & S	(423,114)	(471,992)	(707,990)	(561,824)	(48,878)	*	PWO allocated across programs lower than budget profile year to date
	Total Operating Expenditure	(51,623)	(2,174)	(0)	(0)			
COA	Operating Revenue							
0333	Contrib. & Reimb. (PWO).	0	0	0	0	0		
COA	Capital Expenditure / Reserve Transfers							
7631	Transfer from Leave Reserve (EQ)	0	0	0	0	0		
	Total Public Works Overheads	(51,623)	(2,174)	(0)	(0)			

53	Plant Operation Costs	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
4472	In House Repairs & Maintenance	126,947	138,680	208,030	197,917	11,733	*	Timing
4482	Tyre Purchase Expense	12,431	38,336	57,500	34,260	25,905	*	Timing- Tyre Purchase
4492	Parts & Outside Repairs Expense	76,264	100,000	150,000	147,185	23,736	*	Timing - Parts & Outside Repairs Materials & Services
4502	Plant Licences Expense	403	9,196	19,000	18,711	8,793		
4532	Tools & Consumables	14,129	13,336	20,000	20,612	(793)		
4542	Fuel, Oil & Grease	173,795	210,000	300,000	216,793	36,205	*	Timing purchase of Fuel & Oil Expenses
4552	Cutting Edges & Tips	1,237	6,000	12,000	8,575	4,763		
5112	Admin Allocation (Plant Operations)	13,726	15,560	23,339	19,304	1,834		
6772	Insurance Expense (Plant Operations)	38,016	43,599	43,599	37,912	5,583		
4512	Less POC Allocated to W & S	(405,055)	(528,976)	(793,468)	(656,863)	(123,921)	*	31 - Program 14 POC allocated across jobs less coa 4513 diesel fuel rebates from plant use
	Total Operating Expenditure	51,893	45,731	40,000	44,407			
COA	Operating Revenue							
4513	Diesel Fuel Rebate	(29,070)	(26,664)	(40,000)	(44,407)	2,406		
	Total Operating Revenue	(29,070)	(26,664)	(40,000)	(44,407)			
	Total Plant Operation Costs	22,823	19,067	(0)	0			

55	Salaries and Wages	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
4362	Unallocated Wages	0	0	0	0	0		
4570	S&W Gov, Corporate & Development Services	667,223	736,576	1,104,869	963,443	69,353	*	Timing Sal & Wages ordinary hours reduced admin
4580	S&W Works & Services	642,036	792,600	1,188,901	1,063,206	150,564	*	Timing Sal & Wages ordinary hours, overtime & casual pool reduced plant operators
4600	Less Salary & Wages Allocated	(1,326,662)	(1,529,184)	(2,293,770)	(2,009,244)	(202,522)	*	Timing Sal & Wages ordinary hours, overtime & casual pool
4592	Workers Compensation Paid	0	0	0	0	0		
	Total Operating Expenditure	(17,404)	(8)	0	17,404			
COA	Operating Revenue							
4613	Salaries & Wages Reimbursement Received	0	0	0	0	0		
4623	Paid Parental Leave Scheme Income	0	0	0	0	0		
	Total Operating Revenue	0	0	0	0			
	Total Salaries and Wages	(17,404)	(8)	0	17,404			

56	Unclassified	2021/2022	2021/2022	2021/2022	2020/2021	BUDGET VARIATION	>\$10K	Budget PROFILE Comments
		Year to Date Actuals	Year to Date Budget	Full Year Original Budget	30 June 21 YTD Actuals			
COA	Operating Expenditure							
5022	Overpayments/Recoverables - Expenditure	1,326	5,000	10,000	8,774	3,674		
	Total Operating Expenditure	1,326	5,000	10,000	8,774			
COA	Operating Revenue							
2385	Proceeds from Disposal of Assets	0	0	(20,000)	0	0		
5023	Overpayments/Recoverables - Income	(25)	(5,000)	(10,000)	(7,298)	(4,975)		
3813	Profit on Revaluation	0	0	0	0	0		
	Total Operating Revenue	(25)	(5,000)	(30,000)	(7,298)			
	Capital Expenditure							
4801	Transfer to Land Development Reserve (EQ)	3	0	20,000	17	(3)		
	Total Unclassified	1,305	0	0	1,492			
	Total Other Property and Services	16,590	11,040	(1,001)	16,062			

List of Accounts Paid - February 2022			
Chq/EFT	Date	Name	Amount
MUNICIPAL ACCOUNT			
EFT26117	04/02/2022	Building and Construction Industry Training Fund	-591.75
EFT26118	04/02/2022	Department of Mines, Industry Regulation & Safety	-575.95
EFT26119	04/02/2022	Shire of Chapman Valley	-28.25
EFT26120	04/02/2022	Shire of Mingenew	-177.10
EFT26121	04/02/2022	Synergy	-1211.02
EFT26122	04/02/2022	Chapman Valley Menshed Inc	-400.00
EFT26123	04/02/2022	Connectiv	-99.00
EFT26124	04/02/2022	Country Cooks Cornucopia	-1500.00
EFT26125	04/02/2022	Geraldton Trophy Centre	-488.15
EFT26126	04/02/2022	Glenfield Fresh IGA	-44.47
EFT26127	04/02/2022	Microcom Pty Ltd (Metrocount)	-8189.50
EFT26128	04/02/2022	Moore Australia (WA) Pty Ltd	-880.00
EFT26129	04/02/2022	RGI Signworks	-1958.00
EFT26130	04/02/2022	Sun City Plumbing	-651.75
EFT26131	04/02/2022	Thurkle's Earthmoving & Maintenance Pty Ltd	-37537.50
EFT26132	04/02/2022	Western Australian Treasury Corporation	-106.11
EFT26133	04/02/2022	Western Resource Recovery Pty Ltd	-1083.10
EFT26134	11/02/2022	Angela Teale	-530.00
EFT26135	11/02/2022	Water Corporation	-2218.50
EFT26136	11/02/2022	Australia Post	-29.43
EFT26137	11/02/2022	Conplant Pty Limited	-2486.55
EFT26138	11/02/2022	Corrine Smith	-500.00
EFT26139	11/02/2022	Finishing WA	-594.00
EFT26140	11/02/2022	Five Star Business Solutions & Innovation	-387.15
EFT26141	11/02/2022	Harvey Norman Computers Geraldton	-44.95
EFT26142	11/02/2022	IPEC Pty Ltd	-15.03
EFT26143	11/02/2022	Kruize Asphalt & Contracting	-14014.00
EFT26144	11/02/2022	Logic IT Solutions Pty Ltd	-82.50
EFT26145	11/02/2022	MOD Designs	-400.00
EFT26146	11/02/2022	Refuel Australia	-28573.77
EFT26147	11/02/2022	Shire of Morawa	-450.00
EFT26148	11/02/2022	TeletracNavman Australia	-769.45
EFT26149	11/02/2022	Totally Work Wear	-28.58
EFT26150	11/02/2022	Woolworths Group	-140.95
EFT26151	11/02/2022	Wurth Australia	-46.75
EFT26152	11/02/2022	Anthony Steven Farrell	-4990.00
EFT26153	11/02/2022	Beverley Dawn Davidson	-4980.00
EFT26154	11/02/2022	Darrell Graeme Forth	-5605.00
EFT26155	11/02/2022	Elizabeth Anne Elliott-Lockhart	-2490.00
EFT26156	11/02/2022	Kirrilee Jane Warr	-8105.00
EFT26157	11/02/2022	Nicole Julie Batten	-4980.00
EFT26158	11/02/2022	Peter John Humphrey	-4980.00
EFT26159	11/02/2022	Trevor Leonard Royce	-4980.00
EFT26160	18/02/2022	Synergy	-1218.45
EFT26161	18/02/2022	Water Corporation	-8.19
EFT26162	18/02/2022	Broons Group Pty Ltd	-22631.40
EFT26163	18/02/2022	Cleanaway Co Pty Ltd (Commercial)	-8327.00
EFT26164	18/02/2022	Department Of Fire And Emergency Services	-132636.49
EFT26165	18/02/2022	Goodyear & Dunlop Tyres (Aust) Pty Ltd	-611.30
EFT26166	18/02/2022	Great Northern Rural Services	-2630.09
EFT26167	18/02/2022	IPEC Pty Ltd	-11.01
EFT26168	18/02/2022	InterFire Agencies Pty Ltd	-10567.56
EFT26169	18/02/2022	Landgate	-86.94
EFT26170	18/02/2022	McDonalds Wholesalers	-18.25
EFT26171	18/02/2022	Option Refrigeration & Air Conditioning	-99.00
EFT26172	18/02/2022	Queens Supa IGA Supermarket	-16.57

List of Accounts Paid - February 2022			
Chq/EFT	Date	Name	Amount
MUNICIPAL ACCOUNT			
EFT26173	18/02/2022	RGI Signworks	-726.00
EFT26174	18/02/2022	S & DM Kupsch	-16500.00
EFT26175	18/02/2022	Shire of Morawa	-1375.00
EFT26176	18/02/2022	The West Australian	-266.04
EFT26177	18/02/2022	Think Water Geraldton	-157.70
EFT26178	18/02/2022	Western Australian Local Government Association (WALGA)	-3300.00
EFT26179	18/02/2022	Western Resource Recovery Pty Ltd	-992.10
EFT26180	21/02/2022	Australian Taxation Office	-22750.00
EFT26181	02/02/2022	Westpac Geraldton	-1130.50
EFT26182	25/02/2022	Telstra Corporation Limited	-1657.05
EFT26183	25/02/2022	Atom Supply	-1015.97
EFT26184	25/02/2022	Batavia Timber and Salvage	-1512.50
EFT26185	25/02/2022	Battery Mart	-281.60
EFT26186	25/02/2022	Bridgestone Tyre Centre	-616.00
EFT26187	25/02/2022	Bruce Rock Engineering	-5129.03
EFT26188	25/02/2022	Bunnings Group Limited	-2157.65
EFT26189	25/02/2022	Chapman Valley Menshed Inc	-400.00
EFT26190	25/02/2022	Cleanaway Co Pty Ltd (Commercial)	-7881.80
EFT26191	25/02/2022	Complete Office Supplies	-263.49
EFT26192	25/02/2022	Design Catering	-682.00
EFT26193	25/02/2022	Fulton Hogan Industries Pty Ltd	-148280.02
EFT26194	25/02/2022	GSR Laser Tools	-561.00
EFT26195	25/02/2022	Geraldton Lock And Key	-110.66
EFT26196	25/02/2022	Guardian Print & Graphics	-1480.00
EFT26197	25/02/2022	IPEC Pty Ltd	-120.21
EFT26198	25/02/2022	Integrated ICT	-4634.81
EFT26199	25/02/2022	Kicksolutions	-83.30
EFT26200	25/02/2022	Kruize Asphalt & Contracting	-15801.50
EFT26201	25/02/2022	Landgate	-27.20
EFT26202	25/02/2022	ML Communications	-660.00
EFT26203	25/02/2022	Market Creations Agency Pty Ltd	-165.00
EFT26204	25/02/2022	McLeods Barristers and Solicitors	-1039.50
EFT26205	25/02/2022	Midwest Chemical & Paper	-654.03
EFT26206	25/02/2022	Miralec	-748.00
EFT26207	25/02/2022	Mitchell & Brown	-2362.00
EFT26208	25/02/2022	NAPA - Covs Parts Pty Ltd	-982.30
EFT26209	25/02/2022	Nabawa Valley Tavern	-833.35
EFT26210	25/02/2022	Pest A Kill WA	-220.00
EFT26211	25/02/2022	Pirtek Geraldton	-240.46
EFT26212	25/02/2022	Purcher International	-2473.83
EFT26213	25/02/2022	Reece Pty Ltd	-166.71
EFT26214	25/02/2022	The West Australian	-188.32
EFT26215	25/02/2022	Truckline	-1312.56
EFT26216	25/02/2022	Westrac Pty Ltd	-1074.32
EFT26217	25/02/2022	Belinda Chambers	-530.00
EFT26218	25/02/2022	Belinda Chambers	-150.00
DD17498.1	01/02/2022	Aware Super Pty Ltd	-8817.92
DD17498.2	01/02/2022	Australian Super	-417.49
DD17498.3	01/02/2022	Wealth Personal Superannuation and Pension Fund	-457.42
DD17498.4	01/02/2022	Cameron Fishing Superannuation Fund	-95.33
DD17498.5	01/02/2022	OnePath Custodians Pty Limited	-92.66
DD17498.6	01/02/2022	Prime Super	-226.83
DD17498.7	01/02/2022	Rest Superannuation	-257.00
DD17498.8	01/02/2022	ANZ Smart Choice Super	-259.90
DD17510.1	15/02/2022	Aware Super Pty Ltd	-8226.56
DD17510.2	15/02/2022	Australian Super	-417.49

List of Accounts Paid - February 2022			
Chq/EFT	Date	Name	Amount
MUNICIPAL ACCOUNT			
DD17510.3	15/02/2022	Wealth Personal Superannuation and Pension Fund	-510.12
DD17510.4	15/02/2022	Cameron Fishing Superannuation Fund	-120.83
DD17510.5	15/02/2022	OnePath Custodians Pty Limited	-164.26
DD17510.6	15/02/2022	Prime Super	-266.06
DD17510.7	15/02/2022	Hostplus Superannuation	-21.06
DD17510.8	15/02/2022	Rest Superannuation	-246.76
DD17510.9	15/02/2022	ANZ Smart Choice Super	-259.90
			-601356.61

**BANK RECONCILIATION - Muni Accounts
As at 28th of February 2022**

SYNERGY

Balance as per Cash at Bank Account GL 160000	263,872.45
Balance as per Cash at Bank Account GL 170000	3,225,462.66
Balance as per Interfund Transfer A/c GL 161100	-
Plus Income on Bank Stmt not in ledgers	-
Less Expenditure on Bank Stmt not in ledgers	-
	\$3,489,335.11

BANK

Muni Bank Account (Account No 000040)	263,144.60
Investment Account (Account No 305784)	<u>3,225,462.66</u>
	<u>3,488,607.26</u>
Less Outstanding Payments	-
Plus Outstanding Deposits	911.15
Plus Tfer from Trust to Muni <u>or</u> [Tfer to Trust from Muni]	(183.30)
	\$3,489,335.11

Difference Check 0.00

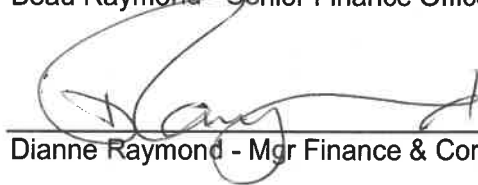
Completed by:



Beau Raymond - Senior Finance Officer

8/3/22
Date

Reviewed by:



Dianne Raymond - Mgr Finance & Corporate Services

Date
9/3/22



Corporate Card Statement

3 MAR 2022



SHIRE OF CHAPMAN VALLEY
THE SHIRE CLERK
ADMINISTRATION
C/- POST OFFICE
NABAWA W A WA 6532

Facility Number
00018023 20000001

Payment Due Date
02 March 2022

Closing Balance
\$36.50

This amount will be swept from a nominated account.

For enquiries please call 1300 650 107 (8am - 8pm, Monday to Friday). Lost or stolen cards service available 24 hours a day, 7 days a week.

Any statement entries for purchases or cash advances made in a foreign currency include the following: (1) the foreign currency transaction amount converted into Australian dollars by the applicable credit card scheme and (2) the Westpac Foreign Transaction Fee (FX Fee), being the applicable Westpac Processing Fee and the applicable Westpac On-Charged Scheme Fee.

Company Name	Number of Cards	Cash Advance Annual % Rate			
Shire Of Chapman Valley	3	15.65%			
Contact Name	Facility Number	Facility Credit Limit			
The Shire Clerk	00018023 20000001	10,000			
Statement From	Statement To	Payment Due Date	Opening Balance	Closing Balance	Available Credit
21 Jan 2022	20 Feb 2022	02 Mar 2022	1,130.50	36.50	9,963.50

Payment will be automatically debited on the agreed payment date as recorded in your facility application.

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
1,130.50	1,130.50 -	0.00	0.00	36.50	0.00	36.50	0.00

Remember, if you have a card, always keep your passcode (PIN) secret - don't tell anyone or let them see it. Never write your passcode on your card or on anything that could be lost or stolen. If you do need to record a reminder, you must make every effort to disguise it. You may be liable for losses if you don't protect your passcode. To learn more about how you can protect your card against unauthorised transactions, or for information about disputed transactions, call us at 1300 650 107 during business hours.

Complaints

If you have a complaint, contact our dedicated Customer Solutions team on 132 032 or write to us at Westpac Customer Solutions, Reply Paid 5265, Sydney NSW 2001. If an issue has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers.

Online: www.afca.org.au

Email: info@afca.org.au

Phone 1800 931 678

Mail: Australian Financial Complaints Authority GPO Box 3 Melbourne VIC 3001

S000796 / M000283 / 050 / CN1VP4P1



Corporate Card Statement

SHIRE OF CHAPMAN VALLEY
THE SHIRE CLERK
ADMINISTRATION
C/- POST OFFICE
NABAWA W A WA 6532

CARDHOLDER TRANSACTION DETAILS

Cardholder Name	Card Number	Credit Limit	Available Credit
Maurice Battilana	5163 2531 0083 1327	6,000	6,000.00

For enquiries please call 1300 650 107 (8am - 8pm, Monday to Friday). Lost or stolen cards service available 24 hours a day, 7 days a week.

Corporate Card Transactions			
Date of Transaction	Description	Debits/Credits	Cardholder Comments
01 FEB	Payments AUTOMATIC PAYMENT	1,130.50-	
	Sub Total:	1,130.50-	

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
1,130.50	1,130.50 -	0.00	0.00	0.00	0.00	0.00	0.00

I have checked the above details and verify that they are correct.

Cardholder Signature CARD CLOSED Date _____

Transactions examined and approved.

Manager/Supervisor Signature [Signature] Date 8/3/2022

Remember, if you have a card, always keep your passcode (PIN) secret - don't tell anyone or let them see it. Never write your passcode on your card or on anything that could be lost or stolen. If you do need to record a reminder, you must make every effort to disguise it. You may be liable for losses if you don't protect your passcode. To learn more about how you can protect your card against unauthorised transactions, or for information about disputed transactions, call us at 1300 650 107 during business hours.



5000797 / M000283 / 050 / CN1VP4P1



Corporate Card Statement

SHIRE OF CHAPMAN VALLEY
THE SHIRE CLERK
ADMINISTRATION
C/- POST OFFICE
NABAWA W A WA 6532

CARDHOLDER TRANSACTION DETAILS

Cardholder Name	Card Number	Credit Limit	Available Credit
Jameon Criddle	5163 2531 0145 4541	6,000	5,981.75

For enquiries please call 1300 650 107 (8am - 8pm, Monday to Friday). Lost or stolen cards service available 24 hours a day, 7 days a week.

Corporate Card Transactions			
Date of Transaction	Description	Debits/Credits	Cardholder Comments
20 FEB	Interest, Fees & Government Charges CARD FEE	18.25	
	Sub Total:	18.25	

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
0.00	0.00 -	0.00	0.00	18.25	0.00	18.25	0.00

I have checked the above details and verify that they are correct.

Cardholder Signature _____ Date _____

Transactions examined and approved.

Manager/Supervisor Signature *Jay* Date 8/3/22

Remember, if you have a card, always keep your passcode (PIN) secret - don't tell anyone or let them see it. Never write your passcode on your card or on anything that could be lost or stolen. If you do need to record a reminder, you must make every effort to disguise it. You may be liable for losses if you don't protect your passcode. To learn more about how you can protect your card against unauthorised transactions, or for information about disputed transactions, call us at 1300 650 107 during business hours.

SC00799 / M000283 / 050 / CN1VP4P1



Corporate Card Statement

SHIRE OF CHAPMAN VALLEY
THE SHIRE CLERK
ADMINISTRATION
C/- POST OFFICE
NABAWA W A WA 6532

CARDHOLDER TRANSACTION DETAILS

Cardholder Name	Card Number	Credit Limit	Available Credit
Simon Lancaster	5163 2531 0083 4453	4,000	3,981.75

For enquiries please call 1300 650 107 (8am - 8pm, Monday to Friday). Lost or stolen cards service available 24 hours a day, 7 days a week.

Corporate Card Transactions			
Date of Transaction	Description	Debits/Credits	Cardholder Comments
20 FEB	Interest, Fees & Government Charges CARD FEE	18.25	
	Sub Total:	18.25	

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
0.00	0.00 -	0.00	0.00	18.25	0.00	18.25	0.00

I have checked the above details and verify that they are correct.

Cardholder Signature _____ Date 8/3/22

Transactions examined and approved.

Manager/Supervisor Signature _____ Date 8/3/2022

Remember, if you have a card, always keep your passcode (PIN) secret - don't tell anyone or let them see it. Never write your passcode on your card or on anything that could be lost or stolen. If you do need to record a reminder, you must make every effort to disguise it. You may be liable for losses if you don't protect your passcode. To learn more about how you can protect your card against unauthorised transactions, or for information about disputed transactions, call us at 1300 650 107 during business hours.



S000796 / M000283 / 050 / CN1VP4P1

SHIRE OF CHAPMAN VALLEY

BUDGET REVIEW REPORT

FOR THE PERIOD ENDED 31 JANUARY 2022

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF CHAPMAN VALLEY
STATEMENT OF BUDGET REVIEW
(NATURE OR TYPE)
FOR THE PERIOD ENDED 31 JANUARY 2022

Note	Budget v Actual		Predicted			
	Adopted Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
OPERATING ACTIVITIES						
Net current assets at start of financial year surplus/(deficit)	1,339,356	1,779,565	440,209	0	1,779,565	▲
Revenue from operating activities (excluding rates)						
Operating grants, subsidies and contributions	2,183,640	814,215	135,626	0	2,319,266	▲
Fees and charges	305,236	286,746			305,236	
Interest earnings	13,475	14,543			13,475	
Other revenue	153,380	37,981			153,380	
Profit on asset disposals	60,006	0			60,006	
	<u>2,715,737</u>	<u>1,153,485</u>	<u>135,626</u>	<u>0</u>	<u>2,851,363</u>	
Expenditure from operating activities						
Employee costs	(2,246,397)	(849,295)			(2,246,397)	
Materials and contracts	(2,306,138)	(455,336)	(148,500)	0	(2,454,638)	▲
Utility charges	(52,103)	(22,749)	(7,000)	0	(59,103)	▲
Depreciation on non-current assets	(1,938,889)	(1,229,031)			(1,938,889)	
Interest expenses	(3,336)	(1,269)			(3,336)	
Insurance expenses	(184,419)	(166,730)			(184,419)	
Other expenditure	(136,931)	(6,621)			(136,931)	
Loss on asset disposals	0	0			0	
	<u>(6,868,213)</u>	<u>(2,731,031)</u>	<u>(155,500)</u>	<u>0</u>	<u>(7,023,713)</u>	
Non-cash amounts excluded from operating activities	1,893,922	1,225,662			1,893,922	
Amount attributable to operating activities	<u>(919,198)</u>	<u>1,427,681</u>	<u>420,335</u>	<u>0</u>	<u>(498,863)</u>	
INVESTING ACTIVITIES						
Non-operating grants, subsidies and contributions	1,528,260	703,367			1,528,260	
Purchase of property, plant and equipment	(3,917,804)	(1,223,134)	(10,000)	0	(3,927,804)	▲
Proceeds from disposal of assets	126,000	0			126,000	
	<u>(2,263,544)</u>	<u>(519,767)</u>	<u>(10,000)</u>	<u>0</u>	<u>(2,273,544)</u>	
Non-cash amounts excluded from investing activities	0	0			0	
Amount attributable to investing activities	<u>(2,263,544)</u>	<u>(519,767)</u>	<u>(10,000)</u>	<u>0</u>	<u>(2,273,544)</u>	
FINANCING ACTIVITIES						
Repayment of debentures	0	(20,925)			0	
Principal elements of finance lease payments	(7,686)	(4,451)			(7,686)	
Proceeds from new borrowings	240,000	0	(240,000)		0	▲
Transfers to cash backed reserves (restricted assets)	(365,275)	(69)	(170,335)	0	(535,610)	▲
Transfers from cash backed reserves (restricted assets)	378,000	0			378,000	
Amount attributable to financing activities	<u>245,039</u>	<u>(25,445)</u>	<u>(410,335)</u>	<u>0</u>	<u>(165,296)</u>	
Budget deficiency before general rates	<u>(2,937,703)</u>	<u>882,469</u>	<u>0</u>	<u>0</u>	<u>(2,937,703)</u>	
Estimated amount to be raised from general rates	<u>2,937,703</u>	<u>2,940,028</u>			<u>2,937,703</u>	
Closing funding surplus(deficit)	0	3,822,497	0	0	0	

3 (c)

SHIRE OF CHAPMAN VALLEY
STATEMENT OF BUDGET REVIEW
(STATUTORY REPORTING PROGRAM)
FOR THE PERIOD ENDED 31 JANUARY 2022

	Budget v Actual		Predicted			Material Variance
	Adopted Annual Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)	
Note	\$	\$	\$	\$	\$	
OPERATING ACTIVITIES						
Net current assets at start of financial year surplus/(deficit)	1,339,356	1,779,565	440,209	0	1,779,565	▲
Revenue from operating activities (excluding rates)						
Governance	1,200	5			1,200	
General purpose funding	480,191	324,657	135,626	0	615,817	▲
Law, order, public safety	263,460	100,851			263,460	
Health	5,007	4,262			5,007	
Community amenities	184,259	175,861			184,259	
Recreation and culture	1,057,644	178,662			1,057,644	
Transport	619,546	326,439			619,546	
Economic services	23,430	15,198			23,430	
Other property and services	81,000	27,550			81,000	
	2,715,737	1,153,485	135,626	0	2,851,363	
Expenditure from operating activities						
Governance	(435,202)	(140,791)	(62,000)	0	(497,202)	▲
General purpose funding	(125,533)	(53,256)			(125,533)	
Law, order, public safety	(399,952)	(140,451)	(50,000)	0	(449,952)	▲
Health	(31,390)	(11,003)			(31,390)	
Community amenities	(791,886)	(308,740)	(1,500)	0	(793,386)	▲
Recreation and culture	(1,156,790)	(483,234)	(33,500)	0	(1,190,290)	▲
Transport	(3,495,990)	(1,386,027)	(5,000)	0	(3,500,990)	▲
Economic services	(371,471)	(160,162)			(371,471)	
Other property and services	(59,999)	(47,367)	(3,500)	0	(63,499)	▲
	(6,868,213)	(2,731,031)	(155,500)	0	(7,023,713)	
Non-cash amounts excluded from operating activities	1,893,922	1,225,662			1,893,922	
Amount attributable to operating activities	(919,198)	1,427,681	420,335	0	(498,863)	
INVESTING ACTIVITIES						
Non-operating grants, subsidies and contributions	1,528,260	703,367	0	0	1,528,260	
Purchase land and buildings	(3,917,804)	(1,223,134)	(10,000)	0	(3,927,804)	▲
Proceeds from disposal of assets	126,000	0	0	0	126,000	
	(2,263,544)	(519,767)	(10,000)	0	(2,273,544)	
Non-cash amounts excluded from investing activities	0	0	0	0	0	
Amount attributable to investing activities	(2,263,544)	(519,767)	(10,000)	0	(2,273,544)	
FINANCING ACTIVITIES						
Repayment of borrowings	0	(20,925)	0	0	0	
Principal elements of finance lease payments	(7,686)	(4,451)	0	0	(7,686)	
Proceeds from new borrowings	240,000	0	(240,000)	0	0	▲
Transfers to cash backed reserves (restricted assets)	(365,275)	(69)	(170,335)	0	(535,610)	▲
Transfers from cash backed reserves (restricted assets)	378,000	0	0	0	378,000	
Amount attributable to financing activities	245,039	(25,445)	(410,335)	0	(165,296)	
Budget deficiency before general rates	(2,937,703)	882,469	0	0	(2,937,703)	
Estimated amount to be raised from general rates	2,937,703	2,940,028	0	0	2,937,703	
Closing Funding Surplus(Deficit)	3 (c) 0	3,822,497	0	0	0	

1. BASIS OF PREPARATION

The budget review has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

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

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

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

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire of Chapman Valley controls resources to carry on its functions have been included in the financial statements forming part of this budget review.

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

All monies held in the Trust Fund are excluded from the financial statements.

CRITICAL ACCOUNTING ESTIMATES

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

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

ROUNDING OFF FIGURES

All figures shown in this budget review are rounded to the nearest dollar.

2021-22 ACTUAL BALANCES

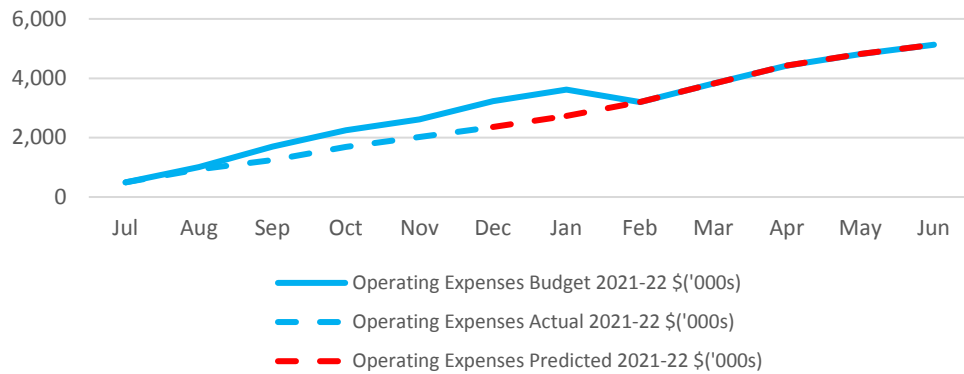
Balances shown in this budget review report as YTD Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

BUDGET COMPARATIVE FIGURES

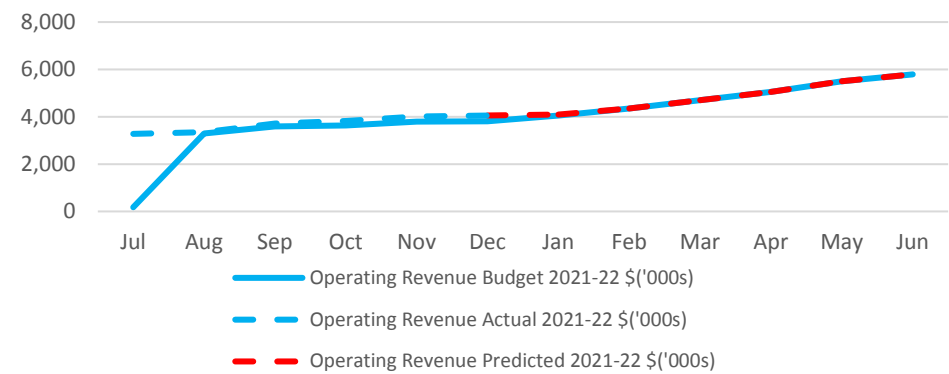
Unless otherwise stated, the budget comparative figures shown in the budget review relate to the original budget estimate for the relevant item of disclosure.

2. SUMMARY GRAPHS - BUDGET REVIEW

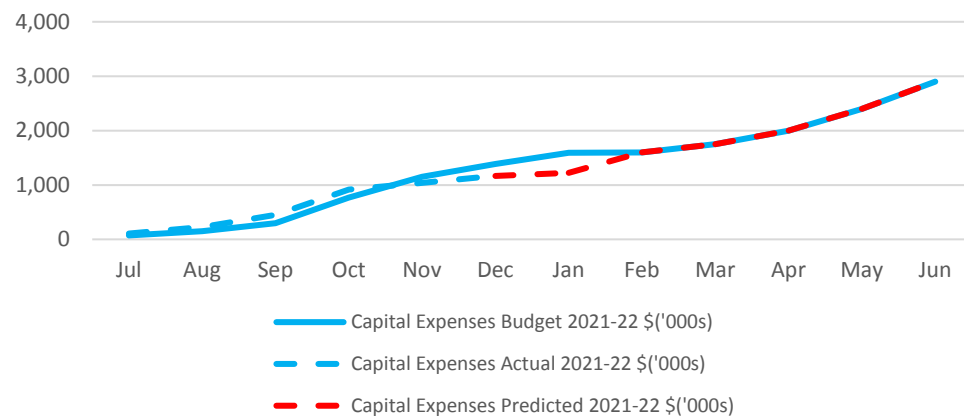
Operating Expenses



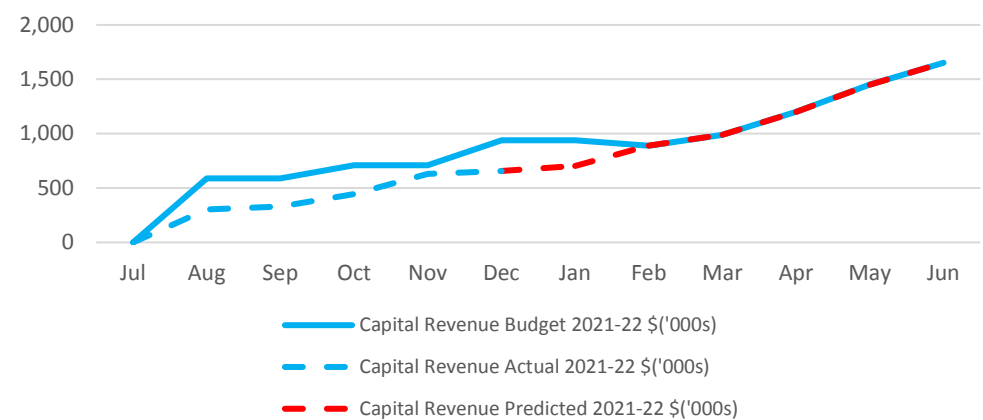
Operating Revenue



Capital Expenditure



Capital Revenue



This information is to be read in conjunction with the accompanying financial statements and notes.

3 NET CURRENT FUNDING POSITION

EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

Operating activities excluded from budgeted deficiency

When calculating the budget deficiency for the purpose of Section 6.2 (2)(c) of the *Local Government Act 1995* the following amounts have been excluded as provided by *Local Government (Financial Management) Regulation 32* which will not fund the budgeted expenditure.

(a) Operating activities excluded from budgeted deficiency

The following non-cash revenue or expenditure has been excluded from operating activities within the Rate Setting Statement.

	Actual - Used for Budget 30 June 2021	Audited Actual 30 June 2021	Budget 30 June 2022	Actual 31 January 2022
Adjustments to operating activities			\$	\$
Less: Profit on asset disposals	(72,554)	(60,006)	(60,006)	0
Less: Movement in liabilities associated with restricted cash	(41,071)	0	0	0
Add: Loss on asset disposals	0	0	0	0
Add: Movement in provisions	(9,642)	15,039	15,039	(3,369)
Add: Depreciation on non-current assets	2,051,812	1,938,889	1,938,889	1,229,031
Non-cash amounts excluded from operating activities	1,928,545	1,893,922	1,893,922	1,225,662

(b) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement.

Adjustments to net current assets

Less: Restricted cash	(1,160,486)	(1,160,486)	(1,160,486)	(1,160,555)
Add: Long term borrowings	42,125	42,125	42,125	21,201
Add: Provisions - employee	115,715	394,118	394,118	394,118
Add: Lease liabilities	7,686	7,686	7,686	3,235
Total adjustments to net current assets	(994,960)	(716,557)	(716,557)	(742,001)

(c) Composition of estimated net current assets

Current assets

Cash unrestricted	2,281,342	2,626,313	2,626,313	4,021,319
Cash restricted	1,505,457	1,160,486	1,160,486	1,160,555
Receivables - rates and rubbish	180,789	97,209	97,209	341,772
Receivables - other	0	83,580	83,580	39,925
Other current assets	5,141	13,522	13,522	33,248
	3,972,729	3,981,110	3,981,110	5,596,819

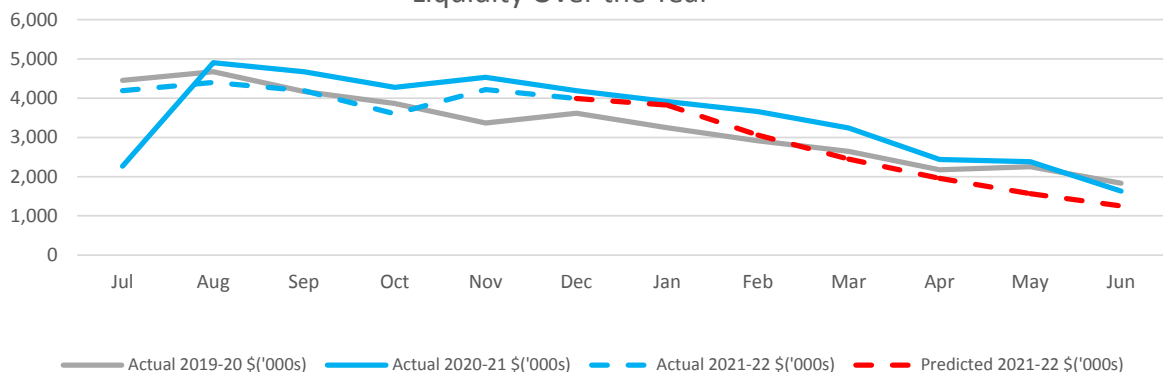
Less: current liabilities

Payables	(1,009,028)	(855,603)	(855,603)	(168,190)
Contract liabilities	(185,456)	(185,456)	(185,456)	(445,577)
Lease liabilities	(7,686)	(7,686)	(7,686)	(3,235)
Long term borrowings	(42,125)	(42,125)	(42,125)	(21,201)
Provisions	(394,118)	(394,118)	(394,118)	(394,118)
	(1,638,413)	(1,484,988)	(1,484,988)	(1,032,321)

Net current assets

	2,334,316	2,496,122	2,496,122	4,564,498
Less: Total adjustments to net current assets	(994,960)	(716,557)	(716,557)	(742,001)
Closing funding surplus / (deficit)	1,339,356	1,779,565	1,779,565	3,822,497

Liquidity Over the Year



3 COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)

SIGNIFICANT ACCOUNTING POLICIES

CASH AND CASH EQUIVALENTS

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

Bank overdrafts are shown as short term borrowings in current liabilities.

FINANCIAL ASSETS AT AMORTISED COST

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

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

TRADE AND OTHER RECEIVABLES

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

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

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

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

The Shire of Chapman Valley applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

INVENTORIES

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

CONTRACT ASSETS

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

CURRENT AND NON-CURRENT CLASSIFICATION

An asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Chapman Valley's operational cycle. In the case of liabilities where the Shire of Chapman Valley does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire of Chapman Valley's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire of Chapman Valley prior to the end of the financial year that are unpaid and arise when the Shire of Chapman Valley 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.

PREPAID RATES

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

EMPLOYEE BENEFITS

Short-Term Employee Benefits

Provision is made for the Shire of Chapman Valley'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 of Chapman Valley's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current of financial trade and other payables in the statement position. Shire of Chapman Valley's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

PROVISIONS

Provisions are recognised when the Shire of Chapman Valley has a 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.

CONTRACT LIABILITIES

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the Shire of Chapman Valley are recognised as a liability until such time as the Shire of Chapman Valley satisfies its obligations under the agreement.

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.1 OPERATING REVENUE (EXCLUDING RATES)		
4.1.2 OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Additional revenue with the FAG funding allocation	135,626	0
Predicted Variances Carried Forward	135,626	0
Predicted Variances Brought Forward	135,626	0
4.2 OPERATING EXPENSES		
4.2.2 MATERIAL AND CONTRACTS		
Additional PPE Volunteer Bushfire Brigade	(15,000)	0
External Contract Services for gardening	(12,000)	0
Workplace Health & Safety Compliance Shared Services	(50,000)	0
Replacement Box Trailer Coronaiton Campgrounds used to carry water and pump	(4,500)	0
Increase in bank fees charged	(2,500)	0
Increase in adverting fees charged	(2,500)	0
Increase in freight & postage fees charged	(1,000)	0
COVID Pandemic Cleaning, PPE, additional requirements	(35,000)	0
Increased charges for DCEO Moblie phone	(1,500)	0
Increase in Coronation Beach Campground sanitation pump outs along with additional users	(10,000)	0
Increase in pump maintenance required for bores	(5,000)	0
Replacement mobile devices LH Works & MWS	(3,500)	0
Outsourced resource sharing payroll and rates	(6,000)	0
4.2.3 UTILITY CHARGES		
Increase in electricity charges to community centres and halls	(6,000)	0
Increase in electricity charges to Museum & Road Board	(1,000)	0
Predicted Variances Carried Forward	(19,874)	0
Predicted Variances Brought Forward	(19,874)	0
4.3 CAPITAL REVENUE		
Loan funds not required due to additional surplus	(240,000)	
Predicted Variances Carried Forward	(259,874)	0
Predicted Variances Brought Forward	(259,874)	0
4.4 CAPITAL EXPENSES		
Upgrades to network switch and internal Wi-Fi across admin building	(10,000)	0
Predicted Variances Carried Forward	(269,874)	0
Predicted Variances Brought Forward	(269,874)	0
4.5 OTHER ITEMS		
4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)		
Transfer to Plant/Light Vehicle Reserve for future Plant Replacement Program budget expenditure	(100,000)	0
Transfer to Leave Reserve Governance to offset termination CEO	(15,000)	0
Transfer to Leave Reserve for future budget expenditure in Ranger Services	(20,000)	0
Transfer to Roadworks Reserve for future budget expenditure 10 Year Roadworks Program	(35,335)	0
4.5.2 OPENING FUNDING SURPLUS(DEFICIT)		
Additional surplus from end of year position forecast	440,209	0
Total Predicted Variances as per Annual Budget Review	0	0

5. BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance	Comments
				\$	\$	\$	\$	
	Budget Adoption		Opening Surplus/(Deficit)		440,209		440,209	
1722	Brigades Operating Expenses	Min Ref 10/21-06	Operating Expenses			(15,000)	425,209	Increase to operating expenditure
2722	Public Halls & Showgrounds Expense	Min Ref 10/21-06	Operating Expenses			(12,000)	413,209	Increase to operating expenditure
0233	Financial Assistance Grants (Local Roads Funding)	Min Ref 10/21-06	Operating Revenue		30,128	0	443,337	Increase to operating revenue
0253	Financial Assistance Grants (General Purpose)	Min Ref 09/21-13	Operating Revenue		105,498	0	548,835	Increase to operating revenue
0292	Salaries Expense (Governance)	Min Ref 10/21-07	Operating Expenses			(50,000)	498,835	Increase to operating expenditure
3412	Coronation Beach Expenses		Operating Expenses			(4,500)	494,335	Increase to operating expenditure
0702	Bank Fees & Charges		Operating Expenses			(2,500)	491,835	Increase to operating expenditure
0492	Advertising Expenses		Operating Expenses			(2,500)	489,335	Increase to operating expenditure
0522	Freight & Postage		Operating Expenses			(1,000)	488,335	Increase to operating expenditure
0962	Miscellaneous Expenses (Other Law and Order)		Operating Expenses			(35,000)	453,335	Increase to operating expenditure
2202	Town Planner Expenses		Operating Expenses			(1,500)	451,835	Increase to operating expenditure
2722	Public Halls & Showgrounds Expense		Operating Expenses			(3,500)	448,335	Increase to operating expenditure
2732	Nabawa Community Centre Expenses		Operating Expenses			(2,500)	445,835	Increase to operating expenditure
3412	Coronation Beach Expenses		Operating Expenses			(10,000)	435,835	Increase to operating expenditure
3626	Museum & Road Boadr Expenses		Operating Expenses			(1,000)	434,835	Increase to operating expenditure
3822	Bore Maintenance		Operating Expenses			(5,000)	429,835	Increase to operating expenditure
4372	Public Works Sundry		Operating Expenses			(3,500)	426,335	Increase to operating expenditure
0682	Consultancy Fees		Operating Expenses			(6,000)	420,335	Increase to operating expenditure
4781	Transfer to Plant/Light Vehicle Reserve (EQ)		Capital Expenses			(100,000)	320,335	Increase to capital expenditure
4750	Transfer to Leave Reserve (EQ) Ranger		Capital Expenses			(15,000)	305,335	Increase to capital expenditure
0782	Transfer to Leave Reserve (EQ) Governance		Capital Expenses			(20,000)	285,335	Increase to capital expenditure
4840	Transfer to Roadworks Reserve (EQ)		Capital Expenses			(35,335)	250,000	Increase to capital expenditure
7135	Loan funds		Capital Revenue			(240,000)	10,000	Decrease to capital revenue
0364	Office Furniture & Equipment		Capital Expenses			(10,000)	0	Increase to capital expenditure
	Amended Budget Cash Position as per Council Resolution			0	0	575,835	(575,835)	0



SHIRE OF

Chapman Valley

Love the rural life!

Building & Projects Policy, Procedures & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Originated date: Adopted by Council on 18th July 2018 – Minute Reference: 07/18-10

Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021

Key Documents, Policies / Procedures / Guidelines	4
1.0 Procedures	4
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CMP-004 Dwelling Unfit for Occupation	6
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CMP-009 Use of Furniture	8
CMP-010 Building & Facility Hire Conditions.....	9
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Key Documents, Policies / Procedures / Guidelines

These are Shire specific policies, procedures and guidelines relevant to the Building & Projects section of the organisation and form part of this manual to act as a reference tool.

1.0 Procedures

CMP-003 Building Applications

MANAGEMENT PROCEDURE No.	CMP-003
MANAGEMENT PROCEDURE	BUILDING APPLICATIONS
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	2.10
RELEVANT DELEGATIONS	6001b; 6001c; 6001d; 6001e; 6001f; 6001g

OBJECTIVES:

To clarify procedures for Building Applications lodged with the Shire of Chapman Valley.

MANAGEMENT PROCEDURE STATEMENT/S:

Key Characteristics of Process

- Process project managed by Building Surveyor and administered by Administration Staff.
- All Applications can be lodged at the Shire of Chapman Valley offices.
- Certificate of Design Compliance may be supplied by an independent Building surveyor or CDC may be certified by Shire Building Surveyor.
- Building Permits issued by the Shire
- Building Surveyor may provide advice on technical building issues.

Process

- Administration staff calculate and collect fees where possible, do preliminary check to ensure necessary plans and information are provided (checklist to be prepared) If the applicant has any questions regarding what details may be required or whether other approvals are needed, they can discuss with Building Surveyor and Planner if available. Application logged onto building module of synergy soft, customer receipt created, building envelope created by administration staff.
- Application logged onto computer system and date stamped by administration staff.
- Application referred to Planner for planning assessment. If satisfactory, the application is signed off by Planner, if not satisfactory, Planner to liaise with applicant regarding planning application. Where it is likely that a planning approval will ultimately be issued without significant changes to the proposal, Planner will not hold up assessment of building application.
- Application referred to Building Surveyor by administration staff.
- Building Surveyor to assess application and follow-up any additional information if needed. If any significant changes to plans required, Building Surveyor to liaise with Planner to determine whether the changes have any planning impact.
- When satisfied with application Building Surveyor to advise administration staff that permit can be issued and what conditions need to be applied,
- Administration staff to prepare permits, Building Surveyor to stamp plans for checking and signing.
- Building Surveyor to check and sign permit if satisfied.
- Administration staff to file application and permit, and complete computer records.
- Building Surveyor prepares Certificate of Design Compliance (CDC, BA03) & Building Permit (BA04), sign & date stamp approved plans.

- Building Surveyor places approved plans, building permit & CDC in outgoing mail, places copies of documents into records filing tray to be scanned into records & placed onto relevant assessment file, files building envelope in the active permit filing cabinet.
- Administration staff to post permits to builder.

Other Building Related Responsibilities

- Sending monthly returns though to ABS, CTF and Building Commission; responsibility of administration staff.
- Enquiries regarding what permits have been issued for particular site; responsibility of building surveyor / administration staff
- Sending owner-builder statutory declarations to Building Commission; responsibility of administration staff (Owners Builders liaise with Building Commission)
- Enquiries regarding what permits have been issued for particular site; responsibility of administration staff
- Enquiries regarding whole of process, simple technical matters, planning related matters; responsibility of planning staff.
- Enquiries regarding technical matters referred to Building Surveyor, environmental health matters referred to Environmental Health Officer.

Actions Resulting from New Operational Procedures

- Sub-delegation to Shire of Chapman Valley Building Surveyor to sign off Building Permits.

Refusal of Building Permit Applications

- The Building Surveyor shall inspect the site relevant to building permit applications, which have been refused to ensure the building is not proceeded with.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-004 Dwelling Unfit for Occupation

MANAGEMENT PROCEDURE No.	CMP-004
MANAGEMENT PROCEDURE	DWELLING UNFIT FOR OCCUPATION
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	2.20
RELEVANT DELEGATIONS	6001c; 6001d; 6001e; 6001f; 6001g

OBJECTIVES:

Manage habitability of residential dwellings.

MANAGEMENT PROCEDURE STATEMENT/S:

If in the opinion of the Environmental Health Officer a dwelling occupied by a person or persons is, by reason of uncleanliness or want of repair, unfit for human habitation, he/she, after receiving approval from the Shire, is authorised to serve notice under the hand of the Chief Executive Officer and pursuant to the provisions of the Health Act, directing -

- (i) the dwelling not, after a time specified in the notice, be inhabited or occupied by any person; or
- (ii) within a specified time to amend the dwelling in accordance with a schedule of works; or
- (iii) to take down and remove the dwelling

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-008 Use of Crockery

MANAGEMENT PROCEDURE No.	CMP-008
MANAGEMENT PROCEDURE	USE OF CROCKERY (ALL BUILDINGS)
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	4.30
RELEVANT DELEGATIONS	

OBJECTIVES:

Control the access and use of Shire owned crockery at Shire owned/controlled buildings & facilities

Management Licences established for the use of Shire owned buildings & facilities will take precedence over this Procedure if there is any contradiction.

MANAGEMENT PROCEDURE STATEMENT/S:

Crockery is not available for hire or use other than for functions held at the Shire owned buildings & facilities, except where the Chief Executive Officer has granted approval for such hire.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-009 Use of Furniture

MANAGEMENT PROCEDURE No.	CMP-009
MANAGEMENT PROCEDURE	USE OF FURNITURE (ALL BUILDINGS)
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	4.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Control the access and use of Shire owned furniture at Shire owned/controlled buildings & facilities

Management Licences established for the use of Shire owned buildings & facilities will take precedence over this Procedure if there is any contradiction.

MANAGEMENT PROCEDURE STATEMENT/S:

Furniture is not available for hire or use other than for functions held at the Shire owned buildings & facilities, except where the Chief Executive Officer has granted approval for such hire.

The Shire hires its tables and chairs to local organisations on the understanding that the hirer will be responsible for loss or breakages.

Hirers to have precedence for the use of furniture

The Chief Executive Officer has the discretionary power to approve or disallow any such relocation of Shire owned furniture

ADDITIONAL EXPLANATORY NOTES:**ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:**

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-010 Building & Facility Hire Conditions

MANAGEMENT PROCEDURE No.	CMP-010
MANAGEMENT PROCEDURE	BUILDING & FACILITY HIRE CONDITIONS
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	4.40
RELEVANT DELEGATIONS	

OBJECTIVES:

Clarify the responsibilities of the various clubs & organisation and the Shire of Chapman Valley in regard to the use of Shire owned/controlled buildings and facilities.

MANAGEMENT PROCEDURE STATEMENT:

1. All venue hire applications must be completed and signed to acknowledge hire terms and conditions. All hire charges must be paid in full at before keys will be issued.
2. Keys issued under the Non-Cut Key System to Clubs or community organisations will require a bond to be paid prior to issue. Bond will be an amount equivalent to the cost to replace/adjust locks and cut new key(s) in the event of loss. If a key(s) is lost, the relevant lock(s) will have to be renewed and the actual cost of this replacement will be the responsibility of the hirer.

Keys issued to Clubs or community organisations must be returned to the Shire Office at the end of their season, unless otherwise determined by an alternative arrangement (e.g. Management Licence).

3. It is the responsibility of the hirer to ensure the conduct of the persons present at the time of their function is orderly.
4. It is illegal to consume liquor on any part of the building and grounds without the prior written approval of the Shire. An additional licence must be obtained from the appropriate authority (e.g. Police, Dept. Racing & Gaming) for the sale of liquor.
5. The cleaning of all facilities used is the responsibility of the hirer, however if the premises have been left in an untidy state and Shire is required to clean them, costs involved in such cleaning will be payable by the hirer.

If any items used (e.g. barbecues, etc.) are left in an unsatisfactory condition, the Hirer will be requested to carry out the necessary cleaning or repairs to such items to the satisfaction of the Chief Executive Officer.

If in the event that any specific Hirer refuses to undertake the necessary cleaning and/or repairs required as specified, then Shire Staff will carry out this work and an appropriate charge specified by the Chief Executive Officer will be forwarded to the Hirer.

Any future use of such items by the specific Hirer will require a bond to be deposited with the Shire prior to use.

This bond will be set by Shire at the time fees and charges are set annually and will not be refunded until the items have been returned in a satisfactory condition.

6. Ensure all lights, including lights on the oval, are turned off after function. Penalty may be imposed if lights left on.

7. No spiked shoes or boots or the like to be worn in any part of the building except the two main changerooms and public toilets.
8. Crockery and Cutlery Hire
Breakages and losses - the cost of all replacements is the responsibility of the hirer.
9. Furniture
Tables or chairs are not to be removed from the building unless with the prior approval of the Shire CEO. All tables and chairs must be stacked in an orderly manner and not left out after the event.
Furniture must not be dragged across floors.
10. The building must be left locked up and with all lights switched off.
11. Exemption to hall hire charge
The Chapman Valley and Yuna Parents and Citizens Association are exempt from paying hall hire charges at the Nabawa Community Centre for the following events: -
 - Annual Christmas Tree
 - Annual quiz night
 - School Presentation night.
12. When alcohol is to be consumed on the premises, a refundable bond, in accordance with that set annually by Council, is to be collected from hirers of this facility. The Shire Chief Executive Officer has the authority to impose or waiver this charge on any hirer, regardless of whether alcohol is consumed or not.
13. Individual Management Licences need to be taken into consideration for those organisations subject to varying conditions stipulated under the Management Licence to those in this Management Procedure

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/21-10

CMP-012 Nanson Show Grounds – Annual Chapman Valley Show

MANAGEMENT PROCEDURE No.	CMP-012
MANAGEMENT PROCEDURE	NANSON SHOW GROUNDS – ANNUAL CHAPMAN VALLEY SHOW
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	4.70
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure adequate and timely assistance is provided to the Chapman Valley Agricultural Society for the preparation of the annual Chapman Valley Agricultural Show at the Nanson Showgrounds.

MANAGEMENT PROCEDURE STATEMENT/S:

The following Operational Procedure is to be followed for the preparation of the Nanson Show Grounds for the Annual Chapman Valley Agricultural Show:

TIME FRAME	OPERATIONAL PROCEDURE	OFFICER RESPONSIBLE
1 month prior to show	Spray winter weeds along road verge and on the grounds for star thistle, roly poly and walkaway bur	Senior Ranger
2 weeks prior to show	Check all buildings for maintenance to be completed	Building Surveyor
	Mow surrounds, car parks and whipper snipper around buildings and fences	Works Supervisor
	Assist with the hosing out of the Hall – 2 weeks before the Show.	Building Surveyor / Senior Ranger
	Grade firebreaks around Nanson Show Grounds – September.	Works Supervisor
1 week prior to show	Contact show secretary and offer shire staff for setting up the show – Monday before the show.	Works Supervisor
	Cartage of 100 chairs from the Community Centre to the dining room – Tuesday before the show	Works Supervisor
	Grade and water roads, parking areas, walkways and entrances into Nanson Show Grounds – Tuesday before the show.	Works Supervisor
	Check the toilets and tanks for maintenance – Wednesday before the show and 1 week prior to Merino Stud Breeders Show.	Building Surveyor
	Deliver rubbish bins, rubbish crate and recycling bins to Nanson Show Grounds – Friday before the show.	Works Supervisor
	Fire truck – Ensure available with volunteer on the show day – wet down dusty areas.	Building Surveyor / Senior Ranger
	Contact the cleaners to have the toilets cleaned twice throughout the show day & ensure enough hand towels, toilet rolls etc	Admin Manager

		Create 'No Parking' signs day before show and post along Chapman Valley Road on the day of the show.	Works Supervisor
2 days prior to show		Mow surrounds, car parks and whipper snipper around buildings and fences – 2 weeks prior and 2 days prior to the show	Works Supervisor
		Grade McCagh Road to Mt Erin-Nabawa Road	Works Supervisor

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-015 SPARE

MANAGEMENT PROCEDURE No.	CMP-015
MANAGEMENT PROCEDURE	SPARE
RESPONSIBLE OFFICER	
PREVIOUS POLICY No.	
RELEVANT DELEGATIONS	

OBJECTIVES:

MANAGEMENT PROCEDURE STATEMENT/S:

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	
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Reviewed/Amended – Council Resolution:	
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CMP-019 Camping Areas

MANAGEMENT PROCEDURE No.	CMP-019
MANAGEMENT PROCEDURE	CAMPING AREAS
RESPONSIBLE OFFICER	BUILDING SURVEYOR/PROJECTS OFFICER
PREVIOUS POLICY No.	4.150
RELEVANT DELEGATIONS	6002

OBJECTIVES:

Set guidelines for the areas where camping is allowed within the Shire of Chapman Valley and conditions associated with these locations.

MANAGEMENT PROCEDURE STATEMENT/S:

Coronation Beach

This is a Nature Based Park comprising toilets, rubbish collection, shade shelters, unpowered sites and gas barbecue facilities only.

- 1) Maximum of thirty (30) days in one financial year period for all campers;
- 2) All campers (rate payers, non-ratepayers, resident, non-resident, etc.) are required to pay camping fee set by Council.
- 3) No fee payable for children under the age of 16 years only when they are accompanied by an Adult, otherwise normal fees will apply;
- 4) Maximum number of vehicle and campers/vans will be stipulated for each site. The Caretaker may vary this number if safety aspects of the site or reserve are not compromised;
- 5) All other camping conditions stipulated at the camping site or determined by the CEO must be adhered to.
- 6) **NO CAMPFIRE ALLOWED AT ANYTIME;**

Yuna Hall

- 1) Maximum of two (2) nights – unless otherwise approved by the CEO;
- 2) Public Toilet and BBQ facilities available;
- 3) **NO CAMPFIRE ALLOWED AT ANYTIME**

Fig Tree Crossing Reserve

- 1) Overnight only – unless otherwise approved by the CEO;
- 2) Public Toilet and BBQ facilities available;
- 3) **NO CAMPFIRE ALLOWED AT ANYTIME**

Yuna Golf Club Reserve

- 1) Maximum of two (2) nights – unless otherwise approved by the CEO
- 2) Showers and toilets provided.
- 3) **NO CAMPFIRES ALLOWED DURING THE RESTRICTED & PROHIBITED BURNING, HARVEST/VEHICLE MOVEMENT AND TOTAL FIRE BAN PERIODS**

Nabawa Oval

- 1) Maximum of two (2) nights – unless otherwise approved by the CEO
- 2) Public Toilet facilities only available;
- 3) **NO CAMPFIRE ALLOWED AT ANYTIME**

Nanson Showgrounds

- 1) Maximum of two (2) nights – unless otherwise approved by the CEO
- 2) Public Toilet facilities only available .
- 3) **NO CAMPFIRES ALLOWED DURING THE RESTRICTED & PROHIBITED BURNING, HARVEST/VEHICLE MOVEMENT AND TOTAL FIRE BAN PERIODS**

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	05/04-3
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32, 03/20-13
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CMP-031 Naming/Branding of Building, Facility, Precinct, Etc.

MANAGEMENT	CMP-031
MANAGEMENT PROCEDURE	NAMING/BRANDING OF BUILDING, FACILITY, PRECINCT, ETC.
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	NA

OBJECTIVES:

Control the naming and/or branding of building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley.

MANAGEMENT PROCEDURE STATEMENT/S:

All requests for the naming or branding of any part of a building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley must be presented to Council for endorsement prior to the naming taking effect.

Council will give priority to those with a current Management Licence for the use of Shire owned, managed and controlled buildings, facilities, precincts, etc. relevant to the specific Management Licence for naming and branding rights.

(Note: Refer to relevant Management Licence conditions associated with any naming/branding requests)

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	04/21-02
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Reviewed/Amended – Council Resolution:	
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SHIRE OF

Chapman Valley

love the rural life!

Finance Policy, Procedures & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Originated date: Adopted by Council on 18th July 2018 – Minute Reference: 07/18-10

Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference:07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Revenue Reimbursements / Credits	Minute Reference: 11/19-11	20 th November 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021
Full Manual Review	Minute Reference 07/21-03	21 st July 2021

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Key Documents, Policies / Procedures / Guidelines

These are Shire specific policies, procedures and guidelines relevant to the Finance & Corporate Services section of the organisation and form part of this manual to act a reference tool.

Policies

CP-021 Management Of Investments

POLICY NO	CP-021
POLICY	MANAGEMENT OF INVESTMENTS
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	5.40
LEGISLATION	LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 19
RELEVANT DELEGATIONS	3003

OBJECTIVES:

To invest the local government's surplus funds, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirement is being met.

While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within 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 Shire's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

POLICY STATEMENT/S:

Definitions

- *authorised institution* means —
 - a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or
 - b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;
- *foreign currency* means a currency except the currency of Australia.

Legislative Requirements

All investments are to comply with the following:

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

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day-to-day management of the Shire's Investment to senior staff or Chief Financial Officer subject to regular reviews.

Prudent Person Standard

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

Ethics and Conflicts of Interest

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

Approved Investments

Without approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds;
- Interest bearing deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper;
- Bank negotiable Certificate of Deposits; and
- Managed Funds with a minimum long-term Standard & Poor (S&P) rating of "A" and short-term rating of "A2".

Prohibited Investments

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

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

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

In accordance with section 6.14(1) of the *Local Government Act 1995* and Reg 19C of the *Local Government (Financial Management) Regulations 1996* this policy prohibits investing money in any of the following:

- (a) deposit with an institution except an authorised institution;
- (b) deposit for a fixed term of more than 12 months;
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (d) invest in bonds with a term to maturity of more than 3 years;
- (e) invest in a foreign currency.

Risk Management Guidelines

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

- a) Portfolio Credit Framework: limit overall credit exposure of the portfolio
- b) Counterparty Credit Framework: limit exposure to individual counterparties/institutions
- c) Term to Maturity Framework: limits based upon maturity of securities.

a) Overall Portfolio Limits

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

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%

b) Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

If any of the local government investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Investments fixed for greater than 12 months are to be approved by Council and reviewed on a regular term and invested for no longer than 5 years.

c) Term to Maturity Framework

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

Overall Portfolio Term to Maturity Limits	
Portfolio % <1-year	Portfolio % >1 year
60%	100 Max; 40% Min
Portfolio % > 3 year	35%
Portfolio % > 5 year	25%
Individual Investment Maturity Limits	
ADI	5 years
Non ADI	3 years

Investment Advisor

The local government's investment advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual

or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

Measurement

The investment return for the portfolio is to be regularly reviewed by an independent financial advisor by assessing the market value of the portfolio. The market value is to be assessed at least once a month to coincide with monthly reporting.

Benchmarking

Performance benchmarks need to be established.

Investment	Performance Benchmark
Cash	Cash Rate
Enhanced/Direct Investments	UBSWA Bank Bill
Diversified Funds	CPI + appropriate margin over rolling 3-year periods (depending upon composition of fund)

Reporting and Review

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

An Investment Strategy will run in conjunction with the investment policy. The investment strategy will be reviewed with an independent investment adviser every six month with a more formal review once a year. The Strategy will outline:

- The Shire’s cash flow expectations;
- Optimal target allocation of investment types, credit rating exposure, and term to maturity exposure and;
- Appropriateness of overall investment types for the Shire’s portfolio.

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

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

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

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	10/05-9; 05/15-23; 06/15-18; 03/17-32; 03/17-32
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CP-022 Rate / Debt Recovery – Management of Debts Owing to the Shire

POLICY NO	CP-022
POLICY	RATE/DEBT RECOVERY - MANAGEMENT OF DEBTS OWING TO THE SHIRE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	5.60
LEGISLATION	LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 11
RELEVANT DELEGATIONS	

OBJECTIVES:

To assist in the timely and effective collection of debts the following shall be the process for the recovery of monies owing to the Shire of Chapman Valley.

POLICY STATEMENT/S:

RATES

Rate Notices

Rate Notices shall be sent out to all ratepayers as soon as possible after the budget has been set, or in the case of interim rates, as soon as possible after a revaluation has been received. Instalment Notices are to be sent at the specified dates.

Issue Final Notice – 14 Days After Due Date

A Final Notice is to be issued for all rates/charges remaining outstanding 14 days after the due date, (apart from those ratepayers who have opted to pay by instalments or special arrangement).

Letter-advising ratepayers of applicable interest charges on the outstanding amounts should be issued in lieu of a final notice.

14 Days After Final Notice – Notice of Intent to Summons

If payment not received within 14 days of final notice being issued, (allowing for postal delays), a Notice of Intent to Summons is to be issued, allowing 14 days for payment of the account, prior to commencement of legal action.

Debtors who have made an arrangement to pay - A Notice of Intent to Summons is to be issued 14 days after the default of an arrangement to pay.

Authority to Undertake Legal Action

The Chief Executive Officer is authorised to undertake legal action for the recovery of all current and arrears rates and charges remaining outstanding 14 days after the date of issue of the Notice of Intent to Summons (in note 4 above). Discretion is to be exercised on the amount owed and/or term outstanding when initiating such legal action.

Form of Legal Action

Legal Action for debts may be either through the Local Court, by the Shire's Solicitors or any Commercial Debt Collection Agencies with the CEO's approval.

Sale of Land

The Chief Executive Officer is to bring to the Council's attention, any rates which remain unpaid for a period of three years for: -

A determination on taking possession, or

Selling the land for the recovery of rates in accordance with the provisions of the Local Government Act 1995.

Or alternatively, placing a caveat against the land to secure Shire's interest.

Other Considerations

The Council would need to consider the following issues when determining whether to sell land for outstanding rates: -

Whether the cost to recover the rates or transfer the land outweighs the amount outstanding,

Whether it would be more cost effective to caveat the land rather than take possession.

SUNDRY DEBTORS

Initial Invoice

An invoice should be sent as soon as possible after the debt has been incurred.

Statement Issued at End of Month

Statements for all amounts outstanding should be issued at the end of each month.

After One Month - Second Statement and Letter of Demand

Sundry debtors should be sent a first statement at month's end, then a final account one month later. The second account is to be accompanied by a letter pointing out that if money is not paid, or reasons given why it cannot be paid within 14 days, legal action will be proceeded with in accordance with sections 4, 5 and 6 of the Rate Collection Policy.

Exceptions are employees who have arranged to have payments deducted from wages or salaries.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/04-35; 05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-024 Purchasing

POLICY NO	CP-024
POLICY	PURCHASING
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	5.90
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 LOCAL GOVERNMENT (FUNCTIONS & GENERAL) REGULATIONS, 1996
RELEVANT	3004

OBJECTIVES:

The Shire's purchasing activities will:

- (a) Achieve best value for money which considers sustainable benefits, such as; environmental, social and local economic factors;
- (b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- (d) Apply fair and equitable competitive purchasing processes to engage potential suppliers impartially, honestly and consistently;
- (e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire's Policies and Procedures;
- (g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Chapman Valley
- (h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management framework;
- (i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan;
- (j) Ensure confidentiality protects commercial-in-confidence information and only releases information where appropriately approved.

POLICY STATEMENT:

1. ETHICS & INTEGRITY

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

2. VALUE FOR MONEY

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

2.1 Assessing Value for Money

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.
- (c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by seeking a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit; and
- (g) Analysis and management of risks and opportunities which may be associated with the purchasing activity, potential supplier/s and the goods or services required.

3. PURCHASING THRESHOLDS AND PRACTICES

3.1 Defining the Purchasing Value

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements are able to be provided by a single supplier.

A **category of supply** can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

3.2 Strategic Purchasing Value Assessments

The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

3.3 Individual Purchasing Value Assessments

Where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.

(c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.

(d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

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

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer

3.4 Table of Purchasing Thresholds and Practices

3.4.1 Supplier Order of Priority

The Shire will consider and apply, where applicable, the following Supplier Order of Priority:

<p>Priority 1:</p>	<p>Existing Prequalified Supplier Panel or other Contract</p> <p>Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire’s supply requirements can be met through the existing contract.</p> <p>If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</p>
<p>Priority 2:</p>	<p>Local Suppliers</p> <p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure, wherever possible, quotations are sought from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
<p>Priority 3:</p>	<p>Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)</p> <p>Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, may approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> i. Local supplier availability (not within the PSA); or, ii. Social procurement – preference to use Aboriginal business or Disability Enterprise. <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>

Priority 4:	<p>Tender Exempt - WA State Government Common Use Arrangement (CUA)</p> <p>Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier may be approved by the CEO, or an officer authorised by the CEO.</p> <p>If no relevant CUA is available, then a Tender Exempt <i>[F&G Reg.11(2)]</i> arrangement may be used.</p>
Priority 5:	<p>Other Tender Exempt arrangement <i>[F&G Reg. 11(2)]</i></p> <p>Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure, wherever possible, quotations are sought from a WA Disability Enterprise and/or an Aboriginal Owned Business capable of providing the required supply.</p>
Priority 6:	<p><u>Other Suppliers</u></p> <p>Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.</p>

3.4.2 Purchasing Practice Purchasing Value Thresholds

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

	Amount of Purchase	Purchase Conditions	Recording Conditions
A	Up to \$10,000	Direct purchase from suppliers	Standard Purchase Order
B	\$10,001 - \$25,000	Seek two verbal quotations.	Endorse Purchase Order verbal quotes obtained or sought
C	\$25,001- \$249,999	Seek at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.
F	\$250,000 and above	Conduct a public tender process or use the WALGA Preferred Suppliers process.	Tender Register Requirements & Filing of Tender Documents

G	Emergency Purchases (Within Budget)	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause <i>Supplier Order of Priority</i> will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
H	Emergency Purchases (No budget allocation available)	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
I	LGIS Services Section 9.58(6)(b) Local Government Act	<p>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

3.4.3 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and *Functions and General Regulation 11(2)(a)*; OR
- (c) A State of Emergency declared under the *Emergency Management Act 2005* and therefore, *Functions and General Regulations 11(2)(aa), (ja) and (3)* apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in

advance and to allow sufficient time for planning and scoping proposed purchases and to then seek quotes or tenders, as applicable.

3.4.4 Inviting Tenders Though not Required to do so

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [F&G Reg.13].

3.4.5 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [F&G Reg.21] where the required supply evidences one or more of the following criteria:

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

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

3.4.6 Unique Nature of Supply (Sole Source Supplier) Local Government (Functions & General Regulation – 11(2)(f)

In the situation of any purchases above the legislated tender threshold amount from sole source providers the Chief Executive Officer is to present these to Council for endorsement, with evidence of due diligence as proof of there being a sole source provider situation, prior to progressing with the purchase.

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely there is more than one potential supplier may only be approved where the:

- (a) purchasing requirement has been documented in a detailed specification; and
- (b) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- (c) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence only one potential supplier still genuinely exists.

3.4.7 Anti-Avoidance

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

3.4.8 Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies (i.e. *Varying a contract for the supply of goods or services*) applies.

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

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

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

4. SUSTAINABLE PROCUREMENT

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers who demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire will apply Sustainable Procurement criteria as part of the value for money assessment to ensure, wherever possible, our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Sustainable Procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (e.g. initiatives such as corporate philanthropy).

4.1 Local Economic Benefit

The Shire has adopted a Regional Price Preference Policy, which may be applied when undertaking all purchasing activities.

4.2 Socially Sustainable Procurement

The Shire will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

4.2.1 Aboriginal Businesses

Functions and General Regulation 11(2)(h) provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.

The Shire will first consider undertaking a quotation process with other suppliers (which may include other registered Aboriginal Businesses as noted in *F&G Reg.11(2)(h)*) to determine overall value for money for the Shire.

Where the Shire makes a determination to contract directly with an Aboriginal Business for any amount up to and including \$250,000 (ex GST), it must be satisfied through alternative means the offer truly represents value for money.

The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

4.2.2 Australian Disability Enterprises

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

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

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

The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

4.3 Environmentally Sustainable Procurement

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

5. PANELS OF PRE-QUALIFIED SUPPLIERS

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

Part of the consideration of establishing a panel includes:

- there are numerous potential suppliers in the local and regional procurement related market sector(s) which satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

5.1 Establishing and Managing a Panel

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

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

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

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

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

If the Shire deems it needs additional suppliers to be added to a category within the panel, or the panel itself, to satisfy its needs or those of the local community, it will do so with the approval of the CEO.

Panel contract arrangements will be managed to ensure the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure risks are managed and expected benefits are achieved. Contract Management Conditions will be established outlining the requirements for the Panel Contract and how it will be managed.

5.2 Distributing Work Amongst Panel Members

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

- seek quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- purchase goods and services exclusively from any pre-qualified supplier appointed to the Panel, and under what circumstances; or
- develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.
- When a ranking system is established, no one contract will be for more than 12 months and an annual review of pricing & ranking will be undertaken.

5.3 Purchasing from the Panel

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

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

6. RECORD KEEPING

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

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

7. PURCHASING POLICY NON-COMPLIANCE

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

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

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

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Manager Finance & Corporate Services.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;

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

ADDITIONAL EXPLANATORY NOTES:

(Note: all figures mentioned in this Policy are to be considered as GST Exclusive)

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	21/03-10; 09/13-9; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 11/15-14; 06/18-7; 07/18-10; 07/19-4; 05/20-15; 03/21-10

CP-025 Regional Price Preference

POLICY NO	CP-025
POLICY	REGIONAL PRICE PREFERENCE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	5.100
LEGISLATION	LOCAL GOVERNMENT (FUNCTION AND GENERAL) –REGULATIONS 1995 - PART 4A
RELEVANT DELEGATIONS	

OBJECTIVES:

In order to promote sub-regional development, the Shire of Chapman Valley may provide a price preference to regional suppliers (located within the stipulated areas) when evaluating and awarding contracts with the Shire via the Tendering Process. Any price preference provided will comply with part 4A of the Local Government (Function and General) Regulations 1995 as amended.

POLICY STATEMENT/S:

- 1) Price preference may be given to all suppliers submitting conforming tenders for the supply of goods and services (including construction (building) services) to the Shire of Chapman Valley, unless Council resolves that this policy not apply to a particular tender.
- 2) The following price preference may be given to suppliers submitting tenders assessed in relation to this policy:
 - 2.1 Goods and Services – up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

10% to all suppliers located within the Shire of Chapman Valley.
5% to all suppliers located within the Mid-West Region.
 - 2.2 Construction (building) Services – up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

5% to all suppliers located within the Shire of Chapman Valley.
2.5% to all suppliers located within the Mid-West Region.
 - 2.3 Goods and Services, including Construction (Building) Services tendered for the first time where the Shire previously supplied the Goods or Services – up to a maximum price reduction of \$500,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

10% to all suppliers located within the Shire of Chapman Valley.
5% to all suppliers located within the Mid-West Region.
- 3) Regional Price Preference will only be given to suppliers located within the stipulated areas for more than 6 months prior to advertising date of the tender.

Located within the area stipulated is defined as a supplier having a physical presence in the way of a shop, depot, outlet, headquarters or other premises where the goods or services specifically being provided are supplied from. This does not exclude suppliers whose registered business is located outside the stipulated area. An example is franchisee of a multinational company.

- 4) Only those goods and services identified in the tender, as being from a source located within the stipulated area may have the price preference applied when assessing the tender.
- 5) Price is only one factor the Shire considers when evaluating a tender. There is nothing contained within this policy which compels the Shire to accept the lowest tender or any tender based on price offered.
- 6) The Chief Executive Officer may impose this policy upon other purchases undertaken under delegated authority if considered appropriate (i.e. not necessarily subject to the Tender Process).

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/02-14
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

Procedures

MANAGEMENT PROCEDURE NO	CMP-006
MANAGEMENT PROCEDURE	USE OF ELECTRONIC SIGNATURE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NIL
RELEVANT DELEGATIONS	NIL

CMP-006 Use of Electronic Signature

OBJECTIVE

This Procedure establishes principles and processes for electronic signature (e-signature) implementation, application and management, whilst also recognising the requirements of Section 9.49A of the Local Government Act, 1995 and the State Records Act, 2000.

MANAGEMENT PROCEDURE STATEMENT/S:

Definitions:

Electronic Signatures (or e-signature) - A technology allowing a person to electronically affix a signature or its equivalent to an electronic document, i.e. may be text on an email or a scanned signature.

Digital Signatures - An encrypted digital code appended to an electronic message or document to verify it was created by a known sender (authentication) the sender cannot deny having sent the message (non-repudiation), and that the message was not altered in transit (integrity).

Approved use

E-Signatures CAN be used for once off/ low volume / low risk transactions as below:

Correspondence compiled to manage the day-to day administration relating to operational matters within the officer's area of responsibility;

Technical correspondence, standard and form letters relating to operational matters within the officer's area of responsibility.

Building and Planning applications and approvals;

Local Law permits / licenses – applications and approvals;

Supplier contracts;

Employment contracts, employee appointments and information acceptance records;

Elected Member declarations and reimbursement claims;

Employee declarations;

Certificates of Authorisation;

E-Signatures CANNOT be used for legal documents or high-risk transactions such as:

Common Seal – Local Laws, Local Planning Schemes, Land Transfer Forms

Legal Agreements – Deeds, Leases, Memorandums of Understanding

Giving Notices – Local Government Act - s.3.25 Notices, Impounding Notices, and Cat Act, Dog Act, etc.

Infringement Notices

The CEO only will determine if a document can or cannot be endorsed by way of an e-signature

PROCESS TO BE FOLLOWED

The person from whom the signature is required must consent to the use of the electronic signature method (the 'consent requirement').

Method of signing must evidence signor's identity (digital signature) and their approval of the document's content (the 'reliability requirement') either in the transaction metadata or in the document itself.

Method of signing must be as reliable and secure as is appropriate for the purposes for which the electronic document was generated.

If approval is given the officer authorised by the author is to insert the electronic signature to the document.

When printing is complete the officer authorised by the author must delete all copies of the e-signature and the copy inserted into the document.

On registering the document, the officer authorised by the author is to attach a note providing evidence of authority from the author to use the e-signature.

ADDITIONAL EXPLANATORY

The CEO or most senior officer available must be consulted if an officer is not completely sure which signatory method is to be used on a specific document.

ADOPTED/REVIEWED/AMENDED (OTHER

Adopted – Council Resolution:	07/18-10
Reviewed/Amended – Council Resolution:	03/21-10

CMP-007 Related Party Disclosure

MANAGEMENT PROCEDURE No.	CMP-007
MANAGEMENT PROCEDURE	RELATED PARTY DISCLOSURE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS PROCEDURE No.	NA
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

The Shire must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, to comply with Australian Accounting Standard AASB 124 Related Party Disclosures.

The objective of the Standard is to ensure an entity's financial statements contain disclosures necessary to draw attention to the possibility its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is a related party and what transactions need to be considered, when determining if disclosure is required.

MANAGEMENT PROCEDURE STATEMENT/S:

The following definitions will apply to this procedure:

<i>Act</i>	Local Government Act 1995
<i>AASB 124</i>	The Australian Accounting Standards Board, Related Party Disclosures Standard
<i>Arm's length terms</i>	Terms between parties which are reasonable in the circumstances of the transaction which would result from: neither party bearing the other any special duty or obligation; and the parties being unrelated and uninfluenced by the other, and each party having acted in its own interest
<i>Associate</i>	In relation to an entity (the first entity), an entity over which the first entity has significant influence.
<i>Close family members of Key Management Personnel (KMP)</i>	Those family members who may be expected to influence, or be influenced by, a KMP in their dealings with the Shire e.g. <ul style="list-style-type: none"> • the KMP's children, and spouse or domestic partner; • the KMP's parents or step-parents; • children of the KMP's spouse or domestic partner; and • dependants of the KMP or the KMP's spouse or domestic partner.
<i>Control</i>	The ability to direct the business' activities of an entity through rights or exposure to returns from its involvement with the entity.
<i>Entity</i>	Can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body.

<i>Financial Benefit</i>	<p>A financial benefit includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit which does not involve paying money.</p> <p>Examples (not limited) of “giving a financial benefit” to a Related Party include the following: Giving or providing the Related Party finance or property. Buying an asset from or selling an asset to the Related Party. Leasing an asset from or to the Related Party. Supplying services to or receiving services from the Related Party. Issuing securities or granting an option to the Related Party. Taking up or releasing an obligation of the Related Party.</p>
<i>Joint Control</i>	<p>The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.</p>
<i>Joint Venture</i>	<p>An arrangement of which 2 or more parties have joint control and have right to the net assets of the arrangement.</p>
<i>Key Management Personnel or Key Management Person or KMP</i>	<p>Person(s) having authority and responsibility for planning, directing and controlling the activities of the Shire. Specifically, key management personnel of the Shire are:</p> <p>the shire president; councillors; the chief executive officer; Senior Managers with delegated authority</p>
<i>KMP Compensation</i>	<p>All forms of consideration paid, payable, or provided in exchange for services provided.</p>
<i>Material (materiality)</i>	<p>The assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions users make on the basis an entity's financial statements. For this procedure, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.</p>
<i>Ordinary Citizen Transaction</i>	<p>Transactions an ordinary citizen would undertake with the Shire, which is undertaken on arm’s length terms and in the ordinary course of carrying out Shire’s functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature are: paying rates and utility charges; Fines using Shire’s public facilities after paying the corresponding fees/charges Attending Shire functions which are open to the public.</p>

<i>Related Party</i>	<p>A person or entity which is related to the Shire pursuant to the definition contained in the AASB 124.</p> <p>Examples of related parties of the Shire are: Shires' subsidiaries; key management personnel; close family members of key management personnel; entities controlled or jointly controlled by key management personnel or their close family members</p>
<i>Related Party Transactions</i>	<p>A transfer of resources, services or obligations between the Shire and a related party, regardless of whether a price is charged.</p> <p>Examples of related party transactions are: purchases or sales of goods; purchases or sales of property and other assets; rendering or receiving of services; rendering or receiving of goods; leases; transfers under licence agreements; transfers under finance arrangements (example, loans); provision of guarantees (given or received); commitments to do something if an event occurs or does not occur in the future; settlement of liabilities on behalf of Council or by the Shire on behalf of a related party.</p>
<i>Significant</i>	<p>Likely to influence the decisions users of the Shire's financial statements make having regard to both the extent (value and frequency) of the transactions, and the transactions have occurred between the Shire and related party outside a public service provider/ taxpayer relationship.</p>

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

Identification of Related Parties

AASB 124 provides the Shire will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

A related party is a person or entity to the entity preparing the financial statements. Related parties include a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of the person who may be expected to influence the person.

KMPs are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

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

An Elected Council Member

Key Management Personnel (KMP) being a person employed under section 5.36 of the *Local Government Act 1995* in the capacity of Chief Executive Officer, Deputy CEO or Senior Staff with delegated authority. Close members of the family or any person listed above, including the person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of the person or person's spouse or domestic partner.

Entities which are controlled or jointly controlled by a Council member, KMP or their close family members.

(Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

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

Identification of Related Party Transactions

A related party transaction is a transfer of resources services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, the following transactions or provisions of services have been identified as meeting this criterion:

Ordinary Citizen Transactions	Related Party Transactions
Paying rates	Employee compensation whether it is for KMP or close family members of KMP
Fines	Application fees paid to the Shire for licenses, approvals or permits
Use of Shire owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces under the same terms, conditions and charges placed on the public for such use.	Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
Attending council/shire functions which are open to the public	Lease agreements for commercial properties
	Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement).
	Sale or purchase of any property owned by the Shire, to a person identified above.
	Sale or purchase of any property owned by a person identified above, to the Shire
	Loan Arrangements
	Contracts and agreements for construction, materials, goods, consultancy or services

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

Where any of the services OCTs were not provided at arm’s length and under the same terms and conditions applying to the public, Council Elected Members and KMPs will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

All transactions which do not meet the criteria of arm’s length transactions, Council Elected Members and KMPs (as identified above) will be required to complete a Related Party Disclosures - Declaration form.

Related Party Transactions Notification (RPT Notifications) - KMP must provide a RPT Notification, notifying any existing or potential related party transactions between Council or the shire and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, to the Chief Executive Officer no later than the 30 June each year.

Additional RPT Notifications - Also, during a financial year, if a KMP knows of:
 any new or potential related party transaction which is required or likely to be required to be disclosed in the Shire's financial statements; or
 any change to a previously notified related party transaction (including a change to a related party relationship),

the KMP must provide additional RPT Notifications notifying of the new or potential related party transactions or changes, by no later than 30 days after the KMP knows of the transaction or change.

Confidentiality

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

Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

ADDITIONAL EXPLANATORY NOTES:

- AASB 124 Related Party Disclosures*
- Local Government Act 1995*
- Local Government (Financial Management) Regulations 1996*
- Associated Policies/Procedures*
- Related Party Disclosures - Declaration form*

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	07/18-10
Reviewed/Amended – Council Resolution:	

CMP-018 Revenue Reimbursement/Credits

MANAGEMENT PROCEDURE No.	CMP-018
MANAGEMENT PROCEDURE	REVENUE REIMBURSEMENT/CREDITS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	N/A
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

To determine how surplus revenue/credits paid to the Shire are dealt with.

MANAGEMENT PROCEDURE STATEMENT:

1. In the event the Shire receives revenue reimbursements or credits (e.g. annual insurance premium surplus reimbursement) the Chief Executive Officer (at his/her discretion) is to place the revenue into the appropriate area(s) of the relevant Fund.
2. Any additional revenue reimbursements or credits above the materiality threshold (as determined by the Shire's Significant Accounting Policy) are to be included as part of the overall annual budget review process required to be undertaken by the end of March each financial year.
3. All other additional revenue reimbursements or credit items will simply be absorbed into the overall budget operations and included in the financial statements.

The Chief Executive Officer, at his/her discretion, may bring any specific item of revenue or expenditure budget line item(s) to Council for determination at any time of the year and not necessarily wait until the statutory annual budget review process

ADDITIONAL EXPLANATORY NOTES:**ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:**

Adopted – Council Resolution:	11/19-11
Reviewed/Amended – Council Resolution:	

CMP-021 Corporate Credit Card

MANAGEMENT PROCEDURE No.	CMP-021
MANAGEMENT PROCEDURE	CORPORATE CREDIT CARD
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	5.120
RELEVANT DELEGATIONS	3004

OBJECTIVES:

Develop clear and concise guidelines and condition for the use of the Credit Cards issued to specific staff. The purpose of this Corporate Credit Card Policy is to ensure corporate credit cards are issued and used appropriately for related business expenditure only, and all expenses incurred are endorsed budget items, properly approved and reconciled monthly.

MANAGEMENT PROCEDURE STATEMENT:

1.0 Introduction

A corporate credit card will be issued to the Chief Executive Officer (limit \$6,000) and Deputy Chief Executive Officer (\$4,000) of the Shire of Chapman Valley to facilitate and simplify the purchasing process for minor purchases or any purchase where a credit card is the only acceptable form of payment (e.g. Shire related travel expenditure, refreshments, etc.).

2.0 Definitions

Credit Cards – Is defined as a facility allowing the card holder to pay for goods and services on credit.

Business Expenses – Is defined as any expense necessary to the conduct of the business or is allowed under the terms of the employee's contractive employment with the shire or its relevant policies or procedures.

Personal Expense – Is defined as any expense not of a business nature.

Corporate Credit Card Purchasing

3.1 The Chief Executive Officer and the Deputy Chief Executive Officer are the only officers to use corporate credit cards for business expense purchasing of goods and services on behalf of the Shire of Chapman Valley. A signature is required to confirm understanding of responsibility

3.2 Cash withdrawals are strictly prohibited.

3.3 The corporate credit card credit limit will be set by Council and reviewed at least once a year at the time all Policies and Operational Procedures are reviewed.

The current total limit on the Shire of Chapman Valley corporate credit card is \$10,000.

3.4 Personal expenditure on the Shire of Chapman Valley's corporate credit card is strictly prohibited.

3.5 All purchases by the Shire of Chapman Valley corporate credit card must be accompanied by an appropriate tax invoice/receipt to ensure the shire is able to claim all input tax credits in accordance with the requirements with the Australian Taxation Office.

3.6 The Corporate Credit Card should only be used where the supplier is not a creditor and will only transact via cash or card. The Corporate Credit Card is not to be used when and if the Purchase Order system for any creditor is an option; all avenues of supplier creditor accounts should be explored prior to the authorisation of the Corporate Credit are use.

Reporting Requirements

- 4.1 The Shire of Chapman Valley corporate credit card statement of expenditure is to be endorsed by the Chief Executive Officer and Deputy Chief Executive Officer as appropriate as all expenditure items listed on the statement being authorised and undertaken by him/her.
- 4.2 The endorsed credit card statement of expenditure is to be included with the financial reports presented to Council in the Agenda's for the ordinary meetings of Council for information.

General Conditions

- 5.1 The Chief Executive Officer and Deputy Chief Executive Officer as appropriate must surrender the Shire of Chapman Valley credit card upon termination of his/her services within the Shire of Chapman Valley or when resolved to do so by Council.
- 5.2 All Corporate credit card incentives (e.g. fly buys) are not to be acquired or accumulated by the Chief Executive Officer for his/her personal use of gain.

Any such credit card incentives associated with the Shire of Chapman Valley corporate credit are to be utilised for the benefit of the Shire of Chapman Valley's business expense operations only.

- 5.3 All expired Shire of Chapman Valley corporate credit cards are to be destroyed by the Chief Executive Officer and Deputy Chief Executive Officer as appropriate upon receipt of a new or replacement card.
- 5.4 Any breach of this Operational Procedure is to be reported to Council for information and action if deemed necessary.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	11/05-4
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/18-10; 07/19-4

MANAGEMENT PROCEDURE NO	CMP-039
MANAGEMENT PROCEDURE	COVID19 - FINANCIAL HARDSHIP
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS PROCEDURE No.	NIL
RELEVANT DELEGATIONS	NIL

CMP-039 – COVID-19 FINANCIAL HARDSHIP

OBJECTIVE

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire recognises these challenges will result in financial hardship for our ratepayers.

This Procedure is intended to ensure we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

This Procedure applies to:

1. Outstanding Rates Notice charges as at the date of adoption of this Procedure; and
2. Rates Notice charges levied for the 2020/21 and 2021/2022 financial years.

It is a reasonable community expectation, as we deal with the effects of the pandemic, for those with the capacity to pay Rates Notice charges will continue to do so. For this reason the Procedure is not intended to provide relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

MANAGEMENT PROCEDURE STATEMENT/S:

Payment Difficulties, Hardship And Vulnerability

Payment difficulties, or short term financial hardship, occur where a change in a person’s circumstances result in an inability to pay Rates Notice charges debt.

Financial hardship occurs where a person is unable to pay Rates Notice charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire recognises the likelihood COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This Procedure is intended to apply to all ratepayers experiencing financial hardship regardless of their status.

Anticipated Financial Hardship due to COVID19

We recognise many ratepayers are already experiencing financial hardship due to COVID19. We respect and anticipate the probability of additional financial difficulties will arise when their Rates Notice charges are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this Procedure and encourage eligible ratepayers to apply for hardship consideration.

Financial Hardship Criteria

While evidence of hardship will be required, we recognise not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- A ratepayer has made genuine effort to meet Rates Notice charges obligations in the past;
- The payment arrangement will establish a known end date which is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of any change in circumstance which jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

Interest Charges

A ratepayer meeting the Financial Hardship Criteria and entering into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

Deferment of Rates

Deferment of Rates Notice charges may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred Rates Notice charges balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

Rate Notice Charges Debt Recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates Notice charges debts which remain outstanding on 1 July 2022, we will offer the ratepayer one further opportunity of adhering to a payment plan to clear the total debt by the end of the 2022/2023 financial year.

Rates Notice charges debts which remain outstanding at the end of the 2022/2023 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

Review

We will establish a mechanism for review of decisions made under this Procedure, and advise the applicant of their right to seek review and the procedure to be followed.

Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this Procedure and its application, when communicating in any format (i.e. verbal or written) with a ratepayer with outstanding Rates Notice charges debt.

We recognise applicants for hardship consideration are experiencing additional stresses, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	05/20-17
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Reviewed/Amended – Council Resolution:	07/21-03
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CMP-045 Staff Payment of Expenses

MANAGEMENT PROCEDURE No.	CMP-045
MANAGEMENT PROCEDURE	STAFF PAYMENT OF EXPENSES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.60
RELEVANT DELEGATIONS	

OBJECTIVES:

To determine expenses paid to staff to attend various conferences, training, events, etc.

MANAGEMENT PROCEDURE STATEMENT/S:

Where a Member of Staff is required to travel on approved Shire business, the Shire shall pay travelling, meals and accommodation costs of the Staff Member only.

Travelling costs shall be -

- In the case of travel by motor vehicle, travel shall be in a Shire vehicle unless agreed between the Chief Executive Officer and the staff member.
- A condition of agreement will be that in the absence of the above the following applies: -
~ In the case of travel by motor vehicle (other than Shire owned), travelling expenses will be in accordance with the relevant Award rates.
- All other expenses to be authorised by the Chief Executive Officer.
- Any additional cost associated with a Staff Members partner and/or family must be fully covered by the Staff Member and not the Shire.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32, 03/20-13; 03/21-10

CMP-046 Relocation Expenses

MANAGEMENT PROCEDURE No.	CMP-046
MANAGEMENT PROCEDURE	RELOCATION EXPENSES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.70
RELEVANT DELEGATIONS	

OBJECTIVES:

To set staff relocation expense levels and conditions.

MANAGEMENT PROCEDURE STATEMENT/S:

The successful applicant will be eligible for relocation expenses, negotiable to \$5,000 or as otherwise determined by the Chief Executive Officer.

Should the employee resign or employment is terminated within 12 months, 50% is repayable to the Shire or as otherwise determined by the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

The Chief Executive Officer, as the authority for the appointment and termination of staff, is able to determine the need for flexibility in each relocation event under the restriction of staying within the annual overall budget constraints for this expenditure.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/21-10

CMP-047 Superannuation

MANAGEMENT PROCEDURE No.	CMP-047
MANAGEMENT PROCEDURE	SUPERANNUATION
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	14.90
RELEVANT DELEGATIONS	

OBJECTIVES:

To set levels of Superannuation payment to staff, whilst ensuring all legislative conditions are adhered to for such payments.

MANAGEMENT PROCEDURE STATEMENT/S:

Non- Contract Employees - The Shire will make superannuation guarantee contributions based on legislation of the Employee's base wage/salary, to the Local Government Superannuation Plan on behalf of the employee.

Providing the Employee makes voluntary contributions of at least 5% of their base wage/salary, the Shire will provide an additional superannuation contribution of 3%, of the Employee's base wage/salary.

Contract Employees - As determined by the Employee Contract

Salary Sacrifice Arrangements and Variation of Cash Component

All Employees - As long as the Officer advises the Chief Executive Officer in writing that the remaining cash component is adequate for the Officer's ongoing living expenses, the Officer may, at the Officer's request, receive future payment of a portion of the cash component in such manner as suits the Officer's personal circumstances. The method of payment must comply with all relevant State and Commonwealth laws and any liability with respect to the taxation implications including, without limitation, fringe benefits tax, shall be borne by the Local Government and reimbursed by the Officer. In this regard the Local Government may deduct such amounts from any outstanding sum due from the Local Government to the Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/21-10

CMP-050 National Wage Case Decisions

MANAGEMENT PROCEDURE No.	CMP-050
MANAGEMENT PROCEDURE	NATIONAL WAGE CASE DECISIONS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.120
RELEVANT DELEGATIONS	

OBJECTIVES:

To stipulate how national wage increases are handed down to staff, irrespective of over-award payments already being made.

MANAGEMENT PROCEDURE STATEMENT:

All national wage decisions (Commonwealth or State) relevant to this Local Government Authority will be passed onto all staff, unless otherwise resolved by Council to absorb all or part of any increase into existing above Award payments in place as part of the annual budget adoption process.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4

CMP-064 Financial Assistance

MANAGEMENT PROCEDURE No.	CMP-064
MANAGEMENT PROCEDURE	FINANCIAL ASSISTANCE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	3008

OBJECTIVES:

To set the categories, type and amount of Financial Assistance that shall be provided by the Shire to Community Organisations and individuals in the local community. To provide guidelines for the application, assessment and determination of requests received for financial assistance and to ensure expenditure of all funds are appropriately accounted for and reported on.

MANAGEMENT PROCEDURE STATEMENT/S:

This Procedure provides an overarching framework for the Shire of Chapman Valley to provide Financial Assistance to Community Organisations and individuals within our local Community to enhance community values and aspirations.

In determining the requests for Waiver of Fees and Charges under this Procedure, the approval is governed by the Delegation No 3008 Write Off Debts.

Delegation No 3008 Write Off debts

The exercise of powers and the discharge of duties under section 6.12 of the Local Government Act 1995 to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding \$1000. In cases where the request for Fee Waivers exceed \$1,000 a report needs to be submitted to an Ordinary Council Meeting for Council's consideration and approval.

Strategy

- The Shire receives a number of requests throughout the year for financial assistance from Community Organisations and Individuals. A Procedure for the assessment of the applications ensures:
- Transparency and accountability to the Community;
- Fairness and equity to all applicants;
- Eligibility criteria is applied to each type of Financial Assistance;
- The amount of Financial Assistance available;
- Guidelines are in place to assist applicants in completion and lodgement of forms;
- Applications are assessed by a Delegated Officer;
- Effective reporting mechanisms and administrative procedures advise the Shire of the type and total value of financial assistance provided for the financial year.

Scope

- This Procedure applies to requests for financial assistance towards:
- An activity, event, competition, project or celebration;
- Programs with a charitable or community service oriented purposes;
- Disaster relief funds for humanitarian reasons;
- An organisation's development;
- Provision of services and maintenance of facilities within the Shire;
- The establishment of new facilities or improvements to existing facilities of a capital nature.

Each application for financial assistance is considered on its individual merits. The Shire of Chapman Valley reserves the right to determine eligibility for financial assistance based on information provided in the application.

Recipients of support will be asked to assess their performance in line with this Procedure and requirements set out in Shire Corporate Management Procedures CMP-065 Donations, CMP-066 Waiver of Fees & Charges, CMP-067 Community Growth Fund Grants and CMP 068 Self Supporting Loans.

Failure to satisfactorily complete the performance valuation requirements may disqualify recipients from future funding assistance from the Shire and or require the funds to be returned.

Implications

The implementation of this Procedure is supported by funds allocated through the Shire’s annual budget of each financial year. The Shire has demonstrated a long-term commitment to the provision of financial assistance to eligible Community Organisations who operate as a not-for-profit organisation and individual Community members chosen to represent the shire.

Acquittal of Funding

Recipients of financial assistance for the categories of Community Development Grants, Shire Contributions and Interest Free Loans must complete an acquittal process, including provision of requested supporting information, within one (1) month of the completion of the projects, or by the date detailed in the guidelines.

Funding acquittal requirements applicable to the Financial Assistance category will be detailed in the category guidelines and may incorporate:

- A completed Acquittal Form (if applicable);
- Copies of all relevant invoices and receipts;
- Copies of promotional materials and/or other supporting information to show how the Shires funding was acknowledged.

Failure to fully complete and lodge the required acquittal will result in a demand for the return of the funds, and will result in ineligibility for future funding rounds. Until all existing grants or funds are acquitted the organisation is not eligible to apply for an additional grant or funding from the Shire.

An organisation that cannot demonstrate that funds have been expended in accordance with the purpose for which the funds were granted, will be required to return the funds to the Shire within six months of the proposed completion date, and will be subject to an ineligibility period for future grants if funds are judged to have been misused.

Table 1 Financial Assistance Categories

Please note that each category of financial assistance must meet specific eligibility criteria which are provided in the Guidelines accompanying the application form.

TYPE OF FINANCIAL ASSISTANCE	AMOUNT OF ASSISTANCE	DETERMINATION
Sponsorship	\$200 per School, Association or Club per annum	Chief Executive Officer
Donation	Maximum of \$200	Chief Executive Officer

Waiver of Fees and Charges	A maximum of 50% of the applicable fees & charges	\$1,000 or less – Chief Executive Officer Over \$1,000 – Council
Community Development Fund Grants	As determined by CGF Guidelines	Committee Recommendation to Council for decision
Council Contribution	Council consideration	Council
Interest Free Loan	Maximum of \$20,000	Council
Self-Supporting Loans	Council consideration	Council

Dispute Resolution

All disputes in regard to this Procedure will be handled according to the Shire's Complaint Handling Procedures

Application

Responsibility for the implementation of this Procedure rests with the Chief Executive Officer. The Procedure is to be reviewed as part of Council periodical review of all Policies & Procedures.

LEGISLATION	
LGA s5.42 Delegation of some powers and duties to CEO	<p>A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43</p> <p>*Absolute majority required</p> <p>A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation</p>
LGA s6.12 Power to defer, grant discounts, waive or write off debts	<p>Subject to subsection (2) and any other written law, a local government may –</p> <p>When adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money</p> <p>Waive or grant concessions in relation to any amount of money; or</p> <p>Write off any amount of money, which is owed to the local government.</p> <p>*Absolute majority required</p> <p>Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges</p> <p>The grant of a concession under subsection (1) (b) may be subject to any conditions determined by the local government</p>

Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power

DEFINITIONS

Charitable Organisation

Is a not-for-profit organisation that has a charitable purpose for the sole benefit of the public (e.g. religious groups, aged care homes, homeless shelters, disability services, universities and colleges, animal welfare societies and artistic or cultural groups).

Community Organisation

A group of people that come together to pursue a common cause or interest for the benefit of the Community and may include an Association, Centre, Club, Committee, Group, Incorporated Body or Society.

Council Contribution

An amount of money given to Community Organisations by the Shire in return for acknowledgement of assistance in the operation of Shire facilities.

Donation

A gift given by the Shire, typically for charitable purposes and/or to benefit a cause. A Donation may take various forms, including cash offering, services, new or used goods. It may also consist of emergency, relief or humanitarian aid items.

Fee and Charge

Is a set monetary amount levied by the Shire for the use of Shire owned facilities and resources or the staging of a particular event or activity as adopted by Council.

Grant

Contribution, gift, or subsidy (in cash or kind) bestowed by the Shire (grantor) for specified purposes to an eligible recipient (grantee). Grants are usually conditional upon certain qualifications as to the use, maintenance of specified standards, or a proportional contribution by the grantee or other grantor(s).

In Kind Support

In-kind support can be defined as:

- Monies / financial assistance which is not a loan, and does not need to be paid back;
- Administration support;
- Equipment support;
- Infrastructure support;
- Venue hire;
- Office supplies support;
- Fees and charges for Icon Events.

Interest Free Loan

Means of borrowing where no interest is charged on repayment to the Shire.

Not-for-Profit Organisation	An organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect whilst in operation.
Self-Supporting Loans	Means of borrowing where loans are repaid to Shire (See CMP-068)
Schools	Primary or Secondary educational institutions.
Shire Facility	Means all Shire owned and operated facilities and reserves across the Shire that are included as available for hire or use in the Shire's Annual Schedule of Fees and Charges as adopted by Council.
Sponsorship	A cash and/or in-kind fee paid to a person, organisation or group (typically in sports, arts or entertainment) in return for acknowledgement and recognition of the Shire during the Activity or Event.
Legislation	Local Government Act 1995

ADDITIONAL EXPLANATORY NOTES:

Corporate Management Procedures CMP-065 Donations, CMP-066 Waiver of Fees & Charges and CMP-067 Community Growth Fund Grants.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-065 Donations & Community Events Sponsorship

MANAGEMENT PROCEDURE No.	CMP-065
MANAGEMENT PROCEDURE	DONATIONS & COMMUNITY EVENTS SPONSORSHIPS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	3005

OBJECTIVES:

These guidelines provide prospective applicants with information about financial assistance from the Shire of Chapman Valley by way of a donation or sponsorship towards a community events.

The Shire of Chapman Valley recognises the value of donations and event sponsorship to deliver activation, vitality and participation benefits to the local community. The Shire's vision in its Strategic Community Plan is of 'a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper.'

Providing support to community activities and events aligns with the key theme included in the Strategic Community Plan to 'nurture the sense of community.'

The intention of the donations and community event sponsorship procedure is to provide support to a broad range of activities and events occurring throughout the year, based in the Shire boundaries to enhance the sense of community in the Valley.

Please read these guidelines carefully before submitting an application. You may direct any questions to the Shire by phoning us on 08 999 205011.

MANAGEMENT PROCEDURE STATEMENT/S:

Restrictions on Funding

Each year, the Shire of Chapman Valley donations and community event sponsorship procedure will provide support to community activities and events assessed as successful through an application process.

Donation and sponsorship support may be financial or in-kind. In-kind support may include (but is not limited to) venue hire fees, cleaning costs, or access to Shire equipment.

Included in the Shire's annual financial budget will be a specific line item amount for Community Activities Event Donations/Sponsorship. The budgeted amount will be determined by Council as part of the annual budget preparation process and may vary depending on affordability.

The Community Organisation is encouraged to have made application to source additional funding for the activity or event.

Applications

- Application are open all year round;
- Application forms can be completed online through the Shire of Chapman Valley website;

- Hardcopy application forms can be accessed by customer service at the Shire offices, or mailed out by calling 9920 5011;
- Applications should be received at least 8 weeks prior to the scheduled event date to ensure processing and evaluation procedures can be implemented.

Process

- Application to be submitted for assessment.
- CDO to ensure all application components are completed;
- CEO can use delegated authority through Delegation 3005 or present applications to Council for determination;
- If considered necessary the CEO may consult with the Shire President and Tourism & Events Advisory Group members prior to exercising delegated authority on the final outcome of donation/sponsorship applications;
- CEO will provide correspondence to applicants on the outcome of their request;
- A list community donations/sponsorships approved will be presented to Council as part of the CEO's Staff Information Report.

Tiers of funding

The minimum funding request is \$100. The maximum funding request is \$5,000.

- Tier one, funding of \$100- \$1,000 can be requested can be dealt with under Delegation 3005; and
- Tier two, funding of \$1,001- \$5,000 above can be requested, yet will require Council approval.

Who can apply

- Applications are welcome from incorporated community organisations and not for profit organisations. All must have a demonstrated significant connection to Chapman Valley.
- If not an incorporated organisation, an auspicing role must be taken on by an appropriate incorporated body.

Eligibility

- Activities and Event must be held in Shire of Chapman Valley Local Government boundaries;
- The organisation must have no outstanding debts to the Shire of Chapman Valley;
- Submit a completed application including risk management and activity/event budget;
- Funding will not be provided to more than one organisation for the same event.
- Not-for-profit Organisation;
- Operating as a charity using local community volunteers.

Ineligibility

- Private businesses, individuals, government agencies (including schools) are not eligible for support;
- Funding will not be provided for operating costs or staff costs associated with an event;
- Activities or Events the Shire of Chapman Valley already operate;
- Recurrent funding for the same project expenditure will not be supported, applicants can not apply for the same support for the same activity or event;
- Events with a sole political or religious purpose.
- Retrospective funding: activity/events started prior to being awarded the donation/sponsorship support, will be ineligible.
- Activities or Events which will financially benefit the Community Organisation (i.e. entry charge)

Assessment criteria

Criteria will include an assessment of all elements of the application form, including activity/event budget.

Criteria to be addressed include:

- **Sense of community:** to what extent does the activity/event nurture a sense of community in Chapman Valley?
- **Activation:** To what extent does the activity/event activate a public or private space in Chapman Valley?
- **Economic:** To what extent does the activity/event deliver economic benefits to the local businesses in Shire of Chapman Valley?
- **Activity/Event Management:** To what extent does the applicant have a capacity to deliver a successful activity/event?

Donation/Sponsorship conditions

- Funding must be used for the purpose and items as outlined in the application and approval letter;
- Successful applicants may be required to enter into a funding agreement with the Shire and agree to the terms and conditions included in that funding agreement;
- Organisations will be required to provide the Shire a tax compliant invoice(s) for the agreed amount of funding;
- Funding cannot be transferred to another organisation;
- Funding amounts approved may not reflect the full amount requested;
- If applicable, all required licences and permits must be approved by the appropriate government agency (e.g. event, venue hire, temporary food, road and traffic management if required);
- Applicants are encouraged to seek additional funding from other sources;
- Requests to change the purpose of the donation/sponsorship must be made in writing to the Chief Executive Officer;
- Request for extension to the approved donation/sponsorship timeline must be made in writing to the Chief Executive Officer prior to the activity/event;
- The Shire of Chapman Valley must be recognised as a sponsor of the activity/event in all signage, media, speeches, MC notes, advertising and programming. Approved Shire logos will be supplied to the grant recipient if necessary.
- If requested, supporting documentation must be included with the application including:
 - A most recent financial statement certified by the President/Treasurer;
 - Current certificate of currency for Public Liability Insurance to the value of \$10 million;
 - Certificate of incorporation;
 - Evidence of other cash or in-kind support (where applicable);
 - Letters of support (where applicable); and
 - Organisations minutes endorsing the event.
- Activity/event is open for attendance by the local Community and encourage participation by a Community Organisation (i.e. member of a Sporting Association or Club);

Acquittal

- Acquittal instructions will be sent to the sponsorship recipient at the time of donation/sponsorship approval;
- Acquittal documents must be completed within 12 weeks of the activity/event being completed;
- Copies of all paid invoices and receipts may be required to be submitted;
- Unspent funds at the time of the acquittal deadline (12 weeks from event date) must be returned to the Shire within seven days of the acquittal submission;
- If applicable, it is a requirement to have all acquittals for funding completed before applying for new funding;
- Failure to complete acquittal requirements as requested may disqualify recipients from receiving further financial assistance and support from the Shire into the future.

Disclaimer

- The Shire of Chapman Valley may receive more funding applications than the available budget and funding may be exhausted prior to the end of the financial year;
- If the funding allocation is achieved before the end of the financial year, new activity/event donation/sponsorship funding will not be available until the adoption of the Council budget in the new financial year;
- The Shire of Chapman Valley reserves the right to refuse any application in the interests of appropriate public safety;
- All decisions of the Shire are final.

Application Timeframes

Community Organisations may make application for a Donation from the Shire of Chapman Valley at any time during the year.

Completing and Lodging your application

Once you have completed all sections of the form and signed the declaration, please take a copy for your records. The Shire requires the original signed Application Form be submitted by either of the following methods:

By Post: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
Nabawa WA 6532

In Person: Shire of Chapman Valley Administration Centre
3270 Chapman Valley Road, Nabawa, WA 6532
Office Hours: 9.00am – 4.00pm

What happens when your application is received?

Your application will be reviewed by the Shire and we will notify you in writing of the outcome of our assessment.

Acknowledging the Shire's support

If considered appropriate by the Chief Executive Officer the successful applicants will be required to liaise with the Shire's Community Development Officer and provide for marketing and media opportunities during the Project or Event.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/21-03
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CMP-066 Waiver of Fees & Charges

MANAGEMENT PROCEDURE No.	CMP-066
MANAGEMENT PROCEDURE	WAIVER OF FEES & CHARGES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
SECTOR	ADMINISTRATION
RELEVANT DELEGATIONS	

OBJECTIVES:

These procedures provide prospective applicants with information about financial assistance from the Shire of Chapman Valley by way of a Waiver of Fees and Charges.

Please read these procedures carefully before submitting an application. You may refer to the *Completing your Application* section for Shire Officer contact information.

MANAGEMENT PROCEDURE STATEMENT/S:

Restrictions on Funding

All fees and charges must be paid upfront and if a “Waiver of Fees and Charges” is granted, a reimbursement for the approved amount will be forwarded to the successful applicant.

The approval of a Waiver for a Fee and Charge is governed by Delegation, and specifically Delegation 3008

Write Off Debts.

The exercise of powers and the discharge of duties under section 6.12 of the Local Government Act 1995 to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding \$1,000. In cases where the request for Fee Waivers exceed \$1,000 a report needs to be submitted to an Ordinary Council Meeting for Council’s consideration and approval.

Where a Fee and/or Charge is due to the Shire under another Act, regulatory body or Australian Law in respect of a service, then the Shire will not consider any application to waive that Fee and/or Charge.

A maximum of 50% of the Fee and Charge will be considered for waiver as listed in the annual Schedule of Fees and Charges adopted by Council or as otherwise determined by Council.

The Shire may at its own discretion determine an individual application on its merits and give consideration to natural disasters or a declared State of Emergency.

The activity, event, competition, project or celebration must be offered within the Shire of Chapman Valley local government boundaries.

The Community Organisation is not to have already received funding from the Shire by way of a Sponsorship, Donation, Community Development Grant or Shire Contribution or received financial assistance from the Shire under any existing written agreement during the current financial year.

Where an activity, event, competition, project or celebration occurs on a regular basis within a financial year July to June, then application for financial assistance shall be based on the full financial year.

One application per financial year (July to June) may be submitted at any time during the year for Financial Assistance.

Reimbursement for utility charges such as water and electricity will not be considered for waivers.

Recurrent annual or seasonal fees for sporting groups such as the Sporting Club Levy, court hire and line marking will not be considered for waivers.

Applications are to be lodged on the Shire's official application form and retrospective applications will not be considered where they are submitted after the activity, event, competition, project or celebration.

Once the Delegated Shire Officer has determined that the application for financial assistance be approved, a request for payment for the approved percentage of the fee waiver will be submitted to the Creditors Officer for payment.

If circumstances surrounding a successful applicant change during the financial year the Shire reserves the right to review and cancel any or all of the approved financial assistance.

Eligibility - Who can apply?

To be eligible for a Waiver of Fees and Charges the applicant must meet all of the following criteria:

- Operate in the Shire of Chapman Valley;
- Community Organisation which is an Incorporated body;
- Not-for-profit organisation;
- Educational Institution.

Waiver of Fees and Charges

Fee Waivers will be considered for:

- Shire Fees and Charges that are not due to the Shire as an Australian Tax under Australian law in respect of a service;
- Events that occur as a result of natural disasters or declared State of Emergency;

Fee Waivers under Delegated Authority will not be considered for or provided to:

- Individual persons*;
- State or Federal Government bodies;
- Commercial Organisations or Businesses*;
- Fees and Charges levied and collected by the Shire under any written law;
- Support for organisational or general operating costs;
- Activities that will financially benefit the Community Organisation (i.e. entry charge);
- Activities that are already covered by an existing service agreement with the Shire of Chapman Valley;
- Community Organisations that receive funding from the Shire of Chapman Valley by way of Donation, Community Development Grant or Shire Contribution in the current financial year.

* *Individual persons, Commercial Organisations or Businesses can apply to Council for a waiver or reduction in the fee and charges for community health & wellbeing events for a maximum three month trial period to determine the viability of the event. Fees and charges will remain payable in full until a determination is made by Council on an application for waiver or reduction.*

* *Individual persons may seek the assistance of an Advocacy Agent to submit an application on their behalf. Note: Applications submitted by an Advocacy Agent will not impact the agent's ability to apply for financial assistance within that financial year.*

Application Timeframes

Community Organisations may make application for a Fee Waiver from the Shire of Chapman Valley at any time during the year.

Completing and Lodging your application

Once you have completed all sections of the form and signed the declaration, please take a copy for your records. The Shire requires the original signed Application Form be submitted by either of the following methods:

By Post: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
Nabawa WA 6532

In Person: Shire of Chapman Valley Administration Centre
3270 Chapman Valley Rd, Nabawa, WA 6532
Office Hours: 9.00am – 4.00pm

By Email: ceo@chapmanvalley.wa.gov.au

What happens when your application is received?

Your application will be reviewed by the Shire and we will notify you in writing of the outcome of our assessment.

Acknowledging the Shire’s support

Successful applicants will be required to liaise with the Shire’s Community Development Officer and provide for marketing and media opportunities during the Project or Event.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32, 07/20-12

CMP-067 Community Growth Fund – Operational

MANAGEMENT PROCEDURE No.	CMP-067
MANAGEMENT PROCEDURE	COMMUNITY GROWTH FUND – OPERATIONAL
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	5.20
RELEVANT DELEGATIONS	

OBJECTIVES:

INTRODUCTION

The Shire of Chapman Valley allocates an annual budget amount to form the Community Growth Fund (CGF). The fund provides the Shire of Chapman Valley the opportunity to support and assist services, activities and programs throughout the Shire.

The intention of the CGF is for funds to be fully allocated within each financial year and there will not be any accrual of unallocated funds beyond the 30th June each year.

In the event there are residual unallocated funds at the 30th June each year these funds will form part of the Shire's End of Financial position and a new amount placed into the Draft Budget for Council consideration for the forthcoming financial year.

AIM

The Shire of Chapman Valley Community Growth Fund is to provide funds to not for profit community based organisations, event organisers and individuals to support the promotion and development of social, economic, recreational, art and cultural projects for the benefit of residents of the Shire of Chapman Valley.

1. OBJECTIVES

The Objectives of the Chapman Valley Community Growth Funds are to:

- Assist the efficiency of operations of community groups by improving organisational development, asset purchases, marketing and management.
- Encourage partnerships fostering cooperative planning between groups to maximise effective use of resources
- Increase the range of and access to quality events, activities, services and groups within the Shire of Chapman Valley.
- Support community development initiatives and socially responsible community approaches.
- Encourage the community to actively promote Chapman Valley's positive attributes.
- Encourage the development of excellence and leadership in recreational, sporting, economic, tourist, environmental, skill/capacity building and cultural pursuits.

One of the most effective means of promoting community development is through the use of volunteers and non-government organisations. The Shire of Chapman Valley acknowledges and supports the contribution that community members make of their time, labour and expertise toward improving our community's quality of living.

MANAGEMENT PROCEDURE STATEMENT/S:

2. RESPONSIBILITY

The responsibility for the selection and approval of successful grant applications rests with the Chapman Valley Shire Council who will meet to determine funding allocations. Shire staff plays an important role liaising with CGF applicants to ensure submissions meet criteria described in this guide, and to manage the payment of grants.

It is the responsibility of the project contact person in the submission to ensure their community project is completed on time, within budget and reporting documents completed.

3. CRITERIA

- Arts, culture & entertainment
- Disability Services
- Youth & family services
- Seniors
- Event management & sponsorship
- Natural environment & cultural heritage
- Tourism & promotion
- Sport and recreation
- Health
- Crime prevention & community safety
- Monuments & projects to commemorate
- Events or people
- Upgrading community facilities
- Skill & capacity building

4. ESSENTIAL ELIGIBILITY CRITERIA

In order to be eligible for funding an organisation must:

- Council shall consider requests for donations on their individual merit however, generally will decline appeals for applications:
 - ~ of a State or National nature, or
 - ~ if they are not concerned or connected with the Chapman Valley area.
- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- Demonstrate a substantial degree of community support and representation
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National). E.g. Tennis West ...and Shire of Chapman Valley Strategic Community Plan <http://www.chapmanvalley.wa.gov.au>
- Agree to complete a specified evaluation/project completion report including an invoice for agreed project grant amount. *Failure to do so may render the applicant ineligible for future funding.*
- As a general principle, funds for any project may only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).
- The Shire will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- It must be demonstrated the Shire funding is necessary to the success of the project.
- Detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- Detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

In order to be eligible for funding an individual must:

- Achieve or demonstrate recognition in their field of endeavour at a State, National or International level. Recognition at a regional level may be considered in special circumstances.
- Demonstrate a substantial degree of community support.
- Provide a letter of support from the Association or Organisation relevant to their field of endeavour
- Provide the names and contact details of two referees.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities.

- Agree to complete a specified evaluation report. *Failure to do so may render the person ineligible for future funding.*
- Funding application requests for individuals will only be to a maximum of \$1000.00.

5. APPLICATIONS

Applications will only be considered if they are submitted on the CGF Application Form and completed in full. Projects are expected to be conducted within the Shire of Chapman Valley with possible exception of funding to outstanding individuals. Check the Application Form to see if you are required to provide additional information such as:

- Membership information
- Funding profile and non-profit status
- Clear description of your project's broad community benefits
- Marketing intentions and acknowledgment of Shire of Chapman Valley contribution
- Project budget including details of matching funding

6. FUNDING REQUIREMENTS

A. MINOR GRANTS - Requests under \$2000

Typically used for small purchases. Written applications must clearly state:

- amount requested;
- grant purpose;

Other documents we may require are:

- Financial statement for the most recently completed financial year
- The most recent annual report or an equivalent document, such as the President's report, outlining activities of the organisation
- Quotations for all items

B. GENERAL GRANTS and EVENT SPONSORSHIP– Over \$2,000

Grant requests over \$2,000 will suit community-based organisations seeking management funding (to assist with the running of your organisation – including wages & honorariums) or project funding (to help your organisation plan and conduct activities).

Some applications for grants in excess of \$10,000 may be deemed inappropriate under the Community Growth Fund guidelines and redirected to other funding avenues, such as the Ministry of Sport and Recreation 'Community Sporting and Recreation Facilities Fund' (CSRFF), or Lotterywest. Please discuss grant applications for major capital works (e.g. clubroom renovations/upgrades, new facilities) with the Community Development Officer.

Your event need not be considered a major cultural or sporting activity to qualify for funding. For example, you may plan to coordinate a conference or forum aimed at a specific audience or addressing a particular issue. Because your event is likely to attract visitors to the district, and help your organization build networks and broaden its knowledge base, it is likely to be considered as worthy of funding assistance.

Sponsorship can also be provided in the form of wages for an event co-ordinator or honorarium.

Please discuss your event plans with the Community Development Officer.

C. WHAT WON'T BE FUNDED

- Private and commercial business' and organisations
- Applications which are not completed on the CGF form.
- General *ongoing* operational costs of organisations such as, wages, salaries, rent, utilities, etc.
- Political organisations or events.
- Projects or facilities which have none or limited public access.
- Projects or activities which are considered to be hazardous.
- Organisations who have failed to comply with the acquittal process or guidelines for previous grants.

7. ASSESSMENT AND APPROVAL PROCESS

ACKNOWLEDGMENT OF APPLICATIONS

Applications for grants received by the Shire of Chapman Valley on or before the closing date will be registered and an acknowledgment of their receipt sent to applicants.

ASSESSMENT PROCESS

The Community Growth Fund Committee members will have access to a full copy of all valid applications.

ASSESSMENT CRITERIA

- All applications will be assessed against the following criteria at a minimum: Ability to achieve tangible and/or measurable outcomes for the benefit of the Shire of Chapman Valley community;
- Effort for cooperative and partnership arrangements with others;
- Relevance to the current issues and status of the community;
- Evidence of consultations with relevant others in and out of Chapman Valley;
- Levels of volunteer participation and wider community participation;
- Funding history and profile, and capacity to make a significant financial or in-kind contribution to the project;
- Other state/ federal funding available to the applicant;
- Alignment and/or linkages with Local, Regional, State or National Strategic Plans or Objectives of associated organisations.

Additional criteria including the following may be assessed:

- Quotes as relevant to the project being provided or not provided;
- Asset ownership and ongoing whole of life maintenance and replacement responsibility;
- Applicants ability to fund a project upfront through a reimbursement process once project completion is achieved or if the Shire is required to auspice the process on the applicant's behalf;

NOTIFICATION OF OUTCOME

All applicants will be notified in writing of the success or otherwise of their application, as soon as Council has finalised its funding commitment. Commencement of the project or expenditure of expected funds must not take place until this notification is received in writing.

PUBLICITY

The Shire of Chapman Valley may use your event, project or activity for publicity purposes and if so will ask for promotional material to be used.

FREEDOM OF INFORMATION

Applications for funds and other written information provided to the Shire will be treated confidentially. However, the provisions of the *Freedom of information Act, 1982*, apply to all documents held by the Shire of Chapman Valley.

8. DISBURSEMENT OF GRANTS

Where Council considers the information provided by the applicant in accordance with these guidelines to be satisfactory, the provision of any funds will be in accordance with the following;

- At the time of approving the grant, Council may elect to act as an auspicing body for the grant recipient. All expenditure for grant funding is to be discussed with the administration prior to any transactions being undertaken.
- If not auspicing for the grant recipient, payment will only be made at the conclusion of the project, subject to supply of final report and tax invoice, in strict accordance with the determination as to amount and conditions set by Council; unless otherwise agreed upon.

Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent.

9. GRANT CONDITIONS

PERIOD OF FUNDING

Community Growth Fund grants will follow an annual timeline as outlined below:

- a) February – Applications open;
- b) March - Applications close;
- c) March/April - Advisory Group determination & recommendation to Council;
- d) April – Council determination on projects to be placed into draft budget;
- e) July – Council endorsement of Draft budget and confirmation of successful CGF submissions;
- f) July/August – Successful & Unsuccessful applicant formally advised.

Grant funding confirmed in the Shire budget in the July must be expended by 20th June the following year, unless agreed otherwise at the outset OR a written request for an extension and carry-over of funds is made to, and approved by, the Chapman Valley Shire Council.

If Council endorse the carry-over of grant funds into the next financial year these funds will be transferred to a Reserve Fund under the conditions:

- a) Funds must be spent and acquitted in the next financial year (i.e. funds will not be carried over again beyond this year);
- b) Any unspent funds after the initial carry-over into the next financial year are to be placed back into the Municipal Fund before the end of that year; and
- c) the grant recipient will not be eligible to receive any further CGF grants until the current allocated funds have been fully acquitted.

PURPOSE OF GRANT

Funds are allocated only for the purpose of the project as described in the application and must not be used for any other purpose or transferred or assigned to any other party without the prior approval of the Council.

UNSPENT FUNDS

Funds which are unspent at the conclusion of the funding period must be returned to the Shire within 60 days of the completion of the project, activity or event, or the end of the financial year, whichever occurs first. If you anticipate a surplus of funds and have plans for its expenditure you are advised to seek Council approval, bearing in mind the expectation that any secondary project will also have broad benefits to the community.

ABN/GST REGISTERED

Incorporated applicants must have an ABN. GST registration is not essential; however, the Shire is obliged to meet all relevant GST legislative requirements. Please ensure your budget figures included in your application are **GST EXCLUSIVE**.

MANAGEMENT LICENCE OR SIMILAR ARRANGEMENT

Any application made which is subject to a Management Licence or similar arrangement will only be approved subject to the condition the applicant endorses any amendments required to the Management Licence or similar arrangement relevant to the application and project.

STATUTORY PERMITS/APPROVALS

All projects subject to statutory permits/approvals (e.g. planning, building, environmental, heritage, events applications, etc.) will only be approved upon the condition all such approvals are in place before project is to commence.

10. EVALUATION AND ACQUITTAL

Groups, organisations or individuals receiving grants from the Community Growth Fund must submit to the Shire acquittal and evaluation of the outcomes of the grant provided by Council within 30 days of either the conclusion of the project or activity, or the end of the financial year, whichever falls first.

Information to be provided will include:

FINANCIAL REPORT

- A statement of actual and budgeted expenditure in relation to the grant. For grants of \$10,000 and over an independent audit may be required as determined by the Chief Executive Officer.
- Copies of supporting documentation such as of receipts, invoices, accounts and financial statements

GRANT EVALUATION/COMPLETION REPORT

Recipients of the grant will be asked to assess their performance according to the following indicators:

- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- The level of public awareness of their activity or project.
- Public presentations (number held / attendance levels).
- Amount/type of media coverage generated.
- Involvement of volunteers.
- Demonstrate a substantial degree of community support and representation.
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National).
- Agree to complete a specified evaluation report. *Failure to do so may render the applicant ineligible for future funding.*
- Maximum Government (State and Federal) funding has been obtained.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- To be used for projects upon land under the care, or control, of the Shire; unless it otherwise determines

- Demonstrated the Shire funding is necessary to the success of the project

Tangible evidence to support performance indicators should be included such as photos, press clippings, copies of fliers, newsletters, documents produced etc.

Failure to satisfactorily complete performance evaluation and acquittals may disqualify recipients from further grants from the Community Growth Fund.

APPLICATION FORM – COMMUNITY GROWTH FUND

Contact Details	
Name of Organisation:	Click here to enter text.
Contact Person:	Click here to enter text.
Contact number/s:	Click here to enter text.
Address:	Click here to enter text.
Postal Address:	Click here to enter text.
Website:	Click here to enter text.
Email:	Click here to enter text.

Organisation Business Details	Please select	
Is your organisation an incorporated body? <i>If yes please attach proof</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, have you attached a letter from a sponsoring committee?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you registered for GST?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have "Public Liability Insurance" <i>If yes, please attach a copy of "Certificate of Currency"</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you applied for funding from the Shire for this project previously? <i>If yes, in what year was the application made? Please attach information</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the project dependant on Shire funding to proceed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has the Shire previously assisted your organisation? <i>If yes, please attach information</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you applied or are you intending to apply for other funding sources for this project? <i>If yes, please provide details under "Project Summary"</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Banking Details	
ABN:	Click here to enter text.
Name of Account:	Click here to enter text.
Name of Bank:	Click here to enter text.
BSB:	Click here to enter text.
Account Number:	Click here to enter text.
Branch Name:	Click here to enter text.
Account Holders Signature:	Click here to enter text.

Please provide a brief description of your organisation:

[Click here to enter text.](#)

Project Summary

Project Title: [Click here to enter text.](#)

Proposed Start Date: [Click here to enter text.](#)

Proposed Finish Date:
(must be prior to 20th June) [Click here to enter text.](#)

Location/Venue: [Click here to enter text.](#)

Is the project being undertaken on private land or Shire of Chapman Valley owned property?

Please provide a brief description of the project that you require funding assistance for and its objectives (attach extra sheet if you need more space):

[Click here to enter text.](#)

1. Community Growth Fund Grants must be eligible projects as identified in the Shire of Chapman Valley *Community Growth Fund Operational Procedures* (copy attached). Please identify eligibility criteria(s) relevant to your application below.

[Click here to enter text.](#)

2. Please describe how the outcomes of the project will be measured.

[Click here to enter text.](#)

3. Has your organisation secured or made attempts to secure financial assistance from other sources such as fundraising, other grants, commercial sponsorship etc. for this project? Please outline below and include details in the budget.

[Click here to enter text.](#)

Acknowledgement

Recipients of a Community Growth Fund Grant must recognise the Shire of Chapman Valley sponsorship in any advertising, promotion and media publicity related to its grant funding (e.g. newspaper article, flyers, invites, verbal recognition). How will your organisation acknowledge the Shire of Chapman Valley funding?

[Click here to enter text.](#)

Financial Information

Does your organisation have the ability to fund this project upfront and receive grant funding through a reimbursement process? Y/N

Does your organisation require the Shire of Chapman Valley to act as an auspicing body for your grant funds? Y/N

It is important to show how you plan to spend the grant and whether you expect any other income to support your project.

Use the table below to show where the money for your project is coming from and how it will be spent. **Include the Community Growth Fund Grant in these tables and specifically outline where the grant will be spent.**

Income		
Funding Source	\$ (EX. GST)	Confirmed Y/N
Amount Requested from the Shire of Chapman Valley	\$	N/A
Amount Contributed by your Organisation (Cash)	\$	\$
Amount Contributed by other Grants or Sponsorships:	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
In-Kind Contribution (e.g.: volunteer time @ \$30 hour)	\$	\$
•	\$	\$
•	\$	\$
*TOTAL	\$	\$
Expenditure (please specifically outline how Shire funds will be used)		
Project Costs	\$ (EX. GST)	Confirmed Y/N
In-Kind Contribution (Matched to income above)	\$	\$
Shire funding (please itemise below):	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
Other (please list below):	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
*TOTAL	\$	\$

NB: Income and expenditure totals should be the same.

Authorisation by President/Secretary

I [Click here to enter text.](#) (President/Secretary) authorise this application for a Community Growth Fund Grant to be considered for approval.

If approved, I acknowledge that the project must be acquitted within 1 month of project completion.

I also authorise to being contacted by the Shire's and consent for the Shire using images of me and quotes provided by me for promotional purposes, including but not limited to news reports, articles, media releases and the Shire website.
[Click here to enter text.](#) Day/Month/Year

Signature

Date



**Before you send your application – please ensure that you have completed the following.
Please answer each item when it has been completed or attached.**

- Completed all questions in the application form, including a detailed Budget that indicates where Shire funds will be spent.
 - Application has been signed by President/Secretary. Where an application is being submitted by a non-incorporated organisation that has a sponsoring organisation, please ensure the sponsoring organisation signs the Declaration.
 - Support letters or testimonials (optional).
 - A copy of this application has been retained for your records.
 - Proof of Incorporation (or letter from sponsoring organisation).
 - Public Liability Insurance (Certificate of Currency).
 - Quotes
- Y/N Is Project subject to an existing Management Licence or similar arrangement
- Y/N Is Project subject to a Statutory Permit/Approval (e.g. Building, Planning; Event; etc.)
- Y/N Is Project to be undertaken on Shire of Chapman Valley owned property?

For any assistance, please contact:

Shire of Chapman Valley's Community Development Officer

Phone: (08) 99 205011

Email: community@chapmanvalley.wa.gov.au

Application submission

By post:

Chief Executive Officer
Shire of Chapman Valley
PO Box 1
Nabawa WA 6532

Email:

community@chapmanvalley.wa.gov.au

Hand delivery:

Shire Offices - Reception
3270 Chapman Valley Road, Nabawa, WA 6532
9.00am – 4.00pm

Closing date

All applications must be received by _____ 201

SHIRE OFFICE USE ONLY

Outcome of the Assessment Recommendation to the Shire by Shire of Chapman Valley Community Growth Fund Committee:

Fund Committee:

- | | |
|--|--|
| <input type="checkbox"/> Approved for receipt of Community Growth Fund Grant | <input type="checkbox"/> Declined for receipt of Community Growth Fund Grant |
|--|--|

Amount of Funds released \$

FILE No.:

Name of Authorised Officer

Signature and Stamp

Date

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:

Reviewed/Amended – Council Resolution:

03/21-10

CMP-068 Self Supporting Loans

MANAGEMENT PROCEDURE No.	CMP-068
MANAGEMENT PROCEDURE	SELF SUPPORTING LOANS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	5.50
RELEVANT DELEGATIONS	NA

OBJECTIVES:

To provide a fair, equitable and balanced process to considering the provision of self-supporting loans to groups within the community.

MANAGEMENT PROCEDURE STATEMENT/S:

Council will consider requests from all local organisations for self-supporting loan funds to be made available to the organisation, with the following matters and/or actions being taken:

The organisations to apply in writing, advising of 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 incorporate or not;
- Name of guarantees or other acceptable security; and
- Other information considered appropriate and requested by the Shire.

The Shire may request a delegation to meet with Councillors and staff to discuss the request.

Self-supporting loans will only be made available for capital type projects, i.e. construction or extensions to buildings, construction or resurfacing of tennis courts, reticulation of golf fairways etc and not for maintenance of facilities.

The Shire requires a loan agreement to be drawn up by Council's Solicitors between the organisation and the Shire, committing the group to repay the loan.

All costs associated with the raising of the loan and preparation and stamping of loan agreements to be at the group's expense.

Organisations applying to Council for a self-supporting loan are to make available, on request by the Shire, a copy of their Audited Financial Statements.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23, 06/15-18; 03/17-32

CMP-070 Disposal of Surplus & Minor Assets

MANAGEMENT PROCEDURE No.	CMP-070
MANAGEMENT PROCEDURE	DISPOSAL OF SURPLUS & MINOR ASSETS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	2004

OBJECTIVES:

To appropriately dispose of unwanted minor assets with no recognisable value whilst build the capacity of community groups and organisations as a beneficiary.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire will dispose of surplus and minor assets when determined by the CEO to be obsolete, surplus to requirements and hold no real value to the Shire.

The disposal of such assets shall be by offer to a community based not for profit group(s) and/or within the Shire of Chapman Valley at no cost.

The method of disposal process may involve an offer to one or more of the entities at the discretion of the CEO.

In offering an asset(s) to a community entity the CEO will have regard to:

- a) the demonstrated need;
- b) proposed use of the minor asset; and
- c) financial capacity of the requesting entity.

Prior to disposal:

- a. If applicable, all software or copyright licences shall be removed from a IT items.
- b. The recipient is to acknowledge in writing that no liability is accepted by the Shire for the minor asset.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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SHIRE OF

Chapman Valley

love the rural life!

Elected Members Governance and Policy Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Originated date: Adopted by Council on 18th July 2018 – Minute Reference: 07/18-10

Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference 07/18-10	18 th July 2018
Review CP-005	Minute Reference 11/18-9	21 st November 2018
Full Manual Review	Minute Reference 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021
Review CP-005	Minute Reference 09/21-08	15 September 2021

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Preface

Corporate governance is a system of processes through which an organisation makes decisions and how it directs, controls and monitors its operations. The systems are complex and are required by legislation. The Governance Manual will assist the Council to achieve its commitment to excellence in governance. The manual links the respective roles under the Local Government Act and other relevant legislation with the suite of available governance documents. It is designed to provide guidance and information to the major participants in all functions and governance processes of the Council.

It will act as:

- an introduction for new Councillors and staff members to the governance framework and processes for the Council.
- a guide and reference for Councillors in performing their duties as elected representatives;
- a document establishing clear guidelines for the day to day governance of the Council.
- a basis to monitor the performance of the Council and administration in working towards excellence in governance.

The manual has been based on a number of existing governance frameworks, but in particular “Excellence in Governance for Local Government” produced by the Local Government Managers Australia and CPA Australia.

The Manual is divided into four parts:

- Part One: Overview of Corporate Governance and Principles
- Part Two: Integrated Planning and Reporting
- Part Three: Detailed Guidelines for good governance practice
- Part Four: Key documents, policies and procedures relevant to Elected Members

The Governance Manual will form the basis for an annual corporate governance review by Council which will assess the effectiveness of the Elected Members and Administration in achieving good governance.

Part 1 Overview of Corporate Governance

Governance in the Legislative Environment.

Local Governments in Western Australia are required to make report and implement decisions, according to the provisions of the Local Government Act 1995 (the Act). Other legislation regulates the way in which a local government exercises its authority in areas such as Town Planning, Environmental Health, Cat and Dog Control, Emergency Management, Litter Control, Bush Fire, and Building Control.

The Act defines the roles and responsibilities of Elected Members and the CEO to ensure a local government fulfils its obligations and exercises its powers and functions appropriately. Section 3.1 (1) of the act prescribes the general function of a local government is to provide for the good government of persons in its district.

To facilitate good government, Shires develop strategies and policies, and provide mechanisms and processes for their implementation. This manual establishes the policies and processes by which the Elected Members and the CEO Officer undertake their respective roles.

DEFINITION OF ‘GOOD GOVERNANCE’.

Good governance is about the processes for making and implementing decisions. It's not about making 'correct' decisions, but about the best possible process for making those decisions. Good decision-making processes, and therefore good governance, share several characteristics. All have a positive effect on various aspects of local government including consultation policies and practices, meeting procedures, service quality protocols, Councillor and officer conduct, role clarification and good working relationships. Ref <http://www.goodgovernance.org.au>

EXCELLENCE IN GOVERNANCE.

Excellence in governance occurs when it is underpinned by accountability, integrity, openness and commitment to sustainability. It involves a focus on clarity of roles and responsibilities, robust systems which support both internal and external accountability and public access to decision making and information. From a Local Government perspective, the establishment of a governance framework reinforces the statutory authority and responsibilities of Council as a corporate body and assists Elected Members and professional officers in the delivery of quality services.

Central to the achievement of these outcomes is the engagement of key stakeholders and intended beneficiaries in the development and implementation of initiatives for the betterment of local communities. Effective outcomes are best achieved where the role and focus of Elected Members as a collective corporate body, is directed to policy formulation and strategic development. The role of the officers is to implement the policies and strategies of the Council through an accountable, effective and efficient application of resources and assets.

COUNCIL GOVERNANCE STATEMENT.

Governance is based on the understanding the Council, CEO and staff have different roles and responsibilities which, when combined, create the environment for effective management and operation of the Council. It recognises good governance does not only apply to internal procedures but ultimately reflects in the satisfaction of the residents and other stakeholders of the Shire both now and into the future.

COUNCIL GOVERNANCE FRAMEWORK

The fundamental objective of a corporate governance framework is to promote stability, confidence and consistency of process by providing role clarity and certainty of direction for the Elected Members and administrative office holders of the Council. The basis for this governance framework can be found in strategic documents and associated operational mechanisms which have been developed and implemented pursuant to roles and functions prescribed by the Local Government Act 1995 (The Act) and arising from the vision, mission, values and goals enunciated in the Strategic Community Plan.

Good Governance Principles and Practice

Clear principles govern how decisions are made by the whole organisation. Decisions should be based on the principles to ensure all governance processes and practices reflect the overarching principles of operation. Elected Members and staff must take specific responsibility for governance in their own activities to achieve best practice in governance and alignment with the agreed principles. The following practices relate to the five principles of operation and the achievement of good governance at the Council.

Principle 1 - Vision and Organisational Culture

- There is a positive organisational culture promoting openness and honesty, in which questioning is encouraged and accountability is clear.
- The Council is united in a clear vision and positive culture, which respects the natural and built heritage of the Council as well as community needs and aspirations.

- Strategic Community Plan is produced through a comprehensive and inclusive process, which is inclusive of all sectors of the local government region.

Principle 2 - Roles, responsibilities and relationships

- There is clarity about the roles of local government and there exists a sophisticated approach to defining and implementing these.
- There are effective and appropriate working relationships promoted and supported within and between the Shire President, Councillors, CEO and Administration.
- There is a demonstrated respect for different roles of the various elements of the Shire and the need for positive working relationships between these elements.

Principle 3 - Decision-making and management

- Ensure there are effective decision-making processes in place to reflect the transparency and accountability which underpin excellence in governance.
- There should be robust and transparent financial management established and maintained to meet local government's accountability to its stakeholders, particularly in terms of stewardship of community assets, both now and into the future.
- An effective approach to the identification, assessment, monitoring and management of risks should be established and maintained.
- Appropriate delegations should be implemented and maintained.
- There should be an active performance management system in place to enable Elected Members and staff to be openly accountable for their performance.
- Demonstrating exemplary leadership qualities through effective decision-making and related management processes reflecting transparency, integrity and sustainability.

Principle 4 - Accountability

- Appropriate consultation should be undertaken to reflect the scope and potential impact of the matter. It should respect the position and opinion of all stakeholders. The outcomes of the consultation should be taken into account when the decision is made and feedback should be provided to those who participated.
- The Council must account for its activities and have systems to support this accountability.
- The established internal structures be maintained to provide for independent review of processes and decision-making to assist the Council to meet its accountability to stakeholders.
- There should be methods for accounting for all local government activities, including installing and maintaining systems which reinforce accountability and communicate outcomes achieved to the community.

Principle 5 -Commitment to Sustainability

- The Council will endeavour to keep up to date with all processes, methodologies and technologies which are capable of achieving improved outcomes for the Shire.
- Awareness of practices will lead to improved resource management, environmental protection and rehabilitation, stronger communities and added economic value will be raised within the Council and staff, and across the community.

- The potential environmental, social and economic impact of any project or decision will be considered.
- Making the right decisions for both now and for future generations, in careful monitoring of progress to avoid negative impact, and, in ensuring a positive change for improved results and outcomes.

GOOD GOVERNANCE PRACTICE

The increasing level of scrutiny now being directed to the operations and activities of public bodies has created a need for full and open disclosure of the governance systems, which exist within these organisations. Accountability is an essential element of good governance and applies to Elected Members and CEO alike.

From a political perspective, accountability requires the Shire President and Councillors of the Council be accessible to residents and ratepayers so they may be responsive to community issues and needs. As the governing body of the Shire, the Council has the ultimate responsibility for ensuring compliance with legislation and regulations.

It is the CEO's responsibility to ensure Council is provided with unbiased and relevant, professional advice and information on which decisions are made. The CEO is also responsible for the management of staff, financial resources and the maintenance of effective and efficient systems, procedures and processes which are necessary to meet the accountability requirements of the Council. Accountability is unachievable without effective stewardship of the Shire's financial, physical, intellectual and natural heritage assets. Stewardship refers to the planning and management required ensuring optimum use of assets to serve existing community needs and provide a lasting legacy for future generations.

It requires innovation, reflected in strategies designed to encourage sustainable growth and prosperity, which are compatible with the unique character and focus of the Shire.

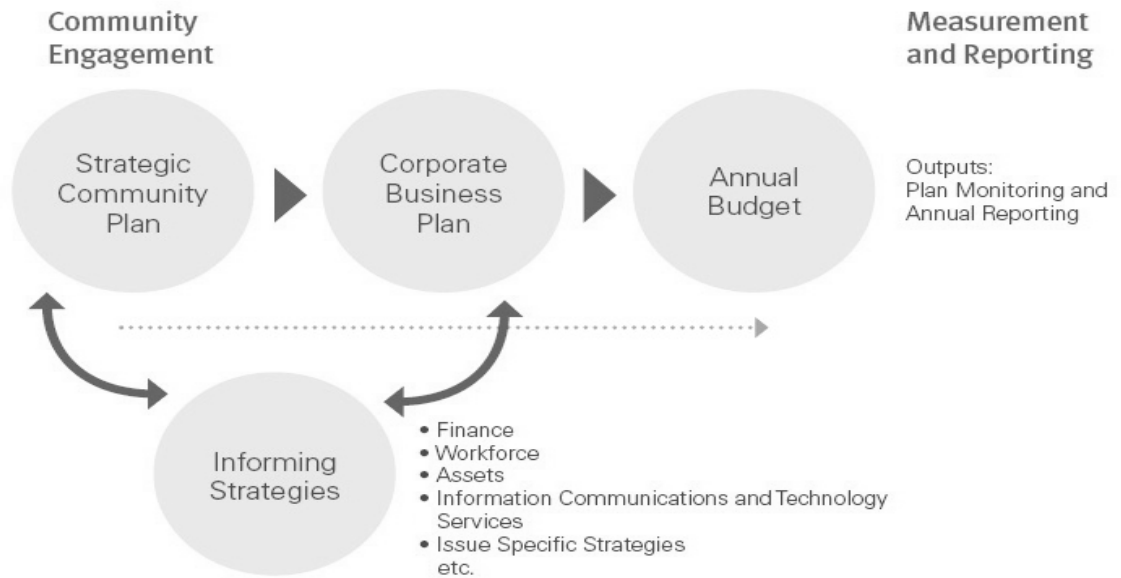
Part 2: Integrated Planning and Reporting **2.1 Integrated Planning and Reporting Principles and Processes**

The Integrated planning and reporting principles and practices give local governments a framework for establishing local community and regional priorities and underpinning them through the Shire's long term planning processes, capital and major projects and operational functions.

They are supported in regulations of the Local Government Act 1995 **Section S5.56 (1) A "plan for the future"** and Regulations on how to achieve have been made under **S5.56 (2):**

- *That Local Governments develop a Strategic Community Plan that links community aspirations with the Council's long term strategy.*
- *That the Local Government has a Corporate Business Plan linking to long term financial planning that integrates asset management, workforce planning and specific Council plans (Informing Strategies) with the strategic plan.*

Regulation changes were implemented in August 2011 with full compliance required by 30 June 2013



Elements of Integrated Planning and Reporting Framework

For further information re Integrated Planning and Reporting copy or paste this reference into your internet explorer to connect to the WA Department of Local Government and Communities.
<https://www.dlgc.wa.gov.au/CommunityInitiatives/Pages/Integrated-Planning-and-Reporting.aspx>

STRATEGIC COMMUNITY PLAN

The Strategic Community Plan must be at least a 10year plan, which generally responds to three main questions put to the community and to the Shire:

- Where are we now?
- Where do we want to be?
- How do we get there?

The plan prioritises community aspirations giving consideration to things such as:

- Economic objectives
- Leadership Objectives
- Community Objectives
- Environment Objectives
- Additional factors as appropriate to identified changes in environment or demographics.

Community Input

Opportunities will be provided to enable the community to have input into the plan for the future through advertising, communication and consultation processes.

CORPORATE BUSINESS PLAN

The Corporate Business Plan activates the Strategic Community Plan by responding to:

- Council's distillation and prioritisation of the community's short, medium and long-term aspirations.
- Existing operational plans, priorities and external factors impacting on resourcing.
- The assessment and integration of services and business area plans.

The process through which the Corporate Business Plan is developed incorporates:

- The priorities for the first four years of the Strategic Community Plan
- General operations and discretionary services
- Requirements of the Informing Strategy Plans*

It is planned for 4year terms and reviewed annually for relevance and affordability

*** INFORMING STRATEGIES**

These consist of the:

- Asset Management Plan
- Long Term Financial Plan
- Workforce Management Plan

These strategies / plans support the integrated planning process by informing the consultation processes with data and information about capacity, capability and affordability of current services and functions. They facilitate resourcing of ongoing services and functions, growth and community aspirations. All of the above plans need to be integrated and underpinned by common assumptions and agreed projections.

2.2 Chapman Valley Community Vision and Mission

Vision: “We are a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper.”

Mission: “To maintain and enhance sustainable growth and prosperity in accordance with the Chapman Valley traditional rural and natural values.” and valuing the rural lifestyle with the safety, peace and quiet being the most highly valued attributes.

2.3 Chapman Valley Strategic Goals and Objectives

Governance and Accountability

- Ensure governance and administration systems, policies and processes are current and relevant
- Be accountable and transparent while managing resources effectively
- Make informed decisions within resources and areas of responsibility
- Ensure robust processes and guidelines for development

Economic Development and Business Attraction

- Build population and business activity through targeted strategies.
- Provide support for business development and local employment.
- Welcome local tourism and participation in regional strategy.
- Ensure town planning complements economic development activities.

Community and Lifestyle

- Nurture the sense of community.
- Strengthen our advocacy role and regional partnerships to support provision of local services and facilities.
- Maintain and enhance safety and security for the community.

Environment Protection and Sustainability

- Preserve the natural environment
- Maintain the rural identity of the Shire

Physical and Digital Infrastructure

- Develop, manage and maintain built infrastructure
- Manage and maintain roads, drainage and other essential infrastructure assets
- Aspire to robust communication and digital infrastructure in the Shire

Part 3 Detailed Guidelines for Governance Practice

3.1 Vision and Organisational Culture

Vision

There is a clear vision and Strategic Community Plan produced through a comprehensive and inclusive process which is owned by all sectors of the Local Government". The Council vision as stated in Part 1 is drives the culture of the organisation. The vision has been generated as a united focus for the Shire. Governance decisions and practice must at all times contribute towards achievement of the vision.

Organisational Culture

There is a positive culture to promote openness and honesty, in which questioning is encouraged and accountability is clear.

The principles introduced in Part 1 will be demonstrated as an integral part of the organisational culture. If all individuals involved in our Local Governance apply the values, the culture of the organisation will provide the greatest opportunity of achieving excellence in governance. In addition, the Elected Members and staff will strive to achieve the following eight elements within its organisational culture:

Effectiveness in Management Structures and Practices

- A good management structure will be maintained based on the organisation's vision, with clear roles and responsibilities.
- Responsibility and accountability will be delegated appropriately down the organisation.
- Management will support clarity in responsibility and accountability and focus on outcomes.
- There will be effective and efficient processes and systems in place.

Good Communication and Feedback Opportunities

- Good relationships will be developed between the various parts of the Shire.

Learning

- Decision making processes will incorporate appropriate consultation, knowledge management and involvement.
- There will be learning and development programs for Elected Members and Officers designed to meet their skills and knowledge requirements.

Ethical Behaviour and Conduct

- The Code of Conduct and ethics will be owned and lived, particularly by leaders throughout the organisation.
- The Council, Shire President, CEO and senior management will be models of appropriate behaviour.

Conflict of Interest Management

- An effective induction program will reinforce the organisation's culture so all people associated with the organisation recognise where conflict of interest may arise and how relevant action can be taken.
- There will be agreement about different, yet complementary, roles of Councillors and officers.

Support for Frankness and Openness

- Opportunities will be provided for open and frank exchange between Elected Members, management and staff.
- Effective feedback mechanisms from the community will be established and maintained.

Confidentiality

- Where issues of confidentiality arise, the Shire will be transparent about instances where confidentiality will be protected.

Innovation

- The Shire will recognise it operates in a changing environment and therefore must be aware of opportunities in those changes required to improve the way the Shire operates.
- The Shire staff will be encouraged to take reasonable efforts to keep abreast of current best practice and up to date technologies.

3.2. Roles, Responsibilities and Relationships

3.2.1. Working Relationships

“There are effective working relationships promoted and supported within and between the Shire President, councillors, CEO and administration”.

Effective working relationships are promoted and/or supported by and between the Shire President, councillors, CEO and staff. It is a requirement staff contact by Elected Members is made through the CEO. Should an Elected Member wish to contact any staff member directly, a request shall first be made to the CEO, who will assess the request and advise the Elected Member of his/her decision.

Good corporate governance requires clear identification and definitions of responsibility and a clear understanding of relationships between the organisation’s stakeholders and those responsible for managing its resources.

Very important relationships are those between:

- The Shire President and the Councillors;
- Elected Members and Elected Members;
- The Shire President and the CEO;
- Elected Members and the CEO.

Effective relationships are achieved and maintained at the Shire through:

- Parties agreeing on and respecting the differences in their roles.
- Protocols being established based on the agreements about roles and responsibilities being followed.
- Information and discussion about the various roles being included in Councillors’ induction processes.
- Goodwill on the part of all parties to make governance work and being a prepared to tackle problems when they arise.
- A common understanding the political activities of Council are legitimate as local government is a formal level of government and Councillors are accountable to their constituents as well as to the Shire as a whole.
- Councillors have to be able to address these accountability requirements in a constructive manner.

3.2.2. Council - Roles and Responsibilities

Under the Act Council is a body corporate with perpetual succession, a common seal, and is charged with responsibilities. The Shire has interpreted these responsibilities as they are contained in the Act in conjunction with the Shire's governance framework and this governance framework and statement document provides the following guidance on the range and scope of these following roles:

(a) Directs and controls the Shire affairs.

This role encompasses strategic planning mechanisms to ensure the continued viability and performance of the organisation, the setting of strategic goals for the organisation and the monitoring of the Shire's performance against these strategic goals.

(b) Is responsible for the performance of the Shire functions.

This role provides for the Council to bear the ultimate responsibility for the performance of the Shire's functions, but not its day to day operations, which are the responsibility of the CEO. The Council exercises this responsibility through the development of appropriate governance frameworks, including delegations of authority, and in the determination of an appropriate organisational structure in consultation with the CEO.

(c) Oversees the allocation of the Shire finances and resources.

The Council exercises this role by adopting the Shire's budget and long term financial plans. It is advised by officers of the Shire who are responsible for the development of appropriate financial controls and strategic documents.

(d) Determines the Shire policies.

The role of Council in setting policy is most effective when policies are developed in consultation with the CEO who will then implement them through the development of appropriate management practices and work processes with staff.

Council policy should set the standards for the organisation to achieve, and make strategic policy decisions to guide staff in their decision making processes.

3.2.3 Role of Elected Representation

The Council consists of eight members including the Shire President. Councillors are elected by the community. The Shire President is elected by the Councillors. Local Government elections are conducted biennially on a fixed date prescribed by the Act, with candidates elected to the office of Councillor for a four (4) year period. The Council elected President is for a two (2) year period.

Each individual Councillor has a legislative requirement to fulfil this role. This governance framework provides guidance to Councillors on how they perform this role at the Shire.

Individually Councillors have a responsibility to act as a conduit between the community and the Shire. Not only must they represent the interest of the broader community on the Council, but also as community leaders they must represent the interests of the Shire at all times.

While Councillors may be elected from an individual location of the Shire, their primary obligation is to represent the interests of the broader community. It is not appropriate for individual Councillor's constituent concerns to interfere with their decision making processes in providing good governance of the Shire as a whole.

Councillors are responsible and ultimately accountable for long term financial planning, the annual budget and monitoring financial performance. In doing so, each individual elected member accepts a joint and individual responsibility for the financial outcomes.

Accountability and transparency is also facilitated through the standards and behaviour maintained by members – most notably, through their adherence to legislation governing declarations of financial and other interest where these arise, together with associated implications for participation in any debate.

Elected Members rely on:

- Financial advice and information from administration;
- Input from internal and external auditors.

Elected Members must also seek whatever additional information they need to make informed decisions through appropriate channels.

Responsibilities of Council

The responsibilities of Council can be categorised into the following three key areas:

Legislative

- If considered necessary, the Council is responsible for adopting local laws to reflect current community standards and provide for the good governance of the Shire. Council when making local laws must be aware of their legislative effect.

Executive

- The Council is responsible for overseeing the executive functions of the Shire and determines appropriate policies, strategies and functions for the CEO to implement.

Quasi - judicial

- The Council is responsible for applying factual situations to the legislative regime in a quasi-judicial manner under the Local Government Act, Town Planning and Development Act and other relevant legislation.

Accountability, stewardship, sustainability and innovation focus.

Accountability, stewardship, sustainability and innovation objectives are most effectively pursued where the focus of Elected Members of Council centres upon:

- Strategic planning, policy development and defining scope for delegation of powers and functions;
- Allocating the Shire's resources to the CEO;
- Monitoring performance of the Shire against adopted strategies and objectives;
- Representing the interests of the community;
- Appointing the CEO and participating in the performance review process of this officer.

Accordingly, the Council is required to be accountable and transparent by undertaking deliberations and making resolutions within a framework which is factually based, non-prejudicial and relevant to issues at hand.

3.2.4. Limitation of Member Liability

The Shire has the legal capacity of a natural person. As such, the Shire may instigate legal proceedings in its corporate name and have proceedings taken against it. Section 9.56 of the Act, (as below) specifies the limitation Councillors must be aware of when taking office.

Section 9.56 of the WA Local Government Act 1995 Division 4 — Protection from liability

Certain persons protected from liability for wrongdoing 9.56.

(1) A person who is — (a) a member of the council, or of a committee of the council, of a local government; (b) an employee of a local government; or (c) a person appointed or engaged by a local government to perform functions of a prescribed office or functions of a prescribed class, is a protected person for the purposes of this section.

(2) An action in tort does not lie against a protected person for anything that the person has, in good faith, done in the performance or purported performance of a function under this Act or under any other written law.

(3) The protection given by this section applies even though the thing done in the performance or purported performance of a function under this Act or under any other written law may have been capable of being done whether or not this Act or that law had been enacted.

(4) This section does not relieve the local government of any liability that it might have for the doing of anything by a protected person.

(5) In this section — (a) a reference to the doing of anything includes a reference to the omission to do anything; 314 Local Government Act 1995 No. 74 s. 9.57 (b) a reference to the doing of anything by a protected person in the performance or purported performance of a function under any written law other than this Act is limited to a reference to the doing of anything by that person in a capacity described in subsection (1) (a), (b) or (c), as the case may be.

It is largely due to such legislative-based requirements local governments have embraced strategies designed to mitigate the liability of members and officers, with liability insurance protection and risk management now serving as a significant element of corporate governance frameworks.

It is for these reasons many organisations have developed and implemented processes for identifying, analysing and mitigating risks, which could prevent the achievement of business objectives. These organisations have put control activities in place to manage risk throughout the organisation by developing risk management plans which cover activities as diverse as (yet not limited to) reviews of operating performance, information technology and management information systems.

3.2.5. The Shire President Role

The role of the Shire President as provided under Section 2.8 of the Act is to:

- preside at meetings in accordance with the Act;
- provide leadership and guidance to the community;
- carry out civic and ceremonial duties on behalf of the Shire;
- speak on behalf of the Shire;
- perform such other functions as are given to the Shire President by the Act or any other written law;
- liaise with the CEO on the Shire affairs and the performance of its functions; and
- otherwise fulfil the role of Councillor.

3.2.6. The Deputy Shire President Role

Section 2.9 of the Act enables the Deputy Shire President to perform the functions of the Shire President, if:

- the Office of Shire President is vacant; or
- if the Shire President is not available, or is unable or unwilling to perform the functions of Shire President.
-

3.2.7 Statutory Role of Councillors

Section 2.10 of *the Act* describes the role of a Councillor is to:

- represent the interests of electors, ratepayers and residents of the Shire;

- provide leadership and guidance to the Shire community;
- facilitate communication between the community and the Council;
- participate in the Shire decision making processes at Council and Committee meetings; and
- perform such other functions as are given to a Councillor by this Act or any other written law.

3.2.8 CEO Role

The CEOs functions as described under Section 5.41 of the Act are to:

- advise the Council in relation to the functions of the Shire under the Act and other written laws;
- ensure advice and information is available to the Council to ensure informed decisions can be made;
- cause Council decisions to be implemented;
- manage the day to day operations of the Shire;
- liaise with the Shire President on the Shire affairs and the performance of the Shire's functions;
- speak on behalf of the Shire if the Shire President agrees;
- be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to Section 5.37 (2) in relation to senior employees);
- ensure records and documents of the Shire are properly kept for the purposes of the Act, or any other written law; and
- perform any other function specified or delegated by the Shire or imposed under the Act or any other written law as a function to be performed by the CEO.

Section 5.42 of the Act enables the Shire to delegate in writing to the CEO, the capacity to exercise any of its powers or duties, with the exception of those relating to:

- actions in which decisions of an absolute majority or a 75% majority of the Council is required;
- acceptance of a tender which exceeds an amount as determined by the Council;
- appointment of an auditor;
- acquisition or disposal of any property valued at an amount exceeding an amount determined by the Council for the purposes of this paragraph;
- any of the Council's powers under Sections 5.98A, 5.99A or 5.100 (determining fees, allowances and expenses of members and Committee members);
- borrowing money on behalf of the Shire;
- hearing or determining an objection of a kind referred to in Section 9.5;
- (carrying out any power or duty requiring the approval of the Minister or the Governor); or
- such other powers or duties as may be prescribed.

This clear separation of elected member and CEO roles and responsibilities as identified within the Act reinforces good governance principles. It also ensures the Shire adheres to all statutory requirements whilst meeting the expectations of its community.

3.2.8. Executive Management Role

In undertaking its functions and responsibilities, Council is supported by the CEO and Senior Staff. The Executive Management Team, comprising of the CEO and staff as determined by the CEO, meets regularly as a basis for ensuring effective coordination of the Shire's operations and implementation of Council resolutions. These meetings are complemented by operational meetings (Administration meetings and works tool box meetings) to enable management information dissemination and to receive feedback from officers.

3.3 Decision Making

Decision-Making

The five stages in decision making which will be followed at the Shire are:

Agenda Setting

This will be achieved through:

- an effective and efficient strategic planning process which produces owned strategic goals; and
- processes being in place which ensures Council plans are properly implemented.

Information Gathering

This will be achieved through:

- ensuring the information gathered is sufficient to allow a decision to be made;
- ensuring an effective process within the administration to convert information into advice;
- providing good quality and timely Council reports, which provide the necessary information, options and clear recommendations. The reports will always incorporate the corporate view of the issue in question, the financial impacts, effects on Integrated Plans, consultation and any risks;
- having workable and productive consultation processes in place ensures decision-makers are aware of the views of those whom the decision affects;
- a sound process for identifying and distilling data into appropriate information;
- agendas being structured so as to facilitate good decision-making processes.

Opinion Formation

This will be achieved through ensuring Elected Members understand the issues and have enough information provided to make a decision.

Decision-making

This will be achieved through:

- Council and committee meetings being well chaired and conducted in accordance with Council Standing Orders Local Law 2016;
- facilitating participation and involvement while ensuring debate is relevant and succinct;
- robust debate which ensures all issues are aired. Although it is robust, the debate is conducted with courtesy and respect;
- the Chair attempting to find common ground amongst Elected Members; opportunities being available for the community to participate appropriately;
- delegations where appropriate.

Implementation

This will be achieved through:

- decisions being implemented in a timely manner;
- solidarity amongst the Councillors once a decision has been made;
- confidentiality being maintained wherever necessary.

3.4 Financial Management

“There should be robust and transparent financial management established and maintained to meet local government’s accountability to its stakeholders, particularly in terms of stewardship of community assets, both now and into the future”.

The Council will achieve this by:

- Ensuring management have service delivery strategies to reflect the services and projects identified for the relevant financial year as shown in the Corporate Plan.
- Approve each year’s annual budget in accordance with the adopted service delivery strategies as shown in the Corporate Plans and the Long Term Financial Plan.
- Council, through policy, will determine the appropriate mix between borrowing for capital works and funding them from revenue. Council will consider the implications of its decisions on the level of capital works and asset maintenance.

Funding Strategic Objectives

Section 5.56 of the Act requires a local government to prepare a plan for the future. The Council must know the direction it is going long term. Its vision and goals must be properly reflected in the Strategic Community Plan. Council will take its final decisions about the content of the Strategic Community Plan based on an understanding of the long-term financial consequences of their decisions.

Long-Term Financial Planning

Elected Members, sitting as Council, will determine the Long Term Financial Plan, and be *accountable* for the process of developing it. The delivery of the services identified in the Long Term Financial Plan will be in accordance with the Shire’s strategic direction. The financial strategy should be consistent with the Council’s Strategic Community Plan and it must be able to fund its projects, functions and service improvements. Information will be presented to Council by officers through reports to enable Council to make informed decisions.

The Shire’s Long Term Financial Plan will detail the significant programs and activities to be undertaken by the Shire over the next ten years and roll on each year with amendments and additions. The Plan provides a broad overview of where financial resources of the Shire will be directed over this period and the manner in which these activities will be funded. The implementation of a Long Term Financial Plan (**LTFP**) can be used to align capital and operating expenditure requirements with income streams and comply with Council’s rating strategy and policy incorporated in the LTFP.

The Rating System

The rating system at the Shire will reflect the Council’s strategy and vision for the future of the Shire. The rating levels and mix will represent a fair distribution of the rate burden across the community. Council’s approach to rating will incorporate the concept of intergenerational equity; (i.e. the way the rating burden is spread between current and future generations of ratepayers of the Shire). Council will be informed whether the rates outcome, which was envisaged in the LTFP, is still appropriate and consistent with all objectives of the Strategic Community Plan. Mindful of the role outlined under Section 2.10 of the Act, Councillors must assess if the budget delivers what the Council wishes to achieve.

Annual Budget

Developed as part of sound business management, the annual budget provides a framework for allocation of financial, physical and staff resources required in pursuing the Shire’s objectives for the proceeding twelve-month period. The Manager Finance and Corporate Services (MFCS) will annually develop a budget preparation timetable and process to meet Councils statutory requirements and give enough time to resolve major issues. The CEO and MFCS will ensure Council

and staff are given adequate time to have the opportunity to work through key issues. Council's Long Term Financial Plan will provide broad guidance for the budget. The Long Term Financial Plan will be reviewed at least annually to incorporate the long-term impact of any significant changes or decisions which are not consistent with the current plan.

3.4.1 FINANCIAL REPORTING - PERFORMANCE AGAINST BUDGET

Statutory Compliance

The Shire recognises when decisions are made by Council, when resolutions are acted upon and when performance outcomes are reported, it is important the requirements of any legislation and/or regulations are complied with, especially because of the reporting requirements of the Compliance Audit Return. Compliance will be pursued through ensuring the integrity of the key financial planning and reporting mechanisms which underpin the Shire's operations – especially the Annual Budget and Annual Report.

Compliance with key financial and statutory requirements is assessed through the audit schedule conducted in accordance with *the Act* by professionally qualified internal and external parties as appointed by the Shire. Financial reporting to Council will, as a minimum, be in accordance with its statutory requirements.

Content

The focus of financial reports to Council is to provide accurate information about the Shire's overall financial position. Councillors, when considering the financial reports, will satisfy themselves the information they are given reflects the actual situation of the Shire. Councillors will ensure they understand sufficiently about the financial indicators for them to ask appropriate questions and interpret the responses.

Annual Report

The Annual Report has its basis in *the Act*, but also serves as the vehicle by which the Shire can evaluate, monitor, control, improve and report on the outcome of its activities over a particular financial year. The Annual Budget should reflect the priorities expressed in the Strategic Community Plan and the Annual Report should indicate the extent to which those priorities have been achieved.

3.4.2 SERVICES AND FUNDS

Council will:

- have appropriate user charges for its services and facilities.
- be mindful of the proportion of financial resources required to meet operational and capital costs for the Shire.
- comply with government policy.
- where appropriate, seek to obtain other avenues of financial assistance such as grants, being mindful of financial and management obligations of accepting any grant
- ensure costs can be recognised, recorded and recovered appropriately.

3.4.3 CAPITAL WORKS AND DEBT SERVICING

- Key assets will be maintained.
- Any borrowing must be sustainable and not impose an unacceptable level of debt servicing.
- Council will be informed on the proportion of financial resources required to service debt and decide whether it is appropriate for the Shire.

3.4.4 ACCOUNTABILITY AND POLICY

- Council will meet legislative and financial reporting requirements.

- Council will meet accountability requirements to the community in terms of stewardship of assets.
- Council will strive to achieve best practice in financial policies and practices.
- Council will strive to leave an appropriate legacy for future Councils.

3.4.5 AUDIT

The Local Government Act 1995 (the Act) requires all local governments establish an audit and risk committee. This committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

Ref: Audit in Local Government - The appointment, function and responsibilities of Audit Committees; Local Government Operational Guidelines – Number 09 Revised September 2013

3.5 Risk Management

An effective approach to the identification, assessment, monitoring and management of risks should be established and maintained. The Shire's performance in implementing effective risk management strategies and adherence to sound business practice is reinforced through access to independent legal advice (as required), the completion of the annual statutory Compliance Audit Report (internal) and the annual financial audit undertaken by professional, external auditors as required by the Act. The Shire also maintains a wide range of assets including: infrastructure assets; real property; financial assets; information, intellectual property and natural and heritage assets.

As required by regulations, the Shire takes an active approach to risk management in the conduct of its business through the implementation of a number of specific and organisation wide initiatives. This risk management strategy involves the Shire identifying, collating and treating all the identified risk (internal and external) to ensure a coordinated approach to effectively minimise business, financial and physical liability to the Shire's operations. The Council will ensure the risk management program is of the standard required to meet its fiduciary obligations to:

- safeguard assets
- ensure there are sufficient monies to meet its financial obligations when due prevent and detect fraud
- ensure accuracy and completeness of accounting records.

3.6 Delegations

Effective delegations should be implemented and maintained. Delegations of authority are required in order to provide officers of the Shire with the power to exercise duties and make determinations. It is essential Council's delegations are performed in accordance with the adopted governance framework and are compliant with relevant legislation. The Shire is required to keep records on the exercise of its delegations. Council may delegate authority to the CEO and other nominated officers under the provisions of the following legislations (yet not limited to), the Local Government Act 1995, Local Government (Miscellaneous Provisions) Act 1960, Building Act 2011, Health Act 1911, Strata Titles Act 1985, Caravan Parks and Camping Grounds Regulations 1987, Bushfire Act 1954, Emergency Management Act, Litter Control Act, Dog Act, Cat Act and the Shire, Town Planning Scheme to perform some of its functions and duties.

The Local Government Act and associated regulations allow the CEO to sub-delegate to any other officer the authority to perform functions and duties exercisable by the CEO under the Local Government Act or have been delegated to the CEO by the Council.

This is in accord with a governance framework whereby officers are responsible to the CEO and the CEO is responsible to Council. The CEO is also responsible for the implementation of Council decisions and may delegate some of this responsibility to other officers of the Shire.

All delegations are to be recorded in a register established for the purpose (as required by the Act) and reviewed annually. The CEO will advise Council of any decisions made under delegated authority.

Under the provisions of Town Planning Scheme Council may delegate authority to certain officers other than the CEO. If such a delegation is exercised Council shall be advised.

3.7 Accountability

“Local government must account for its activities and have systems to support this accountability”

Excellence in governance is based on the premise of those who are involved in governance being held accountable for what they do. Accountability at the Shire means the Elected Members and management taking responsibility for their performance.

Elected Members and management at the Shire accept they are accountable under legislation in terms of how the Council operates and reports. This also extends to other measures such as:

- Risk management systems implemented and maintained to ensure community assets are protected.
- Internal and external audits and Finance & Audit committee focused towards providing assurances to all stakeholders the processes and procedures are being adhered to and financial reports are accurate.
- Consultation and policies to support good decision making by ensuring Elected Members are aware of the views of those who will be affected by any decision.

3.7.1. OPERATIONAL AND STRATEGIC PERFORMANCE MANAGEMENT

“There should be an active performance management system in place to enable Elected Members and staff to be openly accountable for their performance”.

The Shire hope to establish a range of mechanisms to ensure performance is measured, reviewed and improved and thereby enable remedial action to be taken, where necessary. The Shire is committed to the development of appropriate performance measures in financial policies and strategic plans to ensure long term viability. Ongoing financial performance will continue to be monitored through internally and externally based systems and processes. Effective coordination between the strategic and operational elements will be maintained through a regular report to Council which is based on the Strategic Community Long Term Financial Plans.

3.7.2 CEO PERFORMANCE MANAGEMENT

The CEO is appointed by the Council and is directly accountable to it. The Council is accountable for setting the CEO’s performance plan and subsequent monitoring of his or her performance. This responsibility belongs to Council sitting as the Council and is not the responsibility of individual Elected Members.

Council appoints a CEO’s Performance Review Working Group which is responsible for;

- Determining and setting in place an appropriate review process.
- Undertaking a performance appraisal of the CEO in accordance with the provisions of Section 5.38 of the Local Government Act 1995 and in accordance with the terms and conditions of the employment contract of the CEO.

- The Working Group will then report to the full Council its determination on the performance appraisal for Council input and endorsement for:
 - Negotiating and setting goals, objectives, key performance indicators and changes to the remuneration package within the terms of the CEO’s contract.
 - Any goals, objectives, key performance indicators or remuneration package changes as negotiated and set, must be acknowledged in writing by both the Shire President and the CEO.

3.7.3 INDEPENDENT REVIEW

Local governments should continue with existing internal structures to provide for independent reviews of processes and decision-making to assist the Council to meet its accountability to stakeholders”. Independent Reviews will be sought as appropriate through Internal and external auditors as appropriate.

3.7.4 CUSTOMER CONSULTATION

“Consultation should be undertaken appropriate to the scope and potential impact of the matter. It should respect the position and opinion of all stakeholders. The outcomes of the consultation should be taken into account when the decision is made, and feedback should be provided to those who participated.” It reflects the core values (i.e. Respect, Openness, Teamwork, Leadership and Excellence) as important elements in serving the needs of residents and ratepayers.

The Shire is prepared to explore new and innovative methods of service delivery in order to provide improved access to information and enhance customer interaction.

The Shire is committed to fostering high levels of public awareness of its activities, by providing its residents and ratepayers with access to a wide range of information. Any policy or planning developments will be fully inclusive of the affected areas.

In addition to meeting the state wide and local public notice requirements prescribed by the Act in respect to particular proposals and activities, the Shire will also ensure information is available by electronic means. The Shire will utilise the local press for notifying residents about important issues. Information will also be posted on its official notice board located at the Nabawa Administration Centre. The Shire Newsletter will continue in its role as a mechanism for disseminating information and encouraging feedback on key strategies, projects and significant Shire events.

The Shire’s website at: www.chapmanvalley.wa.gov.au will serve as the focal point for providing up to date information and service delivery information to ratepayers and residents.

Public consultation involving residents and ratepayers is facilitated by the Shire through a range of mechanisms which include; information provision, consultation, public comment, Ordinary, Special and Annual General Meetings.

3.8 Support for Elected Members in the Governance Process

Elected Members are encouraged to attend professional development offered by the Local Government Department, WA Local Government Association or any other appropriate body/individual to better enable them to carry out their duties. Professional development needs, advice or resources can be facilitated by the CEO or relevant delegated officers.

The Shire Code of Conduct provides Councillors and Staff at the Shire with consistent guidelines for an acceptable standard of professional conduct. The Code addresses the broader issue of ethical responsibility and encourages greater transparency and accountability in the operations of the Council and Administration.

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

- Better decision-making by Council;
- Greater community participation in the decisions and affairs of Council;
- Greater accountability by Council to its communities; and
- More efficient and effective organisation.

The Code requires a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based. The Shire of Chapman Valley's Code of Conduct is found in **Section Four** of this Governance Manual.

Any Elected Member, Committee Member or Council employee having concerns with regard to an actual, perceived, potential, intended or unintended breach of either the specific provisions or the spirit of the Code of Conduct, or any provisions of the Local Government Act 1995 or such regulations or local laws created there under or any other relevant legislation, should discuss those concerns with the Shire President for Elected Members or CEO for Council employees.

Such reports shall be treated in the strictest confidence until such time as an appropriate investigation has been undertaken. Any actions taken as a result of a breach will be made in accordance with the provisions of any applicable legislative requirements and the local government's responsibilities as an employer.

It should be noted the Corruption and Crime Commission Act 2003 requires the reporting to the Commission by all public-sector agencies of suspected "misconduct" within their agency. Misconduct generally occurs when a public officer abuses authority for personal gain or to cause a detriment to another person or acts contrary to the public interest.

Reporting Alleged Breaches of the Code

- Councillors will report an alleged breach by a Councillor or employee to the President who will in turn refer the alleged breaches by an employee to the CEO.
- Employees will report an alleged breach by a Councillor or employee to the CEO who will in turn refer alleged breaches by a Councillor to the President.
- Councillors and employees will report an alleged breach by the CEO to the President.
- Councillors will report an alleged breach by the President to the Deputy President.

Responsibility for Upholding the Code

- All Council members have a shared responsibility for upholding the Code.
- The President is responsible for dealing with alleged breaches of the Code by a Councillor or the CEO.
- The CEO is responsible for dealing with an alleged breach by an employee.
- The Deputy President is responsible for dealing with an alleged breach by the President.

Dealing with Alleged Breaches

- All alleged breaches will be investigated promptly while the issue is current. The investigation of an alleged breach will be dealt with in a sensitive nature, guided by the principles of natural justice and will be investigated in confidence.
- When investigating an alleged breach, the investigator will maintain all records of the investigation.

- A breach of the Code will be dealt with in a manner deemed appropriate by the investigator taking into consideration the nature and the seriousness of the breach.
- After investigating the alleged breach, the investigator will advise the relevant parties of the outcome.

Part 4: Key Documents, Policies / Procedures for Council

These are Shire specific local laws, policies, procedures and guidelines relevant to the Elected Members, and form part of this manual to act as an induction and reference tool for Councillors of Chapman Valley. They are officially managed as part of the Chapman Valley Policy Manual

For consistency and appropriate running of meetings, agreed and approved standing orders should guide and manage the meeting process. The Shire of Chapman Valley Standing Orders Local Law 2016 covers this. *(Attached at the end of the document)*

4.0 Policies

CP-005 - Code of Conduct For Council Members, Committee Members and Candidates

POLICY NO	CP-005
POLICY	CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES.
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	9.80
LEGISLATION	LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021

Division 1 — Preliminary provisions

1. Citation

This is the *Shire Chapman Valley's Code of Conduct for Council Members, Committee Members and Candidates*.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

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

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

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

4. Personal integrity

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

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

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

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

(2) A council member or committee member should —

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

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

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

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

5. Relationship with others

- (1) A council member, committee member or candidate should —
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

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

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates;
- (b) the mechanism for dealing with alleged breaches of those requirements; and
- (c) Team Values & Behaviours (see *Additional Explanatory Notes* below).

8. Personal integrity

- (1) A council member, committee member or candidate —
 - (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
 - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

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

10. Council or committee meetings

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

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

11. Complaint about alleged breach

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

12. Dealing with complaint

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

- (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

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

14. Withdrawal of complaint

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

15. Other provisions about complaints

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

Division 4 — Rules of conduct

Notes for this Division:

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

16. Overview of Division

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

17. Misuse of local government resources

- (1) In this clause —

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

resources of a local government includes —

 - (a) local government property; and
 - (b) services provided, or paid for, by a local government.

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

18. Securing personal advantage or disadvantaging others

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

19. Prohibition against involvement in administration

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

20. Relationship with local government employees

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

21. Disclosure of information

- (1) In this clause —
closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
document includes a part of a document;
non-confidential document means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —

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

22. Disclosure of interests

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

23. Compliance with plan requirement

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

ADDITIONAL EXPLANATORY NOTES:

A thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper

TEAM VALUES AND BEHAVIOURS

Values: RESPECT, TRUST, HONESTY, INTEGRITY & ETHICAL

	Acceptable/Expected Behaviours	Unacceptable Behaviours
1	<i>Ask the question: RUOK?</i>	<i>Not reach out to someone in need.</i>
2	<i>Address the issue rather than holding grudges.</i>	<i>Holding a grudge can carry this mindset into future deliberations and impair good decision-making.</i>
3	<i>Remove misinformation by dealing in facts and supporting your comments and action with evidence..</i>	<i>Basing decisions on rumour, innuendo or ill-informed comments is detrimental to good decision-making.</i>
4	<i>Seek to know what you don't know.</i>	<i>Not making an effort to uncover what you don't know and basing your opinion only on what you know at the time.</i>
5	<i>Ensuring decisions are made based on full involvement & not manipulating the process to ensure a collective consensus of an outcome is achieved.</i>	<i>Manipulating the decision-making process (e.g. timing, absenteeism, misinformation) to achieve your own desired outcome.</i>
6	<i>Listen to all sides of the issue before making a decision.</i> <i>Listen to all of the debate</i>	<i>Not listening and make assumptions or predetermined decisions.</i> <i>Refuse to listen to different sides of the issue for the sake of exchanging opinions and making up your mind before you have heard the whole of the debate.</i>
7	<i>Agree to disagree without malice.</i>	<i>Being precious about your own position being the only outcome and not accepting alternative opinions.</i>
8	<i>Agree on ground rules and adhering to these (e.g. Code of Conduct, Values, Behaviours, Standing Orders, etc.)</i>	<i>Endorsing ground rules and boundaries as a token gesture only and not adhering to these.</i> <i>Only exercising the need for adhering to ground rules & boundaries when it suits you.</i> <i>Collapsing into our Lower State.</i>
9	<i>Consider the use of a mediator on occasions when needed to assist with issues.</i>	<i>Not supporting the need for a mediator and when a mediator is introduced not participating or communicating at the time of mediation and letting issues continue.</i>
10	<i>Speak positively about the Council, Staff, Community and all decision made by the Majority, irrespective of if the decision is contrary to your individual position.</i>	<i>Talking down the Council, Staff, Community and any decision made by the majority which may not be your individual position.</i>

A thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper

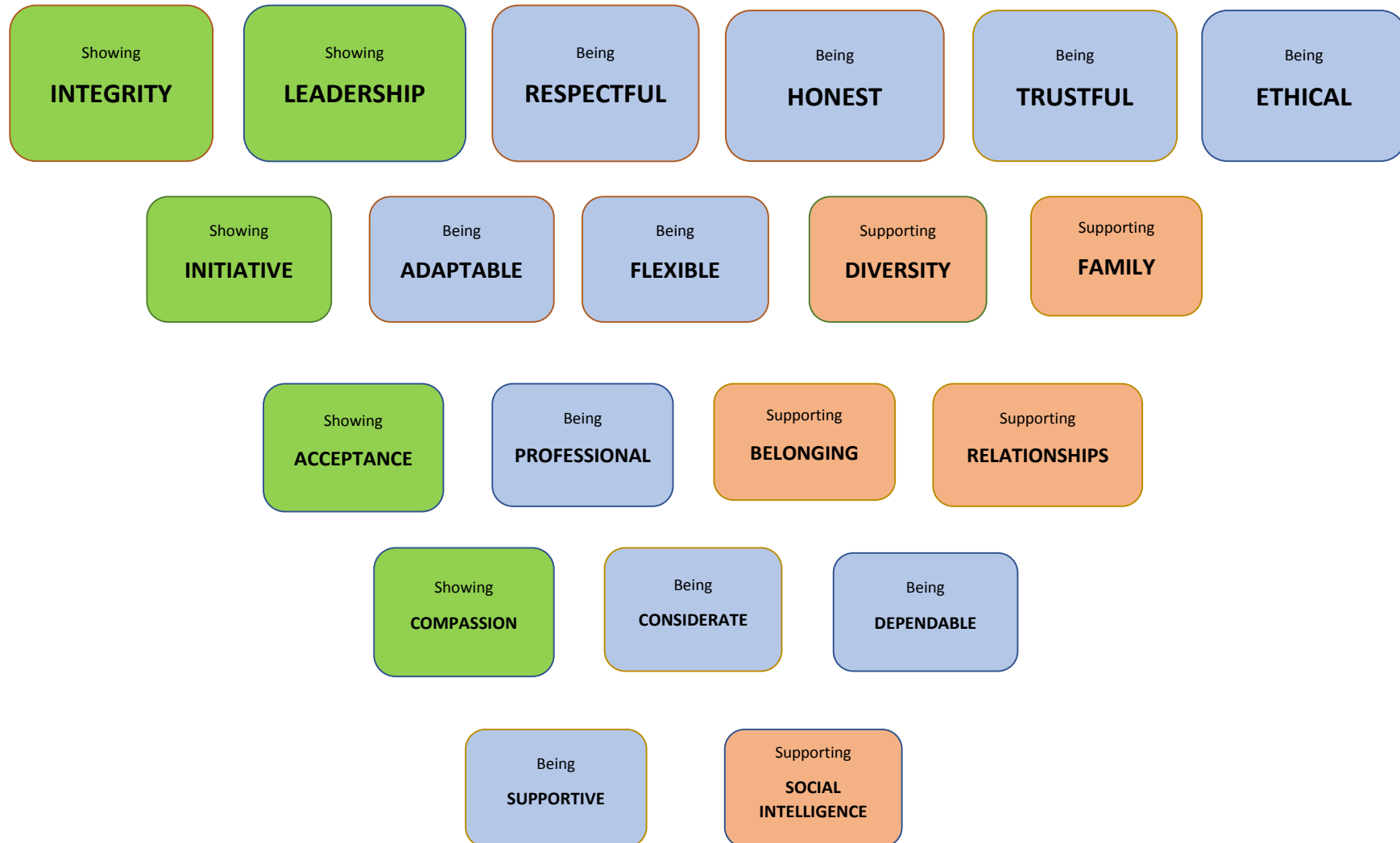
TEAM VALUES AND BEHAVIOURS

Values: RESPECT, TRUST, HONESTY, INTEGRITY & ETHICAL

	Acceptable/Expected Behaviours	Unacceptable Behaviours
11	<i>Step back and view the big picture.</i>	<i>Advocate and promote a path based on a limited view only.</i>
12	<i>Address the issue rather than letting things fester.</i>	<i>Letting things fester and allowing the problem to continue and explode later.</i>
13	<i>Have an open-minded approach.</i>	<i>Not willing to listen to new ideas and opinions, to learn new things and consider alternate approach to problem solving.</i>
14	<i>Listen to and understand other points of view.</i>	<i>By not listening you show lack of empathy, understanding, appreciation and respect.</i>
15	<i>Remain focused on the issue rather than getting personal.</i>	<i>Tackling the person not the issue</i>
16	<i>Debate constructively/legitimately.</i>	<i>Becoming personal, argumentative & irrational during the debate.</i>
17	<i>Retaining confidentiality within the Team when required.</i>	<i>Divulging confidential and personal information to promote yourself or your personal position.</i>
18	<i>Being loyal to the absent.</i> <i>Avoid saying something about someone unless you would say it in the person's presence.</i>	<i>Talking behind each other's back.</i>
19	<i>Telling the truth at all times and challenging matters when truth is not being told</i>	<i>Avoiding the truth and ignoring/condoning untruths.</i>
20	<i>Adhering to my roles and responsibilities within the organisation.</i>	<i>Encroaching into area, roles and responsibilities of the organisation, which is outside my jurisdiction and role.</i>
21	<i>Celebrate the organisations successes and wins.</i>	<i>No, or limited, effort to publicly promote the organisations successes and wins.</i>



WE AIM TO PROVIDE STRONG LEADERSHIP AND MAINTAIN A POSITIVE CULTURE WITHIN OUR ORGANISATIONAL & COMMUNITY BY:



ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/18-10, 11/18-9; 02/21-12; 09/21-08

CP-006 Attendance at Events Policy

POLICY NO	CP-006
POLICY	ATTENDANCE AT EVENTS POLICY
RESPONSIBLE DIRECTORATE	CEO
PREVIOUS POLICY No.	CMP-030
LEGISLATION	Section 5.90A of the Local Government Act 1995
RELEVANT DELEGATIONS	1019

1. OBJECTIVES

- 1.1. To introduce policy to address section 5.90A. of the Local Government Act 1995 Policy for attendance at events
- 1.2. To provide elected members and staff with consistent guidelines to ensure transparency, relevance, and value for money for ratepayers.
- 1.3. This Policy does not cover Elected Member Training. Refer to Management Procedure Ref CMP-030: "*Elected Member Training & Professional Development*".

2. POLICY STATEMENTS

- 2.1. In developing the Attendance at Events Policy, council needs to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council. The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings.
- 2.2. This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the Chief Executive Officer (CEO).
- 2.3. Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

3. LEGISLATION

- 3.1. 5.90A. Policy for attendance at events

In this section — *event* includes the following —

- a) a concert;
 - b) a conference;
 - c) a function;
 - d) a sporting event;
 - e) an occasion of a kind prescribed for the purposes of this definition.
- 3.2. A local government must prepare, and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
 - a) the provision of tickets to events; and
 - b) payments in respect of attendance; and
 - c) approval of attendance by the local government and criteria for approval; and

d) any prescribed matter.

****Absolute majority required.***

3.3. A local government may amend* the policy.

****Absolute majority required.***

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

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

4. PROVISION OF TICKETS TO EVENTS

4.1. Invitation

4.1.1.

All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Chief Executive Officer. Invitations made directly to an Elected Member are to be handed to the Chief Executive Officer for action to be taken in accordance with this Policy.

4.1.2.

Any other invitation or offer of tickets not addressed to an Elected Member or the Chief Executive Officer in general is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.

4.1.3.

A list of events and attendees authorised by the local government in advance of the event is recorded in Attachment A.

5. APPROVAL OF ATTENDANCE

5.1 In deciding on attendance at an event, the Council will consider:

- a) who is providing the invitation or ticket to the event,
- b) the location of the event in relation to the local government (within the district or out of the district),
- c) the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- d) whether the event is sponsored by the local government,
- e) the benefit of local government representation at the event,
- f) the number of invitations / tickets received, and
- g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

5.2 Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.

5.3 The CEO is authorised to determine matters relating to staff attending conferences, seminars or training (in addition to those listed at Attachment A) that form part of the ongoing operational requirements of the Shire using the considerations as outlined in 5.2 of this policy.

6. PAYMENTS IN RESPECT OF ATTENDANCE

- 6.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.
- 6.2 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 6.3 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 6.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL POLICIES):

Adopted – Council Resolution:	03/20 -13
Reviewed/Amended – Council Resolution:	

ATTACHMENT A – EVENTS AUTHORISED IN ADVANCE

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
Western Australian Local Government Association (WALGA) Annual Conference and AGM	Annual Event	President, Deputy President 2 x Elected Members CEO	Elected Members & CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not covered.	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)
Northern Country Zone Conferences	Periodical	President, Deputy President Elected Members CEO DCEO	Elected Members & CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not covered.	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)
State Government Budget announcement, launches and other events	Ongoing	President, Deputy President CEO	Elected Members & CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not covered.	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)
WALGA Road Conference	Annual Event	President, Deputy President 2 x Elected Members CEO Manager Works &	Elected Members & CEO Manager Works & Svce	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
		Svc		covered.	
Local Government Professionals Annual Conference	Annual Event	CEO DCEO	CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not covered.	Staff – CEO discretion (Clause 5.3)
Synergy Soft IT Annual User Group Conference	Annual Event	CEO Manager Finance & Corporate Services	CEO Manager Finance & Corporate Services	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Note: Alcoholic beverages are not covered.	Staff – CEO discretion (Clause 5.3)
Moore Stephens Annual Budget Finance Conferences	Annual Event	CEO Manager Finance & Corporate Services	CEO Manager Finance & Corporate Services	Registration, Accommodation, Travel, Meals and other reasonable cost	Staff – CEO discretion (Clause 5.3)

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
				<p>& living expenses.</p> <p>Note: Alcoholic beverages are not covered.</p>	
<p>Works Supervisors Annual Conference</p>	<p>Annual Event</p>	<p>CEO Manager Works & Svc</p>	<p>CEO Manager Works & Svc</p>	<p>Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses.</p> <p>Note: Alcoholic beverages are not covered.</p>	<p>Staff – CEO discretion (Clause 5.3)</p>

CP-007 Elected Member Correspondence

POLICY NO	CP-007
POLICY	ELECTED MEMBERS CORRESPONDENCE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	9.110
LEGISLATION	STATE RECORDS ACT, 2000
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure compliance with the requirements of the State Records Act, 2000

POLICY STATEMENT/S:

In accordance with the requirements of the State Records Act 2000 all correspondence received, or generated, by Councillors in relation to the Shire of Chapman Valley must be forwarded to the Chief Executive Officer for record keeping.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL POLICIES):

Adopted – Council Resolution:	06/02-15
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32
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CMP-015 Elected Members - Corporate Clothing

MANAGEMENTPROCEDURE No.	CMP-015
MANAGEMENT PROCEDURE	ELECTED MEMBERS - CORPORATE CLOTHING
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	NA
LEGISLATIVE RELEVANCE	LOCAL GOVERNMENT ACT & ADMINISTRATION REGULATIONS 1996

OBJECTIVES:

To stipulate the level and conditions of providing Elected Member corporate clothing levels and payment arrangements.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire's annual allocation to Elected Members corporate clothing in accordance with Clause 32 of the Local Government (Administration) Regulations, 1996 i.e.

32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))

- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
 - (a) an expense incurred by a council member in performing a function under the express authority of the local government; and
 - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
 - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

As stipulated under legislation, the Elected Member is to incur the expense in the first instance and seek reimbursement from the Shire for the cost of the following items of clothing with the Shire of Chapman Valley logo embroidered on the clothing with colour and supplier as stipulated by the Chief Executive Officer:

- Two (2) Polo Shirts per annum; or
- Two Corporate/Business Shirts per annum.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	04/21-02
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Reviewed/Amended – Council Resolution:	
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CP-017 Risk Management

POLICY NO	CP-017
POLICY	RISK MANAGEMENT
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	6.120
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT, 1984

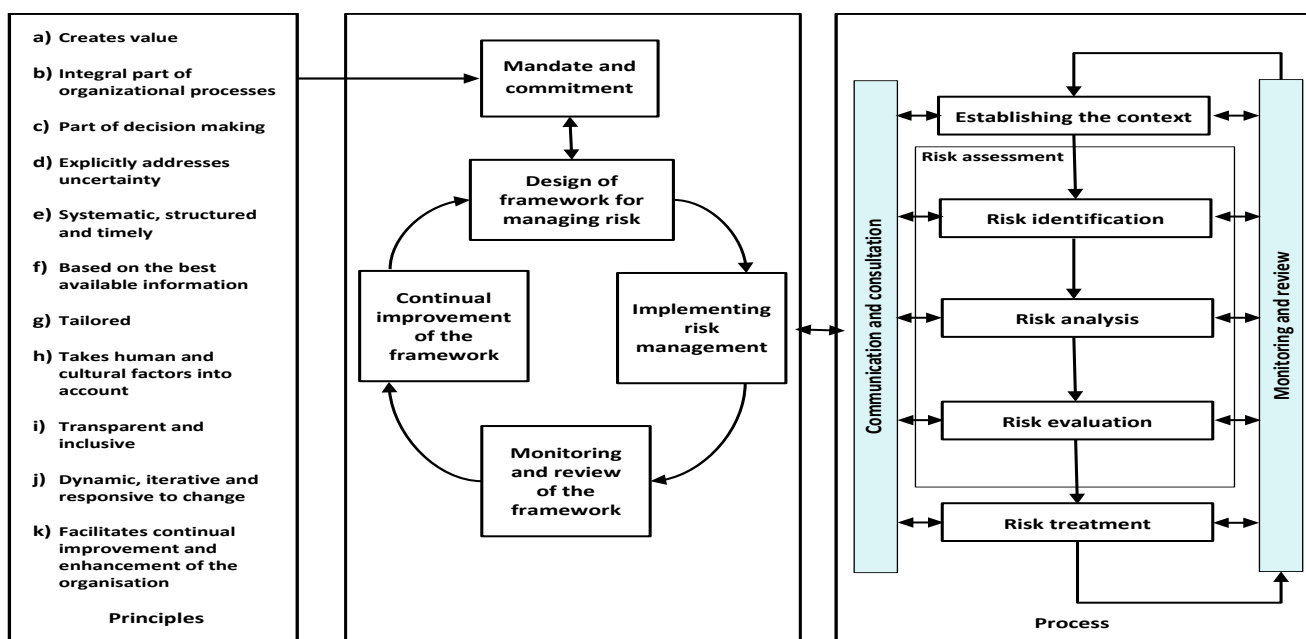
OBJECTIVES:

The Policy and Procedures form the Risk Management Framework for the Shire of Chapman Valley (“the Shire”). It sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on AS/NZS ISO 31000:2009 Risk Management.

It is essential all areas of the Shire adopt these policies and procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures. Further information or guidance on risk management procedures is available from LGIS Risk Management.



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

POLICY STATEMENT/S:

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks which may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

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

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

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

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

Definitions (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

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

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

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

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

Risk Management Objectives

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

Risk Appetite

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

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment

criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

Roles, Responsibilities & Accountabilities

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

Monitor & Review

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

This policy will be kept under review by the Shire’s Management Team and its employees. It will be formally reviewed at least every two years.

ADDITIONAL EXPLANTORY NOTES:

This Policy needs to be read in conjunction with Management Procedure CMP-036.

ADOPTED/REVIEWED/AMEMDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	06/14-12
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

Appendix 1 Form 4 Register of gifts and contributions to travel



Form 4
Local Government Act 1995
Local Government (Administration) Regulations 1996

REGISTER OF GIFTS AND CONTRIBUTIONS TRAVEL - WEBSITE

1. Gifts

Section 5.82 of the *Local Government Act 1995*

Name of relevant person making disclosure	Description of gift	Name of person who made gift	Address of person who made gift	Date gift was received	Estimated value of gift at time it was made	Nature of relationship between relevant person and person who made gift

2. Contributions to travel

Section 5.83 of the <i>Local Government Act 1995</i> Name of relevant person making disclosure	Description of contribution	Name of person who made contribution	Address of person who made contribution	Date contribution was received	Estimated value of contribution at time it was made	Nature of relationship between relevant person and person who made contribution	Description of travel	Date of travel

Appendix 2 Standing Orders Local Laws 2016

WESTERN AUSTRALIA

Local Government Act 1995

SHIRE OF CHAPMAN VALLEY **Standing Orders Local Law 2016**

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LOCAL GOVERNMENT ACT 1995

**Shire of Chapman Valley
Standing Orders Local Law 2016**

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the *Shire of Chapman Valley* resolved on 17 August 2016 to make the following local law.

Part 1 - Preliminary

1.1 Citation

This local law may be cited as the *Shire of Chapman Valley Standing Orders Local Law 2016*.

1.2 Commencement

By virtue of section 3.14 of the Act, this local law comes into operation 14 days after the date of their publication in the *Government Gazette*.

1.3 Application and intent

- (1) This local law provides rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and this local law.
- (3) This local law is intended to result in:
 - (a) better decision-making by the Council and committees;
 - (b) the orderly conduct of meetings dealing with Council business;
 - (c) better understanding of the process of conducting meetings; and
 - (d) the more efficient and effective use of time at meetings.

1.4 Interpretation

- (1) In this local law unless the context otherwise requires:

75% majority has the meaning given to it in the Act;

absolute majority has the meaning given to it in the Act;

Act means the *Local Government Act 1995*;

CEO means the Chief Executive Officer of the local government;

committee means a committee of the Council established under section 5.8 of the Act;

committee meeting means a meeting of a committee;

Council means the Council of the Shire of Chapman Valley;

Local government means the *Shire of Chapman Valley*;

President means the President of the local government or other Presiding Member at a Council meeting under section 5.6 of the Act;

meeting means a meeting of the Council or a committee, as the context requires;

Member has the meaning given to it in the Act;

Presiding Member means:

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

Regulations mean the *Local Government (Administration) Regulations 1996*;

simple majority means more than 50% of the members present and voting; and,

substantive motion means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

- (2) Unless otherwise defined in this local law, the terms and expressions used in this local law are to have the meaning given to them in the Act and Regulations.

1.5 Repeal

The *Shire of Chapman Valley Standing Orders Local Law 2000* as published in the *Government Gazette* on 8 August 2000 is repealed.

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include:
 - (a) the terms of reference of the committee;
 - (b) the number of council members, officers and other persons to be appointed to the committee;
 - (c) the names or titles of the council members and officers to be appointed to the committee;
 - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
 - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) This local law is to apply to the conduct of committee meetings.

2.2 Types of committees

The types of committees are dealt with in the Act.

2.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.

2.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

2.5 Appointment of committee members

The appointment of committee members is dealt with in the Act.

2.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

2.7 Resignation of committee members

The resignation of committee members is dealt with in the Regulations.

2.8 Register of delegations to committees
The register of delegations to committees is dealt with in the Act.

2.9 Committees to report
A committee:
(a) is answerable to the Council; and
(b) is to report on its activities when, and to the extent, required by the Council.

Part 3 - Calling and convening meetings

3.1 Ordinary and special Council meetings
(1) Ordinary and special Council meetings are dealt with in the Act.
(2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
(3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

3.2 Calling Council meetings
The calling of Council meetings is dealt with in the Act.

3.3 Convening Council meetings
(1) The convening of a Council meeting is dealt with in the Act.
(2) Subject to subclause (3), the CEO is to give at least 72 hours notice, for the purposes of section 5.5, in convening a special meeting of the Council.
(3) Where, in the opinion of the President or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

3.4 Calling committee meetings
The CEO is to call a meeting of any committee when requested by the President, the Presiding Member of a committee or any two members of that committee.

3.5 Public notice of meetings
Public notice of meetings is dealt with in the Regulations.

Part 4 – Presiding Member and quorum

Division 1: Who presides

4.1 Who presides
Who presides at a Council meeting is dealt with in the Act.

4.2 When the Deputy President can act
When the Deputy President can act is dealt with in the Act.

4.3 Who acts if no President
Who acts if there is no President is dealt with in the Act.

4.4 Election of Presiding Members of committees
The election of Presiding Members of committees and their deputies is dealt with in the Act.

- 4.5 Election of Deputy Presiding Members of committees**
The election of Deputy Presiding Members of committees is dealt with in the Act.
- 4.6 Functions of Deputy Presiding Members**
The functions of Deputy Presiding Members are dealt with in the Act.
- 4.7 Who acts if no Presiding Member**
Who acts if no Presiding Member is dealt with in the Act.

Division 2 – Quorum

- 4.8 Quorum for meetings**
The quorum for meetings is dealt with in the Act.
- 4.9 Reduction of quorum for Council meetings**
The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.
- 4.10 Reduction of quorum for committee meetings**
The reduction of a quorum for committee meetings is dealt with in the Act.
- 4.11 Procedure where no quorum to begin a meeting**
The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.
- 4.12 Procedure where quorum not present during a meeting**
If at any time during a meeting a quorum is not present, the Presiding Member is:
- (a) immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
 - (b) if a quorum is not present at the expiry of that period, the Presiding Member is to adjourn the meeting to some future time or date.
- 4.13 Names to be recorded**
At any meeting:
- (a) at which there is not a quorum present; or
 - (b) which is adjourned for want of a quorum,
- the names of the Members then present are to be recorded in the minutes.

Part 5 - Business of a meeting

- 5.1 Business to be specified**
- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the Presiding Member or the Council.
 - (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
 - (3) Subject to subclause (4), no business is to be transacted at an adjourned meeting of the Council other than that:
 - (a) specified in the notice of the meeting which had been adjourned; and
 - (b) which remains unresolved.
 - (4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering Reports (Item 10) at that ordinary meeting.
- 5.2 Order of business**
- (1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows:

1. Declaration of Opening/Announcement of Visitors
2. Announcements from the Presiding Member
3. Attendance
 - 3.1 Apologies
 - 3.2 Previously approved leave of absence
4. Public Question Time
 - 4.1 Response to previous public questions taken on notice
 - 4.2 Public question time
5. Applications for leave of absence
6. Declaration of interest
7. Presentations
 - 7.1 Petitions
 - 7.2 Presentations
 - 7.3 Deputations
8. Confirmation of minutes
9. Items to be dealt with En Bloc
10. Officers' Reports
11. Elected Members Motions of which previous notice has been given
12. New business of an urgent nature introduced by decision of the meeting
13. Delegates' reports
14. Announcements by Presiding member without discussion
15. Matters for which meeting may be closed to public
16. Closure

- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

5.3 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or this local law otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.
- (2) A notice of motion under subclause (1) is to be given at least 10 clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good governance of the district.
- (4) The CEO -
 - (a) may, with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of this local law or any other written law;
 - (b) will inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;
 - (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
 - (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) A motion of which notice has been given is to lapse unless:
 - (a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or
 - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

- (6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

5.4 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the local government and must be considered and dealt with by the Council before the next meeting.

5.5 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), the local government may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter:
 - (a) that requires a 75% majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a Member wishes to make a statement; or
 - (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Part 6 - Public participation

6.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried:
 - (a) the Presiding Member is to direct everyone to leave the meeting except:
 - (i) the Members;
 - (ii) the CEO; and
 - (iii) any Officer specified by the Presiding Member; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the Presiding Member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.

- (6) A resolution under this clause may be made without notice.
- (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a Member to be included in the minutes.

6.3 Question time for the public

Question time for the public is dealt with in the Act.

6.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Regulations.

6.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Regulations.

6.6 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

6.7 Other procedures for question time for the public

- (1) A member of the public who raises a question during question time, is to state his or her name and address.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that:
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where:
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have two minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.

- (10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

6.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor shall be recorded in the minutes.

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council is to either:
 - (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting, address the Council.
- (2) The CEO may either:
 - (a) approve the request and invite the deputation to attend a meeting of the Council; or
 - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.
- (3) Unless the council resolves otherwise, a deputation invited to attend a Council meeting:
 - (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
 - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
 - (c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

6.10 Petitions

- (1) A petition is to -
 - (a) be addressed to the President;
 - (b) be made by electors of the district;
 - (c) state the request on each page of the petition;
 - (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request; and
 - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the local government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause (3).
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:
 - (a) the matter is the subject of a report included in the agenda; and
 - (b) the Council has considered the issues raised in the petition.

6.11 Presentations

- (1) In this clause, a *presentation* means the acceptance of a gift or an award by the Council on behalf of the local government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

6.12 Participation at committee meetings

- (1) In this clause a reference to a person is to a person who:
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (3) The Presiding Member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under subclause (4) may, by order of the Presiding Member, be removed from the committee room.
- (6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

6.13 Council may meet to hear public submissions

- (1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.
- (2) The CEO and the President shall set the time and date of the meeting to provide the opportunity to be heard.
- (3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the Presiding Member shall:
 - (a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;
 - (b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
 - (c) cause minutes to be kept of the meeting to provide the opportunity to be heard.
- (4) A meeting held under subclause (1) shall be conducted only to hear submissions. The council shall not make resolutions at a meeting to provide the opportunity to be heard.
- (5) At a meeting held under subclause (1), each person making a submission shall be provided with the opportunity to fully state his or her case.
- (6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.
- (7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.
- (8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.
- (9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

6.14 Public Inspection of agenda materials

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at Lot 7 Chapman Valley Road, Nabawa, and on the local government's website.

6.15 Confidentiality of information withheld

- (1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be:
 - (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed";
 - (b) marked *Confidential* in the agenda; and
 - (c) kept confidential by Officers and Members until the Council resolves otherwise.
- (2) A member or an officer in receipt of confidential information under subclause (1) or information that is provided or disclosed during a meeting or part of a meeting that is closed to the public is not to disclose any of that information to any person other than another member or an officer to the extent necessary for the purpose of carrying out his or her duties.
- (3) Subclause (2) does not apply where a member or officer discloses the information to his or her lawyer or government officer for the purpose of seeking advice in order to lawfully fulfil his or her role and responsibilities.

6.16 Recording of proceedings

- (1) A person is not to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member.
- (2) If the Presiding Member gives permission under subclause (1), the Presiding Member is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

6.17 Prevention of disturbance

- (1) A reference in this clause to a person is to a person other than a member.
- (2) A person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the Presiding Member.
- (3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.
- (5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

Part 7 - Questions by Members

7.1 Questions by Members

- (1) Members may ask questions relating to an item on the notice paper or on matters related to the good government of persons in the district.
- (2) A Member requesting general information from an Officer at a Council meeting may ask a question without notice and with the consent of the Presiding Member, may ask one or more further questions of that Officer or another Officer present at the meeting.
- (3) Where possible the Officer shall endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the Officer may ask that -
 - (a) the question be placed on notice for the next meeting of Council; and

- (b) the answer to the question be given to the Member who asked it within 14 days.
- (4) Every question and answer -
 - (a) is to be brief and concise; and
 - (b) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.
- (5) In answering any question, an Officer may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

Part 8 – Conduct of Members

8.1 Members to be in their proper places

- (1) At the first meeting held after each election day, the CEO is to allot alphabetically a position at the Council table to each Member.
- (2) Each Member is to occupy his or her allotted position at each Council meeting.

8.2 Titles to be used

A speaker, when referring to the President, Deputy President or Presiding Member, or a Member or Officer, is to use the title of that person's office.

8.3 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

8.4 Members to indicate their intention to speak

A Member of the Council who wishes to speak is to indicate his or her intention to speak by raising his or her hand or by another method agreed by the Council. Each Member will stand when invited to speak by the Presiding Member.

8.5 Priority of speaking

- (1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.
- (2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.
- (3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

8.6 Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with this local law.

8.7 Relevance

- (1) A Member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The Presiding Member, at any time, may:
 - (a) call the attention of the meeting to:
 - (i) any irrelevant, repetitious, offensive or insulting language by a Member; or
 - (ii) any breach of order by a Member; and
 - (b) direct that Member, if speaking, to discontinue his or her speech.

- (3) A Member is to comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

8.8 Speaking twice

A Member is not to address the Council more than once on any motion or amendment except:

- (a) as the mover of a substantive motion, to exercise a right of reply;
- (b) to raise a point of order; or
- (c) to make a personal explanation.

8.9 Duration of speeches

- (1) A Member is not to speak on any matter for more than 5 minutes without the consent of the Council which, if given, is to be given without debate.
- (2) An extension under this clause cannot be given to allow a Member's total speaking time to exceed 10 minutes.

8.10 No speaking after conclusion of debate

A Member is not to speak on any motion or amendment:

- (a) after the mover has replied; or
- (b) after the question has been put.

8.11 No interruption

A Member is not to interrupt another Member who is speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 8.13; or
- (d) to move a procedural motion that the Member be no longer heard under clause 11.1(e).

8.12 Personal explanations

- (1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member his or her intention to make a personal explanation.
- (2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.
- (3) A Member making a personal explanation is to confine his or her observations to a succinct statement relating to a specific part of the speech at which he or she may have been misunderstood.

8.13 No reopening of discussion

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed under Part 16.

8.14 Adverse reflection

- (1) A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed under Part 16.
- (2) A Member is not:
 - (a) to reflect adversely on the character or actions of another Member or Officer; or
 - (b) to impute any motive to a Member or Officer,unless the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.
- (3) A Member is not to use offensive or objectionable expressions in reference to any Member, Officer or other person.
- (4) If a Member specifically requests, immediately after their use, that any particular words used by a Member be recorded in the minutes:

- (a) the Presiding Member is to cause the words used to be taken down and read to the meeting for verification; and
- (b) the Council may, by resolution, decide to record those words in the minutes.

8.15 Withdrawal of offensive language

- (1) A Member who, in the opinion of the Presiding Member, uses an expression which:
 - (a) in the absence of a resolution under clause 8.14:
 - (i) reflects adversely on the character or actions of another Member or Officer; or
 - (ii) imputes any motive to a Member or Officer; or
 - (b) is offensive or insulting,must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.
- (2) If a Member fails to comply with a direction of the Presiding Member under subclause (1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.

Part 9 - Preserving order

9.1 Presiding Member to preserve order

- (1) The Presiding Member is to preserve order, and, whenever he or she considers necessary, may call any Member to order.
- (2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that he or she wishes to speak, is immediately to sit down and every Member present is to preserve strict silence so that the Presiding Member may be heard without interruption.
- (3) Subclause (2) is not to be used by the Presiding Member to exercise the right provided in clause 8.6, but to preserve order.

9.2 Point of order

- (1) A Member may object, by way of a point of order, only to a breach of:
 - (a) any of this local law; or
 - (b) any other written law.
- (2) Despite anything in this local law to the contrary, a point of order:
 - (a) takes precedence over any discussion; and
 - (b) until determined, suspends the consideration or discussion of any other matter.

9.3 Procedures on a point of order

- (1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.
- (2) A Member interrupted on a point of order is to resume his or her seat until:
 - (a) the Member raising the point of order has been heard; and
 - (b) the Presiding Member has ruled on the point of order,and, if permitted, the Member who has been interrupted may then proceed.

9.4 Calling attention to breach

A Member may, at any time, draw the attention of the Presiding Member to any breach of this local law.

9.5 Ruling by the Presiding Member

- (1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.

- (2) A ruling by the Presiding Member on a point of order is to be final unless the majority of Members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.
- (3) Subject to a motion of dissent being carried under subclause (2), if the Presiding Member rules that:
 - (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
 - (b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

9.6 Continued breach of order

If a Member:

- (a) persists in any conduct that the Presiding Member had ruled is out of order; or
- (b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 9.5(3), the Presiding Member may direct the Member to refrain from taking any further part in the matter under discussion, other than by voting, and the Member is to comply with that direction.

9.7 Right of Presiding Member to adjourn

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Part 10 - Debate of substantive motions

10.1 Motions to be stated and in writing

Any Member who wishes to move a substantive motion or an amendment to a substantive motion:

- (a) is to state the substance of the motion before speaking to it; and
- (b) if required by the Presiding Member, is to put the motion or amendment in writing.

10.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

10.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the Presiding Member may ask the meeting if any Member opposes it.
- (2) If no Member opposes the motion, the Presiding Member may declare it carried without debate and without taking a vote.
- (3) A motion declared carried under this clause is to be recorded in the minutes as a unanimous decision of the Council.
- (4) If a Member opposes a motion, the motion is to be dealt with under this Part.

- (5) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting under Part 16.

10.4 Only one substantive motion at a time

When a substantive motion is under debate at a meeting of the Council, no further substantive motion is to be accepted. The Council is not to consider more than one substantive motion at any time.

10.5 Order of call in debate

The Presiding Member is to call speakers to a substantive motion in the following order:

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers against and for the motion, alternating where possible; and
- (h) mover takes right of reply which closes debate.

10.6 Limit of debate

The Presiding Member may offer the right of reply and put a substantive motion to the vote if he or she believes that sufficient discussion has taken place even though all Members may not have spoken.

10.7 Member may require question to be read

A Member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member who is speaking.

10.8 Consent of seconder required for alteration

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

10.9 Order of amendments

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

10.10 Form of an amendment

An amendment must add, delete, or substitute words to the substantive motion.

10.11 Amendment must not negate original motion

An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.

10.12 Relevance of amendments

Each amendment is to be relevant to the motion in respect of which it is moved.

10.13 Mover of motion may speak on amendment

Any Member may speak during debate on an amendment.

10.14 Effect of an amendment

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any Member may speak and any further amendment may be moved.

10.15 Withdrawal of motion or amendment

- (1) Subject to subclause (2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.
- (2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

10.16 Right of reply

- (1) The mover of a substantive motion has the right of reply.
- (2) The mover of any amendment to a substantive motion has a right of reply.
- (3) The right of the reply may only be exercised:
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (4) After the mover of the substantive motion has commenced the reply:
 - (a) no other Member is to speak on the question;
 - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

Part 11 - Procedural motions

11.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion (under Part 10), a Member may move the following procedural motions:

- (a) that the meeting proceed to the next item of business;
- (b) that the debate be adjourned;
- (c) that the meeting now adjourn;
- (d) that the question be now put;
- (e) that the Member be no longer heard;
- (f) that the ruling of the Presiding Member be disagreed with;
- (g) that the meeting be closed to the public under clause 6.2.

11.2 No debate

- (1) The mover of a motion specified in paragraph (a), (b), (c), (f) or (g) of clause 11.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in paragraph (d) or (e) of clause 11.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

11.3 Who may move

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

11.4 Procedural motions - right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

11.5 Meeting to proceed to the next business

The motion "that the meeting proceed to the next business", if carried, has the effect that:

- (a) the debate on the substantive motion or amendment ceases immediately;
- (b) no decision is made on the substantive motion;
- (c) the Council moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

11.6 Debate to be adjourned

A motion "that the debate be adjourned":

- (a) is to state the time to which the debate is to be adjourned; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

11.7 Meeting now adjourn

- (1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution under clause 5.5;
- (3) A motion "that the meeting now adjourn":
 - (a) is to state the time and date to which the meeting is to be adjourned; and
 - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

11.8 Question to be put

- (1) If the motion "that the question be now put", is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.
- (2) If the motion "that the question be now put" is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

11.9 Member to be no longer heard

If the motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

11.10 Ruling of the Presiding Member to be disagreed with

If the motion "that the ruling of the Presiding Member be disagreed with", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 12 - Disclosure of interests

12.1 Disclosure of interests

Disclosure of interests is dealt with in the Act.

Part 13 - Voting

13.1 Question - when put

- (1) Immediately after the debate on any question is concluded and the right of reply has been exercised, the Presiding Member -
 - (a) is to put the question to the Council; and
 - (b) if requested by any Member, is to again state the terms of the question.
- (2) A Member is not to leave the meeting when the Presiding Member is putting any question.

13.2 Voting

Voting is dealt with in the Act and the Regulations.

13.3 Majorities required for decisions

The majorities required for decisions of the Council and committees are dealt with in the Act.

13.4 Method of taking vote

- (1) In taking the vote on any motion or amendment the Presiding Member:
 - (a) is to put the question, first in the affirmative, and then in the negative;
 - (b) may put the question in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
 - (c) may accept a vote on the voices or may require a show of hands; and
 - (d) is, subject to this clause, to declare the result.
- (2) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (3) If a member of council or a committee specifically requests that there be recorded -
 - (a) his or her vote; or,
 - (b) the vote of all members present,on a matter voted on at a meeting of the council or committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.
- (4) If a Member calls for a division:
 - (a) those voting in the affirmative are to pass to the right of the Presiding Member; and
 - (b) those voting in the negative are to pass to the left of the Presiding Member.
- (5) For every division, the CEO is to record:
 - (a) the name of each member who voted; and
 - (b) whether he or she voted in the affirmative or negative.

Part 14 – Minutes of meetings

14.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

14.2 Content of minutes

- (1) The content of minutes is dealt with in the Regulations.
- (2) In addition to the matters required by regulation 11, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

14.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Regulations.

14.4 Confirmation of minutes

- (1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the local government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.
- (2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes -
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

Part 15 - Adjournment of meeting

15.1 Meeting may be adjourned

The Council may adjourn any meeting:

- (a) to a later time on the same day; or
- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

15.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under this local law:

- (a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 8.8 [speaking twice] apply when the debate is resumed.

Part 16 – Revoking or changing decisions

16.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

16.2 Limitations on powers to revoke or change decisions

- (1) Subject to subclause (2), the Council or a committee is not to consider a motion to revoke or change a decision:
 - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 16.3 to implement the decision; or
 - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

16.3 Implementing a decision

- (1) In this clause:
 - (a) *authorisation* means a licence, permit, approval or other means of authorising a person to do anything;
 - (b) *implement*, in relation to a decision, includes:

- (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
 - (ii) take any other action to give effect to the decision; and
 - (c) **valid notice of revocation motion** means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the local laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.
- (2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.
 - (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
 - (4) A decision made at a meeting is not to be implemented by the CEO or any other person:
 - (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
 - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
 - (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:
 - (a) is to take effect only in accordance with this clause; and
 - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

Part 17 - Suspension of Local Laws

17.1 Suspension of Local Laws

- (1) A Member may at any time move that the operation of one or more of the provisions of this local law be suspended.
- (2) A Member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.
- (3) A motion under subclause (1) which is:
 - (a) seconded; and
 - (b) carried by an absolute majority,
 is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

17.2 Where Local Laws do not apply

- (1) In situations where:
 - (a) one or more provisions of this local law have been suspended; or
 - (b) a matter is not regulated by the Act, the Regulations or this local law,
 the Presiding Member is to decide questions relating to the conduct of the meeting.
- (2) The decision of the Presiding Member under subclause (1) is final, except where a motion is moved and carried under clause 11.10.

17.3 Cases not provided for in Local Laws

The Presiding Member is to decide questions of order, procedure, debate, or otherwise in cases where this local law, the Act or the Regulations are silent. The decision of the Presiding Member in these cases is final, except where a motion is moved and carried under clause 11.10.

Part 18 - Meetings of electors

- 18.1 Electors' general meetings**
Electors' general meetings are dealt with in the Act.
- 18.2 Matters for discussion at electors' general meetings**
The matters to be discussed at electors' general meetings are dealt with in the Regulations.
- 18.3 Electors' special meetings**
Electors' special meetings are dealt with in the Act.
- 18.4 Requests for electors' special meetings**
Requests for electors' special meetings are dealt with in the Regulations.
- 18.5 Convening electors' meetings**
Convening electors' meetings is dealt with in the Act.
- 18.6 Who presides at electors' meetings**
Who presides at electors' meetings is dealt with in the Act.
- 18.7 Procedure for electors' meetings**
(1) The procedure for electors' meetings is dealt with in the Act and the Regulations.
(2) In exercising his or her discretion to determine the procedure to be followed at an electors' meeting, the Presiding Member is to have regard to this local law.
- 18.8 Participation of non-electors**
A person who is not an elector of the local government shall not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.
- 18.9 Voting at electors' meetings**
Voting at electors' meetings is dealt with in the Regulations.
- 18.10 Minutes of electors' meetings**
Minutes of electors' meetings are dealt with in the Act.
- 18.11 Decisions made at electors' meetings**
Decisions made at electors' meetings are dealt with in the Act.

Part 19 - Enforcement

- 19.1 Penalty for breach**
A person who breaches a provision of this local law commits an offence.
Penalty: \$1,000.00 and a daily penalty of \$100.00.
- 19.2 Who can prosecute**
Who can prosecute is dealt with in the Act.

Dated 30th of August 2016.



SHIRE OF

Chapman Valley

love the rural life!

HR Induction & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

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Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021

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Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the Human Resources section of the organisation and form part of this manual to act a reference tool.

Policies

CP-015 Equal Opportunity Statement and Plan

POLICY NO	CP-015
POLICY	EQUAL OPPORTUNITY STATEMENT
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	6.20
LEGISLATION	EQUAL OPPORTUNITY ACT, 1984
RELEVANT DELEGATIONS	1017

OBJECTIVES:

The objects of this Policy are:

- (a) to eliminate, so far as is possible, discrimination against persons on the ground of sex, marital status or pregnancy, family responsibility or family status, sexual orientation, race, religious or political conviction, impairment, age, publication of relevant details on the Fines Enforcement Registrar's website or, in certain cases, gender history in the areas of work, accommodation, education, the provision of goods, facilities and services and the activities of clubs; and
- (b) to eliminate, so far as is possible, sexual harassment and racial harassment in the workplace and in educational institutions and sexual harassment and racial harassment related to accommodation; and
- (c) to promote recognition and acceptance within the community of the equality of men and women; and
- (d) to promote recognition and acceptance within the community of the equality of persons of all races and of all persons regardless of their sexual orientation, religious or political convictions or their impairments or ages.

POLICY STATEMENT/S:

The Shire recognises its legal obligations under the Equal Opportunity Act, 1984, and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, age, pregnancy, race, and disability, religious or political convictions.

All employment training with this Shire will be directed towards 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 this Shire will be directed towards providing equal opportunity to all employees provided their relevant experience; skills and ability meet the minimum requirements for such promotion.

All offers of employment within this Shire will be directed towards providing equal opportunity to prospective employees provided their relevant experience; skills and ability meet the minimum requirements for engagement.

This Shire 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, marital status or disability.

The equal opportunity goals of this Shire 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.

The Shire will exercise the conditions and requirements of its Equal Opportunity Management Plan.

ADDITIONAL EXPLANATORY NOTES:

Attached is a copy of the *Shire of Chapman Valley Equal Employment Opportunity Management Plan* as required under Section 145 (2) (a) – (h) of the Equal Opportunity Act 1984.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01/9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

Shire of Chapman Valley

Equal Employment Opportunity Management Plan

2021 - 2025

Chief Executive Officer's Foreword

The Shire of Chapman Valley is committed to the development of a culture that is supportive of employment equity and diversity. A workplace that is free from discrimination or harassment; where people are treated on the basis of merit.

The Shire will, through the Equal Employment Opportunity Management Plan, facilitate the identification and removal of barriers; whilst promoting policies and procedures that reflect and respect the diversity of the community.

Maurice Battilana
Chief Executive Officer
Shire of Chapman Valley



Introduction

Each authority shall prepare and implement an Equal Employment Opportunity (EEO) Management Plan to achieve the objectives in Part IX (Equal opportunity in public employment) of the Equal Opportunity Act 1984. The Equal Employment Opportunity Management Plan requirements are based upon Section 145 (2) (a) – (h) of the Equal Opportunity Act 1984.

145. Preparation and implementation of management plans

(2) The management plan of an authority shall include provisions relating to –

- (a) The devising of policies and programs by which the objects of this Part are to be achieved; and
- (b) The communication of those policies and programs to persons within the authority; and
- (c) The collection and recording of appropriate information; and
- (d) The review of personnel practices within the authority (including recruitment techniques, selection criteria, training and staff development programs, promotion and transfer policies and patterns, and conditions of service) with a view to the identification of any discriminatory practices; and
- (e) The setting of goals or targets, where these may reasonably be determined, against which the success of the management plan in achieving the objects of this Part may be assessed; and
- (f) The means, other than those referred to in paragraph (e), of evaluating the policies and programs referred to in paragraph (a); and
- (g) The revision and amendment of the management plan; and
- (h) The appointment of persons within the authority to implement

The purpose of this Equal Employment Opportunity Management Plan is to comply with requirements of the Act by identifying and implementing strategies in key areas to eliminate discrimination in the workplace.

This Equal Employment Opportunity Management Plan has identified 5 key areas to promote EEO principles and compliance.

Action	Target Group	Target Date	Responsibility	Performance Indicator
Update EEO Policy	Shire of Chapman Valley	Annually as part of Policy/Procedures Review	CEO	EEO Policy created with consultation, adopted and communicated to all staff
Implement EEO Management Plan	Shire of Chapman Valley	Ongoing	CEO	EEO Management Plan & strategies communicated to all staff; No complaints are received in relation EEO principles
Ensure that all new policies developed conform with EEO principles	Shire of Chapman Valley	Ongoing	CEO	Policies comply with EEO standards; are communicated to staff and equitable access is provided to all staff;

1. Policies & Procedures
2. Communication & Awareness
3. Training & Development
4. Harassment & Grievance Procedures
5. Implementation & Evaluation

These EEO key areas will provide the Shire with a strategy and mechanism to measure the progress in achieving EEO management goals.

Strategy 1 – Policies and Procedures

Objective: The Shire has policies and procedures in place that support EEO principles.

Strategy 2 – Communication & Awareness

Objective: That all employees understand these EEO principles and their rights and responsibilities in the workplace.

Action	Target Group	Target Date	Responsibility	Performance Indicator
Make available all EEO Management Plan documents and EEO Policies	All Employees	Ongoing	CEO	All EEO documentation is available on internal common data drive. All documents are made available in hard copy.
All managers/supervisors are aware of their responsibilities at commencement of employment	Managers & Supervisors	Ongoing	CEO	All new Managers/Supervisors sign off to confirm their awareness of EEO Management Plans & Policies within one month of commencement.
All aspects of EEO are covered in the induction process	New employees	Ongoing	CEO	Ensure all EEO information can be found in the induction handbook. Ensure all policies are communicated as part of the induction process and employees are aware of their obligations.

Strategy 3 – Training & Development

Objective: All employees will have access to training and development opportunities relevant to their employment.

Action	Target Group	Target Date	Responsibility	Performance Indicator
Encourage training opportunities for all employees.	All Employees	Ongoing	CEO	Provide training opportunities in a shared access area. All documents are made available in hard copy. Ensure training incorporates EEO principles.
All managers/supervisors are informed of changing responsibilities in relation to EEO	Managers/Supervisors	Ongoing	CEO	All Managers/Supervisors confirm their awareness of EEO Management Plans & Policies in their performance reviews.

Strategy 4 – Harassment & Grievance Procedures

Objective: Provide and promote effective grievance policy and procedures.

Action	Target Group	Target Date	Responsibility	Performance Indicator
Review and update grievance policy	Council & All Employees	Annually as part of Policy/Procedures Review	CEO	Review current grievance policy and cross reference to EEO policy/plan.
Provide information to all employees about what constitutes an EEO grievance and the grievance handling procedures	All employees	Ongoing	CEO	Provide access to all employees of the EEO policy/plan and grievance procedures. Information to be included in the induction hand book.
Provide training in bullying and harassment awareness	All employees	Ongoing	CEO	All employees attend bullying and harassment training awareness as required.

Strategy 5 – Implementation & Evaluation

Objective: Successful implementation, evaluation and review of the EEO Management Plan.

Action	Target Group	Target Date	Responsibility	Performance Indicator
Communicate requirements to workforce	All employees	Ongoing	CEO	Management and employees are aware of EEO policies and procedures. Changes are communicated to all employees.
Conduct EEO diversity survey	All employees	Ongoing	CEO	Response rate to EEO diversity survey is 80% of employees.
EEO Management objective are reviewed annually.	Council & All Employees	Ongoing	CEO	Objectives are reviewed & updated to reflect current EEO legislation.

The Equal Employment Opportunity Management Plan is to be read in conjunction with the following information.

- Equal Employment Opportunity Policy
- Harassment & Grievance Procedures
- Workplace Display Material
- Complaints against Employees

EQUAL EMPLOYMENT OPPORTUNITY

The Shire of Chapman Valley is committed to a policy of equal employment opportunity, fair treatment and non-discrimination for all existing and future employees.

All employment practices (recruitment, selection, training and employment, promotion and transfer and all other terms and conditions of service) will be based on the merit of the individual against specific job requirements. Existing and future employees will not be discriminated against in their employment on the grounds of gender, race, disability, age, pregnancy or potential pregnancy, marital status, family status or family responsibility, political or religious conviction, gender history or sexual orientation.

The Shire will, through its Equal Employment Opportunity Management Plan, ensure any discriminatory practices are progressively removed from its policies and procedures and will recognise and encourage employees on the basis of their abilities, aptitudes, qualifications and skills, through the implementation and monitoring of effective Human Resources policies and procedures.

The Equal Employment Opportunity (EEO) policy also aims to eliminate all forms of workplace harassment. The Shire believes the implementation of an EEO policy and plan will create a more productive workplace and will result in better services to the community.

Purpose

The purposes of the Shire's EEO policy are:

- To eliminate and ensure the absence of discrimination in employment on the grounds of gender, race, impairment or disability, age, marital or family status, political or religious conviction, sexual orientation or gender history; and
- To promote equal employment opportunity for women, indigenous Australians, people with disabilities, youth and people from culturally diverse backgrounds or other minority groups within the Shire.

Equal Employment Opportunity (EEO)

EEO is the principle which ensures that all employees and potential employees are treated equally and fairly, regardless of their gender, race, impairment or disability, age, marital or family status, political or religious conviction, sexual orientation or gender history.

Discrimination

Discrimination refers to unequal treatment or opportunities. Discrimination may be direct, indirect or systemic.

- **Direct Discrimination** is when a person is treated less favourably than another person in the same or similar circumstances based on one or more of the above mentioned grounds.
- **Indirect Discrimination** is when policies, rules and practices which appear neutral or impartial adversely affect a group or individual, thus reducing opportunities. These rules and practices are discriminatory in effect, as they exclude people with suitable skills who don't meet the apparently fair rules or practices, e.g. Height requirements for certain jobs, no female toilets at certain worksites.
- **Systemic Discrimination** is rules or practices which result in different patterns of access to different jobs and different access to benefits or services. It is the result of both direct and indirect discrimination.

Merit

Merit is the mechanism of assessing each person's skills and abilities against the needs of the job, and disregarding unlawful personal characteristics which are relevant to the job. Merit recognises experience gained both inside and outside formal employment.

Affirmative Action

Affirmative Action programs are designed to overcome the effects of past discrimination. This discrimination has formed barriers which exclude target groups from having access to equal employment opportunity. Affirmative action seeks to address the effects of past disadvantages and prevent future disadvantages. It is the method of achieving equal employment opportunity for target groups. This may involve, for example, the provision of selection tests with a sign language interpreter present for applicants with hearing disabilities.

Harassment

Unlawful harassment is unwanted, uninvited and inappropriate behaviour based on a person's sex, race or disability. Sexual Harassment is unwelcome conduct of a sexual nature that a reasonable person would be offended, humiliated or intimidated by. This can be verbal, written or physical by nature. It does not matter that the person did not mean to be offensive.

Racial Harassment is when a person is threatened, abused, insulted or taunted about their race, or a characteristic generally associated with their race and they believe if they object to the unwanted behaviour they will be disadvantaged in the workplace.

Disability harassment is when a person is threatened, abused, offended or excluded because of their disability.

The Shire of Chapman Valley considers any sexual, racial and other forms of harassment as an unacceptable form of behaviour which will not be tolerated under any circumstances.

Victimisation

Any employee who has made a complaint, or is witness to a complaint in relation to discrimination, harassment or bullying will not be discriminated against or suffer any other disadvantage for having made a complaint in good faith.

Vilification

Vilification generally refers to any act that happens publicly as opposed to privately; and that could incite other to hate, have serious contempt for, or have serious ridicule of you or a group of people, because of race, ethnic, religious or national origin, sexual orientation or transgender status (including references to HIV or AIDS status).

JURISDICTION

EEO policies and practices apply to all employees. All employees are obliged to follow non-discriminatory practice in the workplace, as it is Council and the Chief Executive Officer (as the responsible employers) which are legally accountable for discrimination in employment matters.

RESPONSIBILITY/ACCOUNTABILITY

All Staff

- Are responsible for upholding the EEO principles outlined in this policy, however specific responsibility lies with line managers and supervisors to prevent discrimination and promote equal opportunity in the workplace.
- Have the right to seek advice from the Anti-Discrimination Board.

Managers/Supervisors

- Are responsible for ensuring that the principles covered in this policy are upheld by the staff for which they are responsible.
- Are responsible for ensuring equality of employment opportunity is extended to all staff, and that no unlawful discrimination occurs in employment practices.
- Ensure the Shire's EEO policy and plan is implemented within their Division.
- Ensure all staff with supervisory responsibilities is aware of employees' rights and obligations under the Shire's EEO policy and relevant legislation.

The EEO Co-ordinator will

- Work with management and staff to develop and implement the EEO policy and program including guidelines and best practice standards.
- Research EEO matters and keep management informed of developments in EEO.
- Provide statistical and other human resources information to allow the Shire to develop and monitor its EEO program.
- Integrate the EEO policy and practices into human resources management practice and Shire's programs.
- Advise on grievance handling procedures.
- Assist with the development and review of Human Resources policies and procedures.
- Ensure that position descriptions of all staff reflect their EEO responsibilities and accountabilities.

The Chief Executive Officer will

- Ensure the Shire's EEO policy and program is implemented within the Shire.
- Ensure all staff complies with the Shire's EEO policy and with legal obligations under relevant legislation.
- Ensure that management audits of the EEO program are undertaken on a regular basis to ensure that the EEO policy and program continue to meet their objectives.

Any reports of harassment will be treated seriously and sympathetically by the Shire, and will be investigated thoroughly and confidentially. The Shire's grievance policy and procedures will be followed in the case of a harassment complaint.

Disciplinary action will be taken against any Shire employee found to be perpetrating harassment of other Shire employees.

BREACHES OF POLICY

Breaches of the Equal Employment Opportunity policy will not be tolerated. Failure to extend equality of employment opportunity to all employees is a serious matter and will result in the appropriate disciplinary action. Serious breaches of this policy may result in termination of employment.

GRIEVANCE POLICY AND PROCEDURES

A grievance is any work related disagreement, complaint or matter which someone thinks is unfair or unjustified and which is causing that person concern or distress. Grievances can relate to almost any aspect of employment including: issues concerning transfer and promotion, rosters, leave allocation, work environment, safety in the work place, performance appraisal, discrimination or harassment.

Policy Statement:

The Shire is committed to resolving grievances wherever possible through mediation consultation, cooperation and discussion.

- All grievances will be handled in utmost **confidentiality**. Only the people directly involved will have access to information about the complaint.
- All procedures will be **impartial**. No assumptions will be made, and no action will be taken until all relevant information has been collected, investigated and considered.
- The Shire is committed to ensure that **no repercussions** or victimisation occurs against anyone who makes a complaint.
- Seeking redress of a trivial, frivolous or vexatious issue through a grievance procedure will not be tolerated.
- Complaints will be dealt with in a **timely** manner.

Responsibilities:

General Manager/Group Managers: for serious and complex grievances which could involve possible fraud, corruption, physical danger or serious misconduct of a senior staff member.

Supervisors/Team Leaders: in general all supervisors/team leaders are to be the first point of receipt and will be responsible for the investigation and resolution of staff grievances.

Human Resources staff: are to provide advice and assistance and where necessary receive and investigate the grievance, particularly if the grievance relates to a discrimination, harassment or personnel/industrial matter.

Using the grievance procedure does not eliminate the right of a staff member or the Shire as an employer in gaining advice or assistance from unions, professional associations or any other external agency.

GRIEVANCE PROCEDURES

- In general the grievance should be first discussed with or put in writing to the supervisor/team leader for

resolution. This would not apply where the issue directly relates to the activities of the supervisor/team leader.

- The relevant investigator should obtain the facts, clarify issues and then discuss findings with the staff member lodging the grievance.
- Where a Contact Officer or Investigator believes they cannot handle the grievance objectively, or where they lack the power to resolve the particular complaint, they may refer to the Human Resources Manager.
- A written record of the complaint should be taken by the Officer responsible for investigating the complaint. This Officer would also talk to the other person/people involved separately and impartially. Where agreement as to resolution is reached, the Officer should follow up the situation to ensure what has been agreed to actually occurs.
- If a grievance remains unresolved, it is to be taken to senior management or to a mutually agreeable third party for mediation/arbitration.
- Union, employee association or Human Resource Management assistance can be sought to assist resolution at any step in the procedure.
- Grievances should generally be resolved within 4 weeks.

Contact Officers

An independent contact officer shall be nominated in each Division using the following selection criteria:

- commitment to EEO principles
- discretion and ability to maintain confidentiality
- sound listening skills, mediation, conflict resolution and interpersonal skills
- awareness of discrimination issues
- known integrity and support for principles of social justice
- investigative ability

Qualified Privilege

A staff member who raises a grievance is protected against any action for defamation by the defence of qualified privilege provided the grievance is raised in accordance with these procedures and does not intentionally make a malicious or substantially frivolous complaint.

A staff member who carries out grievance investigation and resolution in accordance with these procedures, or a staff member who is required to prepare a report concerning another staff member is protected against any action for defamation by the defence of qualified privilege provided that

- they act in accordance with established procedures
- they are not motivated by malice, and
- they do not publish such material to persons who have no legitimate interest in receiving it.

A Complainant has the right to

- Keep notes, copy of written documents or diary record of all incidents and any responses, including date, times, witnesses and other details?
- advise his/her supervisor, Human Resources Manager or EEO Coordinator or a person at an appropriate level within the organisation
- contact their respective Union for advice
- contact the WA Anti-Discrimination Board where appropriate

A Person who is subject of a complaint has the right to

- be informed verbally of what behaviour they are being accused of
- to respond to the allegations and cite witnesses if appropriate
- to fair treatment and procedures
- to be heard by an unbiased person

The Person receiving a report/complaint should

- advise complainant that their complaint will be treated sensitively, confidentially and without victimisation
- in the case of harassment complaints, establish whether complainant has advised alleged harasser that their behaviour is unwelcome
- In the case of harassment complaints, advise the Human Resources Branch that a complaint has been made.

- Ensure that a written report is obtained from the complainant, containing appropriate details, witness reports etc.
- Approach the subject of the complaint or alleged harasser to seek a response to the allegations made about their behaviour. This approach should be made either in the company of the person's supervisor/team leader or Human Resources Branch Representative.
- Conduct a confidential interview and seek reports from any identified witnesses.

Disciplinary procedures

Should a grievance and its subsequent investigation indicate the need for disciplinary action, the relevant Group Manager is to be advised and the Shire's Disciplinary Policy and Procedures are to be followed.

In the case of discrimination/harassment complaints, the following disciplinary procedures will apply:

If the behaviour is admitted

- where the behaviour is admitted and is of a single visually or auditory offensive nature (eg sexist/racist poster or language rather than a sexual proposition or a physically threatening approach)
- A first disciplinary interview should be conducted and written warning issued to the Harasser together with a reinforcement of the Shire's policy.
- If the behaviour is admitted and has consisted of repeated incidents of physical approaches etc, a First and final warning should be issued.
- the admitted harasser should be cautioned that they should take no action which could be construed as victimisation, as this will lead to further disciplinary action.
- if the harasser is the complainant's immediate supervisor, the harasser's supervisor must be consulted on any decisions regarding promotion, job rotation etc involving the complainant, and
- Should be offered counselling to avoid further incidents.
- A copy of any disciplinary letters shall be placed on the harasser's file.

If the behaviour is not admitted and there were no witnesses, the following procedures apply:

- in such cases, the "balance of probability" needs to be taken into consideration
The alleged harasser is to be reminded of the Shire's policy, advised that their alleged behaviour has been perceived by the complainant as harassment and informed that their behaviour with the Complainant will be monitored.
- the alleged harasser is to be cautioned that they should take no action which could be construed as victimisation towards the complainant
- the complainant will be advised of the alleged harasser denial and of their right to seek assistance from the Anti-Discrimination Board
- No notes of the allegations will be recorded on personal files.
- Any notes/reports taken in respect of harassment complaints and the actions taken as a result will be kept in a separate confidential file by the Human Resources Manager.
- These records may be required should a complainant choose to go to the Anti-Discrimination Board.
- breaches of confidentiality of harassment complaints are unacceptable and may be subject to separate disciplinary action

WORKPLACE DISPLAY MATERIAL

The Shire of Chapman Valley is committed to ensuring the Shire's workplaces present a positive public image and do not display material which is unlawfully discriminating and likely to cause offence.

Council is also required to comply with legislation which makes sexual harassment and racial vilification unlawful.

As such, all material of a sexist, racist or otherwise offensive or discriminatory nature **shall not be displayed** in any Shire workplace. Material could include graphics such as pictures, posters, cartoons, picture calendars, graffiti or writing such as poems, quotes, notes or jokes. Examples of such material could be calendars or posters of almost nude females or males or material which portrays a stereotypical view of a person of another race.

It is the responsibility of every supervisor and manager to ensure that their workplace does not display sexist, racist

or otherwise offensive material and that any such material on display is removed. Any employee who displays such material will be asked to remove it as it is inappropriate in the workplace and against the Shire's policy. If an employee does not remove the material, the supervisor will take the responsibility to do so and the employee will be given a written warning advising them that any future breaches of policy will result in formal disciplinary action being taken against them. All existing and future suppliers and contractors, who wish to make available such material, will be advised of Council's policy regarding workplace discrimination.

CP-016 Drug & Alcohol Policy

POLICY NO	CP-016
POLICY	DRUG & ALCOHOL
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	6.100
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT, 1984
RELEVANT DELEGATIONS	

OBJECTIVES:

The purpose of the Shire of Chapman Valley - Drug and Alcohol Policy is to ensure that all employees, contractors and visitors who are present at Shire of Chapman Valley work sites are in a condition to safely carry out their work and do not present a risk to the safety of any other person in the workplace.

The Shire of Chapman Valley has a general 'duty of care' obligation to ensure that, as far as practicable, workers are not exposed to hazards and risks that could arise from workers being impaired by alcohol and or other drugs and, where they may arise.

POLICY STATEMENT/S:

Drug and Alcohol Direction

The Shire of Chapman Valley believes that individuals in the workplace who have taken drugs (prescribed, over the counter and illegal) and/or alcohol present a potential risk to the safety of themselves and others. The limits and consequences for individuals who exceed these limits are stated in the Shire of Chapman Valley's Policy

Safety Obligations of Chapman Valley Shire

The Shire for Chapman Valley has obligations to ensure the health and safety of all individuals present at the Shire of Chapman Valley and Shire Work Sites. These obligations are:

- is required, so far as reasonably practicable, to ensure the safety of employees, contractors and visitors while present at the workplace;
- will provide necessary assistance through preventative, educational and rehabilitative programs to overcome drug and alcohol problems which present a safety risk to individuals present at the workplace; and
- will take reasonable steps to ensure that it meets its obligations to employees, contractors and visitors to conduct its operations in a safe and responsible manner.

Safety Obligations for Employees

If an employee has a problem that will result in impairment they have a 'duty of ensure' that they do not put themselves or others at risk and take appropriate steps to ensure that the problem is addressed.

Ensure own safety e.g. they should ensure that their activities away from work do not impact on their ability to perform their duties safely.

Report to their employer any situation that they have reason to believe could constitute a hazard and they cannot reasonably correct themselves,

Report to their employer any injury or harm of which they are aware that arises in the course of, or in their work.

Requirements — Drug and Alcohol Testing in the Workplace

The consumption of alcohol and/or drugs can lead to major deficiencies in an Individual's ability to work safely and their standard of performance. This can have a serious adverse impact both on the Individual's safety and the safety of others in the workplace. The Shire of Chapman Valley is required to minimise the potential adverse impacts of drugs and/or alcohol in the workplace in order to ensure the safety of all Individuals.

The excessive consumption of alcohol and/or drugs can also exacerbate fatigue and reduce workplace awareness and safety performance. Fatigue management is a critical consideration of the Shire of Chapman Valley's operations and this Drug and Alcohol Policy has been developed to support the management of fatigue in the workplace.

Maximum Acceptable Levels of Drugs and Alcohol

The Shire of Chapman Valley has adopted the view that in order to ensure the safety of all individuals on site, all individuals must:

- (a) Have a blood alcohol content level of below 0.05 %; and (0.05% for personnel called back to work)
- (b) Not test positive for any of the drugs listed in Appendix 1.

The Shire of Chapman Valley Work Sites has breath alcohol testing apparatus's. These apparatus's are able to indicate an Individuals blood alcohol concentration (BAC) from a breath sample.

The Shire of Chapman Valley has drug and alcohol testing apparatus's. These apparatus's are able to detect from an Individual's saliva whether they have consumed more than the permitted maximum amount of the drugs that are listed in Appendix 1. If an Individual has consumed more than the maximum amount permitted, then the test will show a positive result.

Prescription/Over the counter Drugs

Any Individual who has been prescribed medication by a medical practitioner will not be in contravention of this Policy as a result of taking that drug in accordance with the prescription, provided that:

The Individual is certified by a medical practitioner as being able to work safely (having regard to the nature of that persons position) if they consumed the relevant medication at prescribed levels;

It is not necessary for the worker to disclose the illness for which they are taking medication.

Personnel Called Back to Work

The Shire of Chapman Valley has a number of employees that may be expected to attend emergency situations at various times during their non-working days. This includes people in the Management Team, Emergency Response Personnel, Safety Personnel, Supervisors and others who are required to attend emergency callouts.

Employees who are called back to work must remain under 0.05% BAC to attend a call out. Employees must self-test prior to attending any call out if they have been consuming alcohol to ensure they are under the site limit.

On any occasion where the self-test is over 0.05%, the employee must contact their Supervisor to arrange suitable coverage.

Alcohol Testing

All Individuals must comply with any request made by an authorised officer of the Shire of Chapman Valley to provide a breath sample in the workplace.

Blood Alcohol Concentration (BAC) - Maximum Acceptable Level

The maximum acceptable level of BAC is less than 0.05%. (Or 0.05% for Emergency call back to work)

Self-Testing - Alcohol Results greater than 0.05% BAC

Employees and Contractors have the opportunity to self-test for alcohol prior to presenting for work.

Where the self-test breath alcohol content (BAC) indicates a level that is greater than 0.05% the employee or Contractor must inform their Supervisor immediately, that they are unfit for work. The employee or contractor's supervisor will instruct that the employee or contractor is to see the Workplace Health & Safety Officer (or designated personnel) and obtain a blue form indicating that their BAC is above 0.05%. The supervisor will determine if the employee or contractor is to be stood down for the remainder of the shift or is permitted to attend work when their BAC is under 0.05%. If the employee or contractors BAC is above 0.05%, they are required to remain at their place of residence.

All further self-test results of individuals that indicate a BAC greater than 0.05% will be treated in the same manner. However, where this occurs the employee will be in breach of the Shire policy detailed on page 8 'Breach of this Policy by an Employee'.

If an employee is stood down in this circumstance, the employee will be entitled to access their accrued annual leave. If the employee has no accrued annual leave, they will be required to take unpaid leave.

Random Testing – Alcohol and Drugs

An Individual or a group of Individuals may, at any time and without notice, be requested to provide a breath/saliva sample to an authorised officer of Chapman Valley Shire.

Casual and Post Incident Testing - Alcohol and Drugs

Chapman Valley Shire will request that an Individual provide a sample to an authorised officer of the Shire of Chapman Valley where that Individual:

- Has been directly or indirectly involved in an incident or near miss in the workplace,
- May have breached safety precautions or procedures,
- Has, or may have, committed an act of misconduct,
- Displays any material decline in work performance or work attendance or any irrational or uncharacteristic behaviour;
- If evidence is found of possible alcohol or drug consumption at work (e.g. alcohol containers on worksites or in vehicles) and it can be identified with reasonable certainty those who may have been involved;
- Is reasonably suspected of having contravened this Policy.

Drug Test Results Initial Testing

A screening test will be undertaken to detect the presence of the substances listed in Appendix 1.

Where the screening test returns a positive result, the employee will be required to undertake a confirmatory test.

Confirmatory Testing

Confirmatory tests shall be conducted using by an accredited laboratory.

Breach of this Policy by an Employee

If the Shire of Chapman Valley conducts a drug or alcohol test and an employee who has presented for work tests positive to drugs or has a breath test reading (other than a self-test' as described on Page 7) indicating that BAC is above 0.05%, (unless there is a call back to work then please refer to Page 6 – Personnel called

back to work) the employee will be in breach of this Policy. The consequences for a breach of this Policy are set out below:

First Offence:

The Shire will issue the employee with a written warning. The employee will be stood down and sent home for the remainder of that shift without pay or permitted to access their accrued annual leave.

Second offence:

A second offence will (subject to any mitigating circumstances) be required to attend counselling. Free confidential advice, assistance and information is also available from the Alcohol and Drug Foundation (Australia-wide) on 1800 198 024 (24 hours a day), or you can access information via the web: www.dao.health.wa.gov.au

Third offence:

The third offence will result in the termination of the employee's employment subject to any mitigating circumstances.

Contractors

From time to time, contractors are engaged to provide services for the Shire of Chapman Valley. For the purpose of this Policy any reference to a 'Contractor' includes any employee or sub-contractor of any company who has been engaged by the Shire of Chapman Valley to perform services. Contractors will be required to adopt measures that meet, as a minimum, the requirements set out in this Policy.

Breach of this Policy by a Contractor or Visitor

If the Shire of Chapman Valley conducts a drug or alcohol test and a Contractor or visitor tests positive to any of the drugs listed in Appendix 1 or has a BAC reading in excess of 0.00%, (Except during a call back to work when 0.05% applies) then the Contractor or visitor will be in breach of this Policy.

A breach of this Policy by a Contractor or visitor will result in their immediate and permanent removal from the Shire site.

Refusal, Avoidance of Tests

An Individual who refuses or avoids testing without a legitimate reason; fails to co-operate fully with the administration of an alcohol or drug test, will be subject to disciplinary action, which may include, but is not limited to: summary dismissal (in the case of employees), immediate removal from the site (in the case of Contractors and visitors) or termination of the engagement (in the case of Contractors).

Transport Arrangements

Any Individual who is in breach of the Policy and is required to leave the workplace will be offered an alternative means of transport home.

Depending on the circumstances, the costs incurred will generally be covered by Chapman Valley Shire. However, in some circumstances, the Individual will be required to bear this cost. This is a matter that will be determined by the Chapman Valley Shire in its sole discretion.

Positive Test Result Book Keeping

All drug and Alcohol test are 'Private and Confidential'. All tests results will be assessable only by managers. All negative tests results will be destroyed.

Procedural Fairness

The Shire of Chapman Valley actions and decisions made under this Policy will be in accordance with the following principles of procedural fairness:

- Individuals will be provided with an opportunity to have a witness present during any meetings which they are required to attend in relation to any matter concerning this Policy;
- Individuals will be given an opportunity to put their case forward (including any mitigating circumstances) and respond to allegations where an adverse decision or finding may be made against them;
- An investigation should seek to ascertain all reasonably attainable facts from the people involved or relevant witnesses;
- An Individual's privacy will be highly respected;
- Decision makers will consider all of the circumstances (including any mitigating circumstances) and provide reasons for decisions.

Accountabilities

The Departmental Managers are accountable for ensuring effective implementation and communication of this Policy in their area of responsibility.

Policy Review

This Policy shall be reviewed every 12 months or as required by changes to process or legislation to ensure currency of scope and methodology.

Protection of Privacy

The Shire of Chapman Valley will take all necessary steps to ensure that the test results of any drug or alcohol sample provided by an Individual, any investigations in relation to such test results, and participation in counseling or rehabilitation services will, to the extent practicably possible, remain confidential between the Individual, Supervisor, Manager or Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

Definitions

<i>TERM</i>	<i>DEFINITION</i>
Authorised Person	Person authorised by the Shire of Chapman Valley to carry out duties described in this Standard
BAC	Blood Alcohol Concentration
Confirmatory Test	Subsequent test to be undertaken if the screening test returns a positive result.
Contractor	For the purpose of this Policy any reference to a Contractor includes any employee or subcontractor of any company who has been engaged by the Shire to perform services. Contractors will be required to adopt measures that meet the requirements set out in this Standard.
Drug	A chemical substance intended to affect the structure or function of the body or mind.
Individuals	For the purpose of this Policy any reference to an Individual will include (without limitation) all employees, agents, contractors, employees of contractors, job applicants and visitors to any Shire site.
Prescription Drugs	Drugs prescribed by a Medical Practitioner
Screening Test	Initial Urine/Saliva test to determine presence of alcohol or drugs above the designated limit
Visitor	For the purpose of this Standard any reference to a Visitor will include any individual who attends the workplace not considered an employee or contractor.
Workplace	All those areas of the Shire of Chapman Valley Sites, including premises where site personnel work or are likely to be during their hours of work, or any place at which site personnel are likely to be working in the course of carrying out their duties in connection with the site.

Drugs and Substances

The categories of drugs and substances prohibited by the Shire of Chapman Valley include but are not limited to those listed below.

Alcohol	An employee with a blood alcohol content greater than or equal to 0.05% BAC . (0.05% in the 'called back to work' situations Emergency Call-back situation)
Sympathomimetic amines	Amphetamines, methyl amphetamine, methylenedioxy methamphetamine (MDMA), phentermine, including ephedrine and pseudoephed. While not an exhaustive list, consumption of the following substances may trigger a positive drug result under this category: Speed, Ecstasy, Benadryl, Codral, and Sudafed.
Benzodiazepines	Oxazepam, temazepam, flunitrazepam, diazepam, nitrazepam, clonazepam or their metabolites. While not an exhaustive list, consumption of the following substances may trigger a positive drug result under this category: Valium, Serepax, Murelax, Normison and Mogadon
Cannabis metabolites	Tetrahydrocannabinol-9-carboxylic acid (THC).
Cocaine metabolites	Benzoyllecgonine and ecgonine methyl ester.
Opiates	Morphine and codeine. Heroin, Codral, Dymadon, Panadeine Forte and Panadeine.

CP-018 Bullying

POLICY NO	CP-018
POLICY	BULLYING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.280
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT, 1984
RELEVANT DELEGATIONS	

OBJECTIVES:

The Shire seeks to provide all employees with a work environment that is safe, equitable and free of discrimination and harassment.

This includes the prevention and effective management of bullying behaviour in the workplace.

POLICY STATEMENT/S:

Responsibilities of Executive Managers

- Executive Managers will:
- Demonstrate professional and ethical behaviour adhering to the Code of Conduct at all times.
- Inform line managers/supervisors of their duty of care responsibilities under the OSH Act 1984
- Verify that line managers/supervisors implement strategies to prevent and discourage Workplace Bullying and Harassment.
- respond to complaints of bullying if:
- complaints have not been resolved at the workplace level;
- the line manager/supervisor is the subject of the complaint; and/or
- the line manager/supervisor has a conflict of interest.

Responsibilities of Line Manager/Supervisors

- Line managers/supervisors will manage bullying behaviour in the workplace by:
- demonstrating professional and ethical behaviour, adhering to the Code of Conduct at all times
- informing employees of relevant legislation, policies and support services related to workplace bullying.
- Ensure all staff attend an Induction process and informing them as required during their employment
- monitoring the workplace for unreasonable and inappropriate conduct that may constitute bullying and addressing any occurrences;
- implementing strategies and reviewing, if necessary, relevant workplace practices to address potential bullying issues;
- responding promptly and appropriately to all issues/allegations
- address any unreasonable or inappropriate conduct of staff and visitors

Responsibilities of Employees

Employees should take reasonable care for their own safety and health at work and avoid adversely affecting the safety or health of any other person through inappropriate behaviour in the workplace.

- All employees will:
- not place the safety and health of others at risk by engaging in bullying;
- report incidents of workplace bullying
- adhere to the Code of Conduct at all times
- Participate in investigations and complaint resolution processes, and abide by any resolution agreements.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-019 Smoking

POLICY NO	CP-019
POLICY	SMOKING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.140
LEGISLATION	TOBACCO PRODUCTS CONTROL ACT & REGULATION, 2006
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

To ensure compliance with the *Tobacco Products Control Act & Regulation, 2006* legislation and to recognise the health and wellbeing of the Shire staff and constituents.

POLICY STATEMENT/S:

Smoking by Shire staff is prohibited at all times in the following areas:

1. All staff work station areas (General Office, Depot etc.),
2. All Shire vehicles; and
3. All other areas as stipulated in the *Tobacco Products Control Act & Regulation, 2006*

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-020 Sexual Harassment

POLICY NO	CP-020
POLICY	SEXUAL HARASSMENT
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.150 & 14.160
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT
RELEVANT DELEGATIONS	NA

OBJECTIVES:

The Shire strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Shire, has a right to do so in an environment which is free from sexual harassment and the Shire is committed to providing such an environment.

POLICY STATEMENT/S:

The Shire considers sexual harassment to be an unacceptable form of behaviour, which will not be tolerated and recognises that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual and/or sexist nature (whether physical, verbal or non-verbal), which is unwelcome and unsolicited, and rejection of which may disadvantage a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public:

- Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.
- Subtle or explicit demands for sexual activities or molestation.
- Intrusive enquiries into a person's private life.
- Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.
- Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

The Shire recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. The Shire is therefore committed to any action, which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Shire will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.

Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face-to-face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

A formal complaints/grievance process forms part of this Policy and will be utilised to effectively resolve complaints of sexual harassment.

Complaint/Grievance Implementation Process

Introduction

All complaints of sexual harassment will be treated confidentially and resolved promptly.

Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser are victimised.

It is recognised that cases of sexual harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.

Implementation Process

1. A complaint of sexual harassment may be lodged with any of the following person: -
 - Immediate Supervisor/Manager (except where this person is the alleged harasser)
 - Divisional Manager (if applicable - except where this person is the alleged harasser)
 - A Nominated Grievance Officer (if applicable)
 - Chief Executive Officer
 - Union Shop Steward
 - Mayor/President (only if the alleged harasser is the Chief Executive Officer)
2. A person receiving a complaint of sexual harassment will: -
 - Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management.
 - Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure.
 - Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow-up reports are provided until the matter is resolved.
 - Ensure no information regarding the complaint is discussed outside this procedure.
 - In a case where a union shop steward receives the complaint, the divisional manager and/or grievance officer is to be advised of the details of the complaint.
3. The person handling the complaint, whether it is the person who received the complaint or a more senior person, will, with the approval of the complainant: -
 - As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour.
 - Advise the alleged harasser of the right to contact their Union for advice and representation.
 - Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard.
 - Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.

4. If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser: -

The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union will be party to the investigation.

All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity.

5. During the period of the investigation of a case of serious sexual harassment: -

If requested by either party or by management, alternative working arrangements may be made.

6. If, following investigation and resolution, a complaint is judged to have foundation: -

Appropriate remedial action will be taken including where appropriate disciplinary/counselling action appropriate to the circumstances and/or seriousness of the matter.

A record of the detail of the disciplinary action will remain on the employee's personal file for a period of 12 months, whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.

7. If, following investigation, a complaint is judged to have no foundation: -

The complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.

Continued referred to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-023 Standards for CEO Recruitment, Performance & Termination

POLICY NO	CP-023
POLICY	STANDARDS FOR CEO RECRUITMENT, PERFORMANCE & TERMINATION
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
LEGISLATION	LOCAL GOVERNMENT ACT 1995; and LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS
RELEVANT DELEGATIONS	NA

Division 1 — Preliminary provisions

1. Citation

These are the *Shire of Chapman Valley Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

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

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

contract of employment means the written contract, as referred to in section 5.39 of the Act, which governs the employment of the CEO;

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

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

local government means the *[insert name of local government]*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

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

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

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

6. Advertising requirements

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

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

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

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

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

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

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

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

9. Recommendation by selection panel

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

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

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and

- (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

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

12. Variations to proposed terms of contract of employment

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

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

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the **incumbent CEO**) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether the period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether the process was carried out before, on or after commencement day;
 - and
 - (b) the incumbent CEO has notified the local government they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is

not disclosed, or made use of, except for the purpose of, or in connection with, the recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

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

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

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

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

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

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	03/21-10
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Reviewed/Amended – Council Resolution:	
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Procedures

CMP-013 Communications & Social Media

MANAGEMENT PROCEDURE No.	CMP-013
MANAGEMENT PROCEDURE	COMMUNICATIONS & SOCIAL MEDIA
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NIL
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

This procedure establishes protocols for the Shire of Chapman Valley's official communications with our community to ensure the Shire of Chapman Valley is professionally and accurately represented and to maximise a positive public perception of the Shire of Chapman Valley.

MANAGEMENT PROCEDURE STATEMENT

This procedure applies to:

1. Communications initiated or responded to by the Shire of Chapman Valley with our community; and
2. Elected Members when making comment in either their Shire of Chapman Valley role or in a personal capacity.

ADDITIONAL EXPLANATORY NOTES

Official Communications

The purposes of the Shire of Chapman Valley's official communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the Community.
- Promoting Shire of Chapman Valley events and services.
- Promoting Public Notices and community consultation/engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire of Chapman Valley.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire of Chapman Valley's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Shire. Our communications will always be respectful and professional.

The Shire of Chapman Valley will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Advertising and promotional materials;
- Media releases prepared for the President, to promote specific Shire of Chapman Valley positions;
- Social media; and
- Community newsletters, letter drops and other modes of communications undertaken by the Shire of Chapman Valley's Administration at the discretion of the CEO. On behalf of the Shire of Chapman Valley

The Shire President is the official spokesperson for the Shire of Chapman Valley and may represent the Shire of Chapman Valley in official communications, including; speeches, comment, print, electronic and social media. [s.2.8(1)(d) of the Local Government Act 1995]

Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson. [s.2.9 and s.5.34 of the Local Government Act 1995]

The CEO may speak on behalf of the Shire of Chapman Valley, where authorised to do so by the Shire President. [s.5.41(f) of the Local Government Act 1995]

The provisions of the *Local Government Act 1995* essentially direct that only the Shire President, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until the Shire President has had opportunity to speak on behalf of the Shire of Chapman Valley.

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

- bring the Shire of Chapman Valley into disrepute,
- compromise the person's effectiveness in their role with the Shire of Chapman Valley,
- imply the Shire of Chapman Valley's endorsement of personal views, or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Chapman Valley.

Elected member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

All enquiries from the Media for an official Shire of Chapman Valley comment, whether made to an individual Elected Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Chapman Valley.

Elected Members may make comments to the media in a personal capacity – refer to clause **Elected Member Statements** on Shire Matters below.

The Shire of Chapman Valley will maintain an official website, as our community's on-line resource to access to the Shire of Chapman Valley's official communications.

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

The Shire of Chapman Valley maintains the following Social Media accounts:

- Social networks, may include - Website, Facebook, Twitter, You Tube

The Shire of Chapman Valley may also post and contribute to Social Media hosted by others, to ensure that the Shire of Chapman Valley's strategic objectives are appropriately represented and promoted.

The Shire of Chapman Valley actively seeks ideas, questions and feedback from our community; however, we expect participants to behave in a respectful manner. The Shire of Chapman Valley will moderate its Social Media accounts to address and where necessary delete content which is deemed as:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Promotional, soliciting or commercial in nature;
- Unlawful or incites others to break the law;
- Information which may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;

- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- Content that violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Shire of Chapman Valley.

Where a third-party contributor to a Shire of Chapman Valley's social media account is identified as posting content which is deleted in accordance with the above, the Shire of Chapman Valley may at its complete discretion block that contributor for a specific period or permanently.

Shire President / Mayoral Social Media Official Accounts

The Shire of Chapman Valley supports the Shire President in using official social media account/s to assist the Shire President in fulfilling their role under section 2.8 of the *Local Government Act*, to speak on behalf of the Local Government. The content will be administered and moderated in accordance with this procedure.

These official Shire of Chapman Valley accounts must not be used by the Shire President for personal communications.

Use of Social Media in Emergency Management and Response

The Shire of Chapman Valley may use the following channels to communicate and advise our community regarding Emergency Management:

Website;
Facebook;
Twitter;
You Tube

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

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

Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members must ensure that their personal or private communications do not breach the requirements of this procedure, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Elected Member Statements on Shire Matters

An Elected Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Chapman Valley.

Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Chapman Valley;
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;
6. Not reflect adversely on a decision of the Council;
7. Not reflect adversely on the character or actions of another Elected Member or Employee;

- 8. Maintain a respectful and positive tone and not use offensive or objectionable expressions about any Elected Member, Employee or community member.

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

Comments which become public and which breach this procedure, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	07/18-10
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Reviewed/Amended – Council Resolution:	

CMP-026 Code of Conduct - Employees and Contractors

MANAGEMENT PROCEDURE No.	CMP-026
MANAGEMENT PROCEDURE	CODE OF CONDUCT – EMPLOYEES AND CONTRACTORS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	6.90
RELEVANT DELEGATIONS	

PREAMBLE

This Code of Conduct provides employees and contractors in the Shire of Chapman Valley 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.

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

- (a) better decision-making by the Shire of Chapman Valley;
- (b) greater community participation in the decisions and affairs of the Shire of Chapman Valley;
- (c) greater accountability of the Shire of Chapman Valley to their communities; and
- (d) more efficient and effective Local Government.

This Code provides a guide and a basis of expectations for employees and contractors. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

STATUTORY ENVIRONMENT

This Code of Conduct observes statutory requirements of the *Local Government Regulations Amendment (Employee Coded of Conduct) Regulations 2021*.

Employees are to acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with *Local Government Regulations Amendment (Employee Coded of Conduct) Regulations 2021*.

Contractors acknowledge they are subject to the provisions of the Code upon being engaged as a contractor and whilst they remain as a contractor for the Shire of Chapman Valley.

1. ROLES & RESPONSIBILITIES

1.1 Role of the CEO and Employees

The CEO is appointed by Council and is the communication link between Councillors and employees.

All other Council employees are responsible to the CEO.

The CEO is responsible to the Council for the implementation of Council policies, decisions and budgeted works, the provision of accurate and timely advice to Council and the efficient administration of the Council.

The role of employees 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 affairs and the performance of the Local Government functions;*
- (f) speak on behalf of the Local Government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to 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.”*

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (a) Employees and contractors will ensure there is no actual (or perceived) conflict of interest between their personal interests, including those of their immediate family, business partners or close associates, and the impartial fulfillment of their professional duties.
- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Chapman Valley, 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 private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Employees will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Chapman Valley area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise 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) Employees 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 such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

2.2 Financial Interest

Employees will adopt the principles of disclosure of financial interest as contained within sections 5.59 – 5.90 of the Local Government Act 1995

2.3 Disclosure of Interest – Impartiality - Employees

In this clause “interest” means an interest which 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) An employee who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter –
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (b) A requirement described under items (a) and (b) excludes an interest referred to in S 5.60 of the *Local Government Act 1995*.
- (d) A person who is an employee is excused from a requirement made under item (a) 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 this kind.
- (e) If 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 (Rules of Conduct – Reg 6 refers)

Employees and contractors 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 Shire of Chapman Valley upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Employees will not take advantage of their position to improperly influence other Councillors or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Similarly, employees and contractors will not take advantage of their position to the detriment of Council, the Shire or other persons.

3.4 Gifts (LGA s5.82)

All employees must declare:

- (a) A gift worth above \$300.
- (b) A gift which is one or two or more gifts given to the employee by the same person within a period of six (6) months which are in total worth of \$300.
- (c) Gifts worth \$300 or more are 'prohibited gifts' and simply cannot be accepted.

A gift includes:

"any disposition of property, or conferral of any other financial benefit, made by one person in favour of another otherwise than by will, without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel".

Employees do not have to declare a notifiable gift if it is:

- (a) Less than \$300.
- (b) Received from a relative as defined by 5.74(1) of the Local Government Act 1995.
- (d) A gift from a statutory authority, government instrumentality or non-profit association for professional training.

4. CONDUCT OF EMPLOYEES AND CONTRACTORS

4.1 Personal Behaviour

(a) Employees and contractors will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Shire of Chapman Valley 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 Shire of Chapman Valley and its communities and shall be particularly mindful to avoid interference in commercial relationships between developers and objectors or between developers competing for the right to develop.

- (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
- (v) always act in accordance with their obligation of fidelity to the Shire of Chapman Valley and not publicly reflect adversely upon any decision of the Council or Council's management.

4.2 Honesty and Integrity

Employees and contractors 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 Chief Executive Officer any dishonesty or possible dishonesty on the part of any other employee, and in the case of a contractor to the employee who is responsible for overseeing their activities.
- (c) be frank and honest in their official dealing with each other.
- (d) Endeavour to resolve serious conflict through initial discussion facilitated by the CEO or, in the event the CEO is too closely involved, an independent impartial person or peer group.

4.3 Discrimination

Employees and contractors are required to treat each other and members of the community with respect and observe the requirements of Discrimination and Equal Opportunity legislation by:

- (a) Ensuring the workplace is free from any form of discrimination.
- (b) Applying the philosophy and principles of EEO at all levels of the organisation.
- (c) Ensuring they do not engage in unlawful harassment or bullying in the workplace.

4.4 Performance of Duties

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

4.5 Compliance with Lawful Orders

- (a) Employees 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) Employees will give effect to the lawful policies of the Shire of Chapman Valley, whether or not they agree with or approve of them.

4.6 Administrative and Management Practices

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

4.7 Corporate Obligations

- (a) Standard of Dress

Employees are expected to comply with neat and responsible dress standards at all times. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

(b) Communication and Public Relations

- (i) All aspects of communication by employees (including verbal, written or personal), involving Shire of Chapman Valley's activities should reflect the standards and objectives of the Shire of Chapman Valley. Communications should be accurate, polite and professional.
- (ii) Statements to the press on behalf of the Shire will only be made by the President or the CEO, or unless the President directs otherwise.

It shall be incumbent on employees when referring a member of the community to their local Councillor over issues the officer cannot resolve due to current Council policy, the officer notify the Councillors of the referral and any information which may assist in resolving the issue.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Shire of Chapman Valley Resources

Employees and contractors will:

- (a) be scrupulously honest in their use of the Shire of Chapman Valley's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Shire of Chapman Valley resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Shire of Chapman Valley's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised by the Chief executive officer to do so within Policy/Procedure conditions, and appropriate payments are made (if required and as determined by the Chief Executive Officer).
- (d) Not use Council vehicles for private use unless authorised to do so within Policy/Procedures and as authorised by the Chief Executive Officer or as stipulated in Employee Contractual arrangements.
- (e) Foster an awareness of the community's ownership of the Shires natural and built environment

5.2 Travelling and Sustenance Expenses

Employees 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 Shire of Chapman Valley in accordance with Councils policy/procedures and the provisions of the *Local Government Act 1995*.

5.3 Access to Information

Employees will ensure Councillors are given access to all practical and relevant information necessary for them to properly perform their functions and comply with their responsibilities.

5.4 Freedom of Information

Employees and contractors acknowledge:

- (a) The *Freedom of Information Act 1992* (FOI Act) was introduced to facilitate public access to documents and an application can be made seeking access to any information held by the Shire of Chapman Valley
- (b) An object of the FOI Act is to ‘make the persons and bodies responsible for State and local government more accountable to the public’.
- (c) They are obligated to assist the Shire’s CEO and the Shire’s Freedom of Information officers in locating documents relevant to an application made under the FOI Act.

6. BREACHES AND MISCONDUCT

Complaints regarding a breach of this Code or of misconduct will be dealt with quickly and fairly in accordance with the principles of procedural fairness and natural justice.

6.1 Employees and Contractors

A complaint alleging an employee or contractor has breached this Code shall be made in writing. Complaints regarding:

- (a) An employee are to be made to the Chief Executive Officer or in the case of a contractor to the employee who is responsible for overseeing their activities.
- (b) The Chief Executive Officer is to be made to the President. The complaint will be investigated in a manner which is in accordance with the Shires Complaint Handling Procedure, Public Interest Disclosure Procedures and the principles of natural justice.

6.2 Misconduct

For the purposes of this Code, misconduct is defined in accordance with section 4 of the *Corruption, Crime and Misconduct Act 2003*.

The Chief Executive Officer has a statutory obligation to report to the Corruption and Crime Commission allegations of suspected serious misconduct.

Allegations of suspected minor misconduct are dealt with by the Public Sector Commission.

6.3 Public Interest Disclosure

The Shire follows the standard public interest disclosure procedure which provides confidential mechanisms for reporting and investigating misconduct allegations or improper conduct and other public interest information in accordance with the *Public Interest Disclosure Act 2003*.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23, 06/15-18; 03/17-32;02/21-02
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CMP-042 Annual Leave

MANAGEMENT PROCEDURE No.	CMP-042
MANAGEMENT PROCEDURE	ANNUAL LEAVE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.10
RELEVANT DELEGATIONS	1008

OBJECTIVES:

To attempt in minimising the effect of annual leave clearance by staff, whilst ensuring all Award and legislative requirements, along with the welfare of staff are taken into consideration.

MANAGEMENT PROCEDURE STATEMENT/S:

Road Works Crew

Annual Leave – Unless otherwise determined by the Chief Executive Officer annual leave will be cleared as follows:

- Two weeks in December/January each year as a Christmas close down period.
- Two weeks during the calendar year under an agreed roster set at the beginning of the year, bearing in mind that not more than one employee will be rostered off for leave at any one time and the avoidance of peak road works periods.
- Alterations to the roster must be by mutual arrangement between respective staff member(s), Works Supervisor and CEO.
- Clearance of other leave (e.g. Military, LSL, etc) will also be taken into consideration when setting the Annual Leave roster to ensure staff numbers are not depleted to a level that may be detrimental to the organization.
- All staff are to have cleared their full four-week entitlement by the end of the calendar year (including the December/January Christmas close down period). If staff member(s) has not cleared their full entitlement by this time they are to clear all accrued leave during December/January.
- Clearing the two weeks Annual leave during the calendar year will be way of a maximum of two weeks and a minimum of one week only.
- Commencement of the above Annual Leave Operational Procedures will be immediate, depending on accrued leave entitlement of individual staff and an agreed roster being finalised.

All Other Staff

All annual leave must be taken before the next annual leave becomes due; however, with Chief Executive Officer's permission may be accumulated for no more than two years at any one time.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23, 06/15-18; 03/17-32

CMP-043 Hours of Work

MANAGEMENT PROCEDURE No.	CMP-043
MANAGEMENT PROCEDURE	HOURS OF WORK
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.40
RELEVANT DELEGATIONS	

OBJECTIVES:

To determine hours of work for Shire staff

MANAGEMENT PROCEDURE STATEMENT:

ADMINISTRATION STAFF

The Shire shall adopt working hours between the range of 8.00am to 5.00pm with a half of an hour for lunch for Local Government Industry Award 2010 staff, Managers and Chief Executive Officer. The Chief Executive Officer may amend these arrangements at his/her discretion under the condition core office opened hours are retained (e.g. Spread of Hours, Home Based Works, Roster Days Off arrangements).

The Chief Executive Office is to determine the Annual Christmas/New Year close down period of the administration office with staff clearing accrued leave on days of absence which are considered normal workdays and not Public Holidays

ROADWORKS STAFF

The Shire adopt core working hours between the range of 7.00am to 4.30pm with half an hour for lunch. This is based on a 9-work day/2 week period subject to the RDO's being flexible if and when the occasion arises. These arrangements may be amended at the Chief Executive Officer's discretion.

ADDITIONAL EXPLANATORY NOTES:

The Annual Christmas/New Year close down period of the administration office should include the Christmas and New Year Public Holidays and the normal working days between these two periods.

The Chief Executive Officer is to determine what level of emergency staff and contact details are required during this close down period.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 10/15-8; 07/19-4; 03/21-10
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CMP-044 Motor Vehicle – Usage of

MANAGEMENT PROCEDURE No.	CMP-044
MANAGEMENT PROCEDURE	MOTOR VEHICLES – USAGE OF
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.50
RELEVANT DELEGATIONS	2001

OBJECTIVES:

To stipulate conditions for the use of Shire vehicles

MANAGEMENT PROCEDURE STATEMENT/S:

PRIVATE USE OF SHIRE LIGHT VEHICLES

Unless as otherwise determine in Employee Contracts conditions the Chief Executive Officer is authorised to determine private use of the Shire's light vehicles by staff.

CARE OF VEHICLES

As a general condition all staff with a vehicle in their care are required to clean the vehicle regularly and garage it in a secure place.

COMMUTER USE

The Chief Executive Officer shall be authorised to allow temporary commuter use of vehicle.

Commuter use being use of a motor vehicle to and from a place of residence to work during the absence of any of the abovementioned officers, or when considered necessary in the interests of the Shire's operations

ADDITIONAL EXPLANATORY NOTES:

All private usage of shire vehicles is subject to Fringe Benefit Tax

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	06/02-8; 10/02-13; 07/04-5; 05/05-2; 05/15-23; 06/15-18; 03/17-32; 03/21-10

CMP-049 Personal Phone Usage

MANAGEMENT PROCEDURE No.	CMP-049
MANAGEMENT PROCEDURE	PERSONAL TELEPHONE USAGE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	14.110
RELEVANT DELEGATIONS	

OBJECTIVES:

To control private usage of Shire telephones

MANAGEMENT PROCEDURE STATEMENT:

Office Telephones

The use of office telephones to make private calls is not prohibited; however, such calls should be kept to a minimum and for emergency purposes only, or as otherwise approved by the CEO (or DCEO in the CEO's absence).

Mobile Phones

Staff Position	Private Use of Mobile Phone	Conditions
Chief Executive Officer	Y	The Local Government to provide for business and personal use of the officer a mobile telephone with all calls, rental and service charges paid for. Strictly no use when overseas.
Deputy Chief Executive Officer	Y	
Manager Works & Services	Y	Staff may make private calls subject to the use being monitored by the Manager Finance & Corporate Services with excessive use (as determined by the CEO) for private calls to be reimbursed by the staff member to the Shire. Strictly no use when overseas
Building Surveyor/Projects	Y	
Works Leading Hand	Y	
Senior Ranger	Y	
Community Development Officer	N	No Private Use allowed.
Plant Operators - Construction & Maintenance	N	No Private Use allowed.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 06/19-15; 07/19-4

CMP-052 Uniform Subsidy – Administration Staff

MANAGEMENT PROCEDURE No.	CMP-052
MANAGEMENT PROCEDURE	UNIFORM SUBSIDY – ADMINISTRATION STAFF
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	14.190
RELEVANT DELEGATIONS	

OBJECTIVES:

To stipulate the level and conditions of providing staff uniforms.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire’s annual contribution to administration staff uniforms will be in accordance with each individual employment contract.

All new staff members are required to successfully complete the probationary period prior to the issue of any uniforms, at which time 50 % of the annual endorsed budget allocation per staff member may be expensed at the completion of the probationary period and the remaining 50% after successfully completing six months service

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-053 Staff Attraction, Incentive & Retention Allowances & Conditions

MANAGEMENT PROCEDURE No.	CMP-053
MANAGEMENT PROCEDURE	STAFF ATTRACTION, INCENTIVE & RETENTION ALLOWANCES & CONDITIONS
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	14.220 / 14.219
RELEVANT DELEGATIONS	

OBJECTIVES:

To set the level of Staff Attraction/Incentive/Retention Allowances & Conditions which are in addition to National Employment Standards and Award requirements.

MANAGEMENT PROCEDURE STATEMENT/S:

All Staff Attraction/Incentive/Retention Allowances & Conditions are based on a fulltime employee (i.e. 1976 ordinary hours per annum) receiving the full entitlement and all part time employees receiving a reduced pro-rata allowance or entitlement based on the number of hours worked. Allowances will be paid fortnightly.

Staff Attraction/Incentive/Retention Allowances & Conditions will be reviewed as required by Council for consideration in forthcoming Draft Budgets.

The Shire's adopted Budget will determine all Staff Attraction/Incentive/Retention Allowances & Conditions to be paid to and/or offered to staff each financial year

Annual Incentive Allowance (formally known as "Staff Housing Allowance")

An annual amount set by Council as part of the annual budget cycle (paid fortnightly) in full for full time employees (1967 hours pa) and reduced on a pro-rata basis for part time employees.

Days in Lieu

Subject to the terms of this Procedure, each employee who is scheduled to work on the working day after the New Year's Day holiday and Easter Tuesday each year or is on paid leave shall become entitled to a day's paid absence in lieu for each of the days.

On the working day after the New Year's Day holiday and Easter Tuesday each year an employee who is scheduled to work those days or is on paid leave shall become entitled to a day's paid absence in lieu for each of days.

Further, an employee who works a roster and is on a rostered day off on either the working day after the New Year's Day holiday or Easter Tuesday shall also be entitled to a day's paid absence in lieu of each of the days.

The days in lieu are to be taken in the year in which they fall due and at the convenience of the employer. The employer may elect to allow employees to accrue the days in lieu.

It is at the discretion of the Local Government whether employees are required to work on the actual days in lieu.

VARIATION TO PROCEDURE

This Procedure may be varied or cancelled at the discretion of Chief Executive Officer.

All employees will be notified by the normal correspondence method of any variation or cancellation to this Procedure. It is the responsibility of all employees to read this Procedure prior to applying for leave.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/16-17; 03/21-10

CMP-054 Working From Home

MANAGEMENT PROCEDURE No.	CMP-054
MANAGEMENT PROCEDURE	WORKING FROM HOME
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.240
RELEVANT DELEGATIONS	

OBJECTIVES:

The Shire of Chapman Valley (Local Government) is committed to providing flexible and family friendly working arrangements for employees. This procedure outlines the circumstances in which a working from home arrangement is appropriate and provides guidelines to facilitate the management of such an arrangement.

This procedure applies to permanent employees of the Local Government seeking to enter into a regular arrangement to carry out part of his/her duties from home, for a specified period of time or in exceptional circumstances, permanently.

MANAGEMENT PROCEDURE STATEMENT/S:

For the purpose of this procedure 'working from home' means working away from an employee's ordinary contracted place of employment. A 'home office' means a designated space for an employee to work while away from the workplace.

In order to ensure the safety and wellbeing of our employees, and to ensure the arrangement is consistent with the Local Government's requirements, an interested employee must apply for a Working from Home Arrangement (WFHA). All applications are considered on a case-by-case basis by the Manager for subsequent consideration and approval by the Chief Executive Officer. The Manager and employee are responsible for demonstrating the requirements of this procedure have been satisfied before an application for a WFHA is approved. The Chief Executive Officer may refuse an application for a WFHA where it is not suitable or it does not meet operational requirements.

Eligibility criteria

The Local Government's responsibility to consider flexible working arrangements is in accordance with the Local Government Industry Award 2010 and the National Employment Standards in the Fair Work Act 2009.

Applications to work from home will be assessed according to the following criteria:

- Suitability of the employee's work to be performed off-site
- The employee being able to demonstrate efficiency will be maintained or increased as a result of the WFHA
- The reasons for the employee wanting to work from home
- Ability of the employee to complete work within the employee's agreed span of hours as detailed in their employment contract and the Local Government Industry Award 2010
- The presence of the skills, ability and knowledge to work autonomously
- The impact the arrangement may have on the productivity of co-workers
- The impact the arrangement may have on service delivery and customer service
- Proposed methods for engaging with the employee and assessing their productivity and effectiveness

- The employee having a suitable home office and access to necessary equipment, internet and IT systems to enable the employee to effectively work from home

Line Manager responsibilities

Where a WFHA has been approved, it is the responsibility of an employee's manager to:

- ensure the employee is working in accordance with their WFHA and adhering to the Local Government's policies and procedures
- ensure the employee has completed a risk assessment of their home office and other relevant areas, for example bathroom, kitchen and facilitate the Local Government to conduct safety inspections
- review and sign off on records of hours worked (timesheets) as required
- monitor and review the WFHA on a regular basis to ensure it is meeting the needs of the Local Government and the employee
- communicate regularly and ensure employees working from home are included in team meetings and receive all necessary information to undertake their work
- where practicable, ensure equipment and tools required to perform the tasks are provided to the employee, and
- accurately document the ownership and usage arrangements of the equipment and assets.

Employee responsibilities

Where an employee's application to work from home has been approved, it is the employee's responsibility to ensure they:

- adhere to the Local Government's policies and procedures
- maintain regular contact with their respective Line Manager and colleagues, and be contactable during their agreed hours of work
- meet fitness for work requirements. If an employee is unwell, injured or unable to work due to other reasons, then the employee must submit a request for leave
- take all reasonable steps to establish a safe working environment and report any health, safety and wellbeing hazards, near misses and incidents
- maintain accurate and up to date records of hours worked at home within the normal span of hours
- allow a person, appointed by the Local Government, to access their home office and related areas to allow a safety inspection as required, and
- take all reasonable precautions necessary to secure the Local Government's equipment.

Working from home arrangement agreement

An employee's terms and conditions of employment remain the same when working from home. This includes hours of work, remuneration and the requirement to perform their role effectively and efficiently, and to act in the best interests of the Local Government. Any variation to hours of work, availability and expectations associated with implementing a WFHA must be documented in a working from home agreement.

WFHAs will be reviewed on a regular basis to ensure they are operating effectively and meeting the requirements of the Local Government. As part of the review process, concerns with the WFHA may be addressed or if the WFHA is unsuccessful, the agreement may be terminated.

Consequences of breaching this policy

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

Variation to this policy

This policy may be cancelled or varied from time to time. The Local Government’s employees will be notified of any variation to this policy by the normal correspondence method.

Related Documents

- Shire of Chapman Valley Staff Code of Conduct
- Relevant Shire Policies & Procedures
- Local Government Industry Award 2010 and
- National Employment Standards in the Fair Work Act 2009

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	09/04-10
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/21-10
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WORKING FROM HOME ARRANGEMENT (WFHA)**EMPLOYEE DETAILS**

Employee name:	
Position:	
Department:	
Employment status (full-time or part-time):	
Office location:	
Address of WFHA site:	
Email address:	
Mobile phone number:	

WORKING FROM HOME ARRANGEMENT

Days of work:	
Hours of work:	
Start and finish times or span of hours:	
Declared workspace (description of work area):	
Commencement date:	
Review date:	
End date:	

WORKING FROM HOME ARRANGEMENT**OCCUPATIONAL SAFETY AND HEALTH CHECKLIST**

Is the workspace free of potential hazards that could cause physical harm (for example frayed wires, bare conductors, loose wires, exposed wires to the ceiling, frayed or torn carpeting seams or uneven floor surfaces)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are chairs sturdy with no loose casters/wheels?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are the electrical cords and extension wires secured?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Is the office space neat, clean, and free of obstructions and excessive amounts of combustibles?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do the desk, chair, computer and peripherals meet ergonomic requirements?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there enough light for reading?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there adequate ventilation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there a working (<i>test</i>) smoke detector within hearing distance of the workspace?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the noise level of the area acceptable to avoid distraction from task concentration?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have been issued Local Government equipment, have you been briefed on the care of the equipment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

GENERAL REQUIREMENTS

- The Manager and the employee must agree to a communication strategy to ensure the employee is contactable during work hours and involved in their usual work activities and projects.
- An employee's terms and conditions of employment remain the same when working from home and all work governing documents will continue to apply. This includes the employee's employment contract, the Code of Conduct, the Local Government's policies and procedures, and any other document that may be relevant.
- The employee agrees to ensure their productivity is maintained or improved while working from home.
- The employee agrees to keep accurate and current records of hours worked at home.
- The hours worked by the employee will be within the normal span of hours and as documented in this agreement.
- The employee may only undertake overtime with the prior written approval of the Manager.
- The employee still needs to apply for leave as required.
- The employee is to ensure that adequate arrangements are in place for any caring responsibilities while the employee is working from home.
- The employee understands they are responsible for their commitment to work, health and safety and will advise the Local Government of any support or assistance required.
- The employee must take all reasonable precautions to ensure the Local Government's equipment and documents are kept secure, private and confidential.

- The Local Government may terminate the working from agreement at any time and for any reason, with one week's notice.

EMPLOYEE DECLARATION

I, _____, understand the importance of this Working From Home Agreement, agree to comply with the General Requirements outlined above and undertake that the information I have provided is accurate and current. Should any of the information provided by me change, I will notify the Local Government as soon as possible.

I understand that on return to the workplace, any equipment issued will be returned to the Local Government in the same condition in which it was issued.

Employee's signature: _____
 _____/_____/_____

Date:

APPROVAL

As the employee's Manager, I agree to the terms and conditions of this Working From Home Agreement.

Manager's name: _____

Manager's signature: _____
_____/_____/_____

Date:

As the CEO, I agree to the terms and conditions of this Working From Home Agreement.

CEO's name: _____

CEO's signature: _____
_____/_____/_____

Date:

A copy of this Agreement is to be given to the employee and placed on the employee's personnel file.

CMP-056 Education & Study Assistance

MANAGEMENT PROCEDURE No.	CMP-056
MANAGEMENT PROCEDURE	EDUCATION AND STUDY ASSISTANCE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.250
RELEVANT DELEGATIONS	

OBJECTIVES:

PROCEDURE OBJECTIVE

The intention is to adopt both this Operational Procedure and the LGIA conditions.

PURPOSE

Employees may be assisted to undertake courses of study at tertiary education institutions such as universities, technical colleges, accredited Local Governments and private companies.

The pre-requisites for assistance are:

- that the course(s) complement the Local Government's goals and strategies; and
- are relevant to the work of the employee.

OBJECTIVE

To encourage employees to pursue studies relevant to their positions and to the Local Government.

MANAGEMENT PROCEDURE STATEMENT/S:

PROCEDURE

Eligibility for Assistance

To be considered for assistance employees need to satisfy the following criteria:

- a. Approved courses shall be such that they will improve employees' qualifications and be appropriate to their current classification or advancement.
- b. Employment must be of a continuing nature.
- c. The subjects involved shall not be repeat subjects. Repeated subjects must normally be completed in own time, although submissions for time off for repeated subjects without pay or with such time to be made up, will be considered on merit.

The following criteria should be applied in determining staff access to study courses:

- d. The attending of the study course does not unduly impact upon the operational objectives of the Local Government.
- e. Any officer requesting to be approved study leave shall ensure that an application is made in writing and stipulates the following:
 - course name;
 - location;
 - length of course;
 - relevancy to the current position; and
 - cost of course

- f. The duration and length of study leave shall be granted at the discretion of the Chief Executive Officer.
- g. Study leave may be extended by the Chief Executive Officer during periods where the workload, training or time attending exams is additional to that normally required.

Time off for Lectures

Paid leave granted to employees to attend external studies shall include travelling time but only if that travel occurs during normal hours in which the employee would normally have been required to work.

Employees may be permitted time off with pay up to five hours per week, including travelling time, providing the equivalent period of time attending lectures is incurred in the employee's own time, subject to:

the number of staff attending courses of study at any one time shall not unduly interfere with work of the Local Government or any one department; and

study release may, at the Chief Executive Officer's discretion, be waived from time to time under extreme workload conditions.

Examination Leave

Employees undertaking examinations arising from an approved course of study may apply to the Chief Executive Officer for time off with pay to sit for examinations that are scheduled during working hours.

Reimbursement of Fees

All applications for assistance should be accompanied by proof of enrolment and breakdown of associated fees including receipts and any approved assistance for associated costs for study (including books, fees and transport) may be approved at the discretion of the Chief Executive Officer.

An employee who undertakes an approved course of study may apply to the Chief Executive Officer to have compulsory fees (other than for supplementary examinations and late enrolment or late entry fees) reimbursed, after successful completion of the semester/term.

Expenditure for books, stationery, equipment, parking and travel are not reimbursed, although such expenses may be eligible deductions for taxation purposes.

Claims for payment shall be accompanied by official receipts for fees paid, together with an official statement from the educational Local Government, indicating passes in those subjects.

Continuity

To continue to qualify for assistance under the education Procedure, employees will need to successfully complete each semester's subjects.

In the event that the employee is unsuccessful in completion of a study module or leaves the Local Government before the completion of that semester's study, repayment of financial support given for that semester's study is to be made as follows:

By deduction from the employee's pay on a fortnightly basis over a six month period (prior written consent from the employee is required before approval will be granted) ; or

Should the employee leave the Local Government, the amount outstanding is to be deducted from the employee's final pay (prior written consent from the employee is required before approval will be granted).

Withdrawal of Support for Unsatisfactory Progress

Support may be withdrawn subject to:

- review of semester results;
- behaviour and progress of the employee;
- the educational requirements of the Local Government; or
- repeated subject failures associated with any study course.

Promotion

The successful completion of any approved course shall not necessarily entitle an employee to a higher classification, grading or remuneration.

Responsibility

Each individual staff member is required to ensure that their eligibility for education and study assistance is maintained.

The relevant Director/Manager must ensure that this procedure is adhered to.

VARIATION TO PROCEDURE

This Procedure may be varied or cancelled at the discretion of Chief Executive Officer.

All employees will be notified by the normal correspondence method of any variation or cancellation to this Procedure. It is the responsibility of all employees to read this Procedure prior to applying for leave.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	05/14-14
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-058 Community Service Leave

MANAGEMENT PROCEDURE No.	CMP-058
MANAGEMENT PROCEDURE	COMMUNITY SERVICE LEAVE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.230
RELEVANT DELEGATIONS	

OBJECTIVES:

PURPOSE

An employee has an entitlement to be absent from employment for the purposes of engaging in an eligible community service activity. Under the *Fair Work Act 2009*, an eligible community service activity is defined as follows:

- ~ Jury service (including attendance for the purpose of jury selection) that is required by or under a law of the Commonwealth or of a State or Territory; or
- ~ Carrying out a voluntary emergency management activity;

The following Community Service Procedure includes provisions for employees to access leave under the following conditions:

- ~ Voluntary Emergency Management Activities;
- ~ Jury Service / Duty; and
- ~ Defence Reserve Leave

OBJECTIVE

To recognise that employees are able to access leave for the purposes of community service, defence reserve leave and jury duty leave, and provide guidelines to facilitate access to such leave.

MANAGEMENT PROCEDURE STATEMENT/S:

PROCEDURE

Community Service Leave

Community Service Leave refers to leave associated with an employee who is absent from work for purposes of engaging in a voluntary emergency management activity.

- a. An employee who engages in a voluntary emergency management activity is entitled to be absent from employment for a period (including reasonable travel and rest time) to engage in that activity, in the form of Community Service Leave.
- b. Access to Community Service Leave for the purposes of voluntary emergency management activity will be in the form of unpaid leave.
- c. Employees accessing Community Service Leave must notify their supervisor as soon as is practicable of the period, or expected period of absence. Employees must also provide evidence supporting their application for (unpaid) Community Service Leave.

Jury Service Leave

- a. Employees who are selected for jury duty must advise their supervisor as soon as possible of the dates, and submit the relevant documentation to Payroll.
- b. As required under West Australian Law, the Local Government will continue to pay the employee their usual wages while the employee attends jury duty / service.

- c. The employee must produce the relevant claim/reimbursement forms and attendance certificates (including dates of leave) and provide to payroll for processing.
- d. Payroll will apply to the WA Sherriff's Office, for reimbursement of the cost of the employee's wages while on jury duty/service.

Defence Reserve Leave

It is recognised that the Australian Defence Reserves continues to be an important part of our national defence strategy and that employer support is essential to their continued effectiveness.

This Procedure applies to all employees who are Reservists and undertake training and/or military service with the Australian Defence Forces.

- a. Employees applying for Defence Reservist Leave are required to provide evidence from the Defence Force of the extent of the leave requirement.
- b. Employees wishing to take Defence Reservist Leave are to provide reasonable notification to the Local Government. Generally this should be three months prior to the period of leave required.
- c. Leave for Reservists is typically 4 weeks (20 working days or 28 calendar days) leave each year although an additional 2 weeks leave to allow for a Reservists' attendance at recruit/initial employment training will be granted where required. This leave is in addition to any annual leave entitlements, but is not accumulative and cannot be carried over to the following year.
- d. An employee may elect to use annual leave entitlements to cover a proposed Defence Reservist Leave period, however employees electing not to use annual or long service leave credits for defence service and/or military service shall be granted leave without pay.
- e. On application to the Chief Executive Officer, paid leave, in the form of 'top up pay' (see clause (f) below), may be granted to employees who are members of the Defence Forces Reserves for the purpose of participating in training camps, or equivalent continuous duty. Where granted, such paid leave will apply to a specific period or periods of leave only, and will not be considered an ongoing arrangement.
- f. Where the Local Government agrees to make payment for Defence Reservist Leave it will be paid on the basis of the difference between the employee's normal weekly salary (calculated on the same basis as annual leave provisions) and the remuneration received from the Armed Services - 'top up pay'. Should the amount received from the Armed Services be greater than the normal weekly salary, no additional payments will be made by the Local Government. Superannuation contributions will be based on the employee's normal weekly salary.
- g. "Continuous full-time defence service" (excluding any time taken on annual or long service leave), will not count for annual leave or sick leave, as the employee's contract is temporarily suspended. These entitlements will accrue with the relevant Defence Force during the period of service. For periods of defence service other than continuous full-time defence service, employees' entitlements will continue to accrue:
 - h. Full time military service will count as service for long service leave purposes.
 - i. Unpaid Leave will be treated as leave without pay.
 - j. An employee's contract is suspended whilst undertaking continuous fulltime defence service. In order to preserve employment entitlements, an employee must apply to resume duty as soon as reasonably practicable and not more than 30 days after the completion of the period of military service.
- k. Staff taking Defence Reservist Leave are required to pay normal rental during their absence should they have access to employee housing.
- l. The Local Government will keep Reservist employees who are undertaking peacetime training or deployment informed of critical developments in the workplace e.g. salary related matters (enterprise or workplace agreement negotiations).

Legislation

- a. The *Defence Reserve Service (Protection) Act 2001 (the Act)* provides that:
- b. "Defence Service" means service in a part of the Reserves and includes training.
- c. Reserve service may be continuous full-time defence service or other defence service (e.g. short periods of defence reserve service which may include training), and must not prejudicially affect employees' entitlements or other conditions of employment.

- d. The Act does not invoke any obligation on the Local Government to pay the Reservists' remuneration in respect of the civilian employment whilst absent on defence service or to provide make-up pay in circumstances where the Defence Force pay is lower than employees' public sector pay.
- e. Any entitlements relating to Reserve service (including training) and/or military service contained in industrial awards or agreements will continue to apply, subject to them satisfying the provisions of the Act.
- f. There is no scope for the Local Government to ask employees to limit the number of training courses per year or to take less reserve service leave as this is in breach of the Act. Section 17 of the Act draws no distinction between essential and non-essential training or service and specifically contemplates a reservist "volunteer(ing)" for service or training.
- g. There is no discretion under the Act for the Local Government to refuse requests for reserve service or training leave, irrespective of inconvenience to the Local Government or the nonessential nature of the leave. The Local Government is only entitled to verify that the leave request relates to the actual reserve service or training.

Local Government Support Payment Scheme

- a. In 2001, the Commonwealth Government introduced legislation to enhance and encourage Reserve personnel. One of the key features of the new Reserve legislation has been the introduction of the Local Government Support Payment (ESP). This payment is available to the Local Government when a Reservist is released for more than 2 weeks per year.
- b. The Scheme involves payment of an amount equivalent to the Average Weekly full-time Ordinary Time Earnings (AWOTE) as calculated by the Australian Bureau of Statistics, and is as recognition of the costs and/or disruption to the Local Government caused as a consequence of releasing a reservist for a period of continuous Defence service.
- c. Service that is considered under the Local Government Support Payment is:
 - i) ordinary Reserve Service, and
 - ii) voluntary continuous full-time service, if the relevant Service Chief (that is the Chief of Navy, Army or Air Force) or their delegates have designated the service as protected service.
- d. Under the Scheme the Local Government is eligible to receive the ESP once a Reservist has completed 14 days continuous Reserve service in any financial year. The qualifying period can be undertaken as a single period or as multiple periods of continuous Defence service, as long as each period of continuous Defence service is a minimum of five consecutive days.
- e. Further details of the operation of the Australian Defence Force Reserves Local Government Support Payment (ESP) Scheme can be obtained from the Defence Reserve Support Local Government on 1800 803 485 or their website www.defence.gov.au/reserves.

VARIATION TO PROCEDURE

This Procedure may be varied or cancelled at the discretion of Chief Executive Officer.

All employees will be notified by the normal correspondence method of any variation or cancellation to this Procedure. It is the responsibility of all employees to read this Procedure prior to applying for leave.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	05/14-14
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-059 Leave Without Pay

MANAGEMENT PROCEDURE No.	CMP-059
MANAGEMENT PROCEDURE	LEAVE WITHOUT PAY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	14.330
RELEVANT DELEGATIONS	

OBJECTIVES:

PURPOSE

The Local Government recognises that in order to retain the services of employees, it is sometimes necessary to grant leave of absence without pay if all other leave entitlements are exhausted by the employee. Each request for leave of absence without pay shall be considered on its merits.

OBJECTIVE

To enable employees to take unpaid leave in special circumstances, at the discretion of the Chief Executive Officer.

MANAGEMENT PROCEDURE STATEMENT:

PROCEDURE

Applications for leave without pay shall be supported by full details of reasons for such leave.

Factors that shall be taken into account prior to approving all leave without pay applications include but not limited to:

- a. the extent to which the employee's department/section will be inconvenienced;
- b. any future projects or Local Government objectives, which the leave may impact upon;
- c. the reasons for taking such leave;
- d. the amount of unpaid leave that has been requested;
- e. the costs (where applicable) of filling the position with a replacement;
- f. the availability and cost of relief arrangements; and
- g. the employee's past work performance and behaviour.

The Chief Executive Officer may approve leave for a period determined appropriate by the CEO. Once a decision has been made the employee shall be given written notification which outlines:

- h. whether or not the approval for leave without pay has been issued;
- i. any conditions attached to the leave without pay including a copy of this Procedure;
- j. the grounds and reasons why the leave was approved or rejected; and
- k. the length of time for which the approval has been issued.

Leave without pay will not normally be approved unless the employee has exhausted all annual and/or long service leave, Rostered Days Off, etc. entitlements.

A copy of the leave application and correspondence will be committed to the employee's personal file for future reference.

Accrual of Leave

An employee who has been approved leave without pay shall not be entitled to accrue any annual, personal, sick or long service leave during the period of time that they are absent from work.

Employment whilst on Leave

An employee shall not be allowed, without the prior written approval of the Chief Executive Officer, to engage in any other employment for reward or recognition while they are on leave.

Illness and Redeployment

Where leave without pay resulting from illness or injury is requested after all other possible leave entitlements are exhausted, the Chief Executive Officer may approve such leave as long of the employee continues to:

Keep in regular contact (at least fortnightly) with the Chief Executive Officer regarding the progress of their illness, nature of illness and likely timeframe of returning to work.

Provide the Local Government with a certificate from a registered medical practitioner for the periods of absence.

Where an employee has requested leave without pay due to illness or injury because the employee is employed in a capacity, which involves manual labour or some other duties, which cannot be completed due to the illness or injury, then at the discretion of the Chief Executive Officer, the employee may be redeployed to alternative duties during a rehabilitation period until such time as the employee is able to return to their previous role.

Any redeployment due to illness or injury must be done with the genuine consent of the employee.

Once an employee's alternative duties and safe work environment have been decided, the Chief Executive Officer may request that the employee seek a certificate from a registered medical practitioner stating that the employee is able to complete the alternative duties without having any negative ramifications on their illness or injury and that the employee's new work environment will be suitable to recovery.

Where an employee has been redeployed under these provisions, the Chief Executive Officer, through discussion with the employee, will decide if the employee's salary will be maintained during the alternative duties at the previous position rate.

Leave without pay for further education

The Local Government acknowledges that it is sometimes beneficial for an employee to apply for leave without pay for a period in which they are intending to study for a further qualification at a tertiary level.

The Local Government is supportive of employees who seek further education and at the discretion of the Chief Executive Officer may approve leave without pay for a period of time if:

- a. the employee is genuinely intending to return to work after such studies;
- b. the studies are not able to be completed via any alternative method without leave;
- c. the studies are relevant to the current position or potential future career development within the organisation;
- d. the extent to which the employee's department/section will be inconvenienced;
- e. any future projects or Local Government objectives, which the leave may impact upon;
- f. the amount of unpaid leave that has been requested;
- g. the costs (where applicable) of filling the position with a replacement; and
- h. the employee's past work performance and behaviour.

VARIATION TO PROCEDURE

This Procedure may be varied or cancelled at the discretion of Chief Executive Officer.

This Procedure will always be subservient to the relevant Award requirements.

All employees will be notified by the normal correspondence method of any variation or cancellation to this Procedure. It is the responsibility of all employees to read this Procedure prior to applying for leave.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	05/14-14
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4
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CMP-060 Recruitment and Selection Procedure

PROCEDURE NO	CMP-060
PROCEDURE	RECRUITMENT AND SELECTION PROCEDURE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS PROCEDURE/PROCEDURE No.	NIL
LEGISLATION	LOCAL GOVERNMENT ACT – 5.36(1)(b); 5.36(3) & 5.40
RELEVANT DELEGATIONS	NIL

Note: This Procedure does not apply to the CEO Recruitment Process which is catered for under the Shire's Standards for CEO Recruitment, Performance & Termination as required under the Local Government (Administration) Amendment Regulations 2021.

OBJECTIVES:

Ensure the process for recruitment and selection is based upon the principles of merit, equal employment opportunity and confidentiality.

The Shire is committed to ensuring recruitment and selection of prospective employees is in accordance with sections 5.36(1)(b); 5.36(3) and 5.40 of the Local Government Act i.e.

5.36. LOCAL GOVERNMENT EMPLOYEES

- (1) A local government is to employ
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (3) A person is not to be employed by a local government in any other position unless the CEO (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the proposed arrangements relating to the person's employment.

5.40. PRINCIPLES AFFECTING EMPLOYMENT BY LOCAL GOVERNMENTS

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

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

The Shire is committed to an effective and professional method of selecting employees, which is consistent with its organisational values.

PROCEDURE STATEMENT/S:

The Shire's aim is to attract, select, employ, and retain quality employees who will contribute to the Shire's culture and values.

The Procedure applies to the recruitment and selection of all vacant positions excluding the Chief Executive Officer (CEO).

CEO recruitment and employment procedures are prescribed in the relevant sections of the Act and the *Local Government (Administration) Amendment Regulations 2021* and the Shire's *Standards for CEO Recruitment, Performance & Termination*.

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

The following procedure details processes for recruitment and selection of employees.

1. Position Description and Selection Criteria

Each position within the Shire of Chapman Valley shall have a selection criteria and position description approved by the Chief Executive Officer prior to advertising.

Before recruitment commences the line manager of the vacant position must provide the Chief Executive Officer with documented evidence outlining the need for the position taking into account the organisations staffing requirement and Shire's strategic and operational plans. The line manager, in consultation with the shire employee responsible for human resource, must also provide the following supporting documentation:

- Position Description and
- Selection Criteria.

Position Description is a written statement of the primary tasks, functions, responsibilities, interactions, qualifications and experience attached to a specific position. The position description should be reviewed by the line manager to ensure it is up to date, reflects the requirements of the position and properly adheres to the principles of merit and equal opportunity.

The position description is the basis for identifying the key selection criteria for the position. The selection criteria will include the knowledge, skills, experience and qualifications the ideal candidate should possess to successfully fulfil the functions of the position.

The selection criteria will facilitate an accurate and merit-based assessment against the applicant's skills and abilities.

All positions will be evaluated to determine the appropriate classification and remuneration level of jobs.

2. Recruitment Strategy

The most appropriate strategy for recruitment will be adopted to ensure the timely and effective use of resources and to maximise the successful performance of the role for the Shire. Whilst the Shire is committed to providing opportunities for existing employees to apply for vacancies within the organisation, the recruitment mix (advertisements, internal applications, external applications) will be determined by a range of elements, including the role, required skills and abilities, existing skill base and organisational needs with regard to present and future corporate needs.

At the discretion of the Chief Executive Officer, vacant positions may be filled by:

- an internal recruitment process;
- an external recruitment process involving external advertising or the use of a recruitment agency for senior positions; or
- by direct selection.

2.1 Direct Selection

The Chief Executive Officer may, at their discretion, select on merit a prospective employee (internal or external) for appointment to a position without advertising the vacancy.

Direct selections may be made in the following circumstances:

- a) where a position requires a high degree of specialist knowledge or skill;
- b) where a major re-organisation has taken place, jobs have been re-designed, and/or where existing employees must be accommodated within a new organisational structure; or
- c) where direct selection is in the best interests of the smooth operation of the Shire.

2.2. Internal Recruitment

The Chief Executive Officer may determine to fill any vacancy by inviting applications from within the organisation. This process can be utilised where a number of potential candidates with the required specialist knowledge or skills have been identified within the Shire's workforce.

The advertising of all internal vacancies will be coordinated through the staff member responsible for human resources within the Shire. Internal positions will be advertised via email, notice boards and intranet (if available).

Internal applicants for positions must address the job application requirements and selection criteria established for the position.

2.3 External Advertising and Applications

The Chief Executive Officer may elect to recruit persons externally through placing an advertisement in the newspaper, online sources or a combination of both including the Shire's website and any social media platforms or listing the vacancy with a specialist recruitment agency.

The placement of external position advertisements will be coordinated by the staff member responsible for human resources within the Shire.

A contact officer will be appointed for all advertised positions. The contact officer should have an understanding of the position and would normally be the immediate supervisor of the position or human resources. Contact officers must interact with potential applicants in a discreet, professional and non-discriminatory manner.

3. **Acknowledgement of Applications**

All applicants will receive confirmation of their application and an outline of the recruitment process via email.

4. **Shortlisting of Applicants**

The purpose of shortlisting is to select a smaller group of applicants to proceed to the interview stage. The first step in short listing is to assess if the applicants appear to meet the essential criteria based on their application. It is not necessary for every applicant who meets the essential criteria be interviewed.

The line manager and any other staff member considered appropriate by the Chief Executive Officer should be involved in the shortlisting process and they should be familiar with the ethical considerations behind their decision-making process. This involves:

- The principles of merit (choosing the best candidate for the job),
- Avoiding discrimination and,
- Natural justice and fair treatment

5. **Interview Panel Members will be appointed by Chief Executive Officer**

If considered necessary by the Chief Executive Officer, interview panels are to be established and will comprise of a maximum of three persons inclusive of the direct line manager of the position being advertised and at least one other Shire staff member, unless otherwise agreed. Members of the panel must possess the following qualities:

- Knowledge of the work area;
- An understanding of the nature of the work concerned and its relationships to Shire's functions;
- An understanding of the selection policies and procedures;

- A gender balance on the panel is desirable where practicable.

6. Interview Assessment Guidelines

The staff member responsible for human resources within the Shire will prepare the interview questions in consultation with the direct line manager. Interview questions will include a series of behavioural based questions relating to the key performance requirements of the position and based on the defined selection criteria.

7. Interviews

Interviews will be conducted in-line with the Equal Employment Opportunity guidelines. All positions require a minimum of one round of interviews prior to the final selection being made. Candidate responses to the selection criteria will be scored using a standardised scoring process. Where appropriate, relevant skill will form part of the selection process. A formal selection report must be provided to the Chief Executive Officer for approval prior to an offer of the position being made to the preferred candidate.

The panel shall, where possible, reach consensus on the applicant with the most merit to fill the position. Where consensus cannot be reached, or where two or more applicants are considered equal by the panel, the relevant information will be referred to the Chief Executive Officer for determination.

If there isn't a suitable applicant, the panel may decide to:

- Readvertise (perhaps more widely) and re-examine and modify the position requirements.
- Assess the best applicant's ability to meet the position requirements if supplementary training were provided.
- Review the adequacy of the process followed
- Review the position.

8. Reference Checks and Academic Results

Reference checks are an important part of the selection process as they provide the selection panel with more information on which to make comparisons between interviewed applicants.

Reference checks of at least two recent employment or educational based referees must be undertaken, with a brief referee report being completed. Standard questions should be asked of each referee. Referee checks must relate to the inherent requirements of the position; however, the referee should be allowed and encouraged to speak freely, therefore a free ranging conversation beyond the selection criteria should not be stopped.

The referee should be asked to provide factual information or to give examples of observations made or opinions given about the applicant. These requests should be made in a way not to reflect doubt on the referee nor stops the flow of discussion.

Reference checks should be coordinated by the responsible line manager or the staff member responsible for human resources within the Shire.

Applicants, where relevant, should also be required to provide certified copies or originals of academic results, professional qualifications or work-related licences.

9. Pre- Employment Checklist

To provide appropriate levels of risk management in the recruiting process to minimise risk a pre-employment checklist must be completed which includes, yet not limited to the following:

9.1 Verification of candidate identity

The preferred candidates identity must be verified using a 100 points check including the candidates right to work in Australia.

Successful applicants should provide a certified copy of suitable proof of identification such as a driver's licence Australian passport using a 100 point ID

9.2 Criminal Record Screening

Dependent on the risk associated with a particular role applicants may be required to provide a current National Police Clearance..

10. Pre-employment Medical

A pre-employment health assessment may be required as part of the recruitment process. The purpose of this assessment is in the interests of the prevention of industrial injury and/or illness by the proper placement of employees in those positions best suited to their physical capabilities.

The assessment is not for the purpose of determining the success or otherwise of a person's application for employment. A health assessment will be undertaken by a medical examiner of Shire's choice. The Shire will pay the medical examiner's fee.

The Local Government may direct a preferred candidate to undertake a pre-employment medical to ascertain whether the candidate is fit to undertake the inherent requirements of the role as specified

11. Job Offers and Employment Commencement

On approval from the Chief Executive Officer and the completion of all required pre-employment checks, the successful applicant will be offered the position.

12. Employee Declarations

Before commencement of employment all employee declarations are required to be completed and signed. This includes, yet not limited to, employment conditions agreement, confidentiality agreement, drivers licence declaration, information technology acknowledgement.

13. Employment Agreements/Contracts

All successful applicants will receive a letter of appointment (agreement-based employee) or a letter of offer and employment contract (common law contract).

The letter of appointment and letter of offer/employment contract are some of the most important documents issued by the Shire. Together with the prospective employee's acceptance, it forms the basis of the contract of employment. Documenting the employment relationship will ensure the prospective employee knows on what terms she or he is agreeing to work, thus minimising any doubt, as well as the likelihood of any further disputes.

The letter of employment should contain the following information as a minimum:

- Position title and duties together with a copy of the position description;
- Employee's classification, wage rate and payment arrangements;
- Duration of employment;
- Supervisor/line authority;
- Hours of work and place of work;
- Superannuation details;
- Leave entitlements;
- Probationary period and review mechanisms;
- References to the applicable award, industrial agreement and employees
- Reference to relevant policies and procedures.

The employment documents must be signed and returned by the applicant prior to the commencement of employment. Should at any time during the period of employment any of the terms and conditions of employment need to be changed or varied for whatever reason, a new contract of employment or letter of appointment will be completed and the employee must agree prior to the variations or change taking place.

A personnel file containing the employee's application for employment, letter/contracts of employment and pre-employment checks will be established in the Shire information/records management system.

All personnel information will be kept on file and will be made available to the individual employee to view on request.

14. Notification of Employees Appointments

The appointment to positions will be notified when confirmation of acceptance has been received and all unsuccessful applicants have been notified.

15. Probationary Period

Notification upon Appointment

All Shire of Chapman Valley managers and senior employees will endeavour to adhere to the following guidelines when establishing a probationary period for an employee:

- The probationary period must be committed to writing at the outset of the employment relationship, so both the Shire of Chapman Valley and employees are clearly aware and informed of the probationary period. This may be in the form of a letter of offer, contract of employment, policy or enterprise agreement. The length of the probationary period will be determined after having regard to the nature of the position and the required time frame for assessment; and
- A probationary period must be determined in advance and prior to appointment;
- The Shire of Chapman Valley will endeavour to notify the employee in writing of their probationary period and the discretion of the Shire of Chapman Valley to extend the probationary period, in either the letter of appointment or the contract of employment.

Termination of Employment during Probationary Period

An employee may be dismissed during a probationary period pursuant to their contract of employment. However, it is important that if an employee's employment is terminated, that:

- the Shire of Chapman Valley outlines the reasons for termination; and
- the employee is given an opportunity to respond to the reasons for the termination of their employment.

Permanent Appointment to Position

Where it has been decided an employee has performed satisfactorily in order to be granted ongoing employment, the following procedures shall be followed:

- the employee's permanent status will be confirmed in writing;
- the manager and employee will meet to discuss any performance issues, areas of improvement and areas of positive performance, and record these discussions in writing;
- any training needs of the employee will be identified and record these training needs in writing;
- the employee should be given the opportunity to provide feedback regarding the probationary process and the matters discussed during the probationary process; and
- Identify and explain areas within the Key Performance Indicators which require improvement.

Failure to complete a final probationary review within the set timeframe will not automatically result in an employee being permanently appointed to any that position. If the final probationary review is not completed within the set timeframe, the employee on probation will be contacted as soon as practicable and informed their probationary will be extended to allow for a final assessment to be conducted.

Extension to the Probationary Period

The Shire of Chapman Valley may decide to extend the probationary period beyond the initial probationary period rather than appoint the employee permanently. Any decision to extend the probationary period should take into account the factors outlined below:

- employee absence or change in management;
- the employee's performance;
- the guidelines set out in the relevant award, letter of employment and/or contract of employment;
- the measures taken during the probationary period to discuss the deficiencies of the employee;
- the nature and seriousness of the deficiencies;
- the efforts by the employee to rectify any deficiencies;

- review of the employee’s efforts to rectify their performance;
- Whether the nature of the work requires a longer probationary period in order to assess the employee’s capacity to perform the role;
- the employee’s personal circumstances such as previous experience, knowledge, age, expectations and family responsibilities; and
- any other factor deemed relevant by the Local Government.

The employee should be informed where the Shire of Chapman Valley decides to extend the probationary period and this extension should be confirmed in writing.

16. Record Keeping

During the recruitment and selection process, applications and information relating to applications will be recorded and stored in accordance with the Record Keeping Plan and State Records Act 2000 (WA).

Documentation recommending the appointment of the successful candidate including reference checks will be filed on the job application file to ensure transparency of the process.

17. Other Related Documents and Legislation

- Anti-Discrimination Act 1991
- Age Discrimination Act 2004 (Cwth)
- Australian Human Rights Commission Act 1986 (Cwth)
- Disability Discrimination Act 1992 (Cwth)
- Information Privacy Act 2009
- Local Government Act 2009 Local Government Regulation 2012
- Racial Discrimination Act 1975 (Cwth)
- Right to Information Act 2009
- Sex Discrimination Act 1984(Cwth)
- Workplace Gender Equality Act 2012 (Cwth)
- Code of Conduct
- Equal Employment Opportunity
- Industrial Instruments
- Recruitment and Selection Procedure

ADDITIONAL EXPLANATORY NOTES

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	03/21-10
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Reviewed/Amended – Council Resolution:	
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CMP-063 Information Technology Usage Procedure

MANAGEMENT PROCEDURE No.	CMP-063
MANAGEMENT PROCEDURE	INFORMATION TECHNOLOGY USAGE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	

OBJECTIVES:

This Procedure outlines the conditions governing the use of all Information Technology (IT) facilities provided by the Shire of Chapman Valley. The Procedure applies to Elected Members, staff and to others to whom access to IT facilities has been provided.

MANAGEMENT PROCEDURE STATEMENT/S:

1. General Use

- 1.1 The Shire of Chapman Valley reserves the right to, without notice, modify, upgrade, withdraw or otherwise alter any facilities provided.
- 1.2 The Shire of Chapman Valley has ownership of all files and e-mail messages stored on Shire devices and reserves the right to examine all data and software on its facilities and to monitor usage in order to ensure compliance with this Procedure.
- 1.3 Users must respect the resource limitations of the IT facilities provided resources are not infinite.
- 1.4 Any facilities provided to users are for the business purposes of the Shire of Chapman Valley. The Shire will not be responsible for meeting any costs resulting from either the misuse of facilities or the use of facilities for non-business-related purposes.
- 1.5 The Shire of Chapman Valley supports only those facilities which it provides for business purposes. Hardware, software, operating systems and networking protocols not in use at, or provided and approved by the Shire of Chapman Valley are not supported.

2. Storage

- 2.1 All corporate information including correspondence, minutes of meetings, memos, file notes and reports (other than those generated through the Shire's databases) are to be stored in the Electronic Document Management System (EDMS). This is consistent with the legislative requirements of the State Records Act 2000.
- 2.2 E-mails and faxes, sent and received, and of corporate nature must be captured and stored in the Electronic Document Management System. This is consistent with the legislative requirements of the State Records Act 2000.
- 2.3 Hard copy documents must be scanned and registered into the EDMS immediately upon receipt.
- 2.4 Corporate documents must not be stored on desktop computers or on portable media (i.e.: Portable Devices, CDs, DVDs) There are appropriate methods for storing draft and 'working' documents within the EDMS.

Network drives are provided for non-corporate documents only and only limited quotas are allowed. It is the responsibility of each staff member to understand what documents should be stored in the EDMS, this information can be obtained from the Record Management Record Keeping Plan August 2014 and Record Management Standard Operating Procedures.

- 2.5 Only the network drives and corporate systems are backed up. 'C' drives and local 'H' drives are not backed up and users will be responsible for any loss of data stored on this drive or on portable media.
- 2.6 Duplication of data is to be avoided. Any documents stored in the EDMS do not need to be stored elsewhere unless access to EDMS is planned to be unavailable or the data is stored on media specifically designed for the purpose of backup.

3. Installing Unauthorised Software or Files

- 3.1 Users must not purchase, install, copy or use any software without prior written consultation with the Chief Executive Officer or Manager Finance & Corporate Services.
- 3.2 The use of any files that are subject to Copyright regulations that have not been authorised in writing for use by the Copyright owner are not permitted to be used on the Shire of Chapman Valley systems.
- 3.3 Copyright authorization documentation has to be registered in the EDMS and Manage according to the Shire's record keeping plan.
- 3.4 The installation and use of third party "screen savers" is not permitted.

4. Access to Computer Facilities

- 4.1 Users may use only those facilities, which they have been properly authorised to use by the relevant Manager. Authorisation must be provided to Manager Finance & Corporate Services in writing before access is provided and/or modified. Access to third party contractors or consultants must be authorised by the Chief Executive Officer and facilitated by the Manager Finance & Corporate Services for security.
- 4.2 Users may not use any of the facilities provided by the Shire of Chapman Valley in such a way as to reflect poorly upon the Shire either in part or as a whole.
- 4.3 Users may not use any of the facilities provided to them by the Shire of Chapman Valley in such a way as to achieve personal gain or to earn income external to their employment at the Shire.
- 4.4 The playing of games on Shire computers is not permitted.
- 4.5 Where the use of any IT facility is governed by a password, the password must not be inappropriately divulged to any other person.
- 4.6 Users must take every reasonable precaution to ensure that their passwords, accounts, software and data are adequately protected. We recommend that no passwords are written down and kept at or near a user's desk.
- 4.7 Any computer account or facility allocated to a user is for their exclusive use. The user must not allow another person to use it without appropriate authorisation from Managers or the Chief Executive Officer.
- 4.8 Users will comply with any directive (verbal, written or electronic) from Manager Finance & Corporate Services relating to access to IT facilities.
- 4.9 Users must treat IT facilities and telephones with respect. Any wilful damage sustained to equipment will result in the costs of repair being sought from the user of the equipment. Any damage sustained to equipment as a result of neglect may result in the costs of repair or replacement being sought from the user of the equipment.

- 4.10 Users must be aware that the use of mobile devices may result in significant communications costs. When users do not have access to Wi-Fi connections to the Shire, on-line time should be kept to a minimum. The Shire of Chapman Valley will not be responsible for any excessive costs incurred. Mobile data devices are available for executive staff who need internet access.
- 4.11 Remote access to the Shire of Chapman Valley IT facilities is provided on a needs basis. Those seeking such access will need approval in writing from their Manager. Users with remote access must take extra care in relation to security issues and report any breaches (or perceived breaches) of security immediately to IT Services, and must use passwords with at least 8 characters and must contain a mixture of upper and lower case alpha characters and numbers.
- 4.12 The Manager Finance & Corporate Services reserves the right to perform system maintenance tasks outside regular Administration Centre working hours. Where abnormal maintenance tasks are planned notification of the anticipated down time will be communicated if possible. If staff has a particular need for after hour's access to IT facilities they should liaise with the Manager Finance & Corporate Services in advance to arrange access options.
- 4.13 The Manager Finance & Corporate Services has the right to remove, or reallocate specific items of IT equipment within the organisation to ensure maximum efficiencies are achieved from the shire's IT equipment. Such removals reallocations will occur with appropriate consultations with the appropriate managers.

5. Security

- 5.1 Regardless of the prevailing security, or lack of security, users shall not access any data or software except data or software that belongs to the user or have been provided for their use, or is stored on a shared medium for which they have been granted access.
- 5.2 Users must not attempt to rename, delete, or modify the data of another user without prior authorisation from the Manager Finance & Corporate Services, except in the following circumstances: -
 - 5.2.1 For data or files stored on a shared network facility or transferred in/out via a shared network facility.
 - 5.2.2 Under direction of their supervising officer(s) to amend data or files stored in a personal directory.
- 5.3 Anti-virus software protection is provided at both server and desktop level. If a user suspects that their machine has become infected with a virus (or similar type entity) it should be reported immediately to Manager Finance & Corporate Services.
- 5.4 Users are encouraged to log out of their workstations when they are not in use or utilise the auto-locking from the alt-ctrl-del function of away from their workstation more than 10 minutes.
- 5.5 Users should correctly shut their computer systems down before finishing work each day, unless otherwise requested by Manager Finance & Corporate Services.
- 5.6 Users must report to Manager Finance & Corporate Services, without delay, any breaches (either real or perceived) of security.

6. IT Support

- 6.1 The Shire would like all users of our equipment to get maximum productivity through the use of advanced technology.
- 6.2 Progress is only possible through cooperation; staff should communicate with Manager Finance & Corporate Services as frequently as possible to enable the Manager Finance & Corporate Services to understand their needs or frustration. Requests for new systems will be

formal and such requests will have treated in order of priority or directives from the Chief Executive Officer.

- 6.3 Support Requests to any external IT support agencies are to be logged through the Manager Finance & Corporate Service.

7. Internet and E-mail

- 7.1 The provision of Internet browsing facilities to a user must be authorised in writing by the relevant line Managers and Chief Executive Officer.
- 7.2 E-mail users must check their e-mail frequently, delete any unnecessary messages promptly and manage their e-mail files wisely. Limits are set on mailbox sizes; therefore, users should make sure e-mails are registered into the EDMS.
- 7.3 When commencing leave, staff should utilise the ability of the email software to forward incoming mail to the person who is acting in the position during their absence or out of office message is to be utilised.
- 7.4 Outlook Calendars are regarded as a management tool and should be made available for other staff to review. Personal appointments can be marked 'Private' so reviewers may not see the details of the content.

8. What is Acceptable Use in regard to Internet and E-mail?

- 8.1 Subject to the balance of this Procedure, employees may use the Internet access provided by the Shire of Chapman Valley for: -
- 8.1.1 Work-related purposes;
- 8.1.2 Sending and receiving personal email messages, provided that if email messages are sent with a Shire of Chapman Valley email address in the from: or Reply-To: header, a disclaimer shall accompany the email to the effect that the views of the sender may not represent those of Shire of Chapman Valley;
- 8.1.3 Utilizing any other Internet service or protocol for personal purposes after obtaining permission in writing, to do so, from the Manager Finance & Corporate Services.
- 8.1.4 Personal e-mails to advertise items are not permitted.
- 8.1.5 E-mail messages of a corporate nature that leave the Shire of Chapman Valley destined for an external organisation are public records and must be captured in the EDMS. Any corporate email messages that officers receive must also be captured in this manner. If the user is unclear of how to capture the correspondence in the EDMS themselves such messages should be forwarded to Records staff to facilitate this legislative (State Records Act 2000) requirement.

Condition: Provided in each case that the personal use is moderate in time, does not incur cost for the Shire and does not interfere with the employment duties of the employee or his or her colleagues. Managers and/or the CEO can determine if any private use is excessive and direct staff to curtail such case as they consider appropriate,

9. What is Not Acceptable Use in regard to Internet and E-mail?

- 9.1 Except in the course of an employee's duties or with the express permission of the Shire, the Internet access provided by the Shire may not be used for: -
- 9.1.1 Personal commercial purposes;
- 9.1.2 Sending unsolicited bulk email such as advertising or announcements that are not related to Shire business to any group

- 9.1.3 Sending any e-mail that is inappropriate, for example, e-mails that contains pornographic material, profanity, racial and sexual discrimination, forwarding of hoaxes, chain-mail, spam, harassing colleagues or knowingly sending or forwarding virus-infected e-mails
- 9.1.4 Disseminating confidential information of the Shire of Chapman Valley;
- 9.1.5 Any illegal purpose;
- 9.1.6 Knowingly causing interference with or disruption to any network, information service, equipment or any user thereof;
- 9.1.7 Disseminating personal contact information of officers or employees of the Shire without their consent;
- 9.1.8 Knowingly causing any other person to view content which could render the Shire liable pursuant to equal opportunity or sexual discrimination legislation at the suit of that person; or
- 9.1.9 Knowingly downloading or requesting software or media files or data streams that are not related to Shire business.
- 9.1.10 Sending e-mails that has documents attached, to multiple users within the Shire. Documents of corporate value should be registered in the EDMS and be referred to in e-mails. If a document is not of corporate value it can be stored on the Shared drive and referred to in an e-mail.
- 9.1.11 The use of real-time messaging services such as ICQ or MSN or Yahoo.
- 9.1.12 Web sites including but not limited to those of the following nature: -
 - Games.
 - Personal Shopping / Auctions.
 - Entertainment.
 - Adult Entertainment.
 - Social Sites (Facebook)
 - Pornography.
 - Personal Internet E-mail (such as Gmail, Hotmail or Yahoo).
 - Chat Rooms / Channels.

10. Example of Disclaimer to be used

"This email is private and confidential. If you are not the intended recipient, please advise us by return email immediately, and delete the email and any attachments without using or disclosing the contents in any way. The views expressed in this email are those of the author, and do not represent those of the Shire of Chapman Valley unless this is clearly indicated.

You should scan this email and any attachments for viruses. The Shire of Chapman Valley accepts no liability for any direct or indirect damage or loss resulting from the use of any attachments to this email."

11. Consequences of Unacceptable Use

- 11.1 The Shire of Chapman Valley keeps and may monitor logs of Internet usage which may reveal information such as which Internet servers (including World Wide Web sites) have been accessed by employees, and the email addresses of those with whom they have communicated. The Shire of Chapman Valley will not, however, engage in real-time surveillance of Internet usage, will not monitor the content of email messages sent or received by its employees unless a copy of such message is sent or forwarded to the company by its recipient or sender in the ordinary way, and will not disclose any of the logged, or otherwise collected, information to a third party except under compulsion of law.

11.2 Responsibility for use of the Internet that does not comply with this Procedure lies with the employee so using it and such employee must indemnify the Shire of Chapman Valley for any direct loss and reasonably foreseeable consequential losses suffered by the Shire by reason of the breach of Procedure.

11.3 The Shire of Chapman Valley will review any alleged breach of this Acceptable Use Procedure on an individual basis. If the alleged breach is of a very serious nature which breaches the employee's duty of fidelity to the Shire, the employee shall be given an opportunity to be heard in relation to the alleged breach and if it is admitted or clearly established to the satisfaction of the Shire the breach may be treated as grounds for dismissal.

11.4 Otherwise, an alleged breach shall be dealt with as follows: -

11.4.1 Initially, the employee shall be informed of the alleged breach, given an opportunity to respond to the allegation, and if it is not satisfactorily explained, be asked to desist from or where applicable to remedy the breach.

11.4.2 If the breach is not desisted from or remedied, The Shire of Chapman Valley may either withdraw the employee's access to the Internet or provide a first warning to the employee, to which the employee shall have an opportunity to respond.

11.4.3 If the infringing conduct continues the employee may be given a second and a third warning, to each of which he or she shall have an opportunity to respond.

11.4.4 If a breach is committed after the third warning the employee may be dismissed. Breaches of this Procedure will be handled as per the Industry Standard Disciplinary Procedure.

12. Questions

If you have any questions about this information technology Procedure, please contact the Manager Finance & Corporate Services. If you do not have any questions, the Shire of Chapman Valley presumes that you understand and are aware of the rules and guidelines in this Procedure and will adhere to them.

13. Declaration

I have read, understand and acknowledge receipt of the Information Technology Usage Policies and Procedures Procedure. I will comply with the guidelines set out in this Procedure.

Signature: _____

Name: _____

Date: _____

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:

Reviewed/Amended – Council Resolution:

05/15-23; 06/15-18; 03/17-32; 03/21-10



SHIRE OF

Chapman Valley

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Organisational Corporate Policy, Procedures & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Originated date: Adopted by Council on 18th July 2018 – Minute Reference: 07/18-10

Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021

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Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the organisation and form part of this manual to act as a reference tool.

Policies

CP-002 Objections & Appeals

POLICY NO	CP-002
POLICY	OBJECTION AND APPEALS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.40
LEGISLATION	LOCAL GOVERNMENT ACT – SUBDIVISION 7
RELEVANT DELEGATIONS	

OBJECTIVES:

Introduce an *Objection and Appeals Policy and Checklist*. This Checklist is for decisions made under Part 3 of the Local Government Act (Functions of Local Governments) and any Local Law or Regulation that operates as if it were a Local Law.

POLICY STATEMENT/S:

Chapman Valley Shire resolved to adopt the pro-forma Objection and Appeals Checklist in regard to the giving of a notice is regarded as making a decision.

i) Advice to Be Given:

~ If a decision may be considered unfavourably by the effected person/s, have you given them written reasons for the decision and informed them of their rights to object and appeal against the decision?

ii) When A Person Lodges an Objection

~ Have you given the person reasonable time to make submissions on how to dispose of the objection?

~ Have you given the person notice in writing of how and why the objection was disposed of?

~ Has the effect of the decision been suspended until the person authorised to deal with the objection decides how to dispose of it?

~ Have you given the person notice in writing stating the urgent reasons why the effect of the decision should not be suspended? (if appropriate)

iii) When A Person Lodges an Appeal

~ Have you received a copy of the appeal?

~ Has the effect of the decision been suspended until the person authorised to deal with the appeal decides how to dispose of it?

~ Have you given the person notice in writing stating the urgent reasons why the effect of the decision should not be suspended?

iv) The Shire agree to utilise Forms 4 and 5 as stipulated in the Local Government (Functions and General) Regulations of 1996 when dealing with Objection and Appeals.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-003 Complaints Handling

POLICY NO	CP-003
POLICY	COMPLAINTS HANDLING SYSTEM
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.70
LEGISLATION	LOCAL GOVERNMENT ACT – S 5.107 TO 5.121
RELEVANT DELEGATIONS	1020

OBJECTIVES:

A complaint handling system is an organised way of responding to, recording, reporting and using complaints to improve service to the community.

The complaint handling system includes processes for customers to make complaints and guidelines for officers to resolve complaints.

POLICY STATEMENT/S:

Definitions

Complaint is defined as being an expression of dissatisfaction about the standard of service, actions or lack of action by the Shire or its staff, affecting an individual customer or group of customers.

First tier complaints officers are officers empowered by the CEO to resolve complaints wherever possible at first contact.

Second tier complaints are to be referred to the CEO or relevant Senior Officer who is to deal with the unresolved complaint.

The third-tier complaint is the Complaint Review Group whose purpose is to conduct an informal investigation with regard unresolved complaints. The Complaint Review Group will comprise of President (or his/her delegate), Deputy President (or his/her delegate), CEO and relevant Senior Officer.

Please note the following will not be registered as complaints:

- Requests for services
- Requests for information or explanation of Policies or Procedures
- Lodging of an appeal in accordance with a standard procedure or policy.

Policy

1. The Shire of Chapman Valley shall deal with all complaints efficiently and effectively in the following manner:
 - (a) Front line officers (first tier) will assist complainants in the case of minor complaints and respond within seven (7) working days, detailing action taken or likely to be taken to resolve the issue.
 - (b) In the case of more serious complaints, or the complaint being outside the front-line officer's delegated authority, the complaint is to be referred to second tier officers with the complainant being informed of the name of the investigating officer. The investigating officer to advise the complainant within seven (7) working days of the status of the investigation and anticipated completion date
 - (c) Serious complaints involving personal injury, inappropriate behaviour of officers (i.e.; rudeness, discrimination or harassment), a breach of the law or financial implications and complaints which involve the need for a detail knowledge of the Shire of Chapman Valley's operations and procedures

shall be directed to the CEO with an initial acknowledgment being forwarded to the complainant within seven (7) working days.

- (d) Any appeal against a response to a complaint being received from the first and second tier officers shall be referred to the Complaints Review Group for resolution.
 - (e) If a complaint requires extended research/investigation, the complainant is to be advised and kept informed of progress every 21 days.
 - (f) A register of complaints will be kept by a nominated officer and those not responded to within the guidelines outlined above will be referred to the CEO. **Due to FOI restrictions, the register will be located at the Shire administration building and not released on the Shire's website.**
2. Complaints shall be in writing (including fax and email), addressed to the CEO and signed by the complainant with his/her address before formal action is taken. Telephone complaints will not be accepted as it is too reliant on the officer to interpret the complaint.
 3. Training will be provided to staff responsible for receiving and/or resolving complaints and those responsible for management and processing more serious complaints will be provided with more specialised training in conciliation, mediation and investigation.
 4. The Complaints Review Group will be responsible for dealing with those complaints where the customer remains dissatisfied with decisions of the first and second tier officers.
 5. In cases where the customer does not accept the outcome achieved by the Shire of Chapman Valley by ways of its complaints procedures, the complainant is to be advised of the alternatives available to have the matter Reviewed/Amended by another body (Ombudsman, Crime & Corruption Commission, Department of Local Government & Regional Development, etc).

Complaint Handling Guidelines

Note – All actions taken in response to complaints must be documented at each tier for later analysis

First Tier – Front Line Officers

Level of Authority:

1. Authority to resolve mistakes that have no cost (present or future) to the Shire;
2. Authority to apologise for errors as long as the admission is not an admission of liability on the Shire's behalf.

Apology:

A sincere apology for errors can be a potent weapon in resolving complaints! If an apology is warranted, it should be given immediately in a sincere manner. If not warranted, an apology for the situation arising that has caused the person to complain can be given without accepting blame for the organisation.

When to refer a complaint on to second tier officer:

- When the complaint is about your own conduct and you are not confident that you can (or should) deal with it fairly or when the complainant requests it be dealt with by another officer.
- When the complaint is outside your delegated authority or area of expertise.
- When an officer is alleged to have committed a criminal offence, acted corruptly or engaged in other serious or controversial conduct, the matter is to be referred immediately to the CEO.

When a complaint is referred on, ensure the officer is fully briefed on the substance of the complaint so as to alleviate frustration by the complainant of having to explain the matter a second time.

Second Tier – CEO or relevant Senior Officer

Level of Authority:

1. Authority to review actions of first tier officer decisions.
2. Authority to conciliate within the limits of their delegation.
3. Authority to revoke instructions or orders when within their delegated authority (not ultra vires) and the circumstances warrant such revocation.

Review:

A review by the Officer by reconsidering the original decision or action and then instigating corrective action where appropriate is the easiest of the review options available. If a review is not an option, then the next phase should be conciliation.

Conciliation:

Complaints about personnel, especially rudeness or other improper conduct complaints, often are more conducive to semi-formal conciliations. The aim is to prevent the complaint from escalating into a larger and more time-consuming dispute. Often prompt attention to a complaint may be better received and may result in conciliation being achieved to the satisfaction of the parties in a short period of time.

If the matter is complicated and emotions play a substantial part, the elapsing of time can assist in allowing tempers to cool, advice to be obtained and alternatives to be investigated and considered. When not to undertake conciliation:

- The complaint is complex
- The facts are likely to be in dispute and investigation may be needed
- Disciplinary action is a strong possibility
- The outcome the complainant is demanding cannot be provided by the conciliator
- Questions of precedence for the organisation may be involved.

Third Tier – Complaints Review Group

The Complaints Review Group consists of the CEO, appropriate Senior Officer(s) and the Shire President (or his/her delegate) and the Deputy Shire President (or his/her delegate). The Complaints Review Group may co-opt externally when considered appropriate.

The Group's role is to:

1. Consider any appeal by complainants to decisions made by officers at the first and second tier level.
2. Consider any serious complaints involving personal injury, inappropriate behaviour, a breach of the law or financial implications and complaints that require a detailed knowledge of the Shire of Chapman Valley's operations and procedures.
3. Direct complaints about a decision of Council where due process has not been followed, corrupt conduct, criminal actions or serious improper conduct, to an external body for investigation.
4. Advise the CEO of the appropriate action to be taken as a result of an investigation.
5. The Complaints Review Group may instruct the CEO to refer the complaint to an external body such as the Ombudsman's office, Crime & Corruption Commission, Police Department, Department of Local Government & Regional Development, etc.

Steps for Investigation by Senior Officers

1. Check if there are any previous complaints from this person.
2. Contact the complainant to:
 - Clarify the complaint
 - Clarify the outcome sought

- Check whether they need support of any kind - whether they have poor sight, hearing or a language difficulty, and what they need to understand the discussion properly
 - Explain the investigation process
3. The investigating officer is to brief himself/herself on the relevant legal and administrative background of the complaint.
 4. Assess whether the complaint Policy is the most appropriate way of handling the complaint. If not discuss alternatives with the complainant (i.e.; appeals to tribunals, legal action or Police).
 5. Consider whether the complaint could be resolved without further investigation.
 6. If the complaint is about proposed action by the Council, consider whether the action should be deferred while the complaint is investigated.
 7. Obtain all relevant documents (ensuring you see the originals, not copies). They may include files, log books and timesheets. Get copies of all the documents reasonably required.
 8. Establish the relevant sequence of events from the files and also the names of the officers/members most directly involved in the complaint.
 9. Prepare a line of questioning for each person to be interviewed:
 - Use open, not leading questions
 - Don't express opinions in words or by your body language
 - Ask single, not multiple questions
 10. Arrange the order of interviews so that where you need to establish normal procedures, you do this first from the most senior officers and end with the officers most directly involved in the complaint.
 11. Inform those to be interviewed that they can be accompanied by a friend or union representative, provided the friend is not in a supervisory position over the interviewee. Explain the complaint clearly to them. Where a complaint is about an officer, the officer's immediate supervisor (if relevant)
 12. Consider whether you need a witness for a particularly difficult interview.
 13. Interviews should be conducted in an informal and relaxed manner, but persist in your questions if necessary. Don't be afraid to ask the same question more than once. Make notes of answers or tape the interviews whichever is most appropriate.
 14. Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact.
 15. Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, then as an exceptional measure, consideration can be given to organising a confrontation between the conflicting witnesses.
 16. At the end of the interview, summarise the main points covered by the interviewee and ask if he/she has anything to add.
 17. Make a formal record of the interview from your written notes as soon as possible after the interview while your memory is fresh. Never leave it longer than the next day.
 18. Draft a report setting out the evidence obtained, without including your own opinions and circulate this for comment to all those interviewed, including the complainant, unless there are special reasons not to do so.

Consider comments and amend the report as necessary, adding conclusions and if appropriate, a suggested remedy for the complainant.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	08/05-11
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-004 Legal Representation Cost Indemnification

POLICY NO	CP-004
POLICY	LEGAL REPRESENTATION COSTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE NO.	8.20
LEGISLATION	LOCAL GOVERNMENT ACT – S 5.101
RELEVANT DELEGATIONS	1003; 1009

OBJECTIVES:

This policy is designed to protect the interests of Elected Members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the 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/S:

1. General Principles

- a. The local government may provide financial assistance to members and employees in connection with the performance of their 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.
- b. The local government may provide such assistance in the following types of legal proceedings:
 - i) proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
 - ii) proceedings brought against Elected Members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. 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 (e.g. defending defamation actions)]; and
 - iii) statutory or other inquiries where representation of members or employees is justified.
- c. The local government 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.
- d. 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.

2. Applications for Financial Assistance

- a. Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.

- b. A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Shire providing full details of the circumstances of the matter and the legal services required.
- c. An application to the Shire is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
- d. A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.
- e. Where there is a need for the provision of urgent legal services before an application can be considered by the Shire, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
- f. Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

3. Repayment of Assistance

- a. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.
- b. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c. Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-008 Shire of Chapman Valley Record Keeping Plan

POLICY NO	CP-008
POLICY	SHIRE OF CHAPMAN VALLEY RECORD KEEPING
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	9.140
LEGISLATION	STATE RECORDS ACT, 2000
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure compliance with the requirements of the State Records Act, 2000

POLICY STATEMENT/S:

Creation of Records

All Elected members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire of Chapman Valley's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

Elected Members

Records must be created and kept (by elected members) by forwarding to the Chief Executive Officer for retention and disposal in accordance with the requirements of the State Records Office of WA if: -

- The subject matter is in relation to their participation in the decision-making processes of Council and Committees of Council, and
- Deemed to be a significant or vital record. (See criteria below).

Activities or transactions not directly relevant to the decision-making processes of Council or Committees of Council are not subject to mandatory recordkeeping requirements. Accordingly, the creation and retention of records relating to these activities or transactions is at the discretion of the Elected Member.

Employees

All staff (including contractors) are to create, collect and retain records relating to the business activities they perform. They are to ensure significant records are captured into the Recordkeeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping.

Capture & Control of Records

All records created and received in the course of Shire of Chapman Valley business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate recordkeeping and business systems, that are managed in accordance with sound recordkeeping principles.

Security & Protection of Records

All records are to be adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation, access and storage requirements.

Access to Records

Access to the Shire of Chapman Valley records by: -

Staff and Contractors

Will be in accordance with the Shire of Chapman Valley Recordkeeping Standard Operating Procedures

The General Public

Will be in accordance with the Local Government Act 1995, Freedom of Information Act 1992 and Shire of Chapman Valley policy.

Elected Members

Will be via the Chief Executive Officer in accordance with the Local Government Act 1995

Appraisal, Retention & Disposal of Records

All records kept by the Shire of Chapman Valley will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

Significant Records

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

The following criteria shall be used to determine whether a record is significant:

1. Does it convey information that is considered essential or relevant in making a decision?
2. Does it convey information upon which myself or others (including the Shire of Chapman Valley) will be, or are likely to be, making decisions affecting their business operations, or rights and obligations under legislation?
3. Does it commit the Shire or its staff or council to certain courses of action, or the commitment of resources or provision of services?
4. Does it convey information about matters of public safety or public interest, or involve information upon which contractual undertakings are entered into?
5. Is the information likely to be needed for future use, or is it of historical value or interest?

Vital Records

Records those are essential to the re-establishment and continued operation of the business of the Shire in the event of a disaster. Vital records protect the assets and interests of the Shire as well as the rights of individual or stakeholders.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	02/04-17
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-009 Media Contact

POLICY NO	CP-009
POLICY	MEDIA CONTACT
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.170
LEGISLATION	LOCAL GOVERNMENT ACT, 1995, [s2.8(d); s5.41(f) & s5.44(1)]

OBJECTIVES:

To set out in straight forward sequence, the statutory and corollary principles applying to speaking on behalf of the Shire of Chapman Valley.

POLICY STATEMENT/S:

1. In accordance with Section 2.8(d) of the Local Government Act 1995, the President is the authorised spokesperson of the Council and the Shire;
2. In accordance with Section 5.41(f) of the Local Government Act 1995, the CEO may also be the spokesperson of the Council and the Shire if the President agrees;
3. If the President is not available or unable to be the spokesperson (Section 5.34) then the Deputy President may perform this function;
4. In accordance with Section 5.44(1) of the Local Government Act 1995, the CEO may delegate authority to other officers to be the spokesperson;
5. If a Councillor or staff member is approached by the press to answer questions or make comment on Shire business, unless otherwise specifically authorised by the President, or the CEO, the press be referred to the authorised spokesperson of the Shire for response; and
6. Nothing in this Policy shall prevent a member of Council expressing his/her personal opinion to the media. However, as a general principle, members having dealings with the media when approached by it to make a statement or private comment on a matter of Shire business, should have regard to any resolutions of the Council affecting the matter in question.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-010 Freedom of Information

POLICY NO	CP-010
POLICY	FREEDOM OF INFORMATION (FOI)
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	13.10
LEGISLATION	FREEDOM OF INFORMATION ACT, 1992

OBJECTIVES:

The Shire of Chapman Valley supports the principle of the Freedom of Information Act 1992, and will release copies of documents it holds wherever possible, subject to the Act and to policy requirements.

POLICY STATEMENT/S:

The Manager of Finance and Corporate Services is the Freedom of Information decision maker and will process applications in accordance with the FOI Act and this policy.

The CEO is the Internal Reviewer and will review applications in accordance with the Act and their Policy.

All applications for documents available for purchase or inspection will be processed on payment of any required fee.

All applications for documents not normally available for public purchase or inspection will be dealt with under the provisions of the Freedom of Information Act, including payment of application (if applicable) and processing fees.

All documents subject to the Act will be released wherever possible, subject to spot editing to remove the possibility of identification of and need to consult with third parties (e.g. complainants) except Shire officers whose names may appear on documents as a normal part of their employment.

Documents containing:

- Personal information;
- Commercial or business information of a confidential nature excluding those documents which, under the Local Government Act 1995 are classed as public documents;
- Information which may impair law enforcement, public safety and property security;
- Information of Legal Professional Privilege (i.e. legal advice obtained by the Local Authority);
- Confidential communications; and
- Information of which disclosure could impair the effectiveness of methods and procedures for conducting tests, audits and spot inspections.

Will be subject to possible full exemption pursuant to Schedule 1 of the Act

The Freedom of Information Decision Maker and Freedom of Information Internal Reviewer are to exercise discretion and are to process applications for documents, which may be subject to exemptions in accordance with the overall intent of the Act to release documentation. Full reasons and rationale for decisions are to be given to applicants in cases where documents are considered to be wholly or partly exempt from release.

ADDITIONAL EXPLANATORY NOTES:

Refer also to the Shire of Chapman Valley *Freedom of Information Statement*.



SHIRE OF
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FREEDOM OF INFORMATION STATEMENT

[Reviewed: July 2021]

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1.0 VISION STATEMENT

The Shire's Vision is 'a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper'.

2.0 DETAILS OF LEGISLATION ADMINISTERED

2.1 Examples of Legislation Affecting the Shire

In addition to the Local Government Act 1995 the Shire of Chapman Valley is bound by and may apply, in its daily functions, a range of federal and state legislation. Examples of some of the more significant legislation applicable to the Shire's functions and operations are as follows:

- Local Government (Miscellaneous Provisions) Act 1960
- Freedom of Information Act 1992
- Bushfires Act 1954
- Planning & Development Act 2005
- Health Act 1911
- Dog Act 1976
- Cat Act 2011
- Litter Act 1979
- Dividing Fences Act 1961
- Caravan Park and Camping Ground Act 1995
- Emergency Management Act 2005
- Building Act 2011
- State Records Act 2000
- Interpretation Act 1984
- Environmental Protection Act 1986
- Criminal Procedures Act 2004

These Acts, as with others, are often supported by subsidiary legislation which will also be applied in the course of conducting various functions within the Shire.

Although the above refers to specific examples the Shire is bound more broadly by, and may have cause to enforce, the requirements of any federal or state legislation where it applies in relevant circumstances.

2.2 Local Laws

The Shire of Chapman Valley is wholly responsible for administering the following Shire local laws:

- Dogs Local Law 2016
- Standing Orders Local Law 2016
- Activities in Thoroughfares & Public Places & Trading Local Law 2016

3.0 COUNCIL STRUCTURE

Parts 2 and 3 of the Local Government Act 1995 establishes the Shire of Chapman Valley as a local government and provides for its structure and functions.

The Shire is a body corporate with perpetual succession and a common seal, and with a governing Council.

The Shire's general function is to provide for the good government of persons in the district.

The Shire has both legal and executive powers and may do all things necessary or convenient in performing its functions.

3.1 Council Structure

The Council is comprised of eight (8) Councillors.

Role of the Council

The Council:

- governs the Shire of Chapman Valley's affairs; and
- is responsible for the performance of the Shire of Chapman Valley's functions.

The Council is also to:

- oversee the allocation of the Shire of Chapman Valley's finances and resources; and
- determine the Shire of Chapman Valley's policies.

The President and Deputy President are elected after the Local Government Elections every two years by the Elected Members. The current Shire President and Deputy President are:

Role of the Shire President

- presides at meetings in accordance with the Local Government Act 1995;
- provides leadership and guidance to the community in the district;
- carries out civic and ceremonial duties on behalf of the Shire of Chapman Valley;
- speak on behalf of the Shire of Chapman Valley;
- performs such other functions as are given to the mayor by the Local Government Act or any other written law; and
- liaises with the CEO on the Shire of Chapman Valley's affairs and the performance of its functions.

Role of the Deputy President

The Shire of Chapman Valley Deputy President performs the functions of the President when authorised to do so under section 5.34 of the Local Government Act. i.e.

If:

(a) the office of mayor or president is vacant; or

(b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

Role of Councillors

A Councillor:

- represents the interests of electors, ratepayers and residents of the district;
- provides leadership and guidance to the community in the district;
- facilitates communication between the community and the council;
- participates in the Shire of Chapman Valley's decision-making processes at council and committee meetings; and
- performs such other functions as are given to a Councillor by the Local Government Act 1995 or any other written law.

The Chief Executive Officer is appointed by the Council.

Role of the Chief Executive Officer

The Chief Executive Officer's role is to:

- Advise the Council of the functions of the local government;
- Ensure that advice and information is available to the Council so that informed decisions can be made;
- Implement Council decisions; and
- Manage the day to day operations of the Shire of Chapman Valley including staff.

No Ward System

The Shire of Chapman Valley operates under a *No Ward System*.

3.2 Committees

Council members are elected to committees by the following process: -

- i) Members identify which committees they have an interest in sitting on.
- ii) Members vote by secret ballot their choice of committee members from the list of members who have indicated their interest in being on a particular committee.

To enable Council to efficiently administer its business, committees are appointed to oversee various aspects of its operations, all Committee meetings are held on an “as needs basis”.

Building & Disability Services Committee

Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:

- ~ Review preliminary costings for proposed works for consideration in draft Council Budget;
- ~ Review the Capital & Building Works Program;
- ~ Disability Access & Inclusion Plan; and
- ~ Any other building/property items referred to the Committee by Council.

Delegation – Nil

5 x Councillors

Observers:

- ~ CEO
- ~ Building Surveyor

Finance, Audit & Risk Management Committee

The purpose of the Committee in fulfilling the requirements of Local Government (Audit) Regulation 17 by assisting the Chief Executive Officer to:

- a) provide an independent oversight of the financial systems of the local government on behalf of the Council;
- b) guide and assist the local government in respect to financial management;
- c) contribute to the Shire’s corporate governance, stewardship, leadership and control responsibilities in relation to financial reporting and audit;
- d) guide and assist with the Internal Audit and Risk Management;
- e) oversee the implementation of audit recommendations made by the auditor, which have been accepted by council; and
- f) oversee accepted recommendations arising from reviews of local government systems and procedures.

Delegation – Nil

4 x Councillors

1 x External, Independent Member

Observers:

- ~ CEO
- ~ Manager Finance & Corporate Services

Road Infrastructure Committee

Undertake an annual review the following:

- ~ Road Works Program;
- ~ Road Hierarchy;
- ~ Heavy Haulage Vehicle Permit Roads; and
- ~ Any other works infrastructure item referred to the Committee by Council.
- ~ Review the plant replacement program

Delegation – Nil

All Councillors

Observers:

- ~ CEO
- ~ Manager Works & Services
- ~ Deputy CEO
- ~ Works Leading Hand

Bushfire Brigade Group Management Advisory Committee

Meet at least annually to:

- ~ Elect Office Bearers;
- ~ Review previous year fire season;
- ~ Review the Shire's Fire Notice;
- ~ Liaise with external organisations (e.g. DFES, DPAW);
- ~ Review the DFES Capital & Operational Grants;
- ~ Any other bush fire related items referred to the Committee by Council.

Delegation – Nil

President (Presiding Member

3 x Councillor s

CBFCO

DCBFCO

All Brigade FCOs

Chief Executive Officer

Senior Ranger

Observers

1 x DFES Rep.

1 x DBCA Rep.

Batavia Local Emergency Management Committee

Meet as required in accordance with legislation and Council endorsed Local Emergency Management Arrangements (LEMA) to:

- ~ Review the LEMA & Recovery Plan;
- ~ Implement Emergency Exercises as required;
- ~ Any other emergency management related items referred to the Committee by Council.

Delegation – Nil

2 x Councillors

Chief Executive Officer

Landcare & Environmental Advisory Group

To apply for grant funding from third party sources to finance appropriate projects within the Shire of Chapman Valley:

- a) Delegate authority to the Chief Executive Officer to endorse grant applications/projects if funding resources are available within the Council's adopted budget;
- b) If funding resources are not available within the adopted Council Budget for specific grant applications/projects, present the application to Council for endorsement, if possible, prior to the closure dates for the grant funding programs. Otherwise retrospective Council endorsement to commit funding resources will be required.

All applications submitted, which require Council endorsement for additional funding resources, will be subject Council endorsement (i.e. the Committee does not have delegated authority to commit Council funding resources)."

- c) Provide advice and assistance to the Chief Executive Officer and Shire staff in the managing of the Landcare Grant funds.
- d) Provide recommendations to Council on any Landcare Contracts and Consultancy agreements.
- e) Provide a Draft Annual Budget for Landcare to Council for consideration as part of the Annual Budget process.

Delegation – Nil

2 x Councillors

Observers

Chief Executive Officer

Deputy CEO

NACC Rep.

Landcare & Environment Consultant

Community Growth Fund Advisory Group

Evaluate application received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with guideline, policies and procedures set by Council and make recommendations to Council to allocate funds

Delegation – Nil

President (Presiding member)

3 x Councillors (Members)

Chief Executive Officer

Manager Finance & Corp Svc

Comm. Develop. Officer

Tourism & Events Advisory Group

Will meet on an 'as needs' basis only to:

- ~ Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function;
- ~ Assist with coordinating the annual Australia Day function(s);
- ~ Discuss all other item(s) referred to them by Council in the areas of tourism and events.
- ~ Liaise with external organisations

Delegation – Nil

3 x Councillors

CEO

Deputy CEO

Comm. Development Officer

2 x Community Representatives for Australia Day award nominations (recommend past winner as one rep.)

4.0 DETAILS OF DECISION MAKING FUNCTIONS

Local Laws, Policies and Corporate Management Procedures applying to this Council's district only, are made by Council under the Local Government Act 1995.

Council may provide that contravention of a provision of the local law is an offence and may provide for penalties to be imposed.

The Shire of Chapman Valley current local laws are:

- Dogs Local Law 2016
- Standing Orders Local Law 2016
- Activities in Thoroughfares & Public Places & Trading Local Law 2016

5.0 DOCUMENTS HELD

5.1 Any person can attend the office during office hours and inspect free of charge, subject to limitations any of the following in relation to council in the form in which it is normally held.

- a) annual report to electors;
- b) annual budget;
- c) annual financial report;
- d) various brochures available at the counter;
- e) shire library facilities;
- f) equal opportunity policy statement
- g) confirmed minutes of Council, committee and elector's meetings;
- h) Integrated Strategic & Operational Plans;
- i) register of financial interests;
- j) schedule of fees and charges;
- k) schedule of loan repayments;
- l) loans register;
- m) proposed local law of which State-wide public notice has been given;
- n) local laws made by Council;
- o) any written law that Council has the duty or power to enforce;
- p) rates record;
- q) confirmed minutes of council or committee meetings;
- r) minutes of elector's meetings;
- s) notice papers and agenda relating to any council or committee meeting and reports other documents that have been -
 - i) tabled at a council or committee meeting; or
 - ii) produced by council or a committee and presented at a council or committee meeting.
- t) prepared business plan;
- u) register of owners and occupiers and electoral rolls;
- v) register of delegations to committees.

5.2 Documents available to the public - for which a fee may be charged.

- a) maps of the Shire of Chapman Valley;

- b) the annual financial report;
- c) the annual budget;
- d) municipal inventory;
- e) town planning documents;
- f) freedom of information statement.

5.3 Other documents held which may be available for inspection within the Freedom of Information Act

- a) register of delegations to CEO and employees;
- b) unconfirmed minutes of council or committee meetings;
- c) notice papers and agenda relating to council or committee meetings and reports and other documents which -
 - i) are to be tabled at the meeting; or
 - ii) have been produced by the local government or a committee for presentation at the meeting.
- d) and which have been made available to members of Council or the committee.
- e) the information contained in a tender's register;
- f) property ownership enquiries.

5.4 Limits on right to inspect Local Government Information

A person's right to inspect information does not extend to the inspection of information:

- a) which is not current at the time of inspection; and
- b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of resources away from other functions.
- c) in relation to any debt owed by a person other than the debt of the person making the enquiry.
- d) relating to minutes of meetings or notice papers and agenda and supporting reports and documents of a meeting which: -
 - i) was closed to the public; or
 - ii) in the CEO's opinion, could have been closed to members of the public, but was not closed.
- e) in relation to contracts for the CEO and senior employees if: -
 - i) the information relates to a matter other than the salary or the remuneration or benefits payable under the contract; and

- ii) in the CEO's opinion, the information should not be available for inspection by members of the public because of the private nature of the information.

5.5 Format in which information is held-

- a) library holds brochures, videos, cassettes and books, available for borrowing through the library system;
- b) rates records are held on computer hard disk;
- c) minutes of meetings are held in guard and bound books;
- d) annual report to electors, financial report and budget are held in booklet form and on hard disk;
- e) register of loans - hard copy;
- f) register of tenders - hard copy;
- g) register of delegations to committee - hard copy;
- h) maps - hard copy;
- i) Integrated Strategic and Business Plans - hard copy;
- j) register of financial interests - hard copy;
- k) owners, occupiers and electoral rolls - hard disk and soft copy;
- l) municipal inventory - book.
- m) correspondence, both incoming and outgoing is in filing cabinets for short term or held in the storeroom for long term archives. A system index schedule (numbers used in filing records) is held in booklet form;
- n) personal information - held in filing system and on computer hard disk.

6.0 THE OPERATION OF FREEDOM OF INFORMATION IN THE SHIRE OF CHAPMAN VALLEY

6.1 How and to whom initial enquiries should be made?

- i) In accordance with Section 12 (i) Initial enquiries should be made
 - a) in writing;
 - b) give enough information so that the documents requested can be identified;
 - c) give an Australian address to which notices can be sent; and
 - d) be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator: -

Chief Executive Officer

Shire of Chapman Valley

Post Office Box 1

Nabawa WA 6532

Telephone and fax numbers:

Phone: (08) 9920 5011

Fax: (08) 9920 5155

- ii) Applications will be acknowledged in writing and you will be notified of the decision within 45 days.
- iii) It is the aim of the Shire of Chapman Valley to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information Process.
- iv) If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

6.2 Freedom of Information Charges -

A scale of fees and charges set under the Freedom of Information Act Regulations.

i) Personal Information about the applicant	<i>no fee</i>
ii) Application fee (for non- personal information)	<i>\$30.00</i>
iii) Charge for time dealing with the application (per hour, or pro rata)	<i>\$30.00</i>
iv) Access time supervised by staff (per hour, or pro rata)	<i>\$30.00</i>
v) Photocopying staff time (per hour, or pro rata)	<i>\$30.00</i>
vi) Per photocopy	<i>.20</i>
vii) Transcribing from tape, film or computer (per hour, or pro rata)	<i>\$30.00</i>
viii) Duplicating a tape, film or computer information	<i>Actual Cost</i>
ix) Delivery, packaging and postage	<i>Actual Cost</i>
x) Advance deposit may be required of the estimated charges	<i>25%</i>
xi) Further advance deposit may be required to meet the charges for dealing with the application	<i>75%</i>
xii) For financially disadvantaged applicants, those issued with prescribed pensioner concession cards, the charge payable may be reduced by 25%.	

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

6.3 Notice of decision -

As soon as possible but in any case, within 45 days you will be provided with a notice of decision which will include details of the decision and procedures to follow.

Refusal of Access -

Applicants who are dissatisfied with a decision are entitled to ask for an internal review. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you then can apply to the Information Commissioner for an external review, and details would be advised to applicants when the internal review decision is issued.

6.4 Person responsible for decisions regarding access or the amendment of personal information under Freedom of Information -

The Chief Executive Officer makes decisions regarding access or the amendment of personal information under Freedom of Information.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended :	05/15-23; 06/15-18; 03/17-32; 03/17-32;

CP-011 Senior Staff

POLICY NO	CP-011
POLICY	SENIOR STAFF
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	14.230
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 – SECTION 5.36
RELEVANT DELEGATIONS	

OBJECTIVES:

To designate Senior Employees in accordance with the requirements of the Local Government Act, 1995.

POLICY STATEMENT:

Designate the following members of staff as “Senior Staff” in accordance with section 5.37 of the Local Government Act 1995:

- Deputy CEO
- Manager of Finance and Corporate Services
- Manager Works and Services
- Building Surveyor / Project Officer

(Note: CEO is designated as a Senior Employee by virtue of Section 5.36 of the Local Government Act, 1995)
CEO to present Council with proposed amendments to Senior Staff contracts and remunerations as part of the annual budget consideration process or at any other time as determined by the CEO (e.g. Contract extensions, etc.)

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	07/04-5
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Reviewed/Amended :	05/05-2; 05/05-3; 06/07-31; 06/11-16; 07/14-6; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/19-4
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CP-013 Payments to Employees in Addition to Contract or Award

POLICY NO	CP-013
POLICY	PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	14.170
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 – SECTION 5.50(2)
RELEVANT DELEGATIONS	NA

OBJECTIVES:

To stipulate payments made to employees in addition to contracts or award payments as is required by the Local Government Act, 1995, s 5.50(2)

POLICY STATEMENT/S:

The Shire of Chapman Valley does not support any payment to employees either under Contract or Award other than that specifically set out in that Contract or Award when such employees finish with this Shire.

If the Council consider an individual case appropriate, it will exercise its power under the Local Government Act 1995 and Local Government Act (Administration) Regulations, 1996 whereby, if so resolved by Council, Local Public Notice will be given in relation to any such additional payments to any specific employees.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32
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CP-014 Employees Safety & Health

POLICY NO	CP-014
POLICY	EMPLOYEES SAFETY AND HEALTH
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.10
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT, 1984
RELEVANT DELEGATIONS	

OBJECTIVES:

This policy recognises the safety and health of all employees of the Shire of Chapman Valley is the responsibility of Shire management. In fulfilling this responsibility, management has a duty to provide and maintain, so far as is practicable, a working environment in which employees are not exposed to hazards:

- providing and maintaining safe plant and systems of work;
- making and monitoring arrangements for the safe use, handling, storage, disposal and transport of plant and substances;
- maintaining the workplace in a safe and healthy condition;
- providing information, training and supervision for all employees enabling them to work in a safe and healthy manner.

POLICY STATEMENT/S:

The Chief Executive Officer is responsible for implementation and monitoring of this policy.

The Human Resources/Finance Officer is assigned the authority to act as the Safety Co-ordinator and is responsible for initiating and driving all safety and health strategies on behalf of the Chief Executive Officer.

The safety and health duties of management at all levels will be detailed and the Shire processes for training and back-up support should be followed. In fulfilling the objectives of this policy, management is committed to regular consultations with employees to ensure that the policy operates effectively and that safety and health issues are regularly reviewed.

6.10.1 DUTIES

Recognising the potential risks associated with hazards that may be present, the Shire of Chapman Valley will take very practicable steps to provide and maintain a safe and healthy work environment for all employees.

6.10.2 MANAGEMENT

- is responsible for the effective implementation of the Shire's safety and health policy;
- must observe, implement and fulfil its responsibilities under the Acts and Regulations which apply to Local Government;
- must ensure that the agreed processes for regular consultation between management and those with designated and elected safety and health responsibilities are followed;
- must make regular assessments of safety and health performance and resources in co-operation with those with designated and elected safety and health functions;
- must ensure that all specific policies operating within the Shire are periodically revised and consistent with the Shire's safety and health objectives;
- must provide information, training and supervision for all employees in the correct use of plant, equipment and substances used throughout the Shire, and
- must be informed of incidents and accidents occurring on Shire premises or to Shire employees so that safety and health performance can be accurately gauged.

6.10.3 EMPLOYEES

- have a duty to take the care of which they are capable for their own safety and health and of others affected by their actions at work;
- must comply with the safety processes and directions agreed between management and employees with nominated or elected safety and health functions;
- must not wilfully interfere with or misuse items or facilities provided in the interest of safety, health and welfare of Shire employees; and
- must, in accordance with the Shire's Policy for accident and incident reporting, report potential and actual hazards and accidents/incidents to their elected safety and health representatives.
- This policy will be regularly reviewed in the light of legislation and Shire changes. Management seeks co-operation from all employees in realising our safety and health objectives and creating a safe work environment. All employees will be advised, in writing, of agreed changes and arrangements for their implementation.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

EP-001 Firebreak Notice & Information Letter

POLICY NO	EP-001
POLICY	FIRE BREAK NOTICE & INFORMATION NEWSLETTER
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.10
LEGISLATION	BUSHFIRE ACT, 1954 – s33
RELEVANT DELEGATIONS	

OBJECTIVES:

Provide clear and concise information to landowners/occupiers within the Shire of Chapman Valley of fire control, suppression and prevention requirements on their land.

ADDITIONAL EXPLANATORY NOTES:

Reviewed/Amended annually by the Shire of Chapman Valley Bush Fire Brigade Group Management Advisory Committee and presented to Council for consideration and adoption prior to the annual Rate Notices being sent out. This Notice is included with the information sent out to all landowners with the annual Rate Notices.

[Link to latest Fire Notice](#)

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/14-10; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 04/16-15; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 04/16-15; 07/19-4

Procedures

CMP-011 Workplace Surveillance Policy

MANAGEMENT PROCEDURE No.	CMP-011
MANAGEMENT PROCEDURE	WORKPLACE SURVEILLANCE POLICY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	NEW
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

The Shire of Chapman Valley is committed to providing a safe environment for its employees and the community in which unlawful, antisocial, and inappropriate activity is kept to a minimum while respecting the individual rights to privacy.

The Shire of Chapman Valley will ensure that the use of workplace surveillance complies with the requirements of the relevant legislation including the *Surveillance Devices Act 1998 (WA)*.

MANAGEMENT PROCEDURE STATEMENT/S:

Surveillance may be deployed within the workplace in order to protect the assets and equipment of the Shire of Chapman Valley and improve community and employee safety.

This policy outlines the deployment of workplace surveillance in the Shire of Chapman Valley.

Electronic Surveillance Devices

The Shire of Chapman Valley may deploy electronic surveillance devices to protect assets, equipment and people through the recording of unauthorised, unlawful, inappropriate, or dangerous activity/incidents.

The Shire of Chapman Valley may deploy fixed and mobile cameras (of either motion/CCTV or still variety) in areas where assets or equipment are stored or commonly used, or in high risk work areas. Cameras may be placed in, around, or to view fixed or mobile locations.

Cameras should be placed in unobtrusive positions covering the area to be protected.

Cameras must not be placed inside toilets or change rooms, residences, or in such as position as to view inside these premises.

The Shire of Chapman Valley will erect signs to inform employees and community members that cameras are in use.

Global Positioning System (GPS) devices may be utilised in vehicles or equipment where the operator is often required to work alone, where there are risks associated with the tasks being carried out by an employee or where the Local Government has a need to monitor and protect that vehicle or equipment.

Staff Management

The Shire of Chapman Valley will not deploy workplace surveillance for the general management of the Shire of Chapman Valley employees. However, if any workplace surveillance demonstrates an employee acting in an antisocial, inappropriate, or unlawful manner, the Shire of Chapman Valley may use this information for disciplinary or other appropriate action.

Review and Retention of Images

Images that indicate unauthorised or inappropriate activity, either through a record of that activity or due to interference with the camera, are to be referred to the Chief Executive Officer. The Chief Executive Officer will retain the images and any associated information in a secure, confidential location.

Confidentiality

Image information or data recorded is to be discussed only with the Chief Executive Officer. No information regarding the location of surveillance devices or images recorded is to be released or discussed with any other person, except with the approval of the Chief Executive Officer or if required by law.

Consequences of Breaching this Policy

Any person engaged by the Shire of Chapman Valley found to have breached this policy may be subject to disciplinary action or dismissal, as appropriate. Criminal charges may also be applied, where appropriate.

Variation to this Policy

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

Statement of Understanding

I confirm that I have read and understood the Shire of Chapman Valley Workplace Surveillance Policy. I understand that it is a condition of my employment or engagement with the Shire of Chapman Valley that I consent to, and must comply, with, the terms and conditions contained within this Policy.

Please do not sign this document unless you fully understand the contents and requirements.

Employee Printed Full Name

Employee Signature

Date

Please forward signed copy to the Human Resources.

ADDITIONAL EXPLANATORY NOTES:

Related Corporate Documents
Code of Conduct
Add to training matrix and induction pack

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	07/18-10
Reviewed/Amended – Council Resolution:	

CMP-016 Administration – Council Chambers

MANAGEMENT PROCEDURE No.	CMP-016
MANAGEMENT PROCEDURE	ADMINISTRATION – COUNCIL CHAMBERS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	4.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Control the use of the Shire of Chapman Valley Council Chambers.

MANAGEMENT PROCEDURE STATEMENT/S:

The Council Chambers be available for meetings/events provided suitable arrangements can be made with the Chief Executive Officer with bookings to be made at the Shire Offices after President or Chief Executive Officer approval has been obtained.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-022 Library Usage

MANAGEMENT PROCEDURE No.	CMP-022
MANAGEMENT PROCEDURE	LIBRARY USAGE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	6.30
RELEVANT DELEGATIONS	

OBJECTIVES:

Set conditions for Library usage.

MANAGEMENT PROCEDURE STATEMENT/S:

A deposit fee system as determined by the State Library Board to be applied at the discretion of the Librarian upon authorisation of the Chief Executive Officer for a user who it is considered has abused this service.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-023 Flag

MANAGEMENT PROCEDURE No.	CMP-023
MANAGEMENT PROCEDURE	FLYING FLAGS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.50
RELEVANT DELEGATIONS	NA

OBJECTIVES:

The objective of this Policy is to ensure the Shire's protocols and practice of flying, displaying and lowering flags.

MANAGEMENT PROCEDURE STATEMENT/S:

Introduction

The Australian National Flag is to be flown/displayed in ordinary working hours on ordinary working days. Where additional flag poles exist, other flags may be flown/displayed in the following order of priority:

- Australian National Flag.
- Western Australia State Flag.
- Aboriginal Flag.

Flying flags

Flags will be flown in accordance with the Australian National Flag Protocols.

When flags may be flown at half-mast

The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:

- a) To coincide with national, state or regionally significant events (generally at the behest of the various levels of government protocol arrangements).
- b) When a current or former Elected Member of the Shire passes away.
- c) When a Freeman of the Shire passes away.
- d) When a current Shire employee passes away.
- e) At the Shire President request when a local identity (not mentioned above) passes away.

When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast. The Australian National Flag should be raised first and lowered last.

Approval to fly the flags at half-mast is to be given by the Chief Executive Officer on agreement from the Shire President.

Legislation Requirements

- <https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols>
- <https://www.dpc.wa.gov.au/GuidelinesAndPolicies/protocol/Pages/Flags.aspx>
- <https://www.pmc.gov.au/resource-centre/government/australian-flags-booklet-part-two>
- Australian Flags Act 1953
- Local Government Act 1995

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 12/21-16

CMP-024 Release of Unconfirmed Minutes

MANAGEMENT PROCEDURE No.	CMP-024
MANAGEMENT PROCEDURE	RELEASE OF "UNCONFIRMED" MINUTES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Set guidelines for the release of the Shire's Unconfirmed Minutes.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire will release copies of its unconfirmed minutes onto its website immediately after they become available to individual Councillors and for inspection to the public, with hard copies also being made available upon request at the applicable photocopying rates.

The condition for the release of such minutes is that they are to be clearly defined on both the website and the hardcopy as being "unconfirmed".

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/03-16
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-025 Additional Administrative Functions & Tasks

MANAGEMENT PROCEDURE No.	CMP-025
MANAGEMENT PROCEDURE RESPONSIBLE OFFICER	ADDITIONAL ADMINISTRATIVE FUNCTIONS & CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.80
RELEVANT DELEGATIONS	

OBJECTIVES:

Set what additional administrative tasks will be undertaken by the Shire as a result of impositions being placed on the Shire by other tiers of government.

MANAGEMENT PROCEDURE STATEMENT/S:

1. The Shire of Chapman Valley will not undertake any additional functions/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the Shire.
2. If the outcome of the analysis is the Shire would need additional resources to undertake the additional functions/tasks then the Shire will refuse to perform these functions/tasks until such resources are made available.
3. In the event additional resources are not made available functions/tasks being requested of the Shire, the Shire will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the Shire, due to non-compliance with the requirement to perform the additional functions/tasks, the Shire will use as a defence the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions/tasks.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-028 Risk Management Procedures

MANAGEMENT PROCEDURE No.	CMP-028
MANAGEMENT PROCEDURE	RISK MANAGEMENT PROCEDURES
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	6.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks.

ADDITIONAL EXPLANATORY NOTES:

This Procedure needs to be read in conjunction with Occupational Safety & Health Policy CP-017.

SEE ATTACHED PROCEDURE

ADDITIONAL EXPLANATORY NOTES:

This Procedure needs to be read in conjunction with Occupational Safety & Health Policy CMP-017

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	06/14-12
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 12/15-15



Shire of
Chapman Valley
Love the Rural Life



Risk Management Governance Framework

➤ Risk Management Procedures

Last Updated: January 2016

Version: 0.02

Shire of Chapman Valley

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Introduction

The Policy and Procedures form the Risk Management Framework for the Shire of Chapman Valley (“the Shire”). It sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on AS/NZS ISO 31000:2009 Risk Management.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

Further information or guidance on risk management procedures is available from LGIS Risk Management.

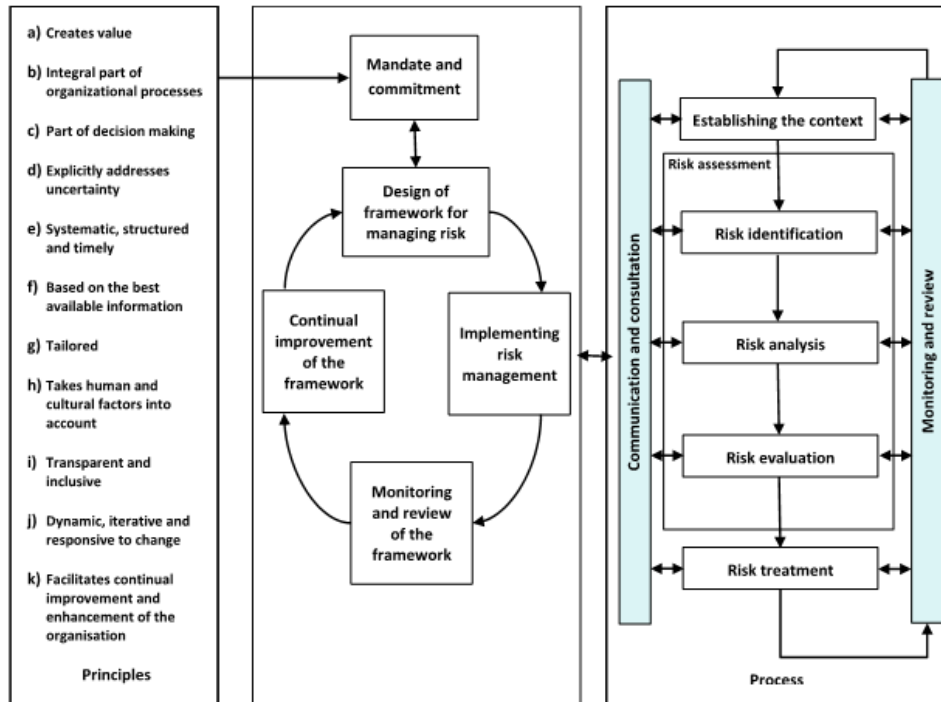


Figure 1: Risk Management Process (Source: AS/NZS 31000:2009)

Risk Management Procedures

Governance

Appropriate governance of risk management within the Shire of Chapman Valley (the "Shire") provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk framework.

Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness at least every two years.

Operating Model

The Shire has adopted a "Three Lines of Defence" model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

First Line of Defence

All operational areas of the Shire are considered '1st Line'. They are responsible for ensuring that risks (within their scope of operations) are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decisioning of risk matters.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

Second Line of Defence

The Manager Finance & Corporate Services (MFCS) acts as the primary '2nd Line'. This position owns and manages the framework for risk management. They draft and implement the governance procedures and provide the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1st & 3rd lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1st Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Shire's risk reporting for the CEO & Executive Management Team and the Audit Committee.

Third Line of Defence

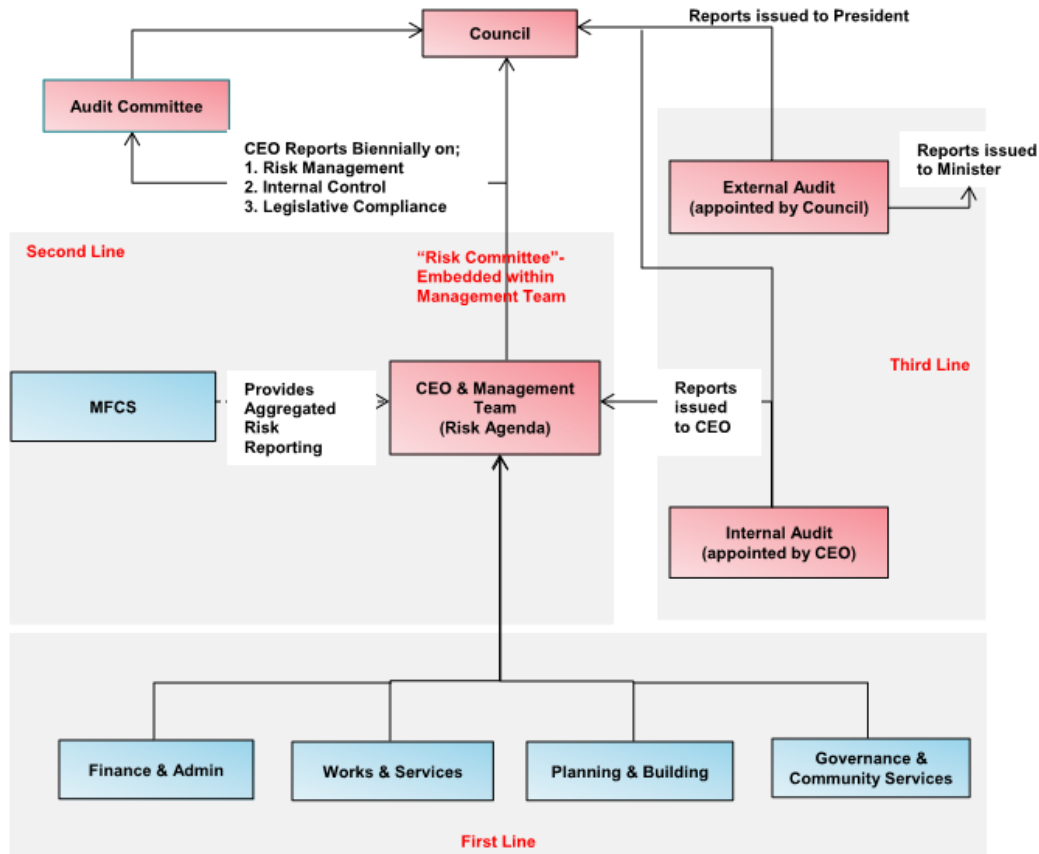
Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO with input from the Audit Committee.

External Audit – Appointed by the Council on the recommendation of the Audit Committee to report independently to the President and CEO on the annual financial statements only.

Governance Structure

The following diagram depicts the current operating structure for risk management within the Shire.



Roles & Responsibilities

Council

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

Audit Committee

- Support Council to provide effective corporate governance.
- Oversight of all matters that relate to the conduct of External Audits.
- Must be independent, objective and autonomous in deliberations.
- Make recommendations to Council on External Auditor appointments.

CEO / Executive Management Team

- Appoint Internal Auditors as required under Local Government (Audit) regulations.
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from 'risk matters'.
- Own and manage the Risk Profiles at Shire Level.

Manager Finance & Corporate Services

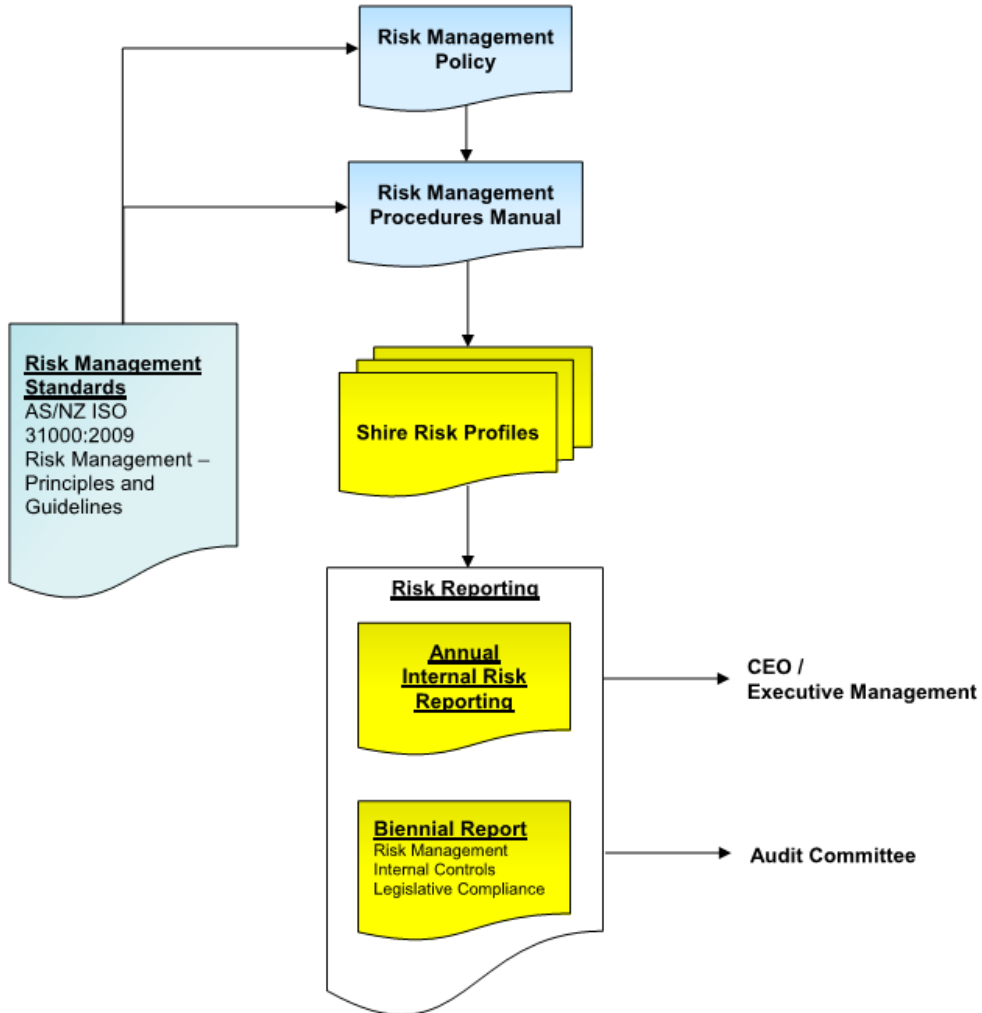
- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for Risk matters.

Work Areas

- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;
 - New or emerging risks.
 - Review existing risks.
 - Control adequacy.
 - Outstanding issues and actions.

Document Structure (Framework)

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.



Risk & Control Management

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis.

Each Manager, in conjunction with the MFCS is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a annual basis, unless there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of key data inputs, workshops and ongoing business engagement.

Risk & Control Assessment

To ensure alignment with ISO 31000:2009 Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective.

Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

Organisational Context

The Shire's Risk Management Procedures provides the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the MFCS and CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process. For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

Strategic Context

The Shire's external environment and high level direction. Inputs to establishing the strategic risk assessment context may include;

- Organisations Vision / Mission
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Existing Strategies / Objectives / Goals

Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

Project Context

Project Risk has two main components:

- **Risk in Projects** refers to the risks that may arise as a result of project activity (i.e. impacting on process, resources or IT systems) which may prevent the Shire from meeting its objectives
- **Project Risk** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

Risk Identification

Using the specific risk assessment context as the foundation and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How may this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating?

Risk Analysis

To analyse the risks the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating
- Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and those risks that are acceptable are then subject to the monitor and review process.

Note: Individual Risks or Issues may need to be escalated due to its urgency, level of risk or systemic nature.

Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the MFCS is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

Monitoring & Review

The Shire is to review all Risk Profiles at least on an annual basis or if triggered by one of the following;

- changes to context,
- a treatment is implemented,
- an incident occurs or due to audit/regulator findings.

The (MFCS) is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Executive Management Team will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Catastrophic
- Risks with Likelihood Rating of Almost Certain

The design and focus of Risk Summary report will be determined from time to time on the direction of the CEO & Executive Management Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

Communication & Consultation

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

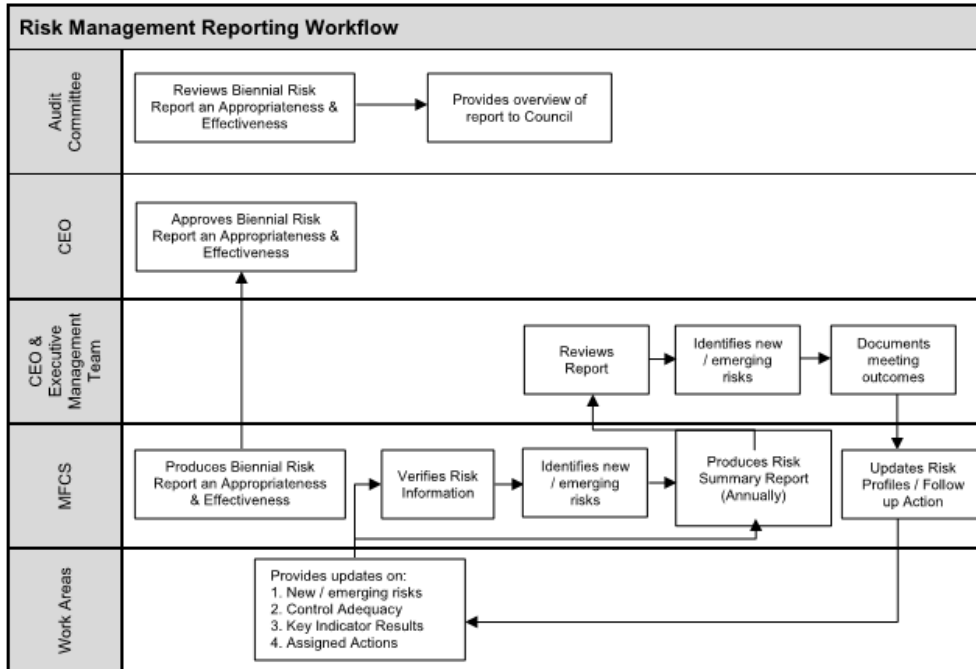
Risk management awareness and training will be provided to all staff.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

Reporting Requirements

Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new, emerging risks, control effectiveness and key indicator performance to the MFCS.
- Work through assigned actions and provide relevant updates to the MFCS.
- Risks / Issues reported to the CEO & Executive Management Team are reflective of the current risk and control environment.

The MFCS is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a annual basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Annual Risk Reporting for the CEO & Executive Management Team – Contains an overview of the Risk Summary for the Shire.
- Annual Compliance Audit Return completion and lodgement.

Key Indicators

Key Indicators (KI's) are required to be used for monitoring and validating key risks and controls. The following describes the process for the creation and reporting of KIs:

- Identification
- Validity of Source
- Tolerances
- Monitor & Review

Identification

The following represent the minimum standards when identifying appropriate KI's key risks and controls:

- The risk description and casual factors are fully understood
- The KI is fully relevant to the risk or control
- Predictive KI's are adopted wherever possible
- KI's provide adequate coverage over monitoring key risks and controls

Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the KI data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping KI's can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the KI, the data is required to be revalidated to ensure reporting of the KI against a consistent baseline.

Tolerances

Tolerances are set based on the Shire's Risk Appetite. They are set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the KI must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the KI must be escalated to the CEO & Executive Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

Monitor & Review

All active KI's are updated as per their stated frequency of the data source.

When monitoring and reviewing KI's, the overall trend must be considered over a longer timeframe instead of individual data movements. The trend of the KI is specifically used as an input to the risk and control assessment.

Risk Acceptance

Day to day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (eg. Impact consequence, materiality, likelihood, working assumptions etc)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

A lack of budget / funding to remediate a material risk outside appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (ie. Executive Management Team)



Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequence									
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment		
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response		
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response		
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies		
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies		
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact		

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

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

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

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is little scope for improvement.	Processes (Controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
Adequate	There is some scope for improvement.	Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
Inadequate	A need for corrective and / or improvement actions exist.	Processes (Controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.

Appendix B – Risk Profile Template

Risk Theme	Date		
<p>This Risk Theme is defined as: <i>Definition of Theme</i></p>			
<p>Potential causes include: <i>List of potential causes</i> □</p>			
Key Controls	Type	Date	Shire Rating
<i>List of Key Controls</i>			
Overall Control Ratings:			
Risk Ratings			Shire Rating
<i>Consequence:</i>			
<i>Likelihood:</i>			
Overall Risk Ratings:			
Key Indicators	Tolerance	Date	Overall Shire Result
<i>List of Key Indicators</i>			
<p>Comments <i>Rationale for all above ratings</i></p>			
Current Issues / Actions / Treatments		Due Date	Responsibility
<i>List current issues / actions / treatments</i>			



Appendix C – Risk Theme Definitions

Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or delays in transaction processing, or Inaccurate Advice.

External Theft & Fraud (inc. Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

Business Disruption

A local physical event causing the inability to continue business activities and provide services to the community. This may or may not result in Business Continuity Plans to be invoked. This does not include disruptions due to:

- IT Systems or infrastructure related failures should be captured under "Failure of IT Systems and Infrastructure".
- Contractor / Supplier issues should be captured under "Inadequate Supplier / Contract Management".
- People issues should be captured under "Inappropriate People Management".

Damage to Physical Assets

Damage to buildings, property, plant & equipment (all assets) that does not result in a disruption to business objectives (refer Business Disruption). This could be a result of a natural disaster or other events, or an act carried out by an external party (inc. graffiti and / or vandalism).

Errors, omissions, delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data.
- Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

- Inaccurate data being used for management decision making and reporting.
- Delays in service to customers
- Inaccurate data provided to customers

This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

Failure of IT &/or Communications Systems and Infrastructure

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Change Management".

Failure to fulfil statutory, regulatory or compliance requirements

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include;

- Issues in relation to OH&S – refer "Inadequate employee and visitor safety and security"
- Procurement, disposal or tender process failures – refer "Inadequate Procurement, Disposal or Tender Practices"
- HR based legislation – refer "ineffective People Management"

Providing inaccurate advice / information

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff. This could be caused by using unqualified staff, however it does not include instances relating Breach of Authority.

Inadequate Change Management

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.
- Failure to implement new systems
- Failures of IT Project Vendors/Contractors

This includes Directorate or Service Unit driven change initiatives except new Plant & Equipment purchases. Refer "Inadequate Plant and Equipment design, delivery and maintenance"

Inadequate Emergency Management

Failure to adequately assess and respond to both internal and external emergencies. Lack of (or inadequate) emergency response plans. Lack of training to specific individuals or availability of appropriate emergency response. Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident. This also includes inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc.

Inadequate Document Management Processes

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists.
- Procedural documents.
- 'Application' proposals/documents.
- Contracts.
- Forms, requests or other documents.

Inadequate employee and visitor safety and security

Non-compliance with Occupation Health & Safety (OH&S) Regulations and physical security requirements. This risk includes issues relating to:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants in the provision of a working or business environment.
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.

Inadequate engagement of Community / Stakeholders / Elected Members

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues.
- Infrastructure Projects.
- Regional or District Committee attendance.
- Local Planning initiatives.
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

Inadequate Procurement, Disposal or Tender Practices.

Failures in the procurement, acquisition, acceptance or disposal process for assets as governed by the Local Government Act. This risk theme also relates to and includes;

- Lack of formalised process to identify specific requirements prior to procurement.
- Acceptance of assets without reference to a formalised process to ensure correct receipt and / or notification of receipt (transfer of ownership).
- Disposing of P & E (either through sale or decommissioning) that did not meet expectations from either a time or financial perspective.
- Failures in the Tender process from RTF preparation, advertising, due diligence and awarding.

Inadequate Asset Management

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet assets in addition to community use based assets including playgrounds, boat ramps and other maintenance based assets. Areas includes in the scope are;

- Inadequate design (not fit for purpose).
- Ineffective usage (down time)
- Outputs not meeting expectations
- Inadequate maintenance activities.
- Inadequate or unsafe modifications.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

Inadequate Stock Management

Lack of stock to ensure continuity of operations or oversupply of stock resulting in dormant (non-performing) assets. Stock includes, consumables, stationery, spare parts and / or other items used for operational purposes. This could be a result of an ineffective stock management system / processes or the peripheral processes in the issuance and / or recording of 'transactions'.

It does not include theft or loss of stock through ineffective operations; refer;

- Theft – "Misconduct" or "External Theft or Fraud"
- Ineffective operations – "Errors, Omissions or Delays".

Inadequate Supplier / Contract Management

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

It does not include failures in the tender process; refer "Inadequate Procurement, Disposal or Tender Practices".

Ineffective People Management

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. This also includes:

- Breaching employee regulations (excluding OH&S).
- Discrimination, Harassment & Bullying in the workplace.
- Key person dependencies without effective succession planning in place.
- Induction issues.
- Terminations (including any tribunal issues).
- Industrial activity.

Care should be taken when considering insufficient staff numbers as the underlying issue could be a process inefficiency.

Ineffective management of Facilities / Venues

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

Not meeting Community expectations

Failure to provide expected levels of service, events and benefit to the community. This includes where precedents have set Community perceptions or where services are generally expected. This will normally result in reputational impacts, however may have financial considerations with re-work, compensations or refunds. Examples include:

- Reducing the number or quality of events.
- Withdrawing support (or not supporting) other initiatives to provide relief/benefits to the Community.
- Loss of new or ongoing funding requirements for projects, events and other initiatives.
- Technology expectations

CMP-030 Elected Member Training & Professional Development.

MANAGEMENT PROCEDURE No.	CMP-030
MANAGEMENT PROCEDURE	ELECTED MEMBER TRAINING & PROFESSIONAL DEVELOPMENT
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.10 and 9.20
RELEVANT DELEGATIONS	1019

OBJECTIVES:

Outline the process and conditions associated with Elected Members attending training or professional development, etc.

Attendance at Events is covered under Policy No CP-006 "*Attendance at Events*".

This Management Procedure does not cover mandatory Elected Member Training stipulated under legislation. Such Training will be budgeted for accordingly and the Elected Members required to undertake such training must attend the required course.

MANAGEMENT PROCEDURE STATEMENT:

Nominations

Notices inviting Councillors to nominate delegates to undertake training or professional development and similar occasions are to be brought Councillors attention.

Any Councillor who wishes to undertake training or professional development shall request endorsement at a Council meeting for consideration.

EXPENSES

Any Councillor endorsed by resolution of Council to attended training or professional development courses will have the following expenses paid, unless any variation is otherwise determined by Council resolution:

Travel

- Private Vehicle Use – (at the rate determined by the State Administrative Tribunal) Claim form showing km's and purpose to be submitted.
- All costs associated with any other form of travel (i.e. air, bus, etc.)

Accommodation

- Room and meals as approved by the Chief Executive Officer.
- Alcoholic beverage cost will not be covered by the Shire

Other

- Course registration expenses.
- Taxi fares as approved by Chief Executive Officer.
- All Councillor partner expenses must be paid for by the relevant Councillor member (Either at the time expense is incurred or by reimbursing Council at a later date)

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES)

Adopted – Council Resolution:	10/01-9 (9.10) and 12/01-10 (9.20)
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Reviewed/Amended – Council Resolution:	11/15-4 (9.10 & 9.20); 5/11-17 (9.10); 05/15-23 06/15-18; 03/17-32; 07/19-4, 03/20-13
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CMP-032 Corrections / Discrepancies in Minutes

MANAGEMENT PROCEDURE No.	CMP-032
MANAGEMENT PROCEDURE	CORRECTIONS/DISCREPANCIES IN MINUTES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Set guidelines for corrections to Minutes and avoid pedantic changes being requested.

MANAGEMENT PROCEDURE STATEMENT/S:

Councillors who are aware of any minute corrections or discrepancies prior to the meeting where the minutes are to be considered, be requested to bring them to the attention of staff at that time to allow checking or research.

No corrections to Minutes will be accepted unless the intent of the minute as recorded is incorrect.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-033 Honour Awards

MANAGEMENT PROCEDURE No.	CMP-033
MANAGEMENT PROCEDURE	HONOUR AWARDS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Set conditions, guidelines and processes for bestowing awards upon recipients.

MANAGEMENT PROCEDURE STATEMENT/S:

The Chief Executive Officer is to present an item to the Council Concept Forum(s) at the appropriate time(s) each year requesting Council consideration for awards to be presented in accordance with this Operational Procedure. The Chief Executive Officer will only present a Council Agenda Item for the further consideration of relevant awards if the Concept Forum discussions determine this action is necessary.

Citizenship Ceremonies

Citizenship ceremonies be conducted at an event as considered appropriate by the Chief Executive Officer (in consultation with the President) under the following conditions:

- i. Ceremonies to be conducted in accordance with the Australian Citizenship Ceremonies Code.
- ii. Federal Members of Parliament, if attending a citizenship ceremony, should read the Minister's message;
- iii. Though there is no strict dress code for citizenship ceremonies attire should be at least smart casual dress with national or cultural dress being welcomed
- iv. A native plant be given to the recipients

Shire of Chapman Valley – Freeman of the Shire

A member of our Community may be honoured by the Shire with the title "Honorary Freeman of the Shire".

An Honorary Freeman of the Shire must have served the community of the Shire of Chapman Valley in an outstanding and meritorious manner that stands above the contributions of most other persons, and whose activities have contributed significantly to the wellbeing of the Shire's residents.

The Shire of Chapman Valley Freeman of the Shire Award recognises the outstanding achievements and dedicated service to the community by a person. The Freeman of the Shire Award is the highest honour the Shire of Chapman Valley can give to a community member.

Council may also consider conferring of the title of 'Posthumous Freeman of the Municipality'. In this case, the eligibility criteria would still apply.

Eligibility Criteria

To be eligible for nomination, a person does not have to currently reside within the Shire or have served on Council.

Nominees will be assessed on their record of service to the local and broader community against the following criteria:

1. Length of service in a field (or fields) of activity;
2. Level of commitment to the field (or fields) of activity;
3. Personal leadership qualities;

4. Benefits to the community of the Shire of Chapman Valley and/or to the State of Western Australia and/or to the nation resulting from the nominee's work; and
5. Special achievements of the nominee.

Exclusions

- A current Elected Member with the Shire of Chapman Valley cannot be nominated for the award.

Nomination Procedure

- Nominations for the Award may be made by Elected Members, individuals or organisations and are to be sponsored by an Elected Member of the Shire of Chapman Valley;
- They are to be submitted to the Chief Executive Officer in written format addressing the Eligibility Criteria;
- Nominations are to be made in the strictest confidence without the knowledge of the nominee;
- On receipt of a nomination the Chief Executive Officer is to present the nomination to Council as a Confidential Agenda Item for consideration;
- Council is to consider the item behind closed doors;
- Once a nomination has been accepted by Council, the nominee and any person(s) or organisation(s) involved in the nomination are to be informed of the decision and nominee is to be contact to confirm their acceptance of the honour;
- Should the nomination be supported by Council and accepted by the nominee the award shall be presented to the nominee at a function considered appropriate by the President.

Number of Freeman within the Shire

There is no limit on the number of persons upon which the title of Freeman of the Shire of Chapman Valley may be conveyed.

Entitlements

Any person upon whom the title 'Honorary Freeman of Shire' has been conferred may designate him/herself 'Honorary Freeman of the Shire of Chapman Valley'.

The recipient shall be presented with a special badge, which identifies them as 'Honorary Freeman of the Shire' along with a certificate to commemorate receiving the award.

Any Honorary Freeman of the Shire shall be invited to all subsequent formal Civic functions conducted by the Shire.

Revocation of Title of Freeman or Honorary Freeman

Council, by resolution, shall also have the ability to revoke the title bestowed upon a person, if;

A criminal matter, for which the Freeman in question was found guilty of, or for any other matter, was considered by Council to have caused embarrassment to the municipality or that the ongoing recognition of such a title on this person by the Shire was inappropriate.

The removal of the name from Honour Boards and other places and any other such items will be at the discretion of Council and conducted through liaison with the Chief Executive Officer.

WALGA Honour Awards

As detailed by the WALGA Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive Office.

All other award types are to be determined by Council.

Shire of Chapman Valley - Certificate of Appreciation

For personal commitment, eminent service and contribution to the Shire of Chapman Valley as an Elected Members, Community Members or Staff Member

Automatically given to Elected Members who have retired from Council or are the recipient of a Department of Local Government Certificate of Recognition.

All others as determined by Council.

Annual Agenda Item to discuss suitable nominations.

Elected Members

Presented at Annual Council Dinner/Function

Community Members

Certificate of Appreciation issued at an Annual Council Dinner/Function.

Recipient & partner invited to attend.

Shire of Chapman Valley Australia Day Awards and Function

For personal commitment, service and contribution to the community of the Shire of Chapman Valley

Nominations called in October and close in November (or as determined by the Australia Day Council).

The Council Appointed Working Group shall:

- Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function;
- Assist with coordinating the annual Australia Day function(s);
- Discuss all other item(s) referred to them by Council in the areas of tourism and events.

Dept. Local Government & Community Services Awards

As detailed by the Department's Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive office.

All other award types are to be determined by Council.

(Note: All other Awards such as Australia Day Citizen of Year, Bushfire Brigade Service, etc, will only be dealt with by Council if nomination is initiated from within the community or by a Council resolution).

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	09/03-8
Reviewed/Amended – Council Resolution:	12/03-13; 06/04-4; 04/14-14; 05/15-23; 06/15-18; 09/15-20; 12/15-13; 03/17-32; 09/17-15; 10/19-5

CMP-034 Council Annual Function (President's Dinner)

MANAGEMENT PROCEDURE No.	CMP-034
MANAGEMENT PROCEDURE	COUNCIL ANNUAL FUNCTION
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.130
RELEVANT DELEGATIONS	

OBJECTIVES:

Provide guidelines and processes for the Annual Council Function.

MANAGEMENT PROCEDURE STATEMENT:

Council may hold an Annual Function with the structure and invitees being as follows:

- a. Structure – The function type and location will be as determined by Council.
- b. Invitees to the Annual Function will be determined by the President and may include (yet not necessarily limited to):
 - Elected members and partners.
 - Elected members who have retired/resigned from Council within the past twelve months and partner(s)
 - Senior Staff (as determined by the President) and their partners.
 - Chief Bush Fire Control Officer and partner
 - Freeman of the Shire and partners.

Other invitees will be at the Presidents discretion.

Item to be presented to Council annually at the September Concept Forum for discussion & determination.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	12/03-14
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/18-10; 07/19-4

CMP-035 WALGA AGM & Northern Country Zone

MANAGEMENT PROCEDURE No.	CMP-035
MANAGEMENT PROCEDURE	WALGA AGM AND NORTHERN COUNTRY ZONE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.150
RELEVANT DELEGATIONS	1019

OBJECTIVES:

Give authority to Elected Member representatives at both the WALGA AGM and the Northern Country Zone of WALGA to vote on issues at their discretion.

MANAGEMENT PROCEDURE STATEMENT/S:

Delegates elected as representatives to the WALGA AGM and, Northern Country Zone (NCZ) are given the authority to vote on issues in the best interest of the Shire of Chapman Valley, rather than having to bring such issues back to Council first for direction.

If delegates believe a specific item does require a decision of Council and are not prepared to vote on such items until Council has first discussed this specific matter they will abstain from voting on these grounds and put forward a motion that the matter "lay on the table" until each individual Local Government Authority has had the opportunity to consider the item of concern.

The authorisation given to Council representatives will not: -

- Commit the Local Government Authority to any expenditure; or
- Be extended to a situation where such a matter requires a specific decision of Council in accordance with any form of legislation

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	03/04-5
Reviewed/Amended – Council Resolution:	12/05-5; 05/15-23; 06/15-18; 03/17-32

CMP-036 Community Communication

MANAGEMENT PROCEDURE No.	CMP-036
MANAGEMENT PROCEDURE	COMMUNITY COMMUNICATION
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.180
RELEVANT DELEGATIONS	Nil

OBJECTIVES:

To establish protocols for the Shire of Chapman Valley's official communications with the community by utilising an equitable and transparent approach to local governance and effective community consultation.

The purpose of the Shire of Chapman Valley's official communications includes:

- Sharing information required by law to be publicly available.
- Sharing information, which is of interest and benefit to the Community.
- Promoting Shire of Chapman Valley events and services.
- Promoting Public Notices and community consultation/ engagement opportunities.

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

MANAGEMENT PROCEDURE STATEMENT/S:

1. Official Communication

The Shire of Chapman Valley will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Advertising and promotional materials;
- Media releases; and
- Social media.

Community newsletters, letter drops, and other modes of communications may be undertaken by the Shire of Chapman Valley's Administration at the discretion of the Chief Executive Officer.

2. Main Audience Groups

It is important information reaches a wide range of audience groups active within the Shire of Chapman Valley. These audience groups and stakeholders have been identified as:

- Government, including Federal, State and other local governments;
- Residents;
- Rate payers;
- Community groups including (yet not limited to) sporting organisations, clubs, churches;
- Local Businesses;
- Schools;
- Special Interest Groups;
- Precinct groups;
- Visitors;
- Media;
- Investors and
- Others.

Internally, the Shire of Chapman Valley provides communication to the following:

- Elected Members;
- Executive Management;
- Staff;

- Volunteers;
- Working and advisory groups; and
- Contractors.

Communication is tailored to meet the needs of these various audience groups, to ensure official communication is successful and positive community engagement is achieved.

3. Speaking on behalf of the Shire of Chapman Valley

In accordance with Section 2.8(d) of the *Local Government Act 1995*, the President is the authorised spokesperson of the Council and the Shire and may represent the Shire of Chapman Valley in official communications, including; speeches, comment, print, electronic and social media.

In accordance with Section 5.41(f) of the *Local Government Act 1995*, the Chief Executive Officer may also be the spokesperson of the Council and the Shire if the President agrees;

If the President is not available or unable to be the spokesperson (Section 5.34) then the Deputy President may perform this function;

In accordance with Section 5.44(1) of the *Local Government Act 1995*, the Chief Executive Officer may delegate authority to other officers to be the spokesperson;

If a Councillor or staff member is approached by the media to answer questions or make comment on Council or Shire business, the media must be referred to the authorised spokesperson of the Shire for response; unless otherwise specifically authorised by the President, or the Chief Executive Officer.

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

- bring the Shire of Chapman Valley into disrepute,
- compromise the person's effectiveness in their role with the Shire of Chapman Valley,
- imply the Shire of Chapman Valley's endorsement of personal views, or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Chapman Valley.

Elected member communications must comply with the Shire of Chapman Valley's adopted Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

4. Personal Communications

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

Therefore, on the basis personal or private communications may be shared or become public at some point in the future, Elected Members must ensure their personal or private communications do not breach the requirements of this policy, the Shire of Chapman Valley's adopted Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

5. Elected Member Statements on Shire of Chapman Valley Matters

An Elected Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Chapman Valley.

Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:

- Clearly state the comment or content is a personal view only, which does not necessarily represent the views of Shire of Chapman Valley.
- Be made with reasonable care and diligence;

- Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
- Be factually correct;
- Avoid damage to the reputation of the local government;
- Not reflect adversely on a decision of the Council or the Shire;
- Not reflect adversely on the character or actions of another Elected Member or Employee;
- Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member.

An Elected Member who is approached by the media for a personal statement may request the assistance of the Chief Executive Officer.

Comments which become public and which breach this policy, the Shire of Chapman Valley's adopted Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

6. Website

The Shire of Chapman Valley maintains a corporate website as the community's online resource to access the Shire's official communications.

This is a functional website with updated information and contact details available to the public. The website describes Shire services, payment options and current news and event information.

The Shire will undertake a periodical analysis of the website (e.g. heat mapping) to ensure the end-users are accessing the site in the most efficient and user-friendly manner possible.

Where periodical analysis determines areas of change, Shire of Chapman Valley shall respond to recommendations to ensure the website functionality and content is providing adequate communication and information in the most effective way possible by considering website changes as part of the annual budget cycle.

This analysis may not be the only trigger for updates or changes.

7. Social Media

The Shire of Chapman Valley uses Social Media to facilitate interactive information sharing and to provide responsive feedback to the community. Social Media will not however, be used by the Shire of Chapman Valley to communicate or respond to matters which are complex or relate to a person's or entity's private affairs.

The Shire of Chapman Valley maintains the following Social Media accounts:

- Social networks, including- Facebook
- Media Sharing networks, including- YouTube and Podcasts;

The Shire of Chapman Valley may also post and contribute to Social Media hosted by others, to ensure the Shire of Chapman Valley's strategic objectives are appropriately represented and promoted.

The Shire of Chapman Valley actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner.

The Shire of Chapman Valley will moderate its Social Media accounts to address and where necessary delete content which is deemed as:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Promotional, soliciting or commercial in nature;
- Unlawful or incites others to break the law;
- Information which may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;
- Content promoting or opposing any person campaigning for election to the Council, State and Commonwealth parliament, appointment to official office, or any ballot;

- Content which violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Shire of Chapman Valley.

Where a third-party contributor to a Shire of Chapman Valley's social media account is identified as posting content which is deleted in accordance with the above, the Shire of Chapman Valley may at its complete discretion block the contributor for a specific period of time or permanently.

The Shire will not entertain Social Media as a platform to undertake repetitive, responsive dialogue on an issue. Social Media will be used to facilitate interactive information sharing and to provide responsive feedback to the community.

8. Rates Notices

Refer to the relevant Shire adopted Rate/ Debt Recovery Policy/Procedure.

Shire rates are used to provide and maintain a variety of facilities and services. These include roads, recreation facilities, parks and gardens, health services and the administration of the Shire. All property owners in the Shire of Chapman Valley are sent an Annual Rate Notice for the current financial year.

Rate Notices shall be sent out to all ratepayers as soon as possible after the budget has been set, or in the case of interim rates, as soon as possible after a revaluation has been received. Instalment Notices are to be sent at the specified dates.

The notice will also specify the service cost (e.g., refuse service, Emergency Services Levy, swimming pool inspections, etc.).

The Rates notice may be accompanied by Shire correspondence and promotional material.

The Shire can be contacted to discuss rates payment assistance options and any change of details.

9. Annual Report

The Shire of Chapman Valley produces an Annual Report each financial year as is required by the *Local Government Act 1995*. This statutory document provides a comprehensive overview of the previous financial year.

As required by the Act, the Annual Report is made publicly available. The Annual Report is published on the Shire's website, and available in hardcopy on request to the Shire.

10. Crisis Communication

During an identified crisis, the Chief Executive Officer is the authorised point of contact for communication. The distribution of accurate and timely information to those affected during a crisis can be critical.

The Chief Executive Officer may nominate other officers to assist with the dissemination of appropriate information.

The Chief Executive Officer is responsible for updating Council on any crisis matters.
The Chief Executive Officer is responsible for updating the community on any crisis matters.

All media contact during a crisis, including emergency media coverage, should be referred to the Chief Executive Officer.

11. Distribution of Agendas and Minutes

Interested persons and organisations may obtain copies of the Shire's Ordinary Meeting Agendas and Minutes for twelve (12) months, by paying the fee set by the Shire.

The Shire's Ordinary Meeting Agendas and Minutes will also be available from the Shire's website.

12. Release of "Unconfirmed" Minutes"

The Shire will release copies of its unconfirmed minutes onto its website immediately after they become available to individual Councillors and for inspection to the public, with hard copies also being made available upon request at the applicable photocopying rates.

The condition for the release of such minutes is that they are to clearly be defined on both the website and the hardcopy as being "unconfirmed".

13. Publicity

After each Council Meeting, 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;
- The Geraldton Guardian, Mid-West Times or other local papers;
- Australian Broadcasting Corporation
- Local organisations who publish periodicals
- Official newspaper circulated within the district
- Councillors
- Local members of Parliament
- Website, Facebook and other social media
- Shire controlled Notice Boards

Any other means determined appropriate by the Chief Executive Officer

14. Community Consultation

The Shire may undertake community consultation as required. The Shire recognises such consultation enables the community to have direct input in the way of opinions, submissions, priorities and views as they relate to specific projects.

Methods of communication during periods of consultation may include:

- surveys,
- website forms,
- direct mail,
- community forums,
- invitations to the public for submissions,
- consultation meetings with the Chief Executive Officer and Shire President,
- Etc.

Community consultation may be promoted on the Shire's website and social media accounts. Results and outcomes of community consultation will be presented to Council for consideration.

15. Statutory Advertising

All State-wide and local statutory advertisements are to be lodged in relevant media outlets (e.g. "The West Australian", "Geraldton Guardian", "Midwest Times" newspapers).

15. Citizenship Ceremonies

Where possible Citizenship ceremonies be conducted one hour before commencement of Ordinary Meeting of Council meetings with morning tea being provided and a native plant be given to the recipients or as otherwise determined by the President.

16. Shire Logo

The Shire logo is to be shown on letterheads, envelopes, Websites, Emails, and other Shire material and stationery, as and when considered appropriate by the Chief Executive Officer.

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

Any such applications will only be granted permission to use the official logo in its original design and colour.

The Shire supports the use of the logo by local organisations seeking to identify geographically within the district.

17. Internal Communication

Effective internal communications support the Shire in successfully delivering its services to the community.

Staff memorandums and notices are to be utilised to ensure information is distributed consistently to all staff.

New employees are to undertake a thorough induction process to provides them with a full understanding of the workings of the Shire.

Shire adopted Policies and Procedures are to be made available to staff to support with work practices and requirements. The Chief Executive Officer is available to discuss internal staff communication processes.

Councillor and Staff communication must reflect requirements outlined in the *Local Government Act 1995 and this Procedure*.

18. Customer Service

Refer to the relevant Shire adopted Customer Services Procedure.

19. Complaints handling

Refer to the relevant Shire adopted Complaints Handling Policy/Procedure

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1;
Reviewed/Amended – Council Resolution:	10/03-16; 05/15-23; 06/15-18; 03/17-32; 07/18-10; 05/19-8

CMP-040 Customer Service

MANAGEMENT PROCEDURE No.	CMP-040
MANAGEMENT PROCEDURE	CUSTOMER SERVICE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	11.0
RELEVANT DELEGATIONS	

OBJECTIVES:

This Operational Procedure provides guidance to staff and customers as to the standards of service and process for making complaints in relation to the Shire of Chapman Valley.

MANAGEMENT PROCEDURE STATEMENT/S:

SCOPE

This Operational Procedure applies to all permanent, temporary and casual staff in dealing with internal and external customers.

EXPECTATIONS OF STAFF

Staff are expected to apply the following in all customer dealings:

- Professional and informative approach;
- Courteous, polite and friendly manner;
- Efficient execution of tasks;
- Listen and respond to customer needs;
- Referral of requests to the appropriate person or agency if unable to fulfil requirements;
- All information treated with highest level of confidentiality; and
- Acknowledgement and respect for customers' time.

CUSTOMER SERVICE STANDARDS

- Incoming calls are to be answered within 20 seconds, and received in a professional and friendly manner.
- Customers visiting the Shire offices should not be left waiting more than five minutes for service.
- Staff are to wear name badges at all times during office hours.
- Emails to general enquiries email address (cs@chapmanvalley.com.au) are to be responded to within 24 hours.
- Letters and other correspondence are to be responded to within 10 working days of receipt.
- When assisting customers, staff must project a positive attitude, focus on solutions and provide a "can do" approach.
- Complaints are to be treated openly, recorded on register and addressed promptly.

COMPLAINTS HANDLING

Customers who make a complaint can expect to:

- be given appropriate and easily understood information regarding the complaints process;
- have complaints treated as genuine and properly investigated;
- be informed of estimated timeframes for action;
- be provided with other pertinent information including the contact details of the officer handling the complaint; and

- participate in decisions relating to the resolution of the complaint.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	11/07-16
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-041 Logo's on Shire Vehicles

MANAGEMENT PROCEDURE No.	CMP-041
MANAGEMENT PROCEDURE	LOGO'S ON SHIRE VEHICLES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	12.60
RELEVANT DELEGATIONS	

OBJECTIVES:

To ensure specific shire owned vehicle have logo attached.

MANAGEMENT PROCEDURE STATEMENT/S:

All Shire of Chapman Valley vehicles (as determined by the CEO) to have a logo attached with the specific exception of the vehicles for the CEO and Deputy Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-062 Petition Guidelines

MANAGEMENT PROCEDURE No.	CMP-062
MANAGEMENT PROCEDURE	PETITION GUIDELINES
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	NA
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

To provide Electors within the Shire of Chapman Valley guidelines a template form for the submission of petitions to the Shire.

MANAGEMENT PROCEDURE STATEMENT/S:

Petitions inform the Shire, in a public way, of the views of a section of the community and serve as one means of placing community concerns before the Shire and Council.

Electors of the Shire of Chapman Valley may petition the Shire to take some form of action over a particular issue. For example, petitions may ask the Shire to change an existing policy, local law or recent decision, or for the Shire to take action for a certain purpose or for the benefit of particular persons. The subject of a petition however must be a matter on which the Shire has the power to act. For instance, a petition cannot request the Shire to improve hospital services, as this is a State Government responsibility

Care must be taken in the wording of petitions as the Shire requires certain information and content to be included to be a valid petition. The Shire's Standing Orders Local Law (Clause 3.4) details what is required for a petition to be valid i.e.

A petition, in order to be effective, is to:

- (a) be addressed to the President;*
- (b) be made by electors of the district;*
- (c) state the request on each page of the petition;*
- (d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed;*
- (e) contain a summary of the reasons for the request;*
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;*
- (g) be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is:
 - (i) a proposal to change the method of filling the office of President;*
 - (ii) a proposal to create a new district or the boundaries of the Local Government;*
 - (iii) a request for a poll on a recommended amalgamation;*
 - (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.**

PLEASE NOTE: The Shire does not accept online petitions

Petition Signature Requirements

A petition requires elector's signatures to be accepted. Although anyone can sign a petition, only those Shire of Chapman Valley electors will be recorded in the official signature count.

An elector is a person who owns or occupies rateable property within the Shire of Chapman Valley and is eligible to vote in Local Government and State Government Elections. All the signatures on a petition must meet the following requirements:

Every signature must be written on a page bearing the terms of the petition, or the action requested by the petition. Please view the [Petition of Electors Form](#)

Signatures must not be copied, pasted or transferred on to the petition nor should they be placed on a blank page on the reverse of a sheet containing the terms of the petition

Each signature must be made by the person signing in his or her own handwriting.

Petition Presentation

A petition can only be presented to the Shire at an Ordinary Council Meeting by the President, a Councillor or the Chief Executive Officer. This can be any Councillor and does not have to be a Councillor from a particular Ward.

The person initiating the petition is to forward the petition to the Chief Executive Officer, President or a Councillor prior to the commencement of the Ordinary Council Meeting at which they would like the petition presented. Although the Elected Member is not bound to present a petition, it is traditionally accepted that he or she will present it, irrespective of personal views. Presentation of a petition by an Elected Member does not mean that the Member necessarily agrees or disagrees with its content.

For details of dates, times and location of *Ordinary Council Meetings* view the Shire website www.chapmanvalley.wa.gov.au or contact the Shire on 08 99 205011.

Petitions at Council Meetings

One of the first items of business at a Council Meeting is for the Council to receive any petitions that have been presented. The Chief Executive Officer or Elected Member presenting the petition will read out a summary of the reasons for the petition being submitted and the number of signatures within it (if possible).

When the petition is received, no discussion will necessarily be entered into on the matter and the petition may be referred to the Chief Executive Officer for appropriate action.

Every petition presented may be referred to a representative of the Chief Executive Officer responsible for the matter. The Chief Executive Officer's representative will inform the petition initiator of the action proposed in dealing with the petition. This may involve having to prepare a detailed report for a future meeting of the Shire for its consideration.

ADDITIONAL EXPLANATORY NOTES:

Below is a copy of the Petition Template:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

Petition of Electors of the Shire of Chapman Valley

To the President of the Shire of Chapman Valley

We, the undersigned all being electors of the Shire of Chapman Valley, do respectfully request that the Shire:

Correspondence in respect of this petition should be addressed to:

The names and addresses of your petitioners are as follows

Date	Full Name	Address	Signature

NOTE: Petitioners may contact the Shire of Chapman Valley on 08 99 205011 if they wish to withdraw from this petition or change their comment.

CMP-071 Concept Forum Guidelines

MANAGEMENT PROCEDURE No.	CMP-071
MANAGEMENT PROCEDURE	CONCEPT FORUM GUIDELINES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	ADOPTED: MINUTE REFERENCE - 04/12-8
RELEVANT DELEGATIONS	NA

OBJECTIVES:

The Shire will conduct Concept Forums involving Elected Members and employees meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the Shire.

Examples of the type of issues Concepts Forums may include are:

- Current matters of a local or regional significance;
- Matters relating to the future development of the Shire;
- Significant revenue raising requirements or expenditure needs;
- The development of internal strategic, planning, management and financial documents; and

In discussing such items, Officers will acknowledge the Elected Members' feedback and comments and this will be researched for inclusion into final reports, which will be considered at a subsequent Shire meeting.

MANAGEMENT PROCEDURE STATEMENT/S:

1. Accountability

- 1.1 During the Concept Forum meeting no opportunity for a collective Council decision or implied decision that binds the Shire of Chapman Valley are to be made. i.e. no decision making to occur;

2. Openness and Transparency

- 2.1 A significant strength of local government is the openness and accessibility of its processes to the community.
- 2.2 In conducting Council Forums the Shire of Chapman Valley embraces the concept of openness and transparency; however, Concept Forums will be closed to the public due to the nature of items to be discussed at these forums being to allow Elected Members and employees the opportunity to propose ideas, ask questions and discuss issues, which will form the basis of research undertaken by employees for inclusion into final reports, which will be considered at a subsequent Shire meeting.

3. Probity and Integrity

- 3.1 To ensure high ethical and probity standards and accountability are maintained during Concept Forums, Councillors and Staff are to comply with the same disclosure of interest rules that would apply as if they were in a Council or Committee Meeting.

4. Authority for the Chair

- 4.1 The Shire President is to Chair the Concept Forum meetings.
- 4.2 In the absence of the Shire President the Deputy Shire President is to Chair the Concept Forum.
- 4.3 In the absence of the Shire Deputy President the Councillors present are to elect a Chairperson from amongst them.
- 4.4 The Chairperson has the same power and authority to chair the Concept Forum as if the Shire of Chapman Valley Standing Orders Local Law applied at an Ordinary Council Meeting.

5. Meeting Notification

- 5.1 The CEO is to ensure that Councillors are given timely notice of the time, location and content for Concept Forum Meetings (minimum 72 hours' notice required). Concept Forum Meetings are to be held on the Third Wednesday of the month except January where there is no meeting, to be held after the Ordinary Council Meeting concludes.

6. Record Keeping

- 6.1 A general record of all Forums shall be maintained by the CEO, recording attendance, apologies, disclosures of interest with appropriate departures/returns.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	04/12-12
Reviewed/Amended – Council Resolution:	12/15-11; 07/18-10

EMP-002 Bushfire Brigade Membership

MANAGEMENT PROCEDURE No.	EMP-002
MANAGEMENT PROCEDURE	BUSHFIRE BRIGADE MEMBERSHIP
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	NA
RELEVANT DELEGATIONS	WORK HEALTH SAFETY ACT 2020

OBJECTIVES:

To stipulate the procedure to be followed for the recruitment and appointment of Bushfire Brigade Members in the Shire.

MANAGEMENT PROCEDURE STATEMENT/S:

1. Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following:

- a) firefighting members;
- b) auxiliary/support members;

2. Firefighting Members

Firefighting members are those persons being at least 18 years of age who undertake all normal brigade activities.

3. Auxiliary/Support Members

Auxiliary/Support members are those persons who are willing to supply free vehicular transport for firefighting members or firefighting equipment, or who are prepared to render other assistance required by the bush fire brigade, yet will not be able to participate in firefighting activities.

4. New Membership Application & Decision Process

- a) A new member is to complete the volunteer nomination form and accept the conditions for membership.
- b) The Brigade Fire Control Officer (FCO) should decide whether to recommend the application to the Chief Bush Fire Control Officer (CBFCO).
- c) The CBFCO must consider the application and make a recommendation to the Shire Chief Executive Officer (CEO) to accept or reject the application.
- d) The Shire CEO will make a determination on the acceptance or rejection of an application.
- e) The Shire CEO then must advise the applicant in writing of a final decision.
- f) The applicant has the right to appeal the decision of the Shire CEO. The appeal should be in writing addressed to the Shire CEO.
- g) The Shire CEO is to make a determination on the applicant appeal in consultation with the Brigade FCO and CBFCO.

5. Induction

All new members shall be—

- a) introduced to brigade members and shown all brigade facilities during induction by the Brigade FCO;
- b) instructed about any safety requirements by the Brigade FCO;
- c) made aware of brigade duties and responsibilities by the Brigade FCO;
- d) provided with a mentor/s until such time as they are familiar with Normal Brigade Activities by the Brigade FCO;
- e) made fully aware of the required initial and refresher training requirement of a Brigade Member or Shire Training Officer;

- f) made aware of local government guidelines, arrangements, policies and procedures by the Shire CEO.

(Note: The brigade member is to formally endorse they have completed all the above requirements in writing and provided this to the Shire CEO)

6. Dual Membership

A member may be a member of another local government brigade.

7. Conditions of Membership

- a) The conditions of membership shall refer to—
- i. Firefighters; and
 - ii. Auxiliary/Support Members.
- b) A new firefighting member is required to complete the necessary Fire Fighter Training Courses as required by the local government prior to commencing active firefighter duties.
- c) Competency in these Training Courses shall be the minimum acceptable standard required for a firefighting member to perform active supervised and unsupervised firefighting duties. Currently this includes Induction and training Courses as determined by the Shire CEO —
- i. All members must comply with the legislative requirements of the—
 - Bush Fires Act 1954 (WA);
 - FES Act 1998 (WA); and
 - Equal Opportunity Act 1984 (WA).
 - ii. All members must act within the—
 - Local Government guidelines, arrangements, policies and procedures;
 - Brigade's local policies (if applicable) yet the Local Government guidelines and policies will always take precedence over Brigade local policies;
 - Competency and commitment requirements for an active volunteer firefighter brigade member or ancillary/support member roles as required by the Shire CEO; and
 - State Hazard Plan – Relevant to Bushfires control, prevention and management
 - iii. Firefighting members must maintain currency of the appropriate licences to be able to operate brigade vehicles. Any traffic offence resulting in a suspension or loss of licence relevant to all members must be reported to the Brigade FCO, CBFCO and Shire CEO and the member must comply with the terms of their suspension.

8. Review of Membership Register Status

No later than 31 May in each year the Shire appointed Training Officer is to obtain from DFES the name, contact details and type of membership of each brigade member. This list is to be provided to the Shire CEO along with a matrix of all members training status (initial completion dates and refresher due dates).

9. Membership Requirements/Commitments

- a) Members are required to maintain currency in brigade activities and training to be deemed as an Active Firefighting Member and or be granted special considerations due to extenuating circumstances as determined by the Shire.
- b) If extenuating circumstances apply where a member is unable to meet brigade requirements /commitments, it shall be the responsibility of the member to notify the Brigade FCO of the circumstance, and the Brigade FCO will give considerations to the member and make a recommendation to the Shire CEO on the continuation of the membership (or not). The Shire CEO is then to determine the membership status of the member concerned.
- c) The Shire appointed Training Officer should endeavour to establish flexible arrangements for the member to meet training the requirements wherever possible, yet it remains the responsibility of the brigade member to ensure they comply with the training requirement as set by the Shire.

10. Failure to Comply with Requirements/Commitments

- a) Should a member of a brigade fail to comply with these Procedures, correspondence will be forwarded to the member requesting contact be made with the Shire CEO to indicate the intentions of the member's status.
- b) The Brigade Member may—
 - i. respond to the correspondence providing a reasonable explanation and request for alternative arrangements to be made for training or meeting obligations;
 - ii. request in writing for Leave of Absence from these Procedures due to personal circumstances; or
 - iii. terminate their membership.
- a) If a member fails to respond to the correspondence within fourteen (14) days a subsequent letter will be forwarded putting the member on final notice. Should a member fail to acknowledge the final notice within fourteen (14) days, the membership shall be terminated, to take effect from the date of the final notice.

11. Change of Members Details

The local government and DFES are to be notified of any change of personal details of a member. The Brigade FCO will advise the Shire CEO within fourteen (14) days of all membership detail change(s).

12. Leave of Absence

- a) A member may at any time request a Leave of Absence from all Procedural requirements/commitments for a period not to exceed twelve (12) consecutive months.
- b) The application should be made in writing and addressed to the Shire CEO.
- c) On completion of the Leave of Absence period the member must undertake any refresher training required before resuming active firefighting duties. If the request for Leave of Absence is for a medical condition the member must provide confirmation of fitness to the satisfaction of the CBFCO & Shire CEO to be able to resume active firefighting duties.

13. Grievance Process/Disciplinary Action

- a) The Shire is committed to providing an environment in which all persons can expect to be treated equally and with respect.
- b) All members are to have an understanding of the Shire's Grievance Policy and any other applicable Shire policies, procedures, arrangements, guidelines, etc.
- c) A grievance is any serious allegation, dispute or claim, arising during any training or activity in relation to an act committed by a member. Examples which may be considered a grievance include, yet not necessarily limited to—
 - i. constitute a breach of these Procedures;
 - ii. bring the brigade and/or the Shire into disrepute;
 - iii. contravene any reasonable direction given by the Shire CEO, Brigade FCO, CBFCO or their delegate;
 - iv. disregard Shire regulations, policies, procedures, arrangements, guidelines, etc. as applicable;
 - v. jeopardise the safety of the member or others; or
 - vi. result in the member being convicted of, an offence for which an offender may be imprisoned.
- d) Where a grievance arises, an investigation must be conducted by the Shire CEO (in conjunction with the CBFCO if considered necessary by the Shire CEO) in accordance with the Shire's Grievance Policy & Procedures.
- e) During the investigation it may be determined the member should be suspended from all or part of brigade activities, subject to the Shire CEO's approval. If a member is to be suspended during the investigation the Shire CEO should notify the member in writing of the terms of the suspension, including the reason for the suspension and the time period. The time period for suspension during an investigation, should not exceed three (3) consecutive months.
When an investigation is complete a report will be provided by the investigating officer to the CBFCO outlining the process of the investigation, the conclusions drawn and any recommended action.

- f) Disciplinary action in relation to the member may include—
 - i. suspension of membership;
 - ii. termination of membership; or
 - iii. any other reasonable disciplinary action as determined by the Shire CEO in consultation with the CBFCO.
- g) If a disciplinary suspension is imposed, the Shire CEO must notify the member in writing of the suspension, including the suspension period and reason for suspension. Suspension may be from complete or specific brigade duties and activities.
- h) The period of disciplinary suspension shall be determined by the Shire CEO in consultation with the CBFCO.
- i) On completion of the suspension period the member may be required to undertake refresher training before resuming active firefighting duties which will be supervised and or acknowledged by the Shire CEO and/or Training Officer.
- j) If a membership is to be terminated, the Shire CEO will notify the member in writing, and provide a reason for termination. The Shire CEO is also advise the CBFCO, relevant Brigade FCO and Shire of the decision to terminate a membership
- k) Where a membership is terminated, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

15) Rights of a Volunteer Member

- a) A member shall not be suspended or dismissed from any brigade duty without an opportunity to defend the allegation.
- b) Any member may lodge a written objection to the Shire CEO should they consider they have been unfairly dealt with by the Committee.
- c) The Shire CEO & CBFCO shall consider the objection. This may include either—
 - i. dismissing the objection;
 - ii. variation to the decision; or
 - iii. revoking the original decision; and
 - ~ imposing an independent decision; or
 - ~ referring the matter back to the Shire Council to reconsider the decision.

16) Member Resignation

- a) A member can decide to resign from brigade activities and terminate their membership by notification to the Shire CEO.
- b) Where a member resigns, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

ADDITIONAL EXPLANATORY NOTES:

Nil

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/21-10
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Reviewed/Amended – Council Resolution:	
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EMP-003 Firefighting Costs

MANAGEMENT PROCEDURE No.	EMP-003
MANAGEMENT PROCEDURE	FIRE FIGHTING COSTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.50
RELEVANT DELEGATIONS	

OBJECTIVES:

To stipulate the authority for incurring Shire costs in the event of a bush fire.

MANAGEMENT PROCEDURE STATEMENT/S:

Fire Control Officers are not authorised to incur costs on behalf of the Shire.

Only Chief Executive Officer, or his/her delegate in the Chief Executive Officer's absence (and Shire President in emergencies) are authorised to incur expenditure on behalf of the Shire for firefighting purposes.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

EMP-004 Protective Clothing – Fire Fighting

MANAGEMENT PROCEDURE No.	EMP-004
MANAGEMENT PROCEDURE	PROTECTIVE CLOTHING – FIRE FIGHTING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.80
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure the safety of all fire fighters in the Shire of Chapman Valley when involved in fighting bush fires.

MANAGEMENT PROCEDURE STATEMENT:

All Fire Control Officers are responsible for ensuring all fire fighters attending a fire wear the appropriate protective clothing. Protective clothing is to include long sleeve shirts and trousers, or overalls, and work boots.

Any fire fighter attending a fire and not wearing protective clothing of at least the standard as determined by the Shire is to be directed by a Fire Control Officer to leave the scene of the fire and not to return until appropriately clothed. When directing a fire fighter to obtain protective clothing emphasis is to be placed on informing the fire fighter of the reasons for the protective clothing requirement and the potential for injury and liability where such requirements are not adhered to.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4

EMP-005 Fire Control Officer Appointments

MANAGEMENT PROCEDURE No.	EMP-005
MANAGEMENT PROCEDURE	FIRE CONTROL OFFICER APPOINTMENTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.90
RELEVANT DELEGATIONS	

OBJECTIVES:

This Operational Procedure provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer with the following objectives:

1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and
2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).

MANAGEMENT PROCEDURE STATEMENT/S:

1. To be eligible for appointment as a Bush Fire Control Officer, a person must have completed the Bush Fire Control Officer Training Program not more than ten (10) years prior to appointment.
2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training within six (6) months of appointment.
3. For a person to continue as a Bush Fire Control Officer, they must complete the Bush Fire Control Officer's Course or a refresher course at intervals of no more than every ten (10) years.
4. Nominations from Brigades shall be submitted to a Bush Fire Brigades Group Management Advisory Committee for recommendation to Council by 1 October, where applicable.
5. An appointment shall be for a period of one (1) year, unless revoked by Council. Bush Fire Control Officers will be eligible for reappointment unless their appointment was revoked by Council.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-10
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 09/16-5



SHIRE OF

Chapman Valley

love the rural life!

Planning & Development Policy, Procedures & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Originated date: Adopted by Council on 18th July 2018 – Minute Reference: 07/18-10

Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 05/20-08	20 th May 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021

Note: This section of the Manual addresses internal Shire Planning and Development policies and does not include Local Planning Policies which are external policies that are addressed separately through legislative requirements under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Chapman Valley Local Planning Scheme No.3.

Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the Planning & Development Services section of the organisation and form part of this manual to act as a reference tool.

Policies

CP-012 Road Names

POLICY NO	CP-012
POLICY	ROAD NAMES
RESPONSIBLE OFFICER	DEPUTY CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.210
LEGISLATION	LAND ADMINISTRATION ACT 1997 (SECTION 26A)
RELEVANT DELEGATIONS	

OBJECTIVES:

To allow for the efficient allocation of appropriate names to new roads being created in the Shire, or to existing unnamed roads.

The assignment of road names is determined by the Geographic Names Committee, which is a branch of the Department of Lands. In administering this responsibility, the Geographic Names Committee have regard to an extensive set of criteria, which may be summarised as follows:

1. Name duplication within local governments or adjoining local governments should be avoided.
2. Names of living individuals should not be used.
3. Names characterised as follows are to be avoided: incongruous; given/first names; given/first and surname combinations; double names; qualified names; corrupted, unduly cumbersome or difficult to pronounce names; obscene, derogatory, racist or discriminatory names; company names; or, commercialised names.
4. Preferred sources of names include: aboriginal names; pioneers of the State or area; war casualty lists; or thematic names e.g. fauna, ships etc.

Whilst ultimate responsibility for the naming of roads rests with the Geographic Names Committee, they undertake consultation with local authorities as part of the process of assigning names. To assist this process a local authority can develop policies to guide their advice to the Geographic Names Committee. Such policies may, and usually do, include a list of reserved names pre-approved by the Geographic Names Committee.

POLICY STATEMENT

In the case of new roads being created by subdivision, the Shire is supportive of proposed road names, which meet one or more of the following criteria-

Any name which derives from a pioneer of the locality, a previous owner of the land, a traditional name for the property, a physical feature within, adjacent to, or nearby the land.

Where more than three new roads are being created as part of a subdivision; names that follow a consistent theme (where this option is taken at least three new roads must follow the same thematic approach); or any name on the reserved list outlined below:

LOCALITY	ROAD NAME
Nabawa	ALLENDER
Nanson & Yuna	ASCIONE
Naraling	BARCLAY
Nanson	BOOTH
Nabawa & Nanson	CREAM
Yuna	DONALD
Nabawa	EAKINS
Yuna & Naraling	EXTEN
Nabawa	FARMER
South West	FAWCETT
Naraling	FOAT
Nanson	FORBES
Nabawa	HEINSEN
East Yuna & Yuna	HIGGINS
Nabawa	JUPP
Narra Tarra & Nabawa	KEYHOE
Nanson	L'HUILLIER
Nolba	LIPPLE
Durawah	MAYNARD
South West	MCLUSKY
South West	MEEHAN
Buller (Wokarena Heights)	COASTAL
Buller (Wokarena Heights)	DUSK
Buller (Wokarena Heights)	ELEVATION
Buller (Wokarena Heights)	ENDLESS
Buller (Wokarena Heights)	ETERNAL
Buller (Wokarena Heights)	EVENTIDE
Buller (Wokarena Heights)	INFINITY
Buller (Wokarena Heights)	OVERLOOK
Buller (Wokarena Heights)	SKYLINE

In the case of other roads, which require names, the Shire is supportive of road names, which meet one or more of the following criteria-

Any name which derives from a pioneer of the locality, a previous owner of the land, a traditional name for the property, a physical feature within, adjacent to, or nearby the land;

Names that have traditionally been applied by residents of the area to the road and which is suggested by a person owning land adjacent to the road; or

Any name on the reserved list outlined above.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	10/05-5A
	03/06-10
	07/13-3
	05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/19-4

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1.1 ANCILLARY DWELLINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.1 – Ancillary Dwellings.

2.0 INTRODUCTION

State Planning Policy 7.3 – Residential Design Codes (the ‘R-Codes’) acknowledges that a local planning policy may be prepared to provide local objectives for housing design and development to guide the consideration of proposals. The R-Codes also acknowledge that a local planning policy may be prepared to address a specific local need to guide the consideration of a proposal that does not satisfy the deemed-to-comply provisions of the R-Codes.

This policy provides local objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

3.0 OBJECTIVES

- 3.1 To alter the deemed to comply provisions of the R-Codes for Ancillary Dwellings.
- 3.2 To provide a clear definition of what constitutes an ‘Ancillary Dwelling’.
- 3.3 To ensure that an Ancillary Dwelling is provided, constructed and located in such a way so as to minimise their impact on the amenity of the locality by controlling building size, materials and location.
- 3.4 To ensure that ancillary dwelling is ‘ancillary’ or ‘secondary’ to the main house upon the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all ancillary dwellings (more commonly referred to as a ‘granny flat’).

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 This policy supports a maximum of one (1) Ancillary Dwelling on any one (1) lot.
- 6.2 In consideration of an application for Ancillary Dwelling the following standards apply:

Zone	Maximum Habitable Floor Area	Maximum total roof area
Residential R10 and higher	70m ²	140m ²
Residential R5 and lower	80m ²	160m ²
Rural-Residential	90m ²	200m ²
Rural Smallholdings	100m ²	300m ²
Rural (smaller than 20ha)	100m ²	300m ²
Rural (larger than 20ha)	No limit	No limit

- 6.3 Ancillary Dwellings can either be attached or detached from the main dwelling, however, when detached the Ancillary Dwelling must be sited within 22m from the main dwelling on lots less than 4ha and within 50m for those lots greater than 4ha in area.
- 6.4 Ancillary Dwellings are required to be sited behind the ‘front building line’ of an existing dwelling on lots less than 4ha in area in all zones.

6.5 Ancillary Dwelling shall be constructed of colours and/or materials that are matching and/or complementary to existing development upon the property.

6.6 Ancillary Accommodation constructed within a Class 10 structure:

Should Ancillary Accommodation be proposed to be constructed within a Class 10 Outbuilding (i.e. a box or rectangular shaped structure constructed of coated or uncoated metal sheeting which does not include additional features such as eaves, verandahs, windows and other 'house' like features) the Ancillary Accommodation will be considered to be included within the total outbuilding area of a property. However, should the Ancillary Accommodation structure be purposely constructed as a Class 1A building and incorporate design features such as eaves, verandahs, windows and other 'house' like features the building would not be considered within the aggregate outbuilding area permitted upon a property.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

8.1 For the purposes of this policy Ancillary Dwelling shall be as defined by the R-Codes.

8.2 For the purpose of this policy 'Habitable Floor Area' does not include areas such as bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room within the building.

8.3 For the purpose of this policy the 'Front Building Line' is to be measured from the closest point of the house to the front boundary drawn parallel to the boundary.

9.0 REFERENCES & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.1

1.2 GROUPED DWELLINGS

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.2 – Grouped Dwellings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.5 To alter the deemed to comply provisions of the R-Codes for Grouped Dwellings.
- 3.6 To ensure that Grouped Dwellings are constructed and located in such a way so as to minimise their impact on the amenity of the locality.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all Grouped Dwellings.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 Applications for Grouped Dwellings upon land zoned 'Residential', 'Rural Townsite', 'Urban Development', 'Commercial' and also 'Rural' (where it is within a gazetted townsite), will be assessed on their individual merits and with regard for the provision of water, electricity and effluent disposal services.
- 6.2 Applications for a Grouped Dwelling (second house) will be supported on 'Rural' zoned land (where it is located outside of a gazetted townsite) conditional upon the following:
 - 6.2.a Compliance with all relevant development standards and provisions prescribed in the Local Planning Scheme (i.e. boundary setbacks, building height, etc.).
 - 6.2.b The Grouped Dwellings being clustered.
 - 6.2.c A maximum of two (2) Grouped Dwellings per lot. Applications for greater than two (2) detached dwellings will be referred to Council and may be considered within the 'Rural zone' where the land is managed for 'Agriculture-Intensive' or 'Agriculture-Extensive' and where the occupants are engaged in that predominant land use or activity.
 - 6.2.d Be serviced with a minimum 100,000 litre Rainwater Tank or a 10,000 litre storage tank fed from an on-site dam or under-ground bore for domestic and firefighting purposes. This is to include the installation of a 50mm outlet with gate valve and male coupling located at the base of each tank to be clearly marked "Fire Brigade Connection Point".

Note: The taking of water from a domestic supply for firefighting purposes is only supported where the need arises to protect residential development on the same property or in the event the respective landowner/s has granted consent for the water to be used elsewhere.
 - 6.2.e The preparation of a Bushfire Management Plan where it is required under *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and ongoing compliance with the recommended strategies as contained therein.

- 6.2.f The development of a Grouped Dwelling within the 'Rural' zone should not be considered as a basis for subdivision and/or strata titling of land. Subdivision of land within the 'Rural' zone will generally not be supported by the Local Government unless it is specifically provided for in the Shire's Local Planning Strategy and/or is consistent with the criteria set out in the Western Australian Planning Commission's *State Planning Policy 2.5 – Rural Planning and Development Control Policy 3.4 - Subdivision of Rural Land*.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Grouped Dwellings shall be as defined by the R-Codes.

9.0 REFERENCES & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.2

1.3 HOME BASED BUSINESS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.3 – Home Based Business.

1.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.7 To ensure that home based businesses do not compromise the amenity of the area.
- 3.8 To ensure that home based businesses remain an ancillary use to the main dwelling or the principle land use on the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Home Business, Home Occupation, Home Store and Industry – Cottage (more commonly known as 'Cottage Industry').

5.0 APPLICATION REQUIREMENTS

Applications shall include the following information:

- 5.1 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, proposed signage and any other information considered relevant to the proposal.
- 5.2 A site plan (and floor and elevation plans as necessary) showing where the activity is to take place, including the dwelling, associated outbuildings, areas for storage and/or administration and vehicle/visitor access and car parking provision as necessary.

6.0 POLICY STATEMENT

- 6.1 An application will generally not be supported where the proposed activity does not comply with the definition provided in the Local Planning Scheme or the requirements of this policy.
- 6.2 An application will only be supported where the Council is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement or visual intrusion on the nearby residents or the environment.
- 6.3 Activities must be incidental, ancillary or subordinate to the predominant use of the land as a residence, and are not to be construed as an alternative use.
- 6.4 A business can either be attached or detached from the dwelling located on the site. If new, detached buildings are being developed to accommodate the new use, they should generally be clustered with existing buildings on the site and appropriately constructed using materials that complement the existing development.
- 6.5 The parking of vehicles associated with a business are not permitted within a public carriageway, including the road verge.
- 6.6 For activities involving the preparation of food for commercial purposes, the domestic premises must be provided with facilities in accordance with the applicable health standards.

- 6.7 In some instances planning consent may only be granted for a period of twelve (12) months upon which renewal of the application is required, including payment of all relevant fees.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme. Should no written, author-identified objection be received during the advertising period the application may be determined under delegated authority. However, should a written, author-identified objection be received during the advertising period, or there be concerns over the potential impact on the amenity of the area from the type of activity proposed, the application (and any received submissions) are to be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy 'Home Based Business' refers to Home Business, Home Occupation, Home Store and Cottage Industry shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* and Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-8
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.3

1.4 OUTBUILDINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.4 – Outbuildings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

State Planning Policy 7.3 – Residential Design Codes (the 'R-Codes') acknowledges that a local planning policy may be prepared to provide local objectives for housing design and development to guide the consideration of proposals. The R-Codes also acknowledge that a local planning policy may be prepared to address a specific local need to guide the consideration of a proposal that does not satisfy the deemed-to-comply provisions of the R-Codes.

This policy provides local objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

3.0 OBJECTIVES

- 3.9 To alter the deemed to comply provisions of the R-Codes for Outbuildings.
- 3.10 To provide a clear definition of what constitutes an 'Outbuilding'.
- 3.11 To ensure that Outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
- 3.12 To limit the visual impact of Outbuildings.
- 3.13 To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding area.
- 3.14 To ensure that the Outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all Outbuildings.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, stables) less than 9m² in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the residence, satisfy the site and development requirements set out in the Scheme, and are of a design and colour considered in keeping with the amenity of the area by the Local Government.

6.2 In consideration of an application the following maximum standards apply to outbuildings:

Zone	Standard	Maximum
Residential (R10 and higher density)	Area (total aggregate) Wall Height Overall Height (single story)	120m ² 3m* 4.5m*
Townsite	Area (total aggregate) Wall Height Overall Height (single story)	120m ² 3m* 4.5m*
Residential (R5 and lower density)	Area (total aggregate) Wall Height Overall Height (single story)	180m ² 4m* 5m*
Rural Residential Rural Smallholding Rural (lots less than 4ha)	Area (total aggregate) Wall Height Overall Height (single story) Overall Height (double story barn)	240m ² (In addition up to a maximum of 120m ² unenclosed area may be considered subject to prior consultation being undertaken as per Section 7.3 of this policy) 4.5m* 5.5m* 6.5m*
Rural Residential Rural Smallholding Rural (lots greater than 4ha)	Exempt from the area and height requirements of this policy	

* heights are to be measured from natural ground level.

- 6.3 Outbuildings are predominantly intended for general storage of personal domestic items, and purposes associated with the principle agricultural use (within 'Rural' and 'Rural Smallholding' zones). Outbuildings shall not be used for any commercial or industrial use without prior Local Government approval.
- 6.4 The large scale storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. cray pots, building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.
- 6.5 An Outbuilding is required to be sited behind the 'front building line' of a dwelling on lots less than 4ha in area in all zones, unless sufficient justification has been provided by the applicant and the building is consistent in design and materials with the existing dwelling.

Note: For the purpose of this statement the 'front building line' shall be measured from the closest point of the house to the front boundary drawn parallel to the boundary as illustrated in Figures 1 and 2.

Figure 1

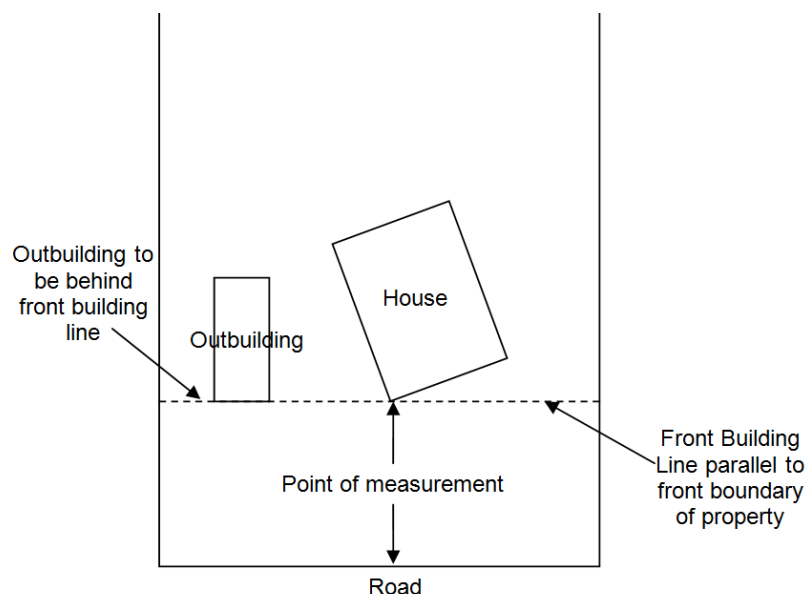
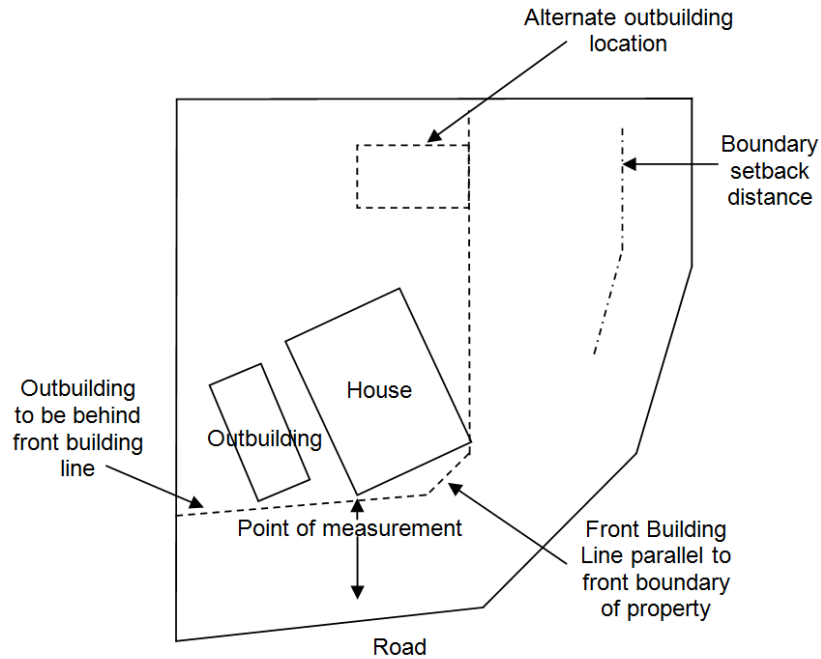


Figure 2



6.6 The development of an Outbuilding on vacant residential land shall not be approved unless the residence has been completed up to, and including, the pouring of a concrete house slab (although variation to this is permitted where the slabs for the residence and outbuilding are poured concurrently).

6.7 Setbacks for outbuildings

- 6.7.a For lots zoned 'Townsite' or 'Residential' lots zoned R5 and higher density the side/rear boundary can be reduced to nil (subject to compliance with the Building Code of Australia) provided written neighbour support is provided. No planning application is required to be lodged in such instances provided the Outbuilding meets
- 6.7.b For 'Residential' lots zoned R2.5 and lower density the outbuilding is to be setback in accordance with the Residential Design Codes, or if applicable located within a defined building envelope (Variation to a 5m side and/or rear boundary setback for Outbuildings may be considered subject to prior consultation being undertaken as per Section 7.4 of this policy).
- 6.7.c For lots zoned 'Rural-Residential', 'Rural Smallholding' and 'Rural' the Outbuildings are to be setback in accordance with the Local Planning Scheme, or if applicable located within a defined building envelope.

6.8 Materials

- 6.8.a The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only supported upon land zoned 'Rural Smallholdings' or 'Rural'.
- 6.8.b The use of uncoated metal sheeting may be considered in the 'Townsite' zone or where existing buildings have been constructed with the use of uncoated metal sheeting or similar upon a property or another property located in close proximity.

6.9 Should Ancillary Accommodation be constructed within a Class 10 Outbuilding (i.e. a box or rectangular shaped structure constructed of coated or uncoated metal sheeting which does not include additional features such as eaves, verandahs, windows and other 'house' like features) the Ancillary Accommodation will be considered to be included within the total outbuilding area of a property. However, should the Ancillary Accommodation structure be purposely constructed as a Class 1A building and incorporate design features such as eaves, verandahs,

windows and other 'house' like features the building would not be considered within the aggregate outbuilding area permitted upon a property.

7.0 CONSULTATION

- 7.1 Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.
- 7.2 Applications that propose variation to any part of the Policy (other than the variation pursuant to Section 7.3 and 7.4 of this policy) will require consultation with surrounding landowners, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 21 days, prior to the application and any received submissions being placed before a meeting of Council for consideration.
- 7.3 Applications within the 'Rural Residential', 'Rural Smallholding' and 'Rural' zone (where the lots are less than 4ha) that propose a total outbuilding area comprising not more than 240m² enclosed aggregate area and an additional 120m² unenclosed aggregate area will require consultation with surrounding landowners, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 21 days. In the event that at the conclusion of the consultation period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority. In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.
- 7.4 Applications for 'Residential' lots zoned R2.5 and lower density that propose a side and/or rear boundary setback of less than the R-Code requirement, but not less than 5m, will require consultation with surrounding landowners, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 21 days. In the event that at the conclusion of the consultation period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority. In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.
- 7.5 The advertising of a received application that proposes variation to any part of the policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

The local government in determining the application will take into account the submissions received but is not obliged to support those views.

8.0 DEFINITION

For the purpose of this policy an Outbuilding means a building structure not under the main roof of a dwelling and is measured by the total floor area (whether enclosed or open).

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.4

1.5 SECOND HAND & REPURPOSED BUILDINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.5

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.5 – Second Hand and Repurposed Buildings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To ensure that any development proposing to use a second hand building or repurposed building or second hand cladding material meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.
- 3.2 To ensure that any second hand building or repurposed building or second hand cladding does not detract from an existing (or reasonably desired) streetscape.
- 3.3 To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.
- 3.4 To address the issue of exposure risks from asbestos cement cladding.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all applications for second hand buildings and repurposed buildings (more commonly referred to as 'transportables' or 'relocatables' or 'dongas') or applications proposing to use second hand materials.

5.0 APPLICATION REQUIREMENTS

- 5.1 The use of second hand cladding materials and second hand and repurposed buildings can result in unacceptable development by reason of poor aesthetic result and by adversely affecting the amenity of an area. The Local Government requires that an applicant demonstrate that the proposed use of a second hand or repurposed building and/or the use of second hand cladding material will not result in any adverse effect on the amenity or the aesthetics of the area within which it is proposed.
- 5.2 Applications shall include the following information:
 - 5.2.a Completed *Form of Application for Planning Approval* signed by the owner(s) of the property upon which the building will be located.
 - 5.2.b Plans that have been drawn to scale and include at a minimum:
 - i. photographs of each elevation of the building that clearly illustrate the in-situ condition and appearance of the entire building;
 - ii. site plan.
 - iii. floor plan and elevations for the building, these plans need to demonstrate any proposed works/upgrades that are required to be undertaken to the building (i.e. new cladding, extension works, additional verandahs etc.) to ensure the building's presentation is of an acceptable standard to that of the locality.
 - iv. a clear timeframe for the completion of the above works, with such timeframe to be as short as practicable and a maximum of 12 months.
 - v. any other additional information required to demonstrate that the development will be aesthetically acceptable and comply with the objectives of this policy and the relevant building and health standards as required.

- vi. (if deemed required by the Local Government) a detailed report on the structural integrity of the relocated building prepared by a qualified building surveyor or a certified structural engineer.

5.2.c Planning Application fee based on the cost of the building plus any transportation, installation and upgrade costs. This is calculated as per Item 1 of the Shire's current Planning Services Fees.

6.0 POLICY STATEMENT

- 6.1 Buildings (and materials) that are second hand or repurposed are, in some instances, of poor condition and as such the Local Government may impose conditions to ensure the building presentation is of an acceptable standard to enhance the streetscape appearance. Such conditions may include (but are not limited to) the following:
 - 6.1.a Need for additional setbacks over and above the prescribed minimum and the need for screening/landscaping.
 - 6.1.b A bond and agreement to ensure the external appearance of the development has been completed to the approval of the Local Government.
 - 6.1.c The space between the ground level and the floor level being suitably enclosed.
 - 6.1.d The roof and/or walls being re-clad in materials and colours, and/or re-painted in colours, that are consistent or complementary in colour with the surrounding natural landscape features or desired streetscape.
 - 6.1.e The required works are to be completed within a specified time frame to ensure the building presentation is of an acceptable standard.
- 6.2 Unless specific approval is given, all external asbestos cement cladding must be removed and replaced with new material prior to the relocation of a transported building to its new site.
- 6.3 Prior to the issue of any building permit for a second hand or repurposed building the Local Government shall require the lodging of:
 - 6.3.a a bond, of at least 5% of the estimated value of an equivalent new building, to a maximum of \$5,000 and minimum of \$1,000.
 - 6.3.b agreement, signed by the applicant(s) that the bond will be forfeited to the Local Government if the approved works are not carried out within the approved timeframe indicated.
 - 6.3.c bond moneys will only be refunded (if not forfeited) after works required to prevent forfeiture have been carried out to the satisfaction of the Local Government.

7.0 CONSULTATION

Applications for Second Hand Dwellings and Repurposed Dwellings are required by the Local Planning Scheme to be advertised within the 'Residential', 'Rural Townsite', 'Urban Development', 'Rural Residential' and 'Rural Smallholdings' zones. In the event that at the conclusion of the advertising period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority (However, should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination). In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.

Should applications for Second Hand Dwellings and Repurposed Dwellings within the 'Rural' zone be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Second Hand Dwelling and Repurposed Dwelling shall be as defined by the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-8
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.5

2.1 EXTRACTIVE INDUSTRY



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.1 – Extractive Industry.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To detail the specific requirements and minimum standards for the establishment of an Extractive Industry.
- 3.2 To set out matters which may be taken into account when considering applications for Extractive Industry.
- 3.3 To ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with the long term planning intentions for the area.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

- 4.1 This policy applies to applications for the extraction of basic raw materials i.e. Industry - Extractive (more commonly referred to as 'Extractive Industries').
- 4.2 The extraction of basic raw materials to a depth of 1m or less to be used for improvements upon the same farming property or for local government purposes within the local government area that the extraction takes place, including the building of roads, is exempt from obtaining planning consent.
- 4.3 The extraction of materials other than basic raw materials (e.g. minerals) are addressed separately under the *Mining Act 1978* which is administered by the Department of Mines, Industry Regulation & Safety.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications shall include the following information:
 - 5.1.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
 - 5.1.b Plans that have been drawn to scale and include:
 - site plan with existing and proposed land contours and areas of remnant vegetation relevant to the proposed excavation area illustrating the location and depth of the proposed excavation of the land and setback distances from property boundaries.
 - cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area.
 - rehabilitation plan for the area of extraction illustrating the re-contouring of the land and areas of re-planting.
 - location of existing and proposed internal access roads or other means of vehicle access to and egress from the extraction area and to public thoroughfares in the vicinity of the land.
 - location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land.
 - location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered easement or other encumbrances over or in the vicinity of the land.
 - location of all existing dams, watercourses, drains or sumps on or adjacent to the land.
 - location and description of existing and proposed fences, gates and warning signs around the land.

- location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere.

5.1.c Management Plan containing:

- the type and quantity of material to be extracted.
- the nature and estimated duration of the proposed excavation.
- the stages and the timing of the stages in which it is proposed to carry out the excavation.
- details of the methods to be employed in the proposed excavation and a description of any on-site processing works.
- hours of operation.
- details of the depth and extent of the existing and proposed excavation of the site.
- estimate of the depth of and description of the nature and quantity of the overburden to be removed.
- description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled.
- description of the means of access to the excavation site and the types of thoroughfares to be constructed.
- details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles (the Local Government may require contributions towards the upgrade of roads).
- description of any proposed buildings, water supply, treatment plant, tanks and other improvements.
- details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained.
- description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public.
- source, timing, duration and frequency of noise, and description of the measures to be taken to comply with the *Environmental Protection (Noise) Regulations 1997*.
- storage of fuel and/or other potential contaminants.
- maintenance of equipment and machinery.
- management of waste.
- description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land.
- details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation.
- description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.

5.1.d Rehabilitation and decommissioning plan indicating:

- the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site.
- whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations.
- how any face is to be made safe and batters sloped.
- the method by which topsoil is to be replaced and revegetated.
- the numbers and types of trees and shrubs to be planted and other landscaping features to be developed.
- how rehabilitated areas are to be maintained.
- the program for the removal of buildings, plant, waste and final site clean-up.

5.1.e Applications for Extractive Industry proposed within the Moresby Range as defined by the Moresby Range Management Strategy (WAPC, 2009) are expected to demonstrate due regard for the recommendations of that Strategy and the Moresby Range Management Plan (2010).

5.2 Additional information that may be required

Should the Local Government determine that the proposed extractive industry has the potential to, or is likely to, create adjoining landowner impacts, such as noise, dust, vibration, lightspill, odour or environmental impacts, then further information may be required to support the development application, including but not limited to the following:

5.2.a Baseline data to be provided for wind, noise, dust and/or environmental data at specified locations.

5.2.b Vibration abatement and control measure details.

5.2.c Timing, frequency and duration of blasting/crushing/excavation activities.

- 5.2.d A Visual Impact Assessment where the proposed extractive industry has the potential to, or is likely to, create visual intrusion impacts upon adjacent landholdings, major roads or places of heritage, cultural or landscape significance.

6.0 POLICY STATEMENT

- 6.1 Extractive Industry will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment.
- 6.2 Depending on the nature of the proposed Extractive Industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.
- 6.4 Where an Extractive Industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where an Extractive Industry is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the Extractive Industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government will not support the operation of Extractive Industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1km from the closest neighbouring residence upon which the Local Government may entertain extended operating times:
- Monday to Saturday – 7:00am to 6:00pm; &
 - Sundays and Public Holidays - no operations
- 6.7 Applications for Extractive Industry that are supported will generally be approved for a one (1) year period from the date of issue, upon which application for renewal of the approval is required. This is the responsibility of the applicant and the Local Government will not automatically re-issue approvals. Operations that seek to continue beyond one (1) year's duration will be subject to a renewed application for planning consent that may be approved on a recurring basis (with subsequent approval periods to generally not exceed five (5) years without requirement for renewed application for planning consent to be lodged).

7.0 CONSULTATION

Applications for Extractive Industry are required by the Local Planning Scheme to be advertised within the 'Rural', 'Rural Smallholdings', 'Light Industry' and 'General Industry' zones. In the event that at the conclusion of the advertising period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority (However, should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination). In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.

Should applications for Extractive Industry within the 'Strategic Industry' zones be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

Extractive Industry is listed as a use that is not permitted by the Local Planning Scheme within all other zones.

8.0 DEFINITION

- 8.1 For the purposes of this policy Industry - Extractive shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 8.2 Basic Raw Materials are considered to be materials that are used in the construction industry for both private and public works such as housing, site preparation, concrete and cement manufacturing, railway and road construction. These materials include sand, limestone, limesand, clay, hard-rock and gravel aggregate (limestone and limesand also have important uses in agriculture).

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.1

2.2 RURAL INDUSTRY

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.2 – Rural Industry.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.15 To detail the specific requirements and minimum standards for the establishment of a Rural Industry.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Industry – Rural (more commonly known as ‘Rural Industry’).

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications for Rural Industry are expected to demonstrate due regard for the following criteria and minimum development standards:

Criteria	Minimum Standard
General Location	Buildings are to be sited in a clustered format well away from hills, mesa tops, and ridge-lines
Setbacks *	40m from all boundaries; 200m from neighbouring residences; 100m from any water course or water body.
Effluent & Waste Disposal	As determined by Local Government Environmental Health Officer.
Building Materials & Colours	Non reflective building materials and colours complementary to the surrounding landscape to be used in areas of high visual amenity such as the Moresby Range and Chapman Valley area.
Property Access	Property access is to be via a 12m form/8m gravel paved road.
On-site Carparking and Service Areas **	Carparking and service areas to be constructed to a delineated, drained and compacted gravel standard. The number of parking bays to be calculated at 1 bay for every 50m ² gross area.
Landscaping	Landscaping is to be provided around all associated buildings, parking, storage and loading areas.

6.0 POLICY STATEMENT

- 6.1 Applications for Rural Industry will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment.
- 6.2 Depending on the nature of the proposed Rural Industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.

- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Industry activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where Rural Industry is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy 'Rural Industry' shall be as defined as 'Industry – Rural' by the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.2

2.3 RURAL TOURISM



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.3 – Rural Tourism.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To provide for a range of low impact accommodation and other low impact tourist related uses in the rural and rural lifestyle areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.
- 3.2 To set out the circumstances under which the Local Government may approve low impact tourist development in the rural and rural lifestyle areas of the municipality as provided in the Scheme.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Art Gallery, Bed & Breakfast, Camping Ground, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development in the 'Rural' and 'Rural Smallholding' zone.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications shall include the following information:
 - 5.2.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
 - 5.2.b Plans that have been drawn to scale that identify the proposed development in relation to the natural features (e.g. existing vegetation, watercourses, contours) and built existing features (including building and services) both on the subject land and on the adjoining land (the latter being dependant upon the subject lot size and boundary setbacks).
 - 5.2.c Written submission detailing how the proposed development:
 - can fit in with the locality. This means showing a sympathetic and well-mannered design without unreasonable impacts either on the agricultural, natural or cultural environment and that any impacts will be contained within the site.
 - will satisfy bushfire requirements and other hazards.
 - will provide a high level of amenity and services to the tourist occupants.
 - will continue to attend to matters of environmental concern, rural amenity and the well being and safety of the tourist occupants (once the development is established) i.e. Management Plan.

6.1 POLICY STATEMENT

- 6.1 Applications for Rural Tourism will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment and that the quality of the development will present a positive image of the locality.

- 6.2 Depending on the nature of the proposed Rural Tourism, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Tourism activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Tourism has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where Rural Tourism is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by vehicle movements associated with the Rural Tourism development. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government will not be bound to accept any request for additional maintenance or upgrading of roads directly resulting from increases in traffic volumes from an approved Rural Tourism development, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.
- 6.7 With the exception of Bed and Breakfast and Holiday House, all other forms of tourist/holiday accommodation will only be approved subject to the landowner entering into a legal agreement, which shall bind the owner, their heirs and successors in title, requiring that the tourist accommodation will only be used for Short Stay Accommodation purposes.
- 6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities.
- 6.9 All signage associated with the uses specified in this policy is to be the subject of a separate application (unless specifically referenced within the application and conditions of approval).
- 6.10 Larger scaled developments and land uses will not be approved under this policy and will require, if found to be justified, an amendment to the Scheme to incorporate specific zoning for the development proposed.
- 6.11 Rural Tourism will generally be approved where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Use	Criteria	Standard
Art Gallery	<ol style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Ablutions 4. Car Parking 5. Lot size 6. Setback 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management 	<ol style="list-style-type: none"> 1. Type 3 – 12m form/8m gravel paved 2. 46,000 litres storage (10,000 gals) 3. As per Health Act 1911, including provision for disabled 4. 1 car bay for every 3m² of public area – gravel std/Local Government specs. 5. 10ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Well screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site managers residence
Bed & Breakfast	<ol style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Guest Ablutions 4. Car Parking 5. Lot size 6. Management 	<ol style="list-style-type: none"> 1. Type 2 – 10m formed 2. 92,000 litres storage (20,000 gal) 3. 1 shared bathroom 4. 1 car bay per room – gravel standard 5. Nil 6. Within the same building
Caravan Park & Camping Ground	<ol style="list-style-type: none"> 1. Location 2. Public Road Access 	<ol style="list-style-type: none"> 1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc & distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan Parks and Camping Grounds Act 1995</i>

Use	Criteria	Standard
	<ul style="list-style-type: none"> 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management 	<ul style="list-style-type: none"> 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications or Type 3 – 12m form/8m gravel paved at Local Government discretion 3. As per Caravan & Camping Regs 1997 4. As per Caravan & Camping Regs 1997 & Building Code of Australia 5. 1car bay per caravan/camp site + 1 bay for manager – gravel std/Local Government specs 6. 15ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be complimentary with landscape – earth tones – no reflection 12. On site managers residence
Holiday Accommodation	<ul style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Car Parking 4. Floor Area 5. Lot size 6. Setbacks 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management 	<ul style="list-style-type: none"> 1. Type 3 – 12m form/8m gravel paved 2. 92,000 litres storage per chalet (20,000 gals) 3. 1 car bay per chalet – gravel std/Local Government specs 4. 100m² (internal) 5. 15ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by The Local Government. 7. Away from ridge line and side slope/breakaway areas – clustered together 8. No removal of remnant vegetation 9. Partially screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site manager's residence
Holiday House	<ul style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Guest Ablutions 4. Car Parking 5. Lot size 6. Setbacks 7. Siting 8. Clearing 9. Screening 10. Landscaping 11. Design & Materials 12. Management 	<ul style="list-style-type: none"> 1. Type 3 – 12m form/8m gravel paved 2. 92,000 litres storage per 8 beds (20,000 gals) 3. Ensuite bathroom per bedroom 4. 1 car bay per room – gravel standard 5. 10ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Partially screened from view of neighbouring properties 10. Peripheral native landscaping around Guesthouse building 11. Complementary with landscape – earth tones – no reflection 12. Within the same building
Holiday House (continued)		
Tourist Development	<ul style="list-style-type: none"> 1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management 	<ul style="list-style-type: none"> 1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence
Reception Centre	<ul style="list-style-type: none"> 1. Location 2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management 	<ul style="list-style-type: none"> 1. With an established guesthouse, restaurant or rural holiday resort. 2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Restaurant / Café	<ul style="list-style-type: none"> 1. Location 	<ul style="list-style-type: none"> 1. With an established intensive agriculture/rural pursuit and/or rural holiday resort.

Use	Criteria	Standard
	2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 15ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Tourist Development	1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence
Tourist Development (continued)		

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

- 8.1 For the purposes of this policy Art Gallery, Bed & Breakfast, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 8.2 For the purposes of this policy Camping Ground shall be as defined by the *Caravan Park & Camping Grounds Act 1995* and also include Nature Based Park as defined by the *Caravan Parks and Camping Grounds Amendment Regulations (No.2) 2014*

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.3

2.4 WORKFORCE ACCOMMODATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.4 – Workforce Accommodation.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.4 To ensure that applications for the development of Workforce Accommodation are assessed in a consistent, fair, thorough and timely manner.
- 3.5 To provide guidance to the Local Government, State Government agencies, landowners, developers, consultants and the general public regarding the assessment of applications for Workforce Accommodation.
- 3.6 To provide, where necessary, for the development of Workforce Accommodation in a way that maximises social benefits whilst minimising social costs.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Workforce Accommodation.

5.0 APPLICATION REQUIREMENTS

The following information is to be provided with an application for planning consent:

- 5.1 Accurately scaled and dimensioned locality plans, site plans, floor plans, elevations (generally north, south, east and west elevations showing all buildings proposed for the site, rather than elevations of individual buildings, or as otherwise agreed by the Local Government).
- 5.2 An analysis of the physical characteristics of the site (on sloping sites topographic mapping may be required).
- 5.3 Details regarding the maximum number of persons to be housed at the site.
- 5.4 Details of how development is to be staged.
- 5.5 Information regarding how essential services are to be provided to the site.
- 5.6 Details of underlying purpose for proposed development (i.e. whose workforce is the camp intended to house and why the workforce cannot be housed in existing accommodation).
- 5.7 Written submission detailing the suitability of the proposal to meet the required accommodation needs (i.e. type, size, location, layout, facilities, parking, loading/unloading and detailed design does it meet their requirements for accommodating their workforce).
- 5.8 Details of any prior consultation with local communities and government agencies.
- 5.9 Details of any ongoing community benefit that will result from development of the camp.
- 5.10 In urban or near-urban situations, details of landscaping, fencing, internal access roads and building materials and finishes.

- 5.11 Applications must demonstrate the camp will be effectively and appropriately managed, with management practices outlined in a **Management Plan** to be submitted with the application for planning consent. The Management Plan should address:
- strategies ensuring that noise, dust, odour, lightspill and litter are acceptably managed.
 - strategies resolving conflict with owners and/or occupiers of land within the vicinity of the site that may be affected by the operation of the camp.
 - transportation of workers to the site where construction is taking place.
 - strategies for managing the consumption of alcohol in the camp (if applicable).
 - strategies for preventing the consumption of illicit drugs in the camp.
- 5.12 Applications shall be accompanied by a **Decommissioning Plan** (that may in the event of the Local Government giving approval be made subject to condition requiring the applicant entering into legal agreement) that addresses the following issues:
- when the camp shall be decommissioned.
 - works that shall remain in place following decommissioning.
 - the clean-up and rehabilitation of the site.
 - the transfer of assets to public ownership where this has been committed to.
- 5.13 Applications are to indicate the time period over which the camp is expected to be required (generally for a period of between 6 months and 5 years);

6.0 POLICY STATEMENT

- 6.1 Applications must demonstrate that there is a need to develop a camp facility of the size and at the location proposed for the period of time for which approval is sought.
- 6.2 For Industrial and Port Development, Workforce Accommodation site/s should:
- be located on 'Rural' zoned land.
 - be strategically located within close proximity (i.e. 10km radius) to the primary construction site, and is within reasonable commuting distance to a range of services including social, recreational, commercial, retail and medical.
 - have direct access to an established 'road of regional significance' as classified by Main Roads WA.
 - in the opinion of the Local Government, not be located in an area of perceived environmental, social or visual sensitivity.
 - accord with the Local Government's current planning instruments (i.e. Local Planning Strategy, Coastal Management Strategy) in demonstrating a 'value added' benefit for re-use of the camp infrastructure, either in part or in whole, beyond the life of the temporary workforce accommodation camp use.
- 6.3 For Rail and Infrastructure/Services, Workforce Accommodation site/s should:
- be strategically located within reasonable commuting distance (i.e. 50km radius) to the primary construction site and provide a range of services on-site including social, recreational, small retail and medical.
 - where possible have direct access to a bitumen seal road.
 - in the opinion of the Local Government, not be located in an area of perceived environmental, social or visual sensitivity.
 - where possible demonstrate some level of 'value added' benefit for re-use of the camp infrastructure, either in part or in whole, beyond the life of the temporary workforce accommodation use.
- 6.4 Workforce Accommodation:
- is not supported within close proximity to 'socially sensitive' facilities such as schools or day-care centres.
 - is to be located within reasonable proximity to commercial, educational, recreational and community facilities that are capable of coping with the anticipated increases in demand.
 - is to be well screened from view and result in minimal site disturbance.
 - is to be adequately serviced by way of constructed road access to 7m bitumen seal and availability of services and infrastructure.

7.0 CONSULTATION

The following process is to be undertaken in assessment of an application for Workforce Accommodation:

7.1 Step 1 – Preliminaries

The proposal should generally be discussed with the Local Government prior to an application being submitted and in some instances preliminary, written advice will be provided. Applicants should ensure, in consultation with the Local Government, that their application contains all the required information.

7.2 Step 2 – Initial consideration by the Local Government

Local Government staff will present a report to Council detailing the application and addressing all aspects of the policy and any other relevant considerations, including details of a site inspection.

7.3 Step 3 – Referral & advertising

The application will be advertised for public comment and referred to relevant stakeholders in accordance with Scheme requirements. During that period adverts may be placed in local newspaper/s, a sign/s erected on site and plans/documents detailing the application made available for inspection at the Local Government offices.

7.4 Step 4 – Final consideration by Council

The application will be considered in light of any submissions received during the comment period. Local Government staff will present a report to Council presenting relevant facts and discussion sufficient to enable Council to make an informed decision.

8.0 DEFINITION

For the purposes of this policy Workforce Accommodation shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.4

3.1 TREE FARMS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 3.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 3.1 – Tree Farms.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.16 To achieve a consistent, efficient, and equitable system for assessing and approving Tree Farm applications.
- 3.17 To enable the establishment of Tree Farms in appropriate locations.
- 3.18 To enable Tree Farms in areas subject to land degradation, including areas of high salinity, water logging, and high levels of chemical contamination where there are clear natural resource management benefits.
- 3.19 To ensure Tree Farm development is not undertaken upon land that is considered to be of high agricultural value.
- 3.20 Consider impacts on local road network infrastructure, and to protect surface gravel deposits for the maintenance and construction of these road networks.
- 3.21 Suitable gravel deposits must be made available to the Shire when deemed necessary by the Shire for adjoining road networks.
- 3.22 Recognise that gravel acquisition for adjoining road networks is essential.
- 3.23 To minimise the potential for any loss of population or agricultural land through the use of whole farms and encourage Tree Farms that are ancillary to an existing agricultural land use (i.e. broadacre cropping or grazing).
- 3.24 Manage fire risk/management issues for all applications.
- 3.25 Consider the visual impact of Tree Farms in close proximity and/or viewing distance to town sites, roads of local and regional significance, and areas of scenic beauty.
- 3.26 Encourage operators, managers, government and non-government agencies, investors, and landowners to work in partnership wherever possible.
- 3.27 Encourage operators to abide by the Industry Code of Practice, relevant legislation, Western Australia's Strategy for Plantations and Farm Forestry and this policy.
- 3.28 Outline the matters required to be addressed for assessment to be undertaken under the planning system and other legislation.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Tree Farm (more commonly referred to as 'Agroforestry' or 'Carbon Farming' or 'Plantations').

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications shall include the following information:

- 5.1.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
Note: An application may be made upon land that is not in the ownership of the applicant where the application form is signed by the owner(s) of the land as specified upon the Certificate of Title and the applicant(s).
An application can cover multiple Tree Farm plantings, which may be on different titles under separate ownership, provided they are under the management of one Applicant (the form is required to be signed by the relevant landowners of each title).
- 5.1.b Site plan showing location of trees, access roads, structures and buildings, natural features (including native vegetation and water courses), surface gravel deposits and other relevant information, such as hazards and significant features (drawn to scale and to a professional standard).
Note: Proposed new buildings and structures relating to a Tree Farm development may be subject to additional/other applications and approvals of the Local Government and other agencies.
Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Water and Environment Regulation to obtain the relevant approvals.
- 5.1.c A species list (including approximate density and number to be planted) for the proposal.
- 5.1.d Management Plan that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia' (Forest Industries Federation WA, 2014) and 'Guidelines for Plantation Fire Protection' (Department of Fire & Emergency Services, 2011) and/or subsequent superseding documents.
- 5.1.e Information pertaining to the projected volume of water usage.
Note: The Shire may seek advice from the Department of Water and Environment Regulation to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water and Environment Regulation raise significant concerns or objections to the proposal the application may ultimately be refused by the Local Government. Applicants are therefore encouraged to consult with the Department of Water and Environment Regulation prior to lodging their application and include relevant information arising from this consultation within their lodged application.
- 5.1.f A visual impact assessment may be required where the development site is in close proximity and/or viewing distance from townsite boundaries, roads of regional or local significance, or areas deemed by the Local Government to have a high level of scenic or heritage value.
- 5.1.g Provide estimated harvest time(s) (where applicable). It will be a condition of any development approval that a Harvest/Transport Plan be submitted to Council for separate approval 12 months prior to the commencement of harvesting that details expected transport routes, and proposed machinery requirements.
Note: The Local Government recognises the future locations of processing facilities in or near the Mid-West region is currently unknown, and it is therefore difficult to prepare a transport plan prior to commencement of tree crop development. Nevertheless, the Local Government will require an understanding of expected harvest and transport routes through the Local Government at the application stage, with the requirement a transport plan/strategy to be prepared and submitted twelve (12) months prior to the commencement of harvesting depending on scale and nature of harvest.
Where the Shire considers the existing road infrastructure is not adequate to service the future harvest, the applicant/operator will be required to make suitable and safe access arrangements. If a suitable and safe arrangement cannot be identified and there is likelihood that this cannot be secured or improved, the Council may refuse the application.

6.0 POLICY STATEMENT

- 6.1 Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant landuse with Tree Farms as an ancillary and complementary use.
- 6.2 This policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded. As a general rule the Local Government will assess if a plantation area is 'ancillary' having regard for:
- the area of each lot.

- the proportion or percentage of the plantation area on a lot by lot basis. Generally a 50% maximum planting area is encouraged, although each application will be assessed on its merits on a 'case by case' basis.
 - the extent of existing remnant vegetation areas.
 - whether a significant portion of each lot can continue to be used for agriculture.
- 6.3 The Local Government will be able to clearly identify whether agriculture remains as the primary use, given that detailed site plans are lodged for all applications and show the extent of planting areas.
- 6.4 This policy aims to actively encourage the integration of tree planting with agricultural farms. Whilst there are other factors contributing towards reductions of rural population, the Local Government wishes to ensure that new land uses do not exacerbate an existing ongoing problem.
- 6.5 The Local Government will not generally support the planting of whole lots or farms for tree planting due to the potential for the displacement of agricultural pursuits and loss of agricultural land.
- 6.6 The Local Government may require as a condition of approval a Management Plan to be prepared, or modified, to its satisfaction, before planting commences, and the applicant's subsequent adherence to the requirements therein.
- 6.7 Management Plans shall include ongoing commitments relating (but not limited) to the following:
- Pest Control (inclusive of weeds and animals) that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia'.
 - Water Management Plan that outlines estimated water requirements, available water sources, their capacity and access points, water impact management and monitoring.
 - Fire Management (inclusive of access, perimeter and internal fire breaks/barriers, water supplies, separation distances between plantings and setbacks from on-site and off-site dwellings) that displays due regard for the requirements of the Department of Fire and Emergency Services 'Guidelines for Plantation Fire Protection' (2011).
- Note: It is an expectation that the minimum width of perimeter fire breaks/barriers shall be 30m, and that tree planting areas exceeding 200ha shall have 30m minimum width fire breaks/barriers between them (i.e. internal breaks between planting cells), and strategies be outlined regarding their maintenance.*

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Tree Farm shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	3 – Environment, Natural Resources & Waste
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP3.1

3.2 INTENSIVE AGRICULTURE



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 3.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 3.2 – Intensive Agriculture.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.29 To provide clarity and direction with regard to the approval of intensive agriculture uses in consideration of potential conflict issues with other land uses.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Intensive Agriculture (more commonly referred to as 'Aquaculture' 'Floriculture', 'Horticulture', 'Market Gardens', 'Orchards', 'Turf Farms' or 'Viticulture').

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications for development are expected to include written submission demonstrating:
- an acceptable water supply exists on the property.
 - the proposed Intensive Agriculture use/development will not adversely affect a known drinking water source.
 - the proposed Intensive Agriculture use will not impact on any neighbouring agricultural practice or be detrimental to the subject land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, spray drift, effluent disposal or leaching, waste water disposal or runoff etc.
 - how it will satisfy bushfire requirements and other hazards.

Note: The Shire may seek advice from the Department of Water and Environment Regulation to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water and Environment Regulation raise significant concerns or objections to the proposal the application may ultimately be refused by the Local Government. Applicants are therefore encouraged to consult with the Department of Water and Environment Regulation prior to lodging their application and include relevant information arising from this consultation within their lodged application.

Proposed new buildings and structures relating to an Intensive Agriculture development may be subject to additional/other applications and approvals of the Local Government and other agencies. Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Water and Environment Regulation to obtain the relevant approvals.

6.0 POLICY STATEMENT

- 6.1 Intensive Agriculture will generally be supported where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Intensive Agriculture Use	Min. Lot Size	Min. Boundary Setback	Min. Setback from Neighbouring Residence	Min. Setback from Dam or Watercourse	Min. Vegetation Screening & Buffers
Horticulture	20ha	40m	200m	100m	5m

Viticulture	30ha	40m	200m	100m	5m
Floriculture	10ha	15m	100m	100m	5m
Aquaculture	10ha	15m	100m	100m	-
Turf Farm	20ha	15m	100m	100m	-

Note: Depending on the nature of the proposed intensive agriculture use, local wind, topography and vegetation conditions, setbacks may need to be varied to those specified above. When determining such setbacks the Local Government will consider existing characteristics and potential land-uses on adjoining and nearby properties.

- 6.2 The Local Government will generally only support the establishment of buildings for an Intensive Agriculture use where they are clustered with other buildings on the site and are located well away from hills, mesa tops, and ridge-lines.
- 6.3 The Local Government will generally not support the damming of a watercourse or valley area for the purpose of servicing a proposed Intensive Agriculture use/development unless subject to the following:
- 6.3.a a separate application for planning consent for the proposed dam has been submitted detailing
- the overall area and holding capacity of the dam.
 - a profile of the dam wall including the provision of an overflow so as not to prohibit or substantially restrict the flow of water downstream.
 - the location of the dam in relation to property boundaries and existing residential development.
- 6.3.b the Department of Water & Environment Regulation has given its endorsement for the proposed dam.
- 6.4 The Local Government will generally only support direct retailing of produce from the property subject to the following:
- 6.4.a Separate application for planning consent for a Produce Stall, Home Store or Market has been submitted (or specifically referenced within the overall submitted application) detailing:
- location and form of building
 - vehicular access
 - disabled access (may be required in some instances)
 - provision for on-site car parking
 - provision of landscaping
 - hours of operation
- 6.4.b The retailing is incidental to an approved Intensive Agriculture use/development.
- 6.4.c Access to the property is by an 8m gravel standard road.
- 6.4.d The proposed development will not result in unacceptable environmental impacts as a result of noise, odour, light spill, or visual intrusion, contamination.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Intensive Agriculture shall be 'Agriculture-Intensive' as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	3 – Environment, Natural Resources & Waste
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP3.2

4.1 DEVELOPMENT ADJACENT TO THE PROPOSED OAKAJEE TO NARNGULU INFRASTRUCTURE CORRIDOR AND THE OAKAJEE TO TALLERING PEAK RAIL CORRIDOR



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 4.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 4.1 – Development adjacent to the proposed Oakajee to Narngulu Infrastructure Corridor and the Oakajee to Talling Peak Rail Corridor.

2.0 INTRODUCTION

Oakajee was selected by the Western Australian State Government in 1992 as a site for future strategic industry and a port. From 1997 to 2009 the State Government acquired and rezoned approximately 6,400ha of land for the purpose of securing the industrial estate and port site and the surrounding buffer area.

Corridors linking the Oakajee Industrial Estate to the wider regional road, rail and services network and mine sites have been identified through State Government planning studies and these corridors are of state significance and will assist in delivering wide-ranging economic and social benefits to the community.

However, the corridors have yet to be secured and in the interim this Local Planning Policy has been prepared to guide assessment of development to give due regard for the proposed alignments. Further, it is recognised that road and rail noise can have an adverse impact on amenity, and this Local Planning Policy seeks to ensure that the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4 - Road and Rail Noise are given due regard in relation to the assessment of development in proximity to the proposed corridors.

3.0 OBJECTIVES

- 3.1 To protect the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor from incompatible development.
- 3.2 To protect the community from unreasonable levels of transport noise associated with the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to development proposed within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor.

5.0 APPLICATION REQUIREMENTS

Applications for development within 200m of the of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor are expected to demonstrate due regard for the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4 - Road and Rail Noise and the accompanying Road and Rail Noise Guidelines.

6.0 POLICY STATEMENT

- 6.1 Applications for development within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor will be assessed with regard for the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4-Road and Rail Noise.
- 6.2 The Shire will request that subdivision/amalgamation applications relating to properties adjoining the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor have condition that a notification be placed on the certificate(s) of title that states that the lot is affected by the alignment of the proposed corridor, and (where applicable) that land may be required in the future for the construction of the corridor, and the lot may in the future be affected by transport noise.

7.0 CONSULTATION

- 7.1 Upon receipt of a development application within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor the Shire shall invite comment upon the application from the following:
- Department of Jobs, Tourism, Science & Innovation.
 - Environmental Protection Authority.
 - Department of Water and Environment Regulation.
 - Department of Planning, Lands and Heritage.
 - Main Roads WA (in relation to applications concerning the Oakajee to Narngulu Infrastructure Corridor, but not the proposed Oakajee to Talling Peak Rail Corridor).
 - key proponents as identified by the Shire (e.g. parties in current negotiation with the State Government to develop a port or industry at Oakajee).
- 7.2 The development application, and any received submissions, shall be presented to a meeting of Council for its consideration.

8.0 DEFINITION

- 8.1 For the purposes of this policy, the **proposed Oakajee to Narngulu Infrastructure Corridor** shall be considered to be the alignment (located within the Shire of Chapman Valley) as identified in the Department of Planning, Lands & Heritage's Oakajee Narngulu Infrastructure Corridor Draft Alignment Definition Report (2014), or a State Government adopted superseding study/report (refer to **Figure 1** of this Local Planning Policy).
- 8.2 For the purposes of this policy, the **proposed Oakajee to Talling Peak Rail Corridor** shall be considered to be the alignment (located within the Shire of Chapman Valley) as identified in the Oakajee Rail Development (Oakajee Port and Rail Pty Ltd) Report and Recommendations of the Environmental Protection Authority (2011), or a State Government adopted superseding study/report (refer to **Figure 2** of this Local Planning Policy).
- 8.3 For the purposes of this policy **Incompatible Development** means a land use or development which may be considered to be sensitive to or impacted by transport noise.

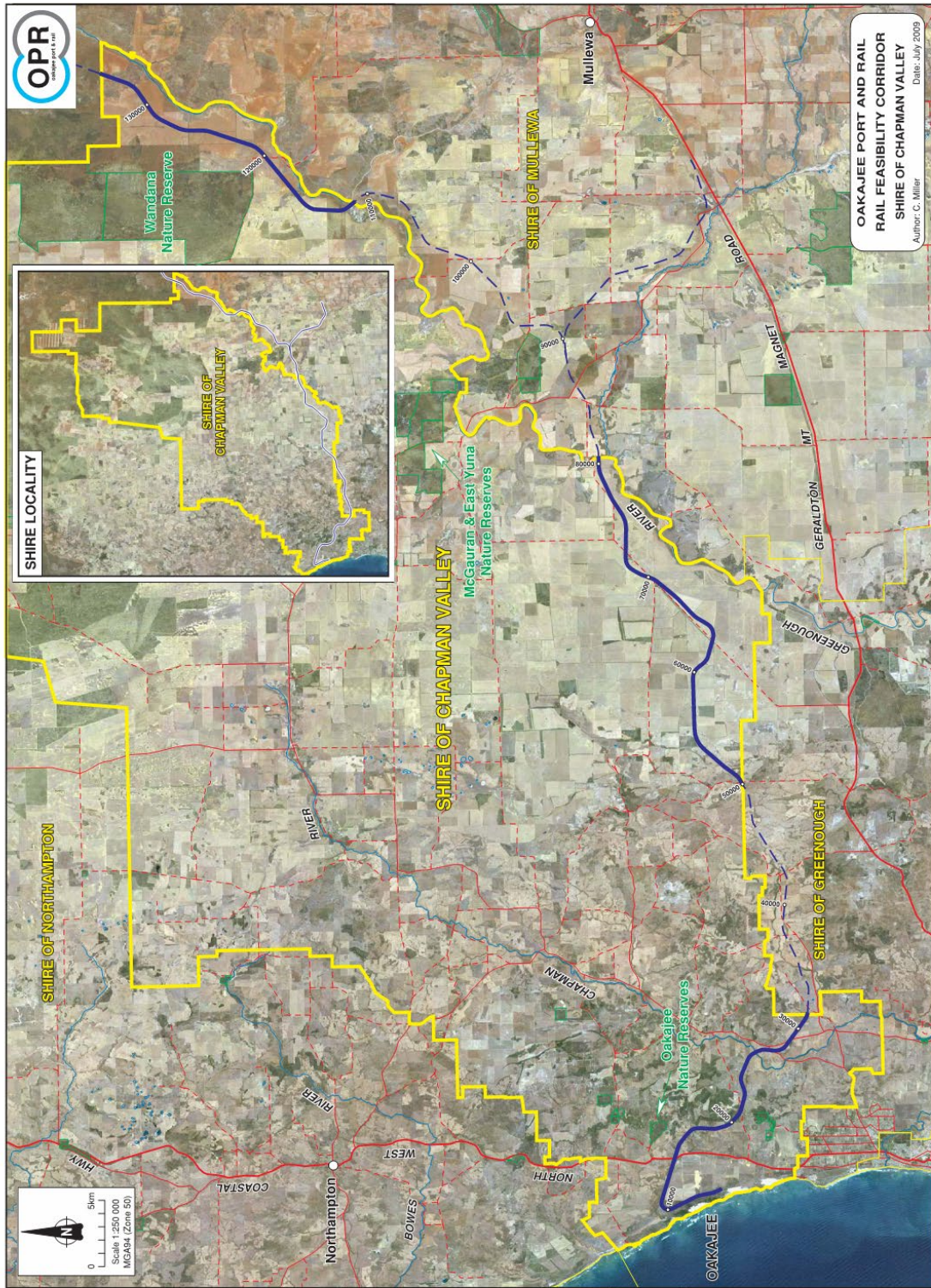
9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	4 – Transport and Infrastructure
Public Consultation	No
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP4.1

Figure 1 – Proposed Oakajee to Narngulu Infrastructure Corridor



Figure 2 – Proposed Oakajee to Tallering Peak Rail Corridor (Shire of Chapman Valley)



5.1 BUILDING ENVELOPES



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 5.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 5.1 – Building Envelopes.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.30 To provide guidance with respect to the amendment of a building envelope (relocation, expansion) that will not lead to unacceptable impacts on surrounding properties.
- 3.31 To provide criteria by which the amendment of a building envelope should be considered to assist in protecting the integrity of the application of building envelopes.
- 3.32 To provide guidance in relation to the information required to be submitted as part of an application for the amendment of a building envelope.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications seeking to amend, relocate, remove or develop outside a Building Envelope.

5.0 APPLICATION REQUIREMENTS

In submitting an application for planning consent to amend, relocate or site development outside of a designated building envelope on a particular lot the proponent shall:

- 5.1 Demonstrate due regard for the requirements as outlined in Section 40 of the Shire of Chapman Valley Local Planning Scheme.
- 5.2 Provide justification, relevant building plans (sketch floor plan and elevations, and schedule of materials and colours), and information addressing visual amenity, privacy and screening, vegetation loss, access, and proximity to natural features.
- 5.3 Mark the revised/amended building area on-site to clearly delineate the change or new location for assessment purposes.

6.0 POLICY STATEMENT

- 6.1 In considering an application to relax the development standards pursuant to Section 40 of its Local Planning Scheme, the Local Government will give particular consideration to:
 - 6.1.a justification for the proposed amendment.
 - 6.1.b the secondary nature of the development should the application be to site a building/s outside of the envelope (e.g. horse stables, bore sheds).
 - 6.1.c unacceptable visual clutter, especially in elevated areas of high landscape quality or visually exposed locations, such as the edge of hill or mesa tops within prominent parts of the Moresby Range.
 - 6.1.d unnecessary clearing of remnant native vegetation.

- 6.1.e visual obtrusiveness and/or impact on an adjoining property by way overlooking, noise, odour or light spill.
- 6.1.f suitability for landscape screening using effective screening vegetation and the availability of a proven water supply for this purpose.
- 6.1.g use of materials and colours to assist in softening any perceived visual impact.
- 6.1.h compliance with the land-use, setback, building height, development exclusion, vegetation protection, bushfire requirements and other pertinent provisions of the Local Planning Scheme and associated Planning Policies.

6.2 Building envelopes are generally imposed at the time of rezoning or subdivision to provide an area in which buildings upon a property will be clustered and provides an understanding for surrounding landowners of the potential location of future built form. Whilst this Policy provides guidelines for an application to be submitted to amend a building envelope it should not be construed that approval will be granted with each application assessed on its individual merits.

7.0 CONSULTATION

An application for the relocation, removal or expansion of a building envelope may be advertised to surrounding landowners prior to being placed before a meeting of Council for consideration.

8.0 DEFINITION

For the purposes of this policy Building Envelope shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* and as referenced in the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	5 – Design Guidelines & Precinct Plans
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP5.1

6.1 CONSULTATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 6.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 6.1 – Consultation.

2.0 INTRODUCTION

The Local Government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the Local Government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.33 To provide a method by which proposals can be classified according to their likely impact.
- 3.34 To clearly define the different levels of consultation that will be undertaken and advice that will be provided in respect of a range of land use and development proposals, to provide the community with adequate and appropriate opportunities to be kept informed and comment on and respond to issues and proposals.
- 3.35 To detail the requirements for consultation based on the level of impact of the proposal.
- 3.36 To outline the process the Council will use when undertaking consultation and considering submissions.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

The over-arching principle of this policy is that the Local Government (where appropriate or required) will advise and consult with the community about initiatives involving proposed new or extended land uses and developments, in an endeavour to ensure openness and accountability in the decision making processes and to gauge public opinion.

The need to engage the community will be based firstly on any legislative requirement and then the degree to which the proposal impacts upon the site itself, the land immediately surrounding the site, the locality within which the site is situated or, in some cases, the whole Local Government.

In relation to complex issues, the Local Government will exercise flexibility in determining the level of consultation that is required and the best means by which maximum public feedback may be obtained.

The Local Government will predominantly consult with owners of land and, where appropriate, will also consult with occupiers of the land.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

The method of consultation used will relate to the legislative requirements and (in the opinion of the Local Government) the likely extent of the impact on the community or the interest likely to be generated by the community with respect to the proposed land use or development. In any event the Local Government has the discretion to publicly advertise any town planning proposal.

7.0 CONSULTATION

7.1 Consultation level requirement by Development Proposal Type

The below matrix is the basis upon which the appropriate level of consultation with affected persons and the community will generally be determined for land use and development proposals.

Where proposals occur that do not clearly fall within the matrix, or where circumstances indicate that the standard level would not be appropriate, the Local Government shall use its discretion to establish the consultation process required.

Notwithstanding compliance, proposals that are considered to have a substantial impact due to their scale, size or nature may require consultation.

Development Proposal Type	Consultation Level
Design Guidelines	D
Local Planning Policies	D
Management Plans (local)	C
Outline Development Plans	C
Planning Applications (permitted uses)	A
Planning Applications (discretionary)	B
<ul style="list-style-type: none"> • likely to impact on surrounding owners; or • not likely to impact on surrounding owners 	A
Planning Applications (discretionary after advertising)	C
<ul style="list-style-type: none"> • impacts are confined to adjoining properties and the immediate vicinity of the proposal; or • impacts affect the broader locality in addition to adjoining properties 	D
Residential Design Codes Performance Criteria Assessment	B
Structure Plans - General	D
Structure Plans - Oakajee	E
Strategic Plans / Documents:	
<ul style="list-style-type: none"> • impacting on the Shire in general; or • impacting on specific sectors / areas of the community 	E
	D
Subdivision Referrals	A
Local Planning Scheme Amendments	D
Local Planning Scheme Review	E
Townsite Plans / Strategies	D

7.2 Level A – No Consultation

No consultation will occur where the proposal:

- 7.2.a Is determined by the Chief Executive Officer as having no predictable detrimental impact on the character or amenity of the immediate or general locality.
- 7.2.b Is determined by the Local Government as not being required or is precluded under relevant legislation.
- 7.2.c Has previously occurred, and only minor modifications or modifications that address concerns previously raised are proposed.

7.3 Level B – Consultation with owners of adjoining land

- 7.3.a Where, in respect of any proposal, the Acceptable Development Provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.
- 7.3.b Where (in respect of other proposals) a proposed development will be visible from any road or other public place and/or will be likely to have an impact on the streetscape, visual amenity and ambience of properties in immediate proximity to the site, the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.
- 7.3.c The Local Government may undertake one or more of the following:
 - Consult with the owners of properties determined as being potentially affected by a development proposal in writing providing a minimum of 14 days (or such other period as may be prescribed by the relevant legislation) for the lodgement of any submissions.
 - Where an affected land owner is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal should be provided by way of a signed letter of no-

objection and endorsement by way of no-objection comment, signature, printed name and full address on a copy of the plan(s) submitted for approval.

7.4 Level C – Consultation with owners of nearby land

7.4.a Where a proposed land use or development is determined by the Local Government as having the potential to impact on not only the use or enjoyment of land adjoining the application site but also other surrounding land, the owners of those properties within the catchment specified below will be consulted.

7.4.b The Local Government may undertake one or more of the following:

- The owners of properties determined as being potentially affected by a development proposal (generally owners of all land within a radius of 60m of the boundary of the application site for land within an urban area or within an existing settlement) will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.
- Dependent upon the level of impact in the area, the Local Government may also publish a notice of the development proposal in a newspaper circulating in the area inviting comment within a specified period, with an additional fee to be levied on the applicant pursuant to the Local Government's schedule of fees and charges.

7.5 Level D – Consultation with owners of land in the locality

7.5.a Where a proposed land use or development is determined by the Local Government as having the potential to impact upon the use or enjoyment of land within an area or a settlement, but not extending to the whole of the municipality or specific interest groups within that area, the community within the affected area will only be consulted.

7.5.b The Local Government may undertake one or more of the following:

- publish a notice of the proposal in a newspaper circulating in the area.
- arrange for a sign or signs to be placed in a prominent position(s) on the site.
- consult the owners of all land within a radius of 100m of the boundary of the application site for land within an urban area or within an existing settlement, or 500m radius for land within a rural area, except where it is determined by the Local Government that the proposal will not have any significant impact on certain portions of the area.
- consult with the owners of land beyond the foregoing areas where, in the opinion of the Local Government, there will be an impact along key transportation facilities, tourist routes or view-sheds. and/or
- consult as necessary with other affected government agencies or statutory authorities as the case requires.

7.5.c Drawing attention to the form of the development proposal and inviting comment within a period not being less than 14 days or, where appropriate, such longer period as may be necessary to comply with relevant legislation (Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a minimum of 21 days in the case of Local Planning Policies).

7.6 Level E – State Wide Consultation

Where proposals or projects are of State, regional or shire wide significance the community will be consulted in a manner as determined by the Local Government. In relation to complex issues, the Local Government may exercise flexibility to determine the level of consultation that is required and the best means by which maximum public feedback may be obtained.

7.7 Submissions

7.7.a The Local Government will only accept submissions where:

- it has been signed by the respondent and contact details, including address for correspondence, is provided.
- comments on the development are provided in eligible written English.

7.7.b A petition will only be considered where it:

- is addressed to the Chief Executive Officer.
- is made entirely by electors of the Local Government.
- states the request/reason(s) on each and every page of the petition.
- contains the names, addresses and signatures of the electors making the request, and the date each elector signed.

- states the name of a single person upon whom, and an address at which, notice to the all the petitioners can be given.

7.7.c All submissions received will be summarised for reporting to Council with:

- submissions treated in confidentiality (unless otherwise prescribed by the relevant legislation), although Councillors may request a copy of any/all submissions.
- matters taken into account from submissions being based on valid planning grounds, including, but not limited to:
 - considerations outlined in the relevant Local Planning Scheme, Local Government policy and/or strategy.
 - potential for detrimental impact on the enjoyment of nearby properties from such causes as the effect on views to and from the development site, overshadowing, privacy, noise impact, or the scale, height, external appearance and bulk of proposed new developments.
 - impact of the proposal on streetscape and the amenity of the locality.
 - heritage values or significance.
 - adequacy of access, egress, parking and manoeuvring including disabled access.
 - traffic generation and probable effect on safety and traffic movement.
 - removal of, or increased threat to, natural vegetation.
 - the assessed fire hazard appropriate to the land and the proposed new land use and development.
 - any other environmental consideration including but not limited to potential for soil erosion or land degradation, water quality degradation, or increased environmental risk.
 - potential loss of any community service or benefit.
 - adequacy of community and public utility services.
 - any other matter relevant to orderly and proper planning.

7.7.d The Local Government upon determination the application may either:

- send to each respondent a letter.
 - acknowledging receipt of the submission.
 - advising of the determination of the development proposal concerned, providing reasons for that determination. and
 - advising the name and position of the officer of the Local Government from whom further information can be obtained.
- place an advertisement in the local paper providing public advice as to the outcome of the matter.

7.8 Delegation

Authority is delegated to the Chief Executive Officer for the following:

- to accept submissions received shortly after the formal comment period.
- determine the level of consultation required for each application.

8.0 DEFINITION

For the purposes of this policy the following definitions are provided:

“Adjoining” means any land (or owner of land) which abuts an application site or is separated from the site only by a pathway, driveway, right-of-way or similar thoroughfare (excluding a public road reserve).

“Affected Person” means a person who owns (or occupies) land that adjoins an application site or the enjoyment of which, may be detrimentally affected by the use or development on an application site.

“Nearby Land” means any land (other than adjoining land) which may be adversely affected by a development proposal and, where appropriate, may include owners (or occupiers) within a neighbouring Local Government.

“Notify” means written communication by the Local Government or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

“Relevant Information” means the principle details of a development proposal as determined by the author of any notification to be sufficient to describe the proposal and its potential impacts. Each notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period during which comments are sought.

“Respondent” means those affected persons who have provided written comment on a proposal within the formal comment period, or shortly thereafter at the discretion of the Local Government.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	6 – Planning Procedures
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP6.1

7.1 COMMERCIAL VEHICLES



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.1 – Commercial Vehicles.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.37 To ensure that the parking of such a vehicle will not adversely affect the amenity of the locality nor have any adverse effect upon the occupiers or users of properties adjacent or in the locality.
- 3.38 To set out the criteria against which an application will be assessed and standards that should be observed such that commercial vehicles can be parked in residential and rural residential zones without compromising the objectives of those zones.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to the parking of a commercial vehicle upon land zoned 'Residential', 'Rural Townsite', 'Rural Residential' and 'Rural Smallholding'.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 An application made to the Shire is also required to include:
 - written submission that provides details as to the purpose of the vehicle (what commercial/industrial activity the vehicle is used for), the length, width, height and carrying capacity of the vehicle and envisaged departure and arrival times.
 - photograph(s) of the commercial vehicle proposed to be parked at the property.

6.0 POLICY STATEMENT

6.1 Parking Location

- 6.1.a The commercial vehicle must be parked entirely within the subject property, and should be contained behind the building setback line. Parking must meet with the crossover, turning and manoeuvrability requirements of the R-Codes.
- 6.1.b Preferably the commercial vehicle should be parked to the rear of the residence and screened from view of the street and from neighbouring properties.
- 6.1.c Only one (1) commercial vehicle will be permitted to be parked on a property, unless it can be demonstrated that an additional commercial vehicle can be parked on the property in compliance with the objectives of this policy.
- 6.1.d Access to the property on which the commercial vehicle is to be parked is to be via a crossover which has been constructed to the specifications of the Local Government. The parking of the commercial vehicle should not preclude domestic vehicles from parking at the property.

6.2 Use of the commercial vehicle

- 6.2.a The local government is unlikely to support the parking of a commercial vehicle that is, or has been, used for the commercial transportation of animals, disposal of liquid wastes, or other dangerous, hazardous or contaminated substances (which either requires a special permit for their transportation, or which if spilled or discharges from the vehicle would either cause pollution or pose a danger or threat to the health or inhabitants of the locality).
- 6.2.b Applications are only considered on the principle that the parking of the commercial vehicle is incidental to the predominant residential use of the property and therefore the parking of commercial vehicles on vacant land, or where no residence exists, are considered to be a land use application in themselves and contrary to the objectives of this policy.
- 6.2.c Where planning consent has been granted for a Rural Tourism Development, Intensive Agriculture, Rural Industry or Rural Pursuit, and in some instances a Cottage Industry on 'Rural Smallholding' zoned land, the parking of a vehicle associated with these activities may be considered provided it can be demonstrated that there will be no undue impact on the environment or the amenity of the surrounding locality.

6.3 Amenity

- 6.3.a The parking of a commercial vehicle should not adversely impact upon the amenity of the locality. Amenity is considered to relate to what can be reasonably expected in the subject residential/rural residential environment. Amenity can be affected by the undue generation of noise, fumes, odours and the like. Visual amenity is another component which relates to the manner in which the property is viewed from the street or adjacent properties.
- 6.3.b Minor maintenance of a commercial vehicle whilst parked at a property will only be considered where it can be demonstrated to the satisfaction of the Local Government that such maintenance will not impact on the amenity of the locality, and can be suitably managed to ensure all wastes are disposed of appropriately.
- 6.3.c Activities such as spray painting, panel beating or mechanical repairs that have the potential to adversely impact upon the amenity of the locality by the emission of noise, odours, by-products or otherwise, will not be permitted to be undertaken on a commercial vehicle parked in a Residential, Rural Townsite or Rural Residential zone.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Commercial Vehicle shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.1

7.2 EVENT APPLICATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.2 – Event Application.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.39 Encourage events that enhance a wide variety of opportunities to residents and visitors.
- 3.40 Protect the health and safety of persons attending events.
- 3.41 Provide an efficient and timely approval process and response.
- 3.42 Ensure compliance with regulatory requirements and standards.
- 3.43 Incorporate controls to minimise any adverse impacts of events and protect the amenity of residents in adjoining and nearby properties.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all major events in the Shire of Chapman Valley.

5.0 APPLICATION REQUIREMENTS

Applications for an event are to include at a minimum:

- 5.1 Completed Shire Event Application Form.
- 5.2 Event Checklist which is to be read in conjunction with the Event Application Form.
- 5.3 Applicants to identify approvals and forms as required for the event and attached a copy when submitting application to the Shire.
- 5.4 Event Site Plan and other plans as required or requested.
- 5.5 Copy of Liability Insurance.

6.0 POLICY STATEMENT

The following issues will be considered by the Shire in the assessment and approval process of event applications:

- 6.1 The nature, size and suitability of the event in relation to the venue requested (including the presence of alcohol) and the likely impact of the event on the facility.
- 6.2 The amenity of the event.
- 6.3 The ability of the facility to accommodate the event at the proposed time (taking into consideration weather and the condition of the land, if on a community reserve or public open space).

- 6.4 The likely impact on residents as a result of the event (including noise, dust, excessive light, or other adverse effects perceptible outside the venue).
- 6.5 The availability of the venue at the required time(s) and on the required day(s).
- 6.6 The period of time for which the event will operate and the proposed times of operation.
- 6.7 Conflict or potential conflict with other events in that location or a surrounding location.
- 6.8 The estimated number of participants associated with the special event in relation to the carrying capacity of the facility.
- 6.9 The benefits to the community.
- 6.10 Reputation of the operator.

Any other factors that may be considered necessary in relation to a particular event.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme. At the conclusion of the advertising period should a written, author-identified objection(s) be received, all submissions and the application may be placed before a meeting of Council for consideration. Should no written, author-identified objection(s) be received the application may be determined under delegated authority.

8.0 DEFINITION

For the purposes of this policy 'Event' means an occurrence proposed to be held within the Shire of Chapman Valley on private or public land, either indoor or outdoor by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and shall include but is not limited to:

- Concerts
- Vehicle Rally
- One off sporting events
- Shows and fairs
- Festivals
- Exhibitions

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.2

Shire of Chapman Valley



Event Application Form

This form is to be completed and submitted together with the other information outlined in this package. You will be notified in writing when your event application has been processed. Applications must be submitted at least 8 weeks prior to your event.

DISCLAIMER

This package details the requirements of the Shire of Chapman Valley only. Additional information and/or approvals may be required from other agencies. It is the sole responsibility of the Applicant, not the Shire of Chapman Valley, to ensure all relevant information and approvals are obtained in relation to each particular event.

(Event Application - Local Planning Policy 7.2)

January 2020

Shire of Chapman Valley
Local Planning Scheme No.3

FORM OF APPLICATION FOR PLANNING APPROVAL

OWNER DETAILS:

Name(s): _____

Postal Address: _____ Postcode: _____

Contact Person: _____

Phone: _____ Email: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

NOTE: The signatures of ALL the owner(s) is required to process this application.

APPLICANT DETAILS: (if different from owner)

Name(s): _____

Postal Address: _____ Postcode: _____

Contact Person: _____

Phone: _____ Email: _____

Signature: _____ Date: _____

PROPERTY DETAILS:

Lot/Location No: _____ House/Street No: _____

Street Name: _____ Locality/Suburb: _____

Diagram/Plan No: _____ Volume No: _____ Folio No: _____

Event Details

Event Name:

Date:

Event set up date:

Event start time/date:

Event finish time/date:

Completion of Event clean up date:

Proposed venue details: (e.g. name of reserve, building or public open space)

.....
.....
.....

Event description: (e.g. sporting, commercial, entertainment and in addition please state whether the event is a one-off or proposed as an annual event)

.....
.....
.....

Entertainment: Brief details (number of stalls/products/entertainment-bands, amplified music/animals/activities/farm machinery/rides)

.....
.....
.....

Primary purpose of event: (eg. fundraiser for community group)

.....
.....
.....

Will alcohol be available/consumed on site? (tick) Yes No

Will food be available? (tick) Yes No

Details of any tents, marquees, stages etc. to be used for the event:

.....
.....
.....

Details of any road closures or use of roads for the event: (Note: separate approvals required through police services)

.....
.....
.....

Will the event have implications for local residents, (eg. Noise, traffic management, parking, crowds etc.) and if so how is it proposed to manage these implications?

.....
.....
.....

Parking Arrangements: (where, how directed etc.)

.....
.....
.....

Details of rubbish removal and site cleaning:

.....
.....
.....

Expected Attendance

Maximum number of people expected at any given time:

Anticipated total number for entire event:

Target audience: (eg. youth, adult, family etc.)

Have you ever conducted this event before and if so, when/where was it held?

.....
.....
.....

Have you determined whether a risk assessment is required? (*tick*) Yes No

Event Facilities

Power supply details:

Water supply details:

Number of toilets available:

Male: Closets: Hand Wash Basins: Urinals:

Female: Closets: Hand Wash Basins:

Disabled: Closets: Hand Wash Basins:

**YOU MAY WISH TO ATTACH ANY OTHER RELEVANT INFORMATION
TO ASSIST WITH THE APPROVAL PROCESS**

Acknowledgement

I, _____ as the event organiser,

applying for approval to host an event in the Shire of Chapman Valley I acknowledge that the information and completed actions in my application are true and correct. I accept full responsibility of the facility and/or reserve during the specified event period and will ensure compliance with the Shire of Chapman Valley's conditions of approval.

I will indemnify the Shire of Chapman Valley and landowner against any action, suit or proceeding caused by my failure to observe all statutory and other requirements or as a result of my negligence or wilful actions. I will ensure that appropriate liability and other insurances are in place for the activities to be conducted, with evidence in this regard to be presented to the Shire of Chapman Valley prior to commencement of the event.

I understand and acknowledge the Event Application Package has been compiled according to a number of statutory requirements, and any forthcoming Planning Consent (including conditions of approval) are lawfully binding and can be enforced pursuant to the Shire of Chapman Valley Local Planning Scheme No.3 and *Planning and Development Act 2005*. Furthermore I understand there could be other requirements outside of this package and that, as the event organiser, I am responsible to meet.

Signature: _____ **Date:** _____

Print Name: _____

Important Notes:

- *You may not proceed with your event without written planning consent being issued by the Shire and all other statutory requirements have been satisfied. This may take between 3 to 4 weeks depending on the scale and size of your event.*
- *All conditions will be outlined in a formal notice of Planning Consent. It is your responsibility as the applicant/event organiser to adhere to the conditions of approval.*
- *Applications and approvals for an event are not transferable. Therefore the organiser cannot transfer Shire approval for an event to an alternative venue, date or time, without further consent being granted by the Shire.*
- *You must ensure the event adequately caters for the needs of people with disabilities.*
- *You may be required at the request of the Shire to attend a 'de-brief' of the event to discuss any associated issues and/or possible improvements to the ant future events.*

INFORMATION AND GUIDE FOR APPLICANTS

1. LOCATION OF EVENT

If you intend on holding your event on property owned or managed by the Shire of Chapman Valley or any other government agency you are required to obtain that organisations consent prior to lodging an application. This includes the signing of the application for under 'Landowners Details' by the appropriate authorised person.

If event is to be held on privately owned land, you will be required to have land owner/s sign the application form.

2. SITE PLAN AND EVENT LAYOUT

A site plan with the layout of the event is to be provided with your application, which shall include location of:

- vehicular access
- onsite carparking and bus drop off areas
- barrier fencing
- stage and sound equipment (if applicable)
- stalls of any kind (food, craft, etc)
- competitor and spectator areas/seating
- liquor licensed area/s (if applicable)
- electrical supply
- first aid facilities
- structures and buildings (pavilions, sheds, tents, marquees, etc)
- toilet facilities (existing and additional)
- walkways
- external lighting (if applicable)
- emergency access and routes and muster points
- fire equipment
- over night camping areas (if applicable)

3. EVENT TIME FRAME AND EXPECTED ATTENDANCE

The event organiser is to provide the Shire of Chapman Valley with dates and time/s the ground/reserve is to be used, including set up and clean up.

The Shire of Chapman Valley is to be provided with the estimated number of patrons attending the event, which will be used to calculate toilet, waste and First Aid requirements.

Additional a Risk Management Plan may also be required – this matter should be discussed with the Shire's Risk Management Co-ordinator.

4. ACCESS TO VENUE FOR SHIRE STAFF

Shire staff members are to be afforded access to the whole venue for the duration of the event. Authority cards can be made up for staff members that require access for compliance purposes.

5. PUBLIC LIABILITY INSURANCE

Council requires public liability insurance be provided for all events to a minimum value of \$5,000,000. This insurance is the responsibility of the event organiser with evidence of such cover to be submitted as part of the application.

6. RISK MANAGEMENT PLAN

The event organiser may be required to provide a risk management plan to the Shire's Planning and Development Department prior to the event- - Further information on this matter can be obtained from the Shire's Risk Management Co-ordinator.

7. LEGISLATIVE REQUIREMENTS

Application for the event must be lodged on the Form 1 – Application for Planning Consent contained in this package.

Under the *Health (Public Building) Regulations 1992*, outdoor events are considered public buildings. The following are requirements under the above regulations:

- application to erect a public building (Form 1) to be completed 2 weeks prior to the event
- toilet facilities relevant to the expected attendance
- disabled access (for both the event grounds in general and toilet facilities)
- evacuation plan and emergency lighting
- general lighting for evening and night events
- all electrical equipment, switches, meters are to be protected from the public and a certificate of electrical compliance (Form 5) must be completed 2 weeks prior to the event
- exit signs are to be provided
- fire equipment and telephones are to be supplied

Event organisers are to provide sufficient waste disposal facilities relevant to the expected attendance.

Any stalls or premises preparing and/or selling food is to comply with the *Health (Food Hygiene) Regulations 1993*. Applications to sell food at the event should be lodged with the Shire's Health Department at least 4 weeks prior to the event.

Under the *Environmental Protection (Noise) Regulations 1997*, noise levels are to comply with the levels set out in those regulations. If the Shire of Northampton deems it necessary to have an Environmental Health Officer present to monitor the noise levels of the event, the event organiser may be required to pay for these services. Any officer present to ensure compliance with the above noise regulations is not under the control of the organiser.

8. ALCOHOL AND LIQUOR LICENSING

Event organisers are required to apply for a liquor licence through the Department of Liquor and Gaming, if alcohol is to be sold at the event. If the liquor licence is approved, details of the licence are to be provided to the Shire of Chapman Valley at least 2 weeks prior to the event.

If alcohol is to be sold and/or consumed on Shire property, application should be made to the Shire for a permit to consume alcohol.

9. PROVISION OF FIRST AID

The event organiser should provide First Aid facilities relevant to the size of the event.

10. EMERGENCY SERVICES

Event organisers must notify the Police and Fire & Emergency Services of the event and the event time frame. A contact number for the event organiser should be given to these organisations in case of emergency.

Access must also be available to emergency vehicles as required.

11. NOTIFICATION OF ROAD CLOSURES

The event organiser is to notify and seek approval from the Engineering Department (and Main Roads WA if necessary) for any road closures for the event, prior to lodging an application with the Police. Please note partial road closures or suspension of the *Traffic Act* requires approval and these forms/approvals need to be sourced from Police, at least 6 weeks prior to the event to allow for separate processing.

12. WATER & POWER

It is the responsibility of the event organiser to ensure a potable water supply (to public health drinking standards) is made available for patrons at the event. Event organisers may need to organise independent power supplies for Shire grounds.

13. FIREWORKS

Approval is required from the Department of Mines, the Police and the Shire of Chapman Valley for the discharge fireworks at an event. Applications in this regard can be obtained from the Department of Mines.

If approved, the State Fire & Emergency Services are to be notified and appropriate fire fighting equipment is to be provided at the event.

14. Parking

The event organiser is to ensure sufficient parking and manoeuvring area is available for the expected number of competitors and patrons at the event. This shall include provision for bus drop off and parking, if applicable. All parking areas shall be clearly defined and may require onsite parking attendants depending on the nature and patronage of the event.

15. FENCING

If the event is to be fenced off, or have areas within the event to be fenced (eg. licensed or competitor areas), the fencing is to be inspected by the Shires Building Department prior to the event.

16. CONSULTATION WITH OTHER GROUND USERS

Event organisers should ensure that all other ground users are contacted and informed of the event to ensure there is no conflict of use and/or parking. For applications to conduct events in public areas the Shire in issuing approval may not grant exclusive use of the ground or reserve.

17. CONSULTATION WITH COMMUNITY

All neighbouring landowners should be consulted to avoid any form of conflict. In this regard the Shire may seek comment from all or part of the community through the application process, which may reflect in the decision of the Shire Council.

18. RIGHT OF APPEAL

The applicant/owner has a right of appeal against the Shire's decision, be it a refusal or any condition of approval, in accordance with the provisions of the *Planning and Development Act, 2005*. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website www.sat.justice.wa.gov.au to obtain the relevant time limitations, appeal process, appeal forms and respective fees.

7.3 SEA CONTAINERS

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.3 – Sea Containers.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.
- 3.2 Establish guidelines for the placement of sea containers or other similar relocatable storage units on land within the municipality.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

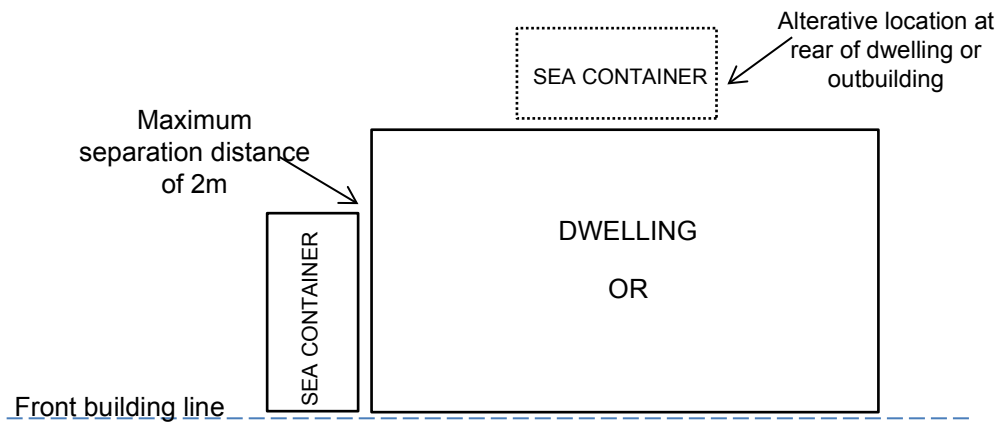
The placement of a sea container upon a property constitutes development and this policy provides the criteria for when a planning application is required (and not required) to be lodged.

5.0 APPLICATION REQUIREMENTS

Applications seeking approval to site a sea container are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and also provide written submission detailing the reason(s) for seeking to site a sea container and information upon proposed improvements to the visual appearance of the sea container (e.g. repainting, external cladding, roofworks, extension works, landscaping, time period for undertaking of works etc.).

6.0 POLICY STATEMENT

- 6.1 A sea container proposed to be permanently sited upon a property is required to comply with the following criteria:
 - 6.1.a A maximum of one (1) sea container on a lot (excepting Industrial or Rural zoned land).
 - 6.1.b The sea container is to be sited behind the front building line of an existing or under construction built development upon the property and must not impinge on any boundary setbacks as required by the Local Planning Scheme.
 - 6.1.c The sea container is to be positioned at a maximum separation distance of 2m.
 - 6.1.d The sea container is to be used for general storage purposes only associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
 - 6.1.e The sea container is required to be painted or clad in materials the same colour as the existing structure up against which the sea container is positioned.



- 6.2 A sea container proposed to be temporarily sited upon a property is only required to comply with Clauses 6.1.a, 6.1.b and 6.1.d (but not Clauses 6.1.c and 6.1.e) providing the sea container is removed within 12 months of its initial siting upon property and a current building permit has been issued for that property.
- 6.3 The permanent placement of a sea container or other similar relocatable storage unit will not be permitted on land zoned residential.
- 6.4 A sea container is considered in the calculation of the total aggregate outbuilding area as permitted under the Shire's 'Outbuildings' Local Planning Policy.
- 6.5 Should the sea container not meet the requirements of Clauses 6.1 and 6.2 of this policy a planning application is required to be lodged.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

For the purposes of this policy a 'Sea Container' shall include a shipping container (both '20 foot' (6.1m in length, 2.4m in width, and 2.6m in height) and '40 foot' (12.2m in length, 2.4m in width and 2.6m in height) in dimension) or any other relocatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this policy but subject to the separate necessary applications and approvals for a dwelling.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.3

7.4 SIGNAGE



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.4 – Signage.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To control signs in order to safeguard the visual amenity of the district.
- 3.2 To ensure signs do not compromise safety issues regarding thoroughfares.
- 3.3 To set out standards which apply to different types of signs and the considerations the local government should have in determining applications.
- 3.4 To specify what types of signs do not require the development approval of the local government.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

The placement of a sign constitutes development and this policy provides the criteria for when a planning application is required (and not required) to be lodged.

5.0 APPLICATION REQUIREMENTS

Applications seeking approval to site a sign are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and also provide written submission detailing the reason(s) for seeking to site a sign and information upon ongoing maintenance of sign.

6.0 POLICY STATEMENT

6.1 Exemptions

- 6.1.a Any sign which is classified as exempt under Shire of Chapman Valley Local Planning Scheme.
- 6.1.b All local government road signage.
- 6.1.c Any sign which is the subject of an existing approval made prior to the date of effect of this Policy
- 6.1.d Any advertisement affixed to or painted on a commercial premise window by the occupier of the business and relating to the activity carried on in the premise.
- 6.1.e Any sign within a building.
- 6.1.f Any name and/or number fixed to the facade on a residential building or group of buildings, such as home units, which has a single line of letters not exceeding 300mm in height.
- 6.1.g Any newspaper poster.
- 6.1.h A rural producer sign
- 6.1.i A freestanding sign which neither exceeds 500mm in height nor 0.5m² in area provided that the sign is placed or erected on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- 6.1.j Election signage (required to be removed within 7 days of the close of polls on the voting day)

6.2 Standards

All signs or advertising devices (including an exempted sign) erected or displayed in the Shire shall:

- 6.2.a be constructed and erected to the satisfaction of the Local Government.
- 6.2.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.
- 6.2.c comply with the regulation 297 of the Road Traffic Code 2000.
- 6.2.d be maintained in good order and clean condition to the satisfaction of the Local Government.
- 6.2.e be directly associated with the approved use of the property on which it is displayed (other than a service or tourist direction sign).
- 6.2.f not be erected or displayed in a position that in the opinion of the Local Government:
 - obstructs the passage of or creates a hazard for vehicles or pedestrians.
 - adversely affects the visual appearance or local amenity of the area.
 - significantly obstructs or impedes all or part of a view deemed to be of significance to the local area.

6.3 Relationship & Design

All signs, unless otherwise determined by the Local Government, shall directly relate to the property they are positioned on and be designed to complement the existing surroundings, including buildings, landscape features and other signage structures. In this regard the Local Government will generally not support remote advertising or advance warning signs (other than a direction, service or tourist sign) so as to avoid proliferation of signage to the detriment of the amenity of the Shire.

6.4 Bills & Fly Posting

Bill posting shall only take place in the form of an advertisement affixed to, or painted on a commercial premise window or any sign within a building by the occupier of the premise. Fly posting is not permitted within the Shire, unless otherwise approved by the Local Government under special circumstances.

6.5 Hoardings

The erection and display of a commercial hoarding is not permitted at any place or location within the Shire, unless otherwise approved by the Local Government under special circumstances.

6.6 Crown Land under the care and control of Local Government

Unless otherwise permitted in this Policy, or approved by the Local Government under special circumstances, an advertising sign or hoarding is not permitted on thoroughfares and reserves under the care and control of the Local Government. However, where approval is given for the erection or display of a sign on a thoroughfare or reserve under the care and control of the Local Government, the owner of the sign shall:

- 6.6.a indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement.
- 6.6.b In respect of that sign, effect and maintain a public liability insurance policy with a reputable insurer. The policy must include a cross liabilities clause, and be in the joint names of the sign owner and the Shire. The sum insured for any single event shall be \$1million.
- 6.6.c A copy of the above indemnification and insurance cover shall be forwarded to the Shire prior to the erection or display of a sign.

6.7 Requirements for particular signs

6.7.a Development Signs

A development sign shall be removed from the site within two (2) years from the date of the approval or when 80% of the lots in the subdivision have been sold, whichever is the sooner.

6.7.b Freestanding Signs

Freestanding or portable signs shall generally:

- not exceed 1m in height or width.
- not exceed an area of 1m².
- not be erected in any position other than immediately adjacent to the building or the business to which the sign relates.
- be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;

No more than one (1) portable sign shall be erected in relation to the one (1) building or business.

6.7.c Horizontal Signs

A horizontal sign shall:

- be fixed parallel to the wall of the building to which it is attached.
- not project more than 150mm from the wall to which it is attached.
- conform to the following table:

Minimum distance of sign above street	Maximum depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

6.7.d Illuminated Signs

An illuminated sign shall:

- have any boxing or casing in which it is enclosed constructed of incombustible material.
- where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage.
- have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with any written law with respect to the construction and maintenance of electrical installations for illuminated signs.
- be maintained to operate as an illuminated sign.
- not have a light of such intensity as to cause annoyance to the public or be a traffic hazard.
- not emit a flashing light.

6.7.e Information Panels

The Local Government may provide tourist or other information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

6.7.f Pylon Signs

A pylon sign shall:

- not have any part more than 6m above the level of the ground immediately below it.
- not exceed 4m² in area unless approved by the Local Government.

- 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 be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Local Government may authorise the erection of the sign at a distance less than 2m.
- not have any part less than 6m from another sign erected on the same lot.

Where pylon signs are to be erected on a lot on which a premise is erected or to be erected, the Local Government may require all the pylon signs to be incorporated into one sign in which case:

- all of the constituent or infill signs are of an equal size.
- one constituent or infill sign is provided for each business, shop or unit on the lot.

6.7.g Roof Signs

A roof sign shall comply with the following table:

Height of main building above ground level at point 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

6.7.h Rural Producer Signs

A rural producer sign shall:

- 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.
- not exceed 2m² in area.

6.7.i Service Station Signs

A maximum of 2 service station signs are permitted unless otherwise required by legislation. The signs shall:

- not exceed 0.8m² each side.
- be located wholly within the boundaries of the site, unless otherwise approved by the Local Government.
- be located so as to not cause a traffic or safety hazard to either vehicles or pedestrians.

6.7.j Service and Tourist Direction Signs

The CEO has delegated authority to approve applications for the erection and the removal of service and tourist signs subject to the sign meeting the current MRWA standards.

The Local Government is responsible for the approval, installation and routine maintenance for service and tourist signs on all roads except those under the control of MRWA (such as Chapman Valley Road and the North West Coastal Highway). In all cases the Local Government retains ownership of the signs and the right to relocate, modify or remove them as necessary.

6.7.k Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial or industrial area (or other areas as approved by the Local Government), if the lot is occupied and used for business or industrial purposes. Any such sign shall not exceed 1m in height, nor be within 3m of any street boundary, unless specifically approved by Local Government.

6.7.l Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising, shall be permitted to park for any lengthy period of time, as determined by Local Government, on any thoroughfare (other than within an approved carpark) with the exception of directly in front of the owner's residence.

6.7.m Verandah Signs

A sign fixed to the fascia of a verandah shall:

- shall not exceed 600mm in depth.
- shall not project beyond the fascia.

A sign under a verandah shall:

- not exceed 2.5m in length or 400mm in depth.
- be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets.
- be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

6.7.n Vertical Signs

A vertical sign shall:

- not project more than 50mm from the face of the building to which it is attached.
- not be within 600mm of either end of the wall to which it is attached.
- be of a height of at least twice its width.
- not be placed on a corner of 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.
- not exceed 750mm in width exclusive of the back projection.
- not exceed 2m² in total area on premises being a shop or office or both.

6.8 Unlawful Signage

Where a sign has been erected, placed or displayed without Local Government approval and/or is contrary to the provisions of the Local Planning Scheme and/or this policy, the following shall apply:

- 6.8.a The sign shall be removed by the owner upon a notice being served by the Local Government, with an appeal right for a period twenty eight (28) days from a notice being served being afford to the owner of the sign under the Act.
- 6.8.b Failure to remove the sign, or lodge an appeal, within the twenty eight (28) day period will constitute an offence under the Act, with the possibility of enforcement action being taken by the Local Government.
- 6.8.c If removed by the Local Government, the sign will be impounded at the Shire of Chapman Valley Depot in Nabawa for a maximum period of two (2) months, where:
- the sign may be collected by the owner upon payment of an impoundment fee in accordance with the Local Government’s Schedule of Fees to be paid at the Shire Administration Offices.
 - upon expiration of this time the Local Government may initiate proceedings to dispose of the sign and recover all costs from the owner in relation to this action.
 - The Local Government may continue with enforcement action/prosecution in relation to 6.8.b above and in accordance with the provisions of the Act.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Local Government staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

- “Act” means the *Planning and Development Act 2005*;
- “advertisement” has the same meaning as “sign”;
- “advertising device” means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;
- “bill” means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;
- “business” includes the conduct of a profession, trade or occupation;
- “business direction sign” means a sign erected in a public thoroughfare or public place which indicates the nature of the business that may be located by following the direction indicated by the sign, but does not include any such sign erected by the Commissioner of Main Roads under regulation 297 of the Road Traffic Code 2000;
- “CEO” means the Chief Executive Officer of the Local Government;
- “Council” means the Council of the Shire of Chapman Valley;
- “depth” unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign.
- “development sign” means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;

“district”	means the district of the Shire;
“electoral sign”	means a sign containing an advertisement relating to an election or to a referendum;
“exempt sign”	means a sign referred to in Statement 1 of this Policy;
“fascia sign”	means a sign erected or displayed on the fascia of a building or the fascia of a verandah;
“fly posting”	means advertising through the placement of posters on fences, walls, trees and like structures;
“freestanding sign”	means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
“hoarding”	means a 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; but does not include a hoarding within the meaning of Section 377 of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> ;
“horizontal sign”	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;
“illuminated sign”	means 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;
“institutional sign”	means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;
“Local Planning Scheme”	means an existing Local Planning Scheme of the Local Government made under the Act;
“planning consent”	means the approval granted by Local Government for the erection or display of a sign pursuant to the Local Planning Scheme;
“premises”	means land and, unless the context otherwise requires, the buildings upon that land;
“public thoroughfare”	includes a street, road, footpath , carriageway and all other parts of a road reserve;
“pylon sign”	means 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 infills may be added;
“MRWA”	means Main Roads WA;
“reserve”	includes land vested in, or under the care, control and management of the Local Government;
“roof sign”	means a sign erected on or above the roof of a building;
“rural producer sign”	means a sign erected on land zoned rural under a Local Planning Scheme indicating the products grown, reared or produced on the property;
“sale sign”	means a sign displayed on premises advertising the sale, letting or auction of the premises;
“service direction sign”	a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal , automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.
“service station sign”	means a sign used solely for the purposes of advertising the price of petrol, diesel, gas or other fuel products sold from the premises.
“Shire”	means the Shire of Chapman Valley;
“sign”	includes any advertising device or other sign type defined in this Local Law;
“sign infill”	means a panel which can be fitted into a pylon sign framework;
“Surveyor”	means the Building Surveyor of the Local Government;

- “*tourist direction sign*” a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.
- “*verandah*” includes cantilever verandahs and balconies whether over thoroughfares or over private land;
- “*verandah sign*” includes any sign, above or below a verandah fascia;
- “*vertical sign*” means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;
- “*window sign*” means any sign fixed to or painted on the glazed area of a window of a building.

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.4

- 6.6.a indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement.
- 6.6.b In respect of that sign, effect and maintain a public liability insurance policy with a reputable insurer. The policy must include a cross liabilities clause, and be in the joint names of the sign owner and the Shire. The sum insured for any single event shall be \$1million.
- 6.6.c A copy of the above indemnification and insurance cover shall be forwarded to the Shire prior to the erection or display of a sign.

6.7 Requirements for particular signs

6.7.a Development Signs

A development sign shall be removed from the site within two (2) years from the date of the approval or when 80% of the lots in the subdivision have been sold, whichever is the sooner.

6.7.b Freestanding Signs

Freestanding or portable signs shall generally:

- not exceed 1m in height or width.
- not exceed an area of 1m².
- not be erected in any position other than immediately adjacent to the building or the business to which the sign relates.
- be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;

No more than one (1) portable sign shall be erected in relation to the one (1) building or business.

6.7.c Horizontal Signs

A horizontal sign shall:

- be fixed parallel to the wall of the building to which it is attached.
- not project more than 150mm from the wall to which it is attached.
- conform to the following table:

Minimum distance of sign above street	Maximum depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

6.7.d Illuminated Signs

An illuminated sign shall:

- have any boxing or casing in which it is enclosed constructed of incombustible material.
- where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage.
- have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with any written law with respect to the construction and maintenance of electrical installations for illuminated signs.
- be maintained to operate as an illuminated sign.
- not have a light of such intensity as to cause annoyance to the public or be a traffic hazard.
- not emit a flashing light.

6.7.e Information Panels

The Local Government may provide tourist or other information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

6.7.f Pylon Signs

A pylon sign shall:

- not have any part more than 6m above the level of the ground immediately below it.
- not exceed 4m² in area unless approved by the Local Government.
- 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 be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Local Government may authorise the erection of the sign at a distance less than 2m.
- not have any part less than 6m from another sign erected on the same lot.

Where pylon signs are to be erected on a lot on which a premise is erected or to be erected, the Local Government may require all the pylon signs to be incorporated into one sign in which case:

- all of the constituent or infill signs are of an equal size.

- one constituent or infill sign is provided for each business, shop or unit on the lot.

6.7.g Roof Signs

A roof sign shall comply with the following table:

Height of main building above ground level at point 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

6.7.h Rural Producer Signs

A rural producer sign shall:

- 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.
- not exceed 2m² in area.

6.7.i Service Station Signs

A maximum of 2 service station signs are permitted unless otherwise required by legislation. The signs shall:

- not exceed 0.8m² each side.
- be located wholly within the boundaries of the site, unless otherwise approved by the Local Government.
- be located so as to not cause a traffic or safety hazard to either vehicles or pedestrians.

6.7.j Service and Tourist Direction Signs

The CEO has delegated authority to approve applications for the erection and the removal of service and tourist signs subject to the sign meeting the current MRWA standards.

The Local Government is responsible for the approval, installation and routine maintenance for service and tourist signs on all roads except those under the control of MRWA (such as Chapman Valley Road and the North West Coastal Highway). In all cases the Local Government retains ownership of the signs and the right to relocate, modify or remove them as necessary.

6.7.k Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial or industrial area (or other areas as approved by the Local Government), if the lot is occupied and used for business or industrial purposes. Any such sign shall not exceed 1m in height, nor be within 3m of any street boundary, unless specifically approved by Local Government.

6.7.l Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising, shall be permitted to park for any lengthy period of time, as determined by Local Government, on any thoroughfare (other than within an approved carpark) with the exception of directly in front of the owner's residence.

6.7.m Verandah Signs

A sign fixed to the fascia of a verandah shall:

- shall not exceed 600mm in depth.
- shall not project beyond the fascia.

A sign under a verandah shall:

- not exceed 2.5m in length or 400mm in depth.
- be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets.
- be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

6.7.n Vertical Signs

A vertical sign shall:

- not project more than 50mm from the face of the building to which it is attached.
- not be within 600mm of either end of the wall to which it is attached.
- be of a height of at least twice its width.
- not be placed on a corner of 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.
- not exceed 750mm in width exclusive of the back projection.
- not exceed 2m² in total area on premises being a shop or office or both.

6.8 Unlawful Signage

Where a sign has been erected, placed or displayed without Local Government approval and/or is contrary to the provisions of the Local Planning Scheme and/or this policy, the following shall apply:

6.8.a The sign shall be removed by the owner upon a notice being served by the Local Government, with an appeal right for a period twenty eight (28) days from a notice being served being afford to the owner of the sign under the Act.

6.8.b Failure to remove the sign, or lodge an appeal, within the twenty eight (28) day period will constitute an offence under the Act, with the possibility of enforcement action being taken by the Local Government.

6.8.c If removed by the Local Government, the sign will be impounded at the Shire of Chapman Valley Depot in Nabawa for a maximum period of two (2) months, where:

- the sign may be collected by the owner upon payment of an impoundment fee in accordance with the Local Government's Schedule of Fees to be paid at the Shire Administration Offices.

- upon expiration of this time the Local Government may initiate proceedings to dispose of the sign and recover all costs from the owner in relation to this action.
- The Local Government may continue with enforcement action/prosecution in relation to 6.8.b above and in accordance with the provisions of the Act.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Local Government staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

“Act”	means the <i>Planning and Development Act 2005</i> ;
“advertisement”	has the same meaning as “sign”;
“advertising device”	means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;
“bill”	means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;
“business”	includes the conduct of a profession, trade or occupation;
“business direction sign”	means a sign erected in a public thoroughfare or public place which indicates the nature of the business that may be located by following the direction indicated by the sign, but does not include any such sign erected by the Commissioner of Main Roads under regulation 297 of the Road Traffic Code 2000;
“CEO”	means the Chief Executive Officer of the Local Government;
“Council”	means the Council of the Shire of Chapman Valley;
“depth”	unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign.
“development sign”	means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;
“district”	means the district of the Shire;
“electoral sign”	means a sign containing an advertisement relating to an election or to a referendum;
“exempt sign”	means a sign referred to in Statement 1 of this Policy;
“fascia sign”	means a sign erected or displayed on the fascia of a building or the fascia of a verandah;
“fly posting”	means advertising through the placement of posters on fences, walls, trees and like structures;
“freestanding sign”	means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

<i>“hoarding”</i>	means a 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; but does not include a hoarding within the meaning of Section 377 of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> ;
<i>“horizontal sign”</i>	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;
<i>“illuminated sign”</i>	means 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;
<i>“institutional sign”</i>	means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;
<i>“Local Planning Scheme”</i>	means an existing Local Planning Scheme of the Local Government made under the Act;
<i>“planning consent”</i>	means the approval granted by Local Government for the erection or display of a sign pursuant to the Local Planning Scheme;
<i>“premises”</i>	means land and, unless the context otherwise requires, the buildings upon that land;
<i>“public thoroughfare”</i>	includes a street, road, footpath , carriageway and all other parts of a road reserve;
<i>“pylon sign”</i>	means 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 infills may be added;
<i>“MRWA”</i>	means Main Roads WA;
<i>“reserve”</i>	includes land vested in, or under the care, control and management of the Local Government;
<i>“roof sign”</i>	means a sign erected on or above the roof of a building;
<i>“rural producer sign”</i>	means a sign erected on land zoned rural under a Local Planning Scheme indicating the products grown, reared or produced on the property;
<i>“sale sign”</i>	means a sign displayed on premises advertising the sale, letting or auction of the premises;
<i>“service direction sign”</i>	a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal , automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.
<i>“service station sign”</i>	means a sign used solely for the purposes of advertising the price of petrol, diesel, gas or other fuel products sold from the premises.
<i>“Shire”</i>	means the Shire of Chapman Valley;
<i>“sign”</i>	includes any advertising device or other sign type defined in this Local Law;
<i>“sign infill”</i>	means a panel which can be fitted into a pylon sign framework;
<i>“Surveyor”</i>	means the Building Surveyor of the Local Government;
<i>“tourist direction sign”</i>	a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.
<i>“verandah”</i>	includes cantilever verandahs and balconies whether over thoroughfares or over private land;
<i>“verandah sign”</i>	includes any sign, above or below a verandah fascia;
<i>“vertical sign”</i>	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;
<i>“window sign”</i>	means any sign fixed to or painted on the glazed area of a window of a building.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.4

7.5 SUBDIVISION STANDARDS

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.5



1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.5 – Subdivision Standards.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.44 To ensure a consistently high standard of subdivisions and subdivisional roads.
- 3.45 To ensure that subdividers and developers are treated in an equitable manner.
- 3.46 To maintain adequate fire control and protection measures.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

Civil engineering works associated with subdivision approval and development applications.

5.0 APPLICATION REQUIREMENTS

Subdivision and development undertaken within the Shire of Chapman Valley Local Government area is required to comply with the following documents and guidelines:

- Local Government Guidelines for Subdivisional Development.
- City of Greater Geraldton Land Development Specifications.
- Planning for Bushfire Protection Guidelines.

6.0 POLICY STATEMENT

6.1 Inspections

The period of notice required for the Local Government to carry out an inspection shall be 72 hours, unless otherwise agreed to by the relevant officer and/or Chief Executive Officer.

6.2 Subdivisional Roads

The Shire will generally require for subdivision of land consisting of 4 lots or more the construction of internal subdivision roads to a bitumen seal standard and a contribution to the upgrading of the local road network calculated proportionately to the increased volume of traffic likely to be generated by the subdivision.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Local Government staff require further consideration, the matter may be placed before a meeting of Council for consideration.

8.0 DEFINITION

Refer to the Local Government Guidelines for Subdivisional Development.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.5



SHIRE OF

Chapman Valley

love the rural life!

**Works & Services
Policy, Procedures
&
Guidelines Manual**

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

Version: 2

Reviews/Amendments

Title new / removed policy	Replacing Policy	Date
Annual Review	Minute Reference: 07/18-10	18 th July 2018
Review IMP-025 Road Hierarchy	Minute Reference: 08/18-3	15 th August 2018
Annual Review	Minute Reference: 07/19-4	17 th July 2019
Annual Review	Minute Reference: 03/20-13	18 th March 2020
Annual Review	Minute Reference: 03/21-10	17 th March 2021

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Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the Works & Services section of the organisation and form part of this manual to act a reference tool.

Procedures

CMP-001 Animal Welfare Act- General Inspectors

MANAGEMENT PROCEDURE No.	CMP-001
MANAGEMENT PROCEDURE	ANIMAL WELFARE ACT – GENERAL
RESPONSIBLE OFFICER	SENIOR RANGER
PREVIOUS POLICY/PROCEDURE No.	1.10
RELEVANT DELEGATIONS	

OBJECTIVES:

Appointment of Animal Welfare General Inspectors for the Shire of Chapman Valley

MANAGEMENT PROCEDURE STATEMENT/S:

Council endorses the appointment of the Rangers as General Inspectors within the Shire of Chapman Valley boundaries in accordance with the Animal Welfare Act 2002 with authorisation to use the Council owned vehicles and resources to perform these duties.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

CMP-002 Stock on Local Roads

MANAGEMENT PROCEDURE No.	CMP-002
MANAGEMENT PROCEDURE	STOCK ON ROADS
RESPONSIBLE OFFICER	SENIOR RANGER
PREVIOUS POLICY/PROCEDURE No.	1.20
RELEVANT DELEGATIONS	

OBJECTIVES:

Main Roads (WA) (MRWA) will provide guidance on reasonable precautions to be taken when droving stock across or along a state road and will also permit stock underpasses under state roads subject to the underpass meeting MRWA requirements.

The local government will follow MRWA guidance on reasonable precautions to be taken when droving stock across or along a local road and will also permit stock underpasses under local roads subject to the underpass meeting MRWA & the local government requirements.

These guidelines do not address the issue of straying stock in unfenced pastoral areas.

MANAGEMENT PROCEDURE STATEMENT/S:

1.0 Stock Movements on Road Reserves

The person in charge of moving stock across or along a road does not need formal permission from the local government. However, they will need to comply with the policy, procedures, technical advice and guidelines stipulated by MRWA. This information can be obtained from the MRWA website www.mainroads.wa.gov.au

Costs

The person in charge of the stock is responsible for the supply, installation and removal of the road traffic signs and devices associated with the stock movement on a road.

2.0 Stock Underpasses under Local Roads

General

A stockowner may install an underpass under a local road subject to compliance with the requirements of MRWA and/or local government conditions/guidelines. There are conditions on the design, construction, and maintenance.

Costs

There is no fee required from the local government to process an application. The applicant shall be responsible for all costs associated with the design, construction, maintenance and ongoing whole of life costs of the underpass structure.

Design and Construction

For sections of the underpass within and at the boundary of the road reserve, the design shall be approved by the local government and the construction shall be undertaken by the local government or local government's approved consultants and/or contractors.

Maintenance

The landowner shall be responsible for the ongoing whole of life maintenance of the underpass. The maintenance of the underpass includes removal of fouling and repair of any damage to the road infrastructure within the road reserve. A Restrictive Covenant/Notification will be placed on the title of the land owned by parties benefiting from the use of the underpass, which identifies the maintenance obligations in relation to the

underpass being the responsibility of the landowner and must meet with the requirements of the relevant party (either the local government or MRWA dependent upon the road responsibility status) in the event the land is sold or transferred at any time in the future.

3.0 Approval – Stock Underpass

Applications

A person wishing to install a stock underpass must submit an application to the local government.

Approval

Approval of an application shall include a condition for a Stock Underpass Agreement be signed by both the applicant and the local government before commencement of any work in the road reserve and shall indicate the extent, if any, of the local government's contribution to funding the underpass.

4.0 General

The removal or covering of stock crossing signs when not in use is mandatory. Signs that are displayed while not in use may bring all signage into disrepute and may result in motorists disregarding important warnings. When not in use signs must be covered so they are not visible in all light conditions.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	03/07-7
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/21-10

CMP-005 Use of Plant – Fire Fighting

MANAGEMENT PROCEDURE No.	CMP-005
MANAGEMENT PROCEDURE	USE OF PLANT – FIRE FIGHTING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.60
RELEVANT DELEGATIONS	

OBJECTIVES:

To stipulate the authority for the use of Shire Plant & Equipment in the event of a bush fire

MANAGEMENT PROCEDURE STATEMENT/S:

The Chief Executive Officer or if unable to be contacted, staff in the priority order listed below, can authorise use of Shire's Plant and Machinery for firefighting purposes within or outside the Shire boundaries: -

- Deputy Chief Executive Officer
- Manager Works & Services
- Shire President
- Deputy Shire President

Shire Plant must be driven by Shire employees who will be paid by the Shire during normal working hours, but Plant is also available out of normal working hours on the condition the Shire employee(s) operate Plant as volunteers without payment. However, if an employee wishes to claim payment for hours worked outside normal hours, rather than providing this service on a voluntary basis, they are to be paid in accordance with their Award for the time worked. In such a situation the Shire is to negotiate with DFES compensation for additional costs incurred. Recompense of the additional cost incurred by the Shire to negotiate with DFES prior to committing the employee to work the overtime outside of normal hours.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32
	SC07/15-2

CMP-014 Sports Ground

MANAGEMENT PROCEDURE No.	CMP-014
MANAGEMENT PROCEDURE	SPORTS GROUND
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY No.	4.90
RELEVANT DELEGATIONS	

OBJECTIVES:

Protect the playing surface of the Nabawa Sporting Complex oval.

MANAGEMENT PROCEDURE STATEMENT/S:

The area defined for the sports oval be used solely for the purpose of pedestrian team sports unless otherwise determined by the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 06/17-13, 03/20-13; 03/21-10
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CMP-017 Collection of Native Seeds

MANAGEMENT PROCEDURE No.	CMP-017
MANAGEMENT PROCEDURE	COLLECTION OF NATIVE SEED
RESPONSIBLE OFFICER	MANAGER OF WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	4.130
LEGISLATION	BIODIVERSITY CONSERVATION REGULATIONS 2018 (REGULATION 60)
RELEVANT DELEGATIONS	

OBJECTIVES:

To ensure that the person making application to collect native seeds has necessary qualifications and licenses

MANAGEMENT PROCEDURE STATEMENT:

This Operational Procedure provides the eligibility criteria for permission to collect native seeds from road reserves within and under the management of the Shire.

To be eligible to collect native seeds from Road Reserves within the Shire it must be carried out subject to the following:

- All persons collecting native seed are licensed in accordance with the relevant legislation and will abide by the conditions of this License.
- Permission is for a 12-month period and to be reviewed annually.
- The letter of approval only allows for collection by the applicants' staff members.
- Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.
- All care will be taken to avoid the disturbance of fauna habitation.
- All care will be taken to avoid any disturbance that may lead to soil degradation.
- All legislative requirements are fully complied with (e.g. Environmental Protection (Clearing of Native Vegetation) Regulations 2004 & Biodiversity Conservation Regulations 2018).
- Australian Standard Traffic Management signage is erected in accordance with legislation for picking undertaken on a road reserve.
- The CEO has the delegated authority under section 5.42 of the Local Government Act 1995 to approve applications for Individuals/Groups/Companies/Government Departments to collect native seeds from the road reserves within and under the management of the Shire of Chapman Valley.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4, 03/20-13

CMP-027 Disposal of Abandoned Vehicles

MANAGEMENT PROCEDURE No.	CMP-027
MANAGEMENT PROCEDURE	DISPOSAL OF ABANDONED VEHICLES
RESPONSIBLE OFFICER	SENIOR RANGER
PREVIOUS POLICY/PROCEDURE No.	6.110
RELEVANT DELEGATIONS	1011

OBJECTIVES:

To provide guidance to officers responsible for the disposal of abandoned vehicles in the custody of the Shire and to delegate authority to the Chief Executive Officer to undertake the disposition process on behalf of the Shire. (*Local Government Act (1995) section 3.40 to 3.47*)

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire impounds vehicles, which are abandoned in the district or are placed in positions which cause obstructions.

After all statutory processes have been followed the Shire may then dispose of the vehicles in order to defray the costs of this operation.

Following compliance with all statutory provisions relating to the impounding of abandoned vehicles and their custody, the Shire will dispose of such vehicles in the most efficient and economic manner.

The vehicles are to be advertised for sale to the highest bidder in a suitable newspaper. Bids for the purchase of vehicles are to be treated as though they were tenders for the purposes of reception, storage, opening and recording of offers.

The highest bid for any vehicle shall be accepted.

Bidders are to arrange removal of the vehicle from the Shire premises (or where it impounded) at a mutually agreed date and time at the bidder's expense.

Any vehicles that have not been disposed of after advertising as above may be disposed of by any appropriate means.

Authority to administer this Operational Procedure and accept bids for abandoned vehicles and arrange for their disposal is delegated to the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	02/14-30
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

CMP-029 Decontamination of Agricultural Vehicles within Townsites

MANAGEMENT PROCEDURE No.	CMP-029
MANAGEMENT PROCEDURE	DECONTAMINATION OF AGRICULTURAL SPRAYING VEHICLES WITHIN TOWNSITES
RESPONSIBLE OFFICER	MANAGER OF WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	7.10
RELEVANT DELEGATIONS	

OBJECTIVES:

To set conditions for the decontamination of agricultural spraying vehicles within townsites including Western Region localities (e.g. Parkfalls Estate, Dolby Creek Estate, Harbour Lights Estate, Coffee Pot Estate, Buller and Waggrakine)

MANAGEMENT PROCEDURE STATEMENT:

This Operational Procedure applies to all registered agricultural spraying operators and private operators (farmers) in the townsites of the Chapman Valley Shire:

The scope of registered pesticides covers the control of plants (herbicides), insects (pesticides), and fungi (fungicides).

If an operator requires decontaminating a vehicle within a townsite, there are two options available which may be used only at a registered premises or other site approved premises or other site approved by the Shire i.e.

1. Hand washed, using a damp cloth. There should be no run-off or ground contamination from this option. Any liquid used for washing is deemed pesticides reinstate and must be disposed of in accordance with Health (Pesticides) Regulations 2011 (No running water).
2. A pest control vehicle may be washed down using running water if it is on an impervious bunded area, with an impervious lined sump and protected from rain (roofed). Any liquid from the wash down is deemed pesticide reinstate and must be disposed of in accordance with Health (Pesticides) Regulations 2011.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4, 03/20-13

CMP-037 Permit – Landowners Spraying of Shire Controlled Reserves/Land

MANAGEMENT PROCEDURE No.	CMP-037
MANAGEMENT PROCEDURE	PERMIT - LANDOWNERS SPRAYING OF SHIRE CONTROLLED RESERVES/LAND
RESPONSIBLE OFFICER	MANAGER OF WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	10.30
RELEVANT DELEGATIONS	

OBJECTIVES:

To allow landowners to spray Shire controlled reserves and land under the Permit System.

MANAGEMENT PROCEDURE STATEMENT:

Refer to CMP-072 for other conditions and guidelines.

This Permit authorise the applicant to carry out contract spraying on Shire controlled reserves/land.

The conditions of such permission are:

- (1) Applicant must ensure full compliance with all legislation relevant to clearing native vegetation.
- (2) Applicant must only use chemical authorised by suppliers including mix, strength and levels.
- (3) Instructions and guidelines of the manufacturer/suppliers for chemical use are to be adhered to at all times.
- (4) Method(s) of application must be to the Shire's satisfaction (if required).
- (5) Chemical spraying application must take into consideration wind speed and direction to avoid spray drift.
- (6) Contractor is to avoid natural/manmade watercourses that could be polluted due to chemical over sprays.
- (7) Advice must be given to all neighbouring lands owners prior to spraying of chemicals to be used, method of application, along with date and time spraying will be carried out.
- (8) Contractor is to ensure no damage is incurred upon any rare flora or fauna in the area of spray. Such areas are to be identified prior to spraying commencing.
- (9) Contractor is to ensure road signs are erected warning that spraying is in process. Standard of signage will be that set by the Shire. Contractor must work between these warning signs at all times.
- (10) Contractor is to attach a flashing light to the cab of vehicle being used for spray application and have this light and the vehicle hazard lights flashing at all times spraying is being carried out.
- (11) Contractor is to ensure they (or their employees) comply with the requirements of the Occupational Health Safety Act 1984 and Health Act 1911 and associated Regulations for the handling, spraying and storage of chemicals.
- (12) The Shire will not accept any liability for claim resulting from the contractor carrying such works on Shire controlled reserves/land for loss/damage incurred upon the contractor or any third party.
- (13) Contractor is to produce documentation to the Shire confirming they have an appropriate Public Liability Insurance Policy prior to permission being granted for them to carry out such works on the Shire's behalf.

This Operational Procedure must be current during the request time of contract works being carried out.

This Operational Procedure must confirm that there are no exclusions arising out of the application of chemicals on Shire controlled reserves/land.

Applicants must apply for a Permit from the Chief Executive Officer who is authorised to approve/disapprove any application.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4, 03/20-13
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CMP-038 Declared Plants – Spraying Unit

MANAGEMENT PROCEDURE No.	CMP-038
MANAGEMENT PROCEDURE	DECLARED PLANTS - SPRAYING UNIT
RESPONSIBLE OFFICER	MANAGER OF WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	10.50
RELEVANT DELEGATIONS	

OBJECTIVES:

Control use of Shire owned plant and equipment.

MANAGEMENT PROCEDURE STATEMENT:

The Shire will refrain from carrying out declared or other nuisance plant spraying on private property and will not hire out spraying unit for private use.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4, 03/20-13

CMP-061 Litter

MANAGEMENT PROCEDURE No.	CMP-061
MANAGEMENT PROCEDURE	LITTER
RESPONSIBLE OFFICER	SENIOR RANGER
PREVIOUS POLICY/PROCEDURE No.	15.190
RELEVANT DELEGATIONS	

OBJECTIVES:

Set guidelines for dealing with instances of littering.

MANAGEMENT PROCEDURE STATEMENT/S:

Where ownership or identification can be established for rubbish and litter deposited on roadsides or reserves within the Shire, immediate infringement be carried out unless the offender agrees to clean up litter immediately. Prosecution will be implemented at the discretion of the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

CMP-072 Voluntary Care & Maintenance Works on Shire Controlled / Owned Land

MANAGEMENT PROCEDURE No.	CMP-072
MANAGEMENT PROCEDURE	VOLUNTARY CARE & MAINTENANCE WORKS ON SHIRE CONTROLLED/OWNED LAND
RESPONSIBLE OFFICER	MANAGER OF WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	NIL
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

Refer to CMP-037 for other conditions and guidelines.

The verge (nature strip) is the area between the edge of the road and the private property boundary. Street verges are public domain and important for the installation of necessary services such as drainage, power and communication lines, it is important to have rules to manage the safety, access and appearance.

Shire controlled verges are owned by the Crown but managed by the Shire. The purpose of a street verge is to:

- provide a buffer between the road and private property where common public facilities may be placed; and
- provide a section of land where essential services such as power, gas and telecommunications can be placed.

This Management Procedure aims to establish clear and concise conditions and guidelines for volunteers to undertake care and maintenance works on land under the control and or ownership of the Shire.

This Management Procedure needs to be read in conjunction with the Shire of Chapman Valley's Activities in Thoroughfares and Public Places and Trading Local Law. In the event there is any contradiction between the Local Law and Procedure the Local Law will take precedence.

MANAGEMENT PROCEDURE STATEMENT:

Volunteers undertaking care and maintenance works on land under the control and/or ownership of the Shire are to adhere to the following conditions:

1. Work on Road Verges and Reserves

- (i) All activities and work being undertaken by volunteers on land under the control/ownership of the Shire must not adversely affect the public use of such land.

Pedestrians and other public users of land under the control/ownership of the shire will always have primary use of the land and all activities and work being undertaken by volunteers on this land is to cease immediately when such public use is occurring;

- (ii) Unless otherwise approved by the Chief Executive Officer, spraying of chemicals is strictly prohibited to ensure there is no spray-drift onto adjacent land;
- (iii) Burning materials is strictly prohibited;
- (iv) Use of Ride On, Self-Propelled, push mowers, slashers, brush-cutters, etc. is permitted under the condition all mowed material is always discharged away from the road running surface.

Such use is permitted subject to the volunteer staying a safe distance away from the road running surface at all times;

- (v) Use of all machinery during total fire ban periods is strictly prohibited;
- (vi) Manual weeding, edging, etc. is permitted subject to the volunteer staying a safe distance away from the road running surface;
- (vii) Disturbing the horizontal and/or vertical alignment of the road verge, table drains, culverts, footpaths, etc. is strictly prohibited and any such disturbance, which requires reinstatement will be undertaken by the Shire at the volunteer's costs;
- (viii) Any damage to property crossover(s) (permanent or temporary) incurred by the volunteer whilst undertaking works on Shire controlled/owned land is to be rectified by the volunteer, to the Shire's satisfaction and at the volunteers' cost;
- (ix) Any damage to all other private property (e.g. fences, signs, buildings, plant & equipment, flora, fauna, vehicles, etc.) whether on private or public land incurred by the volunteer whilst undertaking works on Shire controlled/owned land is responsibility of the volunteer;
- (x) No structure, item of plant or machinery is to be left on the Shire controlled/owned land under any circumstance. If such items are left on the land the Shire has the right to impound these items and seek recompense from the owner of the items and/or the volunteer(s) involved;
- (xi) Declared rare and protected flora is not to be disturbed under any condition. The volunteer(s) undertaking work on Shire controlled/owned land will be responsible to ensure there is no such disturbance and will be liable for any fines and charges as stipulated in legislation if such disturbance occurs;

It is imperative the volunteers enquire into the existence of declared rare and protected flora before proceeding with any works on the land;

- (xii) The volunteer must not disturb any roadside furnishings (e.g. signs, guidepost, etc.). Any such disturbance must be reported to the Shire immediately. The Shire will arrange reinstatement of the item(s) and may seek recompense of cost associated with this work from the volunteer(s);
- (xiii) Fire hydrants cannot be disturbed under any circumstances. This includes, yet is not limited to:
 - a) Damage to the hydrant lid;
 - b) Covering the hydrant lid with any material;
 - c) Damage or relocation of any signage or indicators associated with the hydrant.
- xiv) All rubbish deposited on the land under the control/ownership of the Shire resulting from works undertaken by the volunteer(s) is to be removed by the volunteer(s). If such removal does not occur to the satisfaction of the Shire this work can be undertaken by the Shire and cost recovered from the volunteer(s);
- xv) Controlled grazing of Shire road reserves is strictly prohibited. Such an activity on other controlled/owned Shire land may be considered upon application, yet no guarantee is given on approval;

2. Work on Medium Strips on Road Reserves

Due to safety and liability issues work on medium strips on Shire controlled road reserves is strictly prohibited.

3. Public Works

The Shire will always retain the right to carry out public works on land under the Shire's control/ownership and is not liable to replace or restore any verge treatment and, in particular, any plant or any acceptable material or other hard surface or sprinklers, pipes or other reticulation equipment, etc.

4. Firebreaks

A person shall not construct a firebreak on a thoroughfare without first obtaining a permit from the Shire. Some areas of the Shire do not permit firebreaks as a fire control measure; therefore, permission for firebreaks on thoroughfares in these areas will not be granted;

5. Public Liability Insurance

The Shire has cover for Public Liability protection, which provides cover for the Shire in relation to all sums for which the Shire shall become legally liable to pay by way of compensation in respect of:

- ~ Public Liability
 - a) Personal Injury
 - b) Damage to Property
- ~ Products Liability
- ~ Professional Indemnity

(The above are defined in the protection wording)

Shire volunteers conducting authorised Shire activities are deemed to be protected under this policy, subject to the wording limits, extensions and exclusions.

If a volunteer is approached by a third party in relation to personal injury or damage to property, for which they believe the Shire (or the volunteer) to be responsible, the volunteer must direct the person to their responsible manager.

Under no circumstances does the Shire give permission for the volunteer to admit liability or attempt to resolve the issue.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	02/16-15
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Reviewed/Amended – Council Resolution:	07/19-4; 03/20-13
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IMP-001 Equipment & Machinery

MANAGEMENT PROCEDURE No.	IMP-001
MANAGEMENT PROCEDURE	EQUIPMENT & MACHINERY
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	12.10
RELEVANT DELEGATIONS	

OBJECTIVES:

Stipulate staff responsibilities in association with the use of Shire plant and equipment.

MANAGEMENT PROCEDURE STATEMENT/S:

STAFF RESPONSIBILITY

If certain items of equipment are assigned to a staff member, that person is required to carry out the daily servicing of the equipment as set out in the manufacturer's handbook.

It is the employee's responsibility to inform the supervisor if they have any limitations that may affect the safe operation of any piece of plant or equipment.

The employee must ensure that any plant and equipment that they operate is in a safe and mechanically sound condition. The employee is to carry out an inspection of each item of plant immediately prior to its use to ensure that oil levels, pressures, coolant level, battery charging rates, etc are correct.

This Operational Procedure is to include all drivers and operators of plant, equipment and shire vehicles.

All defects or irregularities are to be reported to the Works Supervisor and/or the employee is to complete a defect report. If the Works Supervisor and the mechanic consider that there is a safety risk or that permanent damage will result from using an item of plant, the Works Supervisor may direct that the plant be stood down until repairs are made.

The employee is required to assist with the care and maintenance of plant, especially the larger items used daily. No new parts are to be fitted or adjustments made without the knowledge and agreement of the Works Supervisor.

The employee is not to operate any items of plant or equipment unless they have been certified by the Works Supervisor as competent to operate that equipment. The employee's competency and abilities to operate plant and equipment will be kept on record.

The interiors of shire vehicles and plant must be kept clean and free from all loose objects. These can become lethal hazards in the event of an accident.

MAINTENANCE OF PLANT AND EQUIPMENT DAILY CHECK

- all oils
- water
- lights
- tyres
- battery
- ensure defects are reported

MAINTENANCE OF PLANT & EQUIPMENT AS SPECIFIED IN MAINTENANCE MANUAL

- grease all lube fittings

- check wheel studs and nuts
- check all V belts
- check radiator hoses
- check and clean air cleaner
- clean out cab
- any other items specified

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

IMP-003 Plant Maintenance Report

MANAGEMENT PROCEDURE No.	IMP-003
MANAGEMENT PROCEDURE	PLANT MAINTENANCE REPORT
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	12.40
RELEVANT DELEGATIONS	

OBJECTIVES:

To provide Councillors & Staff with a report on the maintenance requirements of plant & equipment

MANAGEMENT PROCEDURE STATEMENT/S:

The Manager Works & Services shall report to each Ordinary Council meeting detailing maintenance performed, breakdowns, action taken to rectify, and other items requiring the Shire's attention.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-004 Tools

MANAGEMENT PROCEDURE No.	IMP-004
MANAGEMENT PROCEDURE	TOOLS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	12.50
RELEVANT DELEGATIONS	

OBJECTIVES:

To identify ownership of shire tools & equipment

MANAGEMENT PROCEDURE STATEMENT/S:

All tools and equipment purchased to be either engraved or stencilled and be marked with the identification tag (e.g. "Shire of Chapman Valley", "CVSC", SoCV).

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

IMP-005 Staff Use of Plant

MANAGEMENT PROCEDURE No.	IMP-005
MANAGEMENT PROCEDURE	STAFF USE OF PLANT
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	14.80
RELEVANT DELEGATIONS	

OBJECTIVES:

To offer assistance to employees to use Shire plant for private works

This is not applicable to tools & equipment and is for plant only as determined by the Chief Executive Officer and is to be read in conjunction with IMP-007 & IMP-019

MANAGEMENT PROCEDURE STATEMENT/S:

In recognition of its interest in the welfare of its employees the Council authorises the Chief Executive Officer to allow after hours personal usage of plant to employees subject to the following:

- Usage will be permitted within the Shire boundary area only, to those employees who are conversant with the operating capabilities of the plant they propose to use and is not to be utilised for obtaining any personal financial gain from a third party.
- Where the use, or intended use, of plant is likely to conflict with usage by the Shire of that plant, then permission will not be given.
- Unless specific justification can be provided to show otherwise, usage of Shire plant is restricted to certain items of machinery, as determined by the Chief Executive Officer.
- Hire rates will be the private works rate(s) set by the Shire, less the labour and administration costs.
- A private works application must be completed.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-006 Sale of Used Grader Blades

MANAGEMENT PROCEDURE No.	IMP-006
MANAGEMENT PROCEDURE	SALE OF USED GRADER BLADES
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	14.200
RELEVANT DELEGATIONS	

OBJECTIVES:

To allow second-hand/used grader blades to be a source of income for the staff social club

MANAGEMENT PROCEDURE STATEMENT/S:

Second hand grader blades are donated to the Shire Staff Social Group at no cost for them to dispose as they see fit and all funds obtained for the sale of these items be allowed to remain with the Shire Staff Social Group.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-007 Use of Shire Tools & Equipment

MANAGEMENT PROCEDURE No.	IMP-007
MANAGEMENT PROCEDURE	USE OF SHIRE TOOLS & EQUIPMENT
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	14.210
RELEVANT DELEGATIONS	

OBJECTIVES:

To control the use of Shire owned Tools and Equipment. This needs to be read in conjunction with IMP-005.

MANAGEMENT PROCEDURE STATEMENT/S:

It is illegal for an employee (or any other person) to utilise public owned assets for their own personal purposes, therefore obtaining some form of benefit of a public asset.

Tools and equipment that belong to the Shire must only be used under authorisation and for the purpose of repair, maintenance, upgrade, etc. of Shire owned property and assets.

Each individual supervisor is responsible for tools and equipment under their control and has been instructed to ensure this policy is adhered to.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-008 Crossovers

MANAGEMENT PROCEDURE No.	IMP-008
MANAGEMENT PROCEDURE	CROSSOVERS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.10
RELEVANT DELEGATIONS	

OBJECTIVES:

To set conditions and guidelines associated with the installation of crossovers

MANAGEMENT PROCEDURE STATEMENTS:

INDUSTRIAL AND COMMERCIAL

Industrial and Commercial crossover widths at property boundaries shall be at a standard 4 metres for a distance of 2.1 metres from the property boundary, then tapered to a standard width of a maximum of 8 metres. The cost of the first standard crossover only shall be borne one half by the Shire up to a maximum of \$500 and one half by the owner/occupier and the cost of additional widths if required up to a maximum of 11 metres and/or additional crossovers being paid in full by the owner/occupier.

The crossovers shall be a minimum 150mm compacted gravel and bitumen sealed standard off sealed roads and compacted gravel off gravel roads. Bitumen sprayed in two applications, total rate of 2.7 litres/square metre. 14mm aggregate to be applied and rolled after first application, and 10mm aggregate applied and rolled after second. Where concrete is requested and the cost is above the standard, the extra cost shall be borne by the owner and/or occupier. The concrete shall be 150mm - 25MP test or equivalent.

RESIDENTIAL

Residential crossovers width at property boundaries shall be at a standard of 3 metres for a distance of 2.1 metres from the property boundary, and then tapered to a standard of 6.5 metres. The cost of the first standard crossover only shall be borne one half by the Shire up to a maximum of \$500 and one half by the owner/occupier with the cost of additional widths, if required up to a maximum of 6.5 metres and/or additional crossovers, being paid in full by the owner/occupier.

The minimum standard crossover shall be a 150mm compacted gravel standard or bitumen sealed standard off sealed roads and compacted gravel off gravel roads with culvert(s) and end-walls installation being to a standard as determined by the Shire. Bitumen sprayed in two applications, total rate of 2.7 litres/square metre. 14mm aggregate to be applied and rolled after first application, and 10mm aggregate applied and rolled after second. Where concrete is requested and the cost is above the standard, the extra cost shall be borne by the owner and/or occupier. The concrete shall be 100mm - 25MP compression test or equivalent.

RURAL, RURAL SMALLHOLDING AND RURAL RESIDENTIAL CROSSOVER POLICY

Rural, Rural Smallholding and Rural Residential crossover widths at property boundaries shall be at a standard 4 metres for a distance of 2.1 metres from the property boundary, then tapered to a standard width of a maximum of 8 metres. The cost of the first standard crossover only shall be borne one half by the Shire up to a maximum of \$500 and one half by the owner/occupier and the cost of additional widths if required up to a maximum of 11 metres and/or additional crossovers being paid in full by the owner/occupier.

The minimum standard crossovers shall be 150mm compacted gravel off sealed or unsealed roads, with culvert(s) and end-walls installation being to a standard as determined by the Shire.

In the event a property owner requires a bitumen crossover the bitumen shall be sprayed in two applications, total rate of 2.7 litres/square metre. 14mm aggregate to be applied and rolled after first application, and 10mm aggregate applied and rolled after second.

All cost for a crossover type greater than the 125mm compacted gravel minimum standard is to be met in total by the property owner.

DRAINAGE

All draining (e.g. culverts, end walls, etc.) will be at a standard set by the Chief Executive Officer and will take into consideration to specific circumstance of each individual crossover application

CONTRIBUTION

Contractor Installation

- i) An application must be submitted using the Shire's standard form and prior approval must be obtain before any works commence;
- ii) Shire Staff will undertake inspections of the proposed work and during installation. The Shire contribution will only be paid if the crossing installation is fully compliant with the standards set by the Shire;
- iii) Any non-compliance will result in a request being made of the owner/occupier to undertake remedial works to ensure crossover is brought up the standards set by the Shire. If the owner/occupier refuses to undertake remedial works as requested the Shire will either remove the crossover and reinstate the land or undertake the remedial works. In both case the cost of the works undertake will be charged to the owner/occupier at the Shire Private Works Rates and if necessary legal action taken to recover such costs if not paid.

Shire Installation

Except in the case of a Government authority or department where a proper work authority shall be sufficient, where the Shire has agreed to undertake the construction work it will require prepayment by the owner/occupier for their 50% contribution as calculated by the Shire. This contribution must be paid in advance by the owner/occupier before any works are to commence.

Where a second crossover is to be installed it is to be so in accordance with the aforementioned standards crossing specifications and the total cost is to be met by the owner/occupier.

MAINTENANCE

Maintenance of all crossovers shall be the responsibility of the owner/occupier.

LEVEL

The general level of crossover at the fence line is to be a minimum of 75mm above the back of the kerb (if existing) to the centre crown of the road.

The maximum level below the centre crown of the road is to be 300mm. However, if the property has a large rise or fall from the roadway and if there is no constructed footpath a level must be obtained from the Shire before proceedings.

If there is a constructed footpath the level is to match the footpath.

KERBING

Where road kerbing is of a non-mountable or semi mountable barrier type the kerbing shall be removed as necessary and neatly joined to the flush kerbing with insitu concrete.

The existing insitu barrier kerbing shall be cut with a concrete cutting saw. The existing precast barrier kerbing shall be removed without damage to pavement or remaining kerbing.

Reinstatement must be made to kerbing, concrete, paving or bitumen road surface damage during the crossing construction.

Where the road kerbing is of mountable extruded concrete type such kerbing is not to be removed and the crossing constructed is to finish level, matching the extruded kerbing.

CROSSOVER LOCATION

Vehicle crossovers, including wings, shall not be constructed closer than 6 metres from the property line intersection point at corner sites, unless otherwise determined by the Chief Executive Officer. Crossovers must be constructed at right angles to the road. In cul-de-sacs and other mitigating circumstances approval may be given for a variation to this requirement upon landowner application.

OTHER

The area shall be cleaned of debris, bitumen, concrete products, etc. on completion of the work.

The public shall be protected by erection of adequate signs, barriers, flashing warning lamps, temporary bridges or any other necessary safety items.

Any requirements placed on the construction or location of a crossover by the Shire must be complied with.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 08/15-6; 07/19-4

IMP-011 Pipes Across Roads

MANAGEMENT PROCEDURE No.	IMP-011
MANAGEMENT PROCEDURE	PIPES ACROSS ROADS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.90
RELEVANT DELEGATIONS	2012

OBJECTIVES:

To set guidelines and condition for placing pipes under Shire roads

MANAGEMENT PROCEDURE STATEMENT/S:

In accordance with Clause 9(4) of the Local Government (Uniform Local Provisions) Regulation 1996 conditions under which pipes will be allowed to be placed beneath roadways, are as follows:

1. Pipe shall be a minimum of 450 mm below the surface of a road.
2. The applicant or subsequent owner to be responsible for the cost of repair or replacement when the pipe has been damaged during the carrying out of roadworks.
3. The applicant or subsequent owner shall remove the pipe when directed to do so by the Shire.
4. Written application must be lodged with the Shire requesting authorisation and providing a map of where pipes will cross the road prior to any works beings commenced.
5. Works shall be carried out in accordance with the Shire’s requirements and at the owner’s costs.
6. The road surface is to be reinstated to the Shire’s satisfaction and at the owners cost.
7. The Shire encourage boring under road reserves rather than excavation.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-012 Gates Across Road Reserves

MANAGEMENT PROCEDURE No.	IMP-012
MANAGEMENT PROCEDURE	GATES ACROSS ROAD RESERVES
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.100
RELEVANT DELEGATIONS	2011

OBJECTIVES:

To set guidelines and condition for placing gates across Shire roads

MANAGEMENT PROCEDURE STATEMENTS:

In accordance with Clause 9(4) of the Local Government (Uniform Local Provisions) Regulation 1996 conditions under which gates will be allowed across roadways, are as follows:

1. The structure is to be maintained in a condition satisfactory to the Shire.
2. The structure is to be removed by the applicant or subsequent owner when directed to do so by the Shire.
3. Approval of gates shall include the installation of a swinging gate for vehicle access and a large opening gate for machinery access.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4

IMP-013 Fence Line Clearing

MANAGEMENT PROCEDURE No.	IMP-013
MANAGEMENT PROCEDURE	FENCE LINE CLEARING
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.120
RELEVANT DELEGATIONS	

OBJECTIVES:

To set guidelines and condition for landowners clearing fence line on land adjoin Shire roads

MANAGEMENT PROCEDURE STATEMENT/S:

Where a property owner clears his fence line, all material is to be placed inside their own property for disposal.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

IMP-014 Drains & Culverts

MANAGEMENT PROCEDURE No.	IMP-014
MANAGEMENT PROCEDURE	DRAINS AND CULVERTS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.140
RELEVANT DELEGATIONS	

OBJECTIVES:

Set timing for the ongoing maintenance of Shire drains & culverts

MANAGEMENT PROCEDURE STATEMENT/S:

All major drains and culverts to be cleaned out by the Shire on an annual basis (the beginning of each year) to prevent any build-up of rubbish in the drain, thus preventing any restriction in water flow.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

IMP-015 Finishing Off Work Areas

MANAGEMENT PROCEDURE No.	IMP-015
MANAGEMENT PROCEDURE	FINISHING OFF WORK AREAS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.170
RELEVANT DELEGATIONS	

OBJECTIVES:

To ensure works are finished off in a satisfactory manner.

MANAGEMENT PROCEDURE STATEMENT/S:

Shire staff be instructed to remove all debris from work areas and ensure areas are left in neat and tidy condition prior to leaving.

The procedure of tidying up a work area is considered part of the works project being carried out.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

IMP-016 Code of Practice for Working in the Vicinity of Services

MANAGEMENT PROCEDURE No.	IMP-016
MANAGEMENT PROCEDURE	CODE OF PRACTICE FOR WORKING IN THE VICINITY OF SERVICES
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.180
RELEVANT DELEGATIONS	

OBJECTIVES:

To advise staff of the Code associated with working in the vicinity services.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire has a legal “Duty of Care” to observe when working in the vicinity of Service Lines.

The process for discharging this Duty of Care in relation to such Lines is to be in accordance with the “Utility Providers Code of Practice for WA”.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23
	06/15-18; 03/17-32

MANAGEMENT PROCEDURE No.	IMP-017
MANAGEMENT PROCEDURE	ROAD WORK FUNDING ALLOCATION PROCESS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.220
RELEVANT DELEGATIONS	

OBJECTIVES:

To set guidelines and procedures for categorising road hierarchy network and funding allocation priorities

MANAGEMENT PROCEDURE STATEMENT/S:

1. Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).
2. Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).
3. Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).
4. Taking into account the delegations under Infrastructure Policy IMP-022, Council review existing Heavy Haulage Roads.
5. Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).
6. Councillors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer’s report or directly to the meeting.
7. No changes to be made to any of the above unless fully endorsed by Council.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23 06/15-18; 03/17-32

MANAGEMENT PROCEDURE No.	IMP-019
MANAGEMENT PROCEDURE	PRIVATE WORKS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.70
RELEVANT DELEGATIONS	2008

OBJECTIVES:

To provide direction regarding the use of Shire resources for the completion of Private Works

This does not include Tools & Equipment (See Procedure IMP-007)

This Procedure also needs to be read in conjunction with Procedures IMP-005.

MANAGEMENT PROCEDURE STATEMENTS:

The philosophy of the Shire in relation to Private Works is the Shire approves of staff competing for commercial Private Works on the basis of the following:

1. The Shire recognises that, from time to time, residents may require assistance in the form of the provision of equipment and operators to assist in undertaking Private Works. In order to ensure that the Shire's own workload is not adversely affected, the following general conditions will be applied to the provision of Private Works.
2. Where practical, all Private Works are to be performed during overtime hours and charged at the overtime rates to avoid interruption to the Shire's works program.
3. Prior to the commencement of the Private Works, the client is to agree:
 - (a) to pay for all works done;
 - (b) to make immediate payment upon service of the account; and
 - (c) no further Private Works are to be undertaken for a client until previous accounts for works have been paid.
4. Upon completion of the works, the client is to agree the works have been completed to their satisfaction, and that the record of hours worked is correct.
5. The client is to pay for all travel time to and from the job from the Shire's operating base at that time. Operating costs shall include wages (at overtime rate), public works overheads, plant operation costs, on costs, administration and depreciation.
6. A minimum of one (1) hour hire for all plant hired for Private Works will be charged in accordance with the Schedule of Fees and Charges adopted as part of the budget each financial year.
7. No plant is to be hired without the Shire's operator, except sundry plant.
8. The Chief Executive Officer may submit quotes and complete for "commercial" type works, that is, works other than those of a small or residential nature. Works are not to be quoted for or completed for unless Shire's plant is in the area doing other programmed works or will shortly be shift to the area to perform programmed works unless the work is sufficiently large enough to warrant the Shire shifting the plant to the townsite.
9. The philosophy of the Shire in relation to Private Works is the Shire approve of staff competing for commercial Private Works on the basis of the following:

- a) That the Roadworks Program set by Council at its Budget Meeting is not unduly affected to appoint that there is a large number of carry over projects into the next financial year. The Shire historically has several projects carried over from one year to the next however, these projects are to be jobs comprising of predominately wages, overheads and plant operations costs e.g. gravel sheeting.

It is generally understood the programmed jobs that attract outside funding e.g.. Regional Road Group or Black Spot funding are completed as a priority in any given year.

- b) That Private Works undertaken must not be at a loss to the Shire.
- c) It is understood that by undertaking Private Works, those employees on wages have the opportunity to gain extra financial reward as the majority of private works involves working overtime.
- d) It is the responsibility of the CEO to maintain a “balanced” approach between taking on Private Works projects and maintaining the Shire’s existing infrastructure.
- e) The Shire expects the existing road network is maintained and does not suffer as a direct result of undertaking Private Works projects
- f) Shire staff need to be aware of the sensitivities of competing in areas that are not the Shire’s specialty e.g. Dams. It is acknowledged the Shire does have the knowledge, ability, machinery and skills to undertake private works which involve road construction and subdivisions for example.

Reports of Private Works

All private works undertaken by Shire Staff are to be listed in the Works Supervisor's information report for presentation at the Ordinary Council Meeting.

Plant Hire (Restrictions)

All Private Works hire of Shire plant is to be within the Shire boundaries unless prior approval has been obtained from the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4

IMP-020 Midwest Regional Road Group (MWRRG) Significant Roads

MANAGEMENT PROCEDURE No.	IMP-020
MANAGEMENT PROCEDURE	MIDWEST REGIONAL ROAD GROUP (MWRRG) – SIGNIFICANT ROAD POLICY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.40; IP-001
LEGISLATION	STATE ROAD COUNCIL / REGIONAL ROAD
RELEVANT DELEGATIONS	

OBJECTIVES:

To list roads under the control of the Shire of Chapman Valley as those recognised by the Mid-West Regional Road Group as *Significant Roads*.

MANAGEMENT PROCEDURE STATEMENT:

Roads under the control of the Shire of Chapman Valley recognised as being significant roads by the Mid-West Regional Road Group are: -

Rd No.	Road Name	RAV Category
19	Balla Whelarra	6
130	Chapman Valley	-
34	Coronation Beach	4
8	Dartmoor	6
21	Dartmoor Lake Nerramyne	6
12	East Bowes	6
1; 15 & 14	~ Durawah; ~ Station (<i>between Durawah & Station Valentine Rd Junctions</i>), ~ Station Valentine	6
150	East Chapman	6
16	East Nabawa	6
10	Nanson Howatharra	4
7	Narra Tarra	4
131	Northampton – Nabawa	6
132	Yuna – Tenindewa	7
13	Valentine	6,7

ADDITIONAL EXPLANATORY NOTES:

The above list of *Significant Roads* are the only roads eligible for funding through the Mid-West Regional Road Group Program.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/18-10; 07/19-4

IMP-022 Heavy Haulage Vehicle Permits

MANAGEMENT PROCEDURE No.	IMP-022
MANAGEMENT PROCEDURE	HEAVY HAULAGE VEHICLE PERMITS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.110; IP-003
LEGISLATION	ROAD TRAFFIC ACT, 1974 – HEAVY VEHICLE
RELEVANT DELEGATIONS	2012

OBJECTIVES:

To identify a heavy haulage route for roads under the control of the Shire of Chapman Valley.

POLICY STATEMENT/S:

The Shire adopt the current approved Main Roads WA's Restricted Access Vehicle (RAV) roads and conditions associated with approved roads within the Shire of Chapman Valley.

Procedures for the establishment of a new or amendment to an existing Heavy Haulage Route:

- a) Application to be sent to MRWA Heavy Vehicle Services (HVS) - Route Assessment Section.
- b) HVS to forward application to Shire of Chapman Valley for comments.
- c) Shire staff inspect route to determine suitability in accordance with basic MRWA criteria.
- d) Shire staff put recommendation to MRWA to reject or progress the application.
- e) MRWA HVS will send the application to MRWA regional office to inspect route and make appropriate recommendation back to MRWA HVS
- f) MRWA HVS reviews the route assessment then approves or rejects route and advised Shire of Chapman Valley accordingly.

Once a route has been approved it remains relevant to all operators who then make direct application to MRWA for a permit (not to the Shire).

Refer to the current Main Roads WA's Restricted Access Vehicle (RAV), website (links below) for the approved list of roads within the Management Procedure;

<https://www.mainroads.wa.gov.au/UsingRoads/HeavyVehicles/notices/Pages/pmtc.aspx>

<https://mrapps.mainroads.wa.gov.au/RavNetworkMap>

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	04/04-23
Reviewed – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/16-11; 07/18-10;03/21-03

IMP-023 Gravel Acquisitions

MANAGEMENT PROCEDURE No.	IMP-023
MANAGEMENT PROCEDURE	GRAVEL ACQUISITIONS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.150.1; IP-004
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 – SECTION 3.27
RELEVANT DELEGATIONS	

OBJECTIVES:

LEGISLATION

Section 3.27 of the Local Government Act 1995 states: -

Particular things Local Governments can do on land that is not Local Government property –

1. A Local Government may, in performing its general functions, do any of the things prescribed in Schedule 3.2 even though the land in which it is done is not Local Government property and Local Government does not have consent to do it;
2. Schedule 3.2 may be amended by Regulation; and
3. If Schedule 3.2 expressly states that this subsection applies, subsection (1) does not authorise anything to be done on land that is being used as a site or curtilage of a building or has been developed in any other way, or is cultivated.

Schedule 3.2: -

Take from land any native growing or dead timber, earth, stone, sand or gravel that, in its opinion, the Local Government requires for making or repairing a thoroughfare, bridge, culvert, fence or gate.

Schedule 3.36 applies: -

Deposit and leave on land adjoining the thoroughfare any timber, earth, stone, sand, gravel and other material that persons engaged in making or repairing a thoroughfare, bridge, culvert, fence or gate do not, in the Local Governments opinion, require.

Section 3.22 applies: -

1. If a person who is –
 - a) The owner or occupier of land granted in fee simple; or
 - b) The occupier of land held under lease or on conditional terms of purchase from the crown, except for pastoral or timber purposes, has sustained damage through the performance by a Local Government of its functions under this Act, the Local Government is to compensate the person if the person requests compensation unless it is otherwise expressly stated in Sub Section (5) or in Schedule 3.1 or 3.2.

PROCEDURE STATEMENT/S:

ACQUISITION GUIDELINES

Following are the procedures Shire Staff will undertake when attempting to secure road building materials from private land: -

- a) The Chief Executive Officer and/or Works Supervisor shall approach landowners and request acquisition from their property by way of right of entry to search for materials.
- b) If suitable materials are located a written agreement (as attached) is to be reached with the landowner for compensation for materials removed.
- c) Payment for road building materials acquired from the landowner will be in accordance with the Shire's schedule of payments, which form part of this policy.
- d) Should agreement for the removal of road building not be reached with the landowner, procedures to take such materials in accordance with the Legislation detailed in the Local Government Act, 1995 will be considered by Council prior to commencement.
- e) Once gravel has been pushed it legally becomes the property of the Shire and will be paid for in accordance with the measurements undertaken by the Manager of Works & Services at the time gravel is removed from the property.

COMPENSATION

Compensation for all road building materials taken will be in the form of a cash payment at the following rates:

\$1.50 per Cubic Metre	Exclusive of GST
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PRIVATE WORKS

The Shire will not pay for gravel acquisitions by way of private works in lieu on behalf of the landowner. However, is prepared to undertake private works for the landowner in accordance with the private works rate set by the Shire and at a time best suited for the Shire.

Landowners will be invoiced for private works undertaken and payment made to the Shire as per all other private work activities.

BORROW PIT REHABILITATION

The Shire shall rehabilitate borrow pits, which are no longer suitable for use.

The Shire will rehabilitate borrow pits as an ongoing procedure over several years, if necessary, as the road building material is acquired to spread the cost across a number of years and diminish the burden upon ratepayers.

The Shire endorses the following method of rehabilitation: -

- Cross rip the pit floor at 1 metre spacing prior to reinstating overburden, etc.
- Level/batter the pit with sides no steeper than a gradient of 1 in 4.
- Reinststate overburden.
- Reinststate topsoil.
- Cross rip again at 1 metre across contours.
- Reinststate stock piled vegetation (if any).

OTHER PROPERTY REHABILITATION

At the time the Shire is acquiring gravel it gives an assurance to the landowner that the following matters will be addressed: -

- Internal haul roads will be reinstated.

- All fences disturbed will be reinstated.

AGREEMENT

An agreement will be provided to the landowner detailing (yet not limited to) the following matters: -

- Owner’s details.
- Materials required.
- Estimated volume required.
- Locations.
- Compensation
- Additional rehabilitation requirements (other than those listed in the Policy).
- An area for the landowner to formerly sign their consent
- An area for the Shire to accept.

EXCAVATION

All existing internal tracks, where possible, are to be utilised and will be maintained by the Shire for the duration of the works and on its completion.

Excavation is not to encroach any closer than 10 metres from any fence line and any damage to fences, gates, access roads, etc., is to be repaired at the cost to the Shire.

DELEGATED AUTHORITY

The Shire of Chapman Valley delegates authority to the Chief Executive Officer to implement Shire’s Gravel Acquisition Procedure.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Reviewed – Council Resolution:	04/06-5; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/18-10; 03//21-10

IMP-024 Roadside Vegetation Policy – Road Construction

MANAGEMENT PROCEDURE No.	IMP-024
MANAGEMENT PROCEDURE	ROADSIDE VEGETATION POLICY – ROAD CONSTRUCTION
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.160; IP-005
LEGISLATION	ENVIRONMENTAL PROTECTION (CLEARING OF NATIVE VEGETATION) REGULATIONS 2004 AND THE SHIRE'S ACTIVITIES IN THOROUGHFARES AND TRADING IN LOCAL LAW)
RELEVANT DELEGATIONS	

OBJECTIVES:

To set Policy on vegetation activities within the road reserves under the control of the Shire.

It must be understood the Activities in Thoroughfares & Trading Local Law will always take precedence over Policy & procedure if there is any contradiction.

POLICY STATEMENT/S:

(This Policy must be read in conjunction with the requirements of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the Shire's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law)

Trees and scrub shall be removed as necessary for cuts, fills and general drainage works. However, every care shall be taken to preserve trees and scrub wherever possible.

Roadworks

1. Trees and scrub shall be removed and kept clear to the top of the back cut of the table drain.
2. Some selective clearing may be done on the inside of curves of restricted radii to improve visibility.
3. Heavy weed growths on road shoulders may be slashed or treated with chemicals.
4. Fire hazards resulting from heavy weed growths on natural treeless areas and where no wildflowers grow may be slashed if adjacent to cropped areas upon notification of the Shire.
5. Townsite streets and footpaths may be treated with chemicals.
6. Roadside vegetation clearance during road works is to avoid pushing vegetation against fences.
7. Any clearing on road reserves must be in accordance with the requirements of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004

General

1. Reinstatement of trees with introduced varieties may be considered for rural areas damaged during construction.
2. In townsite areas trees shall be planted on opposite side of the roadway to existing power lines. Trees growing to a maximum height of 4-5 metres are to be planted wherever possible.
3. Chemicals shall be used on declared pest plants.
- 4(a) If a landowner is having problems with native vegetation growing through their fence they are permitted to prune a branch or limb causing the problem. All other vegetation clearance on a reserve is to be in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and Shire Local Laws.
- 4(b) The Chapman Valley Shire agree to make available, free of charge, Shire plant and operator during normal working hours to any landowner who wishes to either clear a fence line or rip land in preparation for revegetation under the following conditions: -

- (i) The road is considered by the Shire to be of such a narrow width that any future roadwork enhancements will result in the clearance of a majority of vegetation from this road reserve.
 - (ii) That the landowner is prepared to set his fence back a recommended minimum of 20 metres from the roads centre and revegetate this section of land; or
If the fence is to remain where it is, the landowner is prepared to revegetate a corridor inside his fence line of a recommended minimum of 20 metres from the roads centre.
 - (iii) Such work will be carried out at the Shire's convenience and where practicable be incorporated into the roadwork's program for this location or when plant is within close proximity to the location in question.
 - (iv) Such work will be carried out within Shire budgeting constraints for road works during that particular financial year.
 - (v) All land will remain in the ownership of the original landowner when a fence set-back procedure is undertaken unless otherwise negotiated by the Shire and the Landowner where there will be no change to existing land title.
The original boundary fence line is to be delineated to ensure it can easily be identified where Shire and landowner responsibilities are.
- 4(c) The landholder shall not be entitled to remove any trees or scrub from the road reserve under either of these options.
5. Maintenance of the road reserve trees or scrub shall be the responsibility of the Shire.
6. Landowners clearing vegetation in accordance with this policy, Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and Shire Local Laws are to ensure all vegetation is push onto their adjacent private property and not left on the reserve.

Tree Planting

In reference to the Shire's Activities in Thoroughfares & Trading Local Law the following conditions apply (other than were specified in the Shire's Development Guidelines)

- 1. No tree planting will be permitted on twenty-metre-wide road reserves.
- 2. On road reserves greater than twenty metres no vegetation is to be planted within 9 metres of the outside of the road pavement. This condition is relevant to the road reserve only and not private/public land adjacent to the road reserve.
- 3. On road reserves greater than twenty metres no vegetation must be planted within five metres of the top of the back cut of the table drain. This condition is relevant to the road reserve only and not private/public land adjacent to the road reserve.
- 4. Trees must not be planted under power lines.
- 5. Trees planted on road reserves become Shire property and may be removed at any time at the Shire's discretion if the trees become a hazard or interfere with future road works.
- 6. Where trees are planted on a private basis the planting, watering and maintenance of the trees is entirely the responsibility of the adjoining landholder who undertakes the planting.

The entire Road Verges Policy shall be administered at the discretion of the Chief Executive Officer.

Planting of Vegetation by Developers within the Shire of Chapman Valley

The Shire allow for the planting of vegetation within the road reserve by the developer, on the understanding that:

- (a) The vegetation must not be planted under any power lines;
- (b) The vegetation must to be maintained by the developer for at least two years from the planting, which includes the attendance of watering and pruning (if required);
- (c) The vegetation is not to be planted in locations that will potentially interfere with line of sight from road intersection or driveway, with determination of this matter delegated to the Chief Executive Officer;

- (d) The Shire will not replace any vegetation on verges, medium strips, etc. after the two (2) year developer maintenance period other than in the following areas;
 - (i) Shire adopted Streetscape Plans, Development Plans, etc.;
 - (ii) Town Sites of Nanson, Nabawa & Yuna.
- (e) Local residents and landowners are encouraged to maintain their own verges under the condition they are aware of the necessary safety and liability issues associated with the practice of activities on thoroughfares and public places.
- (f) Vegetation planted on road reserves become Shire property and may be removed at any time at the Shire's discretion if the vegetation become a hazard or interfere with future road works.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	12/03-5
Reviewed – Council Resolution:	04/06-5; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/18-10

IMP-025 Road Hierarchy

POLICY NO	IMP-025
POLICY	ROAD HIERARCHY
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.200; IP-006
LEGISLATION	STATE ROAD COUNCIL / REGIONAL ROAD GROUP
RELEVANT DELEGATIONS	

OBJECTIVES:

To establish an agreed road hierarchy for roads under the control of the Shire of Chapman Valley

POLICY STATEMENT/S:

Following is the agreed road hierarchy for the Shire of Chapman Valley, reviewed annually at the time Council is allocating resources and funding for the forthcoming year to ensure all mitigating circumstances are taken into account and adjustments made accordingly.

A - MAIN ARTERIAL ROADS

Rd No.	Road Name	RAV Category
19	Balla Whelarra	6
130	Chapman Valley	-
34	Coronation Beach	4
8	Dartmoor	6
21	Dartmoor Lake Nerramyne	6
12	East Bowes	6
1; 15 & 14	~ Durawah; ~ Station (<i>between Durawah & Station Valentine Rd Junctions</i>), ~ Station Valentine	6
150	East Chapman	6
16	East Nabawa	6
10	Nanson Howatharra	4
7	Narra Tarra	4
131	Northampton – Nabawa	6
132	Yuna – Tenindewa	7
13	Valentine	6,7

B - MAIN FEEDER ROADS

Rd No.	Road Name	RAV Category
7	Naraling - East Yuna	6
6	Nolba Road (to Nolba Stock Route Junction)	6
51	Nolba Stock Route	6
4	Wandana	6
5	Wandin	6
95	White Peak	-

C - MINOR FEEDER ROADS

Rd No.	Road Name	RAV Category	Rd No.	Road Name	RAV Category
52	Balaam	4	98	Baugh	4
68	Bella Vista	4	23	Bindoo	4
133	Calder Place	-	50	Cannon Whelarra	6
125	Coffee Pot Drive	-	47	Coonawa	6
70	David	-	18	East Dartmoor	6
151	Eliza Shaw Drive	-	135	Green Drive	-
67	Hickety	4	11	Indialla Road (Townsite)	4
37	James	-	94	Kerr Dartmoor	6
126	Mills Place	-	9	Murphy Norris	4
99	Murphy Yetna	4	82	Nabawa Yetna	4
96	Nolba Rockwell	4	22	North Dartmoor	6
39	St John	4	15	Station (other than section between Durawah & Station Valentine Rds Junctions (See Category A)	6
114	Tenindewa North	6	97	Wheeldon - Hosking	6
108	Yuna South	4			

D – MAJOR ROAD ACCESS

Rd No.	Road Name	RAV Category	Rd No.	Road Name	RAV Category
45	Binnu East	4	44	Brooks	-
40	Burton Williamson	6	42	Campbells	4
46	Dartmoor Harris	4	27	Dindiloa	6
35	Durawah Northern Gully	6	24	Forrester Brooks	6
100	East Terrace	-	20	Marrah	6
60	Mt Erin - Nabawa	4	49	Murrays	-
31	Newmarracarra	4	69	Oakajee	4
28	Olsen	4	55	Parks	4
121	Richardson	6	127	Ridley	-
30	South Whelarra	6	88	Scott	4
53	Urch	4	41	Valentine Williamson	6
93	Wandana Exten	4	128	Wokarena	-

E – MINOR ACCESS ROADS

Rd No.	Road Name	RAV Category	Rd No.	Road Name	RAV Category
136	Ahern Place	-	75	Angels	-
115	Badgegong	-	134	Baston Close	-
72	Beatty Hasleby	-	162	Brown Lane	-
	Bawden Lane	-		Beaufort Close	-
149	Bunter Way	-	112	Burges	-
80	Butcher Knife	-	178	Cahill Rise	-
43	Caratti	-	147	Carey	-
163	Cargeeg	-	154	Carol	-
113	Cooper St (Nanson)	-	177	Copperhill Junction	-
154	Cogley	-	159	CV Access (Nabawa)	-
61	Crabbe	4	140	Dillistone	4
143	Dixon Place	-	138	Dolby Place	-
173	Dune Vista	-	100	East Terrace	-
153	East Terrace Acc	-	71	Eastough Yetna	-
58	Fairview Farm	-	91	Farrells Back	-
160	Flavel	-	56	Fong	-
32	Forrester	-	124	Goodletts	-
105	Gould	-	73	Gray Dindiloa	6
148	Hackett	-	170	Harmony Place	-
36	Hayward	6	78	Heelan Maloney	-
79	Heelan Mellish	-	156	Hester	-
172	Hilltop Loop	-	63	Hipper	-
86	Hotel	-	64	Jacky Jupp	4
158	James Eastough Close	-	179	Joon Vista	-
139	Kennedy	-	144	Lacey	-
101	Lauder	-	89	Lewis	-
76	Lorimer	-	122	Marrah Spur	-
25	McGauran	4	59	McKay	-
26	McNaught Mazzuchelli	6	164	Merino Fairway	-
110	Mills	-	54	Morcom	6
171	Mumbelarra Drive	-	111	Murphy	-
38	Thompson-Reidy	6	120	Norman's Well	-
87	Norris	-	65	O'Donnell	-
84	Old Nabawa Northampton	3	107	Old Nolba	-
175	Patten Place	-	165	Parmelia Boulevard	-
166	Pitchford Crest	-	120	Post Office	-
66	Protheroe	4	167	Redcliffe	-
109	Reynolds	-	146	Rewell	-
141	Royce	-	85	Post Office	-
152	River	-	129	Richards	-
106	Snell	-	142	Smith	-
57	State Farm	6	168	Stirling	-
145	Wells	-	117	Warr	6
62	Whitehurst –Tetlow	-	176	Westlake Place	-
118	Williamson	6	169	Wittenoorn Circle	-
104	Yarra	-			

ADDITIONAL EXPLANATORY NOTES:

This Management Procedure needs to also take into account Infrastructure Management Procedures IMP-017; IMP-022; IMP-025 and the following:

**SHIRE OF CHAPMAN VALLEY
ROAD HIERARCHY
ROAD TYPE & CRITERIA**
(see *Attachment A* for Category Description & Function)

CRITERIA	MRWA ROADS	SHIRE OF CHAPMAN VALLEY – LOCAL ROADS				
	PRIMARY DISTRIBUTOR (see Note 2) (PD)	SIGNIFICANT ROADS (ROADS 2030) MAIN ARTERIAL ROADS (A)	MAIN FEEDER ROADS (B)	MINOR FEEDER ROADS (C)	MAJOR ACCESS ROADS (D)	MINOR ACCESS ROAD (E)
<i>Primary Criteria</i>						
1. Location (see Note 3)	All of WA incl. BUA	Non-Built Up &/or Built Up Area.	Non-Built Up &/or Built Up Areas.	Non-Built Up &/or Built Up Areas.	Non-Built Up &/or Built Up Areas.	Non-Built Up &/or Built Up Areas.
2. Responsibility	Main Roads Western Australia.	Shire of Chapman Valley	Shire of Chapman Valley	Shire of Chapman Valley	Shire of Chapman Valley	Shire of Chapman Valley
3. Degree of Connectivity	Predominantly connects to other Primary and Distributor roads.	High. Predominantly connects to Primary and/or other Distributor roads.	High. Predominantly connects to Category A roads.	Medium. Predominantly connects to Category B roads.	Medium. Predominantly connects to Category C roads	Low. Provides mainly for property access.

4. Predominant Purpose	Movement of inter-regional and/or cross town/city traffic e.g. freeways, highways and main roads.	Roads recognized under the Midwest Roads 2030 Regional Strategy for Significant Roads. Criteria specified for this Road Type as stipulated by the Mid West Regional Road Group is shown at Attachment C .	High order local government roads, which perform a similar function to Category A roads yet with reduced capacity. These are roads ineligible and not recognised in the Midwest Roads 2030 Regional Strategy as Significant Roads, yet form a main feeder role within the Shire's road network to/from Primary Distributor (PD) & Main Arterial (Category A) roads. These roads will also have: <ul style="list-style-type: none"> • Significant commercial agricultural activity to road and feeder roads; • Significant collector road for PD & A Category roads 	Roads which are not PD, Category A or B yet which link to/from these roads for efficient movement of people and goods within the Shire. These are medium order local government roads which provide for: <ul style="list-style-type: none"> • lower number of properties servicing commercial agricultural activities; • Access to a specific facility; • Local traffic only. 	Connect predominantly to other Shire Roads as access routes only. Not district (shire) local feeder roads, yet which are designed for efficient movement of people and goods from properties to PD, Category A, B or C roads These are lower order local government roads which provide for: <ul style="list-style-type: none"> • lower number of properties servicing commercial agricultural activity than Category C roads; • Local traffic only. 	Provide local access to abutting properties and predominantly link (yet not limited to) Category D roads. Includes unformed roads/tracks within a road reserve used by the public
Secondary Criteria						
5. Indicative Traffic Volume (AADT)	In accordance with Classification Assessment Guidelines.	In accordance with the <i>Significant Roads Categories & Road Type Description</i> sections of the Mid West Regional Road Group <i>Policy & Procedures Manual</i> (See Extract from MWRRG Policy Manual at Attachment B)	Not specified, yet should be greater than C; D & E category Roads	Not specified, yet should be greater than D & E category Roads	Not specified, yet should be greater than E Category Roads	Not specified.
6. Recommended Operating Speed	50 – 110 km/h (depending on design characteristics).	50 – 110 km/h (depending on design characteristics, RAV conditions).	50 – 110 km/h (depending on design characteristics, RAV conditions).	50 – 110 km/h (depending on design characteristics, RAV conditions).	50 – 110 km/h (depending on design characteristics, RAV conditions).	50 – 110 km/h (depending on design characteristics, RAV conditions).
7. Heavy Vehicles permitted	Yes. (as determined by MRWA Heavy Vehicle Services)	Yes. (Subject to RAV Category & Conditions)	Yes. (Subject to RAV Category & Conditions)	Yes. (Subject to RAV Category & Conditions)	Yes. (Subject to RAV Category & Conditions)	Yes. (Subject to RAV Category & Conditions)

8. Intersection treatments	Controlled with appropriate measures e.g. high-speed traffic management, signing, line marking, grade separation.	Controlled with measures such as signing and line marking where appropriate. Line marking installs in accordance with MRWA guidelines.	Controlled with minor Local Area Traffic Management or measures such as signing.	Controlled with minor Local Area Traffic Management or measures such as signing.	Controlled with minor Local Area Traffic Management or measures such as signing or Self-controlling with minor measures.	Controlled with minor Local Area Traffic Management or measures such as signing or Self-controlling with minor measures.
9. Frontage Access	None on Controlled Access Roads. On other routes, preferably none, but limited access is acceptable to service individual properties.	Yes	Yes	Yes	Yes	Yes.
10. Pedestrians	Preferably none. Crossing should be controlled where possible.	Yes, with minor safety measures where necessary.	Yes, with minor safety measures where necessary.	Yes, with minor safety measures where necessary.	Yes, with minor safety measures where necessary.	Yes, with minor safety measures where necessary.
11. School Buses	Yes.	Yes.	Yes.	Yes.	Yes.	Yes
12. On-Road Parking	No (emergency parking on shoulders only).	<u>Built Up Area</u> Yes, where sufficient width and sight distance allow safe passing. <u>Non-Built Up Area</u> No. Emergency parking on shoulders only.	<u>Built Up Area</u> Yes, where sufficient width and sight distance allow safe passing. <u>Non-Built Up Area</u> No. Emergency parking on shoulders only.	<u>Built Up Area</u> Yes, where sufficient width and sight distance allow safe passing. <u>Non-Built Up Area</u> No. Emergency parking on shoulders only.	<u>Built Up Area</u> Yes, where sufficient width and sight distance allow safe passing. <u>Non-Built Up Area</u> No. Emergency parking on shoulders only.	<u>Built Up Area</u> Yes, where sufficient width and sight distance allow safe passing. <u>Non-Built Up Area</u> No. Emergency parking on shoulders only.
13. Signs & Line marking	Centrelines, speed signs, guide and service signs to highway standard.	Centrelines, speed signs, guide and service signs. In accordance with MRWA guidelines and where applicable. (Note: Speed signs not applicable on unsealed roads).	Speed signs and guide signs where applicable. (Note: Speed signs not applicable on unsealed roads).	Speed signs and guide signs where applicable. (Note: Speed signs not applicable on unsealed roads).	Speed signs and guide signs where applicable. (Note: Speed signs not applicable on unsealed roads).	Speed signs and guide signs where applicable. (Note: Speed signs not applicable on unsealed roads).
14. Rest Areas/Parking Bays	In accordance with Main Roads' <i>Roadside Stopping Places Policy</i> .	Not Applicable.	Not Applicable.	Not Applicable	Not Applicable.	Not Applicable.

DEFINITIONS/ACRONYMS

AADT	Annual Average Daily Traffic
ESA	Equivalent Standard Axles
Built Up Areas	See Note 3 below. The criteria was provided by the Western Australian Local Government Grants Commission (WALGGC).
MWRRG	Mid West Regional Road Group
MRWA	Main Roads Western Australia
Primary Criteria	A road, or road section, must meet all of these criteria to qualify for the category.
Secondary Criteria	These criteria are provided as indicators of the likely characteristics of a road designated under a particular road type. Ideally, a road should have all of these characteristics, but it is recognised that is unlikely to occur in a number of instances, particularly for traffic volumes in rural areas.
VPD	Vehicles Per Day

NOTES

1. The type designated to each road should represent the role that the road is intended to perform. It may not necessarily reflect the current conditions on the road.
2. Declared Roads under the Main Roads Act ('highways' and 'main roads')
3. Built Up Areas (as defined by the Western Australian Local Government Grants Commission)
Built up areas are identified because roads within them generally involve greater expenditure than roads in non-built up areas. This is because roads in built up areas:
 - have high traffic volumes;
 - have large numbers of intersections, necessitating intersection treatments, pavement markings, signs, etc.;
 - require kerbing for traffic control and or drainage;
 - require an asphalt surface where traffic volumes are high, or where noise reduction is important;
 - require underground drainage because surface drainage is impractical;
 - involve high cost of service alterations during reconstruction;
 - involve high costs because road works have to be carried out under heavy traffic.

The following definition is intended to limit built up areas to localities where the above conditions prevail.

Residential localities, which have lots with areas less than 0.45 ha, and commercial and industrial areas that meet the following criteria are classed as built up:

- at least half the blocks are developed;¹
- existing roads have a minimum standard of a gravel road for old subdivisions and a sealed road for new subdivisions.

Areas serving sporting complexes, schools and caravan parks are classed as built up where:

- they are located in an area which is developed as residential; or
- the existing roads serving these facilities are already sealed and kerbed.

A road connecting two built up areas is classed as a road in a built-up area where the connecting road is less than 300m in length.

¹ Roads within new subdivisions being developed in accordance with a Structure Plan should be designed and constructed in accordance with the planned use of the road once the area is fully developed. They should be categorised on the basis of the intended purpose.

ATTACHMENT A

DESCRIPTION & FUNCTION OF ROAD HIERARCHY CATEGORIES

Road Category	Description	Function
Main Roads WA Responsibility		
PD	Primary Distributor	Provide for major regional and inter-regional traffic movement and carry large volumes of generally fast-moving traffic. Some are strategic freight routes and all are State Roads. They are managed by Main Roads Western Australia.
Shire of Chapman Valley Responsibility		
A	Main Arterial (Significant Roads 2030)	Roads recognized under the Midwest Roads 2030 Regional Strategy for Significant Roads. Criteria specified for this Road Type as stipulated by the Mid West Regional Road Group is shown at Attachment C .
B	Main Feeder Roads	High order local government roads, which perform a similar function to Category A roads yet with reduced capacity. These are roads ineligible and not recognised in the Midwest Roads 2030 Regional Strategy as Significant Roads, yet form a main feeder role within the Shire's road network to/from Primary Distributor (PD) & Main Arterial (Category A) roads. These roads will also have: <ul style="list-style-type: none"> • Significant commercial agricultural activity to road and feeder roads; • Significant collector road for PD & A Category roads
C	Minor Feeder Roads	Roads which are not PD, Category A or B yet which link to/from these roads for efficient movement of people and goods within the Shire. These are medium order local government roads which provide for: <ul style="list-style-type: none"> • lower number of properties servicing commercial agricultural activities; • Access to a specific facility; • Local traffic only.
D	Major Access Roads	Connect predominantly to other Shire Roads as access routes only. Not district (shire) local feeder roads, yet which are designed for efficient movement of people and goods from properties to PD, Category A, B or C roads These are lower order local government roads which provide for: <ul style="list-style-type: none"> • lower number of properties servicing commercial agricultural activity than Category C roads; • Local traffic only.
E	Minor Access Roads	Provide local access to abutting properties and predominantly link (yet not limited to) Category D roads. Includes unformed roads/tracks within a road reserve used by the public

MWRRG ROAD TYPE CRITERIA

Road Type & Description	2 Formed	3 Gravel	4 Sealed	5 Sealed	6 Sealed	7 Sealed
New Construction ¹			4.0 m	7.0 m	8.0m – 9.0m	Passing Lane
Existing Road ²			<5.6m	5.6-7.0m	>7.0m	
AADT Range	0-30	31-50	51-100	101-500	501-1000	> 1000
Daily ESA Range	0-5	6-20	21-40	41-60	> 60	

¹ Seal widths are the minimum for new construction of the relevant Road Type

² Width range for the purpose of determining Road Type for existing roads

MID WEST REGIONAL ROAD GROUP
REGIONAL STRATEGY FOR SIGNIFICANT ROADS CRITERIA

1. Freight & Community Access

- 1.1 Roads connecting areas of significant population (>500).
- 1.2 A road which performs a district distributor function in major urban centres.
- 1.3 A road which forms part of an inter-regional route.
- 1.4 A road which links inter-regional or regional routes.
- 1.5 The development of parallel routes should be avoided.
- 1.6 A road which connects major transport terminals or connects a major transport terminal to a major route.
- 1.7 A road which serves a major resource or industrial site.
- 1.8 A road providing access to regional institutions or community service centres.
- 1.9 A road used for hauling grain from an off-road rail bin to a rail head.
- 1.10 A road which forms part of a regional heavy haulage route.
- 1.11 A road which provides access to a remote community with a population of more than 250.
- 1.12 A road which is the only land access between a remote community (population more than 50) and at least one town centre.

2. Tourism/Recreation

- 2.1 Roads which provide access to tourist attractions or recreation areas of State or regional significance.
- 2.2 Roads which form part of a State or regionally significant tourist drive.
- 2.3 Roads which have a high visual quality proven through a formal visual assessment using a methodology approved by the Australian Institute of Landscape Architects.
- 2.4 Roads which connect the region with a significant tourist destination and give travel time and distance savings.

3. Road Function

Whether the road services predominantly through traffic or local traffic.

DEFINITIONS

Regional Route: Shall be defined as a road that provides a connection between inter-regional routes or between areas of significant population.

Inter-Regional Route: Shall be defined as a road that provides the main connection between this region, other regions in the State and interstate.

Major Route: A road which provides both regional and inter-regional access.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	11/03-6
Reviewed – Council Resolution:	12/02-15; 05/15-23; 06/15-18; 04/16-14; 03/17-22; 07/18-10; 08/18-3; 03/19-11; 08/19-8; 03/20-3;03/21-03



SHIRE OF

Chapman Valley

love the rural life!

UNCONFIRMED MINUTES ROADS INFRASTRUCTURE COMMITTEE

21st FEBRUARY 2022

Council
Chambers
Nabawa

Committee Members gathered at the Council Chambers at 8:00am at which time some discussion on inspection places were undertaken. Members and Staff then travelled to various locations across the shire before formally convening the meeting in chambers later in the day.

Committee Purpose & Delegations

Undertake an annual review the following:

- Road Works Program
- Road Hierarchy
- Heavy Haulage Vehicle Permit Roads
- Any other works infrastructure item referred to the Committee by Council
- Review the plant

replacement program Delegation –

Nil

The Road Infrastructure Committee is comprised of:

All Councillors

Chief Executive Officer	(Observer)
Deputy CEO	(Observer)
Manager Works & Services	(Observer)
Works Leading Hand	(Observer)

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on WRITTEN CONFIRMATION of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

Jamie Criddle
CHIEF EXECUTIVE OFFICER

ROAD INFRASTRUCTURE COMMITTEE MEETING
21st FEBRUARY 2021
COUNCIL CHAMBERS, NABAWA

ORDER OF BUSINESS

1.0 Presiding Member (President)

2.0 Declaration of Opening / Announcements of Visitors

The Presiding Member, Cr Warr welcomed Elected Members and Staff and declared the meeting open at 2.57pm at the Council Chambers, Nabawa.

I would like to acknowledge the traditional owners of the land we are meeting on today, the Naaguja people, and we pay our respects to elders both past, present and emerging.

3.0 Announcements from the Presiding Member (President)

Nil

4.0 Record of Attendance

4.1 Present

Elected Members	In	Out
Cr Kirrilee Warr (President)	2.57pm	4.47pm
Cr Darrell Forth (Deputy President)	2.57pm	4.47pm
Cr Nicole Batten	2.57pm	4.47pm
Cr Liz Elliott-Lockhart	2.57pm	4.47pm
Cr Catherine Low	2.57pm	4.47pm
Cr Peter Humphrey	2.57pm	4.47pm
Cr Trevor Royce	2.57pm	3.38pm

Officers	In	Out
Jamie Criddle, Chief Executive Officer	2.57pm	4.47pm
Simon Lancaster, Deputy Chief Executive Officer	3.02pm	4.47pm
Esky Kelly, Manager of Works & Services	2.57pm	4.47pm
Marty Elks, Leading Hand Maintenance	2.57pm	4.47pm
Dianne Raymond, Manager Finance & Corporate Services	2.57pm	4.47pm

4.2 Apologies

Name
Cr Beverley Davidson

5.0 Disclosure of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*"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.”

Section 5.60B:

“a person has a **proximity interest** in a matter if the matter concerns –

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”

Regulation 34C (Impartiality):

“**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.”

Item No.	Member/Officers	Type of Interest	Nature of Interest
9.2	Cr Warr	Impartiality	Proximity financial member of CVAS and a current committee member
9.2	Cr Forth	Impartiality	Current committee member
9.2	Cr Elliott-Lockhart	Impartiality	CVAS road access McCagh Road and access

6.0 Petitions / Deputations / Presentations

Nil

7.0 Confirmation of Minutes from previous meetings

MOVED: Cr Forth

SECONDED: Cr Humphrey

COMMITTEE RECOMMENDATION

Recommend the Minutes Road Infrastructure Committee Meeting held on the 23rd February 2021 be confirmed as a true and accurate record of proceedings. **(Supplied under separate cover).**

**Voting F7/A0
CARRIED
Minute Reference RIC 02/22-1**

8.0 Items to be dealt with En Bloc

Nil

9.0 Agenda Items

- 9.1** Review of Shire Road Hierarchy
- 9.2** Proposed 2022/2023 Road Works Program & Review of Ten-Year Road Works Program
- 9.3** Review Heavy Haulage Vehicle Permit Roads
- 9.4** Review Plant Replacement Program

DISCUSSION ITEM:	9.1
SUBJECT:	REVIEW OF SHIRE ROAD HIERARCHY
PROPONENT:	CHIEF EXECUTIVE OFFICER & MANAGER WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1002
PREVIOUS REFERENCE:	MINUTE REFERENCE 03/21-03
DATE:	21 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.1(a)	Road Hierarchy Procedure (IMP-025)		✓

BACKGROUND

The purpose of this Item is to present the Committee the current endorsed *Road Hierarchy Management Procedure (IMP-025)* for discussion and review.

Council dealt with the Road Hierarchy Procedure (IMP-025) in isolation with the following being resolved the following at the March 2021 OCM:

“Minute Reference RIC 03/21-2

The Road Infrastructure Committee recommends Council endorses the Road Hierarchy Procedure (IMP-025) as presented at Attachment 9.1(a) without change.”

The current Shire of Chapman Valley endorsed roads/routes under the Roads 2040 Strategies for Significant Local Government Roads in the Mid West Region are as follows:

- Coronation Beach Road
- Balla Whelarra Road
- Dartmoor/Dartmoor Lake Nerramyne Route
- Durawah Road/Station Road (between Durawah & Station Valentine Rd Junctions)/Station Valentine Route
- Chapman Valley Road
- East Bowes Road
- East Chapman Road
- East Nabawa Road
- Narra Tarra Road
- Northampton Nabawa Road
- Valentine Road
- Yuna Tenindewa Road

An application has been lodged with the MWRRG for the Nabawa Yetna Road to also be considered a Significant Local Government Road as this road is currently recognised as a Local Distributor road in the Main Roads WA latest *Road Hierarchy for Western Australia* document. This listing should give the application support, yet the determining factors will be how the road meets the current assessment criteria set by the MWRRG for road to be considered Significant Local Government Road.

Two previous application by the Shire to have the Nolba Road & Nolba Stock Route considered as Significant Local Government Roads failed as these roads simply could not meet the minimum under assessment criteria.

The MWRRG Assessment Criteria can be found at Appendix 1 of the MWRRG Policy & Procedures Manual (see *Attachment C in Management Procedure IMP-025 (Attachment 9.1(a))*)

COMMENT

The existing *Road Hierarchy Procedure (IMP-025)* has all the roads within the Shire of Chapman Valley the local government is responsible for place into the following categories:

- A. Main Arterial Roads (Significant Roads and approved by the RRG only);
- B. Main Feeder Roads;
- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

A copy of the *Road Hierarchy Procedure (IMP-025)* is provided as **Attachment 9.1(a)** under separate cover.

In addition to the aforementioned Procedure, Council has also adopted the following Management Procedure (IMP-017) regarding the *Road Funding Allocation Process*:

MANAGEMENT PROCEDURE No.	IMP-017
MANAGEMENT PROCEDURE	ROAD WORK FUNDING ALLOCATION PROCESS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.220
RELEVANT DELEGATIONS	

OBJECTIVES:

To set guidelines and procedures for categorising road hierarchy network and funding allocation priorities

MANAGEMENT PROCEDURE STATEMENT/S:

1. *Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).*
2. *Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).*
3. *Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).*
4. *Taking into account the delegations under Infrastructure Policy IMP-022, Council review existing Heavy Haulage Roads.*
5. *Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).*
6. *Councillors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer's report or directly to the meeting.*
7. *No changes to be made to any of the above unless fully endorsed by Council.*

FINANCIAL IMPLICATIONS

Road Works remains the largest expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximised.

Long Term Financial Plan (LTFP):

The intention is the endorsed *Road Hierarchy* will complement the *Road Works Programs*, which will then complement the current Long Term Financial Plan (LTFP) and Asset Management Plan (AMP). The LTFP is updated annually to reflect the endorsed Road Works Program.

STRATEGIC IMPLICATIONS

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for. As previously mentioned, the Shire's Road Hierarchy identifies the priority roads into the following categories:

- A. Main Arterial Roads (Significant Roads and approved by the MWRRG only);
- B. Main Feeder Roads;

- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

It is also important the process stipulated in *Corporate Management Procedure IMP-017* to amend the Road Hierarchy is adhered to. This will ensure the integrity of the *Road Hierarchy* list and therefore the integrity of how Council allocates its resources to road works within the Shire.

Strategic Community Plan/Corporate Business Plan:

1.3	Maintain and enhance safety and security for the community	Review safe roads and infrastructure	Continue annual review of Road Hierarchy, Road Works Program, Plant Replacement Program
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CONSULTATION

The Chief Executive Officer consulted with the Manager Works & Services and Works Leading Hand when reviewing the Road Hierarchy presented to Council.

RISK ASSESSMENT

There is a risk the integrity of the Road Hierarchy may be compromised if the conditions listed in *Management Procedure IMP-017* to amend the Road Hierarchy are not adhered to. However, this risk is considered **insignificant**:

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Forth

SECONDED: Cr Batten

ROAD INFRASTRUCTURE COMMITTEE/STAFF RECOMMENDATION (Option 1)

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Procedure (IMP-025)* as presented at **Attachment 9.1(a)** without change.

**Voting F7/A0
CARRIED
Minute Reference RIC 02/22-2**

STAFF RECOMMENDATION (Option 2) Lapsed

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits* as presented with the following changes:

- 1.
- 2.

DISCUSSION ITEM:	9.2
SUBJECT:	PROPOSED 2021/2022 ROAD WORKS PROGRAM & REVIEW OF TEN YEAR ROAD WORKS PROGRAM
PROPONENT:	CHIEF EXECUTIVE OFFICER and MANAGER WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1002
PREVIOUS REFERENCE:	MINUTE REFERENCE 03/21-3
DATE:	21 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.2(a)	Proposed 10 Year Road Works Program		✓
9.2(b)	Current 10 Year Road Works Program		✓

BACKGROUND

The purpose of this Item is to present Councillors with a proposed 2022/2023 & Ten-Year Road Works Programs for consideration.

Determination from the Road Infrastructure Committee will form a recommendation to Council for consideration and endorsement for allocation of funding and resources to the forthcoming Draft Budget.

COMMENT

Council resolved the following at the March 2021 OCM:

Council receive the Road Infrastructure Committee Minutes and endorse the recommendations within i.e.

“Minute Reference RIC 03/21-5

The Road Infrastructure Committee recommends Council endorse the 10 Year Road Works Program 2021/22 to 2030/2031 as presented at Attachment 9.2(a) with the following changes and this Program be used as a basis for resource allocation into the Draft 2021/2022 Budget:

- i. Extend seal on McCagh Road to Golf Club entrance;*
- ii. Remove Parkfalls Estate Shoulder works from future Program road works;*
- iii. Ensure own resource projects from previous year not completed are prioritised in 2021/2022 budget;*
- iv. Budget consideration for additional roadworks staff member*
- v. Concept Forum discussion on investigating improvement options Parkfalls Estate bridle paths; and*
- vi. Traffic Counters to be placed on Nolba Road, Olsen Road, Nabawa Yetna Road; however grant project roads to take priority.”*

The following item(s) have been requested for discussions:

Requested by	Item	Staff Comments	Estimated Cost
CV Agric Society (in 2020)	McCagh Rd Extend seal 250m	An internal gravel track be placed within the Showgrounds Carpark area	\$15,00 (To be confirmed)

Proposed 2021/2022 Road Works Program

It is hoped all road projects scheduled for 2021/2022 will be completed; however, there is invariably slippages in the program of works estimated timeline and the recommended 2022/2023 Roadworks Program will always attempt to

adhere to Council priorities i.e.

- Priority 1 – Grant funded projects
- Priority 2 – Own resource projects (carried over & new)
- Priority 3 – Maintenance works

It must be understood in reality road work maintenance issues at times will take precedence over other road works projects (e.g. own resource projects).

The Mid West Regional Road Group (MWRRG) projects have been approved by the Mid-West Regional Road Group and formal notification has been received from Main Roads WA advising of the projects the Shire will be funded for in 2022/2023. Therefore, these particular projects cannot be adjusted.

MWRRG grant applications are lodged with Main Roads WA (MRWA) by the 31st August each year. The Shire of Chapman Valley submission in accordance with Council's approved Ten Year Road Works Program with the approved projects, estimated costs and score for 2022/2023 being as follows:

Road	Works Description	Score	Total Project Cost Estimate	MWRRG Grant	Shire Minimum Contrib
			\$	\$	\$
Valentine	21.38 to 24.38 SLK – 3Kms Upgrade to 7.2m seal	100.23	450,000	300,000	150,000
East Nabawa (West)	12.05 to 15.05 SLK – 3Kms Upgrade to 7.2m seal	96.78	450,000	300,000	150,000
Northampton Nabawa	3.0 to 6.5 SLK – 3Kms Shoulder widening, drainage improvements reseal	94.71	450,000	300,000	150,000
Coronation Beach Road	0.00 to 4.00 – 4kms vegetation clearance pavement repairs & reseal	81.43	163,590	109,060	54,530
		Due the maximum an LGA can take from the Pool being 20% after every LGAs first project costs are deducted from the total Pool amount this project will not be fully funded. Submission was for: <ul style="list-style-type: none"> • Total Project Cost \$450,000 • MWRRG Grant \$300,000 • Shire Contrib \$150,000 The final amount of funds this project will receive will subject to the Total Pool amount. The above figures are based on MRWA's confirmed 22/23 Funds Pool of \$8,026,632.			
Estimated Totals			\$1,513,590	\$1,009,060	\$504,530

Note: The Coronation Beach roadworks has also been listed as part of the LRCIP Round 3 Projects. However, at the time the MWRRG submissions closed (31st August 2021) the LRCIP (R3) guidelines had not been finalised, hence the reason this project has sort funding from either, or both, funding programs.

The MWRRG Policies and Procedures include the following restrictions:

- \$300,000 - Maximum allowable grant fund per individual project;
- Every LGA will have there highest priority project funded, irrespective of the project score
- 20% of Pool Residual after every LGAs first project costs are deducted from the total Pool amount.

These conditions have been changed and will be affective from the 2022/2023 as it was felt by the MWRRG a few LGAs where continually receiving the maximum allocation of 20% of the Total Pool, resulting in those LGAs with the lower scoring projects not getting funding, other than the minimum amount set of \$150,000.

Based on the 2022/2023 total pool estimated amount of \$7,800,000 the maximum an LGA can take from the Pool, under the new conditions, in 22/23 is \$963,733. Therefore the Shire of Chapman Valleys approved projects for 2022/2023 is this maximum amount available

Below is a comparison of RRG grants received over past years:

14/15	\$573,333
15/16	\$371,000
16/17	\$1,083,334
17/18	\$1,162,000
18/19	\$1,170,666
19/20	\$1,140,333
20/21	\$1,200,000
21/22	\$1,499,667
22/23	\$1,009,060

As mentioned last year, it was expected the Shire’s ability to attract similar MWRRG Grant Funds in 22/23 and future years was expected to diminish from previous years due to amendments to the grant fund allocation guidelines.

Roads to Recovery Grant (R2R) Funding received over the past five years is as follows:

17-18	18-19	19/20	20/21	21/22	Total Past Five Years	Average Past Five Years
\$240,000	\$235,444	\$328,620	\$328,620	\$328,620	\$1,461,304	\$292,261

The R2R Funding Program will continue for a further four years after 20/21 (i.e. the current Program ends in 2023/2024) at the anticipated current rate of \$328,620 per financial year.

The *Proposed 10 Year Road Works Program (2022/2023 to 2031/2032)* reflects the anticipated MWRRG & R2R grant funding. However, it must be understood this funding could vary as MWRRG grant funds are annually contestable and R2R grant funds are not guaranteed beyond 2023/2024.

Ten (10) Year Road Works Program

Attached is the **Current 10 Year Road Works Program (2021/2022 to 2030/2031)** (**Attachment 9.2(b)**) with the **Proposed 10 Year Road Works Program** adding the year 2031/2032 (**Attachment 9.2(a)**).

The CEO, Manager Works & Service (Esky Kelly) and the Works Leading Hand (Marty Elks) have reviewed the Program.

The *Proposed 10 Year Road Works Program* continues to reflect the following:

- 1.The opportunity to attract MWRRG grant funds for recognised Significant Roads within the Shire of Chapman Valley may diminish over the period of the ten-year program.
- 2.The opportunity to attract MWRRG grant funds for recognised Significant Roads within the Shire of Chapman Valley may gradually revert to reseal project, which are basically 100% external costs (materials & contract) and will not assist with supporting the Shire own internal costs (i.e. labour, plant, etc.).
- 3.As the MWRRG grant funds projects drop off, less external funds will be available and more internal own resource road works projects will be undertaken (e.g. Gravel Sheeting on roads not recognised as MWRRG Significant Roads).
- 4.The previously endorsed list of gravel sheeting roads from the Shire’s own resources has not been altered in order of priority from the current program.
- 5.The previously endorsed list of reseal program from grants and the Shire’s own has not been altered in order of priority from the current program.
- 6.There has been an effort to spread the effect of less MWRRG grants across the whole 10-year period, rather than the alternative of a sudden loss of grant funds from this source.
- 7.The issue of external funds (e.g. grants, contributions) covering the contract and materials costs for the annual road works program also needed to be address. An average contract & materials component has been calculated using historical data for the type of works; however, this can fluctuate when a more detailed cost analysis is undertaken for each specific project.

Therefore, based on the historical data, the *Proposed 10 Year Road Works Program* has been continued to calculate the differential between Contracts & Materials – v – Grant/Contributions received. Again, the proposed program has

attempted to ease the effect of grants being a source to fully cover contracts & materials and to supplement the Shire internal resource costs (labour, plant, etc.).

8. In previous programs the ten-year programs includes an annual amount for “Additional Employee Costs & Contract/Materials Contingency”. This pool of funds is made up of the following components:

- i. \$75,000 – Casuals and Guaranteed & Additional overtime paid to road works crew as required; and
- ii. \$200,000 – External contingency used to hire external contractors and purchase materials as required (this amount can vary).

The proposed program continues to quarantine the \$75,000 for casuals and guaranteed & additional overtime components every year, yet uses the \$200,000 contracts/materials contingency as a balancing aid across the program. Therefore, it will be noted how this figure continues to fluctuate across the ten-year period. The 2022/2023 program has \$250,000 allocated i.e.

- i. \$75,000 – Casuals and Guaranteed & Additional overtime paid to road works crew as required; and
- ii. \$175,000 – External contingency used to hire external contractors and purchase materials as required

9. The concept of placing funds into the Roadworks Reserve Fund to assist with funding the proposed program of works in years the later years of the Program has been retained.

POLICY IMPLICATIONS

The following Management Procedures are relevant to this item:

<i>MANAGEMENT PROCEDURE No.</i>	<i>IMP-020</i>
<i>MANAGEMENT PROCEDURE</i>	<i>MIDWEST REGIONAL ROAD GROUP (MWRRG) – SIGNIFICANT ROAD POLICY</i>
<i>RESPONSIBLE OFFICER</i>	<i>CHIEF EXECUTIVE OFFICER</i>
<i>PREVIOUS POLICY/PROCEDURE No.</i>	<i>15.40; IP-001</i>
<i>LEGISLATION</i>	<i>STATE ROAD COUNCIL / REGIONAL ROAD GROUPS</i>
<i>RELEVANT DELEGATIONS</i>	

OBJECTIVES:

To list roads under the control of the Shire of Chapman Valley as those recognised by the Mid-West Regional Road Group as Significant Roads.

MANAGEMENT PROCEDURE STATEMENT:

Roads under the control of the Shire of Chapman Valley recognised as being significant roads by the Mid-West Regional Road Group are: -

Rd No.	Road Name
19	Balla Whelarra
130	Chapman Valley
34	Coronation Beach
8	Dartmoor
21	Dartmoor Lake Nerramyne
12	East Bowes
1; 15 & 14	~ Durawah; ~ Station (between Durawah & Station Valentine Rd Junctions), ~ Station Valentine
150	East Chapman
16	East Nabawa
10	Nanson Howatharra
7	Narra Tarra
131	Northampton – Nabawa

132	Yuna – Tenindewa
13	Valentine

ADDITIONAL EXPLANATORY NOTES:

The above list of Significant Roads are the only roads eligible for funding through the Mid-West Regional Road Group Program.

In addition to the aforementioned Management Procedure Council has also adopted the following Management Procedure (IMP-017) in regard to the Road Funding Allocation Process:

MANAGEMENT PROCEDURE No.	IMP-017
MANAGEMENT PROCEDURE	ROAD WORK FUNDING ALLOCATION PROCESS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.220
RELEVANT DELEGATIONS	

OBJECTIVES:

To set guidelines and procedures for categorising road hierarchy network and funding allocation priorities

MANAGEMENT PROCEDURE STATEMENT/S:

1. Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).
2. Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).
3. Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).
4. Taking into account the delegations under Infrastructure Policy IMP-022, Council review existing Heavy Haulage Roads.
5. Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).
6. Councillors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer's report or directly to the meeting.
7. No changes to be made to any of the above unless fully endorsed by Council.

FINANCIAL IMPLICATIONS

Road Works is the largest expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximised.

Long Term Financial Plan (LTFP):

The Proposed Road Works Program has been structured in a way to maintain the Shire's Own Resources contribution towards the overall program irrespective of the grants received. This will complement the estimated expenditure allocation in the current LTFP.

STRATEGIC IMPLICATIONS

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for. The Shires Road Hierarchy identifies the priority roads into the following categories:

- A. Main Arterial Roads (Significant Roads approved by the MWRRG only);
- B. Main Feeder Roads;
- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

The Road Hierarchy list will be reviewed as part of the Road Infrastructure Committees purpose and is listed for discussion at Agenda Item 9.1.

Strategic Community Plan/Corporate Business Plan:

1.3	Maintain and enhance safety and security for the community	Review safe roads and infrastructure	Continue annual review of Road Hierarchy, Road Works Program, Plant Replacement Program
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CONSULTATION

The Chief Executive Officer conferred with the Consultant Engineer, Manager Works & Services and Works Leading Hand when developing the *Proposed Ten-Year Road Works Programs* presented to Council.

RISK ASSESSMENT

There is a risk Council may not be able to successfully allocate enough of its own resources to appease the requirements of the Roads to Recovery (R2R) legislation due to the high level of other grant funds obtained. This will be closely monitored over the life of the R2R program.

I consider the risk associated with the Road Works Program as being **Moderate**, bearing in mind the risk is project specific, not in total across all the Road Works Program i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

VOTING REQUIREMENTS

Simple Majority

3.02pm Suspend Standing Orders

MOVED: Cr Batten

SECONDED: Cr Humphrey

Voting F7/A0

CARRIED

Minute Reference RIC 02/22-3

Discussion on the item was undertaken

3.38pm Cr Royce left the meeting

4.17pm Reinstate Standing Orders

MOVED: Cr Humphrey

SECONDED: Cr Batten

Voting F6/A0

CARRIED

Minute Reference RIC 02/22-4

MOVED: Cr Forth

SECONDED: Cr Batten

STAFF RECOMMENDATION (Option 1) Lapsed

The Road Infrastructure Committee recommends Council endorse the *10 Year Road Works Program 2022/23 to 2031/2032* as presented at **Attachment 9.2(a)** without change and this Program be used as a basis for resource allocation into the Draft 2022/2023 Budget.

- OR -

ROAD INFRASTRUCURE COMMITTEE /STAFF RECOMMENDATION (Option 2)

The Road Infrastructure Committee recommends Council endorse the *10 Year Road Works Program 2022/23 to 2031/2032* as presented at **Attachment 9.2(a)** with the following changes and this Program be used as a basis for resource allocation into the Draft 2022/2023 Budget:

- 1- Include gravel sheeting of Nanson Showground internal track to Chapman Valley Agricultural Society
- 2- Include gravel sheeting of Wandana and Newmarracarra Roads
- 3- Include Nanson Showgrounds access track within Minor Maintenance Program

Voting F6/A0

CARRIED

Minute Reference RIC 02/22-5

DISCUSSION ITEM:	9.3
SUBJECT:	REVIEW HEAVY HAULAGE VEHICLE PERMIT ROADS
PROPONENT:	CHIEF EXECUTIVE OFFICER & MANAGE WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1002
PREVIOUS REFERENCE:	MINUTE REFERENCE: 03/21-3
DATE:	21 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

BACKGROUND

The purpose of this Item is to present the Committee the current endorsed *Heavy Haulage Vehicle Permit (Policy IP-003)* for discussion and review.

Council resolved the following at the March 2021 OCM:

“Minute Reference RIC 03/21-6

The Road Infrastructure Committee recommends Council endorses the Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits as presented without change.”

COMMENT

Below is a copy of the current HVS RAV configurations:

Prime Mover, Trailer Combinations

2016

Heavy Vehicle Services

Category	VEHICLE DESCRIPTION AND CONFIGURATION CHART (RAV) – PRIME MOVER, TRAILER COMBINATIONS EXAMPLES	Axle Spacing (m)	Length (m)	Mass (T) Maximum	RAV Network
1	(A) PRIME MOVER, SEMI TRAILER TOWING A PIG TRAILER 	(A) A	≤20	50	Network 1
2	(A) PRIME MOVER, SEMI TRAILER TOWING A PIG TRAILER 	(B) A (C) A (D) A	≤19 ≤20 ≤19	42.5 50 47.5	Network 2
3	(A) PRIME MOVER, SEMI TRAILER TOWING A PIG TRAILER 	(A) A	≤27.5	65.5	Network 3
4	(A) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER 	(B) A (C) A (D) A (E) A	≤20 ≤22.5 ≤27.5 ≤25	47.5 67.5 87.5 42.5	Network 4
5	(A) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER 	(A) B	≤27.5	84	Network 5
6	(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG TRAILER 	(A) A	≤27.5	87.5	Network 6
7	(A) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER 	(A) B (B) B (C) A (D) A	>27.5, ≤36.5 ≤27.5, ≤36.5 ≤27.5, ≤36.5 ≤27.5, ≤36.5	84 84+d 87.5 87.5+d	Network 7
8	(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG TRAILER 	(A) A (B) A (C) A	>27.5, ≤36.5 ≤27.5, ≤36.5 ≤27.5, ≤36.5	87.5 87.5 87.5+d	Network 8
9	(A) PRIME MOVER, TOWING SEMI TRAILER AND B DOUBLE 	(A) A (B) A	>27.5, ≤36.5 ≤27.5, ≤36.5	107.5 107.5	Network 9
10	(A) PRIME MOVER, SEMI TRAILER TOWING 2 X DOG TRAILERS 	(A) B (B) B (C) A (D) A	>36.5, ≤53.5 >36.5, ≤53.5 >36.5, ≤44.5 >36.5, ≤44.5	120.5 84+d 107.5 107.5	Network 10
11	(A) PRIME MOVER, SEMI TRAILER TOWING 2 X DOG TRAILERS 	(A) A (B) A (C) A (D) A (E) A (F) A	>36.5, ≤53.5 >36.5, ≤53.5 >36.5, ≤53.5 >36.5, ≤53.5 >36.5, ≤53.5 >36.5, ≤53.5	127.5 127.5 147.5 147.5 147.5 87.5+d	Network 10

1. Operators using a category of RAV outlined in this document must operate that RAV in accordance with the OPERATING CONDITIONS and only on the network specified.

2. These diagrams are a visual indicator of the vehicle only.

3. Operators must refer to the OPERATING CONDITIONS for the full vehicle description.

4. The height of the vehicle can exceed 4.3 m but MUST NOT exceed 4.6 m when it is:
(i) built to carry livestock or (ii) carrying a crate to carry livestock or; (iii) carrying vehicles on more than one deck or (iv) carrying a multi-modal container or; (v) carrying a large indivisible item or; (vi) When operating with an appropriately bonded over height curtain side or partitioned trailer.











5. Maximum height of Pig Trailer must not exceed 3.5m.

Heavy Vehicle Services
Tel: 138 HVO (486)
Email: hvs@mainroads.wa.gov.au
Website: www.mainroads.wa.gov.au

Truck, Trailer Combinations

2016

Heavy Vehicle Services

VEHICLE DESCRIPTION AND CONFIGURATION CHART (RAV) – TRUCK, TRAILER COMBINATIONS EXAMPLES				Axle Spacing (mm)	Length (m)	MSR (1) (mm)	RAV Network	
Category 1	(A) TRUCK LIVESTOCK OR VEHICLE CARRIER 	(B) TRUCK TOWING A PIG TRAILER 	(C) TRUCK TOWING A DOG TRAILER 	(D) TRUCK TOWING A CAR CARRIER TRAILER 	(A) A (B) B (C) B (D) A	<12.5 ≤20 ≤20 ≤20	27.5 45.5 50 42.5	Network 1
Category 2	(A) TRUCK TOWING A 6 AXLE DOG TRAILER 	(B) TRUCK TOWING A CAR CARRIER TRAILER 	(C) TRUCK TOWING A 2,3,4 OR 5 AXLE DOG TRAILER 		(A) A (B) A (C) B	≤25 ≤25 ≤25	67.5 42.5 64.0	Network 2
								
Category 7	(A) TRUCK TOWING 2 X 5 OR 6 AXLE DOG TRAILERS 				(A) A	>27.5, ≤36.5	107.5	Network 7
Category 8	(A) TRUCK TOWING 2 DOG TRAILERS 				(A) A	>27.5, ≤36.5	107.5	Network 8

NOTES

- Operators using a category of RAV outlined in this document must operate that RAV in accordance with the OPERATING CONDITIONS and only on the network specified.
- These diagrams are a visual indication of the vehicle only.
- Operators must refer to the OPERATING CONDITIONS for the full vehicle description.
- The height of the vehicle can exceed 4.3 m but MUST NOT exceed 4.6 m when it is: (i) built to carry livestock or (ii) carrying a crane to carry livestock or (iii) carrying vehicles on more than one deck or (iv) carrying a multi-modal container or (v) carrying a large indivisible item or (vi) when operating with an appropriately licensed over height curtain side or paneltrailer trailer.
- Maximum height of Pig Trailer must not exceed 3.5m.

Heavy Vehicle Services
Tel: 138 HVD (444)
Email: hvs@mainroads.wa.gov.au
Website: www.mainroads.wa.gov.au



POLICY IMPLICATIONS

Management Procedure IMP-022 being reviewed is shown below:

MANAGEMENT PROCEDURE No.	IMP-022
MANAGEMENT PROCEDURE	HEAVY HAULAGE VEHICLE PERMITS
RESPONSIBLE OFFICER	MANAGER WORKS & SERVICES
PREVIOUS POLICY/PROCEDURE No.	15.110; IP-003
LEGISLATION	ROAD TRAFFIC ACT, 1974 – HEAVY VEHICLE OPERATIONS
RELEVANT DELEGATIONS	2012

OBJECTIVES:

To identify a heavy haulage route for roads under the control of the Shire of Chapman Valley.

POLICY STATEMENT/S:

The Shire adopt the current approved Main Roads WA's Restricted Access Vehicle (RAV) roads and conditions associated with approved roads within the Shire of Chapman Valley.

Procedures for the establishment of a new or amendment to an existing Heavy Haulage Route:

- Application to be sent to MRWA Heavy Vehicle Services (HVS) - Route Assessment Section.
- HVS to forward application to Shire of Chapman Valley for comments.
- Shire staff inspect route to determine suitability in accordance with basic MRWA criteria.
- Shire staff put recommendation to MRWA to reject or progress the application.
- MRWA HVS will send the application to MRWA regional office to inspect route and make appropriate recommendation back to MRWA HVS

- f) MRWA HVS reviews the route assessment then approves or rejects route and advised Shire of Chapman Valley accordingly.

Once a route has been approved it remains relevant to all operators who then make direct application to MRWA for a permit (not to the Shire).

Refer to the current Main Roads WA's Restricted Access Vehicle (RAV), website (links below) for the approved list of roads within the Management Procedure;

<https://www.mainroads.wa.gov.au/UsingRoads/HeavyVehicles/notices/Pages/pmtc.aspx>
<https://mrapps.mainroads.wa.gov.au/RavNetworkMap>

Refer to relevant Policy/Procedure when exercising this delegation

This Management Procedure also refers to Delegation 2012 which states:

"The Chief Executive Officer is delegated the authority to endorse the Heavy Haulage Vehicle Permits Applications in accordance with Management Procedure (IMP-022) for the determination of variations to the RAV Network within the Shire of Chapman Valley subject to this delegation being restricted to RAV7 level. Any applications beyond this RAV level are to be put to Council for consideration."

In addition to the aforementioned Management Procedure Council has also adopted the following Management Procedure (IMP-017) regarding the Road Funding Allocation Process:

MANAGEMENT PROCEDURE No.	IMP-017
MANAGEMENT PROCEDURE	ROAD WORK FUNDING ALLOCATION PROCESS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.220
RELEVANT DELEGATIONS	

OBJECTIVES:

To set guidelines and procedures for categorising road hierarchy network and funding allocation priorities

MANAGEMENT PROCEDURE STATEMENT/S:

1. Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).
2. Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).
3. Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).
4. Taking into account the delegations under Infrastructure Policy IMP-022, Council review existing Heavy Haulage Roads.
5. Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).
6. Councillors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer's report or directly to the meeting.
7. No changes to be made to any of the above unless fully endorsed by Council.

FINANCIAL IMPLICATIONS

Road works is the largest income and expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximized.

Long Term Financial Plan (LTFP):

The Heavy Haulage Vehicle Permit Management Procedure has been structured in a way to ensure each request for an upgrade the RAV rating to any particular road must go through a MRWA approved process.

There appears to be an increasing demand on the Shire road network by larger and heavier vehicles, which will no doubt

have an adverse effect on the Shire roads and therefore the resources allocated by Council to roads.

It has also become obvious the Local Government Authority (LGA) is losing control of the level of heavy haulage vehicle using local roads under the control of the LGA. Though MRWA do consult with the LGA on every application made to introduce or upgrade the RAV rating on a local road the LGA cannot stop such applications if MRWA is comfortable the road meets their specification.

STRATEGIC IMPLICATIONS

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for.

Strategic Community Plan/Corporate Business Plan:

1.3	Maintain and enhance safety and security for the community	Review safe roads and infrastructure	Continue annual review of Road Hierarchy, Road Works Program, Plant Replacement Program
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CONSULTATION

The Chief Executive Officer conferred with the Manager Works & Services and Works Leading Hand when reviewing the *Heavy Haulage Vehicle Permit Roads Management Procedure* presented to the Committee.

RISK ASSESSMENT

I believe there is a risk associated with the current approach being taken by MRWA Heavy Vehicle Services with RAV applications basically ignoring the wishes of the LGA. The issue of liability remain a vexed question. Is the permit issuer liable (i.e. MRWA) or the LGA who has management of the roads MRWA is permitting RAV vehicles to use LGA controlled road, even against the wishes of the LGA.

I have put this question to the Local Government Insurance Services (LGIS) with no firm response received as yet.

Therefore the Risk Assessment is basically unknown and could range from *Insignificant* to *Catastrophic*:

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority – To amend Management Procedure

MOVED: Cr Forth

SECONDED: Cr Batten

ROAD INFRASTRUCURE COMMITTEE /STAFF RECOMMENDATION (Option 1)

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits* as presented without change.

STAFF RECOMMENDATION (Option 2) Lapsed

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits* as presented with the following changes:

- 1.
- 2.

**Voting F6/A0
CARRIED
Minute Reference RIC 02/22-6**

AGENDA ITEM:	9.4
SUBJECT:	REVIEW PLANT REPLACEMENT PROGRAM
PROPONENT:	CHIEF EXECUTIVE OFFICER & MANAGE WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1018.00
PREVIOUS REFERENCE:	MINUTE REFERENCE: 03/21-3
DATE:	21 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.4(a)	Proposed Plant Replacement Program (with Tracked Changes)		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire's *Plant Replacement Program* is reviewed annually to assist with the development of the Annual Budget for the forthcoming year. This review is also to consider the effect of the Long Term Financial Plan (LTFP) which has plant replacement as an aspect to its overall costs estimates within the Plan.

Council resolved the following at the March 2021 OCM:

"Minute Reference RIC 03/21-7

The Road Infrastructure Committee recommends Council endorses the Proposed Plant Replacement Program as presented at Attachment 9.4(a) with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget:

*Add Tiny Surveyor Robot 2021/2022 budget consideration; and
Add Transportable Display Trailer 2021/2022 budget consideration."*

The Plant Replacement Program was presented to the 21/22 Budget Workshops and again at the Special Meeting of Council where the 21/22 Budget was formally adopted. The Program was adjusted to reflect the decisions and determinations at these meetings.

COMMENT

As previously reported, the most recent fair value review of the Shire's Plant & Equipment indicated Council's standard of plant is high in comparison to similar type and sized local government authorities. Though such an outcome is welcomed it is important Council is mindful of not letting the life and standard of key items of plant and equipment to extend to the point this effects the organisations operational needs.

STATUTORY ENVIRONMENT

Not relevant

POLICY IMPLICATIONS

No Policy or Management Procedure affected.

FINANCIAL IMPLICATIONS

It is important Council annually review its *Plant Replacement Program* to ensure an informed decision-making process is evident when allocating resources update the Asset Management Plan, which is integrated with updates to the Long Term Financial Plan and the Annual Draft Budgets for the change-over/upgrading of Council's plant & equipment.

Long Term Financial Plan (LTFP):

Any amendment to the Plant Replacement Program will affect the LTFP and any decision to do so will flow on as part of the review of the LTFP.

STRATEGIC IMPLICATIONS

It is strategically sound for Council to have a robust and realistic Plant Replacement Program.

Strategic Community Plan/Corporate Business Plan:

1.3	Maintain and enhance safety and security for the community	Review safe roads and infrastructure	Continue annual review of Road Hierarchy, Road Works Program, Plant Replacement Program
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CONSULTATION

The Chief Executive Officer consulted with the Manager Works & Services and Works Leading Hand when developing the Proposed Plant Replacement Program presented to Council.

Changes to the current Plant Replacement Program are tracked on the Proposed Plan provided at **Attachment 9.4(a)**.

RISK ASSESSMENT

There is a risk with the *Current & Proposed Plant Replacement Programs* extending the optimum life of plant before changeovers are scheduled resulting in the maintenance component of Council plant operating costs increasing. However, I believe the current risk is **minor** at this stage, specifically now Council has employed a Plant Mechanic into the organisation i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

VOTING REQUIREMENTS

Simple Majority

4.24pm Suspend Standing Orders

MOVED: Cr Batten

SECONDED: Cr Forth

**Voting F6/A0
CARRIED
Minute Reference RIC 02/22-7**

Discussion on the item was undertaken

4.45pm Reinstate Standing Orders

MOVED: Cr Batten

SECONDED: Cr Forth

**Voting F6/A0
CARRIED
Minute Reference RIC 02/22-8**

MOVED: Cr Low

SECONDED: Cr Elliott-Lockhart

STAFF RECOMMENDATION (Option 1) Lapsed

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 9.4(a)** without change and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget.

- OR -

ROAD INFRASTRUCURE COMMITTEE /STAFF RECOMMENDATION (Option 2)

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 9.4(a)** with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget

1. Include a quote on catchers for mowers
2. Include Traffic Management Lights
3. Increase the value of purchase for the Prime Mover by \$40,000

**Voting F6/A0
CARRIED
Minute Reference RIC 02/22-9**

10.0 Information Items

Nil

11.0 Urgent Business Approved by the Presiding Member or by a Decision of the Committee

Nil

12.0 Closure

The Chair thanked the Committee members and staff for their attendance and declared the meeting closed at 4.47pm.



SHIRE OF
Chapman Valley
love the rural life!

UNCONFIRMED MINUTES



BUILDING AND DISABILITY SERVICES COMMITTEE

22nd FEBRUARY 2022

4.00PM

COUNCIL CHAMBERS

NABAWA

Committee Purpose & Delegations

Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:

- Review preliminary costings for proposed works for consideration in draft Council Budget;
- Review the Capital & Building Works Program;
- Disability Access & Inclusion Plan; and
- Any other building/property items referred to the Committee by Council.

Delegations – Nil

The Building and Disability Services Committee is comprised of:

**Cr Nicole Batten
Cr Elliott-Lockhart
Cr Darrell Forth
Cr Peter Humphrey**

**Chief Executive Officer
Building/Project Officer**

**(Observer)
(Observer)**

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on written confirmation of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

Jamie Criddle
CHIEF EXECUTIVE OFFICER



COUNCIL CHAMBERS, NABAWA

Note: Tenants/Property Users have been invited to provide the Committee with items for budget consideration.

ORDER OF BUSINESS

1.0 Declaration of Opening / Announcements of Visitors

The CEO welcomed elected members and staff opening the meeting at 4.03pm.

I would like to acknowledge the traditional owners of the land we are meeting on today, the Naaguja and we pay our respects to the elders both past, present and emerging.

2.0 Presiding Member

2.1 Appointment of Presiding Member

The Chief Executive Officer called for nominations for the Presiding Member of the Building and Disability Services Committee. Cr Humphrey nominated Cr Forth, who accepted the nomination . There being no further nominations Cr Forth was elected unopposed to the position of Presiding Member of the Building and Disability Services Committee.

2.2 Appointment of Deputy Presiding Member (only if considered necessary)

Not required..

3.0 Record of Attendance

3.1 Present

Committee Member	Time In	Time Out
Cr Nicole Batten	4.03pm	6:31pm
Cr Liz Elliott-Lockhart	4.03pm	6:31pm
Cr Peter Humphrey	4.03pm	6:31pm
Cr Darrell Forth	4.03pm	6:31pm

Officer	Position	Time In	Time Out
Jamie Criddle	Chief Executive Officer	4.03pm	6:31pm
Anthony Abbott	Building Surveyor/Projects Officer	4.03pm	6:31pm
Dianne Raymond	Mgr Finance & Corporate Services	4.03pm	5:00pm

Beau Raymond	Minute Taker	4.03pm	6:31pm
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3.2 Apologies

Nil

4.0 Disclosure of Interest

Nil

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*“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.”*

Section 5.60B:

*“a person has a **proximity interest** in a matter if the matter concerns –
 (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or
 (b) a proposed change to the zoning or use of land that adjoins the person’s land; or
 (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality):

*“**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.”*

5.0 Petitions / Deputations / Presentations

See “List of Additional Requests for Consideration” at Agenda Item 8.1.

6.0 Confirmation of Minutes from previous meeting

MOVED: Cr Batten

SECONDED: Cr Humphrey

The Minutes of the Building & Disability Committee of the Shire of Chapman Valley held on 24th February 2021 be confirmed as a true and accurate record of proceedings.
 (Supplied under separate cover)

Voting F4/A0

CARRIED

Minute Reference: BDSC 02/22-01

7.0 Items to be dealt with En Bloc

Nil

8.0 Agenda Items

8.1

AGENDA ITEM:	8.1
SUBJECT:	REVIEW OF OPERATING & CAPITAL BUILDING PROGRAMS
PROPONENT:	BUILDING & DISABILITY SERVICES COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	403.02
PREVIOUS REFERENCE:	MINUTE REFERENCE: 03/21-11 & SCM 07/21-03
DATE:	22 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
8.1(a)	Draft Operating & Capital Building Programs		✓
8.1(b)	List of Additional Requests for Consideration		✓
8.1(c)	LRCIP(3) Building Projects (if not completed in 21/22)		✓
8.1(d)	CV Historical Society Correspondence		✓
8.1(e)	Dump Point Concept Forum Sept 2021		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The purpose of this Agenda Item is for the Committee to discuss the items to be specifically added to the Operating & Capital Building Programs for future budgets.

Council resolved the following at the March 2021 OCM:

Council receive the Minutes of the Building & Disability Services Committee and endorse the recommendations within i.e.

1. ***Minute Reference: BDSC 02/21-4***

The Committee recommends Council consider the draft "Operating & Capital Building Programs" as presented with the following amendments and this be used as a basis to develop the Draft 2021/2022 Budget:

Location	Amendments & New Items for Consideration
Public Toilets Tennis Club	Add Upgrade doors to reduce vermin access
	Add Maintenance on verandah Z purlins
	Add Reroof Capital Works Program Year 5
Works Depot	Remove cable gates/retractable gates
	Reintroduce Washdown Bay approx. 20m x 7m with compliant drainage and pressure cleaner to be re-costed.
Nabawa Community Centre	Add item to remove garden bed against building wall and resurface area
Council Chambers	Add replacement of windows western end and repair carpet
CV Museum Precinct	Reintroduce Power Upgrade and internal works to Precinct. Seek accurate costing estimates for future budget consideration and possible grant leverage funds

CVHS Requests	Defer CVHS request for Solar Panels on Shed Roof until power upgrade resolution. Defer CVHS request for until power upgrade resolution
Tourism & Events Working Group	Add a contingency amount of \$5,000 for Yuna Hall in 21/22 and encourage grant funds to be leveraged using these funds.
BHPCC	Defer Gazebo and pad from year 2021/22 in the 5 Year Capital Building Program until 2025/26
	Remove Overflow carpark
Yuna Golf Club	Add installation CCTV
Nanson Showgrounds	Add installation CCTV
	Add a contingency amount to continue internal power reticulation upgrades

The above resolution was the basis of forming the Draft 2020/2021 Budget for Council consideration at Budget Workshops. However; it must be understood there may have been variations to the above resolution by the time Council finally adopted the current year Budget.

Council adopted the 2021/2022 Budget at a Special Meeting in July 2021 where the Building Operating & Capital items were finalised and included in the Adopted Budget (*Minute Ref: SCM 07/21-03*).

COMMENT

Discussion on items identified by Councillors, staff, tenants and users of Council owned/controlled building is designed to determine future budget items for staff to cost.

The Draft Operating & Capital Building Program is provided under separate cover at **Attachment 8.1(a)** for Committee information.

Councillors should also refer to the “*List of Additional Requests for Consideration*” at **Attachment 8.1(b)** for items requested for consideration.

A Copy of the LRCIP (Phase 3) Project is provided at **Attachment 8.1(c)** with the building project highlighted. These will only need to be considered for inclusion into the 22/23 Budget if not completed in 21/22.

Correspondence from the CV Historical Society is provided at **Attachment 8.1(d)**.

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

The long term financial viability of the Shire is of importance for future service delivery levels provided to the Shire’s constituents.

- **Long Term Financial Plan (LTFP):**

Operating maintenance will have a minimal effect on the LTFP.

STRATEGIC IMPLICATIONS

The annual inspection of buildings and review of building works programs(s) is important to ensure these programs are current and Shire resources are allocated where the highest priorities are.

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
4.1	Develop, manage and maintain built infrastructure	Asset Management Plan	Review Asset Management Plan regularly and maintain integration with other Strategic Plans within the Shire

CONSULTATION

Council staff continually monitors buildings and facilities owned/controlled by the Shire. Staff also continually liaises with tenants/users of these facilities. Correspondence was sent out to tenants/user groups of Council owned/controlled buildings in December 2021, requesting feedback by 4 February 2022. Responses are listed at **Attachment 8.1(b)**.

RISK ASSESSMENT

There is a risk of buildings and facilities deteriorating if adequate resources are not allocated to address depreciation and fair wear and tear of the buildings. However; in this instance, I believe the risk is currently **Minor** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Batten

SECONDED: Cr Humphrey

4.08pm Suspend standing orders.

CARRIED
Voting F4/A0
Minute Reference: BDSC 02/22-02

Discussion was undertaken on item.

MOVED: Cr Batten

SECONDED: Cr Elliott-Lockhart

6.58pm Reinstate standing orders

CARRIED
Voting F4/A0
Minute Reference: BDSC 02/22-03

MOVED: Cr Batten

SECONDED: Cr Elliott-Lockhart

BDS COMMITTEE/STAFF RECOMMENDATION

The Committee recommends Council consider the draft "*Operating & Capital Building Programs*" as presented and this be used as a basis to develop the Draft 2022/2023 Budget.

CARRIED
Voting F4/A0
Minute Reference: BDSC 02/22-04

AGENDA ITEM:	8.2
SUBJECT:	REVIEW OF DISABILITY ACCESS & INCLUSION PLAN
PROPONENT:	BUILDING & DISABILITY SERVICES COMMITTEE
SITE:	COUNCIL CHAMBERS
FILE REFERENCE:	403.02
PREVIOUS REFERENCE:	MINUTE REF: 03/21-11
DATE:	22 FEBRUARY 2022
AUTHOR:	JAMIE CRIDDLE

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
8.2(a)	Disability Access Inclusion Plan		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

A review of the Shire's Disability Access Inclusion Plan (DAIP) forms part of the annual Building & Disability Services Committee (Committee) agenda for consideration and recommendation to Council. This review is a legislative requirement in accordance with Disability Services Act (1993).

Council reviewed the DAIP as part of the 2021 Building Committee process with the following being resolved at the March 2020 OCM:

Minute Reference: BDSC 02/21-5

Council request staff undertake an in-house, desk-top review of the Plan and if necessary, recommending any amendments to Council for consideration.

COMMENT

In accordance with Section 28(7) of the *Disability Services Act (1993)* a full review of the DAIP must occur at least every 5 years i.e.

28. Disability access and inclusion plans

- (5) *A public authority may review its disability access and inclusion plan at any time.*
- (6) *After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).*
- (7) *Not more than 5 years is to elapse —*
 - (a) *between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or*
 - (b) *between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.*

The purpose of this Agenda Item is for the Committee to recommend staff undertake an in-house, desk-top review of the Plan and recommend any amendments to Council for consideration.

A copy of the current DAIP is provided under separate cover at **Attachment 8.2(a)** for Committee information and review.

STATUTORY ENVIRONMENT

Disability Services Act (1993).

28. *Disability access and inclusion plans*

- (1) *Each public authority must have a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.*
- (2) *A disability access and inclusion plan must meet any prescribed standards.*
- (3) *A public authority must lodge its disability access and inclusion plan with the Commission —*
 - (a) *if the authority was established before the commencement of the Disability Services Amendment Act 2004, without delay;*
 - (b) *if the authority is established after the commencement of the Disability Services Amendment Act 2004, within 12 months after the day on which it is established.*
- (4) *A public authority may amend its disability access and inclusion plan at any time.*
- (5) *A public authority may review its disability access and inclusion plan at any time.*
- (6) *After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).*
- (7) *Not more than 5 years is to elapse —*
 - (a) *between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or*
 - (b) *between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.*
- (8) *After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.*
- (9) *If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.*
- (10) *A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing or amending a disability access and inclusion plan.*

Disability Services Regulation 2004

10. *Procedure for public consultation by authorities (s. 28)*

- (1) *For the purposes of section 28(10) of the Act, a public authority is to undertake consultation in relation to its disability access and inclusion plan by calling for submissions either generally or specifically —*
 - (a) *by notice in a newspaper circulating throughout the State or, in the case of a local government, the district of that local government under the Local Government Act 1995; and*
 - (b) *on any website maintained by or on behalf of the public authority.*
- (2) *Nothing in subregulation (1) prevents a public authority from also undertaking any other consultation.*

POLICY IMPLICATIONS

The DAIP become a statutory policy required by Council in accordance with the Disability Services Act (1993) which is reported on annually.

FINANCIAL IMPLICATIONS

No significant financial implications are anticipated.

- **Long Term Financial Plan (LTFP):**

No significant implications anticipated on the LTFP.

STRATEGIC IMPLICATIONS

It is sound to ensure people with disabilities are given every opportunity to gain access to Council facilities and be included in Council and community activities.

- **Strategic Community Plan/Corporate Business Plan:**

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Development of plans relevant to population needs	Review existing plans and develop new plans as required

CONSULTATION

There is a consultation process Council need to adhere to in accordance with the Disability Services Act (1993) which will be implemented as part of the DAIP review.

RISK ASSESSMENT

There is a high risk of excluding a sector of the community if the DAIP is not reviewed and improved on a regular basis. However; I believe the risk in this instance is *insignificant* i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple majority

MOVED: Cr Batten

SECONDED: Cr Humphrey

BDS COMMITTEE/STAFF RECOMMENDATION

Council request staff undertake an in-house, desk-top review of the plan and if necessary recommend any amendments to Council for consideration.

CARRIED
Voting F4/A0
Minute Reference: BDSC 02/22-05

10.0 Urgent Business Approved by the Presiding Member or by a Decision of the Committee

Nil

11.0 Closure

The Presiding Member thanked the Committee members and staff for their attendance and declared the meeting closed at 6:31pm.

SHIRE OF CHAPMAN VALLEY																
PROPOSED - FIVE YEAR MAINTENANCE BUILDING WORKS PROGRAM																
Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03																
COA GL	Job #	IE Code	2021/2022			2022/2023			2023/2024		2024/2025		2024/2025		2025/2026	
			Cost	Description	Comments	Cost	Description	Comments	Cost	Description	Cost	Description	Cost	Description	Cost	Description
Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03																
NABAWA																
0473		02	\$5,500	Administration Building Repairs & Maintenance		\$5,500	General Mtce		\$5,500	General Mtce	\$5,500	General Mtce	\$5,500	General Mtce	\$5,500	General Mtce
0473		22	\$5,000	Administration Building Repairs & Maintenance	Roll over from 20/21 budget, Fire proof strong room \$5,000											
0473		22	\$12,000	Administration Building Repairs & Maintenance	Contract Cleaners											
0272		02	\$4,500	Council Chambers Repairs & Maintenance		\$4,500	General Mtce		\$4,500	General Mtce	\$4,500	General Mtce	\$4,500	General Mtce	\$4,500	General Mtce
0272		22	\$5,000	Council Chambers Repairs & Maintenance	Roll over from 20/21 budget Cultural Awareness amount \$5,000											
0272		22	\$6,000	Council Chambers Repairs & Maintenance	Contract Cleaners											
0272		99	\$8,000	Council Chambers Repairs & Maintenance	CAPITAL ITEM Additional Maintenance allocation to replace window at western end of Chambers & repair damaged carpet											
3502	DEP1	02	\$3,500	Depot Includes: Transportable Workshop Garage Large Shed Small Generator Shed		\$3,500	General Mtce		\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce
	DEP1	02	\$1,000	Gardener's Shed		\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
1722	NABAWA	02	\$500	Bush Fire Two Bay Shed		\$500	General Mtce		\$500	General Mtce	\$500	General Mtce	\$500	General Mtce	\$500	General Mtce
2722	LHL1	22	\$5,500	Community Centre		\$5,500	General Mtce		\$5,500	General Mtce	\$5,500	General Mtce	\$5,500	General Mtce	\$5,500	General Mtce
2722	LHL1	22	\$4,000	Community Centre	Roll over from 20/21 Grey Water Soak \$4,000 (Budget from job 1048 used for kitchen upgrades)											
2722	LHL1	02	\$3,000	Community Centre	Additional Maintenance allocation to remove garden bed against wall and resurface this area \$3,000											
2902	LIBN	02	\$2,000	Community Centre - Pre Primary - NOW relocated Library	Now Nabawa Library	\$2,000	General Mtce		\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce
2902	LIBN	02	\$2,500	Community Centre - Pre Primary - NOW relocated Library	Window Treatments for library											
2902	LIBN	02	\$6,000	Community Centre - Pre Primary - NOW relocated Library	Contract Cleaners											
2702	LIC	02	\$5,700	Sports Pavilion & Basketball Stadium (Nabawa Recreation Centre)		\$5,700	General Mtce		\$5,700	General Mtce	\$5,700	General Mtce	\$5,700	General Mtce	\$5,700	General Mtce
1482	1055	02	\$15,000	Nabawa Oval includes: Reticulation, water tank, fencing, lighting, seating, scoreboard etc		\$15,000	General Mtce		\$15,000	General Mtce	\$15,000	General Mtce	\$15,000	General Mtce	\$15,000	General Mtce
1482	LSG	02	\$1,000	Toilet Block - Nabawa Oval/Tennis Club		\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
1482	LSG	22	\$2,550	Toilet Block - Nabawa Oval/Tennis Club	Add Upgrade doors to reduce vermin access Add Maintenance on verandah Z purlins											
1482	LSG	02	\$250	Roller Shed		\$250	General Mtce		\$250	General Mtce	\$250	General Mtce	\$250	General Mtce	\$250	General Mtce
1482	LSG	02	\$350	Playground Equipment		\$350	General Mtce		\$350	General Mtce	\$350	General Mtce	\$350	General Mtce	\$350	General Mtce
1482	LSG	02	\$1,500	Additional > shade sail annual maintenance		\$1,500	General Mtce		\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce
2712	LNTC	22	\$1,800	Nabawa Tennis Pavilion Includes: Courts Lighting Shade Sail Water Tank and Stand Fencing		\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
2642	LPPK	02	\$800	Centenary Park Includes: BBQ Picnic Table Reticulation		\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
3102		02	\$2,000	Nabawa Cemetery Includes: Gazebo, Interment Wall, Fencing		\$2,000	General Mtce		\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce
3102		02		Nabawa Cemetery new toilets												
2722	1007	02	\$2,000	Mens Shed	Shed Extension materials for shed construction recoverable from Menshed	\$2,000	General Mtce		\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce
2722	1007	02	\$1,000	Mens Shed	Building Program General Mtce	\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
1792	NTIP	02	\$5,000	Nabawa Transfer Station		\$5,000	General Mtce		\$5,000	General Mtce	\$5,000	General Mtce	\$5,000	General Mtce	\$5,000	General Mtce
	NTIP	02	\$800	Nabawa Transfer Station CCTV		\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
YUNA																
2722	LHL2	02	\$2,000	Public Hall and Toilets		\$2,000	General Mtce		\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce
2722	LHL2	22	\$2,000	Public Hall and Toilets	Add a contingency amount of \$2,000 for Yuna Hall in 21/22 and encourage grant funds to be leveraged using these funds.											
2722	LHL2	22	\$4,500	Public Hall and Toilets	Roll over from 20/21 budget, install septic system at Public toilets \$4,500											

SHIRE OF CHAPMAN VALLEY																
PROPOSED - FIVE YEAR MAINTENANCE BUILDING WORKS PROGRAM																
Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03																
COA GL	Job #	IE Code	2021/2022			2022/2023			2023/2024		2024/2025		2024/2025		2025/2026	
			Cost	Description	Comments	Cost	Description	Comments	Cost	Description	Cost	Description	Cost	Description	Cost	Description
Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03																
2902	LIBY	22	\$500	Library		\$500	General Mtce		\$500	General Mtce	\$500	General Mtce	\$500	General Mtce	\$500	General Mtce
2712	LYTC	02	\$1,000	Tennis Courts Hit up Wall Lighting		\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
3502	DEP2	02	\$1,000	Depot Shed		\$1,000	General Mtce		\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce	\$1,000	General Mtce
2642	LYPK	02	\$4,500	Yuna Park includes: Gazebo, Shade Sails, Seating, Retaining Wall, Paving		\$4,500	General Mtce		\$4,500	General Mtce	\$4,500	General Mtce	\$4,500	General Mtce	\$4,500	General Mtce
2642	YUNPG	02	\$500	Yuna Park - Playground Equipment		\$500	General Mtce		\$500	General Mtce	\$500	General Mtce	\$500	General Mtce	\$500	General Mtce
1792	YTIP	02	\$500	Yuna Refuse Site & Fencing		\$500	General Mtce		\$500	General Mtce	\$500	General Mtce	\$500	General Mtce	\$500	General Mtce
1792	YTIP	02	\$800	Yuna Refuse Site CCTV		\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
2722	1006	02	\$2,500	Yuna Multipurpose Community Centre		\$2,500	General Mtce		\$2,500	General Mtce	\$2,500	General Mtce	\$2,500	General Mtce	\$2,500	General Mtce
2722	1006	02	\$4,000	Yuna Multipurpose Community Centre	Contract Cleaner											
NANSON																
2722	LSHG	02	\$3,500	Showgrounds includes: Exhibition Buildings, Livestock Shelters, Storage Shed, Ag Society Hall, Sheds, Water Tanks, Ticket Box, Fencing,		\$3,500	General Mtce		\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce
3626		02	\$500	CV Museum Road Board Old Road Board Office		\$500	General Mtce		\$500	General Mtce	\$500	General Mtce	\$500	General Mtce	\$500	General Mtce
3626		22	\$0	CV Museum & Road Board Including Old Road Board Office	Disabled access ramp at Red Porter Cottage removed at the request of CVHS (refer Concept Forum June 2021 & correspondence received from CVHS)											
3626		02	\$3,500	CV Museum Precinct & Road Board Including Old Road Board Office Toilet Block Display Cottage Machinery Shelter New Plant Display Shed All Surrounds		\$3,500	General Mtce		\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce	\$3,500	General Mtce
2642	NAN	02	\$1,500	Nanson Playground includes Playground Equipment, Basketball Courts & Backboard, Picnic Table, Fencing, Shade Sails		\$1,500	General Mtce		\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce
CORONATION BEACH																
3412		02	\$5,000	Campsite Area		\$5,000	General Mtce		\$5,000	General Mtce	\$5,000	General Mtce	\$5,000	General Mtce	\$5,000	General Mtce
3413		02	\$4,500	Campsite Area	LRCIP (3) Grant Funded											
3412		22	\$15,000	Toilet Blocks x 3 Dump Station	Pump Out & Services	\$15,000	Pump Out & Services		\$15,000	Pump Out & Services	\$15,000	Pump Out & Services	\$15,000	Pump Out & Services	\$15,000	Pump Out & Services
3412		02	\$800	Board Walk & Lookout		\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
3412		02	\$1,500	Camping and Recreation Reserve - Gazebo x 4 Shelters x 5 Picnic Table Fencing Platform		\$1,500	General Mtce		\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce	\$1,500	General Mtce
HOWATHARRA																
1722	HOWA	02	\$800	Bush Fire Two Bay Shed	Building Program General Mtce	\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
NARALING																
2722	LHL3	02	\$1,200	Naraling Hall		\$1,200	General Mtce		\$1,200	General Mtce	\$1,200	General Mtce	\$1,200	General Mtce	\$1,200	General Mtce
WESTERN REGIONS																
2722	1013	02	\$2,500	Bill Hemsley Park Community Centre & Precinct		\$2,500	General Mtce		\$2,500	General Mtce	\$2,500	General Mtce	\$2,500	General Mtce	\$2,500	General Mtce
2722	Job # 1013	22	\$6,000	Bill Hemsley Park Community Centre & Precinct	Contract Cleaner											
2722	Job # 1013	22	\$4,000	Bill Hemsley Park Community Centre & Precinct	Soft fall sand at playground, roll over from 20/21 budget \$4,000											
2722	Job # 1013	22	\$2,500	Bill Hemsley Park Community Centre & Precinct	Timber screening at flat roof gazebo, roll over from 20/21 budget \$2,500											
YETNA																
2642	FIG	02	\$2,000	Fig Tree Crossing Campground		\$2,000	General Mtce		\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce	\$2,000	General Mtce
2642	FIG	22	\$2,000	Fig Tree Crossing Campground	Contract Cleaner Public Toilets & BBQ											
2642	MILL	02	\$800	Mills Lookout CCTV		\$800	General Mtce		\$800	General Mtce	\$800	General Mtce	\$800	General Mtce	\$800	General Mtce
			TOTALS	\$195,150		\$110,800			\$110,800		\$110,800		\$110,800		\$110,800	

SHIRE OF CHAPMAN VALLEY														
PROPOSED - FIVE YEAR CAPITAL BUILDING WORKS PROGRAM														
COA GL	Job #	IE Code	2021/2022		2022/2023		2023/2024		2024/2025		2025/2026		2026/2027	
			Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description
			Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03											
NABAWA														
0564			\$ 17,500.00	Shire Office		Convert old library to office space								
3264		99	\$21,000	Nabawa Depot Buildings		Install Truck Concrete Hardstand Area Consisting of : 20m x 7m concrete pad 32mpa x 150mm thick F82 mesh								
				Bush Fire Two Bay Shed										
2644	1048			Community Centre										
3504				Community Centre - Pre Primary										
2834	1045			Sports Pavilion & Basketball Stadium (Recreation Centre)										
				Nabawa Oval										
				Nabawa Tennis Pavilion							\$5,000	Re-roof Tennis Club Public Toilets		
				Gardener's Shed										
				Gazebo at Picnic Park										
				Centenary Park - BBQ										
				Centenary Park - Picnic Table										
				Centenary Park - Reticulation										
				Dwelling - Lot 19 Chapman Valley Road										
				Toilet Block										
				Communications Tower										
				Nabawa Transfer Station										
2415				Cemetery										
				Mens Shed										
				Roller Shed										
YUNA														
1762				Yuna Refuse Site										
2644	1037	99	\$10,000	Yuna Golf Club Site		Install CCTV Security Cameras (LRCIP (3))								
				Tennis Courts										
				Depot Shed										
				Yuna Park										
				Yuna Multipurpose Community Centre										
Capital P&E Program 11 SP 34	1304		\$109,444	Yuna - Rockwell Bore		Carry Over project Expenditure 20/21 \$2,616 Rollover Budget \$109444 Project Rockwell-Yuna Pipeline Rejuvenation Project Funded through DWER Community Water Supply Program oProject: Rockwell-Yuna Pipeline Rejuvenation Project oDWER's Community Water Supply Program gives Local Government Authorities the								
NANSON														
2644	1049	99	\$10,000	Nanson Showgrounds Precinct		Install CCTV Security Cameras (Own Resource Funds)			\$25,000	Replace roof sheeting subject to external and/or grant funding				
2644	1038	99	\$30,000	Nanson Showgrounds Precinct		Contingency amount to continue internal power reticulation upgrade to the Precinct based on more accurate costs. \$20,000 nominal amount only (no quotes), site main switch board & sub-surface cables required. \$10,000 allocated to power upgrades at precinct to be used to leverage funds.								
				Western Riding Club Facilities										

SHIRE OF CHAPMAN VALLEY														
PROPOSED - FIVE YEAR CAPITAL BUILDING WORKS PROGRAM														
COA GL	Job #	IE Code	2021/2022		2022/2023		2023/2024		2024/2025		2025/2026		2026/2027	
			Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description
			Endorsed 5 Year Building Program Min Ref 03/21-11 & SCM SCM 07/21-03											
3626		"22	\$3,000	Chapman Valley Museum & Old Road Board Precinct Nanson Playground & Playground Equipment		Allocation for Electrical Design & Cost estimates to determine power upgrade requirements at the Nanson Museum precinct for future budget consideration.								
CORONATION BEACH														
7164	1008	99		Nature Based Campground Area			\$20,000	Ablution block at north end of campgrounds						
HOWATHARRA														
				Bush Fire Two Bay Shed										
WESTERN REGIONS														
2834	1046	34		Bill Hemsley Park Precinct Parkfalls Estate - Bill Hemsley Park Developments							\$15,000	Gazebo & Pad		
YETNA														
			\$11,900	Fig Tree Camp Ground Area		Install CCTV Security Cameras (LRCIP (3)								
MISCELLANEOUS														
			\$195,344	Bushfire Radio Mast, Repeater & Shed Base Set.	\$0		\$45,000		\$0		\$20,000		\$0	

May 21 Concept Forum discussions Draft budget include an appropriate amount for activation of the repairs to damaged assets with view to claim from insurance policy. Consider amending building reserve purpose as part of budget consideration process to allow for major/emergency related repairs					Cyclone Seroja Shire Assets Damage Listing		
	COA GL	Job #	IE Code	These are repairs NOT upgrades	Damaged Yes or No	Estimated Repair Costs	Damage Reported
Nabawa	3502	DEP1	22	Workshop/Garage	✓	\$ 6,300.00	Truck Shed - Roof whirly vents damaged x 12, replacement Depot perimeter cyclone fence; North side; 3/ panels damaged; West side; 4/ panels & gate;
Nabawa	1482	LSG	22	Gardener's Shed (Roller Shed)	✓	\$ 7,000.00	Gardeners / Pitch Roller shed damaged; Repair & re-sheet west wall, replace damaged flashings & roller door
Nabawa	2732	LHL1	22	Community Centre	✓	\$ 7,000.00	Comm. Centre Office - Split system air conditioner, damaged to be replaced Female public toilet - Roof & ceiling damage, repair & re-paint Minor Hall - Smashed window glass panel
Nabawa	2702	LIC	22	Sports Pavilion & Basketball Stadium	✓	\$ 41,000.00	Basketball court ridge cap damaged Basketball court timber floor water damage, sand & reseal (recently re-sealed approx.. 2015) flooring
Nabawa	1482	LSG	22	Nabawa Oval - Lighting	✓	\$ 15,000.00	Oval Floodlight Tower;12m steel tower with 2/ floodlights destroyed
Nabawa	2712	LNTC	22	Tennis Pavilion	✓	\$ 20,000.00	Tennis Club; Shade dome destroyed; 8m x 8m
Nabawa	2712	LNTC	22	Nabawa Tennis Centre - Fencing	✓	\$ 1,200.00	Aluminium fence panels x 5
Nabawa	1482	LSG	22	Toilet Block	✓	\$ 5,700.00	Windows x 2 destroyed 1/ male toilet pan smashed
NANSON	2642	NAN	22	Golf Clubhouse	✓	\$ 5,000.00	Damaged wall & fascia sheets - 3/ asbestos wall & fascia sheets damaged & on the ground, remove asbestos from site & dispose of correctly, install several sheets of corrugated steel sheeting & re-seal building
NANSON - CV Museum Precinct	3626		22	Museum Shed at Nanson	✓	\$ 17,300.00	Grain lifters - Blown to ground, footings & mounts to be replaced, crane required to re-instate, new footings Signage - Timber post & sign next to grain lifters Fencing around perimeter - North side, Hardifence, 5/ panels; East side, jarrah bush pole timber post & beam, 5/ panels, include termite treatment Main display Shed - 2/ solar roof sheets New display shed - Large roller door to north destroyed Historic Weigh bridge tropical roof - Secondary tropical roof ripped off, existing curved sheets salvaged for reuse, requires jarrah timber framing to be rebuilt, steel stub columns repaired & sheets replaced

May 21 Concept Forum discussions Draft budget include an appropriate amount for activation of the repairs to damaged assets with view to claim from insurance policy. Consider amending building reserve purpose as part of budget consideration process to allow for major/emergency related repairs					Cyclone Seroja Shire Assets Damage Listing		
	COA GL	Job #	IE Code	These are repairs NOT upgrades	Damaged Yes or No	Estimated Repair Costs	Damage Reported
NANSON	2722	LSHG	22	Exhibition Buildings (Pavilion and Office)	✓	\$ 4,600.00	Pavillion Hall - Damaged roof sheeting x 4, flashings & timber barge boards Sheep Shed - Solar roof sheets damaged x 3 Switchboard - At south boundary, damaged door ripped off, replace switchboard
NANSON	2722	LSHG	22	Dining Hall	✓	\$ 2,100.00	Window damaged, louvers & timber frame on west wall damaged Damaged patio steel column & concrete footing to be replace
NANSON	2722	LSHG	22	Show Ground Toilets	✓	\$ 15,000.00	Roof completely destroyed, to be replaced
NARALING	2722	LHL3	22	Naraling Hall	✓	\$ 32,000.00	Roof damaged 25% deroofed Ceiling collapsed 60%, replace & repaint Entry timber doors & frame damaged, to be reconstructed from existing materials Gable end panels destroyed, replace & repaint Facility & floor clean
YUNA	2722	LHL2	22	Public Hall	✓	\$ 2,500.00	Collapsed ceiling in minor hall & facility clean
YUNA	2642	LYPK	22	Yuna Park - Shade Dome x2 over Playground Equipment	✓	\$ 70,000.00	Shade dome structure destroyed approx. 30m x20m
YUNA	2722	1006	22	Yuna Multipurpose Community Centre	✓	\$ 2,450.00	External fan destroyed x 5
						\$ 254,150.00	

Program 11	COA Income	2683	-164150
	COA Expenditure	7385	-100000
	Transfer from Building Reserve		0



SHIRE OF

Chapman Valley

love the rural life!



Disability Access & Inclusion Plan

2021-2025

Full Reviewed 21 March 2018 (Minute Reference: 03/18-4)
Desktop Internal Review – April 2019, March 2020, March 2021

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1.0 Responsibility of the Disability Access and Inclusion Plan

The responsibility for the Disability Access Inclusion Plan is the Chief Executive Officer.

2.0 Background

2.1 The Shire of Chapman Valley

The Shire of Chapman Valley is located northeast of Geraldton in the Mid West of Western Australia and covers an area of approximately 4,000km². It is bounded by the Indian Ocean and the Shire of Northampton and City of Greater Geraldton.

The Shire has a population of 1,500 (2016 Census), with the greatest concentration in the south-western section. The largest urban centre is 42km from Geraldton at Nabawa with approximately 90 residents and where the Shire administration is located along with community and sporting facilities. Yuna, a further 40km north-east has a population of approximately 20. At Yuna the Shire maintains sporting facilities, library, assists the community swimming pool and has one employee based there. Nanson 7km south of Nabawa now has a population of approximately 45 but was once the location of the Shire's administration. A community centre with satellite office facility is located in the south-western peri-urban area of the Shire.

The Shire's economy is reliant on a range of agricultural pursuits including intensive farming, grain production and wool growing. The southern section of the Shire has become popular for rural lifestyle living and includes the scenic Chapman Valley, which is a popular weekend destination for residents of Geraldton and travelers to the region.

A number of small tourist and cottage industry ventures have been established and are proving popular with visitors. Many visitors and campers are drawn to Coronation Beach, which is a world-renowned wind and kite surfing location on the Shire's 17km of coastline. The Shire maintains basic camping facilities at the beach but is currently restricted in the facilities it can provide by the lack of fresh water and power supplies.

2.2 Functions, facilities and services provided by the Shire of Chapman Valley

The Shire of Chapman Valley provides:

Services to properties including-

- Construction and maintenance of Shire owned roads, buildings, footpaths, cycle facilities, walking and bridle trails and boardwalks, rubbish collection and disposal (Nabawa,

Nanson townsites, south-western peri-urban area and key arterial roads only) caring for trees, street lighting, and bushfire control.

Services to community include-

- Provision and maintenance of recreation grounds, playing areas, and reserves, management of three (3) community centres and stadium, two (2) libraries and information services,, coastal management, management of specific roadside tourist areas.

Regulatory services include-

- Planning, building and ranger services. Planning of roads and subdivisions in accordance with the town planning scheme, building approvals for construction, additions and alterations. Ranger services, including enforcement of legislation for dogs, cats, litter and pools/spas inspections. Environmental health services are provided by the Shire through external contracting.

General Administration including-

- The provision of general information to the public, rates notices, vehicle licensing and postal support.

Process of Government including-

- Ordinary and special council meetings, committee meetings, electors meetings and election of Councillors.

2.3 People with disability in the Shire of Chapman Valley

There is a small estimate of people with disability living within the Shire. The Australia Bureau of Statistics (ABS) figures were inconclusive concerning the number of people with disability in the Shire, however the officers, council, and community are aware there are people with disability who live in the community. The expansion of urban development in the south-western corner of the Shire will increase this number, and visitors with disability to the region must be considered.

2.4 Planning for better access

The *Western Australian Disability Services Act 1993* requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure that people with disability have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the *Western Australia Equal Opportunity Act 1984* and the *Commonwealth Disability Discrimination Act 1992*, both of which make discrimination on the basis of a person's disability.

2.5 Progress since 1995

The Shire of Chapman Valley is committed to facilitating the inclusion of people with disability through the improvement of access to its facilities and services. Towards this goal the Shire adopted its first Disability Service Plan in 1996 and then reviewed the Plan to address the barriers within the community for people with disability. The Disability Services Plan addressed both its statutory requirements under the *WA Disability Services Act 1993* and its obligations under the *Commonwealth Disability Discrimination Act 1992* and has undertaken the following reviews:

Year	Review Type
2001	Full Review with Community, Councillor & Senior Staff Consultation
2007	Full Review with Community, Councillor & Senior Staff Consultation
2016	Internal Desktop Review with Councillor & Senior Consultation
2017	Full Review with Community, Councillor & Senior Staff Consultation
2018	Full Review with Community, Councillor & Senior Staff Consultation
2019	Internal Desktop Review with Councillor & Senior Staff Consultation
2020	Internal Desktop Review with Councillor & Senior Staff Consultation
2021	Internal Desktop Review with Councillor & Senior Staff Consultation



Since the adoption of the initial Disability Services Plan, the Shire has implemented many initiatives and made significant progress towards better access within the Shire of Chapman Valley, these are as follows;

Improvement of existing functions, facilities and services to meet the needs of people with disability

- Talking books positioned in a clearly designated and easily accessible section of the library.
- Building surveyors and planners have assisted in increasing disability access awareness of developers, and the introduction of disabled access to all newly constructed or altered public buildings, including playground and recreational areas.
- Satellite Office at the Bill Hemsley Park Community Centre with disabled access to reach out to the community, rather than to expect people to travel to Nabawa for services (e.g. building, planning applications).
- Major renovations to the Nabawa Shire Officers and Chambers to accommodate people with disabilities (e.g. widened access doors and passageways, new disabled ablution facilities)

Improved access to community buildings and facilities

- Unisex disabled accessible toilet block was centrally constructed in the Chapman Valley Community Centre and the Yuna Townsite.
- Footpath installed from the school to residential areas of Nabawa.
- Footpath installed from the school to the Shire Office in Nabawa.
- Access ramp installed at Yuna Library.
- ACROD car parking installed at Yuna Community Centre, Shire Administration office and Bill Hemsley Park Community Centre.
- Access ramp to Nanson Road Board Office & Ted Porter Cottage
- Disabled access Toilet to Nanson Showgrounds
- Ramp and door widening to new Library at Nabawa Community Centre
- New Ramp to Dining room building at Nanson Showgrounds

Opportunities provided for people with disability to participate in public consultations, grievance mechanisms and decision making processes are provided.

- Council services, functions and facilities are available on request in large print, and alternative formats.
- Council ensures voting for municipal elections takes place in accessible buildings and that alternative voting arrangement (e.g. Postal Voting system) is available where required.



3.0 Access and Inclusion Policy Statement

The Shire of Chapman Valley is committed to ensuring that the community is an accessible community for people with disability, their families and carers, via the following;

- The Shire of Chapman Valley believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice.
- The Shire of Chapman Valley is committed to consulting with people with disability, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.
- The Shire of Chapman Valley is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire is also committed to achieving the seven standards of its disability access and inclusion plan which are as follows;

1. Provide a means of ensuring that people with disability have the same opportunities as others to access the services of, and any event organised by the Shire of Chapman Valley.
2. Provide a means of ensuring that people with disability have the same opportunities as others to access buildings and other facilities of the Shire of Chapman Valley.
3. Provide a means of ensuring that people with disability receive information from the Shire in a format that will enable them to access information as readily as others are able to.
4. Provide a means of ensuring that people with disability receive the same level and quality of service from the staff of the Shire of Chapman Valley
5. Provide a means of ensuring that people with disability have the same opportunities as others to give feedback to the Shire of Chapman Valley.
6. Provide a means of ensuring that people with disability have the same opportunities as others to participate in any public consultation with the Shire of Chapman Valley.
7. Provide a means of ensuring that people with disability have the same opportunities as other people to obtain and maintain employment with the Shire of Chapman Valley.



4.0 Strategies to Improve Access and Inclusion

The Shire of Chapman Valley is committed to achieving the following outcomes.

Timeliness of these outcomes is addressed in the implementation table in section five (5) of this DAIP document.

Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategies
Ensure people with disability are provided with an opportunity to comment on access to services. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Make library technology as accessible as possible.
Council will ensure that any events are organised so that they are accessible to people with disability.
Council will ensure that all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .

Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies
Ensure all buildings and facilities are physically accessible to people with disability.
Ensure that all new or redevelopment works provide access to people with disability, where practicable.
Ensure adequate ACROD parking to meet the demand of people with disability in terms of quantity, quality, and location.
Ensure that parks and reserves are accessible.
Increase the number of accessible playgrounds.
Improve access to beaches and the sea for people with disability.
Ensure that public toilets meet the associated accessibility standards.

Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Improve staff awareness of accessible information needs and how to obtain information in other formats. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Ensure that the Shires website meets contemporary and universal design practices.

Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disability.
Improve the awareness of new staff and new Councillors about disability and access issues.
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disability.

Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

Strategies
Council will ensure that current grievance mechanisms are accessible for people with disability and are acted upon.

Outcome 6

People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies
Improve community awareness about the consultation process in place.
Improve access for people with disability to the established consultative process of Council. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Seek broad range of views on disability and access issues from the local community.
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.

Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Strategies
Provide for the needs of people with disability to obtain and maintain employment.
Advocate to the community to provide the needs of people with disability to obtain and maintain employment.



5.0 Development of the Disability Access and Inclusion Plan

5.1 Responsibility for the planning process

A Building and Disability Services Committee of council was established comprising of elected members of council and council officers to oversee the development and implementation, review and evaluation of the plan and efforts have been made to include the participation of a person with a disability.

5.2 Community consultation

In 2018, the Shire of Chapman Valley undertook the latest full community consultative review of its Disability Services Plan and advertised for public comment/submissions to draft a new Disability Access and Inclusion Plan to guide further improvements for access and inclusion.

The process included:

- Examination of the initial Disability Services Plan and review to see what has been achieved and what still needs work
- Examination of other Council documents and strategies
- Investigation of current good practice in access and inclusion
- Consultation with key staff; and
- Consultation with the community

The community was informed through the Shire Website and Geraldton Guardian Council was reviewing its current Disability Access and Inclusion Plan to address the barriers that people with disability and their families experience in accessing council functions, facilities and services. The community was advised they could provide input into the development of the plan. The community was invited to contact Shire officers to discuss and submit comments on the draft DAIP. No submissions were received through the public consultation process. The Disability Access and Inclusion Plan was adopted at the March 2018 Council meeting, subject to submissions being received, of which there were none.

In 2019 and 2020 Council undertake a *Desktop* review of the Plan with only significant amendment be to make specific reference to the Shire's *Community Communication Management Procedure*.

5.3 Findings of the consultation

While the review and consultation noted a level of achievement in improving access it also identified a range of barriers that requires redress. These include:

- Processes of Council may not be as accessible as possible.
- Events may not always be held in a manner and location that best facilitates the participation of people with disability.
- Staff may be uninformed or lacking in confidence to adequately provide the same level of service to people with disability.

The identification of these barriers informed the development of strategies in the Disability Access and Inclusion Plan. The barriers have been prioritised in order of importance, which assists setting timeframes for the completion of strategies to overcome these access barriers.

5.4 Responsibility for implementing the DAIP

Implementation of the DAIP is the responsibility of all areas of the Shire of Chapman Valley. The Disability Services Act (1993) requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

5.5 Communication of the plan to staff and people with disability

The community has been advised through the local media that copies of the plan are available to the community through the Shire website, upon direct request of Shire officers, and is available in alternative formats if required.

As plans are amended, Shire employees and the community will be advised of the availability of updated plans, using the above methods.

Council has adopted a *Community Communications Management Procedure*, which includes:

- Sharing information required by law to be publicly available.
- Sharing information, which is of interest and benefit to the Community.
- Promoting Shire of Chapman Valley events and services.
- Promoting Public Notices and community consultation/ engagement opportunities.

5.6 Review and evaluation mechanisms

The *Disability Services Act 1993* requires that DAIP's be reviewed at least every 5 years. The DAIP Implementation Plan can be amended more frequently to reflect advancements of access and inclusion issues. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the Disability Services Commission.

Monitoring and reviewing

The DAIP will be reviewed annually as a Desktop exercise for progress and implementation with all progress and recommended changes reported to council.

Evaluation

A full evaluation will occur periodically as part of the review of the DAIP. Community, staff and elected members will be consulted as part of the full evaluation and Implementation Plans will be amended based on the feedback received. Copies of the amended Implementation Plan, once endorsed by council, will be available to the community in alternative formats.

5.7 Reporting of DAIP

The *Disability Services Act 1993* requires the Shire to report on the implementation of its DAIP in its annual report outlining:

- Progress towards the desired outcomes of its DAIP.
- Progress of its agents and contractors towards meeting the seven desired outcomes.
- The strategies used to inform agents and contractors of its DAIP.



6.0 Implementation Plan

The Implementation Plan details the task, timelines and responsibilities for each strategy to be implemented to progress the strategies of the DAIP.

It is intended that the Implementation Plan will be updated annually through Council's operations, to progress the achievements of all the strategies over the duration of the five (5) Year Plan.



Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategy	Task	Timeline	Responsibility
Ensure people with disability are provided with an opportunity to comment on access to services.	<ul style="list-style-type: none"> • Shire’s Disability Services Coordinator will liaise with contractors, who are developing and implementing the Shire evaluation activities, to increase their awareness of the importance of getting comments on services by people with disability. • Develop feedback mechanism for use of all disability services provider to by the Shire. • Establish a <i>Community Communication Management Procedure</i>. 	Implemented/ ongoing	Disability Services Coordinator, CEO, DCEO and all Managers
Make library technology as accessible as possible.	<ul style="list-style-type: none"> • Make library technology as accessible as possible 	Implemented/ ongoing	MFCS
Council will ensure that any events are organised so that they are accessible to people with disability.	<ul style="list-style-type: none"> • Ensure the needs of people with disability are planned for and provided by using the checklist provided through the access resource kit as provided by DSC. • Request Agricultural Society to set aside parking spaces for easy access parking. 	Implemented/ ongoing Completed	DCEO, Community Development Officer, and CEO

<p>Council will ensure all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access.</p>	<ul style="list-style-type: none"> • Ensure all buildings, facilities and services are accessible to people with disability through ongoing review and evaluation using devised checklists and annual audits. Through these audits a report will be generated that clearly identifies improvements to ensure the inclusion and accessibility for everyone. <p>Again, using the guide and checklist provided through the access resource kit developed by the DSC.</p>	<p>Implemented/ ongoing</p>	<p>Disability Services Coordinator, CEO, DCEO and all Managers Council representatives</p>
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Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies	Task	Timeline	Responsibility
Demonstrate a willingness to ensure all buildings and facilities are accessible where practicable, to meet the access standards and any additional need in consideration of people with disability.	<ul style="list-style-type: none"> • Audit and collate information on facilities. • Generate an improvement report. • Complete improvements from report where possible 	Implemented/ ongoing	CEO, DCEO, Building Surveyor, Council Representatives
Ensure that all new or redevelopment works provide access to people with disability, where practicable.	<ul style="list-style-type: none"> • All facilities allow for access for people with physical, cognitive, sensory and psychiatric disability through the application of specific building and planning codes. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. 	Annually/ Ongoing	CEO, DCEO, Building Surveyor, Building Committee
Ensure adequate ACROD parking to meet the demand of people with disability in terms of quantity, quality, and location.	<ul style="list-style-type: none"> • Undertake an audit of ACROD bays and implement a program to rectify non-compliance. (Checklist, from ART) 	Implemented/ ongoing	CEO, DCEO, Administration Manager, Building Surveyor, Building Committee

<p>Ensure that parks and reserves are accessible.</p>	<ul style="list-style-type: none"> • All parks and reserves allow for access for people with physical, cognitive, sensory and psychiatric disability. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. • Increase the amount of seating throughout each townsite (Nanson, Yuna, Nabawa) and White Peak peri-urban area. 	<p>Completed</p>	<p>CEO, DCEO Community Development Officer, Council Representatives</p>
<p>Increase the number of accessible playgrounds.</p>	<ul style="list-style-type: none"> • Implement accessible play areas to existing and new facilities through careful planning and advice from experts. 	<p>Ongoing Part of Planning procedures</p>	<p>CEO, DCEO, Community Development Officer</p>
<p>Improve access to beaches and the sea for people with disability.</p>	<ul style="list-style-type: none"> • Where practicable allow access to beach areas within the Shire through investigation of methods that provide maximum opportunity for inclusion and access. 	<p>Completed</p>	<p>CEO, DCEO, Building Surveyor</p>
<p>Ensure that public toilets meet the associated accessibility standards.</p>	<ul style="list-style-type: none"> • Provision of Unisex disabled toilet/s for wheelchair persons visiting the Shires facilities are considered and planned for. These toilet facilities will be identified through the annual building inspection and planned for through the function of this committee. Facilities currently highlighted as in need of accessible toilet/s include the Nanson Showgrounds, Nanson Museum grounds, Yuna Townsite, and Nabawa Cemetery. 	<p>Implemented/ongoing</p>	<p>Disability Services Coordinator, CEO, DCEO and all Managers Council representatives</p>

Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies	Task	Timeline	Responsibility
<p>Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio.</p>	<ul style="list-style-type: none"> • Ensure all documents carry a notation regarding availability in alternative formats • Advise the community via local newspaper, radio, newsletters that other formats are available via electronic and audible formats. • Establish a <i>Community Communication Management Procedure</i>. 	<p>Implemented/ongoing</p>	<p>All managers</p>
<p>Improve staff awareness of accessible information needs and how to obtain information in other formats.</p>	<ul style="list-style-type: none"> • Make accessible information guidelines available on the internet • Develop an accessible information policy • Conduct accessible information training and include as part of the induction of new staff. • Establish a <i>Community Communication Management Procedure</i>. 	<p>Implemented/ongoing</p>	<p>MFCS</p>
<p>Ensure that the Shires website meets contemporary and universal design practices.</p>	<p>Redevelop website according to the W3C guidelines as outlined by the state government access guidelines *</p>	<p>Implemented/ongoing</p>	<p>MFCS</p>

- W3C standards define an **Open Web Platform** for application development that has the unprecedented potential to enable developers to build rich interactive experiences, powered by vast data stores, that are available on any device. Although the boundaries of the platform continue to evolve, industry leaders speak nearly in unison about how HTML5 will be the cornerstone for this platform. But the full strength of the platform relies on many more technologies that W3C and its partners are creating, including CSS, SVG, WOFF, the Semantic Web stack, XML, and a variety of APIs.

Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies	Task	Timeline	Responsibility
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disability.	<ul style="list-style-type: none"> • Advise staff of minimum requirements • Conduct a survey of all staff to determine training needs-completed 	Implemented/ongoing	All Managers, Community Development Officer
Improve the awareness of new staff and new Councilors about disability and access issues.	<ul style="list-style-type: none"> • Provide information and establish training in the induction for new staff and Councilors 	Implemented/ongoing	All Managers
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disability.	<ul style="list-style-type: none"> • Keep an updated database on people who can be called upon to ask advice 	Implemented/ongoing	Community Development Officer and Administration Officers

Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

Strategies	Task	Timeline	Responsibility
<p>Council will ensure that current grievance mechanisms are accessible for people with disability and are acted upon.</p>	<ul style="list-style-type: none"> • Review current mechanisms for access. Consult with people with disability and expert advice. • Develop other methods of making complaints, such as web based forms, access to interpreters, advocacy services, and alternative arrangements such as carers, parents, and guardians acting as advocates. • Promote accessible complaints mechanisms to the community. • Establish a <i>Community Communication Management Procedure</i>. 	<p>Implemented/ ongoing</p>	<p>CEO, MFCS</p>

Outcome 6

People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies	Task	Timeline	Responsibility
<p>Improve community awareness about the consultation process in place.</p>	<ul style="list-style-type: none"> Promote the existence and role/purpose of the DAIP to the community. Shire representatives to meet regularly to discuss and review DAIP and processes used to develop DAI policies, and make improvements where possible. Establish a <i>Community Communication Management Procedure</i>. 	<p>Implemented/ongoing</p>	<p>CEO, Community Development Officer, Building Committee</p>
<p>Improve access for people with disability to the established consultative process of Council.</p>	<ul style="list-style-type: none"> Consult with people with disability using a range of mediums, including survey, focus groups, and interviews, on a regular basis. 	<p>Implemented/ongoing</p>	<p>Community Development Officer, Building and Disability Services Committee</p>
<p>Seek broad range of views on disability and access issues from the local community.</p>	<ul style="list-style-type: none"> Include appropriate questions about access and inclusion in general Shire surveys and consultative events. Actively pursue ideas and thoughts from people with disability. 	<p>Implemented/ongoing</p>	<p>Community Development Officer, Building and Disability Services Committee</p>
<p>Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.</p>	<ul style="list-style-type: none"> The Shire will regularly monitor the progress of the plan and be involved in the annual reviews. 	<p>Implemented/ongoing</p>	<p>Community Development Officer, DCEO, Building and Disability Services Committee</p>

Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Strategies	Implementation	Timeline	Responsibility
Provide for the needs of people with disability to obtain and maintain employment.	Encourage and promote access processes for the needs of people with disability in obtaining employment.	Ongoing	CEO
	Encourage and promote access processes for the needs of staff with disability to be supported in their employment.	Ongoing	CEO
Advocate to the community to provide the needs of people with disability to obtain and maintain employment.	Encourage best practice information to the community for the needs of people with disability to obtain and maintain employment.	Ongoing	CEO

7.0 Conclusion

The Shire of Chapman Valley is committed to ensuring that people with disability and their carers have the opportunity to fully participate in community life.



LIST OF ADDITIONAL REQUESTS FOR CONSIDERATION

Location	Items listed for consideration	Estimated Cost
Council Chambers & Office	<p><u>Staff Requests</u></p> <ol style="list-style-type: none"> 1. & 5. Remodeling the entire front office area, not just the physical counter. Removing the dividing walls to enable work stations to be set up across the entire floor area, create a better flow for Australia Post parcels without impinging on officers work space or interrupting staff unnecessarily. 2. Replace existing windows in male and female toilets with modern windows so they are better sealed thereby avoiding the aftermath we had from both the dust storm and the cyclone in there. 3. Refit old server room with modular shelving for general storage 4. Install custom cabinet for building permit purposes outside CEO/Building office. 5. Alter front counter layout to enable officers to stand at counter with improved workspace area and shelving and have monitors able to be swivel mounted to facilitate interaction with customers and remove glass display case at northern end of counter. 6. Install keyfob security system on two back office doors. 7. Fit closing door cabinetry and shelving into photocopier room to provide improved storage <p><u>LRCIP(3) – only if not completed in 21/22</u></p> <ol style="list-style-type: none"> 8. Nabawa Townsite Fixed Electronic Display Sign. 	<p>\$50,000 nominal amount</p> <p>\$4,000</p> <p>\$1,200</p> <p>\$ See No.1</p> <p>\$ See No.1</p> <p>\$5,500</p> <p>N/A (See No.3)</p> <p>\$15,000</p>
Nabawa Depot & Gardeners Shed	<p><u>Staff Requests</u></p> <ol style="list-style-type: none"> 1. Remove Water Tank Gantry and extend concrete hardstand towards main shed. 2. Repair/Replace Gutters on Shed & roof sheets 3. Install concrete floor at Depot Transportable Office lunch area <p><u>Item(s) Reintroduced</u></p> <ol style="list-style-type: none"> 3. Cable Gate (including power connection) 	<p>\$8,000</p> <p>\$4,000</p> <p>\$3,000</p> <p>\$12,000</p>
Nabawa Community Ctr & Sports Pavilion	<p><u>Staff Requests</u></p> <ol style="list-style-type: none"> 1. Dump Point – Adjacent to Nabawa Tavern. <p><u>LRCIP(3) – only if not completed in 21/22</u></p> <ol style="list-style-type: none"> 2. Nabawa Community Centre upgrades, includes; dryline foyer clinker bricks area with gyprock & paint, remove old deteriorated acoustic ceiling lining & reinsulate as per library project, install 	<p>\$9,000</p> <p>\$40,000</p>

	<p>new seam welded commercial vinyl floor over existing vinyl floor tiles, install cabinet doors to replace existing glass doors on display cabinets for storage, door seals</p> <p>+ Two split system air-conditioning to Lesser hall</p> <p>3. Lockable library shelves, 10 prefab units at \$1,700 each</p> <p><u>CV Football Club (Brenda Williamson)</u></p> <p>4. Stadium Downstairs Kitchen/Canteen Improvements. *Subject to external funding</p>	<p>\$8,000</p> <p>\$17,000</p> <p>\$50,000 *\$20,000</p>
Centenary Park (Nabawa)	1.Paint gazebo, materials only (Prison Community service labour possible)	\$1,000
Nanson Cemetery	Care & maintenance	\$ Repeat existing maintenance budget
Nabawa Refuse Site	Care & maintenance	\$ Repeat existing maintenance budget
Nanson Museum Area & Playground	<p><u>CH Historical Society</u></p> <p>1. Public Toilets – Repaint, door strip, Annual pest control spraying *Maintenance not capital buget</p>	\$2,500 *
Nanson Showgrounds	<p><u>LRCIP(3) – only if not completed in 21/22</u></p> <p>1. Western Riding Club Arena Lighting - Nanson 2. Additional power upgrades - 22/23 Year Budget</p>	<p>\$105,056</p> <p>\$20,000</p>
Naraling Hall	Cyclone repairs	\$insurance claim
Yuna Hall	<p><u>Staff Requests</u></p> <p>1. Dump Point – Adjacent to Yuna Hall.</p>	\$9,000

Yuna Park/Gazebo	Replace shade structure	\$insurance claim
Yuna Depot	Care & maintenance	\$ Repeat existing maintenance budget
Yuna MCC	Allocate an annual cleaning budget for approx. once / every two/ months Facia painting on building	\$5,000 \$TBA
Yuna Golf Club	<u>LRCIP(3) – only if not completed in 21/22</u> 1. CCTV	\$10,000
Howatharra Bush Fire Shed		
Coronation Beach	<u>LRCIP(3) – only if not completed in 21/22</u> 1. Coronation Beach Fixed Electronic Display Sign. 2. CCTV 3. Northern toilet & shower combo ablution block	\$15,000 \$4,500 \$20,000
Bill Hemsley Park CC	1.Mark reticulation line locations for bouncy castle tie down pegs 2. Labour/Contractor fee for various maintenance	\$500 \$5,000
Fig Tree Camping Reserve	<u>LRCIP(3) – only if not completed in 21/22</u> 1. CCTV	\$11,900



Shire of Chapman Valley

Delegations Register

Last Full Review – March 2021

(Minute Reference 03/21-3)

Introduction

Purpose of Delegated Authority

The aim of delegated authority is to assist with the efficiency of the local government by way of quicker decisions. This is consistent with the Shire of Chapman Valley's **Strategic Community Plan**. This delegated authority register will be reviewed on an annual basis in accordance with the Local Government Act 1995 requirements.

The Local Government Act 1995 provides the power to delegate certain functions to the Chief Executive Officer. Furthermore, the Act allows for the Chief Executive Officer to sub delegate to another employee (Section 5.44 (1)). This must be done in writing (Section 5.44 (2)). The Act allows for the Chief Executive Officer to place conditions on any sub-delegations, if desired (Section 5.44 (4)).

Other Acts administered by local government also provide the power to delegate or appoint and references within each delegation subject provide information on the respective head of power.

Review Requirements

In accordance with the requirements of Section 5.46(2) of the **Local Government Act 1995**, the Delegations Register must be reviewed at least once every financial year.

FULL REVIEW

Date	Council Resolution
19 May 2010	OCM 05/10-27
18 May 2011	OCM 05/11-11
28 June 2012	OCM 06/12-9
19 June 2013	OCM 06/13-18
21 May 2014	OCM 05/14-13
20 May 2015	OCM 05/15-7
18 May 2016	OCM 05/16-27
17 May 2017	OCM 05/18-13
16 May 2018	OCM 05/18-13
17 April 2019	OCM 04/19-9
18 March 2020	OCM 03/20-7
17 March 2021	OCM 03/21-03

(Note: Amendments to specific Delegations/Appointments/Sub-Delegations are noted at individual Delegation page)

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Legal Advice	1003
Liquor, Sale of from Council Property	1004
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Enforcement and Legal Proceedings	1006
Lease of Council Buildings	1007
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Policy on Legal Representation – Cost Indemnification	1009
Common Seal	1010
Impounding of Goods Including Abandoned Vehicles	1011
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Authorisation of Officers	1013
Transfer of Land Documentation	1014
Execution of Contracts	1015
Appointment of Public Interest Disclosure (PID) Officer	1016
Appointment of Equal Employment Opportunity (EEO) Implementation Officer	1017
Notices Requiring Certain Things to be Done by Owner or Occupier of land and Additional Powers When Notice is Given	1018
Conferences, Seminars, Meetings and Training Courses – Reimbursement of Councillor Expenses	1019
Complaints Officer	1020

2000 WORKS

DETAILS	REFERENCE
Vehicles, Use of	2001
Regulatory Signs, i.e. Stop, Give-Way, Speed etc.	2002
Road Closures, Temporary	2003
Disposal of Surplus equipment / Materials / Tools etc	2004
License to Deposit Materials on or Excavate Adjacent to a Street	2005
Events on Roads	2006
Exercising Powers of the Local Government	2007
Private Works	2008
Damage to Roads, Kerbing, Footpaths etc	2009
Street Signs	2010
Gates & Pipes Across Thoroughfares	2011
Heavy Haulage (RAV) Vehicles	2012

3000 FINANCE

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Payment of Accounts	3001
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4000 FIRE CONTROL

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Firebreak Order, Variation to	4001
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5000 PLANNING

DETAILS	REFERENCE
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6000 HEALTH/BUILDING

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7000 ANIMAL CONTROL

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8000 LANDCARE

DETAILS	REFERENCE
Landcare	8001

DELEGATIONS

APPOINTMENTS

&

SUB-DELEGATIONS

COUNCIL DELEGATIONS/APPOINTMENTS TO CHIEF EXECUTIVE OFFICER

APPOINTMENTS		
	- Bush Fire Administration Officer	
	- Equal Employment Opportunities Grievance Officer	
	- Authorised Person & Registration Officer (Dog Act 1976)	
	- Pension Rates Review Officer	
	- Litter Control Officer	
	- Administrator of all Council Local Laws	
	- Returning Officer (Council Elections)	
	- Principal Accounting Officer	
DELEGATIONS		
DEL NO.	AUTHORITY (Section 5.42)	CEO's SUB-DELEGATION TO STAFF
1001	Disputes, Arbitration & Industrial	
1002	Conferences, Seminars & Training Courses	
1003	Legal Advice	Deputy Chief Executive Officer (for planning issues)
1004	Liquor, Sale of from Council Property	Deputy Chief Executive Officer & Manager Finance & Corporate Services (in the absence of the CEO only)
1005	Street Appeals	Deputy Chief Executive Officer & Manager Finance & Corporate Services (in the absence of the CEO only)
1006	Enforcement and Legal Proceedings	
1007	Lease of Council Buildings	Deputy Chief Executive Officer & Manager Finance & Corporate Services (in the absence of the CEO only)
1008	Annual Leave Clearance	
1009	Policy on Legal Representation – Cost Indemnification	
1010	Common Seal	
1011	Impounding of Goods Including Abandoned Vehicles	
1012	Acting Chief Executive Officer	
1013	Authorisation of Officers	Various. Refer to detailed Sub-Delegations to specific Staff
1014	Transfer of Land Documentation	
1015	Execution of Contracts	
1016	Appointment of Public Interest Disclosure (PID) Officer	Executive Services Administrator
1017	Appointment of Equal Employment Opportunity (EEO) Implementation Officer	

DEL NO.	AUTHORITY (Section 5.42)	CEO's SUB-DELEGATION TO STAFF
1018	Notices Requiring Certain Things to be Done by Owner or Occupier of land and Additional Powers When Notice is Given	
1019	Conferences, Seminars, Meetings and Training Courses – Reimbursement of Councillor Expenses	
1020	Complaints Officer	
2001	Vehicles, Use of	
2002	Regulatory Signs	
2003	Road Closures, Temporary	Manager of Works & Services (in consultation with CEO, or the DCEO in the absence of the CEO)
2004	Disposal of Surplus Equipment, Materials, Tools, etc.	
2005	Licence to Deposit Materials on or Excavate Adjacent to a Street	
2006	Events on Roads	
2007	Exercising Powers of the Local Government	
2008	Private Works	Manager of Works & Services
2009	Damage to Roads, Kerbing, Footpaths etc	Manager of Works & Services
2010	Street Signs	Manager of Works & Services
2011	Gates & Pipes Across Thoroughfares	
2012	Heavy Haulage (RAV) Vehicles	Manager of Works & Services (in consultation with CEO)
3001	Payment of Accounts	Manager Finance & Corporate Services
3002	Rate Book	Manager Finance & Corporate Services
3003	Investment of Surplus Funds	Manager Finance & Corporate Services
3004	Council Purchasing Authority	Various Staff – Refer to Council's Purchasing Policy CP-024
3005	Donations & Grants	
3006	Master Lending Agreement	
3007	Interest & Legal Fees to be Written Off	
3008	Financial Assistance	
3009	Tenders for Providing Goods & Services	
3010	Acceptance of Tenders	
3011	Budget Expenditure	
4001	Firebreak Order, Variation to	Chief Bush Fire Control Officer & Senior Ranger (in consultation with CEO)

DEL NO.	AUTHORITY (Section 5.42)	CEO's SUB-DELEGATION TO STAFF
4002	Burning of Roadsides	Chief Bush Fire Control Officer (in consultation with CEO)
4003	Burning, Prohibited Times (Variations)	Chief Bush Fire Control Officer (in consultation with CEO)
4004	Removal of Hazards	Manager Works & Services (in CEOs absence) & Chief Bush Fire Control Officer (in consultation with CEO)
4005	Offences – Bush Fire Act & Regulations	Deputy Chief Executive Officer (in CEOs absence)
5001	Development Applications	Deputy Chief Executive Officer
5002	Subdivision Applications	Deputy Chief Executive Officer
5003	Town Planning Scheme Amendments	Deputy Chief Executive Officer
5004	Responding to Appeals and Requests for Reconsideration	Deputy Chief Executive Officer
5005	Road Names – Policy	Deputy Chief Executive Officer
6001	Building Act 2001	Building Surveyor
6001a	Building and Demolition Permits – Building Act 2011	Building Surveyor
6001b	Occupancy Permits and Building Approval Certificates – Building Act 2011	Building Surveyor
6001c	Building Orders – Building Act 2011	Building Surveyor
6001d	Building Information – Building Act 2011	Building Surveyor
6001e	Swimming Pool – Building Act 2011	Building Surveyor
6001f	Smoke Alarms – Building Act 2011	Building Surveyor
6001g	Transitional Provisions relating to Local Government – Building Act 2011	Building Surveyor
6002	Caravan Park & Camping Grounds	E.H.O, Building Surveyor/Projects Officer, Senior Ranger
6003	Treatment of Sewage and Disposal of Liquid Waste	E.H.O/Building Surveyor/Projects Officer
6004	Public Health Act 2016	E.H.O
7001	Enforcement of Dog Act and Local Laws	Senior Ranger
7002	Dog Registration	Senior Ranger
7003	Dog Act Infringement	Senior Ranger
7004	Cat Act 2011	Senior Ranger
8001	Landcare	

CEO'S DELEGATIONS/APPOINTMENTS - DEPUTY CHIEF EXECUTIVE OFFICER

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Shire of Chapman Valley Town Planning Schemes	
1013	Dog Act 1976 & Regulations	
1013	Authorised Person & Registration Officer (Dog Act 1976 for Licensing Purposes)	
1013	Litter Act 1979 & Regulations	
1013	Caravan Parks & Camping Grounds Act 1995 & Regulations	
1013	Cat Act 2011 & Regulations	
1003	Legal Advice	
1004	Liquor, Sale of from Council Property	In the absence of the CEO only
1005	Street Appeals	In the absence of the CEO only
1007	Leasing of Council Buildings	In the absence of the CEO only
1011	Impounding of Goods Including Abandoned Vehicles	
3001	Payment of Accounts	
4005	Offences – Bush Fire Act & Regulation	In the absence of the CEO only
3004	Council Purchasing Authority	
5001	Development Applications	
5002	Subdivision Applications	
5003	Town Planning Scheme Amendments	
5004	Responding to Appeals and Requests for Reconsideration	
5005	Road Names	

CEO'S DELEGATIONS/APPOINTMENTS - MANAGER FINANCE & CORPORATE SERVICES

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Authorised Person and Registration Officer (Dog Act 1976 and Cat Act 2011 for Licensing Purposes)	
1013	Cemeteries Act 1986 & Regulations	
-	Freedom of Information Co-ordinator	
1004	Liquor, Sales of from Council	In the absence of the CEO only
1005	Street Appeals	In the absence of the CEO only
1007	Leasing of Council Buildings	In the absence of the CEO only
3001	Payment of Accounts	
3002	Rate Book	
3003	Investment of Surplus Funds	
3004	Council Purchasing Authority	

CEO'S DELEGATIONS/APPOINTMENTS - MANAGER OF WORKS & SERVICES

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Litter Control Officer (Litter Act 1979)	
1013	Dog Control Officer (1976)	
1013	Cat Act 2011 & Regulations	
1013	Litter Act 1979 & Regulations	
2003	Road Closures, Temporary	In consultation with CEO, or the DCEO in the absence of the CEO.
2008	Private Works	
2009	Damage to Roads, Kerbing, Footpaths etc	
2010	Street Signs	
2012	Heavy Haulage (RAV) Vehicles	In consultation with CEO.
3004	Council Purchasing Authority	
4004	Removal of Hazards	

CEO'S DELEGATIONS/APPOINTMENTS - BUILDING SURVEYOR / PROJECTS OFFICER

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Building Act 2011 & Regulations	
1013	Caravan Parks & Camping Grounds Act 1995 & Regulations	
3004	Council Purchasing Authority	
6001	Building Act 2001	
6001a	Building and Demolition Permits – Building Act 2011	
6001b	Occupancy Permits and Building Approval Certificates – Building Act 2011	
6001c	Building Orders – Building Act 2011	
6001d	Building Information – Building Act 2011	
6001e	Swimming Pool – Building Act 2011	
6001f	Smoke Alarms – Building Act 2011	
6001g	Transitional Provisions relating to Local Government – Building Act 2011	
6002	Caravan Parks & Camping Grounds	
6003	Treatment of Sewerage and Disposal of Effluent and Liquid Waste	

CEO'S DELEGATIONS/APPOINTMENTS - ENVIRONMENTAL & HEALTH OFFICER

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Health (Miscellaneous Provisions) Act 1911	
1013	Food Act 2008	
6002	Caravan Park & Camping Grounds	
6003	Treatment of Sewage and Disposal of Liquid Waste	
6004	Demolition Licenses	

CEO'S DELEGATIONS/APPOINTMENTS - SENIOR RANGER

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Litter Control Officer (Litter Act 1979)	
1013	Dog Control Officer (1976)	
1013	Cat Act 2011 & Regulations	
1013	Control of Vehicles (Off Road Areas) Act 1978 & Regulations	
1013	Caravan Parks & Camping Grounds Act 1995 & Regulations	
1013	Fire Prevention Officer	
1013	Fire Training Officer	
-	RSPCA Welfare Officer	
3004	Council Purchasing Authority	
4001	Firebreak Order, Variation to	In consultation with the CEO & CBFCO
6001e	Swimming Pool Inspections	
6002	Caravan Parks & Camping Grounds	
7001	Enforcement of Dog Act & Local Laws	
7002	Dog Registration	
7003	Dog Act Infringements	
7004	Administration & Enforcement of Cat Act 2011 & associated subsidiary legislation	

CEO'S DELEGATIONS/APPOINTMENTS - EXECUTIVE SERVICES ADMINISTRATOR

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Authorised Person & Registration Officer (Dog Act 1976 and Cat Act 2011 for Licensing Purposes)	
1016	Public Interest Disclosure Officer	
3004	Council Purchasing Authority	

CEO'S DELEGATIONS/APPOINTMENTS - PLANT OPERATOR – CONSTRUCTION & MAINTENANCE

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
3004	Council Purchasing Authority	

CEO'S DELEGATIONS/APPOINTMENTS - SENIOR FINANCE OFFICER

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Authorised Person & Registration Officer (Dog Act 1976 and Cat Act 2011 for Licensing Purposes)	
3004	Council Purchasing Authority	

CEO'S DELEGATIONS/APPOINTMENTS - ADMINISTRATION STAFF

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
1013	Authorised Person & Registration Officer (Dog Act 1976 and Cat Act 2011 for Licensing Purposes)	

COUNCIL DELEGATIONS/APPOINTMENTS - BUSHFIRE CONTROL

DEL NO.	AUTHORITY (Section 5.42)	COMMENTS
	Chief Fire Control Officer (CBFCO)	A Vlahov
	Deputy Chief Bush Fire Control Officer	N Kupsch
	B.F.C.O. - Yuna	S Earl
	B.F.C.O. - Naraling	C Mincherton
	B.F.C.O. - Nabawa	N Kupsch
	B.F.C.O. - Howatharra	C Royce
	B.F.C.O. - Durawah/Valentine	D Burton
	B.F.C.O. - Yetna	J Stokes
	Training Officer - Town	E O'Donnell
	Fire Prevention	E O'Donnell
	Group Administration Officer	CEO
	Fire Weather Officer	A Vlahov
	Deputy Fire Weather Officer	N Kupsch
	Noxious Weed & Clover Permit Officer	A Vlahov
4001	Fire Breaks Order, Variation to	CBFCO in consultation with CEO
4002	Burning of Roadsides	CBFCO in consultation with CEO
4003	Burning, Prohibited & Restricted Times (Variations)	CBFCO in consultation with CEO
4004	Removal of Hazards	CBFCO in consultation with CEO

DELEGATIONS

COUNCIL

to

CHIEF EXECUTIVE

OFFICER

1000

ADMINISTRATION

DELEGATION NUMBER - 1001

LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Disputes, Arbitration and Industrial
DELEGATE - Chief Executive Officer
RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to provide the Western Australian Local Government Association (WALGA) with consent to act on the Council's behalf in any matter regarding disputes with employees of Council.

DELEGATION NUMBER	-	1002
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Conferences, Seminars & Training Courses
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated authority to approve the attendance by Council staff at conferences, seminars and training courses where attendance will enhance the professional development of the officer, provide benefits to the Council, is relevant to the duties and responsibilities of the officer and is within Budgetary constraints.

DELEGATION NUMBER - **1003**
LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Legal Advice
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CP-004

Subject to provision being made in the budget for legal expenses, the Chief Executive Officer is delegated authority to obtain from an appropriate solicitor, such legal advice, assistance and opinions as the Chief Executive Officer deems necessary in the exercise of the management of the Local Government.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER	-	1004
LEGISLATIVE POWER	-	Liquor Control Act, 1988
DELEGATION SUBJECT	-	Liquor, Sale of from Council Property
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated authority to approve applications for the sale of liquor from property under the care, control and management of the Council and to approve applications to consume liquor on property under the care, control and management of Council.

The CEO is delegated authority to issue certificates of compliance under Sections 39 (certificate of local government as to whether premises comply with laws) and Section 40 (certificate of planning authority as to whether use of premises complies with planning laws) of the Liquor Control Act 1988.

DELEGATION NUMBER - **1005**
LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Street Appeals
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to determine all applications for street appeals.

The Chief Executive Officer shall have regard to any Council Policy relating to street appeals.

DELEGATION NUMBER - 1006

LEGISLATIVE POWER - Planning & Development Act 2005; Building Regulations; Health Act; Local Government Act 1995, Litter Act 1979, Bushfire Act 1954, Dog Act 1976, Cat Act 2011, Control of Vehicles (Off Road Areas) Act 1978, Caravan Parks & Camping Grounds Act 1995 and any other relevant legislation as determined by the CEO

DELEGATION SUBJECT - Enforcement and Legal Proceedings

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions on behalf of Council under the Local Government Act 1995 (Section 9.10) and Council's Local Laws.

Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.

All such appointments must be within budgetary constraints unless funding is otherwise authorised by Council.

Reviewed - Minute Reference 03/21-03

DELEGATION NUMBER - **1007**
LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Lease of Council Buildings
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is authorised to lease out Council Buildings (i.e., houses, halls, community centre, etc.) in accordance with Council determined rates and charges.

(Reviewed - Minute Reference 02/14-36)

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DELEGATION NUMBER - **1008**
LEGISLATIVE POWER - Local Government Act (1995)
DELEGATION SUBJECT - Annual Leave Clearance
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CMP-042

The Chief Executive Officer is to be delegated authority to approve requests for deferment of Annual Leave.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER	-	1009
LEGISLATIVE POWER	-	Local Government Act (1995)
DELEGATION SUBJECT	-	Policy on Legal Representation – Cost Indemnification
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		CP-004

Council has adopted a policy Legal Representation and Cost Indemnification.

The Chief Executive Officer is delegated authority in accordance with Clause 2(e) of the policy as follows: -

“Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give an authorisation to the value of \$5,000”

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed - Minute Reference 06/02-6

DELEGATION NUMBER	-	1010
LEGISLATIVE POWER	-	Local Government Act (1995)
DELEGATION SUBJECT	-	Common Seal
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The CEO is delegated authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of contract documents including affixing of the Seal without further reference to Council, where:

- (a) Council has authorised entering into a formal contract; or
 - (b) A formal contract is authorised under a delegated authority from Council; or
 - (c) A formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operations of the Council.
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DELEGATION NUMBER - 1011

LEGISLATIVE POWER - Local Government Act 1995 –
Division 3/Subdivision 4

DELEGATION SUBJECT - Impounding of Goods Including Abandoned
Vehicles

DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CMP-027

The CEO is delegated authority to impound any goods, vehicles or other items in accordance with Sections 3.37 to 3.48 of the Local Government Act 1995.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER - **1012**
LEGISLATIVE POWER - Local Government Act 1995 –
DELEGATION SUBJECT - Acting Chief Executive Officer
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

The CEO is delegated authority to appoint an Executive Manager as Acting CEO when the CEO is on periods of annual leave or long service leave of duration no greater than 35 consecutive working days in length. Appointment of an Acting CEO for a period greater than 35 consecutive working days will require a Council decision.

Where the CEO is on sick leave for a period which in the opinion of the CEO requires appointment of an Acting CEO, the CEO is delegated authority to appoint an Executive Manager as Acting CEO for a period of up to 35 consecutive working days.

DELEGATION NUMBER	-	1013
LEGISLATIVE POWER	-	Various
DELEGATION SUBJECT	-	Authorisation of Officers
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The CEO is delegated authority to appoint authorised persons to carry out functions of authorised persons under the following Acts/Legislation:

- Local Government Act 1995 & Associated Regulations
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 & Regulations
- Control of Vehicles (Off Road Areas) Act 1978 & Regulations
- Litter Act 1979 & Regulations
- Bush Fires Act 1954 & Regulations
- Caravan Parks & Camping Grounds Act 1995 & Regulations
- Cemeteries Act 1986 & Regulations
- Local Government Local Laws
- Shire of Chapman Valley Town Planning Schemes
- Environmental Protection Act 1986 – Noise
- Cat Act 2011 & Regulations
- Building Act 2011 & Regulations
- Food Act 2008
- Public Health Act 2016
- Health (Miscellaneous Provisions) Act 1911

DELEGATION NUMBER - **1014**
LEGISLATIVE POWER - Land Administration Act
DELEGATION SUBJECT - Transfer of Land Documentation
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

Where a Council resolution has occurred for the purchase or sale of land, the CEO is authorised to endorse transfer of land documentation.

DELEGATION NUMBER	-	1015
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Execution of Contracts
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The CEO is delegated authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of contract documents including affixing of the Seal without further reference to Council, where:

- (a) Council has authorised entering into a formal contract; or
 - (b) A formal contract is authorised under a delegated authority from Council; or
 - (c) A formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operations of the Shire.
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DELEGATION NUMBER — **1016**

LEGISLATIVE POWER — Public Interest Disclosure Act 2003

DELEGATION SUBJECT — Appointment of Public Interest Disclosure (PID) Officer

DELEGATE — CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE — Nil

~~Under Section 23(1)(a) of the Public Interest Disclosure Act 2003, the CEO is authorised to appoint a Public Interest Disclosure Officer for receiving and responding to disclosures of public interest information.~~

~~DELEGATION NUMBER - 1017~~

~~LEGISLATIVE POWER - Equal Opportunity Act 1984~~

~~DELEGATION SUBJECT - Appointment of Equal Employment Opportunity (EEO) Implementation Officer~~

~~DELEGATE - CHIEF EXECUTIVE OFFICER~~

~~RELEVANT POLICY/PROCEDURE - CP 015~~

~~Under section 145(2)(h) of the Equal Opportunity Act 1984 the CEO is authorised to appoint an officer to have responsibility for implementing the provisions of the Equal Opportunity Act 1984 and Council's Equal Opportunity Employment Policy.~~

~~Refer to relevant Policy/Procedure when exercising this delegation.~~

DELEGATION NUMBER - 1018

LEGISLATIVE POWER Local Government Act 1995 (Sections 3.25, 3.26 and 3.27)

DELEGATION SUBJECT Notices Requiring Certain Things to be Done by Owner or Occupier of land and Additional Powers When Notice is Given

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The CEO is delegated authority to exercise and discharge the duties of the local government under Sections 3.25, 3.26 and 3.27 of the Local Government Act 1995, specifically to give notice to a person who is the owner or occupier of land requiring them to take any action specified in Schedule 3.1 and/or Schedule 3.2 of the Local Government Act 1995

In the event that such notice isn't complied with the CEO is also delegated authority to:

- Take such legislative action as to achieve, as far as practicable, the purpose for which the notice is given; and
 - Recover the costs of any action taken in this regard as a debt from the party that failed to comply with the notice.
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DELEGATION NUMBER - 1019

LEGISLATIVE POWER Local Government Act 1995 (Sections 5.42 and 5.44)
Local Government (Administration) Regulations 1996 (Regulation 32)

DELEGATION SUBJECT Conferences, Seminars, Meetings and Training Courses – Reimbursement of Councillor Expenses

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE CMP-030; CMP-035; CP-006

The CEO is delegated authority to reimburse all reasonable expenses to councillors incurred whilst attending authorised conferences, seminars, meetings and training courses.

Reimbursements to occur in accordance with Local Government Act 1995 (Sections 5.42 and 5.44), Local Government (Administration) Regulations 1996 (Regulation 32).

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER ——— 1020

~~LEGISLATIVE POWER ——— Local Government Act 1995 (Section 5.120(1))
Code of Conduct — Complaints Officer~~

~~DELEGATION SUBJECT ——— Complaints Officer~~

~~DELEGATE ——— CHIEF EXECUTIVE OFFICER~~

~~RELEVANT POLICY/PROCEDURE ——— GP-003~~

~~The CEO is designated as the Council's Complaints Officer for receiving, investigation and, if deemed valid, registering and reporting Elected Member breaches or Alleged breaches of the Council's Code of Conduct or Rules of Conduct.~~

~~Refer to relevant Policy/Procedure when exercising this delegation.~~

2000 WORKS

DELEGATION NUMBER - **2001**
LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT - Vehicles, Use of
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CMP-044

The Chief Executive Officer is delegated the authority to make all appropriate private use arrangements with all staff having use of a Council vehicle, bearing in mind Legislative requirement of Fringe Benefit etc.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER - 2002

LEGISLATIVE POWER - Road Traffic Act, 1974

DELEGATION SUBJECT - Regulatory Signs, i.e. Stop, Give-Way, Speed, etc.

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to make applications to the Main Roads WA for the installation of regulatory signs and markings at such places as the Chief Executive Officer considers warranted.

DELEGATION NUMBER	-	2003
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Road Closures, Temporary
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated authority to temporarily close a thoroughfare or a portion of a street for a period not exceeding 28 days (without providing local public notice) of the opinion that by reason of heavy rain a street is likely to be damaged by the passage of traffic generally or traffic of any particular class.

The Chief Executive Officer is delegated authority to close a thoroughfare for a period in excess of 28 days by providing local public notice in accordance with Section 3.50 of the Local Government Act 1995.

DELEGATION NUMBER	-	2004
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Disposal of Surplus Equipment, Materials, Tools, etc
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		CMP-070

The Chief Executive Officer is delegated authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, or are outmoded, or are no longer serviceable.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER	-	2005
LEGISLATIVE POWER	-	Local Government Act 1995 & Activities in Thoroughfares and Public Places and Trading Local Law 2016
DELEGATION SUBJECT	-	Licence to Deposit Materials on or Excavate Adjacent to a Street
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated the authority to issue licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Local Government Act 1995 & Activities in Thoroughfares and Public Places and Trading Local Law 2016.

The Chief Executive Officer should first obtain confirmation from the Environmental Health Officer/Building Surveyor and the Works Supervisor that the proposed activity will not create undue interference with the operation of the street, way or public place.

Licences are to be issued subject to the conditions detailed in Local Government Act 1995 & Activities in Thoroughfares and Public Places and Trading Local Law 2016 and such other conditions as considered relevant by the Chief Executive Officer.

DELEGATION NUMBER - **2006**

LEGISLATIVE POWER (Regulation 4) - Road Traffic (Events on Roads) Regulations 1991

DELEGATION SUBJECT - Events on Roads

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991.

The Chief Executive Officer shall have regard to Section 3.50 of the Local Government Act 1995.

DELEGATION NUMBER	-	2007
LEGISLATIVE POWER	-	Local Government Act, 1995
DELEGATION SUBJECT	-	Exercising Powers of the Local Government
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The CEO is expressly authorised to exercise powers of the Local Government under the provisions of the Local Government Act 1995 (and its associated Regulations), the Local Government (Miscellaneous Provisions) Act, all other Acts under which a local government may exercise its power, and all Shire of Chapman Valley Local Laws under which the local government is to or may exercise a power.

DELEGATION NUMBER - **2008**
LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Private Works
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE IMP-019

The Chief Executive Officer is authorised to approve all Private Works application in accordance with rates and charges set by Council and always bearing in mind Council Policy.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER - 2009

LEGISLATIVE POWER - Local Government (Miscellaneous Provisions) Act 1960 Act 1995 & Activities in Thoroughfares and Public Places and Trading Local Law 2016

DELEGATION SUBJECT - Damage to Roads, Kerbing, Footpaths etc.

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is authorised to issue accounts for repairs to damage caused to roads, kerbing and footpaths.

Where payment of the accounts is not received, the Chief Executive Officer is authorised to take legal action to recover the cost. Council is to be advised of the proposed legal action prior

DELEGATION NUMBER - **2010**
LEGISLATIVE POWER - Local Government Act (1995)
DELEGATION SUBJECT - Street Signs
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is authorised to proceed with the provision and erection of new street nameplates and the replacement of damaged nameplates as he considers necessary within the limits of the budget.

DELEGATION NUMBER	-	2011
LEGISLATIVE POWER	-	Local Government Act (1995) & Local Government (Uniform Local Provisions) Regulations 1996
DELEGATION SUBJECT	-	Gates and Pipes across Thoroughfares
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		IMP-011; IMP-012

The Chief Executive Officer is delegated authority to approve the installation of gates across, or pipes under, Council controlled thoroughfares with Council Policy, with a register of gates and pipes being kept in accordance with the requirements of the Local Government 1995

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER - **2012**
LEGISLATIVE POWER - Local Government Act (1995) Section 5.42)
DELEGATION SUBJECT - Heavy Haulage Routes
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE IMP-022

The Chief Executive Officer is delegated the authority to endorse the Heavy Haulage Vehicle Permits Applications in accordance with Management Procedure (IMP-022) for the determination of variations to the RAV Network within the Shire of Chapman Valley subject to this delegation being restricted to RAV7 level. Any applications beyond this RAV level are to be put to Council for consideration.

Refer to relevant Policy/Procedure when exercising this delegation

Reviewed - Minute Reference 03/19-11

3000

FINANCE

DELEGATION NUMBER - **3001**

LEGISLATIVE POWER - Local Government Act 1995 & Local Government (Financial Management) Regulation 1996 (Clause 12)

DELEGATION SUBJECT - Payment of Accounts

DELEGATE CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer be delegated authority to make payments on behalf of Council from the Municipal Fund, Reserve or Trust Fund either with Cheques or Electronic Banking Facilities jointly with the Manager Finance & Corporate Services or the Deputy Chief Executive Officer for the payment of budgeted items of expenditure.

DELEGATION NUMBER	-	3002
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Rates & Service/Rate Book
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is hereby delegated the performance of the following functions of the Council.

1. Section 6.39(1) -The discharge of the obligations specified in the Local Government Act 1995.
2. Section 6.41(1) - The service of Notices of Valuation and Rates referred to in the Local Government Act 1995 (as amended).
3. Section 6.50(2) -The time allowed for the payment of the rate before it becomes in arrears.
4. Section 6.40 -The powers conferred in the Local Government Act 1995.
5. Section 6.56 (1) - Implementation of Council's "Rate Recovery Policy" and/or the recovery of rates by complaint or action pursuant to the provisions of of the Local Government Act 1995.
6. Section 6.60(2) - Requiring a lessee to pay rent to the Council in satisfaction of rates or service charges due and payable in accordance with the Local Government Act 1995.
7. Sections 6.39(2) – Amending the rate record to ensure the information is current and correct including amending the rate record for the 5 years preceding the current financial year.
8. Section 6.40 – Amending the rate record as a result in a change in rateable value, rateability of or the rate imposed on land.
9. Section 6.49 – Entering into an agreement with a person for payment of rates and service charges.
10. Section 6.50(1) – Determining the time allowed for the payment of a rate before it is deemed to be in arrears.
11. Section 6.56 – Recovering unpaid rates in a court of competent jurisdiction.
12. Section 6.60(2) – Requiring a lessee to pay rent in satisfaction of rates or service charges that are due.
13. Section 6.76(4) – Granting an extension of time for a person seeking to make an objection to the rate record.

14. Section 6.76(5) – Considering any objection to the rate record and either disallow it or allow it, wholly or in part.
 15. Section 6.76(6) – Serving written notice of any decision made under Section 6.76(5).
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DELEGATION NUMBER - 3003

LEGISLATIVE POWER Local Government Act 1995 (Section 6.14) and
Local Government (Financial Management)
Regulations 1996 (Regulation 19)

DELEGATION SUBJECT - Investment of Surplus Funds

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE CP-021

The Chief Executive Officer is delegated authority and power to invest money held in the Municipal (including funds held in Reserve Accounts) or Trust Funds, that is not required for the time being for any purpose, in accordance with Part III of the Trustees Act 1962, or in an investment approved by the Minister, subject to the following conditions-

1. The establishment of documented internal control procedures to be followed to ensure control over the investments;
2. Compliance with Regulation 19(2) of the Financial Management Regulations.

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER - 3004

LEGISLATIVE POWER - Local Government Act 1995

DELEGATION SUBJECT - Council Purchasing Authority

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE CP-024; CMP-021

The Chief Executive Officer is authorised to carry out “authorised purchasing” on behalf of Council and within budgetary constraints.

CEO’s SUB DELEGATIONS to STAFF

The following thresholds for delegated & sub-delegated authorised purchasing are:

	POSITION	LIMIT
EXECUTIVE		
1	CHIEF EXECUTIVE OFFICER	NO LIMIT (within legislated tender threshold limits)
SENIOR STAFF		
2	DEPUTY CHIEF EXECUTIVE OFFICER	\$50,000
3	MANAGER WORKS & SERVICES	\$50,000
4	MANAGER FINANCE & CORPORATE SERVICES	\$50,000
5	BUILDING SURVEYOR / PROJECT OFFICER	\$15,000
AUTHORISED OFFICERS – NON-SENIOR		
6	SENIOR RANGER	\$2,500
7	SENIOR FINANCE OFFICER	\$2,500
8	PLANT OPERATOR (CONSTRUCTION & MAINTENANCE)	\$2,500

Note: All figures mentioned are to be considered as GST Exclusive

*Note: Sole Source Suppliers – Local Government (Functions & General) Regulation – 11(2)(f):
In the situation of any purchases above the legislated tender threshold amount from sole source providers the Chief Executive Officer is to present these to Council for endorsement, with evidence of due diligence as proof of there being a sole source provider situation, prior to progressing with the purchase.*

Refer to relevant Policy/Procedure when exercising this delegation.

*Reviewed 18 November 2015 - Minute Reference 11/15-15
Reviewed 15 August 2018 - Minute Reference: 08/18-5
Reviewed 18 March 2020 - Minute Reference: 03/20-7*

DELEGATION NUMBER - **3005**
LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT - Donations & Grants
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CMP-065

The Chief Executive Officer be delegated authority to authorise donations within budget limitations, up to a maximum of \$1,000 cash or in-kind per application in accordance with Corporate Management Policy CMP-065.

This delegation is to be in accordance with Council’s policy in regard to “Local Nature”.

All other donation requests in excess of this amount and the miscellaneous budget allocation are to be brought back to Council for consideration in accordance with policy.

Refer to relevant Policy/Procedure when exercising this delegation.

Amended: Minute Reference: 07/21-03

DELEGATION NUMBER - **3006**
LEGISLATIVE POWER - Local Government Act 1995
DELEGATION SUBJECT - Master Lending Agreement
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

That the Chief Executive Officer, Agent or any one of the Senior Employees of the Shire of Chapman Valley authorised by the Chief Executive Officer from time to time is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions there under on behalf of the Shire of Chapman Valley.

Reviewed Minute Reference 05/14-6

DELEGATION NUMBER - 3007

LEGISLATIVE POWER - Local Government Act 1995

DELEGATION SUBJECT - Rates Interest & Legal Fees to be Written Off

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer be authorised to write off interest or legal fees owing on unpaid rates for values up to and including one hundred dollars (\$100.00)

Reviewed Minute Reference 06/15-18

DELEGATION NUMBER	-	3008
LEGISLATIVE POWER	-	Local Government Act 1995 & Local Government (Functions & General) Regulation, 1996
DELEGATION SUBJECT	-	Financial Assistance (Write Off Debts)
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		CMP-064

The exercise of powers and the discharge of duties under section 6.12 of the Local Government Act 1995 to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding \$1000. In cases where the request for Fee Waivers exceed \$1,000 a report needs to be submitted to an Ordinary Council Meeting for Council's consideration and approval.

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed Minute Reference 06/15-18

DELEGATION NUMBER	-	3009
LEGISLATIVE POWER	-	Local Government Act 1995 & Local Government (Functions & General) Regulation, 1996
DELEGATION SUBJECT	-	Tenders for Providing Goods & Services
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

In respect to Part 4 of the Local Government (Functions and General) Regulations 1996, the CEO is delegated authority to perform the following:

1. Publicly invite tenders for the supply of goods and services expected to be worth more than the amount legislated. (*Reference: Regulations 11(1), 12 and 13*).
2. Determine, in writing, the criteria for deciding which tenders should be accepted and give Statewide public notice in accordance with Regulation 14.
3. Give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted. (*Reference: Regulation 19*).
4. Council delegate authority to the Chief Executive Officer, in accordance with Section 5.43(b) of the Local Government Act, 1995, to accept a preferential list of compliant suppliers for road building materials (e.g. gravel pushing, bitumen and aggregate) from tenders received, under the condition the actual expenditures to be incurred by Council does not exceed the contract & materials amounts authorised in the adopted Budget for the road works program.
All other decision to select a successful tender is still one for Council to determine unless otherwise resolved by Council.
5. Sole Source Suppliers (Local Government (Functions & General) Regulation – 11(2)(f)). In the situation of any purchases above the legislated tender threshold amount from sole source providers the Chief Executive Officer is to present these to Council for endorsement, with evidence of due diligence as proof of there being a sole source provider situation, prior to progressing with the purchase.

NB: The decision to select a successful tender is still one for Council to determine unless otherwise resolved by Council.

Amended – Minute Reference 07/20-15

DELEGATION NUMBER	-	3010
LEGISLATIVE POWER	-	Local Government Act 1995 & Local Government (Functions & General) Regulation, 1996
DELEGATION SUBJECT	-	Acceptance of Tenders
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

Unless otherwise specified, the CEO is delegated authority to accept a tender when the consideration involved does not exceed the legislated threshold provided appropriate provision is made in Council's Budget.

Reviewed - Minute Reference 03/21-03

DELEGATION NUMBER	-	3011
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Budget Expenditure
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The CEO is delegated authority to approve expenditure on goods and/or services and programs/projects for which funds have been provided in the Annual Budget without further reference to Council. In exercising this delegated authority, the CEO shall:

1. Provide for appropriate internal control over all expenditure.
 2. Ensure all statutory requirements are met.
 3. Ensure all Council policies are observed.
 4. Ensure adequate budgetary provisions relate.
-

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FIRE CONTROL

DELEGATION NUMBER	-	4001
LEGISLATIVE POWER	-	Bush Fires Act, 1954
DELEGATION SUBJECT	-	Firebreak Order, Variation to
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

NOTE: The Chief Executive Officer in exercising this delegation is to liaise with the Chief Bush Fire Control Officer on each specific variation request.

That pursuant to the provisions of Council's Firebreak Order, the Chief Executive Officer be delegated authority to:

1. approve or refuse applications to provide firebreaks in alternative positions
 2. to approve or refuse applications to take alternative action to abate fire hazards.
-

DELEGATION NUMBER - **4002**
LEGISLATIVE POWER - Bush Fires Act
DELEGATION SUBJECT - Burning of Roadsides
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

That the Chief Executive Officer be delegated authority to approve applications submitted by the relevant Fire Control Officer to burn a road verge vested in the care, control and management of the Shire of Chapman Valley.

DELEGATION NUMBER - **4003**

LEGISLATIVE POWER - Bush Fires Act

DELEGATION SUBJECT Burning, Prohibited & Restricted Times
(Variations)

DELEGATES - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

That pursuant to Section 17 (10) of the Bush Fires Act, the Chief Executive Officer be delegated (in consultation with the Chief Bush Fire Control Officer) the powers and duties under Section 17 (7) and 17 (8) of the Bush Fires Act in respect to varying the prohibited and restricted burning times.

DELEGATION NUMBER - **4004**
LEGISLATIVE POWER - Bush Fires Act 1954
DELEGATION SUBJECT - Removal of Hazards
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to issue individual orders under the Bush Fires Act Section 33 for the removal of hazards wherever a recommendation is made to him/her by the Fire Control Officer and in his/her discretion he/she considers it necessary, instruct Bush Fire Brigades to do the work necessary, or employ Council staff to do the work if necessary, or employ contractors to do the work if necessary, at the cost of the owners/occupiers.

DELEGATION NUMBER	-	4005
LEGISLATIVE POWER	-	Bush Fires Act 1954
DELEGATION SUBJECT	-	Offences – Bush Fire Act & Regulations
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated general authority to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue and withdrawal of infringement notices in accordance with the provisions of Section 59A of the Act.

5000

PLANNING

DELEGATION NUMBER - 5001

LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42) and Planning and Development Act 2005

DELEGATION SUBJECT - Development Applications

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

1.1 Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to approve or refuse applications for planning consent, with or without conditions, is extended to the Chief Executive Officer, subject to compliance with the Shire of Chapman Valley Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, Local Planning Policies and the additional conditions set out below.

1.1.1 Applications for the following types of land-use or development (as defined by Schedule 1 of the Scheme) cannot be determined under delegated authority and all such applications shall be referred to Council for consideration;

- a) Abattoir
- b) Animal Establishment
- c) Animal Husbandry - Intensive.
- d) Caravan Park.
- e) Fast Food Outlet
- f) Hospital.
- g) Hotel.
- h) Industry - Extractive
- i) Industry – Hazardous.
- j) Industry – Noxious.
- k) Lodging House/Guest House
- l) Night Club
- m) Park Home Park.
- n) Reception Centre.
- o) Restaurant.
- p) Service Station
- q) Short Stay Accommodation
- r) Tavern.
- s) Temporary Workforce Accommodation
- t) Wind, Solar or Tidal Energy Facility

1.1.2 Applications for planning approval that must be assessed under the provisions of Clause 4.4.2 of the Scheme shall be referred to Council for consideration.

1.1.3 The provisions of 1.1.1, and 1.1.2 above shall not apply to renewals of planning approval, minor works, extensions and/or expansions associated with existing lawful land-uses, wherein the application may be approved, with or without conditions, under delegated authority.

1.1.4 All uses listed as 'P' or D in the Zoning Table may be approved under delegated authority, with or without conditions, unless, in the opinion of the delegated officer, approval of the application would detrimentally impact upon the amenity and proper planning of the locality, wherein the application shall be referred to Council for consideration.

1.1.5 Where an application has been advertised pursuant to section 9.4 of the Scheme and:

- a) No written, author-identified submissions were received, then the delegated officer may assess the application on its merits and approve the application, with or without conditions, under delegated authority.
- b) Written, author-identified submissions objecting to and/or raising concerns about the proposal were received, but, in the opinion of the delegated officer, the points raised in the submission are of a non-substantive nature and/or can be satisfactorily addressed via condition/s, then the delegated officer shall liaise with the applicant and the person/s who lodged the submission prior to determining the application. If either party requires, the application shall be referred to Council for consideration.
- c) Written, author-identified submissions objecting to and/or raising concerns about the proposal were received, and, in the opinion of the delegated officer, the points raised in the submission are of a substantive nature and/or cannot be satisfactorily addressed via condition/s, then the application shall be referred to Council for consideration.

1.1.6 Where an application has been refused or a conditional approval issued under delegated authority, and the applicant feels aggrieved by the decision, the applicant may require that the application be referred to Council for reconsideration. In such cases the applicant shall provide a written statement outlining the basis of their request for consideration. Unless otherwise agreed to by the delegated officer, such written statement shall be provided a minimum of 10 working days prior to the meeting at which the applicant wishes the application to be reconsidered.

1.1.7 MANAGER OF WORKS & SERVICES

Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.

1.2 A summary of planning approvals for the preceding calendar month shall be provided in the Information Report presented to Council each month.. For each application determined during the preceding calendar month/s, the summary shall identify; the application number, the name/s of the applicant/s and owners, the particulars of the affected property, the dates of application and determination, whether the application was approved or refused and whether the decision was made under a sub-delegation.

1.3 These delegations shall be reviewed on an annual basis.

DELEGATION NUMBER - 5002

LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42) and Planning and Development Act 2005

DELEGATION SUBJECT - Subdivision Applications

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

1.1 Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to advise the Western Australian Planning Commission with regards to applications referred to the Shire, is extended to the Chief Executive Officer subject to consistency with the Shire of Chapman Valley Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, the Shire of Chapman Valley Local Planning Strategy, Local Planning Policies and any other strategies or policies adopted by Council in respect of the affected land and only in the circumstances set out below. All other applications referred by the Western Australian Planning Commission shall be referred to Council for consideration.

1.1.1 Applications proposing the amalgamation of existing lots without any other changes to the boundaries of any of the lots affected by the application.

1.1.2 Applications affecting 'Residential' zoned land.

1.1.3 Applications for boundary adjustments on other than 'Residential' zoned land where the total number of lots within the area affected by the application will not increase, the size of the smallest lot within the application area will not decrease by greater than 10%, there will be no increase in the number of lots below 100 hectares in size and the proposal represents a rationalisation of boundaries to ensure greater consistency with physical and/or cadastral boundaries.

1.1.4 Applications consistent with an endorsed Subdivision Guide Plan or Structure Plan.

1.1.5 Applications involving the creation of lots for the purposes of public or servicing authorities, where the application does not involve the creation of any new roads.

1.1.6 Amended plans for applications that have been considered by Council within the last two years and the amendments are of a minor nature.

1.1.7 Applications previously determined by Council where the Western Australian Planning Commission period of approval has expired (or will imminently expire) and a new application has been required to be lodged.

1.2 Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to advise the Western Australian Planning Commission with regards to the clearance of conditions determined by the Commission and for which the Local

Government is nominated as a clearance agency, is extended to the Chief Executive Officer subject to consistency with the Shire of Chapman Valley Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, the Shire of Chapman Valley Local Planning Strategy, Local Planning Policies and any other strategies or policies adopted by Council in respect of the affected land and the additional conditions set out below.

- 1.2.1** Where the Western Australian Planning Commission has not been advised in respect of any particular application pursuant to the delegations outlined in Clause 1.1 above, Council may, when giving consideration to the application identify any of the recommended conditions as being conditions that need to be referred to Council for consideration prior to clearing.
 - 1.2.2** Where clearance of conditions is to be determined pursuant to this clause and the applicant feels aggrieved by any decision of the delegated officer, the applicant may require that the matter be referred to Council for reconsideration. In such cases the applicant shall provide a written statement outlining the basis of their request for reconsideration. Unless otherwise agreed to by the delegated officer, such written statement shall be provided a minimum of 10 working days prior to the meeting at which the applicant wishes the matter to be reconsidered.
 - 1.3** Notwithstanding the above, any matter may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.
 - 1.4** A summary of decisions made pursuant to Clauses 1.1 & 1.2 shall be provided in the Information Report presented to Council. For each decision made during the preceding calendar month/s, the summary shall identify; the WAPC reference number, the name/s of the proponents and owners, the particulars of the affected property, a short description of the proposal, the date of determination, whether the decision was made pursuant to Clause 1.1 or 1.2 and if the decision was made under a sub-delegation.
 - 1.5** These delegations shall be reviewed on an annual basis..
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DELEGATION NUMBER - 5003

LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42) and Planning & Development Act 2005

DELEGATION SUBJECT - Local Planning Scheme Amendments

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

- 1.1** Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority is extended to the Chief Executive Officer to determine that Council proceed with Local Planning Scheme amendment proposals without modification after advertising where no written, author-identified objections have been received during the advertising period; and in such cases to organise for the due execution of the amending documents (signatures of Shire President and Chief Executive Officer, affixing of common seal) and their forwarding to the Department of Planning seeking the endorsement of the Western Australian Planning Commission and Hon. Minister for Planning's endorsement for final approval and gazettal of the amendment.
 - 1.2** Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority is extended to the Chief Executive Officer to determine Council's advice to both applicants and the Western Australian Planning Commission where the Commission gives formal advice that it does not fully support Council's recommendation on a Local Planning Scheme amendment proposal after advertising and the Commission's advice differs from Council's recommendation in a technical, non-substantive manner only.
 - 1.3** Notwithstanding the above, any matter may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.
 - 1.4** A summary of decisions made pursuant to Clauses 1.1 & 1.2 shall be provided in the Information Report presented to Council. For each decision made during the preceding calendar month/s, the summary shall identify; the amendment number, the name/s of the proponents and owners, the particulars of the affected property, a short description of the amendment proposal, a schedule of submissions, the date of determination, whether the decision was made pursuant to Clause 1.1 or 1.2 and if the decision was made under a sub-delegation.
 - 1.5** These delegations shall be reviewed on an annual basis.
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DELEGATION NUMBER	-	5004
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42) and Town Planning & Development Act 1928
DELEGATION SUBJECT	-	Responding to Appeals and Requests for reconsideration.
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is delegated authority to respond to:

- Any appeal to the State Administrative Tribunal against a discretionary decision of Council; and
- Any appeal or Request for Reconsideration against a decision of the Western Australian Planning Commission.

On Council's behalf and in accordance with Council's decision on the matter to which the appeal or request for reconsideration relates.

Such delegated authority shall not extend to making deputations to a Court of Law or the State Administrative Tribunal (or similar), unless specifically approved by the Chief Executive Officer.

DELEGATION NUMBER - 5005

LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42)

DELEGATION SUBJECT - Road Names

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to implement road names pursuant to Policy 15.210 'Road Names'.

6000

HEALTH/BUILDING

DELEGATION NUMBER	-	6001
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Building Act 2011
REFERENCE:		Sections 96, 99 Building Act 2011
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Chief Executive Officer
RELEVANT POLICY/PROCEDURE		Nil

Power/Duty

The Chief Executive Officer is delegated the authority to designate persons employed by the local government under the Local Government Act 1995 section 5.36, as an authorised person for the purposes of the Building Act 2011 and Building Regulations 2012.

Conditions

- (a) Appointments are to be in writing and an appropriate identity card in accordance with Section 92 of the Building Act 2011 is to be issued.
- (b) Consideration will be given to the qualifications or experience of a person prior to appointment.

Authorised Persons

The persons in the positions identified are authorised persons for the purposes of the Building Act 2011 and associated subsidiary legislation generally, and in relation to buildings and incidental structures located or proposed to be located in the district of Shire of Chapman Valley.

Building Surveyor / Project Officer

Notwithstanding that a person or position is not named above does not limit delegates ability to appoint other persons as Authorised Persons, subject to the conditions specified.

Power, Duty, Conditions and Limitations

The duties, powers, limitations or conditions placed on Authorised Person are specified in Delegations 6001a to 6001g inclusive.

Record Keeping

Records of appointments are to be recorded as required by the Act or Regulations or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Review

Appointments are to be reviewed annually by the Chief Executive Officer.

DELEGATION NUMBER	-	6001a
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Building and Demolition Permits - Building Act 2011
REFERENCE:		Sections 18, 20, 21, 27 Building Act 2011 Regulations 23, 24, 26 Building Regulations 2012
POWER OF DELEGATION	-	Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are – Building Surveyor / Projects Officer

1. Refer an uncertified application to a building surveyor [in circumstances set out in .17(1)].
2. Require the applicant to provide any document or information that it requires to determine the application and to verify the information by statutory declaration [s.18(1)].
3. Refuse to consider an application [s.18(2)].
4. Grant a building permit [ss.20 and 23].
5. Refuse to grant a building permit [ss.20 and 23, including in the circumstances in ss.22(1) and (2)].
6. Grant a demolition permit [ss.21 and 23].
7. Refuse to grant a demolition permit [ss.20 and 23, including in the circumstances in ss.22(1) and (2)].
8. Refund the fee that accompanied an application to the applicant if no decision is made within the time mentioned in ss.23(1) and (2) [ss.23 (4)].
9. Record the grounds on which a decision to refuse to grant a building permit or demolition permit is based on and the reasons for the decision and give to the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person's right of review [s.24].
10. Impose conditions on the grant of a permit in addition to any provided for in the Regulations, including specifying the way in which an outward facing side of a particular close wall must be finished [ss.27(1) and 88(3)].

11. Add, vary or revoke conditions imposed on a permit before the building work or demolition work is completed [ss.27(3)].
12. Refuse to accept an application to extend the time during which a permit has effect made after the expiry day for the permit [r.23(3)].
13. Extend the time during which a permit has effect and impose conditions on the extended permits [s.32, rr.24(1) and (2)].
14. Refuse to extend the time during which a permit has effect [r.24(1)].

Building Surveyor / Projects Officer

1. Refund the fee that accompanied an application to the applicant if no decision is made within the time mentioned in ss.23(1) and (2) [ss.23 (4)].
2. Record the grounds on which a decision to refuse to grant a building permit or demolition permit is based on and the reasons for the decision and give to the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person's right of review [s.24].
3. Approve a new person to be named as the builder on the building permit and amend the details set out in the permit accordingly [r.26(3) and (4)].
4. Approve a new person to be named as the demolition contractor on the demolition permit and amend the details set out in the permit accordingly [r.26 (3) and (4)].
5. Grant a building permit [ss.20 and 23].
6. Grant a demolition permit [ss.21 and 23].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001b
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		<i>Occupancy Permits and Building Approval Certificates – Building Act 2011</i>
REFERENCE:		<i>Sections 55, 58, 62, 65 Building Act 2011 Regulation 40 Building Regulations 2012</i>
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are –Building Surveyor / Project Surveyor

1. Require the applicant of an occupancy permit or building approval certificate to provide any document or information that it requires to determine the application and to verify the information by statutory declaration [s.55(1)].
2. Refuse to consider an application [s.55(2)].
3. Grant or modify the occupancy permit or grant the building approval certificate [22.58(1) and 59].
4. Refuse to grant or modify the occupancy permit or grant the building approval certificate [including in the circumstances set out in ss.58 (2) and (3)].
5. Record the grounds on which a decision to refuse to grant or modify an occupancy permit or grant a building approval certificate is based, and the reasons for the decision and give the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person’s right to review [s.60].
6. Impose conditions on the occupancy permit or modification or building approval certificate in addition to any provided for in the Regulations [s.62.(1)]
7. Add, vary or revoke conditions while the occupancy permit or building approval certificate has effect [s.62(3)].
8. Give written notice of the addition, variation or revocation of a condition and ensure that the notice informs the person of the person’s right of review [s.62 (4) and (5)].
9. Extend the period in which the occupancy permit or modification or the building approval certificate has effect [s.65 (4)].

10. Refuse to extend the time during which an occupancy permit or a building approval certificate has effect or extend the permit or certificate for shorter period than requested by the applicant and, if so, record the grounds on which a decision is based and the reasons for the decision, and give written notice of the decision together with those grounds and reasons, and the person's right of review [s.65, r.40 (5)].

11. Refuse to accept an application to extend the time during which an occupancy permit or a building approval certificate has effect [r.40 (2)].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Actor Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001c
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Building Orders – <i>Building Act 2011</i>
REFERENCE:		<i>Sections 110, 117, 118 Building Act 2011</i>
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003; CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are – Building Surveyor/Projects Officer

1. Make an order in respect of one or more of the following –
 - (a) particular building work;
 - (b) particular demolition work;
 - (c) a particular building or incidental structure, whether completed before or after commencement day [s.110(1)].
2. Specify the way in which an outward facing side of a particular close wall must be finished [s.88(3)].
3. Before making a building order, give each person to whom the order is proposed to be directed written notice of the terms of the proposed order and reasons for it and advise each person of time in which they may make submissions and consider each submission received [s.111(1)].
4. Serve a copy of the order on each person to whom the order is directed in accordance with s.76 if the Interpretation Act 1994 [s.114(1)].
5. Revoke a building order at any time [s.1147(1)].
6. Decide on whether the building order has been fully complied with and either revoke the building order or inform each person to whom the order is directed that the building order remains in effect, within 28 days of receiving a notification under s.112(3)(c) [s.117(2)].
7. Cause an authorised person to –
 - (a) take any action specified in the order; or
 - (b) to commence or complete any work specified in the order; or
 - (c) if any specified action was required by the order to cease, to take such steps as are reasonable in the circumstances to cause the action to cease [s.118(2)].

8. Recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) [s.118(3)].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001d
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Building Information – Building Act 2011
REFERENCE:		Section 131 Building Act 2011 Regulation 14 Building Regulations 2012
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003; CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are – Building Surveyor/Projects Officer

1. Keep a register of all building permits, demolition permits, occupancy permits and building approval certificates granted by it, and all building orders made by it, in an approved manner and form [s.128(1), (2)].
2. Amend the register to reflect the variation or revocation of a condition of, or any other change reflecting to that effect of, a building permit, a demolition permit, an occupancy permit, a building approval certificate of a building order resulting from a decision of the permit authority or information given to the permit authority [s.128(3)].
3. Make the register available for inspection by members of the public during normal office hours [s.128(3)].
4. On application by any person and on payment of the prescribed fee, if any, provide to the person a copy of a building permit, a demolition permit, an occupancy permit, a building approval certificate or a building order that is kept in the register [s.129(2)].
5. Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure that is the subject of –
 - a. an application for a building permit or demolition permit; or
 - b. an application of a kind mentioned in Part 4 Division 2; or
 - c. an inspection of a prescribed kind [d.130].
6. Allow an interested person to inspect the building record and provide to the interested person a copy of the building record [s.131(2)].

Building Surveyor/Projects Officer

7. Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the Financial Management Act 2006 Part 5 by the accountable authority [s.132(1)] and provide a record or information requested by the Building Commissioner [s.132(3), r.14]

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001e
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Swimming Pools – Building Act 2011
REFERENCE:		Section 131 Building Act 2011 Regulation 14 Building Regulations 2012
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003; CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are –

Building Surveyor/Projects Officer and Senior Ranger

1. Approve alternative requirements to r.50(4)(b) if satisfied that the alternative requirements will restrict access by yond children to the swimming pool as effectively as if there were compliance with Australian Standards AS 1926.1 [r.51(2)].
2. Approve a door for the purposes of r.50(4)(c)(ii) if the door is in accordance with the requirements of Australian Standard AS 1926.1 and the conditions in r.51(3) are satisfied [r.51(3)].
3. Arrange for an authorised person to inspect the enclosures of private swimming pools in the district at intervals of no more than 4 years for the purpose of monitoring whether the provisions in rr.50 and 52 the Regulations are complied with [rr.50, 52 and 53(1)].

Building Surveyor/Projects Officer and Senior Ranger or other Authorised Person appointed under Section 5.36 of the Local Government Act 1995.

1. Conduct inspection of the enclosures of private swimming pools in the district at intervals of no more than 4 years for the purpose of monitoring whether the provisions in rr.50 and 52 the Regulations are complied with [rr.50, 52 and 53(1)].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001f
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Smoke Alarms – <i>Building Act 2011</i>
REFERENCE:		<i>Regulation 60 Building Regulations 2012</i>
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003; CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are – Building Surveyor/Projects Officer

1. Approve of the use, in a dwelling or in part of the dwelling, of a battery powered smoke alarm and to give approval in relation to an alarm that was installed before the approval is to be given [r.60(1) and (2)].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER	-	6001g
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Transitional Provisions Relating to Local Government – <i>Building Act 2011</i>
REFERENCE:		<i>Regulation 64, 65, 66 and 67 Building Regulations 2012</i>
POWER OF DELEGATION		Section 127 Building Act 2011
DELEGATE	-	Authorised Persons – Reference Delegation 6001
RELEVANT POLICY/PROCEDURE		CMP-003; CMP-004

Power/Duty

The authorised persons (as detailed) functions and duties under the Building Act 2011 and Building Regulations 2012, are – Building Surveyor/Projects Officer

1. Grant a licence for the deposition of materials on streets, subject to such conditions as reasonably required [r.64(3)].
2. Charge a licence fee [r.64(4)].
3. Require the applicant of a licence to deposit a sum sufficient to cover the cost of repairing damage caused by the licensee to the street, footpath or kerb [r.64(5)].
4. Undertake repair work and deduct the cost from the deposit if the repair work or, if the deposit is insufficient to meet the cost, apply the deposit in part payment of the cost, and recover the balance in a court of competent jurisdiction [r.64(6)].
5. Fill in an excavation on land abutting or adjoining a street, way or other public place unless the excavation is securely fenced off [r.65(e)].
6. Pull down hoarding, fence, scaffold or enclosure erected otherwise than as permitted by licence [r.65(f)].
7. Remove materials comprising a hoarding, fence, scaffold or enclosure or any stone, bricks, mortar, lime, or other building materials contained within the enclosure or deposited in or on the street, way or other public place other than as permitted by a licence and deposit the materials in such place as the local government thinks fit [r.65(g)].
8. Serve a written notice on a person to pay the expenses incurred under r.65(e)-(g) and recover the expenses in a court of competent jurisdiction [r.65(h)].
9. Cause repairs, and reinstatements to be done to a footpath, roadway, kerb, water-table or drain damaged under r.66(1) [r.66(2)(a)].

10. Serve a written notice on a person to pay the local government the expenses incurred under r.66(2)(a) and recover the expenses costs and charges in a court of competent jurisdiction [r.66(2)(b)].
11. Serve a written notice requiring a person to cover a footpath to prevent inconvenience to the public or danger from falling materials during periods set out in r.67[r.67(1)].

Conditions

Nil

Record Keeping

Records of the delegations enacted are to be recorded as required by the Act or Regulation or as determined by the Chief Executive Officer from time to time.

Compliance Links

- Building Act 2011
- Building Regulations 2012
- Building Code of Australia

Refer to relevant Policy/Procedure when exercising this delegation.

Reviewed 19.06.2013

DELEGATION NUMBER - **6002**
LEGISLATIVE POWER - Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT - Caravan Park and Camping Grounds
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE CMP-019

The Chief Executive Officer is authorised to carry out the provisions of the Caravan Park and Camping Grounds Act and associated Regulations.

SUB DELEGATION (Section 5.44):

- ENVIRONMENTAL HEALTH OFFICER
- BUILDING SURVEYOR
-
- SENIOR RANGER

Refer to relevant Policy/Procedure when exercising this delegation.

DELEGATION NUMBER	-	6003
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Treatment of Sewage and Disposal of Effluent and Liquid Waste.
DELEGATE	-	Chief Executive Officer
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is authorised to carry out the provisions of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations 1974.

SUB DELEGATION (Section 5.44):

- *ENVIRONMENTAL HEALTH OFFICER*
 - *BUILDING SURVEYOR / PROJECT OFFICER*
-

DELEGATION NUMBER - **6004**
LEGISLATIVE POWER - Public Health Act 2016
DELEGATION SUBJECT - Public Health Act 2016
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

Council pursuant to Section 21(1)(b)(i) Part 2 of the Public Health Act 2016 resolves to delegate all the powers and duties conferred or imposed on the Shire of Chapman Valley by the Public Health Act 2016 to the Chief Executive Officer.

SUB DELEGATION (Section 5.44)

ENVIRONMENTAL HEALTH OFFICER

Reviewed Minute Reference: 12/16-17

7000

ANIMAL CONTROL

DELEGATION NUMBER - 7001

LEGISLATIVE POWER - Local Government Act (1995) and Dog Act (1976)

DELEGATION SUBJECT - Enforcement of Dog Act and Local Laws

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

Enforcement of the provisions of the Dog Act and Local-Laws is to be under the control of the Chief Executive Officer.

Court proceedings will be instituted administratively, with the provision that legal advice be obtained if necessary.

The Chief Executive Officer to make such arrangements as is considered necessary for staff, temporary, part-time or otherwise, to effectively administer the Dog Act, within the limitations of the Budget.

DELEGATION NUMBER - **7002**
LEGISLATIVE POWER - Local Government Act (1995) and Dog Act (1976)
DELEGATION SUBJECT - Dog Registration
DELEGATE - CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE Nil

A person who keeps any dog which is not registered pursuant to the provision of the Dog Act or does not renew the registration on or before October 30 in each year, shall be considered to have committed an offence against the Act and the Chief Executive Officer is hereby authorised to initiate prosecution action against the owner of such dog for breach of provisions of the Dog Act without further reference to the Council.

DELEGATION NUMBER	-	7003
LEGISLATIVE POWER	-	Local Government Act (1995) and Dog Act (1976)
DELEGATION SUBJECT	-	Dog Act Infringement
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

The Chief Executive Officer is authorised to instruct Council's solicitors to commence proceedings against a person who is reported to have –

- (a) Unlawfully rescued or released, or attempted to rescue or release, cattle or dogs lawfully impounded or seized for the purpose of being impounded;
- (b) Damaged a Municipal Pound, or
- (c) Committed Pound breach by reason of which cattle or dogs may escape from a Municipal Pound.

NOTE: In all cases that the Chief Executive Officer instructs Council's solicitors to commence proceedings, he shall report particulars to the next succeeding Council meeting.

DELEGATION NUMBER	-	7004
LEGISLATIVE POWER	-	Local Government Act (1995) and Cat Act (2011)
DELEGATION SUBJECT		Administration and enforcement of Cat Act 2011 and associated subsidiary legislation
ACT REFERENCE		Section 44 -Cat Act 2011
DELEGATE	-	Chief Executive Officer
RELEVANT POLICY/PROCEDURE		Nil

Power/Duty

To appoint employees to be authorised persons and to generally administer, enforce and determine applications, permits, registrations, serve cat control or other notices, infringements, issue certificates, warrants or commence a prosecution in a Court under the Cat Act 2011 and associated subsidiary legislation in the district.

Conditions

1. The appointment of authorised persons shall be in writing and a certificate of appointment is to be issued. Appointments may be general or for the purposes of performing particular functions under the Act.

Statutory Framework

Council is exercising its power of delegation under Section 44 of the Cat Act 2011.

Exceptions

This delegation does not include the provisions contained in section 79 of the Cat Act 2011.

References

Cat Act 2011 – Section 44

Reviewed 19.06.2013

8000

LANDCARE

DELEGATION NUMBER	-	8001
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Landcare
DELEGATE	-	CHIEF EXECUTIVE OFFICER
RELEVANT POLICY/PROCEDURE		Nil

To apply for grant funding from third party sources to finance appropriate projects within the Shire of Chapman Valley:

- a) Delegate authority to the Chief Executive Officer to endorse grant applications/projects if funding resources are available within the Council's adopted budget;
- b) If funding resources are not available within the adopted Council Budget for specific grant applications/projects, present the application to Council for endorsement, if possible, prior to the closure dates for the grant funding programs. Otherwise retrospective Council endorsement to commit funding resources will be required.

All applications submitted, which require Council endorsement for additional funding resources, will be subject Council endorsement (i.e. the Committee does not have delegated authority to commit Council funding resources)."

- c) Provide advice and assistance to the Chief Executive Officer and Shire staff in the managing of the Landcare Grant funds.
 - d) Provide recommendations to Council on any Landcare Contracts and Consultancy agreements.
 - e) Provide a Draft Annual Budget for Landcare to Council for consideration as part of the Annual Budget process.
-

Reviewed Minute Reference 02/14-18



Government of **Western Australia**
Department of **Local Government and Communities**

Local Government Operational Guidelines

Number 17 – January 2007

Delegations

1. Introduction

This guideline has been developed in response to enquiries from local governments regarding the nature of delegations, how to go about determining whether to use delegations and other related matters.

Within the context of government administration and administrative law, this guideline:

- explains the concept of delegation;
- explains how delegations relate to or are derived from legislation;
- explains and illustrates the associated concept of 'acting through';
- provides guidance on determining which powers and duties should be delegated;
- explains the procedure for making delegations; and
- provides examples of delegations from selected powers and duties set out in the *Local Government Act 1995*.

This guideline also contains a listing of various powers and duties in the *Local Government Act 1995* and its associated regulations, and identifies powers and duties capable of delegation and to whom.

2. Definition of 'Delegate'

The [Macquarie Dictionary Second Edition](#) (1991), The Macquarie Library Pty Ltd, Macquarie University, New South Wales (Australia), p. 469, defines 'delegate' as follows:

- to send or appoint (a person) as deputy or representative;
- to commit (powers, duties, etc.) to another as agent or deputy; and
- to commit powers or duties to others.

The [Oxford Shorter English Dictionary Third Edition](#) (1978), Oxford University Press, Oxford (England), p. 511, defines 'delegate' as follows:

- a person sent or deputed to act for or represent another or others; a deputy, commissioner;
- to send or commission (a person) as a deputy
- or representative, with power to act for another; and
- to entrust or commit (authority, etc.) to another as an agent or deputy.

Justice Wills in *Huth v Clarke* (1890) 25 QBD 391, at 395 stated:

'Delegation, as the word is generally used, does not imply a parting with powers by the person who grants the delegation, but points rather to a conferring of an authority to do things which otherwise the person would have to do himself... [It] is never used by legal writers...as implying that the delegating person parts with his power in such a manner as to denude himself of his rights...[The] word 'delegate' means little more than an agent''

The definitions and judicial commentary above illustrate that:

- to delegate is to appoint another person to exercise a power or discharge a duty; and
- a delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty.

3. The Nature of Delegation – Decision Making

Delegations are most commonly used in organisations where:

- A particular person has authority to exercise a discretion to enforce a right or discharge a duty on behalf of the organisation;
- That person or officer has either:
 - (i) a multitude of authorities to exercise a discretion to enforce rights or discharge powers; or
 - (ii) many circumstances in which they have authority to exercise a discretion to enforce rights or discharge duties;
- The business of the organisation could not be efficiently carried on if that person were to personally exercise their discretion to enforce all the rights or discharge all the duties; and
- Through practical administration, that person needs to appoint other persons to exercise their discretion to exercise powers or discharge duties on behalf of the organisation.

Whilst there is a requirement for local government delegations to be authorised by statute (as is explained in section 6 of these guidelines), there is no limitation (unless expressly stated to the contrary

by statute) on **appointing** a person to act on **behalf** of the local government or the CEO, provided that appointment does not include the power of delegation (see section 15 of these guidelines for details).

There is a legal distinction between:

- the delegation to a person to exercise a right or discharge a duty on behalf of an organisation; and
- appointing a person to act on behalf of an organisation or another employee of that organisation.

In most circumstances, where a person:

- Is appointed only to carry out the express instructions of an employee or the governing body of an organisation; and
- Is provided with only limited discretion in carrying out those instructions,

that appointment does not constitute a delegation and does not need to be formally delegated. Please see section 4 of these guidelines which explain the concept of 'acting through'. Section 3 of this guideline has illustrated that when determining whether an appointment is a delegation or simply an appointment to act on behalf of another person, it is critical to consider whether or not the person is appointed to exercise a broad discretion to exercise a power or discharge a duty.

4. The Concept of 'Acting Through'

In addition to covering delegations, the *Local Government Act 1995* introduces the concept of 'acting through'. Section 5.45 of the Act states that in relation to delegations, nothing prevents a 'local government from performing any of its functions by acting through a person other than the CEO' or 'a CEO from performing any of his or her functions by acting through another person'. The Act does not specifically define the meaning of the term 'acting through'. However, the key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For administrative purposes, a person may sign a letter in his or her name on behalf of the CEO while, with delegated powers, the person would sign a letter in his or her own name, in accordance with the delegated authority.

An appropriate method for a council of a local government to make a decision which will be implemented by its officers, is for it to make a policy about particular functions that it performs. In that case there is no need for a delegation as it will be the role of the organisation to implement those policy decisions.

It is critical in understanding the types of functions that are appropriate for 'acting through' another person in preference to delegation. This can be demonstrated through the following example. In this case, the Council gives the CEO the power to call tenders subject to certain cost parameters. If that power is delegated, the CEO could call tenders if the CEO believed the cost parameters had been satisfied (even if the Council's opinion was different to the CEO's opinion). However, under an 'acting through' arrangement, the CEO could only call tenders if the Council was satisfied about the cost parameters.

There are several advantages in using 'acting through' rather than delegation which include:

- it will better suit particular operational processes;
- it may decrease bureaucratic arrangements;
- it will reduce additional recording; and
- it will reduce reporting requirements placed on employees who are given delegated authority.

5. Legislative Powers for Delegations in Local Government

The legislation authorising the delegation of certain local government powers or duties and requiring records to be maintained in respect of such delegations, includes the:

- *Local Government Act 1995*;
- *Local Government (Miscellaneous Provisions) Act 1960*; (*Strata Titles Act 1985*);
- *Bush Fires Act 1954*; and
- *Planning and Development Act 2005*.

6. Local Government Act 1995

The provisions of the *Local Government Act 1995* which provide for delegations by a local government or its CEO are as follows:

- Section 5.16(1), states:
'Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than this power of delegation.'
- Section 5.42(1), states:
'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.'
- Section 5.44(1), states:
'A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.'

The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term 'council' is used then it is the council itself which must carry out that function. If the term 'local government' is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using 'acting through' where it may be a better way of carrying out the power or duty.

7. Local Government (Miscellaneous Provisions) Act 1960; Strata Titles Act 1995

Section 2 of the *Local Government (Miscellaneous Provisions) Act 1960* effectively incorporates the provisions of that Act into the *Local Government Act 1995*, and therefore the delegation provisions of the *Local Government Act 1995* apply to the *Local Government (Miscellaneous Provisions) Act 1960*.

Section 2 states that:

'The Local Government Act 1995 applies as if the provisions of this Act were in that Act but in construing the provisions of this Act account is to be taken of the meanings they had before the Local Government Act 1995 commenced.'

In addition to the delegation powers of the *Local Government Act 1995* which apply to the *Local Government (Miscellaneous Provisions) Act 1960*, section 374(1b) of the *Local Government (Miscellaneous Provisions) Act 1960* provides for a local government to delegate the authority to approve certain plans to its building surveyor, stating that:

'The authority to approve or refuse to approve plans and specifications submitted under [section 374] may be delegated by a local government to a person appointed to the office of building surveyor...'

Reference also needs to be made to section 23 of the *Strata Titles Act 1985* which provides for particular delegations to employees.

8. *Bush Fires Act 1954*

Section 48 of the *Bush Fires Act 1954* provides for a local government to delegate powers to its CEO, stating that:

'A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.'

9. *Planning and Development Act 2005*

The *Planning and Development Act 2005* provides for a system through the Model Scheme Text as a set of general provisions for carrying out the general objects of town planning schemes.

Item 11.3.1 of the Model Scheme Text provides for a local government to delegate powers to a committee or its CEO, stating that:

'The local government may...delegate to a committee or the CEO...the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.'

Item 11.3.2 of the Model Scheme Text provides for a local government CEO to delegate their powers and duties to another employee, stating that:

'The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 11.3.1.'

10. Legislative Powers to Delegate Relate Only to the Act in which they are Contained

Some local governments have mistakenly attempted to use the legislative powers of delegation contained in one Act to delegate a power or duty contained in another Act.

Unless expressly stated to the contrary, a legislative power to delegate only relates to the powers or duties under the Act in which the delegation power is located.

It is not possible to, for example, rely on section 5.42(1) of the *Local Government Act 1995* to delegate any of a local government's powers under the *Bush Fires Act 1954* to a CEO. Any delegation by a local government of its powers under the *Bush Fires Act 1954* can only be delegated by the delegation provisions of that Act.

11. The Rule Against Sub-delegation

Notwithstanding that only some of the relevant legislation expressly prohibits sub-delegation, the common law prohibits sub-delegation unless it is expressly provided for by legislation.

For the avoidance of doubt, an example of sub-delegation is where person A is delegated to exercise a power and they attempt to delegate to person B to exercise the power which was originally delegated to person A.

Another example is the *Bush Fires Act 1954*. Unlike the *Local Government Act 1995*, the *Bush Fires Act 1954* does not provide for a CEO to delegate to another employee to exercise the powers

delegated by council to the CEO under section 48 of that Act. Therefore, only the CEO may exercise the powers delegated by council to the CEO under that Act.

12. Statutory Limitations on Delegations

There are limitations on all of the above legislative provisions which provide for the delegation of powers and duties.

Many of the limitations relate to sub-delegation. Other limitations include whether the delegation must be in writing, what types of powers and duties can be delegated and what type of majority decision is required to delegate a power or duty.

Not all of the limitations can be addressed in this operational guideline, due to their number and detail. However, the majority of the limitation provisions are located close to the provisions which provide for the delegations.

As the *Local Government Act 1995* is the Act under which most delegations will be made by local government, this guideline will discuss the limitations on delegations contained within that Act.

13. Delegations to Committees

Section 5.17 of the *Local Government Act 1995* provides limitations on what powers and duties a local government can delegate to its committees. Section 5.17(1) limits the powers and duties which can be delegated to committees, according to the types of members which constitute the committees eg:

- Council members only;
- Council members and employees only;
- Council members, employees and other persons; or
- Employees and other persons only.

Section 5.17(2) prohibits absolutely the delegation of any powers or duties to committees comprised of only persons other than local government council members or employees.

14. Delegations to the CEO

Sections 5.43(a) to 5.43(h) of the *Local Government Act 1995* provide limitations on what powers and duties a local government can delegate to its CEO, stating that:

'A local government cannot delegate to a CEO any of the following powers or duties:

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;

- (g) hearing or determining an objection of a kind referred in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.'

Section 5.43(i) of the Act provides for regulations to prescribe further powers or duties which cannot be delegated to the CEO.

The following regulations prescribe powers and duties which cannot be delegated to a CEO:

- (a) Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under:
 - (i) Sections 7.12A(2), 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors); and
 - (ii) Regulations 18C and 18D (relating to the selection and appointment of CEOs and reviews of their performance).
- (b) Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

15. Delegations to Other Local Government Employees

Section 5.44(1) of the *Local Government Act 1995* provides for the CEO to make delegations to other employees.

The obvious main limitation of section 5.44(1) is that it expressly prohibits any sub-delegation of the power to delegate. This means that once the CEO has delegated a power or duty to an employee or employees, that power or duty cannot be on-delegated to other employees.

Just as a delegation to a CEO by a council may be done with conditions attached, when delegating to another employee a CEO may attach conditions to the delegation, provided that the CEO does not purport to delegate more powers or duties to the other employee than were delegated to the CEO.

16. Powers Under the Interpretation Act 1984

Section 59 of the *Interpretation Act 1984* explains the particular elements of the power to delegate when it appears in various Acts. It states:

'Construction of Power to Delegate

- (1) Where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law –
 - (a) such a delegation shall not preclude a person so delegating from exercising or performing at any time a power or duty so delegated;

- (b) such a delegation may be made subject to such conditions, qualifications, limitations or exceptions as the person so delegating may specify;
 - (c) if the delegation may be made only with the approval of some person, such delegation, and any amendment of the delegation, may be made subject to such conditions, qualifications, limitations or exceptions as the person whose approval is required may specify;
 - (d) such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office;
 - (e) such a delegation may be amended or revoked by instrument in writing signed by the person so delegating;
 - (f) in the case of a power conferred upon a person by reference to the term designating an office, such a delegation shall not cease to have effect by reason only of a change in the person lawfully acting in or performing the functions of that office.
- (2) The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.
- (3) Where under a written law an act or thing may or is required to be done to, by reference to or in relation to, a person and that person has under a written law delegated a relevant

function conferred or imposed on him with respect to or in consequence of the doing of that act or thing, the act or thing shall be regarded as effectually done if done to, by reference to or in relation to the person to whom the function has been delegated.'

It is important to be aware that under these provisions, the delegator retains the power to make decisions if need be, despite the fact that a delegation has occurred.

Also, in situations when a number of people occupy a particular office throughout either the day or week (eg ranger officers), a delegation by office enables an employee who occupies that office for the time being, to exercise the powers and duties delegated to that office.

A delegation by office will also enable an employee who temporarily occupies an office, say in an acting role whilst the normal occupier of the office is sick, to efficiently exercise the powers and duties delegated to that office, without the need to go through the delegation process again. Care needs to be taken in ensuring that the person has the appropriate qualifications where required.

When delegating by office, it is essential to ensure that the office described is a distinctly identifiable office (eg Manager, Corporate Services).

17. Records of Delegations

The major requirements to keep records of delegations to committees, CEOs and other employees are contained in sections 5.18 and 5.46 of the *Local Government Act 1995*.

In relation to delegations to committees, section 5.18 states that:

'A local government is to keep a register of the delegations made [to committees] under this Division and review the delegations at least once every financial year.'

In relation to delegations to CEOs and other employees, section 5.46 states that:

- '(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.'

The registers of delegations to committees and CEOs should include a copy of the minutes which record the delegation (and any conditions) and can be kept in an electronic or paper format. In the case of a delegation from the CEO to an officer the register should also contain a copy of the memorandum of delegation.

Obligations are imposed on the recipients of delegated powers and duties. Under section 5.46 of the *Local Government Act 1995*, regulation 19 of the *Local Government (Administration) Regulations 1996* requires delegates to keep a record

of each occasion on which they exercise the powers or discharge the duties delegated to them, stating that:

'Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of:

- (a) how the person exercised the power or discharged the duty;
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.'

This provision does not necessarily require the keeping of a register and other efficient record keeping practices would be sufficient. However, it is recommended that such systems provide for accessible accountability of the performance of these tasks.

18. Delegates to Disclose Interests and Lodge Returns

Part 5 Division 6 of the *Local Government Act 1995* (disclosure of financial interests) also applies to delegates of powers and duties.

Section 5.71 states that:

'If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.

Penalty: \$10,000 or imprisonment for 2 years.'

In circumstances where the employee is carrying out a delegated function and the matter relates to his or her own projects, then another officer will need to have the authority to deal with the matter. In addition to the prohibition on delegates exercising the powers or performing the duties delegated to them, sections 5.75 and 5.76 of the *Local Government Act 1995* require employees who have been delegated powers or duties to lodge primary and annual returns. Sections 5.75 and 5.76 state:

5.75 Primary Returns

- (1) A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.
- (2) A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.
- (3) This section does not apply to a person who:
 - (a) has lodged a return within the previous year; or
 - (b) has, within 3 months of the start day, ceased to be a relevant person.

Penalty: \$10,000 or imprisonment for 2 years.

5.76 Annual returns

- (1) Each year, a relevant person other than the CEO must lodge with the CEO an annual return in the prescribed form by 31 August of that year.
- (2) Each year, a CEO must lodge with the mayor or president an annual return in the prescribed form by 31 August of that year.

Penalty applicable to subsections (1) and (2): \$10,000 or imprisonment for 2 years.'

'Relevant person' includes a 'designated employee' who has been delegated a power or duty.

Section 5.78 of the *Local Government Act 1995* prescribes the information which must be included in the primary and annual returns.

Where an officer acts temporarily in a position with delegated power, that person will need to complete a financial interest return unless they have only acted in that position for less than 3 months.

19. Determining What Should Be Delegated

A decision to delegate a power or duty should be made by local governments only after thorough consideration of whether the delegation will facilitate the effective operation of the local government. This will therefore depend on the particular circumstances of each local government.

A local government council is unable to deal with all of the numerous issues and duties concerning its local government. As far as is possible and reasonable, councils should be predominantly concerned with dealing with higher level policy matters for their local governments.

Duties and powers which are operational in nature, but exercise a discretion should be delegated to the CEO.

Powers and duties can be delegated to CEOs with comprehensive conditions attached. The conditions limit the exercise of powers or discharge of duties to circumstances prescribed by the council. For example, a permit application which does not satisfy the conditions attached to a delegation, must be referred to the council for determination.

The Local Laws Manual (2005), Local Laws WA, Western Australian Local Government Association, Western Australia (Australia) at Section 2, page 10, provides a useful example of a recommendation to council for the delegation of certain powers with conditions attached, as follows:

'That the administration of this Local Law including any enforcement action and collection of the annual licence fee be delegated to the CEO, but that the exercise of the following powers be reserved to the Council:

- (a) issue or refusal of a licence under clause...;
- (b) determination of a licence period under clause...;
- (c) cancellation of a licence under clause...;
- (d) renewal or refusal to renew a licence under clause...; and
- (e) determination of any security under clause...'

Delegations with conditions are also frequently made in relation to employees other than the CEO for acquiring assets on behalf of a local government. An example is where the CEO delegates an employee with the power to purchase goods and services to a value of \$10,000 - any proposed purchases which would exceed this limit would need to be referred to the CEO for approval.

Many local laws provide for the appointment of employees as 'authorised persons' for the purpose of the relevant local law. Once an employee is appointed as an 'authorised person', it is not necessary for the CEO or council to delegate any powers to that employee in order for that employee to, say, enforce the relevant local law.

It is important to again note the difference between a delegation of a power or duty and the implementation of a council or CEO decision – see section 4 of this guideline in relation to 'acting through'.

An example of carrying out a council decision (compared to exercising a delegated power or duty) is where a council approves an annual budget which includes the expenditure of \$40,000 for particular road maintenance to be carried out by employees. Employees do not need to be delegated the power to carry out their operational functions.

In the example above, if the relevant employees believe it is necessary to spend more funds than approved in the budget, they must refer that matter to the council for its approval – the adoption of an annual budget can only be done by an absolute majority of council, which under section 5.43(a) of the *Local Government Act 1995* cannot be delegated to the CEO or any other employee.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented. See the attached schedule which lists those items where acting through would be a suitable mechanism for achieving that efficiency. Local governments also need to consider the content of their local laws and whether delegation may be necessary, in some circumstances. However, 'authorised persons' can normally carry out the 'policing' powers in local laws.

20. Procedure for Delegations by Council

Section 19 of this guideline considers how a local government can determine whether it should delegate particular powers and duties. This part considers the procedure for council to make a delegation.

When CEOs identify a duty or power of the local government which can be delegated and they believe that if it is delegated it will provide better efficiency, they should put the proposed delegation to their council, for approval.

As the earlier example from the Local Laws Manual (in section 19) demonstrates, a recommendation to council for a delegation is relatively straightforward. The essential elements of a delegation recommendation are:

- (a) correct and accurate identification of the power or duty to be delegated;
- (b) correct and accurate identification of the person or office to whom or which the power or duty is to be delegated;
- (c) correct and accurate definition of the circumstances (if any) in which the power or duty can be exercised or discharged; and
- (d) conditions on the exercise of the power or discharge of the duty.

It is important to note again that all delegations by council require an absolute majority decision.

Once a delegation has been made by council, the delegation must be recorded in the delegation register.

Under regulation 19 of the *Local Government (Administration) Regulations 1996*, the delegate must keep written records of when and how they exercise the delegated power or discharge the delegated duty, and the persons or classes of persons affected by the exercise of the power or discharge of the duty.

21. Procedure for Delegations by CEO

Similarly to delegations by councils, delegations by CEOs must accurately and correctly identify all elements of the delegation.

Employee proposals for delegations (for themselves or for other employees) should be provided to the CEO. The recommendations should be in a format similar to the recommendations for delegations by councils.

As with delegations by council, written records of delegations by the CEO must be kept in the delegations register and delegates must keep records of their exercise of delegated powers or discharge of delegated duties.

22. Schedule of Powers and Duties

The attached schedule lists the powers and duties under the *Local Government Act 1995* (with associated regulations) which cannot be delegated, those that can be delegated, and to whom the powers and duties can be delegated. It also lists those matters where 'acting through' may be the most practical way of carrying out those functions.

It is not suggested that all of the powers and duties which can be delegated should be delegated – the schedule is provided only as an indication of what can be delegated if it is appropriate for a particular local government.

Examples of Delegations

23. Issuing Notices to Owners or Occupiers of Land

Section 3.25(1) of the *Local Government Act 1995* provides for a local government to provide notice to a person requiring that person to do certain things in relation to land, stating that:

'A local government may give a person who is the owner ... of land a notice in writing relating to the land requiring the person to do anything specified in the notice that:

- (a) is prescribed in Schedule 3.1, Division 1; or
- (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.'

If a council determines that the efficiency of its local government operations will be improved if its CEO is delegated to exercise the powers under section 3.25(1), the council may so delegate to the CEO either with or without any conditions.

The following is an example of a recommendation for such a delegation:

'That, under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to exercise the powers under section 3.25(1) of the *Local Government Act 1995*.'

As with all delegations by council:

- (a) any delegation to a CEO to exercise the powers under section 3.25 must be:
 - (i) by way of absolute majority decision;
 - (ii) recorded in the delegations register;
 and
- (b) the CEO must keep records of the exercise of the delegated power or discharge of the delegated duty.

For reasons of policy and/or to maintain uniformity, it may be inappropriate for a CEO to delegate to other employees to exercise any section 3.25(1) powers which have been delegated to the CEO. However, other employees can be appointed to carry out a CEO's exercise of powers delegated to the CEO, without those other employees needing to be delegated.

By way of example, in times when a cyclone is approaching a district, if the CEO is delegated to exercise section 3.25(1) powers, the CEO may decide that certain items must be tied down to prevent them from causing a hazard when the cyclone hits the district, and that section 3.25(1) notices must be issued in relation to those items. Once the CEO has decided this, the CEO may then appoint any number of employees to survey the district and, when they identify items which the CEO has decided must be tied down, complete the section 3.25(1) notices and issue them to the relevant person, on behalf of the CEO.

24. Calling for and Accepting Tenders

Section 3.57(1) of the *Local Government Act 1995* states 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.'

Section 5.43 of that Act states that:

'A local government cannot delegate to a CEO any of the following powers or duties:

- (a) ...
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.'

Part 4 of the *Local Government (Functions and General) Regulations 1996* regulates and provides the procedures for local government tenders for providing goods or services.

A council may delegate to its CEO to invite tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, without the necessity of setting a maximum limit on the tenders which the CEO may invite.

However, the effect of section 5.43(b) is that if a council wishes to delegate to its CEO to accept tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, it may attach a condition to the delegation that specifies the maximum limit of the tenders which the CEO may accept.

Following is an example of a recommendation to council to delegate to its CEO to invite any tenders (in accordance with council's selection criteria) and accept tenders up to a limit of \$200,000 under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*:

'That, under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to:

- (a) Invite any tenders; and
- (b) Accept tenders up to an amount of \$200,000 in total value, under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.'

Local Government Act 1995

Relevant Exercisable Powers and Dischargeable Duties of a Local Government

(Refer to each section of the Act or Regulations for the full details of each power or duty to be exercised by the local government)

- This table sets out the Powers and Duties relevant to delegation and also identifies when 'acting through' the staff of the organisation may be appropriate.
- The table also indicates where delegation is not permitted and the Council is to perform that power or duty.
- See a ✓ where applicable.
- The decision to delegate will be a policy matter for each local government.
- The column headed 'Suitable for Acting Through' covers the situations where either the council has made a policy about the matter and the staff of the organisation implement that particular function or where the organisation may carry out the function administratively.

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
2.11(2)	A local government may change the method of filling the office of mayor or president		✓				
2.12A(1)(b)	Council, by motion passed by it, proposes to change method of filling office of mayor or president		✓				
2.12A(1)(c)	Local government to give public notice (of proposal to change method of filling office of mayor or president)	✓					
2.17(3)	A council with 15 councillors may retain those 15 even if a decision is made to elect the mayor/president by the electors		✓				
2.25(1)	A council may by resolution grant leave of absence to a member		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 3 – Functions of Local Government							
3.5	A local government may make local laws to perform any of its functions under the Act		✓					
3.6(1)	With the Governor's approval, a local government can apply a local law to an area that is not in a district		✓					
3.12(3)	Local government must give Statewide public notice (in relation to proposed local laws)	✓						
3.12(4)	Local government may adopt a local law		✓					
3.12(5)	Local government must publish (adopted local law in the Government Gazette)	✓						
3.12(6)	Local government must give local public notice (that a local law has been adopted)	✓						
3.15	A local government must ensure that people of its district are informed (of the purpose and effect of all its local laws)	✓						
3.16(1)	Within 8 years from the day a local law commences, a local government must review the operation of each local law following the process set out in section 3.16	✓						
3.16(2)	Local government must give Statewide public notice (in relation to the review of its local laws)	✓						
3.16(3)	After the last day for submissions in relation to the review of its local laws, a local government must consider submissions and cause a report to be submitted to council	✓						
3.16(4)	Local government may determine whether or not it considers that any of its local laws should be repealed or amended		✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 3 – Functions of Local Government						
3.21	In performing its executive function, the local government must ensure that the obligations set out in section 3.21 are complied with	✓					
3.22(1)	A local government that causes damage through the performance of its function must pay compensation to the owner or occupier						✓
3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner						✓
3.26(2)	In order to make a person comply with a notice, a local government may do anything it considers necessary to achieve the purpose for which the notice was given	✓					✓
3.26(3)	A local government may continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt	✓					✓
3.27(1)	A local government may go onto private land in the circumstances prescribed in Schedule 3.2 and carry out works, even if it does not have the consent of the owner	✓					✓
3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry	✓					✓
3.34(1)	A local government may enter land in an emergency without notice or consent	✓					✓
3.34(5)	A local government must give notice (to the owner or occupier of an intended entry in an emergency whenever it is practical)	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 3 – Functions of Local Government							
3.36(3)	A local government may make an opening in a fence to do works on property subject to providing the owner or occupier with 3 days written notice	✓						✓
3.39	Local government may authorise an employee to remove and impound any goods	✓						✓
3.40(2)	If a local government impounds a vehicle to remove and impound goods, it must allow the offender to resume control of the vehicle as soon as practicable after the goods have been removed	✓						
3.40(3)	If the person entitled to resume control of the vehicle is not present, the local government must give notice (to the holder of a licence in respect of the vehicle, stating from where and when the vehicle may be collected)	✓						
3.40A(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck	✓						✓
3.40A(2)	Local government to provide notice (to the owner of a removed abandoned vehicle wreck, advising that the vehicle may be collected	✓						
3.40A(4)	Local government may declare that a vehicle is an abandoned vehicle wreck	✓						✓
3.42(1)	If a local government impounds non-perishable goods, it must either begin a prosecution against the offender or give them a notice stating from where and when the goods may be collected	✓						
3.44	Where non-perishable goods have been removed and impounded and a prosecution instituted, if the offender is not convicted or is convicted but it is not ordered that the goods be confiscated, the local government must give the alleged offender notice stating from where and when the goods may be collected	✓						

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 3 – Functions of Local Government							
3.46(1)	A local government may refuse to allow goods impounded under sections 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid	✓						
3.46(2)	A local government may refuse to allow goods removed under sections 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid	✓						
3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	✓						✓
3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck	✓						✓
3.47(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1) (b) or 3.44	✓						✓
3.47A(1)	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass	✓						✓
3.48	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods	✓						✓
3.50(1)	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	✓						✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 3 – Functions of Local Government							
3.50(1a) and 3.50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks							✓
3.50(6)	An order to close a thoroughfare may be revoked by the local government	✓						✓
3.50(8)	If a thoroughfare is closed without local public notice, the local government must give such notice as soon as practicable after its closure	✓						
3.50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	✓						✓
Functions & General Reg 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	✓						✓
3.51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	✓						✓
3.52(2)	Except if they are closed or have restricted use, local governments are to ensure that public thoroughfares are kept open for public use	✓						
3.52(3)	When fixing, altering or realigning a public thoroughfare, the local government must ensure vehicle access to adjoining land is provided	✓						
3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management			✓		✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 3 – Functions of Local Government						
3.54(1)	A local government may do anything it could do under the <i>Parks and Reserves Act 1895</i> if it were a Board appointed under that Act, to control and manage any land reserved under the <i>Land Act 1933</i> and vested in or placed under the control and management of the local government	✓		✓	✓	✓	✓
3.57(1)	A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Reg 11)			✓	✓	✓	✓
Functions & General Reg 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepted tenders			✓	✓	✓	✓
Functions & General Reg 11(2)(d)	Tenders do not have to be publicly invited if the contract is to be entered into by auction after being expressly authorised by a resolution of the council		✓				
Functions & General Reg 14(4)(a)	Such information as a local government decides should be disclosed to those interested in submitting a tender		✓				
Functions & General Reg 18(4) & (5)	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender			✓	✓	✓	✓
Functions & General Reg 19	The local government must give each tenderer written notice stating the successful tender or advising that no tender was accepted	✓					
Functions & General Reg 20	A local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters the contract with the successful tenderer	✓	Limited	✓	✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 3 – Functions of Local Government						
Functions & General Reg 20 (2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer			✓ Limited	✓ Limited	✓ Limited	✓ Limited
Functions & General Reg 21 (1)	A local government may seek expressions of interest before entering the tender process			✓ Limited	✓ Limited	✓ Limited	✓ Limited
Functions & General Reg 21(3)	A local government must give statewide public notice (that it seeks expressions of interest before entering the tender process)	✓					
Functions & General Reg 23(3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services			✓ Limited	✓ Limited	✓ Limited	✓ Limited
Functions & General Reg 24	A local government must give each person who submitted an expression of interest written notice (of the outcome of its decision)	✓					
Functions & General Reg 24E(1)	Where local government intends to give a regional price preference the local government is to prepare a regional price preference policy	✓		✓	✓	✓	✓
Functions & General Reg 24(E)(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received	✓		✓	✓	✓	✓
3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender			✓ Limited	✓ Limited	✓ Limited	✓ Limited

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 3 – Functions of Local Government						
3.58(3)	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3)			✓ Limited	✓ Limited		✓ Limited
Functions & Gen Reg 30(2)(a)(ii)	A disposition of land is an exempt of disposition of the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee	✓					✓
3.59(2)	A local government must prepare a business plan before it enters into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction	✓					
3.59(4)	A local government must give Statewide public notice (stating its proposal to enter into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction, where the plan may be inspected or obtained, and call for submissions on the plan within 6 weeks)	✓					
3.59(5)	The local government must consider submissions and then decide whether to proceed with the major trading undertaking, major land transaction or land transaction that is preparatory to a major land transaction		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 4 – Elections and Other Polls						
4.9(1)	If the mayor or president has not already done so, the council must fix the day on which a poll is held for an extraordinary election		✓				
4.16(4)	The council may decide, with the Electoral Commissioner’s approval, that the election day for a vacancy that has occurred under section 2.32 before the first Saturday in August in the year prior to an ordinary election but after the first Saturday in February in an ordinary election year, is to be on the ordinary election day for that year		✓				
4.17(2)	The council may decide, with the Electoral Commissioner’s approval, that a vacancy may remain unfilled if it occurred under section 2.32 before the first Saturday in August in the year prior to the election year in which the term would have ended under the Table to section 2.28, but after the first Saturday in February in that election year		✓				
4.20(2)	A local government may, with the approval of the person concerned and the Electoral Commissioner, appoint a person as the returning officer instead of the CEO		✓				
4.20(4)	A local government may, with the Electoral Commissioner’s agreement, declare the Electoral Commission to be responsible for the conduct of an election		✓				
4.57(3)	A local government may appoint an eligible person (who is willing to accept the appointment) to any unfilled office if, at the close of nominations for an extraordinary election, under section 4.57(1) or (2), the number of candidates is less than the number of offices		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation		
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte
	Part 4 – Elections and Other Polls			To a 5.9(2) (b) Ctte
				To a 5.9(2) (c) - (e) Ctte
4.61(2)	Local government may decide to use postal voting for an election		✓	
Elections Reg 9(1)	The fees to be paid to an electoral officer for conducting an election are those agreed between the local government and the electoral officer	✓		
Elections Reg 28(1b) (b)	If a candidate's deposit has not been refunded within 28 days after notice is given of the result of the election, the local government is to credit that amount to a fund of the local government	✓		

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 5 – Administration							
5.2	The council of a local government must ensure there is an appropriate structure for administering the local government		✓					
5.3(1)	The council must hold ordinary meetings and may hold special meetings		✓					
5.4	The council may decide to hold an ordinary or special meeting		✓					
5.8	A local government may establish committees of 3 or more people to assist the council in exercising its powers and duties		✓					
5.15	A local government may reduce the quorum for a committee meeting		✓					
5.16(1)	A local government may delegate to a committee, under and subject to section 5.17, any of its powers and duties other than this power of delegation		✓					
5.18	A local government must keep a register of all delegations made to a committee (at least once each financial year)	✓						
5.18	A local government must review all delegations made to a committee	✓		✓	✓			✓
Admin Reg 12(1)	At least once every year a local government must give local public notice (of the date, time and place of all its ordinary council meetings and any committee meetings that must or are proposed to be open to the public, that are to be held in the next 12 months)	✓						
Admin Reg 12(2)	A local government must give local public notice (if any of the dates, times or places in the notice under regulation 12(1) change)	✓						
Admin Reg 12(3)	A local government must give local public notice (of the date, time and place of a special meetings of council that must be open to the public)	✓						

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 5 – Administration							
Admin Reg 14(1)	A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents tabled at the meeting or which have been produced for presentation at the meeting are made available to the public at the same time as they are available to council and committee members	✓						
Admin Reg 14A(1)(c)	A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if the council has approved of the arrangement by absolute majority		✓					
5.27(2)	General meeting of electors to be held on a day selected by a local government but not more than 56 days after the local government accepts the annual report for the previous financial year	✓						✓
5.36(1)	A local government must employ a CEO		✓					
5.36(4)	If the position of CEO becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed	✓						
5.37(1)	A local government may designate any employee to be a senior employee			✓		✓		✓
5.37(2)	The council may reject or accept a recommendation by the CEO to employ or dismiss a senior employee. If it rejects a recommendation it must provide the CEO with its reasons		✓					
5.37(3)	If the position of a senior employee becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed	✓						✓
5.38	The performance of each employee employed more than 1 year, needs to be reviewed	✓						

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 5 – Administration						
Admin Reg 18C	A local government is to approve a process for selection and appointment of the CEO			✓	✓		
Admin Reg 18D	A local government is to consider, accept or reject a review of the CEO's performance			✓	✓		
5.42(1) & 5.43	A local government may delegate to the CEO any of its powers and duties under this Act except those in section 5.43 and this power of delegation		✓				
5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy			✓	✓		✓
5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given			✓	✓		✓
5.53(1)	A local government must prepare an annual report for each financial year	✓					
5.54(1)	A local government must accept the annual report by 31 August after that financial year		✓				
5.56	A local government is to prepare a Plan for the Future	✓		✓	✓		✓
Admin Reg 19C(4)	A local government is to review its current plan for the future every 2 years			✓	✓		
Admin Reg 19C(7)	A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future and when preparing any modifications of a plan	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 5 – Administration						
Admin Reg 19D(1)	After a plan for the future, or modifications to a plan, are adopted a local government is to give local public notice	✓					
Admin Reg 19D(5)	A Council is to adopt the plan for the future		✓				
Admin Reg 29A(2)	Information prescribed as confidential but that, under 5.95(7), may be available for inspection if a local government so resolves			✓	✓		✓
5.98(1)(b)	A local government may set a fee, within the prescribed range, to be paid to a council member who attends a council or committee meeting		✓				
5.98(2)(b)	A local government may approve expenses which are to be reimbursed to its councillors, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement [subject to section 5.98(3)]			✓	✓		✓
5.98(4)	A local government may approve the reimbursement to a council member of an approved expense, either generally or in a particular case			✓	✓		✓
5.98A	A local government may decide to pay its deputy mayor or deputy president an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5)		✓				
5.99	The local government may decide to pay council members attending council and committee meetings an annual meeting fee instead of an individual meeting fee		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 5 – Administration						
5.99A	A local government may decide that instead of reimbursing council members, under section 5.98(2), for all of a particular type of expense, it will instead pay all council members an allowance for that type of expense		✓				
5.100(2)	A local government may decide to reimburse expenses to committee members who are not council members or employees			✓	✓		✓
5.101(2)	A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government			✓	✓		✓
5.102	A local government may make a cash advance to a person for an expense which can be reimbursed			✓	✓		✓
5.103(1)	A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees			✓	✓		✓
5.103(2)	A local government must review its code of conduct within 12 months of every ordinary elections day			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
Financial M'gment Reg 8(1)	A local government must maintain separate accounts for monies required to be held in the municipal fund, the trust fund, the reserve accounts, or monies relating to major land or major trading undertakings that will or are expected to span more than 2 financial years	✓					
Financial M'gment Reg 11(1)	A local government must develop procedures for cheques, credit cards, computer encryption devices and passwords, purchasing cards and petty cash systems	✓					
Financial M'gment Reg 11(2)	A local government must develop procedures for the approval of accounts	✓					
Financial M'gment Reg 13(2)	A list of accounts for approval to be paid must be prepared for each month, including the date of the meeting of council to which the list is to be presented	✓					
Financial M'gment Reg 19(1)	A local government must establish and document internal control procedures to ensure control over investments	✓		✓	✓		✓
6.2(1)	A local government must prepare by 31 August in each financial year, an annual budget for its municipal fund for the next financial year	✓					
6.2(1)	A local government must adopt the budget prepared		✓				
6.3	A local government must prepare a budget if a general valuation or a rate or service charge is quashed by a court or the State Administrative Tribunal, or if it intends to impose supplementary general rate or specified area rate for the remainder of a financial year	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation							
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO		
	Part 6 – Financial Management								
6.3	A local government must adopt the budget prepared (Budget for other circumstances)		✓						
6.4(1)	A local government must prepare an annual financial report for the preceding financial year and such other reports as are required	✓							
6.4(3)	By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor the accounts of the local government and the annual financial report	✓							
Financial M'gment Reg 33A(3)	A council is to consider a budget review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review on any recommendations made in the review		✓						
Financial M'gment Reg 34(2)(c)	Each statement of financial activity is to be accompanied by documents containing such other supporting information as is considered relevant by the local government	✓							
Financial M'gment Reg 34(1)	A local government must prepare monthly financial reports	✓							
6.9(3)	A local government must pay or deliver to the person entitled to it any money and its interest and any property	✓							
6.9(4)	A local government may transfer money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment	✓							✓
6.11(1)	A local government must establish and maintain a reserve account for each purpose for which it wishes to set aside money	✓							

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.11(2)	A local government may change the purpose of a reserve account or use money held in a reserve account for another purpose		✓				
6.11(2)	A local government must give one month local public notice of a proposal to change the purpose of a reserve account or use money held in a reserve account for another purpose	✓					
6.12(1)(a)	A local government may, when adopting the annual budget, grant a discount or incentive for early payment of any money [subject to section 6.12(2)]		✓				
6.12(1)(b)	A local government may waive or grant concessions in relation to any amount of money or write off any amount of money that is owed to the local government [subject to section 6.12(2)]			✓	✓		✓
6.12(3)	The local government may determine what conditions apply to the granting of a concession			✓	✓		✓
6.13(1)	A local government may resolve to apply interest to any money that it has been owed [subject to section 6.13(6)], other than for rates and service charges		✓				
6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i>	✓		✓	✓		✓
6.16(1)	A local government may impose a fee or charge for any goods or services it provides, except for a service for which a service charge has been imposed		✓				
6.16(3)	As well as imposing fees and charges when adopting the annual budget, a local government may impose fees and charges during the year or amend, from time to time, fees and charges throughout the year		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.19	If a local government wishes to impose a fee or charge under Part 6 Division 5 Subdivision 2 after the annual budget has been adopted, it must provide local public notice of its intention to do so and the date from which the amended fees or charges will be imposed	✓					
6.20(1)	A local government may borrow or re-borrow money, obtain credit or extend its financial accommodation in other ways		✓				
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, unless the proposal is of a prescribed kind, it must give one month public notice of the proposal	✓					
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, it must make the resolution to do so by absolute majority		✓				
6.20(3)(a)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, after giving one month local public notice it may resolve to use it for another purpose		✓				
6.20(3)(b)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, it may resolve to use it for another purpose		✓				
6.20(3)	One months public 'notice' must be given	✓					
6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement, under section 6.26(2)(i), the local government may refer the matter to the Minister for determination			✓	✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.29(2)	A local government must impose a rate on the basis of unimproved value to any tenement, licence or permit that is located in a district for which only rates on the basis of gross rental value apply		✓				
6.32(1)	When adopting the annual budget, a local government may, in order to make up a budget deficiency, impose a general rate on rateable land within its district, and may impose a specified area rate or a minimum payment on rateable land within its district, and may impose a service charge on land within its district		✓				
6.32(3)	A local government may, in an emergency after rates in a financial year have been imposed, impose a supplementary general rate or specified area rate for the unexpired portion of the current financial year, and is to impose a new general rate, specified area rate or services charge if a court or the State Administrative Tribunal quashes a general valuation, rate or service charge		✓				
6.33(1)	Local government may impose differential general rates		✓				
6.35(1)	Local government may impose on any rateable land in its district a minimum payment		✓				
6.36(1)	A local government must give local public notice (of its intention to impose any differential general rates or minimum payment applying to a differential rate category under section 6.35(6)(c))	✓					
6.37(1)	Local government may impose a specified area rate on rateable land		✓				
6.38(1) Financial M'gment Reg 54	A local government may impose a service charge on owners or occupiers to meet the cost of providing television and radio rebroadcasting, volunteer bush fire brigades, underground electricity etc		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.39(1)	As soon as practicable after a local government resolves to impose rates, it must compile a record of all rateable land in the district and all land which has a service charge imposed	✓					
6.39(2)	A local government must, from time to time, amend the current rate record to ensure it is accurate and correct and may amend the rate record for the 5 years preceding the current financial year	✓					
6.40(1)	If the rateable value, rateability or the rate imposed on any land is amended in the rate record, under section 6.39(2), the local government must reassess the rates payable and give notice to the owner of the land of any change in the amount of rates payable	✓					
6.40(2)	If a service charge on any land is amended in the rate record, under section 6.39(2), the local government must reassess the service charge and give notice to the owner of the land of any change of the amount of service charge payable	✓					
6.40(3)	If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges	✓					
6.40(4)	If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or, alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it	✓					
6.41(1)	A local government must give a rate notice to the owner of rateable land and the owner or occupier (as the case requires) of land on which a service charge is imposed, containing the particulars required	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation			
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte
	Part 6 – Financial Management			To a 5.9(2) (c) - (e) Ctte	To the CEO
6.45(1) Financial M'gnt Reg 64(2)	When adopting its annual budget, a local government must determine the due date for payment of instalments after the first instalment		✓		
6.45(3) & Financial M'gnt Reg 67	A local government may impose an additional charge (including by way of interest) where payment of a rate or service is by instalments and that additional charge is taken to be a rate or service charge		✓		
6.46	A local government may, when imposing a rate or service charge, resolve to grant a discount or incentive for its early payment		✓		
6.47	A local government may, at the time of imposing rates and service charges, resolve to waive a rate or service charge or grant a concession	✓			
6.49	A local government may make an agreement with a person to pay their rates and service charges	✓			✓
Financial M'gnt Reg 66(2)	If an instalment remains unpaid after the day on which the next instalment becomes due the local government may revoke the ratepayer's right to pay by instalments	✓			
Financial M'gnt Reg 66(3)(b)	The local government must in writing immediately notify the ratepayer of the revocation	✓			
6.50(1) and 6.50(2)	A local government may determine the due date that rates and charges become due, but which date cannot be sooner than 35 days after the date noted on the rate notice	✓			✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.51(1) & Financial M'gmt Reg 70	A local government may resolve to impose interest (not to exceed 13%) on a rate, service charge and any costs of recovery that remains unpaid		✓				
6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	✓					✓
6.60(2)	A local government may give notice (to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the local government in satisfaction of the rate or service charge)	✓					✓
6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	✓					✓
6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	✓					✓
6.61(1)	A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government	✓					
6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself			✓	✓		✓ subject to 5.43(d)
6.64(2)	A local government that takes possession of land, under section 6.64(1), must give the owner such notice as prescribed and then affix the notice to a conspicuous part of the land in the form prescribed	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	Part 6 – Financial Management							
6.64(3)	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding	✓						✓
6.69(2)	A local government may accept payment of any outstanding rates or service charges on such terms and conditions as are agreed between the parties, up to the time of actual sale of the relevant land but not more than 7 days prior to same	✓						
6.69(3)	If a local government accepts payment of outstanding rates or service charges, under sections 6.69(1) or 6.69(2), the local government is required to make such notifications and take such measures as are prescribed to cancel the proposed sale	✓						✓
6.71(1)	If a local government is unable to sell land under Part 6 Division 6 Subdivision 6 within 12 months, it may transfer the land to the Crown or itself					✓	✓	✓ subject to 5.43(d)
6.71(3)	If a local government transfers land to itself, under section 6.71(1) (b), it must pay any sum owed under a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency or instrumentality of the Crown	✓						
6.74(1)	A local government may apply in the prescribed form to the Minister to have land revested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years					✓	✓	✓
Financial M'gmt Reg 77(1)	Before applying to have land revested under section 6.74, a local government must give notice to the owner of the land and any other interested persons and publish the notice in the Gazette	✓						
Financial M'gmt Reg 77(3)	A local government must consider any objections it receives in relation to a revestment under regulation 77					✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
6.76(4)	A local government may extend the time for a person to make an objection in relation to the rate record	✓		✓	✓		✓
6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part			✓	✓		✓
6.76(6)	The local government is to provide the person with notice of its decision	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 7 – Audit						
7.1A(1) & 7.1A(2)	Local government to establish an audit committee, appoint members to the committee with a minimum of 3 members and a majority of which are council members		✓				
7.1B	Despite section 5.16, a local government can delegate to an audit committee only those powers and duties contained in Part 7		✓				
7.3(1) & (2)	A local government must appoint one or more persons, on the recommendation of the audit committee, to be its auditor		✓				
7.6(2)(f)	A local government may terminate the appointment of an auditor by written notice			✓	Audit Ctte		
Audit Reg 8(1)	Where a local government has terminated an agreement with its auditor, it must give notice and reasons for the termination to the Executive Director within 30 days	✓					
7.6(3)	If the auditor's registration as a company auditor is suspended or the auditor is unable or unwilling to carry out their duties, a local government must appoint a person to conduct or complete its audit		✓				
7.12A(2)	A local government must meet with its auditor at least once a year			✓	Audit Ctte		
7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken			✓	Audit Ctte		

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government		Applicable Delegation			
	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 7 – Audit					
7.12A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister		✓ Audit Ctte			
Audit Reg 14(1)	A local government must carry out a compliance audit for the period 1 January to 31 December in each year	✓				
Audit Reg 14(3)	A compliance audit return must be presented to the council at a meeting of the council, adopted by the council and recorded in the minutes of the meeting at which it is adopted	✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 8 – Scrutiny of the Affairs of Local Governments						
8.2(2)	Upon receiving a request from the Minister for information, a local government must provide the information to the Minister within the specified time of the notice	✓					✓
8.14(3)	A local government must give the Minister advice of what things it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report			✓	✓		✓
8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the council			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 9 – Miscellaneous Provisions						
9.6(1)	An objection under Part 9 is to be dealt with by the council or a committee authorised by council to deal with it	✓	✓				
9.6(5)	The local government must give the person who made the objection notice of how it was disposed of and reasons why						✓
9.9(3)	As soon as a decision under section 9.9(1)(b) is made, the local government must give the affected person written notice stating the reasons for the decision						✓
9.10(1) & (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised						✓
9.60(4)	A local government is to administer any regulation made under section 9.60 as if it were a local law						✓
9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve						✓
9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68						✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
	<p>Schedule 2.1 – Provisions about Creating, Changing the Boundaries of, and Abolishing Districts</p>	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
11(2)	Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte		
	Schedule 2.2 – Provisions about Wards and Representation			To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
4(1)	A local government must consider any submissions made under clause 3			✓	✓	✓
4(2)	If a council believes that a submission is of a minor nature or one which would not require public submissions, it may either propose to the Advisory Board that a submission be rejected or itself deal with it under clause 5(b)		✓			
4(3)	If it is a council's opinion that a submission is substantially similar to a submission in respect of which the local government made a decision in the last 2 years, or the majority of affected electors who made the submission no longer support it, the local government may reject the submission		✓			
4(4)	Unless a local government decides to deal with a submission under clause 5(b) or rejects it or proposes to reject it under clauses 4(1) or 4(2), the local government must carry out a review as to whether or not the order sought should, in the council's opinion, be made		✓			
5	Whether or not it has received a submission, a local government may carry out a review as to whether or not an order under clauses 2.2, 2.3(3) or 2.18, should, in the council's opinion, be made, or propose to the Advisory Board the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3), if, in the opinion of the council, the proposal is of a minor nature or one which would not require public submissions, or propose to the Minister the making of an order changing the name of a district		✓			
6	A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board	✓		✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation			
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte
	Schedule 2.2 – Provisions about Wards and Representation			To a 5.9(2) (c) - (e) Ctte	To the CEO
7	A local government is to provide local public notice (advising that it is about to review its wards and inviting submissions)	✓			
8	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards			✓	
9	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3)			✓	

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
1(1)	Schedule 6.1 – Provisions Relating to the Phasing-In of Valuation When imposing general rates, a local government may resolve that a general valuation, which results in an increase, can be phased in over 3 years		✓				
1(5)	If a local government makes a resolution, under clause 1(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required	✓					
2(1)	When imposing general rates, a local government may resolve that gross rental valuations can be phased in over 3 years		✓				
2(5)	If a local government makes a resolution under clause 2(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
1(1)	<p>Schedule 6.2 – Provisions Relating to Lease of Land where Rates or Service Charges Unpaid</p> <p>A local government may lease the land with any conditions for a term that does not exceed 7 years</p>	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
		✓		✓	✓		✓ subject to 5.43(d)

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Schedule 6.3 – Provisions Relating to the Sale or Transfer of Land where Rates or Service Charges Unpaid						
1(1)	Before exercising its power of sale, a local government must give the owner, or any other person who has a recorded interest in the land, opportunity to pay the rates or service charges. It must send them notice by certified mail and place a notice [with the contents prescribed in clause 1(2)] on its notice board for a minimum of 35 days	✓					
1(3)	A local government must give local public notice (if the owner or other interested parties do not have a recorded address)	✓					
1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2)			✓	✓		✓
2(1)	The local government must give (Statewide public notice of the sale)	✓					
2(3)	The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice	✓					
4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple			✓	✓		✓ subject to 5.43(d)
7(2)	If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule	✓					

These guidelines are also available on the Department's website at www.dlgc.wa.gov.au



About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Department officer knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

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TOURISM & EVENTS ADVISORY GROUP

Unconfirmed Minutes

9:00am, 28 February 2022

NABAWA COUNCIL CHAMBERS

<p>Tourism & Events Advisory Group</p>	<p>Purpose: Will meet on an 'as needs' basis only to:</p> <ul style="list-style-type: none"> ~ Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function. ~ Assist with coordinating the annual Australia Day function(s); ~ Discuss all other item(s) in the areas of tourism and events. ~ Liaise with external organisations <p>Delegation – Nil</p>	<p><u>3 x Councilors</u></p> <ul style="list-style-type: none"> • Cr Batten • Cr Forth • Cr Elliott-Lockhart <ul style="list-style-type: none"> ~ CEO ~ Deputy CEO ~ Community Development Officer ~ 2 x Community Representatives for Australia Day award nominations
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DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on **WRITTEN CONFIRMATION** of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

A handwritten signature in black ink, appearing to read "Jamie Criddle". The signature is fluid and cursive, with a large initial "J" and "C".

Jamie Criddle
CHIEF EXECUTIVE OFFICER



**TOURISM & EVENTS ADVISORY GROUP MEETING 9.00AM
28 FEBRUARY 2022 COUNCIL CHAMBERS, NABAWA**

ORDER OF BUSINESS

1.0 Declaration of Opening

Presiding Member Cr Elliott-Lockhart welcomed elected members and staff opening the meeting at 9:11 am

Presiding Member Cr Elliott-Lockhart acknowledged the traditional owners of the land we are meeting on today, the Naaguja people, and we pay our respects to elders both past, present and emerging.

2.0 Record of Attendance

2.1 Present

Elected Members	In	Out
Cr Liz Elliott-Lockhart (Presiding Member)	9:11am	11:40am
Cr Darrell Forth (Deputy President)	9:11am	11:15am
Cr Nicole Batten	9:11am	11:40am

Officers	In	Out
Jamie Criddle (Chief Executive Officer)	9:11am	11:40am
Simon Lancaster (Deputy Chief Executive Officer)	9:11am	11:40am
Solataire Cameron (Community Development Officer)	9:11am	11:40am
Dianne Raymond (Manager Finance and Corporate Service) Minute Taker	9:11am	11:40am

2.2 Apologies

Nil

3.0 Disclosure of Interest

Nil

4.0 Petitions/Deputations/Presentations

Nil

5.0 Confirmation of Minutes from previous meetings

ADVISORY GROUP RECOMMENDATION

MOVED: Cr Forth

SECONDED: Cr Batten

That the Minutes of the Tourism & Events Advisory Group of the Shire of Chapman Valley held on 29 November 2021 be confirmed as a true and accurate record of proceedings.

Voting F3/A0

CARRIED

Minute Reference TEAG 02/22-1

6.0 Agenda Items

6.1 Australia Day - Community function

Feedback provided as **Attachment 6.1**.

The T&EAG agreed to continue the Australia Day Community function in the general format of the 2022 Australia Day Event. The location and other considerations to be determined at a time closer to the next Australia Day event

6.2 2021-22 Budget – Signage

DCEO provided general update on tourism related signage:

- Coronation Beach Road/North West Coastal Highway intersection and approaches directional signage now installed by Main Roads WA;
- discussions continuing with Main Roads WA regrading improved directional signage in proximity to North West Coastal Highway intersections of Chapman Valley Road, Nabawa-Northampton Road and Nabawa-Northampton Road;
- Coronation Beach Campground & Day Use Area rationalisation/updating signage has arrived at Shire and will be installed on-site by Shire staff in coming months as work schedules permit;
- Bill Hemsley Park Community Centre Shire external logo sign installed;
- LRCIP Round 3 works program approved by Federal Government inclusive of fixed electronic display sign to be displayed on Coronation Beach Road (in vicinity to North West Coastal Highway intersection).

6.3 2021-22 Budget – Entry Statements/Art Installations

Correspondence received from consultant provided as **Attachment 6.3**.

Discussion by the T&EAG determined to separate the projects and focus on two art installation concepts (Coronation Beach & Mills Lookout) only and ensure QR Codes can be attached and the issue of entry statements at various locations around the Shire be considered as a separate project for further discussion at a future Concept Forum.

T&EAG considered that additional funding will be required to progress both the two art installation concept design stage in 2021/2022.

T&EAG considered that delivery of concept design works should be listed for further consideration in 2022/2023 draft budget.

ADVISORY GROUP RECOMMENDATION

MOVED: Cr Forth

SECONDED: Cr Elliott-Lockhart

The Tourism & Events Advisory Group recommend that Council consider:

- 1 Increasing the 2021/2022 budget for the concept design art installation project by \$2,500.
- 2 The listing of a continued budget line item over the next three years of \$10,000 per year for community enhancement projects and promotion with an associated terms of reference be brought to a future Concept Forum for discussion.
- 3 The listing of \$10,000 in the 2022/2023 draft budget for entry statement design be brought to a future Concept Forum for discussion.
- 4 The listing of a continued budget line item over the next three years of \$10,000 per year for entry statement projects be brought to a future Concept Forum for discussion.

Voting F3/A0

CARRIED

Minute Reference TEAG 02/22-2

6.4 Corporate Business Plan – Annual Community Event

T&EAG discussion on Item 1.1 Status Report 2021–2024 and future event possibilities to come back to a Concept Forum for discussion.

6.5 Discussion points submitted by Cr Elliott-Lockhart

T&EAG discussion on correspondence received from Cr Elliott-Lockhart provided as **Attachment 6.5** including tourism audit.

11:15am Cr Forth left the meeting.

6.6 Discussion points submitted by Cr Batten

T&EAG discussion on correspondence received from Cr Batten provided as **Attachment 6.5** including communication plan & social media.

ADVISORY GROUP RECOMMENDATION

MOVED: Cr Batten

SECONDED: Cr Elliott-Lockhart

The Tourism & Events Advisory Group recommend that Council consider the engagement of external consultants/contractors to activate the events calendar and a communication/social media plan and platforms; and list in the 2022/2023 draft budget an amount of \$6,000.

**Voting F2/A0
CARRIED
Minute Reference TEAG 02/22-3**

7.0 General Business

Cr Eliot-Lockhart queried on how we get residents to tidy townsites.
T&EAG discussion that this issue to be brought back to a Concept Forum for Council discussion as part of Tropical Cyclone Seroja anniversary.

8.0 Next meeting

Next meeting to be advised prior to draft budget.

9.0 Close

The Presiding Member thanked Elected Members and Staff for their attendance and closed the meeting at 11.40am