

# *Shire of Wiluna*



## *Policy Manual*

(as at 08 July 2015)

# Shire of Wiluna Policy Manual

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- 5. Code of Conduct
- 6. Delegation Registers
- 7. **Consolidated Occupational Health and Safety Manual**
- 8. Equal Opportunity and Harassment
- 9. Tenancy Agreement

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### Amendment Status/Document Control

<b>Date</b>	<b>Amendment Details</b>	<b>Authorised</b>
25.09.2013	Various	OCM 085/13
23.10.2013	Various	OCM 097-98/13
27.11.2013	Adoption new policy 2.18	OCM 108/13
18.13.2013	Adoption new policy OHS001	OCM 122/13
26.03.2014	Rescinded 1.12 and 1.13	OCM 022/14
26.03.2014	Adopted new 1.25	OCM 022/14
26.03.2014	Adopted new 2.20	OCM 021/14
26.03.2014	Rescinded 2.5 and adopted 2.19	OCM 023/14
26.03.2014	Adopted new 6.1	OCM 028/14
16.04.2014	Adoption new policy 2.21 Financial Investments	OCM 049/14
25.06.2014	Amendment to Policy 1.11	OCM 076/14
31.07.2014	Adoption of Policy 1.26	OCM 094/14
04.11.2014	Rescinded Policy 3.2	OCM 125/14
04.11.2014	Adopted new occupational health and safety policies (Refer Policy Manual Appendix 7)	OCM 125/14
15.12.2014	Reviewed Policy 1.20 – no change	OCM 169/14
25.02.2015	Adopted of new policy 3.3	OCM 033/15
25.03.2015	Amended Policy 2.6	OCM 050/15
25.03.2015	Adopted Policy 3.4 Road Hierarchy	OCM 052/15
25.03.2015	Adoption of Policy 2.22 and 2.23	OCM 054/15
22.04.2015	Adoption of Policy 2.24	OCM 073/15
22.04.2015	Adoption of Policy 2.25	OCM 075/15
22.04.2015	Roads Hierarchy for Policy 3.4 updated	OCM 087/15
27.05.2015	Adoption of Policy 2.7	OCM 089/15
27.05.2015	Review and adoption of amended Policy 1.1	OCM 091/15
27.05.2015	Policies 1.19, 1.24 and 2.13 deleted/revoked	OCM 092/15
27.05.2015	Policies reviewed – no changes – 1..3, 1.5, 1.7, 1.8, 1.11, 1.14, 1.22, 1.25, 2.8, 2.9, 2.10, 2.14, 2.15, 2.16, 2.19 and 4.1	OCM 092/15
27.05.2015	Policies reviewed and amendeded – 1.4, 1.6, 1.7, 1.10, 1.15, 1.17, 1.23, 2.1, 2.11 and 2.12	OCM 092/15
08.07.2015	Amended Policy 1.26	OCM 106/15

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<b>POLICY:</b>	<b>THE POLICY MANUAL RECORD</b>
<b>POLICY NO:</b>	<b>1.1</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED: (INC AMENDMENTS)</b>	<b>25 SEPTEMBER 2013 RESOLUTION 085/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>2015</b>

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- 1 It is the policy of Council to maintain a manual that records the various policies of Council.
- 2 Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
- 3 The objectives of the Policy Manual are:
  - To provide Council with a formal written records of all policy decisions; and
  - To provide the staff with precise guidelines in which to act in accordance with Council wishes; and
  - To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council; and
  - To enable Councilors to adequately handle enquiries from electors without undue reference to the staff or the Council; and
  - To enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances; and
  - To enable the ratepayer to obtain immediate advice on matters of Council policy.
- 4 The Policy Manual will be maintained and updated as and when a policy is adopted, varied or rescinded by the Council, and a register showing past policies of the Council must also be maintained
- 5 The Policy Manual is to be uploaded onto the Shire of Wiluna's website, and amended policies are to be uploaded as soon as is practicable after adoption by the Council
- 6 The Council is to carry out a review of the complete policy manual annually when the delegations of authority to the Chief Executive Officer are reviewed; a review of individual policies must also be done within two years from adoption of that policy or its last review

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- 7 All Staff and Councillors are to be provided access to and/or a copy of the Policy Manual. The manuals remain the property of the Council.
- 8 Provision of printed/hard-copies to other parties is at the discretion of the Chief Executive Officer and may incur copy charges (as set in the annual fees and charges adopted each year by Council).

All printed copies issued must be done so with a disclaimer that printed copy is only warranted at the time of printing and that reference should be made to the official manual (located on Shire's website) rather than relying upon printed copy.

- 9 Changes to Council policy shall only be made on:
  - Resolution of Council or
  - Requirements of statute or legislation, in order to ensure compliance.

Any changes to policies because of statutory/legislative compliance are to be authorised by the Chief Executive Officer and reported at the next Ordinary Meeting of the Council

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<b>POLICY:</b>	<b>MEETINGS – TIMING OF AND ORDER OF BUSINESS</b>
<b>POLICY NO:</b>	<b>1.2</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A – RESCINDED 25.09.2013</b>

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It is the Policy of the Shire of Wiluna to hold its Ordinary Meeting of Council on the fourth (4) Wednesday of each Calendar Month commencing at 1pm except January when no meeting will be held.

The order of business shall be in accordance WITH CLAUSE 3.2 of the Shire of Wiluna Local Law (Standing Orders) 1999]

**POLICY RESCINDED**  
**25.09.2013**

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<b>POLICY:</b>	<b>PUBLIC QUESTION TIME</b>
<b>POLICY NO:</b>	<b>1.3</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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*Council welcomes to those who wish to attend any meeting of the Council.*

*The Local Government Act 1995 ("the Act") requires that Council set aside a period of "Public Question Time" in order to enable a member of the public to put to the Council a question about any works, services or activity of the Shire/Council or of the Shire Council involvement.*

*The Act and the Shire of Wiluna Local Law (Standing Orders) 1999 sets out the procedure and process for the asking of and responding to questions raised. The actual proceedings may vary on occasion, however, they are determined by the Chairperson presiding at the meeting (normally the Shire President).*

*Public Question Time is held immediately prior to the commencement of any meeting of the Council that is open to the public (unless the Act or associated regulations prescribe otherwise) and will generally run for 15 minutes. If there are more questions than this time permits, the Chairperson may allow the forum to operate for a longer period. If there are no questions or insufficient questions (in terms of time), the Chairperson may then decide the forum will last less than the 15 minute period.*

*The intent of the Act is that Public Question Time precedes the discussion of any matter that requires a decision to be made by Council. The purpose/intent is to also ensure that questions be directed, in the first instance, to matters to be discussed by Council at that meeting.*

*The Department of Local Government operational guidelines for managing public question time provides that each person who wishes to ask a question is to be given an equal and fair opportunity to do so and to receive a response. However, in order for 'Public Question Time' to be effective, the time must be managed by the Chairperson presiding. Wherever possible, responses to the question will be provided at that same meeting. Responses may be provided by staff, but this is also decided upon by the Chairperson.*

*Giving full regard to legislative and statutory requirements and best practice guidelines, the following will be applied at any Meeting of the Council of the Shire of Wiluna:*

- 1 Questions on matters listed in the Agenda for that meeting will be given first priority;

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- 2 *Persons wishing to ask questions will be requested to come forward and:  
a) Give their name  
b) State their question;*
- 3 *The question will be responded to, taken on notice, or not accepted by the Chairperson;*
- 4 *Statements are not to be read out – It is QUESTION time;*
- 5 *Public Question Time is not to be treated as an arena for debate*
- 6 *Each member of the public will be given equal opportunity to ask questions, and therefore they will be permitted to ask only three (3) questions initially;*
- 7 *If time permits, the Chairperson could allow individuals to ask further questions, after all members of the public have had the opportunity to put questions;*
- 8 *As per the Department of Local Government's 'Managing Public Question Time' guidelines, the Presiding Officer will NOT take questions that:*
  - *Are considered to be offensive or defamatory in nature and would potentially expose the Shire of Wiluna to legal action for republishing defamatory remarks – the person may be invited to rephrase their question;*
  - *Contains offensive language or questions the competency of Council members, staff or associated persons;*
  - *Relate to the personal affairs or actions of Council members or employees;*
  - *Relate to confidential matters, legal advice or legal proceedings;*
  - *Have been answered by earlier questions, or questions at a previous meeting*

*Where a question is taken on notice, the question will be recorded and a written response provided to the questioner as soon as is practicable.*

*Where a question is taken on notice, the question will be included in the Minutes of the Meeting at which the question was asked. For reasons of clarity, the question will also be repeated in the Minutes of the Meeting at which the response is recorded.*

*There is a statutory requirement for a summary of both the question and the response given during Public Question Time to be recorded in the Minutes. The name of the person who asks the question will also be included in the summary.*

*The Department of Local Government's 'Managing Public Question Time' guidelines will be the reference for any issues that arise other than those referred to in this policy. The final decision, however, will be at the discretion of the Presiding Officer having given due regard to statutory requirements, aforesaid guidelines and provisions of this policy.*

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<b>POLICY:</b>	<b>GRATUITY PAYMENTS</b>
<b>POLICY NO:</b>	<b>1.4</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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### Policy Statement

With effect from 01 July 2015: When an employee leaves their employment or is made redundant, they may be given a good or service as a token of appreciation for their commitment and service to the Shire of Wiluna.

### Policy Objective

This Gratuity Policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the Local Government Act 1995 and Local Government Administration Regulations 1996, specifically regulation 19a. A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy does not form a contractual entitlement for any employee of the Local Government.

### Commitment

The Shire of Wiluna is committed to recognising long serving employees within the parameters set by the Local Government Act 1995 and the associated regulations.

### Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Local Government for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Shire of Wiluna for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy

The Chief Executive Officer is authorised to approve Petty Cash claims in accordance with the limits prescribed by this policy. Funds will be allocated as part of the Local Government's budget preparation process and unexpended amounts will be returned to general revenue.

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### Prescribed Amounts for Gratuity Payments

For Officers other than the Chief Executive Officer:

<b><u>Number of Years' Service</u></b>	<b><u>Amount of Gratuity</u></b>
<u>Continuous service of less than 2 years</u>	<u>Statement of Service</u>
<u>Continuous service greater than 2 years but less than 5 years</u>	<u>A Statement of Service and a gift, or contribution towards a gift, to the value of \$20.00.</u>
<u>Continuous service greater than 5 years but less than 10 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$20 for each year of service.</u>  <u>Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a time and place determined to suitable by the Chief Executive Officer.</u>
<u>Continuous service greater than 10 years but less than 15 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$30.00 for each year of service.</u>  <u>Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a time and place determined to suitable by the Chief Executive Officer.</u>
<u>Continuous service greater than 15 years but less than 20 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$40.00 for each year of service.</u>  <u>Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a time and place determined to suitable by the Chief Executive Officer.</u>
<u>Continuous service greater than 20 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$50.00 for each year of service.</u>  <u>Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a time and place determined to suitable by the Chief Executive Officer.</u>

The Local Government Administration Regulations 1996 Part 4 (19A) limits the monetary value of gratuities paid to employees who are finishing employment with a local government to a maximum \$5000.00.

For the Chief Executive Officer:

Council to consider a payment of up to a maximum for \$5,000.00 based on the Council's assessment of the quality of service of that Chief Executive Officer and not the length of service.

The Local Government Administration Regulations 1996 Part 4 (19A) limits the monetary value of gratuities paid to employees who are finishing employment with a local government to a maximum \$5000.00.

The Shire of Wiluna acknowledges that at the time this policy was adopted, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by,

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legislation or a relevant industrial instrument.

The Shire of Wiluna has considered these provisions when setting the prescribed amount of any gratuity payment in this policy.

### Determining Service

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.
- For the purpose of this policy, continuous service shall not include:
- Any period of unauthorised absence from duty unless **Council** determines otherwise;
- Any period of unpaid leave unless the **Council** determines otherwise; or
- Any period of absence from duty on parental leave unless the **Council** determines otherwise.

### Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Shire of Wiluna in relation to any claims or liabilities for taxation in relation to the gratuity payment.

### Payments in addition to this Policy

The Shire of Wiluna agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Shire of Wiluna has caused local public notification to be given in relation to the variation.

### Final Determination

The Chief Executive Officer shall make the final determination with respect to whether an employee will receive and the form of the gratuity to be made, taking into account the employee's performance over the eligible period of service.

In the case of the gratuity payment applying to the Chief Executive Officer, the Council must make the final determination with respect to whether the Chief Executive Officer will receive and the form of the gratuity to be made, taking into account the employee's performance/quality of service.

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### **Financial Implications**

The Shire of Wiluna acknowledges that at the time the policy was introduced, the financial implications to the Shire of Wiluna were understood and that these financial implications had been investigated based on the workforce position current at that time.

The Shire of Wiluna will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

### **Consequences of Breaching this Policy**

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment. Any breaches of the policy may lead to disciplinary action.

### **Variation to this Policy**

This policy may be cancelled or varied from time to time by Council resolution or if statutory/legislative requirements require so. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method

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<b>POLICY:</b>	<b>PUBLIC RELATIONS - GREETINGS</b>
<b>POLICY NO:</b>	<b>1.5</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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It is the Council's Policy to send flowers, cards or small gifts and insert suitable notices in the local paper to recognise personal events in the lives of staff members, Councillors, past Councillors, prominent and long-term citizens of the Shire of Wiluna.

Those persons to be recognised for well wishes will be at the discretion of the Chief Executive Officer in confirmation with Councillors and staff, but due regard is to be given to such things as length of service, service to the community and community attributes.

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<b>POLICY:</b>	<b>CITIZENSHIP CEREMONIES</b>
<b>POLICY NO:</b>	<b>1.6</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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That as a matter of policy, with regard to the Conduct of Citizenship Ceremonies:

- 1 The Chief Executive Officer, Shire President and Deputy Shire President are authorised to conduct citizenship ceremonies for the Shire of Wiluna
- 2 The timing and venue of the citizenship ceremony and the Authorised person to conduct the ceremony is to be determined by the Chief Executive Officer in liaison/consultation with the person to be granted their citizenship
- 3 In the event that the Chief Executive Officer, Shire President or Deputy Shire President will not be available on the date determined under sub-paragraph two (2), the Chief Executive Officer is to authorise a Councillors that is available, to conduct the ceremony.

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<b>POLICY:</b>	<b>USE OF SHIRE LOGO</b>
<b>POLICY NO:</b>	<b>1.7</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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- 1 The Shire of Wiluna logo is as follows:



- 2 The Shire of Wiluna logo is to be shown on official Shire of Wiluna material and stationery and/or as directed by the Chief Executive Officer and/or Council. This includes but is not limited to: letterheads, envelopes, reports and publications, agendas and minutes.
- 3 The use of this logo is only allowed through written permission of the Chief Executive Officer, and will only be considered for Shire/Council sponsored events or programmes, or where there is a clear demonstration of a commercial or strategic benefit to the Shire of Wiluna.
- 4 Unauthorised use of the logo will result in prosecution

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>USE OF DISCLAIMERS – PROFESSIONAL INDEMNITY</b>
<b>POLICY NO:</b>	<b>1.8</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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Council adopts as policy the use of disclaimers (where appropriate) when providing advice or information to either the public or other statutory bodies. The wording of such disclaimers is to be as recommended from time to time, in consultation with Council's insurers.

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<b>POLICY:</b>	<b>MEDIA STATEMENTS</b>
<b>POLICY NO:</b>	<b>1.9</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

### **Policy Objectives**

- To provide a framework for Council and staff when liaising with the media and provide consistency of messages.
- The objective of all media liaison should be to promote the positive image of the Shire, to provide effective media communication with the community and to provide a mechanism for the role of Council as the 'entity' and individual Councillors when requested to make media comment.
- The Shire aims to provide timely, accurate information to the community through the media and to be open and transparent in its operations.
- The value of the media to local government cannot be underestimated. This organisation should maintain a good working relationship with journalists and editors and endeavour to address media enquiries promptly.

### **Definitions:**

Media is defined as all electronic and print media organisations including:

- Newspapers
- Television
- Radio
- Magazines
- Professional Journals
- Freelance Journalists
- News Websites
- Social Media

A media release is a document intended for media to inform or promote any aspect or activity of the Shire.

### **Policy:**

The Shire of Wiluna encourages the use of the media as part of their strategic plans to promote the efforts of the Shire of Wiluna.

The Chief Executive Officer is responsible for managing all media liaison to ensure maximum impact, enhanced presentation of photo opportunities, radio and television coverage.

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### **Procedure:**

#### **Media Spokesperson**

In accordance with the Local Government Act: the Shire President is the principal spokesperson for the Shire and Council. The Shire President may choose to delegate the commentary position to the Chief Executive Officer or Councillor.

It is acknowledged that the Chief Executive Officer will, when appropriate, be required to comment to the media regarding operational issues or matters of a general nature. When doing so, the Chief Executive Officer is not to offer Council view, attitude, stance or the like on any issue unless merely reporting a Council decision. The Chief Executive Officer will advise the Shire President of any comments made to the media to ensure a consistent, co-ordinated approach to media management is maintained at all times.

#### **Media Releases**

The principal method for the Shire to notify the media of events and activities is through a written media release. Staff are to complete a draft media release statement.

After a media release has been drafted it will proceed through the following approval process:

- 1 Chief Executive Officer to check factual components, context, potential liability and strategic context;
- 2 Shire President to have final approval
- 3 Copies of media releases to be emailed to Councillors for their information.

In the case of the media release reporting information about an event/activity taking place or that has taken place and/or where the subject material is for information only and is not expected to be one of a controversial nature, the Chief Executive Officer has authorised to give the final approval.

#### **Media Enquiries**

The response will depend on the inquiry. The response may be in the form of a formal media statement, supplying quotes via email, an organised media briefing or direct phone response.

#### **Shire Staff**

On occasion, media representatives may contact the Shire staff directly for comment. This is to be discouraged and all such queries are to be directed in the first instance to the Chief Executive Officer.

The Chief Executive Officer is the sole contact for all media enquiries and is responsible for co-ordinating all media contact. If media contacts a Shire officer directly, the officer must inform the journalist that it is Shire policy for the journalist to approach the Chief Executive Officer, who will then liaise with and/or refer to the Shire President.

Staff, including the Chief Executive Officer, are not authorised to give comments on behalf of the Shire to media unless they are the contact on a media release or have been authorised by the Shire President or Chief Executive Officer

If a staff member is approached to make a personal comment to the media they need to ensure that no connection with the Shire is evident within the interview.

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For example: staff expressing a personal view should not be wearing a Shire uniform or be filmed or photographed near a Shire vehicle.

Staff members who use social media in their own free time, are not permitted to appear to represent views of the Shire or to act as spokesperson on behalf of the Shire. Shire staff must use discretion and not post anything that could reasonably be seen to be associated with their role at the Shire of Wiluna and/or the Shire of Wiluna and/or bring about disrepute or embarrassment for the Shire. Staff may be deemed to be breaching the Council's adopted Code of Conduct if they act contrary to this requirement.

### Councillors

The Shire President is the principal spokesperson for the Shire and Council as expressed in the Local Government Act 1995. Councillors are not to express a Council view, attitude or stance on any issue without approval from the Shire President.

A Councillor's right to express a personal opinion on any issue of public interest is recognised and it should always be made clear to the journalist that they are expressing a personal opinion.

Councillors should advise the Shire President of any comments made to the media to ensure a consistent, co-ordinated approach to media management is maintained at all times.

Councillors who use social media in their own free time, are not permitted to appear to represent views of the Shire or to act as spokesperson on behalf of the Shire. Councillors must use discretion and not post anything that could reasonably be seen to be associated with their role at the Shire of Wiluna and/or Shire of Wiluna and/or bring about disrepute or embarrassment for the Shire. Councillors may be deemed to be breaching the Council's adopted Code of Conduct if they act contrary to this requirement.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>DONATIONS</b>
<b>POLICY NO:</b>	<b>1.10</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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As a matter of policy:

1. Council will consider requests in writing for donations greater than \$500 all such requests will be considered on merits that will include but not be limited to the following:
  - (a) The purpose or reason for the donation request
  - (b) The role of that individual/organisation within the Shire of Wiluna district
  - (c) The benefits that will be incurred, or reasonably be expected to be incurred, by the Shire and/or residents and community at large from the purpose of the donation
  - (d) The benefits that will be incurred by the individual/body from the purpose of the donation
  - (e) Budgetary provisions/constraints
2. Donations of \$500 or less may be made at the discretion of the Chief Executive Officer after consideration of merits outlined in subparagraph 1; however, nothing is to prohibit the Chief Executive Officer from referring all written requests to the Council for determination
3. Any donation approved by the Chief Executive Officer is to be reported to Councillors in writing
4. Council and/or the Chief Executive Officer declines under any circumstances to provide standing or annual donations, preferring to re-assess the needs of individuals and organisations in such cases as and when appropriate.
5. The Chief Executive Officer is determine and request from the applicant all/any information deemed necessary prior to the request being presented to Council for consideration or the Chief Executive Officer approving the donation.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>NOMINATIONS TO BOARDS &amp; COMMITTEES</b>
<b>POLICY NO:</b>	<b>1.11</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 JUNE 2014 Res. 076/14</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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Council will nominate the following representatives to the Boards and Committees:

<b>Organisation</b>	<b>Delegate</b>	<b>Proxy</b>	<b>Staff</b>
Goldfields Voluntary Regional Operational Council (GVROC) (Two Delegates)	President D/ President	Cr Petterson Cr Webb	CEO
Goldfields Esperance Regional Collaborative Group (GERCG) (Two Delegates)	President D/President	Cr Petterson Cr Webb	NA
Goldfields Esperance Country Zone (GECZ) of WALGA	President	Cr Farmer	CEO
Development Assessment Panels (DAPs) (2 year term – Minister to advise and appoint)	Councillor Councillor	Councillor Councillor	
Goldfields Esperance Regional Road Group	D/President	Cr Farmer	CEO
Regional Partnership Agreement Management Committee	D/President	Cr Farmer	CEO
Local Emergency Management Committee (LEMC) and Chairperson	D/President		CEO EMTS

Nominations for and the election of delegates to the above organisation is to be carried out at the Ordinary Meeting of Council held November of each year.

## **Shire of Wiluna Policy Manual**

That delegates representing Council at Association Conferences (WALGA) shall vote and move motions as they see fit and as they believe reflects the views of Council. This authority is granted subject to the delegates reporting back to Council the proceedings of the Conferences at the next Ordinary Meeting.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>MEMBERS CONFERENCES &amp; DEVELOPMENT</b>
<b>POLICY NO:</b>	<b>1.12</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A RESCINDED 26.03.2014 RES.022/14</b>

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### INTRODUCTION

It is important that Elected Members, as part of their roles and responsibilities as a Councillor, participate in professional development by attendance at conferences, seminars and development programs.

The intention of this policy is to ensure that Elected Members are given the opportunity to participate in professional development are not financially disadvantaged.

### POLICY

All Councillors are automatically invited to attend the Annual Local Government Week Conference and one other conference/seminar/training of significant importance to Local Government or as Councils appointed delegates in accordance with the following conditions. Arrangements for any Councillor wishing to attend any of the above must be made as per the procedure below.

If a Councillor wishes to attend any conference or seminar in addition to the above, then a request shall be placed before Council for consideration.

On return from any conference attended, excluding the Annual Local Government Week Conference, Councillors shall provide a short report to Council on the events.

### Conditions:

- (a) The cost of travel and accommodation, including meals and any other *business related costs* (e.g. telephone calls) for the delegates shall be met by Council.
- (b) Costs for a delegate's partner will also be met by Council

### PROCEDURE

All requirements [including travel] for the conference/seminar/training attendance are to be arranged by the CEO and confirmed by the purchase order. In all other cases, with prior approval of the CEO, receipts are to be submitted to the CEO for reimbursement.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>MEMBERS TRAVELLING EXPENSES</b>
<b>POLICY NO:</b>	<b>1.13</b>
<b>SECTION</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A RESCINDED 26.03.2014 RES. 022/14</b>

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Council shall pay to the President and all Councillors travelling expenses for attending Ordinary and Special Meetings of Council and for attending meetings of Committees in the capacity of a member of that Committee, in accordance with the provisions of the Local Government Act, as well as travel expenses for attendance at Annual Meetings of Electors, officially called civic receptions, visits by Ministers of the Crown, Council inspection tours, Special Meetings of Electors, General Meetings of Electors, Council authorised meetings with Government agencies and other Council called meetings.

Vehicle expenses shall be paid only on receipt of a formal claim and shall be calculated on the number of kilometres between the President/Councillors' principal place of residence or work within the district to the meeting and back. The rate per kilometre shall reflect actual cost and shall be as specified in the Local Government Industry Award clause 15.2 as amended from time to time. [Currently 74c/km -May 2012]

**Policy rescinded  
26.03.2014**

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>TOURISM</b>
<b>POLICY NO:</b>	<b>1.14</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015</b>
	<b>RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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1. Council shall work closely with the Western Australian Tourism commission, and other relevant Tourism and Government Departments, in all aspects of tourist development within the municipality and the north eastern goldfields.2. .
2. Council shall endeavour to assist (financially and by other means) tourist organisations or events, which have the potential to develop tourism in the Wiluna Shire.
3. Council shall seek representation on appropriate tourist organisations.
4. In the formulation of planning policies, Council shall have regard to the requirements of tourism development.
5. Council, in its review of planning instruments, i.e. Strategic Plans, Town Planning Scheme, etc. will take into consideration policies on tourism and other leisure related issues.
6. In the preparation of local laws, Council shall have regard to their impact on tourism and the balanced development of the municipality.
7. Council shall encourage tourism product development and investment throughout the area and will facilitate the development application process.
8. Council shall ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
9. When considering tourism projects, Council shall consider the social, cultural, economic and environmental impact of the proposal within the area.
10. Council shall initiate the provision of facilities sufficient to cater for destination and day trip visitors to appropriate areas within the municipality.
11. Council shall seek financial involvement from other sources wherever possible in the provision of tourist facilities.
12. Council shall, where practicable, support the establishment of National Parks, enhancement of specific natural features, conservation areas of outstanding beauty, and recognise items of heritage significance.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>REGIONAL ALLIANCE</b>
<b>POLICY NO:</b>	<b>1.15</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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The Council of the Shire of Wiluna recognises the unique geographical location of the district of Wiluna with regard to the adjoining local governments and towns as well as regional centres/cities.

Unless legislation or statute requires otherwise (i.e. in the case of Regional Road Groups or Royalties for Regions funding): the Shire of Wiluna will collaborate/partner/co-operate or the like with the local government and/or regional organisation that is able to provide the better outcomes or benefit the Council is seeking.

The Council acknowledges that the Shire's participation in any collaboration/partnership/co-operations or the like is limited by financial implications and/or the other party's approval.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>GIFTS TO RETIRING MEMBERS</b>
<b>POLICY NO:</b>	<b>1.17</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD&amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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As a matter of policy:

- 1 The President together with the CEO may approve the purchase a gift for retiring members in accordance with the requirements of the Local Government (Administration) Regulation 34AC:
  - (a) The retiring member must have served 1 full 4 year term.
  - (b) The gift may be to an amount up to \$100 for each year of service to a maximum of \$1000 in total.
- 2 When making a decision as per subparagraph one(1) , consideration to be given to:
  - (a) The length of continuous service of the retiring member
  - (b) The quality of service of the retiring member including but not limited to: community and key stakeholder relationships and active participation as an elected member
- 3 Wherever practicable such a gift should be presented at a Council meeting.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>TELEPHONE ALLOWANCE MEMBERS</b>
<b>POLICY NO:</b>	<b>1.18</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A RESCINDED 25.09.2013</b>

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The Shire of Wiluna will provide a monthly telephone allowance to each Councillor of \$70.00 to cover the costs of internet, phone line rental and calls made in his/her capacity as Councillor of this Shire.

Payment will be made at the same time as the sitting fees are paid to each councillor.

**POLICY RESCINDED**  
**25.09.2013**

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>DEPUTATIONS TO COUNCIL</b>
<b>POLICY NO:</b>	<b>1.19</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>2013</b>
<b>REVOKED/DELETED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>

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### DEPUTATIONS- Order of Business 3.2(1) (d) Standing Orders

#### Deputations

- (1) A deputation wishing to be received by the Council or a committee is to apply in writing to the CEO who is to forward the written request to the President, or the Presiding Member as the case may be.
- (2) The President, if the request is to attend a Council meeting, or the Presiding Member of the committee, if the request is to attend a meeting of a committee, may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be, or may instruct the CEO to refer the request to the Council or committee to decide by simple majority whether or not to receive the deputation.
- (3) A deputation invited to attend a Council or committee meeting;
  - (a) is not to exceed five persons, only two of whom may address the Council or committee, although others may respond to specific questions from the members; and
  - (b) is not to address the Council or committee for a period exceeding 15 minutes without the agreement of the Council or the committee as the case requires.
- (4) Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or that committee until the deputation has completed its presentation.

(1) Revoked/Deleted

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>URANIUM MINING IN THE SHIRE OF WILUNA</b>
<b>POLICY NO:</b>	<b>1.20</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED/ REVIWED:</b>	<b>15 DECEMBER 2014 Resolution 169/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2016</b>

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The Shire of Wiluna supports continuing exploration for uranium in the Shire and will consider giving its approval to applications to mine uranium on the understanding that any company proposing to mine uranium will:

- comply fully with all statutory requirements
- give a clear undertaking that it will strive to attain best practice and zero harm in its operations at all times
- work with the Council to assess the likely social, economic and environmental impacts on the Shire
- include Council in all community investment and development planning and social impact assessments it may undertake
- work with Council to develop and implement a Community Development Plan over the projected life of the mine so as to create a sustainable environment for the community now and into the future.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>DETERMINATION OF SENIOR EMPLOYEES</b>
<b>POLICY NO:</b>	<b>1.21</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 087/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A RESCINDED 25.09.2013</b>

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In accordance with section 5.37(1) of the Local Government Act 1995, Council designates the following staff positions, as senior employees of the Council:-

- Chief Executive Officer
- Manager Community Development [*Reviewed by Council Dec. 2011*]
- Manager of Corporate Services
- Works Manager

**POLICY RESCINDED**  
**25.09.2013**

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>REPORTS, CONTRACTS AND OTHER DOCUMENTS</b>
<b>POLICY NO:</b>	<b>1.22</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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That any report, contract or other document that has been prepared on a matter that relates to the management or administration of the Shire be presented/tabled at a Council meeting for consideration and discussion by Council. Items of a confidential nature to be presented under matters to be considered behind closed doors.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>DELEGATES REPORTS COUNCILLORS/OFFICERS</b>
<b>POLICY NO:</b>	<b>1.23</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

Unless otherwise required by statute or legislation (e.g. Local Laws): Councillors attending any conferences, seminars or meetings as delegates or representatives of the Council of the Shire of Wiluna are required to provide a brief written report on the activity, including any issues/outcomes, at the next Council Forum.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>COUNCILLOR BRIEFING SESSIONS</b>
<b>POLICY NO:</b>	<b>1.24</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>REVOKED/DELETED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>

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This Policy is to establish a process for the operation of elected member Briefing Sessions/Forums to ensure the requirements of accountability, openness and transparency are satisfied.

1. Council holds monthly Briefing Sessions between elected members and staff, on the fourth Wednesday of each month.

2. Briefing Session are closed to the public, so to as to facilitate full disclosure, and build trust between the elected members and between elected members and staff.

The purpose of Briefing Sessions is to:

- a. Provide an informal exchange of information between elected members and staff on issues.
- b. enable elected members to receive information in advance of the Council meetings, and thereby to assist elected members make informed decisions related to that information at subsequent Council meetings.
- c. To enable elected members to inform themselves before having to make decisions on issues.
- d. To facilitate strategic considerations of issue in advance.

4. Staff will prepare Agenda's for Briefing Sessions and where required produce relevant items for consideration by Council on matters discussed at Briefing Sessions.

5. Where practical, Briefing Session Agendas will be distributed by close of business on the Thursday preceding the meeting day.

6. No delegated authority from Council exists at the Briefing Sessions.

7. Standing Orders of Council do not apply at Briefing Sessions.

REVOKED/DELETED

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>ELECTED MEMBERS: REPRESENTATION/DELEGATION &amp; PROFESSIONAL DEVELOPMENT</b>
<b>POLICY NO:</b>	<b>1.25</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 March 2013</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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### 1 INTRODUCTION

It is important that Elected Members/Councillors, as part of their roles and responsibilities as a Councillor, participate in professional development by attendance at conferences, seminars, training and development programmes, as well as undertake representation/delegation on behalf of the Shire of Wiluna.

### 2 OBJECTIVE/AIM

The intention of this policy is to:

- Create the framework from within which the Chief Executive Officer can administer Elected Members professional development and representation
- Ensure there is equity in the distribution of professional development opportunities for elected members
- Strike a balance between financial imposition and beneficial outcomes of elected member professional development opportunities

### 3 DEFINITIONS

For this purpose of this policy:

- a) Council/Shire-related events outside the district: This is in respect of those meetings that Councillors are required to attend as part of their role and includes: GVROC, GERCG, Regional Road group, regional council memberships, meeting with Ministers of the Crown, and where Councillor/s attending is making a direct representation on behalf of the Council. The term delegate and/or representative may be referred to.
- b) Elected members professional development relates to those opportunities for opportunities directly related to the role and responsibility of Councillors. The term delegate may be used here.

The WALGA elected member development courses included in the Diploma of Local Government and the annual Local Government week conference are included in this category.

## **Shire of Wiluna Policy Manual**

- c) Other: Often there are other local government conferences, seminars and so forth where it is desirable that the Shire have a delegate/s or where the attendance may be beneficial. The National General Assembly of Local Government and the National Local Roads and Transport Congress are included in this category. The term representative or delegate will be used here.

### **POLICY STATEMENT**

#### **4 Council/Shire-related events outside the district:**

##### **4.1 Attendees:**

- a) Representatives will be as per Council resolution; representation can only be changed/amended upon Council resolution
- b) Deputy/proxy delegates are encouraged to attend where possible to ensure that they are sufficiently knowledgeable and familiar with the business of the particular committee/organisation
- c) If an opportunity to meet with a Minister, ministerial committee or representative, joint standing committee and the like arises and the timing is before a Council resolution can be adopted, the Chief Executive Officer is to liaise with the Shire President to determine approval for attendance

##### **4.2 Costs/expenses:**

- a) The cost of travel and accommodation for the delegates, including meals and other business related expenses, will be met by the Shire of Wiluna
- b) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the delegate/representative should they be unable to take their own vehicle and do not wish to use other alternative transport
- c) Representative who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal (WA) for elected members
- d) The cost of accommodation and meals for the delegates' partner/representative will also be met by the Shire; travel will not be reimbursed for the partner.

#### **5 Elected members professional development**

##### **5.1 Local Government Week:**

- a) All Councillors and the Chief Executive Officer are authorised to attend the annual WA Local Government Week
- b) The costs of travel and accommodation, including meals and other business related expenses, will be met by the Shire of Wiluna
- c) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the

## **Shire of Wiluna Policy Manual**

delegate/representative should they be unable to take their own vehicle and do not wish to use other alternative transport

- d) Representatives who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal for elected members
- e) The cost of accommodation and meals for the delegates' partner/representative will also be met by the Shire; travel will not be reimbursed for the partner, nor will costs for "partner programmes" at the event

### **5.2 WALGA Courses – Diploma of Local Government:**

#### **5.2.1 Online**

- a) Any Councillor is authorised to attend any WALGA course that a core or elective unit of the Diploma of Local Government online
- b) The cost of the online enrolment will be met by the Shire of Wiluna
- c) A training record, including proof of attendance and statement of attainment is required to be kept on the Shire's record management system

#### **5.2.2 In-person**

- a) Any Councillors is authorised to attend any WALGA course that a core or elective unit of the Diploma of Local Government in person
- b) The cost of travel and accommodation for the delegates, including meals and other business related expenses, will be met by the Shire of Wiluna
- c) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the delegate/representative should they be unable to take their own vehicle and do not wish to use other alternative transport
- d) Delegates who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal for elected members
- e) The cost of accommodation and meals for the delegates' partner/representative will also be met by the Shire; travel will not be reimbursed for the partner, nor will costs for "partner programmes" at the event

#### **5.2.3 Other Professional Development**

- a) Attendance at any other professional development opportunity must first be approved by Council resolution, with the Council also resolving what expenses/costs will be met by the Shire of Wiluna

## **6 Other:**

### **6.1 National General Assembly of Local Government Week**

- a) It is desirable that the Shire of Wiluna sent a maximum of two elected members and the Chief Executive Officer to this annual conference;

## **Shire of Wiluna Policy Manual**

- b) Costs as outlined in Sub-paragraph 5.1 sub-sections a and b will be met by the Shire of Wiluna

6.2 National Local Roads and Transport Congress  
Requirements as per sub-paragraph 5.1 sub-section a and b will apply

6.3 Other conferences/seminars/forums etc.  
If a Councillor believes attendance any of the above (3.3) or the like would be beneficial or in best interest of the Council, a resolution of Council is required regarding delegates and costs to be met.

## **7 Equitable Opportunities**

7.1 Events outside the district

- a) Councillors who are nominated as delegates/representatives for Council/Shire related events outside of the district are expected to make every reasonable effort to attend the required events
- b) Council may resolve to have the Councillors removed as the delegate/representative if there is no reasonable commitment from the Councillors with attendance

7.2 Elected Members Professional development and Other attendance

With reference to sub-paragraphs 5 and 6:

- a) Each Councillor shall be entitled to attend the annual local government week; and
- b) Each Councillor shall be entitled to attend at least one external professional development, conference/seminar/etc. opportunity

7.3 Non attendance

There is not compulsion on any/all Councillors to meet attendance as per sub-paragraph 7.2; whilst attendance is strongly encouraged, it is at the choice of the Councillor

## **8 Repayment of expenses**

8.1 Resignation or removal from office

If a Councillor willingly resigns from Council or is removed from Council through virtue of the Local Government Act and/or associated regulations or a decision of a competent court of jurisdiction then:

- a) that Councillor may be required to repay to the Shire the expenses incurred for that Councillor attending an event outlined in sub-

## **Shire of Wiluna Policy Manual**

paragraphs 5 and 6; subject to a resolution by Council IF the attendance was in the 2 months proceeding the resignation/removal

### **8.2 Misappropriation or errant claims**

If a Councillors is found to have deliberately misused, falsified or made errant claims for travel and expenses incurred or reimbursed by the Shire (for any costs mentioned in this policy):

- a) that Councillor may be required to repay to the Shire the expenses incurred, subject to a resolution from Council

## **9 Reports of Delegates/Representatives**

Shire of Wiluna Policy 1.23 *Delegates Reports – Councillors/Officers* requires that:

*“Councillors and Officers attending any conferences, seminars or meetings as delegates or representatives of the Council are required to provide a brief report on the issues/outcomes, to the next ordinary meeting of Council.”*

This would apply to attendance at events defined in sub-paragraph 5 and 6 but not does apply to sub-paragraph 4.

## **10 Limitations**

Nothing in this policy should be interpreted as:

- a) Preventing the Council from authorising by resolution attendance at any opportunity by any Councillor;
- b) Preventing a Councillor from attending any conference/seminar/professional development/training etc. at their own expense;
- c) This limitation does NOT apply where protocol or Council resolution would prohibit their attendance (e.g. Council resolution of delegates to meet Minister of Crown)

Wherever possible, the Chief Executive Officer will organise training/development to be held in Wiluna for both Officers and Councillors, given the cost benefits and the greater attendance likely. In this instance, this training and development would not be considered as referred to in paragraph 7.2 (b); that is, Councillors can still attend at least one external conference/training/professional development opportunity in addition to on-site training.

## **11 Administration and Breaches**

The Chief Executive Officer is to administrate/manage this policy, which includes but is not limited to:

- Receiving requests for attendance
- Requesting Council resolution
- Transport, accommodation and other logistical arrangements
- Records management including training and attendance registration and certifications/participation records
- Report to the Shire President and/or full Council any breach or attempted breach of this policy by any Councillors/s

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>ELECTED MEMBERS REMUNERATION</b>
<b>POLICY NO:</b>	<b>1.26</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>31 July 2014 Res. 094/14</b>
<b>LAST REVIEWED:</b>	<b>08 July 2015 RESOLUTION 106/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>JULY 2016</b>

That, as a matter of policy, Councillors are remunerated as follows from 01 July 2015:

- 1 Pursuant to Salaries and Wages Tribunal Determination 17 June 2015 section 2.4, all Councillors except the Shire President receive an annual allowance in lieu of meeting attendance fees of \$8,500.00;
- 2 Pursuant to Salaries and Wages Tribunal Determination 17 June 2015 section 2.4, the Shire President receives an annual allowance in lieu of meeting attendance fees of \$16,000.00;
- 3 Pursuant to Salaries and Wages Tribunal Determination 17 June 2015, section 3.2, the Shire President receives an annual local government allowance of \$16,000.00;
- 4 Pursuant to Salaries and Wages Tribunal Determination 17 June 2015, section 3.3, the Deputy Shire President receives an annual local government allowance of \$4,000.00 (25% of Shire President's allowance);
- 5 Pursuant to Salaries and Wages Tribunal Determination 17 June 2015 section 5.5, all Councillors including the Shire President receive an annual ICT allowance of \$1,250;
- 6 The allowances referred to in subparagraph 1-5 above be paid by equal monthly instalments;
- 7 Councillors who use their own motor vehicle for travel to council meetings or on other authorised council business are paid a motor vehicle expense allowance on a per-kilometre basis, at the rate set out and the conditions set forth in the *Local Government Officers' (WA) Interim Award 2011*; summarised below (rates correct at time of adoption)

Engine displacement (in cubic centimetres)			
Area and Details	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Cents per kilometre			
Metropolit	93.97	67.72	55.85
an area			
South	95.54	68.66	56.69
West			
Land			
Division			
North of	103.52	74.12	61.21

Shire of Wiluna Policy Manual

23.5			
Latitude			
Rest of	99.01	70.87	58.37
state			
Motor cycle		Rate c/km	

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>FLYING OF FLAGS</b>
<b>POLICY NO:</b>	<b>2.1</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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As a matter of Council policy:

- 1 The Australian National Flag and the Australian Aboriginal Flag are to be flown outside the Shire Administration office during normal hours of business.
- 2 Flags are to be flown at half-mast for the whole day, on the day of the funeral of prominent local citizens, as determined by the Shire President and/or Chief Executive Officer
- 3 Flags are to be flown in any manner or form as advised by Commonwealth and/or State Government directives
- 4 Notwithstanding above, flags must always be flown in accordance with Commonwealth Flag Protocol at any given time or date.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>ACCOMODATION – SOUTH WING</b>
<b>POLICY NO:</b>	<b>2.5</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A – RESCINDED 26.03.2014 RES. 023/14</b>

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Accommodation units within the Shire Administration Complex Scotia Street, Wiluna, and known as the “South Wing” are only to be used to provide overnight accommodation to Councillors, contractors, consultants and other persons on council business. Preference is to be given to Councillors.

**Policy rescinded  
26.03.2014**

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>PURCHASE OF GOODS AND SERVICES</b>
<b>POLICY No.:</b>	<b>2.6</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED: (INC AMENDMENTS)</b>	<b>25 MARCH 2015 RESOLUTION 050/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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**Intent** – The procurement of goods and services is for the purpose of carrying out the required functions, works and services of the Shire of Wiluna (“the Shire”), ensuring maximisation of “value for money” and efficient allocation of Shire resources.

**Purpose** – This policy outlines the Council requirements for the procurement of all goods and services by the Shire of Wiluna.

**Definitions** - For the purpose of this policy, the following definitions apply:

Local/Locally means within the Shire of Wiluna municipal boundary.

Local Supplier is either an individual or a company/organisations/business who supplies goods, services or infrastructure work AND

a) in the case of an individual, has been residing continuously in the Shire of Wiluna for the 184 days immediately preceding the date when quotations/tenders are sought; OR

b) in the case of a company/organisation/business, has had a permanent office or work-base and permanent staff based in the Shire of Wiluna continuously for at least 184 days immediately preceding the date when the quotation/tender is sought, and is registered or licensed within Western Australia.

Sufficient evidence to support residency periods are required upon request of the Shire.

Local content is the degree to which local suppliers, subcontractors and labour are used in the delivery of the purchase of the goods, services, infrastructure works, or contract outcomes.

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

Only goods directly acquired by the Shire are included in this definition. Goods acquired through sub-contractors to the Shire’s contracted supplier are not included.

Services or provision of services means any task, consultancy, work or advice to be performed or provided for the Shire that is procured by the Shire. It can include, but not be limited to, management consultancies, out-sourcing, maintenance contracts and agreements, cleaning, waste removal, equipment repairs, external audits and utilities.

Excluded are payments made directly to employees and members of Council,

## Shire of Wiluna Policy Manual

superannuation and pension payments, statutory or involuntary payments, grants and subsidies.

Shire: Refers to the organisation known as the Shire of Wiluna, or the district/area within the municipal boundary.

Infrastructure works means the construction, improvement, upgrade, maintenance or repair to any land (or structures located thereon) in the Shire, either owned or under the control of the Shire of Wiluna. Infrastructure works can include but not be limited to:

Construction of buildings, roads, footpaths and other public infrastructure as well as the related services such as architecture, surveying, contract management and maintenance type works. It also includes items/supplies of a bulk quantity that are a part of construction/maintenance/improvement/upgrade or repairs including but not limited to: concrete, aggregate, sand and so forth.

### Policy-

1. Procurement of goods, services and infrastructure works must always be with the intent as outlined in this policy and the spirit of that intent.
2. In order to achieve the cost benefits and efficiencies of purchasing by credit card, an officer to whom a credit card has been issued should give favorable consideration to using this method whenever appropriate and available. As a guide, the method is generally appropriate when the good, service or infrastructure works has already been obtained or it is possible to verify that the purchase is of the appropriate quality for the price. Examples include when uplifting the goods or receiving a service directly from the supplier, when purchasing travel tickets, when purchasing fuel for council vehicles, when settling a hotel bills, or when paying for services such as utilities or Internet connections.
3. A purchase order must be used to procure all goods, services and infrastructure works, except in the case of credit card purchases or petty cash purchases, or goods or services obtained in a recurrent supply situation such as electricity, water, telephones, monthly interim rating valuations and internet connections

#### 4. Quotes

Council acknowledges that Wiluna is considered a remote and isolated town, and that, for certain classes of goods, services and/or infrastructure works, there may only be one suitable supplier in the district. This will have an impact on the normal requirement to obtain quotes, but purchasing officers are to remain mindful that the organisation has a legal and moral obligation to ensure value for money in respect of all purchases made. The following table is to be used as a guide:

#### **\$1-\$2,000(exclusive of GST)**

Quotations are not required, but Purchasing Officer must still satisfy themselves that they have obtained a competitive price for the goods, service and/or infrastructure works (e.g. telephone quotes, internet pricing);

#### **\$2,001-\$5,000 (exclusive of GST)**

At least two (2) verbal quotes from alternative suppliers for goods, services and/or infrastructure (including GST); A detailed note of the full details of the verbal quotations received must be attached to the purchase order and in the minimum must include: name of person providing quotation, name of firm, contact details, pricing including GST, brief scope of works/details of item for which quotation sought;

## Shire of Wiluna Policy Manual

### **\$5,001 - \$10,000 (exclusive of GST)**

Two (2) written quotes from alternative suppliers for goods, services and/or infrastructure works (including GST). Officers with authorisation to procure goods and/or services are not to requisition/order any goods or services over the value of their purchasing limited as stated in their specific Delegation of Authority order issued by the Chief Executive Officer;

### **\$10,001 - \$99,000 (exclusive of GST)**

Three (3) written quotes from alternative suppliers for goods, services and/or infrastructure works (including GST). Officers with authorisation to procure goods and/or services are not to requisition/order any goods or services over the value of their purchasing limited as stated in their specific Delegation of Authority order issued by the Chief Executive Officer.

Copies of all quotations obtained should be securely fastened behind the green copy of the order form to ensure that these documents are retained in accordance with the requirements of Local Government (Finance and General) Regulation 11(3) (b).

In any case where an officer is unable to comply with the requirement for a specific number of quotations as above, a written record (including Officer's signature) of the reasons/circumstances for this non-compliance is to be made by the Officer and securely fastened behind the green copy of the order form to ensure that it is retained with the other documents relating to the transaction. The CEO is authorised, as he feels necessary, to prescribe the format and manner in which this written record is required.

5. The Shire will apply a local pricing preference for the procurement of certain goods, services and infrastructure works from local suppliers where all conditions and local content requirements are met **AND** the total cost of the same good, service or infrastructure work that can be procured locally does not exceed the total cost of the same goods if procured from outside of the Shire by the specified % or value. "Total cost" is to include all freight, delivery and such costs. Refer to table entitled "Local Pricing Preference (LPP) Terms and Conditions To be applied to Local Suppliers"
6. Procurement of a good, service or infrastructure work over the value of \$99,999.99 is subject to the tender process, and is governed by Tender Regulations set forth by legislation. The Shire will comply with those requirements. The Shire's Regional Price Preference Policy will be applied to tenders received from regional suppliers (as defined in said policy) when such tenders are assessed
7. All goods, services and infrastructure works procured must have an appropriate budgetary allocation in the relevant financial year.
8. Officers may not "cross-authorise" purchases from areas outside of their immediate portfolio or their own budget, unless they have first checked with their counterpart to ensure funds are available to meet the quoted/estimated cost of the Order and an appropriate General Ledger (expenditure) code has been provided to them. In the event that the appropriate responsible officer is not available, the proposed purchase must first be authorised by the Chief Executive Officer.
9. Monthly payments for all goods, services and infrastructure works procured shall be presented to Council, in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996

## **Shire of Wiluna Policy Manual**

10. The CEO is responsible for the implementation, control and management of administrative procedures relating to the procurement of goods, services and infrastructure works (including but not limited to the purchasing limits for individual officers, the circumstances in which quotes are/aren't required, the manner in which purchase orders are completed and the processing of supplier invoices for payment, and document control) in compliance with relevant statutory requirements.

## Shire of Wiluna Policy Manual

Category of Goods, Services or Infrastructure works	Performance criteria and standards to be assessed	Local Content percentage required	Percentage by which local procurement cannot exceed total cost of procurement from outside the Shire	Comments
Perishable purchases including but not limited to catering, food, milk and such items	Nil – although suitable/appropriate items that represent value for money are to be acquired	N/A	Nil	LPP does not apply as these goods will generally be purchased locally.  In the event that more than one local supplier can supply and prices are comparable, the Shire will ensure purchases are made through all suppliers where possible
Bulk fuel purchases over 5000 litres	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire	N/A	0.5%	Nil
General minor purchases – including but not limited to non-perishable food stuffs, office paper, stationery, cleaning chemicals, printing requirements, minor household items, general office supplies and so on.	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire.  Historical performance on past contracts/purchase arrangements	N/A	10%	Nil
<b>Office equipment(major), IT hardware and furniture/fittings</b>	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire.	MUST be able to be supplied, serviced and supported locally	10%	If equipment that can be procured locally CANNOT be supported and/or serviced locally, then the LPP will not be applied

## Shire of Wiluna Policy Manual

	Servicing and/or support for items purchased locally  Historical performance on past contracts/purchase arrangements			
<b>Infrastructure works including construction (building)</b>	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire.  Historical performance on past contracts/purchase arrangements	50%	<u>Value of works (exc. GST):</u>  <b>Up to \$100,000</b> = 10% or \$10,000, whichever is the lesser.  <b>\$100,001 to \$500,000</b> = \$10,000 plus 7% for each dollar over \$100,000 to a maximum total of \$38,000. *  <b>\$500,001 upwards</b> = \$38,000 plus 5% for each dollar over \$500,000 to a maximum \$50,000. *	

## **Shire of Wiluna Policy Manual**

Note: Good and or services procured via the tender process will be subject to the application of Shire's *Regional Price Preference Policy*.

This Policy 2.6 (including the local pricing preferences and said conditions) only applies to goods and services procured outside of the tender requirements.

At all times, the Shire will comply with the tender provisions as provided for in the Local Government Act and associated regulations.

# Shire of Wiluna Policy Manual



## PURCHASING CHECKLIST – POLICY 2.6

PO #: \_\_\_\_\_

DATE: \_\_\_\_\_

### CHECKLIST

Amount of Purchase exc GST	Purchasing Guidelines		Complied YES/NO <i>If non-compliant, File Note over page must be completed.</i>
	Quotes	Conditions	
\$1 to \$2,000	Quotes not required.	Purchasing Officer must still satisfy themselves that they have obtained a competitive price for the goods, service and / or infrastructure works (eg telephone quotes or internet price checks).	
\$2,001 to \$5,000	At least two (2) verbal quotes from alternative suppliers for goods, services and / or infrastructure (inc GST).	Detailed note of full details of verbal quotations must be attached to Purchase Order. Detailed note to include but not be limited to: Name of person providing quote, name of company, contact details, pricing inc GST, brief scope of works/details of items for which quotation is provided	
\$5,001 - \$10,000	Two (2) written quotes from alternative suppliers for goods, services and / or infrastructure works (inc GST).	Officers with authorisation to procure goods and/or services are NOT to requisition/order any goods or services over the value of their purchasing limited as stated in their specific Delegation of Authority order issued by the CEO.  Copy of proof of request for quotations (including scope of works) to be attached to purchase order, along with copy of all detailed quotations received.	
\$10,001 to \$99,999	Three (3) written quotes from alternative suppliers for goods, services and / or infrastructure works (inc GST).	Officers with authorisation to procure goods and/or services are NOT to requisition/order any goods or services over the value of their purchasing limited as stated in their specific Delegation of Authority order issued by the CEO.  Copy of proof of request for quotations (including scope of works) to be attached to purchase order, along with copy of all detailed quotations received.	

☐  
☐

I confirm the Purchasing Policy have been adhered to.

I confirm the Purchasing Policy have not been adhered to – Refer explanatory File Note overleaf

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Shire of Wiluna Policy Manual

FILE NOTE

Shire of Wiluna

SUBJECT:

NON-COMPLIANT PURCHASE ORDER

REASON:

(Please tick relevant box AND provide detailed explanation in space provided)

- ☐ Not all of those invited to quote returned a response by way of quotation
- ☐ Only one supplier available or only one could provide exact goods/works required
- ☐ Emergency requisition
- ☐ Shire specialised supplier
- ☐ Other

Further

explanation:.....

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Purchasing Procedure Checklist

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>LOCAL PURCHASE POLICY</b>
<b>POLICY NO:</b>	<b>2.7</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>23 OCTOBER 2013 RESOLUTION 086/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A Rescinded</b>

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After having due regard to the quality of the product, availability of, after sales service, supply date, freight costs, degree of urgency and any other factors that could be included in the phrase "all things being equal", all goods and services are to be purchased locally provided-

- a) At least one quote is obtained from outside the Shire and where possible two local quotes be obtained.
- b) The local supplier's price is no more 10% higher than the cheapest external quote.
  1. Purchase of goods and services that are subject to the Local Government (Functions and General) Regulations 1996 are to be dealt with accordingly, but also giving preference of 10% variation to local contractors.
  2. The purchase of all goods and services is left to the Chief Executive Officer's judgment having regard to Council's desire to, where possible, purchase goods and services from local suppliers.
  3. A local supplier of goods or services is considered to be one residing in or actively carrying on business within the Shire District.
  4. Tender specifications are to contain a clause similar to "Council encourages tenderers to inform themselves as to the availability of Local Services and to make use of those services where possible".

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>REGIONAL PRICE PREFERENCE</b>
<b>POLICY NO:</b>	<b>2.7</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>27 MAY 2015 RESOLUTION 089/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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### **1 OBJECTIVE**

To promote, support and develop local industry within the Shire of Wiluna by giving preferential consideration to regional suppliers in the procurement of goods and/or services through the tender process.

#### **1.1 Definitions**

In this policy the following words have the following meanings:

**Local Industry** is a business within the Shire of Wiluna which conforms to the definition of a 'regional tenderer' under the Local Government (Functions and General) Regulations 1996.

**Price Preference** is defined as the willingness to pay a higher price for the procurement of goods and/or services that are supplied by a 'regional tenderer'.

**Regional Tenderer** is a supplier that has been operating a business continuously out of premises within the Shire of Wiluna for at least six (6) months and submits a tender for the supply of goods and/or services.

**Region** is the area/district within the Shire of Wiluna municipal boundary.

### **2 PRINCIPLES**

The Shire of Wiluna will encourage local industry to do business with the Shire of Wiluna through the adoption of a regional price preference advantage, in conjunction with standard tender considerations. The price preference will apply to the provision of all goods and/or services via tender, with a regional component.

#### **2.1 Local Preference**

A preference will be given to a regional tenderer by assessing the tender submission as if the price bids were as prescribed below:

- a) Goods and/or services reduced by 10%, up to a maximum price reduction of \$50,000;
- b) Construction (building) reduced by 10%, up to a maximum price reduction \$50,000; or
- c) Goods and/or services (including construction (building) services) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the

## **Shire of Wiluna Policy Manual**

first time, due to those goods or services having been, until then, undertaken by the local government.

### **2.2 Local Regional Content**

The goods and/or services identified in a tender submitted by a regional tenderer may be:

- a) wholly supplied from regional sources; or
- b) partly supplied from regional sources and partly from non-regional sources,

however, only those goods and/or services identified in the tender as being from regional sources can be included in the discounted calculations.

### **2.3 Competitive Purchasing**

Whilst price is a competitive consideration in the provision of goods and/or services via tender, it is only one aspect of the tender evaluation process. Value for money principles and best allocation of resources as discussed within Shire of Wiluna Policy 2.6 Purchase of Goods and Services will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.

The tender that is determined to be overall both cost effective and advantageous to the Shire of Wiluna will be the most likely to be accepted. However, the lowest or any tender is not will not necessarily be accepted.

Shire of Wiluna Policy 2.6 Purchase of Good and Services applies for the procurement of goods and/or services outside of the tender process.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>LEAVE DEFERMENT</b>
<b>POLICY NO:</b>	<b>2.8</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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### **Long Service Leave**

Council is prepared to agree to the deferment of long service leave under the following conditions:

- a) Mutual Council/employee benefit - leave can be taken within 12 months from the date on which the leave became due and the rate of pay will be that which is applicable at the time of taking leave.
- b) Employees benefit only - leave can be deferred up to 2 years after the date on which it became due and shall be taken at the rate of pay applicable to the employee at the time he became entitled to the leave.

### **Annual Leave**

- a) All employees are permitted to defer the taking of their annual leave or part thereof for a period of up to twelve months from when it falls due.
- b) The Chief Executive Officer, on receipt of a formal application from any employee may approve the deferral of annual leave for a period in excess of twelve months but less than twenty-four months from the date the leave fell due.
- c) Annual Leave cannot be deferred for any longer period without the formal approval of Council.
- d) It is Council Policy that the Chief Executive Officer obtains formal approval from the Council before commencing any periods of annual leave.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>HOUSING - STAFF</b>
<b>POLICY NO:</b>	<b>2.9</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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- 1 All tenancies of Shire residences are subject to the requirements of the Residential Tenancies Act 1987 [referred to hereafter as the Act], and ***the Shire of Wiluna Tenancy Agreement*** and as from time to time amended by Council. The Agreement shall provide for the termination of the tenancy on termination of employment with the Shire.
- 2 Persons other than the tenant and direct family of the tenant are only permitted to stay in the house for a maximum of two weeks after which direct Chief Executive Officer (CEO) approval is required.
- 3 Unless otherwise stipulated in their employment contract, a security bond equivalent to 4 weeks rent, as set by Council in the annual budget current at the time of employment, is to be paid. The CEO bond will be the same as other employees. Where a tenant intends to keep pets particularly dogs and cats, an additional bond of \$100 is to be paid. All bonds will be lodged within 14 days with the Bond Administrator 219 St Georges Terrace Perth WA 6000.
- 4 The security bond may be paid by payroll deduction out of the first 4 full pays, and the pet bond (where applicable) taken out of the 5<sup>th</sup> pay.
- 5 Housing will only be provided to permanent employees in cases where the position involves a minimum of 20 hours or greater per week. However, this should not prevent the CEO using discretion to let a house to a non- permanent employee or any or any other person where there is vacant housing.
- 6 Notwithstanding clause 5, Shire housing will only be provided if a vacant residence is available and the provision or non-provision will be negotiated in each separate engagement of employees. This is to cover circumstances when housing is not available or the CEO determines for any reason not to provide housing for a particular employee or position. Nothing in this policy document should infer an obligation on behalf of the Shire to provide housing to all its employees.  
This clause takes note of the housing incentive payments of Council Policy 2.10 to Attract and Retain Staff
- 7 Council will set rental and consider any rental subsidies, payment of water, electricity and telephone consumption charges as per Shire policy 2.10 designed to attract staff and retain staff. In any case, if rentals are increased, the tenant will be given the 60 days written notice required under the Act.

## **Shire of Wiluna Policy Manual**

- 8 Shire housing cannot be utilised for any purpose other than as a dwelling without the express permission of Council.

### **[APPENDIX 1 – Tenancy Agreement]**

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>HOUSING AND ALLOWANCES</b>
<b>POLICY NO:</b>	<b>2.10</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2102</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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Subject to availability and policy 2.9, the Shire will provide rental free Shire owned housing to its **full time permanent (only) employees**.

### Housing

The assessed rental for Shire housing is:

3 or 4 bedroom house	\$300 per week
1 or two bedroom house or unit	\$250 per week

Permanently employed full time Shire employees not occupying Shire provided housing will be paid a weekly housing allowance equivalent to the assessed rents above. This allowance will only be paid to any one full time employee per house and will not apply if an employee shares accommodation with another person/s or resides with a person supplied with a house by another employer. It is intended for employees with their own house or having to rent a house in their own right. Proof of rental and ownership in the employees name will be required.

### Water Charges:

The Shire will pay the cost of water rates in all Shire owned houses.

Where no Shire water supplied reticulation is installed in a Shire house provided to full time permanent employees, the Shire will pay for water consumption up to the following amounts in accordance with the Water Authority annual four monthly cycles of charging:

1 <sup>st</sup>	annual account	[May to August]	\$500
2 <sup>nd</sup>	annual account	[September to December]	\$200
3 <sup>rd</sup>	annual account	[January to April]	\$300

Any water consumption charges incurred per four month account over these amounts will be charged to the employee. Where an account per third of year is less than the amount the Shire has agreed to pay as above, then the remaining balance may be applied to the next four monthly period in that Water authority financial year. The maximum amount to be met by the Shire in any charge year is \$1,000.

Where no Shire water supplied reticulation is provided to a shire house provided to a full time permanent Shire employee, the Shire will pay up to \$300 annually for water charges.

## **Shire of Wiluna Policy Manual**

### Electricity Charges

The Shire will pay annual charge costs for all Shire houses.

Where a full time Shire employee is provided with a Shire house, the Shire will pay annually for electricity consumed as follows:

October to March	\$ 400 per two monthly account.
April to September	\$ 250 per two monthly account.

Any unused amount per two monthly accounts may be applied to the next account in that Horizon Power annual charge year. It is intended that the maximum amount to be met by the Shire in any charge year is \$1,950.

**Note. Any allowances available to employees or benefits provided by Shire of Wiluna that are subject to income tax then the payment/benefit will be paid through the fortnightly salary/wages and attract the normal PAYG Tax that is deducted. FBT payable on any benefits payable under this policy will be paid by the Shire. The employee will be advised of this at the time of the arrangements being made.**

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>BUSHFIRE CONTROL</b>
<b>POLICY NO:</b>	<b>2.11</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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As a matter of policy:

- 1 In the absence of an operative Wiluna Bushfire Brigade, the Council is to appoint the Chief Executive Officer as its Bushfire Control Officer and any deputy that the Chief Executive Officer recommends and/or that the Council determined. Such appointments to be done in compliance with the Bushfires Act 1954
- 2 Council and the Shire will encourage and support the establishment and operations of Bush Fire Brigades through:
  - Acting as the administrator/manager in absence of an operative Bushfire Brigade in order to re-establish an operative brigade
  - Requiring the Chief Executive Officer to be a member of the Bushfire Brigade
  - Approving time off for staff to attend training, exercises and the like for bushfire control (if members of the Brigade)
  - Providing administrative “in-kind” support for: photocopying, minute taking, assistance with financial controls of funds and a venue to hold meetings
  - Making an annual budgetary allocation to support the development and operations of the Bushfire Brigade
  - Maintaining and meeting the costs of the required Bushfire Brigade and Volunteer insurance each year through LGIS/JLTA.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>SHIRE SUPERANNUATION CONTRIBUTIONS</b>
<b>POLICY NO:</b>	<b>2.12</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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That as a matter of Policy the Shire of Wiluna will make the following superannuation contribution to eligible employees' superannuation funds:

- 1 10% contribution for Compulsory Occupational Superannuation\*
- 2 An additional contribution to a maximum of 5% for those employees making their own voluntary contribution to an eligible superannuation fund.

All contributions made by the Shire must be in compliance with the relevant statutes/legislation and nothing in this policy is to be used to prohibit/contravene/ negate the requirements of such statutes/legislation.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>SATELLITE PHONE USAGE</b>
<b>POLICY NO:</b>	<b>2.13</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>REVOKED/DELETED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>

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Council provides the Construction Crew with a Satellite Telephone, installed in the Construction Crew Vehicle.

The primary uses for the satellite telephone are to provide an effective means of communication in emergency situations or liaison between the Construction Crew and Management.

**REVOKED/DELETED**

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>BUS HIRE POLICY &amp; CONDITIONS</b>
<b>POLICY NO:</b>	<b>2.14</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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1. The Manager of Works must ensure that the Shire bus is inspected by an appropriate staff member prior to and after each hire ensuring that the log book is filled out. A checklist of the inspection must be completed before and after hiring and retained as evidence to justify the return of any bond.
2. The hire conditions for the shire bus are as follows:
  - a. An outline of where the bus will travel will be agreed upon before hire.
  - b. There will be **NO SMOKING** on the bus.
  - c. The hirer must possess a current "B" Class License and produce a copy if not already in file.
  - d. The person(s) hiring the bus will ensure that all due care is taken with the bus at all times and will also be responsible for the insurance excess in the event of an accident (Excess amount as per council's insurance policy).
  - e. That the person hiring the bus to take another person for driving licence test is responsible for the bus at all times.
  - f. In the event of an accident, if the driver of the bus has a blood alcohol reading above the legal limit, **NO RESPONSIBILITY WILL BE TAKEN BY THE SHIRE OF WILUNA.**
  - g. The bus is hired with a full tank of fuel and must be returned with a full tank of fuel.
  - h. The bus is hired clean and tidy and must be returned in the same condition.
  - i. Any bond to be refunded must be collected from the Shire reception within 7 days after the bus is returned.

## **Shire of Wiluna Policy Manual**

- j. The inspection officer with the Hirer will inspect the bus together. The inspection Officer will step through the policy with the hirer. To ensure there are no disputes, the following steps will be followed and the inspection checklist filled in:

### **Shire of Wiluna Policy Manual**

- The inspection officer will explain and demonstrate all controls including gear change and air conditioning to the hirer. The hirer must demonstrate that they can operate all controls.
  - The inspection officer will ensure that the bus is in good mechanical condition
  - The fuel gauge will be viewed by both the parties and agree that the tank is full
  - Both parties agree that the bus is tidy inside and outside
  - A DVD will be tested in the player by both parties together
  - Tyres will be inspected by both the parties. If there are any concerns, these will be documented by the inspection officer
  - The equipment on board will be agreed upon as operational (such as Engel fridge, fire extinguisher and any other safety equipment, water tank, etc.)
- k. This policy is to be laminated and fixed for display inside the bus at all times and each time the bus is hired, this policy is to be signed by the hirer and kept with the bus hire records.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>INJURY MANAGEMENT POLICY</b>
<b>POLICY NO:</b>	<b>2.15</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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The Shire of Wiluna is committed to assisting injured workers to return to work as soon as medically appropriate and will adhere to the requirements of the *Workers' Compensation and Injury Management Act 1981* in the event of a work related injury or illness.

Management supports the injury management process and recognises that success relies on the active participation and cooperation of the injured worker. Whenever possible, suitable duties will be arranged internally having regard for the injured worker's medical restrictions.

## Shire of Wiluna Policy Manual

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<b>POLICY:</b>	<b>PAYMENT OF ACCOUNTS</b>
<b>POLICY NO:</b>	<b>2.16</b>
<b>SECTION:</b>	<b>FINANCE &amp; ADMINISTRATION</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED: (INC AMENDMENTS)</b>	<b>23 OCTOBER 2013 RESOLUTION 097/13</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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### **Policy 2.16 Payment of Accounts**

**Intent:** Payment of expenses should be managed to incur the least risk and cost for the Council and the Shire. Flexibility in payment arrangements will ensure that less Shire resources are used in making payments. It is intended that making payments will always be authorised by an appropriately delegated officer. Any misuse of Council resources will not be tolerated and disciplinary and/or criminal action may result.

**Purpose:** This policy will outline the payment options available to the Shire and the controls over each type of payment method. This Council will make payments by drawing a Shire of Wiluna cheque, using Electronic Funds Transfer (EFT), by using a Shire corporate credit card or by accessing Petty Cash.

#### **Principles:-**

- 1) Wherever possible, payments that can be made through an agent within the Shire shall be made locally to assist in maintaining the financial viability of those agents who provide services within the district.
- 2) Where local payments cannot be made for an invoice received then payment by EFT to a bank account nominated by the creditor is the most cost effective means of payment and allows for the timeliest receipt of payments.
- 3) Payments will be processed to ensure that the Shire obtains any prompt payment discounts, avoids late payment penalties and establishes the Shire's reputation as a business of choice for suppliers.
- 4) Signatories/authorised persons for cheque and EFT payments are deemed either primary or secondary, with the relevant positions being grouped as follows:

#### **Primary Signatory/Authorised Person**

- Chief Executive Officer
- Finance and Accounting Manager
- Executive Manager, Manager Corporate Services

#### **Secondary Signatory/Authorised Person**

- Executive Manager, Works

## Shire of Wiluna Policy Manual

- Executive Manager, Economic and Community Development
- Senior Finance Officer
- Any other officer nominated by the CEO, from time to time as operational requirements may dictate

5) All EFT or cheque payments are to be signed/authorised by two signatories/authorisation with **at least ONE** of those being a PRIMARY signatory/authorised person

6) In the case where an urgent/emergency payment is required and a primary signatory/authorised person is not on-site, two secondary signatories can sign the urgent/emergency payment and at least one primary signatory must then counter-sign when available. In this instance, the primary signatory if contactable should approve the use of two secondary signatories verbally or through other communication means

7) For any transfers of funds between the Shire of Wiluna's own operating accounts, including the transfer of funds between the Shire's Municipal, Trust, and Reserve accounts, or for transfer of funds into or from investment accounts, two signatories/authorisations are required as per points 4, 5 and 6.

8) All payments will be supported by:

- a tax compliant invoice
- notification by a Shire employee that the goods or services have been received
- Where required, a copy of the Shire's purchase order which has been signed by an authorising officer.

9) Those officers authorising cheques and EFT payments are responsible for ensuring the completeness and correctness of the voucher presented for payment.

10) A Shire employee cannot authorise a purchase or sign a voucher where that officer receives a personal benefit from the payment or purchase.

11) That a schedule of payments made in each month shall be presented to the ordinary meeting of Council held in the subsequent month regardless of the payment system used.

### **PAYMENTS BY CHEQUE**

1) All cheque payments are to be made by system cheques generated by the financial system, based on payment information entered.

2) No substitution of payees will be allowed. All cheques will be crossed with the words: "Not Negotiable – Account Payee Only".

3) Blank cheques are accountable documents. A complete record of all cheques must be maintained. Spoiled and cancelled cheques must be retained and accounted for.

4) All payment vouchers are to be checked by an officer other than the officer who prepared the voucher, prior to the production of the cheques.

5) Authorising officers must check that:

- The cheque agrees with the accompanying payment voucher
- The goods and services for which payment is being made are appropriate for the Shire
- Cheques have been printed in a legible format and in correct alignment
- All spoiled cheques have been retrieved and cancelled.

## **Shire of Wiluna Policy Manual**

7) For all cheque payments, a photocopy of the cheque (referred to as a “voucher”) is to be held on file, with the two signatories clearly identifiable. The appropriate invoice(s), purchase order(s), quotations, notes and other documents relating to the transaction are to be securely fastened behind the voucher.

8) Any apparent discrepancies or charges that appear inappropriate are to be drawn to the immediate attention of the Chief Executive Officer.

### **PAYMENTS BY ELECTRONIC FUNDS TRANSFER (EFT)**

1) All EFT payments are to be subject to the same payment voucher and accounting requirements as for cheque payments. In addition:

- A copy of the funds transfer report generated by the banking system is to be retained and attached to invoices paid
- Officers who enter passwords to sign on the funds transfer report, or on a suitable form indicating the transfer has taken place. This must also be attached to invoices paid.

2) The creditor must provide written confirmation of relevant bank account details prior to any EFT payments. Oral advice of bank account details is not sufficient. The form used to gather information about banking will also outline that the Shire will not make good on any monies deposited to wrong accounts. The form must be authorised by an owner or manager of the creditor business.

3) Remittance advices, providing payment details, are to be forwarded to the vendor by E-mail where available

4) Any EFT payments which are rejected and returned to the Shire are to be followed up and corrected promptly. The party responsible for the error is responsible for recovering the monies. The Shire will only make a correcting payment to the creditor where the Shire is directly at fault. In this case, the Shire will take immediate action to recover the monies from the incorrect creditor.

5) Security will be paramount when dealing with on-line records. Authority to change the setup parameters of the Shire's on-line banking facility will not be vested in a single system administrator. Access to the system will be periodically reviewed. The Accounting System output files/bank input files are to be kept only in a restricted access file directory while awaiting upload to the bank. Access to the file directory where bank input files are kept is to be restricted.

6) Those that authorise electronic transfer are to ensure that they first reconcile each payment in a batch with appropriate payment vouchers, and that the vouchers have been properly prepared and authorised.

7) Any apparent discrepancies or charges that appear inappropriate are to be drawn to the immediate attention of the Chief Executive Officer.

### **PAYMENTS BY CREDIT CARD**

1) Credit cards may only be used for official Council business (in the same spirit as which purchase orders are issued

2) The Chief Executive Officer will determine which staff are to be issued with credit cards, and the monthly credit limits to apply. Credit cards will only be issued to staff that have completed training in purchasing and management of credit card accounts.

## **Shire of Wiluna Policy Manual**

- 3) Officers who receive a credit card must agree in writing to ensure the security of the card, that any misuse will be repaid immediately, any payment not substantiated by a tax invoice will become the personal responsibility of the card holder, and that the reconciliation of the account will occur as soon as possible after receipt of the statement of account.
- 4) Credit card statement reconciliations (detailing all purchases) must first be authorised by the card-holder's line manager and then handed to the Executive Manager, Corporate Services (EMCS) for cross-authorisation and checking. In the case of the EMCS being the card-holder, CEO must authorise the reconciliation. The EMCS must authorise the CEO's reconciliation.
- 5) Credit card limits will be set at a reasonable level to ensure security of the card while facilitating ease of purchasing for the card holder.
- 6) Credit card purchases do not require the preparation of a Council purchase order.
- 7) Corporate credit cards are not to be registered for frequent flyer or other rewards programs. Any benefits that accrue from the use of corporate credit cards must not be used for the personal benefit of cardholders.
- 8) The CEO will cancel cards or reduce limits if staff do not manage them in accordance with the signed use agreement and/or fail to submit timely and accurate credit card reconciliations. Further, any necessary recovery and/or legal action will be taken for any misappropriation of funds through credit cards

### **PAYMENTS BY PETTY CASH**

- 1) A Petty Cash float of \$900.00 will be held to effect local payments to a maximum of less than that amount.
- 2) In order to draw petty cash, an officer must present a tax compliant invoice and a completed and authorised voucher for the payment. No orders are required.
- 3) The float will be charged to a single officer who will control the key to the locked tin and will be responsible for the cash. A monthly reconciliation will be performed with two officers checking the cash. Reconciliations may be performed more often if the cash amount is less than \$50. Reconciliations will be stored on the voucher for the cheque which reimburses the float.

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<b>POLICY:</b>	<b>LEGAL REPRESENTATION</b>
	<b>COUNCILLORS &amp; EMPLOYEES</b>
<b>POLICY NO:</b>	<b>2.17</b>
<b>SECTION:</b>	<b>ADMINISTRATION &amp; FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADPOTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>2013</b>

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Members of Council or employees of the Shire from time to time may require legal services in connection with any matter impacting on their conduct or the performance of their functions as members or employees.

Questions may arise from time to time as to whether, and the extent to which, the Shire should provide financial assistance to secure legal services, and this Policy is intended to facilitate decision-making on those questions.

As a general rule, financial assistance will only be provided to a member or employee for a matter which arises out of or in the course of their conduct, or the performance of their functions, as members or employees.

It is intended that financial assistance will not be provided to a member or employee who has acted unlawfully, dishonestly, improperly, or otherwise in bad faith.

Generally, financial assistance may be provided to former members or employees, or may continue to be provided for members or employees after they cease their membership or employment, where that can manifestly be seen to be justified by the interest of good government of the district.

The level of financial assistance provided is to be assessed in all cases against an evaluation of the extent to which it is justified in the interest of the good government of the district.

### 1. DEFINITIONS

**Approved lawyer** is to be –

- (a) a ‘certified practitioner’ under the Legal Practice Act 2003;
- (b) from a law firm on the Shire panel of legal service providers, relevant, unless the council considers that this is not appropriate –for example where there is or may be a conflict of interest or insufficient expertise; and

## **Shire of Wiluna Policy Manual**

- (c) approved in writing by the council or the CEO under delegated authority **council member or employee** means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire.

**legal proceedings** may be civil, criminal or investigative.

**legal representation** is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

- (a) a matter or matters arising from the performance of the functions of the council member or employee; and
- (b) legal proceedings involving the council member or employee that have been, or may be commenced.

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

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

**payment** by the Shire of legal representation costs may be either by –

- (a) a direct payment to the approved lawyer (or the relevant firm); or
- (b) a reimbursement to the council member or employee.

## **2. PAYMENT CRITERIA**

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

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

## **EXAMPLES OF LEGAL REPRESENTATION COSTS THAT MAY BE APPROVED**

## **Shire of Wiluna Policy Manual**

- 3.1 If the criteria in clause 2 of this policy are satisfied, the Shire may approve the payment of legal representation costs –
- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
  - (b) to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions - for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
  - (c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.
- 3.2 The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

## **4. APPLICATION FOR PAYMENT**

- 4.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing to the CEO.
- 4.2 The written application for payment of legal representation costs is to give details of –
- (i) the matter for which legal representation is sought;
  - (ii) how that matter relates to the functions of the council member or employee making the application;
  - (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
  - (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document);
  - (v) an estimated cost of the legal representation; and
  - (vi) why it is in the interests of the Shire for payment to be made.

## **Shire of Wiluna Policy Manual**

- 4.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 4.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 4.5 The application is to be accompanied by a signed written statement by the applicant that he or she –
- (a) has read, and understands, the terms of this Policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of Clause 8 and any other conditions to which the approval is subject; and
  - (c) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of Clause 8.
- 4.6 In relation to clause 4.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the Shire and the terms of the Policy.
- 4.7 An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.

## **5. LEGAL REPRESENTATION COSTS – LIMIT**

- 5.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- 5.2 A council member or employee may make a further application to the council in respect of the same matter.

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### **6. COUNCIL'S POWERS**

- 6.1 The council may –
- a) refuse;
  - (b) grant; or
  - (c) grant subject to conditions,
- an application for payment of legal representation costs.
- 6.2 Conditions under clause 6.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 6.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members or employees insurance policy or its equivalent.
- 6.4 The council may at any time revoke or vary an approval or any conditions of approval, for the payment of legal representation costs.
- 6.5 The council may, subject to clause 6.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - (b) given false or misleading information in respect of the application.
- 6.6 A determination under clause 6.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 6.7 Where the council makes a determination under clause 6.5, the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with Clause 8.

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### **7. CHIEF EXECUTIVE OFFICER AUTHORISATION**

- 7.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant the CEO may exercise, on behalf of the council, any of the powers of the council under clause 6.1 and 6.2, to a maximum of \$10,000 in respect of each application.
- 7.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 6.4.

### **8. REPAYMENT OF LEGAL REPRESENTATION COSTS**

- 8.1 A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire –
  - (a) all or part of those costs – in accordance with a determination by the Council under clause 6.7;
  - (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.
- 8.2 The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

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<b>POLICY:</b>	<b>OUT OF DISTRICT ALLOWANCE</b>
<b>POLICY NO:</b>	<b>2.18</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>27 NOVEMBER 2013</b>
	<b>RES.108/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>2015</b>

**Intent** –Shire staff are required, from time to time, to attend meetings, training, events and conferences directly related to their role as employees. The costs in relation to these expenses are to be controlled to ensure maximisation of “value for money”, efficient allocation of Shire resources and to prevent any misappropriation of funds in relation to these costs.

**Purpose** – This policy outlines the Council requirements in relation to payment of expenses for attendance at conferences, training, events and meetings.

### **Principles –**

1. Expenses for conferences, training, events and meetings are those which staff attend in their capacity as Shire employees, and are in direct relation to staff duties and/or the Shire’s scope of works and services.
2. The Chief Executive Officer has the discretion to reject applications to attend conferences, training, events and meetings if the benefit to /need of the Shire cannot be established.
3. Expenses related to the registration costs of attendance (inc. fees, material charges) are met in full by the Shire.
4. Travel costs related to the attendance will be met by the Shire as follows:
  - (a) Third-party travel such as airfares or bus fares (including travel to and from airport, taxi fares, etc.) to be paid for by the Shire, using corporate credit card or purchase order; or
  - (b) Staff issued with vehicles for private use may use these for their transport; fuel is provided by the Shire; or
  - (c) If there are Shire vehicles available for use, staff and elected members may be able to use these; fuel provided by the Shire; or
  - (d) Alternative travel arrangements, approved at the discretion of the Chief Executive Officer, provided that they are cost effective.
5. Expenses relating to accommodation and meals will be met by the Shire as follows:
  - (a) Accommodation and meals (excluding alcoholic drinks) to the value of \$200 per night to be paid for by the Shire, using corporate credit card or purchase order; or

## **Shire of Wiluna Policy Manual**

(b) Staff will be paid an allowance of \$200.00 per night. Staff will then be required to arrange their own accommodation and meals for the duration of attendance; or

(c) If staff are required to attend any conference, meeting, training or other sanctioned event above the 26th parallel, then the value referred to in 5(a) and 5 (b) is increased to \$250.00 only.

6. Proof of purchase/cost incurred must accompany all claims for reimbursement, except for the per diem allowance claimable at 5(b).

7. Where Staff who fail to attend in full or complete any training or participation in meetings/conferences/so forth but have been paid the per diem allowance as per 5(b) or 5 (c) will be required to pay back the value of the accommodation and meals and/or allowance; disciplinary action may also be taken against the staff member

8. The Chief Executive Officer or relevant staff Manager reserves the right to not offer either option 5(a) or 5 (b) to a staff member and instead make the most cost effective and suitable decision regarding their meals and accommodation.

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<b>POLICY:</b>	<b>USE OF SHIRE ACCOMMODATION</b>
<b>POLICY NO:</b>	<b>2.19</b>
<b>SECTION:</b>	<b>ADMINISTRATION AND FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 MARCH 2013 RES.023/14</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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### **1 INTRODUCTION**

It is acknowledged that the Shire of Wiluna needs to engage works and services provided by those external to the town. This is because of the existing gap in required works and services, and available works and services within the district.

The Shire will therefore need to provide short-term accommodation, where available, for these engagements.

### **2 OBJECTIVE/AIM**

The intention of this policy is to:

- Create the framework from within which the Chief Executive Officer can administer the use of available Shire of Wiluna accommodation on a short-term basis
- Create a balance/equity for the use of Shire accommodation.

### **3 DEFINITIONS**

For this purpose of this policy:

a) Shire accommodation: This relates to any building owned or under the control of the Shire of Wiluna that is able to be used for short-term accommodation/residency. It may include dwellings, single rooms and the like where accommodation is permitted and available.

It does not include offices, sheds or any building where residential accommodation is prohibited, or apply to accommodation for business operations/needs.

b) Contractors/Consultants are deemed to be an interchangeable term and is to include but not be limited to:

## **Shire of Wiluna Policy Manual**

- Licensed, qualified or specialised tradespeople
- Specialised professionals – auditors, accountants, consultants, road engineers, IT technicians, and so forth engaged on Shire projects, works and services, and the like
- Service people from outside of the town/district because that service does not exist
- Contract service providers such as Rangers or Environmental Health Officers

### **4 POLICY STATEMENT**

#### **4.1 Use of accommodation**

Shire accommodation, where available, is allowed to be used by contractors or consultants who are directly engaged by the Shire of Wiluna to provide a direct work or service to the Shire of Wiluna

#### **4.2 Conditions of use of accommodation**

a) The Chief Executive Officer must have approved the engagement of the consultant or contractor and be satisfied that they are working directly for the Shire of Wiluna for a Shire of Wiluna project;

b) The use of accommodation is on a short-term basis; the Chief Executive Officer will determine the time-frame that is reasonable for the duration of the accommodation, but it should not exceed two weeks

c) The Chief Executive Officer will refuse the use of accommodation or ask the consultant/contractor to leave the premises/find alternative accommodation if the Chief Executive Officer is of the reasonable belief that the consultant/contractor is not directly undertaking Shire of Wiluna works and/or services only

d) Other than the household furniture in the said accommodation, the contractor/consultant must provide all own personal effects, including but not limited to: towels, bedding, food, cleaning and household supplies and the like.

e) The Shire of Wiluna will not provide telephone services, internet access, satellite subscription television or any similar communication services

f) A bond of \$500 is payable

g) The Chief Executive Officer is required to ensure that an appropriate booking form/agreement is in place that details these policy requirements, as well operational/administrative requirements.

## **Shire of Wiluna Policy Manual**

### **LIMITATION**

This policy does not apply to:

- a) Councillors: Councillors engaging in Shire/Council business are to be accommodated wherever possible and are to given preference over contractors/consultants
- b) Employees of the Shire of Wiluna: accommodation for employees forms part of the contract of employment with each employee, as administered by the Chief Executive Officer.
- c) Consultant Town Planner, Principal Environmental Health Officer and Ranger, if there is an existing written agreement in place (at time of adoption of this policy) for accommodation under the terms of their contract.

*(end of policy)*

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>FEES AND CHARGES – USER PAYS PRINCIPLE</b>
<b>POLICY NO:</b>	<b>2.20</b>
<b>SECTION:</b>	<b>ADMINISTRATION</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 MARCH 2014 RES. 021/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2016</b>

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That as a matter of policy, the following principles will apply for a user-pays system for the use of public goods:

- 1 The use of public goods includes the use of facilities, assets, services or programmes under the ownership or direct control of the Shire of Wiluna
- 2 The purpose of a user-pays system is for those who are specifically using that public good to make a contribution towards Shire costs, where that use is exclusive or for the benefit of a specific group/individual
- 3 Where consumption of a public good that is non-exclusive and for the benefit of the wider community incurs costs for the Shire, costs will be funded from sources other than fees and charges (such as general purpose grants and rating income)
- 4 Any use of public goods that is non-exclusive and for the benefit of the wider community will not be subject to any user fees or charges. However, bonds may be payable, as prescribed by the fees and charges adopted each year
- 5 Any use of public goods that is exclusive and is not for the benefit of the wider community and that which seeks to restrict or limit users, or seeks to charge participants for that use, will be subject to user fees and charges as well as bonds and other fees, as prescribed by the fees and charges adopted each year
- 6 Use of public goods that provide a benefit for the wider community but incur specific or special operational expenses or are of significant cost to the Shire, will be subject to the prescribed fees and charges adopted each year
- 7 Use of public goods that provide a benefit for the wider community and are non-exclusive but under the control of a group other than the Shire will be subject to the prescribed fees and charges
- 8 In measuring “benefit for the wider community”, the actual use will be considered and not any outcomes that might be a result of that use
- 9 The Chief Executive Officer has no delegated authority to reduce, waive or refund fees payable or paid; this includes the reduction or waiver of bond.
- 10 Those subject to fees and charges are welcome to apply to Council for a donation/grant; the grant being equal to the value of the hire (excluding bond) that was paid to the Shire

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>INVESTMENTS</b>
<b>POLICY NO:</b>	<b>2.21</b>
<b>SECTION:</b>	<b>ADMINISTRATION</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>16 APRIL 2014 RES. 049/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2016</b>

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### **Purpose**

This policy is to provide guidance for financial investment activities by the Shire of Wiluna, which includes the scope of authority, compliance, process and reporting.

### **Objectives**

To invest the Shire of Wiluna's surplus funds, with due consideration of legislative requirements and risk at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that Shire's liquidity requirements are met.

To maximise earnings from authorised investments and ensure the security of Council funds

### **Legislative Compliance**

At all times investments are to comply with the minimum requirements set out in the:

- Local Government Act 1995 Section 6.14;
- Trustees Amendment Act 1997 – Part 111 Investments;
- Local Government Financial Management Regulations – Regulations 19, 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 Council's investment to senior staff subject to regular reviews.

### **Prudent Person Standard**

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

### **Ethics and Conflict of Interest**

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

### **Approved Investments**

Without approval from the Council, investments shall be limited to:

- State/Commonwealth Government bonds
- Interest bearing deposits
- Bank accepted/endorsed bank bills
- Bank negotiable certificate of deposits; and
- Managed funds

## Shire of Wiluna Policy Manual

### Diversification/Credit Risk

Investment shall be made with institutions that meet diversification and credit risk ratings as defined by Standard and Poor ratings. To control the credit quality of the investment funds, the following credit framework limits the percentage of the funds exposed to any particular rating category:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A1+	100%	100%
AA	A1	100%	100%
A	A2	80%	80%

Should the credit rating be downgraded then investment will divested as soon as practicable.

Not less than 3 quotations or comparative interest shall be obtained from authorised institutions whenever an investment is proposed. Authorised officer to determine the best quote on the day after considering the administration and banking cost and having regard to the limitations set in this policy.

### Prohibited Investments

In accordance with 19C of the Local Government (Financial Management) Regulations 1996 when investing money, the Shire of Wiluna will not do any of the following:

- Deposit with an institution except an authorised institution. *An authorised institution means an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or the Western Australian Treasury Corporation.*
- Deposit for a fixed term of more than 12 months;
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Invest in bonds with a term to maturity of more than 3 years;
- Invest in foreign currency.

This policy also 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;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind
- The use of leveraging (borrowing to invest).

### Reporting and Review

A monthly report will be provided to Council detailing the performance of all investments. Each year or as required in the event of legislative changes, a review on the appropriateness of the investment policy shall occur.

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

### Policy Variation

The CEO or any Officer with delegated authority by the CEO is authorised to approve variations to this policy if the investment is to Council's advantage and or legislative requirement.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>NATIVE TITLE CLAIM DETERMINATION APPLICATIONS</b>
<b>POLICY NO:</b>	<b>2.22</b>
<b>SECTION:</b>	<b>ADMINISTRATION</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 MARCH 2015 Resolution 054/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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That as a matter of policy:

- 1 The Shire of Wiluna is to register to become a party to any native title claim determination application where the area in that application is located partly or wholly in the Shire of Wiluna municipal boundary
- 2 The Chief Executive Officer is responsible for registering an interest in the native title claim determination application (as outlined in point 1 above) in order for the Shire of Wiluna to become a party to that application
- 3 The Chief Executive Officer to report to Council any native title claim determination applications whereby an interest has been lodged in that application and if/when the Shire is or is not accepted as a party to that claim, as the case may be.
- 4 This policy will only apply to native title claim determination applications lodged proceeding the date of adoption of this policy.

Note:

Guiding or empowering legislation for registration of interest in any native title claim determination application: Native Title Act 1993 (Cth).

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<b>POLICY:</b>	<b>TENEMENT APPLICATIONS</b>
<b>POLICY NO:</b>	<b>2.23</b>
<b>SECTION:</b>	<b>ADMINISTRATION</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 MARCH 2015 Resolution 054/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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As a matter of policy in respect of tenement grant applications lodged with the Department of Mines and Petroleum for within the Shire of Wiluna municipal area:

- 1 Objections will be lodged to the granting of any tenement (including but not limited to: mining, exploration, prospecting, general) where there is or may be an effect on Shire owned or controlled property or interests;
- 2 If a Shire-owned or controlled property or interest may or will be affected, the Shire may seek to negotiate the imposition of a condition for tenement approval /grant to protect such interests;
- 3 If a third-party and/or interest holder (other than the Shire of Wiluna) may or will be affected by a tenement application approval/grant, the Shire will approve the grant application in-principle on the condition that no other objections are received
- 4 The Chief Executive Officer is to respond to objections and/or support of tenement grant applications, however, may refer applications to Council for further consideration subject to time constraints set forth in the tenement application

**Note:**

Guiding or empowering legislation for tenement grant application, including lodgement of objections: Mining Act 1978 (WA) and Mining Regulations 1981 (WA).

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>STRATEGIC RATING POLICY</b>
<b>POLICY NO:</b>	<b>2.24</b>
<b>SECTION:</b>	<b>ADMINISTRATION/FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 APRIL 2015 Resolution 073/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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### **OBJECTIVE:**

To outline the conceptual framework/basis used by the Shire of Wiluna when considering the level and structure of the rates to be levied on rateable properties under the Local Government Act 1995.

### **BACKGROUND AND EMPOWERING LEGISLATION:**

The Local Government Act 1995 empowers the Shire of Wiluna to levy rates on properties within its district as part of the annual budgetary process. Income from rating is a primary source of unrestricted revenue for the Shire of Wiluna.

### **DEFINITIONS:**

GRV refers to Gross Rental Valuations as defined by the Valuation of Land Act 1978

UV refers to Unimproved Valuations as defined by the Valuation of Land Act 1978

All Acts referred to in this policy are those that are Acts of Western Australia State Parliament unless otherwise indicated.

### **POLICY:**

#### **1 RATING PRINCIPLES**

When developing, maintaining and applying its rating structure for each year, the Shire will consider the following principles devised from those principles recommended by the Department of Local Government (WA):<sup>1</sup>

**1.1 Equity, Consistency and Fairness** - Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects predominant use.

Each ratepayer will be rated fairly in relation to other ratepayers with a similar capacity to pay and will pay a similar amount, and those with a greater capacity to pay will pay more. In accordance with the Valuation of Land Act 1978 and the Local Government Act 1995, the Shire is required to use property value provided by the Valuer General's Officer as a proxy for their base capacity to pay.

The Shire of Wiluna will administer this policy equitably across all ratepayers.

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<sup>1</sup> Dept. of Local Government And Communities: Local Government Operational Guidelines Number 02 – March 2012 *Changing Methods of Valuation of Land*

## **Shire of Wiluna Policy Manual**

**1.2 Capacity to pay** – it is acknowledged by the Shire of Wiluna that there is not a direct correlation or relationship between a ratepayer's capacity to pay and their property value. The Shire will therefore use powers it has to consider and/or approve concessions, exemptions and waivers where appropriate.

The Shire also acknowledges that whilst there is a high level of demand of Shire goods and services by many, there is a limited capacity of ratepayers to contribute to these goods and services by way of rates, and a limitation on the level of rates that rateable properties can be expected to contribute.

The Shire also acknowledges that certain sectors place higher pressure and/or demand on certain Shire provided services and assets.

**1.3 Simplicity and Efficiency** – The Shire of Wiluna will endeavor to establish a rating system that:

- Promotes simplicity, transparency and understanding; and
- Is efficient in the administration and collection of rates and reduces incidences of avoidance; and
- Reduces complexity; and
- Open to scrutiny

**1.4 Benefit** – It is acknowledged that the Shire has an obligation to return a degree of benefit to ratepayers for their rate contributions; however, this benefit is not necessarily in direct proportion to the level of their contributions. Rate contributions are a mandated levy for the benefit of the Wiluna Shire district and are not a direct fee for service.

**1.5 Compliance** - The Shire aims to ensure it can maximize available rating revenue but will ensure its discretionary powers are applied in compliance with the Local Government Act.

## **2 APPLICATION OF RATING PRINCIPLES**

### **2.1 Equity Consistency and Fairness**

Ideally, the Shire considers the adoption of a uniform general rate (being the same rate in the dollar for each ratepayer) resulted in a ratepayer's contribution being determined by the value of their property as the most equitable rating structure. However, it is also acknowledged that the use of a differential rate structure achieves a more equitable and/or appropriate outcome due the vast differences in predominant land use, disparities due to different methods of land valuation and consumption of shire goods and services.

Where the predominant use of land is not rural/pastoral purposes, the Shire will seek to have that land valued on the UV basis. For Land that is used predominantly for non-rural/pastoral purposes, the Shire will seek to have that land valued on a GRV basis.

Land that is held under a mining, prospecting, exploration or other mineral title is valued on a UV basis, except where capital improvements exist on that said land; the Shire will seek to have those capital improvements valued on a GRV basis.

## **Shire of Wiluna Policy Manual**

The Shire of Wiluna will determine the rate revenue required on an annual basis and the sufficient revenue necessary to provide for both the goods, works and services deemed necessary by the Shire and the good governance of the district.

A minimum payment structure will also be maintained to ensure all ratepayers contribute a minimum amount regardless of their property value. Minimum payments make a reasonable contribution to the non-exclusive services provided for the benefit of the whole district and also represent the minimum cost required to service land within the district.

### **2.2 Capacity to Pay**

**2.2.1 Payment Options:** The Shire of Wiluna will offer two payment options: 1) Payment in full within 35 days pursuant to /prescribed by the Local Government Act 1995 and associated regulations or 2) Payment over 4 equal instalments as pursuant to /prescribed by the Local Government Act 1995 and associated regulations.

**2.2.2 Pensioners:** The Shire will provide concession to applicable pensioners pursuant to the Rates and Charges (Rebates and Deferments) Act 1992.

**2.2.3 Exemption from rates:** The Shire will apply rates exemptions as provided for in the Local Government Act 1995.

The Shire will also receive applications from relevant parties for rate exemptions and will provide for a suitable application process.

**2.2.4 Interest and charges:** Pursuant to the provisions of the Local Government Act 1995, the Shire will impose interest charges and instalment fees where a ratepayer elected to pay by an instalment option and where rates and charges remain unpaid and overdue. The rates of interest and fees will be adopted each year as part of the budget process.

**2.2.5 Temporary incapacity to pay:** A mutually acceptable repayment arrangement may be entered into between the Shire of Wiluna and a ratepayer who has the inability to meet the payment options detailed in sub-paragraph 2.2.1.

### **2.3 Simplicity and Efficiency**

The Shire of Wiluna will provide for changes in the:

- Level of rating; and
- Structure of its rating policy; and
- Application of its rating powers under the Local Government 1995

### **2.4 Benefit**

The Shire of Wiluna will ensure that there is a degree of benefit to all ratepayers through works and services provided through the Annual Budget.

### **2.5 Compliance**

At all times, the Shire will comply with the provisions of the Local Government Act 1995 which will take precedence should there be any conflict between said Act and this policy.

## **Shire of Wiluna Policy Manual**

### **3 OBJECTIVES AND REASONS FOR THE CURRENT RATING STRUCTURE**

The differential rating structure applied by the Shire is based on the following objectives and reasons:

- 3.1 To encourage prospecting and exploration within the Shire of Wiluna; and
- 3.2 To ensure that the mining sector contributes to the maintenance of Shire assets and services to the extent that this sector uses them. It is a recognition of the potential impact and cost of mining activities on the Shire assets and public goods, (e.g. heavy traffic movements) and land use intensity as well as the higher consumption by this sector of high-cost services such as road networks and aerodromes; and
- 3.3 To distinguish between UV valued properties of Rural/Pastoral and the Mining Sector, in recognition of varied land use intensity and vast disparities caused by different methods of striking the said valuation.
- 3.4 To levy an appropriate minimum rate that more closely reflects the costs of servicing lots within the townsite and the whole Shire area and to ensure that a minimum contribution is made by all ratepayers for the benefit of the district
- 3.5 As a means to maintain a balanced budget position with a reasonable contribution from all rating categories and a reasonable approach by the Council in regard to increases.

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<b>POLICY:</b>	<b>RATING ADMINISTRATION</b>
<b>POLICY NO:</b>	<b>2.25</b>
<b>SECTION:</b>	<b>ADMINISTRATION/FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 APRIL 2015 Resolution 075/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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Intent - To provide appropriate and effective management of the collection of rates and charges levied by the Shire of Wiluna, that is both a demonstration of reasonable and pragmatic approach to the Shire's financial management.

Collection of rates and charges is an important part of the Shire's management of adequate cash-flows as well as the overall management of the Shire's financial performance and position.

Purpose – This policy will clearly set out guidelines for the collection of rates, application of penalty interest for overdue rates and charges, write off of minor outstanding charges and associated procedures applicable within the Shire of Wiluna.

Principles:-

1. Rates and Charges are due and payable within 35 days from the date of issue of the annual rate (or interim rate) notice, as shown on that notice
2. Options for payment will be a) In Full by the specified due date b) By four instalments by the specified due date and within the guidelines set forth in the annual rate notice c) By an alternative payment plan, mutually accepted by the ratepayer and the Chief Executive Officer of the Shire of Wiluna
3. The election or application to pay by either of the above three options will be clearly detailed with/on the rate notice issued and will be in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996
4. The charges for paying by four instalment or an alternative payment arrangement, including an administration fee and administration interest, will be those adopted by Council in the Annual Budget each year
5. The methods of payment available be will indicated on the rate notice and may be varied depending on the operation requirements of the Shire and/or the logistics and cost to the Shire of those payment options
6. A final notice will be issued for any rate account that remains outstanding after the specified due date. The due date for payment of the final notice will then be 14 days from the date of issue as shown on the final notice

## **Shire of Wiluna Policy Manual**

7. Any rate account that remains unpaid after the specified due date of the final notice will be referred for to a debt recovery agent appointed by the Chief Executive Officer for legal recovery
8. The debt recovery agent will issue a Letter of Demand for payment, with the due date to be as agreed between the CEO and the agent, but will be for a period no longer than 7 (seven) days from the date of issue shown on the Letter of Demand
9. Legal recovery of outstanding rates will then proceed, on behalf of the Shire of Wiluna, in accordance with the Local Government Act 1995 (as amended) and this policy to recover all outstanding rates and charges as well as the cost of those recovery proceedings.
10. Legal recovery, as allowed under the Local Government Act 1995, may include but is not limited to: Summons, Lodgement of Caveat on title of land or mining tenement, sale of rateable land and garnishing of money from tenants (where rateable property is leased out) to be paid directly to the Shire to satisfy the rates and charges outstanding
11. Penalty interest on unpaid rates and charges will be levied on a daily basis, in accordance with the Local Government Act 1995 and Local Government (Financial Management) Regulations. The rate of penalty interest will be as adopted by Council in the Annual Budget each year
12. Penalty interest accrues from the date the account is due for payment, as specified on the original rate notice, until the day the account is paid in full
13. Penalty interest calculated to be \$5.00 or less will not be charged against rate accounts.
14. Any outstanding penalty interest at 30 June each year, totalling \$5.00 or less will be written-off as a small balance write-off, but only if all other rates and charges have been paid in full

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<b>POLICY:</b>	<b>CROSSOVERS</b>
<b>POLICY NO:</b>	<b>3.1</b>
<b>SECTION:</b>	<b>ENGINEERING</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>2013</b>

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It is Council policy to meet 50% of the total cost of providing the first standard crossover (sealed access way with culvert where required) to each town site property. Any additional crossover or crossover exceeding the specifications of Shire's standard crossover, are to be at the landowner's expense.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>FITNESS FOR WORK</b>
<b>POLICY NO:</b>	<b>3.2</b>
<b>SECTION:</b>	<b>ALL SECTIONS &amp; EMPLOYEES</b>
<b>COUNCIL MEETING DATE &amp; ADOPTION:</b>	<b>JUNE 2012</b>
<b>DATE TO BE REVIEWED:</b>	<b>N/A - POLICY RESCINDED 04.11.2014 RESOLUTION No. 125/14</b>

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### 1. Fitness for Duty – Statement of Policy

An employee's ability to perform the allocated work task is directly affected by the way they have used their rest breaks and time away from work. While it is not reasonable to intrude into how employees spend their rest breaks and time away from work, every effort is made to inform employees and their families of the benefits of a balanced lifestyle. If there is reasonable doubt about an employee's fitness for duty, the shire will not allow an employee to operate a vehicle until they have been assessed as safe to do so.

A second job may impact on an employee's fitness for duty and employees are made aware of the shire's concern about such a practice.

Employees must not commence work when they are deemed to be unfit, fatigued or have been driving outside the agreed limits. An employee who does so is guilty of violating this policy and may be subject to disciplinary action.

Where problems relating to fatigue arise, the shire will take whatever steps are necessary, given the circumstances, within the terms of the conditions of employment.

If the shire believes an employee is unable to perform their duties safely because of fatigue or other form of impairment, the shire reserves the right to request that the employee attend a medical practitioner of the shire's choice or an employee assistance counsellor.

### 2. Drug and Alcohol Policy

The shire believes that the misuse of prescription drugs or alcohol and the use of illicit drugs put the safety of all people involved in danger. Each individual must realise that they are accountable for their actions. By following this policy the shire will lessen the risk of anybody being harmed or a safety hazard being created because of someone who is under the influence of drugs or alcohol.

Compliance with this policy is a condition of employment for all present and future employees. Violation of these standards will be grounds for disciplinary action or termination.

## **Shire of Wiluna Policy Manual**

If an employee is in a condition that impairs their ability to perform their job and they might endanger the safety of themselves or others, or might cause equipment or property damage or otherwise expose the shire to potential liability, the employee will not be allowed to continue working or remain in the workplace.

For the purposes of this policy, impairment is the inability to perform one's job in the manner prescribed for that function or in accordance with established practice. Impairment may include an inability to drive or operate equipment, to communicate clearly, to exercise reasonable judgement in making decisions or inappropriate personal behaviour.

If the shire suspects an employee is impaired or unable to perform their duties properly and safely because of the influence of alcohol or drugs, the shire reserves the right to request that the employee attend a medical practitioner of the shire's choice for examination or employee assistance/counselling program.

The shire will encourage and assist employees who recognise that their work performance is affected by their use of alcohol or other substances to access professional services. Successful participation in a rehabilitation program by an employee will be considered in any disciplinary action.

### **3. Information and Training**

Prior to any engagement in driving or scheduling of work, drivers and management will, as part of the induction process, be made aware of what fatigue is and how to recognise the symptoms.

#### **Note.**

**In relation to this policy the “Shire” means the Chief Executive Officer or their delegated representative.**

**POLICY RESCINDED 04.11.2014**  
**Resolution 125/14**

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>USE OF CHEMICALS FOR SHIRE WORKS</b>
<b>POLICY NO:</b>	<b>3.3</b>
<b>SECTION:</b>	<b>ENGINEERING</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 February 2015 Resolution 033/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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### **Purpose**

To provide guidance in the use of chemicals on Shire vested land when undertaking works.

### **Objectives**

To restrict the use of chemicals to specified areas within the Shire of Wiluna to protect native vegetation and wildlife.

### **Policy**

The use of chemicals for weed and pest plant control on Shire vested reserves, including road reserves is prohibited in all areas of the Shire of Wiluna except the Wiluna townsite, as defined by the State Land Act.

This Policy does not apply to noxious weeds and declared plants.

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<b>POLICY:</b>	<b>ROAD HEIRARCHY</b>
<b>POLICY NO:</b>	<b>3.4</b>
<b>SECTION:</b>	<b>ENGINEERING</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 MARCH 2015 Resolution 052/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2017</b>

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That as a matter of policy: the roads hierarchy adopted by Council 25.02.2014 will:

- 1 Form the basis for which road maintenance, including maintenance grading, will be considered for annual budgeting and work planning purposes (including any works contracted out by the Shire)
- 2 Form the basis for which capital road work projects will be considered for annual budgeting and work planning purposes
- 3 Not prohibit or prevent the Shire carrying out necessary road works (operational or capital) required to ensure asset preservation and public safety irrespective of the respective road's ranking and service levels in this hierarchy
- 4 Not necessarily be the final hierarchy (including service levels) for which road works are budgeted and undertaken as road works can be influenced by matters including: available funding (including grants), conditions of grant funding, unforeseen circumstances that adversely affect the road network, contractual arrangements or variations and other circumstances as adopted by Council from time to time
- 5 The roads hierarchy and this policy are to be reviewed at least once each year (from adoption) but nothing prohibits it from being reviewed more frequently should operational matters dictate so or at the request of Council

This policy is to be read on conjunction with the adopted hierarchy as follows:

# Shire of Wiluna Policy Manual

UNPAVED AND/OR RURAL ROADS												
LOA	MRWA Road	Name	Length	Start Terminus	End Terminus	Grid Ref	Shire Class Code	Class Description	MRWA Type	Level Of Service	Annual Grading Mts	Key/Description
706	1	WILUNA NORTH RD	87.15	WORTON ST	SHIRE BOUNDARY	T01-007	RD	Regional Distributor	3	4	346.50	Shire Road Classification Codes
706	13	YELURRE RD	49.87	MRS KALGOORLE/SE/ATHARRA	SHIRE BOUNDARY	S01-E11	RD	Regional Distributor	3	2	99.74	RD Regional Distributor
706	3	WONGAVOL RD	100	WELLS ST	BARVOBBER ROAD NO 12	S01-E10	RD	Regional Distributor	3	2	425.00	LD Local Distributor
706	3	WONGAVOL RD	113.04	BARVOBBER ROAD NO 12	CARRIDGE ROAD NO 5		RD	Regional Distributor	3	2		
706	9	CARRIDGE RD	125.08	WONGAVOL RD NO 3	GUNBARREL HWY NO 27	S02-C08	RD	Regional Distributor	3	2	339.13	LA Local Access
706	68	NO 10 VILL	9.87	WILUNA NORTH NO 1	NO 10 VILL	T01-A01	AT	Access - Tourism	1	1	377.64	AS Access - Station traffic
706	79	NORTHPOOL RD	9.7	WILUNA NORTH RD	NORTHPOOL	T01-A01	AT	Access - Tourism	1	1	9.87	AT Access - Tourism
706	27	GUNBARREL HWY	203.6	CARRIDGE RD NO 9	SHIRE BOUNDARY (N/KA NATJARRAW)	S02-E08	AT	Access - Tourism	1	2	18.40	AL Access - local or cultural significance
706	4	GRANTERFAYKAYE VIOLET RD	152.5	WONGAVOL RD NO 3	GRANTERFAYKAYE RD NO 60	S01-P10	LD	Local Distributor	2	2	526.25	AD Other - min use or no maintenance
706	5	ALSOON DOWN RD	26.38	MRS KALGOORLE/SE/ATHARRA	SHIRE BOUNDARY (ALSOON VILL RD)	S01-P11	AS	Access - Station traffic	2	2	526.00	
706	10	YANOL RD	32.16	MRS KALGOORLE/SE/ATHARRA	SHIRE BOUNDARY	S01-E10	AS	Access - Station traffic	2	1	25.55	MRWA Type Classification - Unsealed Roads
706	11	LAVESWAY RD	11.5	MRS KALGOORLE/SE/ATHARRA	LAVESWAY STATION HOMESTEAD	S01-P11	AS	Access - Station traffic	2	1	11.50	Type 1 Uniform
706	12	BARVOBBER RD	43.98	WONGAVOL RD NO 3	BARVOBBER VANDOL RD NO 84	S01-P10	LD	Local Distributor	2	2	87.95	Type 2 Barred
706	2	SANDSTONE WILUNA RD	97.73	MRS KALGOORLE/SE/ATHARRA	SHIRE BOUNDARY	S01-E10	AS	Access - Station traffic	2	1.5	146.50	Type 3 Gravel
706	14	JUNDEBINE	42.16	WONGAVOL RD NO 3	JUNDEBINE	S01-P10	AD	Access - Mine traffic	2	0	0.00	
706	15	MOUNT PETER VONGAVOL RD	70.55	WONGAVOL RD NO 3	WONGAVOL RD NO 16	S01-H10	AS	Access - Station traffic	1	1	70.55	Shire Level of Service
706	16	WONGAVOL RD	61.62	BARVOBBER VANDOL RD NO 84	SHIRE BOUNDARY	S01-H11	AS	Access - Station traffic	1	1	61.62	4 At least 4 times a year
706	18	CARRIDGE/QUEEN VIOLET RD	35.89	SYDNEY HEADS RD NO 32	CARRIDGE RD NO 9	S02-C06	LD	Local Distributor	1	2	177.75	3 At least 3 times a year
706	19	WANDOD RD	30.15	WONGAVOL RD NO 3	WANDOD HOMESTEAD	S02-A08	AS	Access - Station traffic	2	2	60.55	2 At least 2 times a year
706	32	SYDNEY HEADS RD	39.25	CARRIDGE/QUEEN VIOLET RD NO 15	GRANTERFAYKAYE RD NO 60	S02-B06	LD	Local Distributor	2	2	175.52	1 At least 1 time a year
706	45	PRENTISS VINE RD	68.91	WANDOD RD NO 19	PRENTISS VINE HOMESTEAD	S02-B08	AS	Access - Station traffic	2	1	68.91	0 No maintenance carried out
706	51	YELURRE/SE/ATHARRA RD	86.99	YELURRE RD NO 13	SHIRE BOUNDARY	S01-E12	AS	Access - Station traffic	1	1	55.99	
706	54	BARVOBBER VANDOL RD	34	BARVOBBER RD NO 12	SHIRE BOUNDARY	S01-H11	LD	Local Distributor	2	2	65.00	
706	59	PRENTISS VINE/SE/ATHARRA RD	17.5	PRENTISS VINE HOMESTEAD	SHIRE BOUNDARY	S02-C10	AS	Access - Station traffic	2	1	17.50	
706	60	GRANTERFAYKAYE RD	11	GRANTERFAYKAYE RD	SYDNEY HEADS RD NO 32	S01-H07	AS	Access - Station traffic	2	1	11.00	
706	71	GRANTERFAYKAYE PASS RD	15.72	GRANTERFAYKAYE VIOLET RD 4	SYDNEY HEADS RD NO 32	T01-A01	LD	Local Distributor	2	2	15.44	
706	76	LAVES VIOLET ACCESS RD	2.89	GRANTERFAYKAYE VIOLET RD VET	GRANTERFAYKAYE VIOLET RD VET	S01-A01	AS	Access - Station traffic	2	2	5.15	
706	78	QUEEN VIOLET ACCESS RD	1.55	SYDNEY HEADS RD (VET)	SYDNEY HEADS RD (VET)	S01-A01	AS	Access - Station traffic	2	2	5.10	
706	74	QUEEN VIOLET ACCESS RD	0.5	THOMPSON ST	QUEEN VIOLET GATE		AL	Local Access Road	1	2	1.00	
706	77	PONEROB/QUEEN VIOLET ACCESS RD	0.45	GOLDIE RD HWY	PONEROB/QUEEN VIOLET	S01-A01	AL	Access - Tourism	1	1	0.45	
706	62	RUBBETH ACCESS ROAD	1.6	GOLDIE RD HWY	LAVESWAY SITE		AL	Local Access Road	2	2	5.40	
706	63	DAVIDSON RD	180	007 GUNBARREL HIGHWAY	DEADEND	S02-H07	AO	not maintained		0	0.00	
706	63	ENGLEIGH HWY	100				AO	not maintained		0	0.00	
706	7	VILLAGE RD	5.16	WONGAVOL RD NO 3	WILUNA NATIVEMISSON	S01-E10	AO	not maintained		0	0.00	
706	8	RESNO STATION RD	8.7	WONGAVOL RD NO 3	RESNO STATION	S01-E10	AO	not maintained		0	0.00	
706	17	LORNA GLEN RD	35.15	GRANTERFAYKAYE VIOLET RD 4	LORNA GLEN HOMESTEAD	S01-H08	AO	not maintained		0	0.00	
706	21	ROAD NO 21	34.55	GOLDIE RD	SHIRE BOUNDARY		AO	not maintained		0	0.00	
706	65	CHUDOW ST					AO	not maintained		0	0.00	
706	67	LAVES GATE	0.67				AO	not maintained		0	0.00	
706	69	GOLDIE RD HWY					AO	not maintained		0	0.00	
706	70	BROAD RACE RD	52	WILUNA NORTH RD NO 1	END OF GUNBARREL DETOUR	T01-A01	AS	Access - Station traffic	1	1	52.00	
706	70	BROAD RACE RD	10.5	END OF GUNBARREL DETOUR	END OF ROAD NO 22	T01-A01	AO	not maintained		0	10.50	
706	73	SHIRE HOUSING ACCESS ROAD					AO	not maintained		0	0.00	
706	75	RABBIT HOLE ROAD					AO	not maintained		0	0.00	
706	66	CARRIDGE/PRENTISS VINE RD	154.38	CARRIDGE RD NO 9	PRENTISS VINE RD NO 45	T01-A01	AO	not maintained		0	0.00	
706	80	BLUPP RD	1.05	JUNDEBINE RD	BLUPP RD GATE		AO	not maintained		0	0.00	
Annual Total Grading Mts											3420.80	
TOWN AND/OR SUBURBAN STREETS & LOCAL												
LOA	MRWA Road	Name	Class Code	Cls sification	Seal Type Classification	Seal Type	Reseal	Key/Description				
706	33	WORTON ST	LD	Local Distributor	5	sealed	T1	MRWA Seal Type Classification				
706	35	THOMPSON ST	LD	Local Distributor	5	sealed	T1	Type 4 narrow seal				
706	36	WELLS ST	LD	Local Distributor	5	sealed	T1	Type 5 7mm seal				
706	64	ABERDORF ROAD	LA	Local Access Road	5	sealed	T2	Type 6 more than 7mm seal				
706	48	KIRKPATRICK ST	LA	Local Access Road	5	sealed	T2	Resealing Requirements				
706	34	LENNON ST	LA	Local Access Road	5	sealed	T2	T1, re-seal after 15 years				
706	37	WALL ST	LA	Local Access Road	5	sealed	T2	T2, re-seal after 20 years				
706	38	SCOTT ST	LA	Local Access Road	5	sealed	T2					
706	39	TRIBUN ST	LA	Local Access Road	5	sealed	T2					
706	40	WOODLEY ST	LA	Local Access Road	5	sealed	T2					
706	41	DERVET ST	LA	Local Access Road	5	sealed	T2					
706	42	CASTLE ST	LA	Local Access Road	5	sealed	T2					
706	43	JONES ST	LA	Local Access Road	5	sealed	T2					
706	46	BERNARD ST	LA	Local Access Road	5	sealed	T2					
706	47	GRACE ST	LA	Local Access Road	5	sealed	T2					

(Shire of Wiluna can reprint Road Hierarchy in A3 if requested)

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>MUNICIPAL HERITAGE INVENTORY POLICY ON DEVELOPMENT OF LISTED PLACES</b>
<b>POLICY NO:</b>	<b>4.1</b>
<b>SECTION:</b>	<b>BUILDING AND TOWN PLANNING</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>MAY 2017</b>

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The following procedure shall be followed for any proposed demolition, development or redevelopment of a building or place listed in Council's Municipal Heritage Inventory. Any works of a minor internal nature including the painting and/or rendering of internal walls or ceilings are exempt from the requirements of this Policy.

1. All proposals for the demolition, development or redevelopment of a listed building or place shall be subject to a formal planning development application.
2. All proposals shall be dealt with in accordance with Part 5 of the Town Planning Scheme.
3. Council shall in assessing a proposal for development or redevelopment give due regard to the level of management as applied to the building or place. In this respect conditions may be applied to a proposal to protect the integrity of the significance of the place. Council may also consider relaxing some development standards if it results in the protection of the integrity of the building or place, and provided it does not prejudice the orderly and proper planning of the site and area.
4. Where a building or place has been listed on the State Register of Heritage Places or has been recommended for listing by the Council on the State Register and a decision has not yet been made, Council shall refer a proposal for development or redevelopment of that site to the Heritage Council of WA for comment. Any comments provided by the Council shall be taken into account when applying planning conditions to the proposal.
5. Where a proposal will result in a physical change to any external part of a building or a significant alteration to a place then a photographic record will be taken by council prior to such works taking place.

If an application is received to subdivide land upon which a listed building or place is situated the Council may support such subdivision only where the integrity of the building or place is not compromised.

# Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>OHS 001 - CCUPATIONAL HEALTH AND SAFETY</b>
<b>POLICY NO:</b>	<b>5.1 / OHS001</b>
<b>SECTION:</b>	<b>OCCUPATIONAL HEALTH AND SAFETY</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>18 DECEMBER 2013 RESOLUTION 122/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>2015</b>

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## Introduction

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### Definitions

**Employees** All staff, contractors, consultants and temporary workers of Shire of Wiluna.

### General Statement of Policy

It is the policy of the Shire of Wiluna to conduct its activities in such a way that the health, safety and well-being of employees, contractors and visitors are not in any way impaired or prejudiced as a result of working within or for the organisation.

### Purpose

The purpose of this policy is to ensure, as far as is reasonably practicable, that all employees are safe from injury and risk to health while at work. The Shire of Wiluna will seek to achieve this by:

- Identifying and reducing the risks of all types of work activities that have the potential to produce personal injury or occupational illness
- Complying with all applicable occupational health and safety legislation
- Providing instruction, training and supervision to improve an employee's understanding of workplace hazards; including safe work practices and emergency procedures
- Involving employees in occupational health and safety matters and consulting with them on ways to recognise, evaluate and control workplace hazards
- Ensuring that everyone (including visitors and contractors) complies with appropriate standards and workplace directions to protect their own and others safety and health at work

## Shire of Wiluna Policy Manual

- Providing adequate systems and resources to effectively manage identified significant occupational safety and health hazards as well as rehabilitation and return to work processes
- Implementing, maintaining and reviewing the occupational health and safety programme to achieve continuous improvement as well as conducting regular inspections of the workplace aimed at preventing accidents and incidents.

### Scope

This Policy applies to all employees, contractors, consultants, temporary workers and visitors of The Shire of Wiluna to ensure that this Occupational Health and Safety Policy is enforced.

### Enquiries and Faults

Adherence to this procedure will generally ensure compliance with the requirements of relevant legislation. Employees requiring assistance with the interpretation of this procedure, or who wish to report a breach of this procedure, should contact the Chief Executive Officer

## Policy

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### Policy Details

- i. This Health and Safety Policy details the Shire of Wiluna's commitment, intentions and principles in relation to OHS performance.
- ii. The key objectives of the OHS Policy are to achieve legal compliance and reduce illness and injury within our workplace.
- iii. The policy is reviewed annually to ensure that it remains compliant and meets occupational health and safety objectives.

### Compliance

- i. Federal, state and territory OHS Acts and Regulations set out specific safety requirements that the Shire of Wiluna shall enforce in order to meet their legal responsibility of providing a safe working environment.
- ii. Access to current health and safety legislation, codes of practice and Australian Standards will be disseminated to all staff and contractors. OHS information is also maintained in hardcopy and kept current.

### Roles and Responsibilities

#### **Managers and Supervisors are responsible for:**

- The safety of employees, contractor and the Shire of Wiluna property under their control

## **Shire of Wiluna Policy Manual**

- Ensuring that all regulations, procedures and safe work practices are followed at all times

### **All employees are expected to:**

- Follow all Shire of Wiluna occupational health and safety requirements and codes of practice
- Maintain a clean and orderly work area
- Report all injuries and safety incidents
- Actively participate in occupational health and safety activities

## **Communication and Consultation**

- i. Under the Occupational Health and Safety Act (2004), The Shire of Wiluna shall consult employees, so far as reasonably practicable, on matters that directly affect or are likely to directly affect the health and safety of all staff, contractors, visitors and the general public.
- ii. When possible, the Shire of Wiluna will establish an OHS Committee for OHS consultation purposes.
- iii. Communication and consultation is required:
  - when identifying hazards and risks and deciding how to control risks
  - when making decisions regarding facilities related to welfare
  - during development of OHS procedures and supporting systems
  - changes to workplace (e.g. new buildings, alterations to existing buildings, renovations, maintenance, repairs and minor modifications)
  - machinery and equipment, substances, processes and other things used in the workplace
- iv. The Shire of Wiluna management shall provide adequate facilities and resources and assistance to assist with OHS Committee and any communication and consultations between staff, contractors and OHS representatives.
- v. Trainings shall be provided to members of the OHS Committee.

## **Training and Education**

- i. The Shire of Wiluna will develop a formal induction process including occupational health and safety induction
- ii. All individuals, including visitors and contractors, will be required to undergo mandatory induction when developed
- iii. Training and education records will be maintained by Payroll/HR

## **Shire of Wiluna Policy Manual**

### **Job Safety Analysis**

- i. Job Safety Analysis (JSA) records will be developed for those high-risk activities that occur in the workplace.
- ii. All Shire personnel involved in these activities shall have received relevant training and be deemed competent once JSAs have been developed

### **Risk and Hazard Management**

- i. The standard for the Shire of Wiluna is to ensure that all health and safety risks are eliminated, or where this is not reasonably practicable, minimised by the application of controls.
- ii. All risks associated with our workplace activities shall be documented on the Risk Register once developed
- iii. OHS risk management training shall be provided to staff.

### **Incident and Accident Reporting**

- i) All incidents and hazards at the Shire of Wiluna must be recorded and investigated.
- ii) Records of incidents and injuries are maintained and are used for analysis and updating the risk register.

### **Monitoring and Review**

Company will undertake routine monitoring of its operations to verify OHS performance and compliance against regulatory and other requirements.

### **Workplace Inspections**

Company will undertake workplaces inspections on a regular basis. The completion and review of the workplace inspection records is managed by the Chief Executive Officer.

### **Purchasing**

OHS and other purchase specifications shall be identified and risk assessments shall be completed with appropriate skilled personnel prior to purchase.

### **Emergency Response**

- i. Potential emergency situations will be identified and emergency procedures put in place.
- ii. Emergency procedures will be distributed to all staff and contractors.
- iii. Emergency response exercises will be performed annually to test the effectiveness of the established procedures.

# Policy Implementation

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This policy is to be implemented through the procedures established by the Shire of Wiluna, which have been designed to provide the highest level of safety for both employer and employee.

## Breach of this Policy

Failure to comply with the principles of this policy, or with the supporting procedures and forms, could result in appropriate disciplinary actions, suspension and termination of employment (dismissal), fines, penalties or imprisonment.

## Policy Review

This policy must be reviewed annually.

## Dissemination of Policy

The Shire of Wiluna OHS Policy and company OHS information is communicated to staff, contractors and visitors through the following:

- Staff meetings and/or toolbox meetings
- Targeted emails or other written communications (e.g. letters, memos) to staff and contractors
- Safety induction program
- Safety manuals/safe operating procedures/safe work instructions

## Document control

- i. The Shire of Wiluna OHS documentation is available to employees and contractors either electronically or hardcopy.
- ii. New OHS documentation and changes to existing documentation will be developed in accordance with new laws and regulations. OHS documentation is regularly reviewed to ensure currency and compliance.
- iii. Documentation includes the OHS Policy, procedures, guidelines, information sheets, forms and other records.
- iv. The Chief Executive Officer is responsible for maintaining OHS documentation.

## Shire of Wiluna Policy Manual

### Authority and Responsibility

This policy is issued under the authority of the Chief Executive Officer.

Each employee at the Shire of Wiluna is accountable ensuring that they personally comply with the requirements of this policy.

Managers and supervisors are responsible for ensuring compliance with this policy by managed/supervised staff.

### Related Documents

**a) Policy Manual Appendix 7 – Occupational Health and Safety Manual**

**b) Primary Legislation**

*Occupational Safety and Health Act 1984 (State)*

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>Commission and Quality of Works</b>
<b>POLICY NO:</b>	<b>6.1</b>
<b>SECTION:</b>	<b>TJUKURBA ART GALLERY</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 MARCH 2014 RES. 028/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2015</b>

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That, as a matter of policy, all works exhibited at the Shire of Wiluna Tjukurba Art Gallery must be vetted by Gallery Management and must have the same commission rate applied as all other works sold.

# Shire of Wiluna Policy Manual

## Appendix 1- AGREEMENT TO TAKE RESIDENTIAL PREMISES

AGREEMENT made on the .....

BETWEEN .....The Shire of Wiluna.....

of .....Scotia Street, WILUNA WA 6646.....

“The Owner” and

.....

of ....., the Tenant”

WHEREBY IT IS AGREED, SUBJECT TO THE RESIDENTIAL TENANCIES ACT 1987 AS FOLLOWS:

### 1. AGREEMENT

The owner Lets and the Tenant takes the premises situated at

LOT.....

as set out in the schedule attached hereto for use as a PRIVATE DWELLING to be occupied by not more than .....5..... persons.

THE TENANCY:

PERIODIC (A)

Weekly

Fortnightly

Monthly

FIXED TERM (B)

For a term of : (Period of employment)

Commencing on .xx/xx/20--

And expiring on ...**Termination of Employment with The Owner.**

THE WEEKLY RENTAL IS:

~~XXXXXXXXXXXX~~ [but will be subsidised in accordance with Council Administration Policy 2.10]

(Amount in words)

### Bond:

Payable in advance on the ..... day of.....

OR

By..... equal instalments from the first... full pays (no more than 4) with the first payment made on or before the

.....day of ..... 20 .....

# Shire of Wiluna Policy Manual

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## THE TENANT

### Rent

- 2.1 The Tenant agrees to pay the rent punctually without any deductions one rental period in advance, other than in the first two weeks when no more than two weeks rental may be demanded.
- The Tenant agrees that Council may make reasonable increase to the rent in its annual budget. The Council agrees to seek an independent market value at least once in every five years or once in any 24 months if a tenant seeks such.

### Water Consumption

- 2.2 The Owner agrees to pay of all water consumed applicable to the premises in accordance with Council Policy 2.10 [copy attached] for full time permanent employees of the Shire. All Charges over or outside this policy will be met by the tenant.

### Security Bond

- 2.3.1 The Tenant shall deposit with the Owner a security bond of **\$XXXX**. to secure compliance with this agreement and to compensate the Owner for any breach or default by the Tenant in respect of this agreement including and without limiting the generality of the foregoing. Any charges for electricity, gas, water consumption and cost of repairs to the premises or the chattels arising out of damage or neglect by the Tenant or for any other moneys owing by the Tenant to the Owner. An additional bond of \$100 shall be deposited with the owner if animals are kept on the premises.
- 2.3.2 The Tenant shall not fail or refuse to pay any rent due under this Agreement with the intention that the amount of such rent may be recovered by the Owner from the security bond. (This is an offence in accordance with Section 5.2 of the Residential Tenancies Act of 1987 and is subject to the maximum penalty of \$400.)

### Electricity Services

- 2.4 The Owner agrees to pay for electricity charges for full time permanent employees of the Shire in accordance with Council Policy 2.10 [copy attached]. All charges over or outside this policy will be met by the tenant.

### Telephone

- 2.5 The tenant agrees to be responsible for all costs associated with telephone usage charges of a telephone service including the installation or rental of the landline.

### Property Condition Report

- 2.6.1 The Tenant agrees within 14 days of receipt of the Property Condition Report to sign and return same noting any variations. Failure to do so will make the unsigned Property Condition Report the basis of this Agreement for security bond purposes.
- 2.6.2 The Property Condition Report and/or inventory when signed by the parties shall be deemed to be a true and correct description of the property and/or its contents.

### Tenant to maintain, clean and report damage

- 2.7 The Tenant shall keep the premises clean and maintain all sanitary and water apparatus, including tap washers, electrical and gas installations, extraction fan grills and all electrical fuses in good working order (fair wear and tear excepted) and replace all light globes and fluorescent tubes and shall report all damages and any state of disrepair arising within three days of same occurring. Failure to do so will render the Tenant liable for all costs incurred as a result of such failure.

### Carpet Cleaning on vacation of property

- 2.8 Upon vacation of the premises, the Tenant agrees to have all carpets professionally steam cleaned/shampooed.

## Shire of Wiluna Policy Manual

- Clean**                      2.9                      The Tenant agrees to keep the premises in a clean and sanitary condition and free from dirt, oils, grease, insects and vermin.
- Maintenance and movement of chattels**
- 2.10                      The Tenant agrees to keep all floors, floor coverings, walls, ceilings, windows (including glass), window treatments (if any), light fittings, fixtures and fittings, furniture and all household effects in the same condition as they were at the commencement of this tenancy and in accordance with the Property Condition Report (fair wear and tear excepted), and if any of such shall be moved during the tenancy the Tenant agrees to replace all items in the positions set out on the Property Condition Report and/or inventory at the commencement of the tenancy.
- Repairs**                      2.11                      The Tenant shall NOT undertake or authorise any repairs without prior written consent of the Owner.
- Alterations to Premises**
- 2.12                      The Tenant shall NOT make any alterations or additions to the premises or to any fixtures or fittings, or place any sign thereon, or paint the premises, use blue take or any other adhesive material, or drive any nails or screws into or deface any part of the premises.
- Nuisance**                      2.13                      The Tenants shall not do or permit anything to be done or bring onto or keep on the premises anything which may invalidate or prejudice the conditions of insurance policies relating to the premises or cause to be increased the premiums payable thereon.
- Purpose other than dwelling**
- 2.14                      The Tenants shall not use the premises or cause or permit the premises to be used for any illegal purpose, or permit or cause a nuisance and shall use the premises solely for a dwelling and shall not cause or permit the premises to be used for any other purpose without the prior written consent of the Owner.
- Lawns and Gardens**
- 2.15.1                      The Tenant agrees to maintain the garden, lawns, lawn edges, plants, shrubs and trees in the same order as stated in the Property Condition Report, to water them regularly and adequately, to keep all grounds clean and tidy and free from rubbish and weeds, and not to remove or cut down any plants, trees or shrubs.
- 2.15.2                      The Tenant agrees NOT to plant any shrubs, creepers or trees without the prior written permission of the owner.
- Swimming Pool**
- 2.16                      The Tenant shall not install any swimming pool unless approved and licensed by the Shire's Principal Environmental Health Officer and Building Surveyor.
- Pets**                      2.17                      The Tenant shall not keep any animal or bird in or about the premises without the prior permission of the Owner.
- Non assignment**
- 2.18                      The Tenant shall not assign, sublet or part with possession of the premises or any part thereof or grant any Licence to occupy the whole or any part.
- Keys**                      2.19.1                      The Tenant agrees that on or prior to the terminating date of the tenancy, he/she will return all the keys of the premises to the Owner at the Owner's place of business.
- 2.19.2                      After the termination of the tenancy, rent and all costs of maintaining the property shall be the Tenant's responsibility until the keys are returned to the Owner.
- Excess on Insurance**
- 2.20                      The Tenant shall pay any "excess" on any claim that arises from or is attributable to an act of vandalism or deliberate negligence by the Tenant or his/her family or visitors.

# Shire of Wiluna Policy Manual

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## OWNER

- |                  |     |   |
|------------------|-----|---|
| <b>Outgoings</b> | 3.1 | The Owner shall bear the cost of all rates, taxes or fixed equipment charges imposed in respect of the premises, also including water consumed but in accordance with Section 2.2 of this agreement.  |
| <b>Insurance</b> | 3.2 | The Owner will keep the building (and any contents belonging to the Owner) adequately insured during the term of the agreement and the Tenant agrees to pay any excess on any claim that arises from or is attributable to any act by the Tenant or his/her family or visitors. |

## SPECIAL CONDITIONS:

1. The Tenant is aware that there will be regular inspections of the property. The tenants will receive prior notice in writing at least 7 days and not more than 14 days prior to a regular inspection, but otherwise as in accordance with the Act.
2. The Tenant consents to any outstanding accounts for utilities or bond monies being deducted from their final pay.
3. The Tenants are aware that blue tack, nails or holes may not be drilled into any walls.
4. The Tenant is aware that upon vacation of the premises all keys are to be returned, if keys are not returned the tenant agrees to be responsible for the expense of a locksmith and replacement of locks and keys.

## Shire of Wiluna Policy Manual

SIGNED by the Owner or the Owner's Agent

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In the presence of

.....

SIGNED by the Tenants

.....

In the presence of

.....

### **IMPORTANT**

The signatories must be aware that in accordance with Section 82.3 of the Residential Tenancies Act 1987, the following Sections may have been excluded, modified or restricted in this document and the terms and conditions set out herein are those which will apply during this tenancy or any subsequent extension.

Section 38	Tenant's responsibility for cleanliness and damage	
39	Tenant's conduct on the premises	
40	Vacant possession	
41	Legal impediments to occupation as residence	
42	Owner's responsibility for cleanliness and repairs	
43	Compensation where tenant sees to repairs	
45	Locks	
46	Owner's right of entry	
47	Right to affix and remove fixtures	
48	Owner to bear outgoings in respect of premises	
49	Right of Tenant to assign or sub-let	
50	Vicarious responsibility of tenant for breach by other person	lawfully
on premises		
55	Cost of written agreement is borne by owner.	

### **DISBURSEMENT**

Security Bond \$

Receipt Number TOTAL \$ .....

Receipt Date ...../...../20.....