



Council Policy Manual

February 2026

Adopted 19 February 2026





COUNCIL POLICY REGISTER

Council Policies are formal statements that are strategic in nature and give effect to the Shire's legislative and regulatory requirements. Policies are developed and formally adopted by Council through resolution. The Council Policy Register is a tool developed to raise awareness of policies being developed and their expiry/review dates

1. COUNCIL

No.	Policy Name	Author	Date of Adoption	Review Date
1.1	Gifts, Accommodation and Travel	Office of CEO	20 June 2024	20 June 2026
1.2	Communication with the Media	Office of CEO	20 June 2024	20 June 2029
1.3	Standards for CEO Recruitment, Performance and Termination	Office of CEO	20 June 2024	20 June 2029
1.4	Councillor Training and Professional Development	Office of CEO	20 June 2024	20 June 2029
1.5	Internal Control	Office of CEO	20 Feb 2025	20 Feb 2026
1.6	Legal Support for Council Representatives	Office of CEO	19 Feb 2026	Feb 2031
1.7	Memorials	Office of CEO	19 Feb 2026	Feb 2031
1.8	Naming of Shire Assets, Tree Plantings, Memorials and Parks	Office of CEO	19 Feb 2026	Feb 2031

Feb 2031 2. CORPORATE

No.	Policy Name	Author	Date of Adoption	Review Date
2.1	Designation of Senior Employees	Office of CEO	20 June 2024	20 June 2029
2.2	Appointment of Acting Chief Executive Officer and Senior Employees	Office of CEO	20 June 2024	20 June 2029
2.3	Purchasing Policy	Office of CEO	20 June 2024	20 June 2027
2.4	Tendering Policy	Office of CEO	20 June 2024	20 June 2029
2.5	Regional Price Preference	Office of CEO	20 June 2024	20 June 2029
2.6	Investment of Surplus Funds	Office of CEO	20 June 2024	20 June 2029
2.7	Related Party Disclosures	Office of CEO	20 June 2024	20 June 2029
2.8	Authority to Execute Documents on behalf of Council	Office of CEO	20 June 2024	20 June 2029
2.9	Fraud Management	Office of CEO	20 June 2024	20 June 2029
2.10	Additional Superannuation Contributions for Employees	Office of CEO	20 June 2024	20 June 2029
2.11	ICT Systems Acceptable Use	Office of CEO	20 Feb 2025	20 Feb 2030
2.12	Cyber Security Governance	Office of CEO	20 Feb 2025	20 Feb 2030
2.13	Social Media Use and Guidelines	Office of CEO	20 Feb 2025	20 Feb 2030
2.14	Property Leasing	Office of CEO	20 Feb 2025	20 Feb 2030
2.15	Risk Management	Office of CEO	20 Feb 2025	20 Feb 2030
2.16	Legislative Compliance	Office of CEO	20 Feb 2025	20 Feb 2030
2.17	Complaints Management	Office of CEO	19 Jun 2025	19 Jun 2020

3. ADMINISTRATION SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date
3.1	Records Management	Office of CEO	19 Feb 2026	Feb 2031

3.2	Freedom of Information	Office of CEO	20 June 2024	20 June 2029
3.3	Community Bus Hire	Office of CEO	19 Sept 2024	19 Sept 2029

4. FINANCE SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date
4.1	Disposal of Shire of Northampton Property	Office of CEO	20 June 2024	20 June 2029
4.2	Financial Hardship (Rate Relief)	Office of CEO	19 Feb 2026	Feb 2031
4.3	Debt Collection	Office of CEO	19 Feb 2026	Feb 2031

5. COMMUNITY DEVELOPMENT

No.	Policy Name	Author	Date of Adoption	Review Date
5.1	Community Grants Program	Community Development and Regulation	20 June 2024	20 June 2029
5.2	Temporary Use of Fixed Banner Poles	Community Development and Regulation	17 April 2025	April 2029

6. PLANNING AND DEVELOPMENT

No.	Policy Name	Author	Date of Adoption	Review Date

7. BUILDING SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date

8. ENVIRONMENTAL HEALTH SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date

9. WASTE MANAGEMENT

No.	Policy Name	Author	Date of Adoption	Review Date

10. WORKS AND TECHNICAL SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date
10.1	Road Reserve Vegetation Management	Works and Technical Services	19 Feb 2026	Feb 2031
10.2	Private Services in Road Reserves	Works and Technical Services	19 Feb 2026	Feb 2031
10.3	Private Works		19 Feb 2026	Feb 2031

11. RANGER SERVICES

No.	Policy Name	Author	Date of Adoption	Review Date
11.1	Application to Keep Additional Dogs or Cats	Brian Robinson	17 Oct 2024	Oct 2029

Purpose

To ensure that clear guidance is provided to Councillors and employees in relation to gifts in accordance with statutory requirements.

Policy Measures**Tangible Gifts, Accommodation and Travel**

- 1) This part of the policy does not apply to employees with the exception of the Chief Executive Officer (CEO). Requirements relating to gifts, accommodation and travel for all employees is provided in the Code of Conduct for Employees and Contractors;
- 2) Councillors and the CEO are not to accept a gift in this part, other than a gift of or below \$300 from a person who is undertaking, or is likely to undertake, business-
 - that requires the person to obtain any authorisation from the Shire of Northampton;
 - by way of contract between the person and the Shire of Northampton; or
 - by way of providing any service to the Shire of Northampton.
- 3) Councillors or the CEO who accepts a gift of or below \$300 from a person referred to in 2) are to record in a register held by the Chief Executive Officer of token gifts-
 - a description of the gift;
 - the name and address of the person who made the gift;
 - the date on which the gift was received;
 - the estimated value of the gift at the time it was made; and
 - the nature of the relationship between the relevant person and the person who made the gift.
- 4) Clauses (2) and (3) do not apply to gifts received from a relative (as defined in section 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

- 5) Any gift not defined in this part that is accepted by Councillors or the CEO above \$300 must comply with requirements, and be declared in the appropriate form in accordance with the provisions, of the *Local Government Act 1995*.

Attendance at Events and Functions

- 6) This part of the policy applies to Councillors, CEO and employees. When employees are considering this policy they must read it in conjunction with the Code of Conduct for Employees and Contractors which will take precedence where any inconsistency arises.
- 7) The following situations are specifically excluded where the event or function ticket (gift) is received from one of the following organisations:
- WALGA (but not LGIS);
 - Local Government Professionals Australia (WA);
 - Australian Local Government Association;
 - A department of the WA public service;
 - A government department of another State, a Territory or the Commonwealth; or
 - A local government or regional local government.
- 8) In considering whether a benefit such as an invitation to an event or hospitality given to a Councillor, CEO or an employee is a gift for the purposes of the Act and Regulations, the key issues include:
- Who is a donor, the person who is offering or giving the benefit?
 - What is the value of the benefit?
 - Does the Councillor, CEO or employee of the benefit contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?
 - If so, does the value of that contribution outweigh the value of the benefit?
- 9) Event attendance may create a perceived or actual conflict of interest, which may preclude Councillors participating, or the CEO and employees providing advice at a future Council meeting.

If the amount of an event or function ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the Act, Council may allow the disclosing Councillor to participate on the condition that the interest, the Council's decision and the reasons for that decision are recorded in the minutes of the Council meeting.

If the amount of the gift is above \$1,000 the Councillor or Chief Executive Officer must apply to the Minister for Local Government for permission to allow the Councillor, CEO or employee to participate in a future meeting.

10) **Community / Local Business Events**

Acceptance of reasonable and modest hospitality by a Councillor, CEO or employee at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the Councillor, CEO or employee to the event is reasonably considered to outweigh the value of the hospitality.

This is more likely where the Councillor, CEO or employee attends the event in his or her capacity - preferably where the attendance has been specifically authorised by the Shire, but otherwise where the person is performing their duties or functions.

11) **Commercial Entertainment Events**

Any tickets accepted by a Councillor, CEO or employee without payment for any commercial entertainment event, for which a member of the public is required to pay, whether sponsored by the Shire of Northampton or not, will generally be classified as a gift for the purposes of the *Local Government Act 1995*.

An exception to this is where the Shire President or their representative attends the event in an official capacity to perform a civic or presidential function.

Where there is a commercial entertainment event that, in the opinion of the CEO, it is in the interests of the Shire of Northampton for one or more Councillors, CEO or employees to attend in order to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event will be purchased for the relevant Councillor, CEO or employee by the Shire of Northampton at full cost.

12) **Non-Entertainment Commercial Events**

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the CEO is of the opinion that it is in the interests of the Shire of Northampton for one or more Councillor, CEO or employees to attend (such as for their professional development or to undertake a function as a Councillor, CEO or employee), then one or more registrations or other benefits for that event will be purchased by the Shire of Northampton at full cost to enable attendance.

If the Shire of Northampton does not pay for the event, free registration or any other benefit (such as hospitality) given to a Councillor, CEO or employee would be classified as a 'gift' unless the contribution of the participant at the event (such as by way of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Councillor, CEO or employee.

- 13) **Gifts Received Through Event Sponsorship**
Any tickets received through the Shire of Northampton's sponsorship of an event by Councillors, CEO or employees are to be considered by Council as to how and who they are to be disbursed to prior to the event.

Administration

This policy will be administered by the Office of the CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2026

The Administration of this Policy is by Office of the CEO.

Council Policy
1.2
Communication with the Media

Purpose

To ensure that clear guidance is provided to the organisation when dealing with media responses.

Policy Measures

1. In accordance with s.2.8(d) of the *Local Government Act 1995*, the Shire President be the authorised spokesperson of the Shire of Northampton.
2. In accordance with s.5.41(f) of the *Local Government Act 1995*, the Deputy Shire President or the Chief Executive Officer may be the spokesperson of the Council if the Shire President agrees.
3. If the Shire President is not available or unable to be the spokesperson and the Deputy Shire President is not available or unable to be the spokesperson, then the Chief Executive Officer may perform this function in accordance with s5.34 of the *Local Government Act 1995*.
4. With the authority from the Shire President, individual Councillors may be authorised to make statements to the media on specific items relating to that Councillor's responsibility (e.g. Committee Chairperson) and the Chief Executive Officer may delegate authority to other employees to be the spokesperson in accordance with the s5.44(1) of the *Local Government Act 1995*.
5. If a Councillor or employee is approached by the media to answer questions or make a comment on Shire of Northampton business, that, unless specifically authorised by the President (if a Councillor), or the Chief Executive Officer (if an employee), that member of the media be referred to the authorised spokespersons of the Council for a response.
6. This policy in no way diminishes the basic rights to freedom of speech, but a disclaimer must accompany any personal statements made by Councillors or employees to the media.

Administration

This policy will be administered by the Office of the CEO.

Council Policy
1.2
Communication with the Media

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of the CEO.

Standards for CEO Recruitment, Performance and Termination

Purpose

The purpose of this policy is for the Shire of Northampton to ensure it conforms with statutory requirements relating to the Chief Executive Officer.

Policy Measures

Division 1 — Preliminary provisions

1. Citation

These are the *Shire of Northampton Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

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

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

contract of employment means the written contract, as referred to in section 5.39 of the Act, which governs the employment of the CEO;

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

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

local government means the Shire of Northampton;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

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

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

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

6. Advertising requirements

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

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

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

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

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

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

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

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.

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

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

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

Standards for CEO Recruitment, Performance and Termination**11. Offer of employment in position of CEO**

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

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

12. Variations to proposed terms of contract of employment

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

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

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

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position of CEO after the expiry of the incumbent CEO's contract of employment.

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

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

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

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —

Standards for CEO Recruitment, Performance and Termination

- (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
- (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on evidence.

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

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

Standards for CEO Recruitment, Performance and Termination

- (d) genuinely considering any response given by the CEO in response to the allegations.

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

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

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

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

Administration

This policy will be administered by the Office of CEO.

Council Policy
1.3

Standards for CEO Recruitment, Performance and Termination

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.

Council Policy
1.4

Councillor Training and Professional Development

Purpose

To ensure Councillors are provided opportunity to undertake non-statutory training and development.

Policy Measures

1. Authority is delegated to the Chief Executive Officer to register Councillors for conferences, seminars and training, and prepay registration fees, accommodation and meals, subject to available budget.
2. If the proposed attendance at a conference, seminar or training is not covered by an appropriate budget, the prior approval of the Council must be sought by the Councillor to attend, including prior authorisation of expenses.
3. Travel and expense reimbursement arising from authorised attendance will need to be submitted to the CEO for approval, and where any doubt exists, referred to Council for approval.
4. On their return from a conference or seminar, Councillors who attended should provide a brief verbal report on the event to Council as part of the Council meeting procedure.

Administration

This policy will be administered by the Office of the CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED XXXX

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of the CEO.

Purpose

This policy serves as a framework for the Shire of Northampton's (Shire) commitment to effective internal controls, encompassing financial and non-financial matters, to ensure efficient management and safeguarding of resources.

Background

The implementation and maintenance of systems and processes are crucial for ongoing assessment and improvement of internal controls in alignment with ISO31000 and the Shire's Risk Management Framework.

Internal control is not limited to financial matters. An effective internal control environment provides the means by which the Shire can successfully address and mitigate any risks.

Objectives

The objective of this Policy is to ensure the implementation and maintenance of robust internal controls that:

- a) fulfil statutory obligations under relevant legislation;
- b) ensure efficient, compliant, transparent, and risk-aware operations; and
- c) safeguard the Shire's assets from fraud and mismanagement.

Area of Application

This policy applies to all Members, Executive Managers, and Workers, providing guidance for effective management and resource utilisation.

Policy Measures

The internal control policy aims to minimise or contain internal risks within acceptable levels, as outlined in the Shire's Risk Management Policy. The CEO is delegated responsibility for operational and financial management, ensuring the establishment and maintenance of effective internal controls.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- a) staffing and segregation of duties;
- b) information technology;
- c) documented procedures and processes covering the recording, reporting and authorisation of transactions;
- d) monitoring performance and adherence; and
- e) legislative activities.

1. KEY FOCUS AREAS

- a) Plan for the future - ensure efficient monitoring and reporting of Strategic Community Plan objectives;

- b) Accuracy and Reliability – maintain accurate reporting to facilitate informed decision-making;
- c) Compliance – ensure adherence to relevant legislation and regulations;
- d) Asset Protection – secure assets from unauthorised use;
- e) Record Integrity – maintain complete, secure and reliable records;
- f) Risk Mitigation – identify, assess and mitigate risks; and
- g) Accountability and Transparency – establish strong internal controls fostering community trust and confidence.

2. INTERNAL CONTROL

Effective internal control involves:

2.1 *Establishing an appropriate control environment*

Emphasise compliance with policies, codes of conduct, directives, procedures and values, supported by adequate training and technology usage.

2.2 *Assessment of Risks*

Adopt a proactive risk management approach, regularly reviewing and identifying risks in accordance with the Shire's Risk Management Framework and Risk Management Policy.

2.3 *Implementation of Control Activities*

Implement preventative, detective, and directive control measures below.

- a) Preventative Control Measures such as training programs, improvement and thorough review of contract conditions; regular review of policies and procedures, and security to avoid undesirable events from occurring.
- b) Detective Control Measures such as audits, review and reconciliation processes to detect and subsequently correct undesirable events that have already occurred.
- c) Directive processes such as Business Continuity Plans, Disaster Recovery Plans, insurance, education and disciplinary procedures to encourage continuity and mitigation of risk.

2.4 *Information and Communication*

Ensuring clear communication about internal controls throughout the Shire which includes documenting procedures, staff training and keeping everyone informed about updates.

2.5 *Monitoring and Review Activities*

Successful internal control implementation is indicated by:

- a) Risk management reviews undertaken annually by the Local Government Insurance Scheme (LGIS);
- b) Completion of the Compliance Calendar on a quarterly basis; and
- c) Completion of the annual Compliance Audit Return.

3. OUTCOMES

Successful internal control implementation is indicated by:

- a) Efficient resource utilisation;
- b) Timely detection and correction of anomalies;
- c) Asset protection and authorised use;
- d) Integrity and accessibility of records; and
- e) Effective risk containment.

4. ROLES AND RESPONSIBILITIES

4.1 Council

Council is responsible for overseeing the Internal Control Policy.

4.2 Chief Executive Officer (CEO)

The CEO is accountable to Council for developing and implementing effective systems, promoting best practices and reporting to Council on internal control effectiveness.

4.3 Workers

Workers are responsible for adhering to internal control policies and procedures reporting inadequacies to management.

Reference Information

- Introduction to Local Government Accounting – 4.4 Internal Control and Risk Management (Department of Local Government, Sport and Cultural Industries);
- Integrated Planning and Reporting – Long Term Financial Plan Guidelines (Department of Local Government);
- Local Government Operational Guideline No. 9 – Audit in Local Government (Department of Local Government, Sport and Cultural Industries);
- Shire of Northampton Delegation Register;
- Shire of Northampton 2.3 Purchasing Policy; and
- Shire of Northampton 2.15 Risk Management Policy.

Legislation

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996.*
- *Local Government (Audit) Regulations 1996*
- *Financial Management Act 2006*
- *State Records Act 2000.*
- *Local Government (Miscellaneous Provisions) Act 1960;*
- *Planning and Development Act 2005, sections 214(2), (3) and (5).*

Associated Documents

- Shire of Northampton Employee Code of Conduct
- Shire of Northampton 1.4 Councillor Training and Professional Development Policy
- Shire of Northampton 2.15 Risk Management Policy

DEFINITIONS

Terms	Definition
Detective Controls	An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.
Internal Control	A comprehensive process supported by policies, procedures and practices, ensuring objectives related to operations, financial data and compliance are achieved.
ISP documents	Integrated Strategic Planning documents comprising of the Strategic Community Plan and other plans that guide the Shire's operations.
Preventative Action	A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard or weakness in a system. Preventative action can include ways to improve an organisation's workflow or situation.
Preventative Controls	Attempt to prevent or control undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error or omission.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 20 JUNE 2024
UPDATED 20 FEBRUARY 2025**

NEXT DUE FOR REVIEW 20 FEBRUARY 2030

The Administration of this Policy is by the Office of CEO.

Legal Support for Shire Representatives

Purpose

The purpose of this policy is to define the circumstances, processes and conditions under which the Shire will provide legal representation and support to its elected members and employees.

Background

This policy outlines principles and expectations applicable to the determination of legal support for Shire representatives. This policy aligns with the Department of Local Government, Industry Regulation and Safety (LGIRS) model policy for legal representation.

Objectives

The key objective of this policy is to provide clear guidance in determining requests for legal representation by Shire representatives.

Area of Application (Eligibility)

This policy applies to elected members, committee members (where that Committee is a Committee of the Council), employees and volunteers of the Shire of Northampton only.

Policy Measures

1. Payment Criteria

There are four major criteria for determining whether the Shire will pay the legal representation costs of an eligible person. These are:

- 1.1 The legal representation costs must relate to a matter that arises from the performance, by the eligible person, of their functions.
- 1.2 The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced.
- 1.3 In performing their functions, to which the legal representation relates, the eligible person must have acted in good faith and must not have acted unlawfully or in a way that constitutes improper conduct.
- 1.4 The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

- 2.1 If the criteria in clause 1 of this policy are satisfied, the Shire may approve the payment of legal representation costs:
 - a) where proceedings are brought against an eligible person in

Legal Support for Shire Representatives

- connection with their functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the eligible person; or
- b) to enable proceedings to be commenced and/or maintained by an eligible person to permit them to carry out their functions – for example, where an eligible person is required to take action to obtain a restraining order against a person using threatening behaviour to the eligible person; 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 the eligible person.

- 2.2 The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for defamation action, or a negligence action, instituted by an eligible person.

3. Application for payment

- 3.1 An eligible person who seeks assistance under this policy is to make an application(s), in writing, to the Council or the Chief Executive Officer (CEO).
- 3.2 The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how that matter relates to the functions of the eligible person making the application;
 - c) the lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interests of the Shire for payment to be made.
- 3.3 The application is to contain a declaration by the applicant that they have acted in good faith and have not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
- 3.5 The application is to be accompanied by a signed written statement by the applicant that they:
- a) have read, and understand, the terms of this policy;
 - b) acknowledge that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and

Legal Support for Shire Representatives

- c) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7.

3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.

3.7 An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – limit

4.1 The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application.

4.2 An eligible person may make further application to the Council in respect of the same matter.

5. Determining applications

5.1 All applications shall be determined by Council except those in accordance with clause 6. The Council may:

- a) refuse;
- b) grant; or
- c) grant subject to conditions,

an application for payment of legal representation costs.

5.2 All applications will be treated as confidential.

5.3 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.4 In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Shire's relevant insurance policy/ies, or its equivalent.

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

5.6 The Council may, subject to clause 5.6, determine that an eligible person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

Legal Support for Shire Representatives

- 5.6.1 not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- 5.6.2 given false or misleading information in respect of the application.

5.7 determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.8 Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Shire are to be repaid by the eligible person in accordance with clause 7.

6 Delegation to Chief Executive Officer

6.1 In cases where a delay in the approval of an application will be detrimental to the legal right of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$3,000 in respect of each applicant.

6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its power under this policy, including its powers under clause 5.4.

6.3 Where it is the CEO who is seeking urgent financial support for legal services then the Shire President, with the assistance of an Executive Manager shall deal with the application.

7. Repayment of Legal Representation costs

7.1 An eligible person whose legal representation costs have been paid by the Shire is to repay the Shire:

- a) all or part of those costs – in accordance with a determination by the Council under clause 5.7;
- b) as much of those costs as are available to be paid by way of set-off – where the eligible person receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.

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

Explanation of key terms

- *Approved lawyer* is to be:
 - 1. A 'certified practitioner' under the *Legal Professions Act 2008 (WA)*;
 - 2. From a law firm on the Shire's panel of legal service providers, if relevant, and unless the Council considers that is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
 - 3. Approved in writing by the Council or the CEO under delegated authority.

Legal Support for Shire Representatives

- *Eligible Person* means a current or former Commissioner, Council members, non-elected member of Council committee, employee or volunteer of the Shire.
- *Legal proceedings* may be civil, criminal or investigative.
- *Legal representation* is the provision of legal services, to or on behalf of an eligible person, by an approved lawyer that are in respect of:
 1. A matter or matters arising from the performance of the functions of the eligible person; and
 2. Legal proceedings involving the eligible person that have been, or may be, commenced.
- *Legal representation costs* are the costs, including fees and disbursements, properly incurred in providing legal representation.
- *Legal services* includes advice, representation or documentation that is provided by an approved lawyer.
- Payment by the Shire of legal representation costs may be either by:
 1. a direct payment to the approved lawyer (or the relevant firm); or
 2. a reimbursement to the eligible person.
- *Shire* refers to the Shire of Northampton.

Adoption and Date Due for Revision

ADOPTED 19 FEBRUARY 2026

NEXT DUE FOR REVIEW FEBRUARY 2031

The Administration of this Policy is by Office of the CEO.
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Purpose

This policy serves as a framework for the Shire of Northampton (Shire) to manage, approve, maintain, and (if necessary) remove memorials in public spaces. The main purpose of this policy is to ensure memorials are handled fairly, legally safely and sensitively while balancing community wishes with Council's responsibilities.

Background

Memorials perform an important function for communities by providing a physical place and presence to aid in remembering and honouring deceased individuals or commemorating a significant event. They can provide comfort to those grieving the loss of loved ones or pay tribute to the significant impact a person or group of people may have had within or for the community.

Memorials can also present some practical challenges and when placed in public spaces, have the potential to conflict with other functions of that space if not managed appropriately. A management approach is required that ensures decisions regarding memorials are handled with consistency, fairness, and empathy, addressing both the emotional significance of memorials and the practical concerns associated with them.

Objective

The Shire of Northampton (Shire) acknowledges the use of memorials as a means for community members to reflect and remember loved ones or past events of significance. The purpose of the Memorials Policy (Policy) is to provide guidance for the approval, placement and ongoing management of existing and proposed new memorials on Shire owned or managed land.

The naming of such memorials is dealt with separately under Council Policy 1.8 *Naming of Shire Assets, Tree plantings, Memorials and Parks*.

Area of Application

This policy applies to all applications for memorials and assists with decision making in relation to the approval and appropriate placement of physical structures or objects on Shire owned or managed land, including buildings and community facilities, road reserves, parks and public open spaces, to commemorate an individual or significant event.

Policy Measures

Within the context of this policy, a memorial is defined as any temporary or permanent physical structure or object such as a statue, image, sculpture or plaque, that is designed to commemorate the memory of a person, a group of people or an event. This policy does not extend to any Cemetery or Memorial/Niche Wall.

1. Types of Memorials

The following outlines the various types of memorials and the Shire's position in relation to the provision for that type of memorial in public facilities, road reserves, parks and public open spaces:

1.1 Commemorating a deceased person

The Shire does not support the installation of permanent memorials in parks or public open space. The installation of memorials in parks and public open space to commemorate a deceased person should be limited to locations specifically designated for that purpose (i.e. cemeteries). Existing memorials, including plaques, that have been approved prior to February 2026 to commemorate a deceased person, will be removed when the memorial has fallen into disrepair or when there are other circumstances under which Shire officers have reasonable grounds for removal as outlined in section 3 of this Policy. Shire officers will make reasonable efforts to contact the relevant stakeholder(s) prior to the removal of the memorial and arrange for the handover of any remaining property (i.e. plaques), to the stakeholder.

1.2 Commemorating significant events or contributions from a person or a group of people

Memorials that commemorate a significant event or contribution from an individual person or group of people, for the benefit of the community, may be considered on a case-by-case basis and will be approved by the Chief Executive Officer in accordance with conditions outlined in the Council policy *1.8 Naming of Shire Assets, Tree Plantings, Memorials and Parks*. These memorials can be in the form of a public infrastructure donation such as an artistically designed structure or tree planting, designed in consideration of the place, the needs of the community and the other functions of that space. Any donated public infrastructure and its maintenance will be subject to Shire of Northampton approval, which will set the inspection and maintenance requirements for the memorial.

1.3 Kalbarri and Northampton War Memorials commemorate people who have served in or died in military service.

The commemoration of individual people at these memorials is managed by the Kalbarri and Northampton Returned Services League (RSL), respectively.

Managing a Roll of Honour as a commemorative record typically includes only those who died in or as a result of service with well-defined eligibility periods and conflict.

1.4 Roadside Memorials

A Roadside Memorial is a marker that commemorates a site where a person has died, usually as a result of a motor vehicle accident. The Shire of Northampton

respects the need and benefits for people to erect roadside memorials, however the Shire must also ensure that the road/verge/reserve environment remains safe and free from hazards for all other users.

Shire officers will work with applicants to ensure the safe placement of the memorials and that they do not present a hazard to people or property. To ensure that a roadside memorial is safe for road users and to enable notification to family and friends of upcoming roadworks, the Shire will maintain a register of approved roadside memorials on local roads including contact details for stakeholders. Stakeholder contact details may be used for future contact regarding the relevant memorial and the stakeholder will be responsible for the maintenance and safety compliance of the memorial.

1.4.1 *A Roadside Memorial may include a:*

- a) grey concrete paver, painted with a white cross;
- b) white wooden cross with the deceased's name; or
- c) decal (adhesive label) with a white cross on a black background.

The above may also be accompanied by flowers (real or artificial), toys and accompanying notes/messages that are temporary in nature and comply with clause 1.5.

1.4.2 *Roadside memorials may:*

- a) only be installed on Crown Land that is under the care, control and management of the Shire of Northampton and is reserved for the purposes of recreation, public open space or road reserve.
- b) and only be installed where there is minimal impact on the local amenity and/or surrounding residents and must not present a risk or hazard to the public or persons attending the memorial.

The deceased's family/friends are responsible for the ongoing maintenance of their memorial including, but not limited to, graffiti and weed removal.

1.4.3 *Memorials on Main Roads Controlled Roads*

Applications for Memorials along roads that are under the care, control and maintenance of Main Roads must be submitted to Main Roads Western Australia.

2.4.4 *Memorials on Local Roads Within the Shire*

Application for Memorials along roads that are under the care, control and maintenance of the Shire of Northampton must be submitted to the Shire.

1.5 Temporary Memorial

Temporary memorials that commemorate a loved one through marking the location of a tragic incident may be permitted by Shire officers on a temporary basis, provided they do not present a hazard to people or property, according to the following conditions:

- The temporary memorial including items such as flowers, crosses, toys and written messages may be placed on a site for a period of up to 1 year, if approved by the Chief Executive Officer.
- Alterations to the surrounding area must not be made.
- The temporary memorial must be placed or constructed in a way that it will not detract from amenity or compromise the functionality of the space for other users.
- The location of the temporary memorial should not detract from the amenity of the local area or impact on the quality of life of adjacent landowners, property occupiers or other members of the public.

2. Maintenance and Management of Memorials

The area where memorials for deceased persons are located, within designated cemetery sites, shall be managed and maintained in accordance with the *Cemeteries Act 1986* and subsequent amendments. Maintenance of individual memorials for deceased persons in these areas shall be the responsibility of the relevant stakeholder(s).

Management and maintenance of roadside memorials on Main Roads Controlled Roads will be conducted in accordance with the 'Main Roads Western Australia Policy and Guidelines for Roadside Memorials'. In the case of all other roadside memorials, management and maintenance will be completed by the relevant stakeholder(s) in accordance with the Shire of Northampton approval, which will determine the relevant inspection and maintenance requirements.

3. Decommissioning of Memorials

Memorials will be decommissioned and removed when the memorial has fallen into disrepair or when there are other circumstances under which Shire officers have reasonable grounds for removal including, but not limited to, where the memorial:

- is not approved;
- is considered to pose a hazard to people or property;
- is considered to be no longer appropriate for cultural, social or other reasons; or
- is located on a site that is to be redeveloped as part of an approved maintenance, renewal or upgrade program. Shire officers will ensure these matters are handled sensitively and make reasonable efforts to contact the relevant stakeholder(s) prior to the removal of the memorial and arrange for the handover of any remaining property i.e. plaques, to the stakeholder(s).

Adoption and Date Due for Revision

ADOPTED 19 February 2026

NEXT DUE FOR REVIEW February 2031

The Administration of this Policy is by Office of the CEO.

**Naming of Shire Assets, Tree Plantings,
Memorials and Parks****Purpose**

This policy provides a clear and consistent framework for how the Shire of Northampton (Shire) owned assets, parks, memorials, and commemorative tree plantings are named or dedicated

Background

Community infrastructure, public places, memorials and plaques are reminders of citizens, culture and local heritage and are to be named and placed appropriately to match the context and significance of the asset or purpose.

Objectives

The purpose of this Policy is to:

1. Establish and formalise the principles and criteria by which the Shire of Northampton names public places, community infrastructure, memorials and plaques inclusive of:
 - a) Memorial furniture;
 - b) Memorial plaques;
 - c) Public spaces (including Shire reserves);
 - d) Community infrastructure (i.e. – any property, complex, structure, building, ornamental bridges, asset, sporting field owned or under the control of the Shire, excluding public roads.); and
 - e) Tree plantings;
2. Ensure that a consistent, fair and equitable assessment of the naming of the asset is undertaken; and
3. To acknowledge that language provides an identity that connects people to culture, embodies traditions and passes on knowledge.

Area of Application

This Policy applies to all Shire-managed public spaces, community infrastructure, memorial furniture, plaques and tree plantings within the Shire of Northampton local government area.

This policy does not extend to the following areas:

- Any Cemetery, Memorial or Niche Wall; or
- Roadside memorials near the location of a fatality. In these situations, the Shire will follow the principles set out in Main Roads Western Australia Roadside Memorials Policy and Guidelines and principles set out in Council Policy *1.7 Memorials*.

**Naming of Shire Assets, Tree Plantings,
Memorials and Parks****Policy Measures**

The Shire will consider on its merits, any application for the naming of an asset to be included on land under its care, control and management.

Naming of Public Open Spaces, Reserves and Community Infrastructure

1. In general terms, naming should be unique and use form, spelling and style of contemporary Australian English. In particular cases, naming practice should take into account local indigenous Yamatji languages.
2. A name shall be, wherever possible:
 - a) Relevant to Australian, preferably local, history, flora, fauna, culture, local landscape and physical characteristics;
 - b) Short and simple, preferably one to two words;
 - c) In all respects, in accordance with community standards;
 - d) Complementary with and sensitive to existing names and design themes of adjoining assets;
 - e) Not easily confused with or duplicating names within the region or nearby Local Governments;
 - f) Be considerate of any potential risk to the reputation of the Shire and/or Council from aligning with an individual or company whose reputation may vary.
 - g) Be considerate of any potential detrimental impact to the community or individuals; and
 - h) Demonstrate strong local community support.
3. If personal names are proposed, the person commemorated must have met the criteria set out below and naming shall only be approved posthumously:
 - a) Contributed significantly to the development, protection or enhancement of:
 - i. Shire town sites, Localities or Reserves; or
 - ii. the greater region that has produced long-term improvements in the area or community;
 - b) Actively served or contributed to an area of national or international importance;
 - c) Have a long-term association with a local community group or service club (no less than twenty years), service to the community or organisation must have been voluntary;
 - d) Donated property or funds for community benefit;
 - e) Have their birth name recognised – no nick-names;
 - f) Preferably be recognised “in memoriam”;
 - g) Endorsed by a deceased persons immediate family; and
 - h) Names of living persons are by their nature subject to partisan perception and change in community judgement and acceptance. For this reason, the adoption of a personal name during the

**Naming of Shire Assets, Tree Plantings,
Memorials and Parks**

lifetime of the person concerned should only be made in exceptional circumstances.

4. Sensitivity to diverse cultural situations should be applied when selecting names. Derogatory or discriminatory terms or terms likely to cause offence will not be approved.
5. Names of commercial entities and the like must not be used unless part of a formal sponsorship proposal.
6. Naming of parks, reserves and components of reserves must meet the requirements under the *Land Administration Act 1997* and the Geographic Names Committee (GNC) WA Principles, Guidelines and Procedures. It is important to note that under the *Land Administration Act 1997*, names that commemorate a living person will not be considered for parks and reserves over one hectare.

Renaming of Community Infrastructure or Public Space

1. Renaming will only occur in an extraordinary case. Evidence of substantial community support must be provided for a change in name.
2. Where an asset has been named after a person and that person comes into disrepute through illegal activities, conviction or similar, whether retrospectively or subsequent to the naming, the Shire reserves the right to remove or review the name immediately.
3. Where a name change is being considered for any of the Shire's infrastructure or reserves, the request is to be firstly referred to Land Management Service (LMS) to confirm if the current name is officially approved by the GNC.

Signage

Any signage must be in line with the Shire's signage practices, design standards, and guidelines.

Requirements for Naming Proposals for Public Spaces and Community Infrastructure

1. Addressed to the Chief Executive Officer (CEO).
2. Evidence of support from an Elected Member of the Shire.
3. Address of the building or place to be named.
4. A site plan clearly identifying the location and boundaries of the asset to be named.
5. Documentation providing the reason for the choice of name including the history, meaning, significance and relevance to the town, locality and/or Northampton region or national/international contribution.

**Naming of Shire Assets, Tree Plantings,
Memorials and Parks**

6. If the nomination is submitted by an organisation, documented evidence (i.e. Minutes from a committee/board meeting) must also be included support of the nomination.
7. For personal names, the following must also be supplied:
 - a) Biographical details - dates of birth & death (if relevant), length and years of service or association; and
 - b) Written permission from the family in the case of a deceased person.
8. Dual naming will be considered on a case-by-case basis.

Requirements for Memorial Furniture and Plaques

1. Addressed to the CEO.
2. Address of the location.
3. A site plan clearly identifying the location of the proposed plaque or memorial seat.
4. A copy of the text to be included on the plaque or memorial seat, and the size and details of the materials to be used.
5. Documentation providing the reason for the choice of name including the history, meaning, significance and relevance of the subject person to the site.
6. If the nomination is being submitted by an organisation, documented evidence (i.e. Minutes from a committee/board meeting) must also be included in support of the nomination.
7. The design of the proposed memorial furniture and/or plaque must be consistent with existing infrastructure and any planned or future park furniture.

Requirements for Tree Planting / Tree Plaques

1. Addressed to the CEO.
2. Within the primary town sites of Kalbarri, Northampton, Port Gregory, Binu, Horrocks and Isseka.
3. A site plan clearly identifying the location of the proposed tree planting or tree plaque installation.
4. Documentation providing the reason for the request including whether for Centenarian recognition or memorial purposes, and should include the history, meaning, significance and relevance of the subject person.
5. If the request is to recognise a Centenarian, consent of that Centenarian or their family must be included in the submission.
6. A copy of the text to be included on the plaque and the size and details of the materials to be used.
7. If the nomination is being submitted by an organisation, documented evidence (i.e. Minutes from a committee / board meeting) must also be included to demonstrate support of the nomination.

Assessment Process

1. On receipt of a nomination, the CEO shall ensure all criteria is assessed.
2. Where the nomination proposal pertains to the naming of parks and reserves, a preliminary presentation should be made to Landgate (GNC) for initial comment prior to it being presented to Council for approval. If approval is provided, public consultation occurs and formal approval from Landgate is then requested.
3. Recommendations to Council involving matters that may be deemed of a sensitive nature will be kept confidential, where possible. Adoption of the recommendation will require an absolute majority decision by Council.
4. Maintenance and replacement budget considerations pertaining to the request will be considered in the Officer Report.
5. Memorial furniture, plaques or tree plantings can be granted approval at the discretion of the CEO provided there is no variation to the Policy Measures.

Adoption and Date Due for Revision

ADOPTED 19 February 2026

NEXT DUE FOR REVIEW February 2031

The Administration of this Policy is by Office of the CEO.
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CORPORATE SERVICES

2.1

Designation of Senior Employees

Purpose

Background & Issues

It is a requirement of the *Local Government Act 1995* that Council designate those staff positions which they deem Senior Employees.

Objectives

The objective of this policy is to provide the list of designated Senior Employees.

Area of Application

This policy applies to the Shire of Northampton.

Policy Measures

In accordance with Section 5.37 (1) of the Local Government Act 1995, Council designate the following staff positions, as Senior Employees of the Shire of Northampton.

- Chief Executive Officer
- Executive Manager Community, Development and Regulation
- Executive Manager Works and Technical Services

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024

REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.

CORPORATE POLICY

2.2

Appointment of Acting Chief Executive Officer and Senior Employees

Purpose

In the absence of the Chief Executive Officer a system needs to be in place to ensure appropriate authority is maintained in the organisation.

Policy Measures

Background & Issues

This policy is to clarify who is authorised to make appointments to acting and relieving Senior Employee positions due to absences.

Objectives

The key objective of this policy is to clarify the chain of command within the organisation when unscheduled absences and scheduled absences of the Chief Executive Officer and Senior Employees occur.

Area of Application

This policy applies to the Chief Executive Officer and designated Senior Employees.

Policy Measures

The Chief Executive Officer may appoint a designated Senior Employee to be authorised to act as the Chief Executive Officer in the event of scheduled absences of up to 4 consecutive weeks at any time. In the event of unscheduled absences, the Executive Manager Community, Development and Regulation is authorised to act in the role of Chief Executive Officer.

In all other cases of scheduled absences of the Chief Executive Officer beyond 4 weeks, a Senior Employee is to be appointed by the Council as Acting Chief Executive Officer.

The Chief Executive Officer or Acting Chief Executive Officer is authorised to make the appointment to acting and relieving Senior Employee positions.

Administration

This policy will be administered by the Office of CEO.

CORPORATE POLICY

2.2

**Appointment of Acting Chief Executive Officer
and Senior Employees**

Adoption and Date Due for Revision

ADOPTED 20 June 2024

REVIEWED N/A

NEXT DUE FOR REVIEW 20 June 2029

The Administration of this Policy is by Office of CEO.

Corporate Policy
2.3
Purchasing Policy

Purpose

To ensure all purchasing at the Shire of Northampton is done consistently and transparently incorporating relevant statutory requirements.

Policy Measures

This policy is separate from and to be read in conjunction with policy “2.4 – Tendering Policy”.

Contents

1	Objectives
2	Why do we need a purchasing policy?
3	Ethics & integrity
4	Value for money
5	Sustainable procurement
6	Purchasing thresholds
7	Preferred Suppliers
8	Regional price preference
9	Authorised purchasing levels
10	Administration
11	Credit cards

1 Objectives

- i. To provide compliance with the Local Government Act, 1995 and the *Local Government Act (Functions and General) Regulations, 1996*.
- ii. To deliver a best practice approach and procedures to internal purchasing for the Shire of Northampton.
- iii. To ensure consistency for all purchasing activities that integrates within all the Shire of Northampton operational areas.

2 Why do we need a purchasing policy?

The Shire of Northampton is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities.

This policy:

- i. Provides the Shire of Northampton with an effective way of purchasing goods and services.
- ii. Ensures that purchasing transactions are carried out in a fair and equitable manner.
- iii. Strengthens integrity and confidence in the purchasing system.

Purchasing Policy

- iv. Ensures the Shire of Northampton receives value for money in its purchasing.
- v. Ensures that the Shire of Northampton considers the environmental impact of the procurement process across the life cycle of goods and services.
- vi. Promotes effective governance and definition of roles and responsibilities.
- vii. Upholds respect from the public and industry for the Shire of Northampton's purchasing practices that withstands probity.

3 Ethics & integrity

All employees of the Shire of Northampton shall observe the highest standards of ethics and integrity in undertaking purchasing activity and shall act in an honest and professional manner that supports the standing of the Shire of Northampton.

The following principles, standards and behaviours shall be observed and enforced through all stages of the purchasing process:

- i. full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- ii. all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Northampton's policies and codes of conduct;
- iii. purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- iv. all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- v. any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- vi. any information provided by a supplier shall be treated as commercial-in-confidence and shall not be released unless authorised by the supplier or relevant legislation.

4 Value for money

Value for money is the overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Northampton.

Purchasing decisions should take into account:

- i. purchase price;
- ii. goods and services tax thereon;
- iii. user requirements;
- iv. quality standards;
- v. technical merits (compliance with specifications, contractual terms, and quality assurance);
- vi. financial viability and capacity to deliver;

- vii. sustainability;
- viii. life cycle costing (including transaction costs, delivery, distribution, holding, consumables, maintenance and disposal); and
- ix. service provision.

Obtaining a sufficient number of competitive quotations where possible provides the greatest likelihood of identification of value for money.

Where a higher priced conforming offer is selected, there should be clear and demonstratable benefits over and above the lowest total priced, conforming offer.

5 Sustainable procurement

Sustainable procurement is the purchase of goods or services that have less environmental and social impacts than competing products and services.

Sustainable attributes must be balanced against value for money outcomes.

The Shire of Northampton shall identify and procure products and services that:

- i. are determined as being necessary;
- ii. are energy efficient as demonstrated by suitable energy labelling;
- iii. demonstrate environmental best practice in water efficiency;
- iv. are environmentally sound in manufacture, use and disposal;
- v. can be refurbished, reused, recycled or otherwise minimise waste;
- vi. for motor vehicles, have high fuel efficiency for the designated category; and
- vii. for buildings and refurbishments, utilise energy reducing measures.

6 Purchasing thresholds

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

Threshold Amount	Form of Quotation required
Up to \$20,000	Direct purchase from suppliers.
\$20,001 to \$50,000	Obtain at least two written quotations to be recorded by the relevant employee.
\$50,001 to \$249,999	Preparation of detailed written specification and obtain at least three written quotations. Quotations to be

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	recorded by the relevant employee and the purchase authorised by the Chief Executive Officer.
\$250,000 and above	Preparation of detailed written specifications and call a public tender in accordance with Section 3.57 of the Local Government Act 1995.

If considered beneficial, tenders may be called in lieu of seeking quotations for purchases under \$250,000 (ex GST), however the full provisions of policy 2.4 – Tendering Policy must be applied.

Please note that in respect of the threshold amounts, the source of funding for the purchased goods or services is irrelevant and accordingly, the scale is to be applied to the gross purchase price.

Officers must use their best endeavours to seek quotations from those parties known to be interested in and capable of providing the goods or services. If the officer believes that due to the nature of the goods or services it is unlikely there will be more than one potential supplier, then documentation supporting this determination is to be approved by the Chief Executive Officer and placed on file. The application of this exemption should only occur in limited cases as usually there is more than one supplier capable of providing most goods or services.

The following general principles are applicable to all requests for quotation:

- Specifications should be generic, clear, concise and logical;
- Selection criteria should be developed before inviting quotations;
- Invitation to quote should be accurately and consistently communicated and to the extent practicable, issued simultaneously;
- New information/change to the specifications should be provided to all prospective suppliers simultaneously;
- The required format of quotation should be specified;
- Quotations should be assessed for compliance and against selection criteria; and
- Respondents must be advised of the final determination as soon as possible.

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The following provides further guidance in respect of each form of quotation.

6.1 Up to \$20,000 – Direct purchase from suppliers

To be applied where the purchase is relatively small and low risk. Discretion is required and occasionally market testing and or formal quotation is required.

Recording and retention – The copy of the purchase order form and its retention in accordance with the Shire's Record Keeping Policy is considered adequate.

6.2 \$20,001 to \$50,000 – Obtain at least two written quotations

Invitations should be made for at least two written quotations as a minimum. Where not practical due to limited suppliers, this must be noted through records relating to the process.

Recording and retention – Written notes of the requirements / specifications sought, copy of the purchase order form and hard copies of the quotes submitted is considered adequate recording. Retention is to be in accordance with the Shire of Northampton's Record Keeping Policy.

6.3 \$50,001 to \$249,999 – Brief specification and three written quotations

A brief specification is to be prepared by the officer and authorised by the pertinent Executive Manager, clearly communicating:

- the nature and quantity of goods or services required;
- the time by which those goods or services are required to be completed or delivered;
- the date by which quotes must be submitted, and
- any other aspect considered relevant by the employee.

The specification is to be provided to all parties seeking to quote. In some instances, it may be appropriate to advertise locally advising interested parties of the opportunity to quote.

Recording and retention – Hard copy of the brief specification, copy of the purchase order form, hard copies of the quotes submitted and summary sheet of quotes invited / submitted is considered adequate recording. Retention is to be in accordance with the Shire's Record Keeping Policy.

6.4 \$250,000 and above – subject to policy 2.4 – Tendering Policy

7 Preferred Suppliers

Where:

1. the supply of the goods or services is to be obtained through the Purchasing Service of the Western Australian Local Government (WALGA Preferred Supplier Service; or
2. the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government,

at the employees' discretion and in accordance with the employees purchasing responsibility, goods or services may be purchased directly from a supplier without the need to obtain multiple quotes or go to Tender as outlined in clause 6 noting that all other conditions defined in clause 6 still apply. In this case employees shall at all times ensure that clauses 4 and 5 and other general requirements of this policy are applied.

8 Regional price preference

Policy 2.5 – Regional Price Preference applies to all purchasing decisions made in this policy unless determined otherwise by Council.

9 Authorised purchasing levels

Authorised purchasing levels for employees are to be determined on an annual basis by the Chief Executive Officer and endorsed by Council by way of the Delegations Register.

It should be noted that the issue to an employee of purchasing authority by the Chief Executive Officer gives rise to the requirement to submit an "Annual Return" by that officer.

10 Administration

10.1 Purchase orders and commitments

A purchase order is required to be issued for all goods and services procured by employees with the exclusion of Credit Card transactions.

The purchase order must:

- be within the authorised purchasing levels for the employee as determined in accordance with clause 6 above;
- relate directly to the Department to which that officer belongs;
- be within the available approved budget at the time of making the order.

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10.2 Authorisation of invoices for payment

Once an invoice is received for goods or services purchased, that invoice is to be signed by the employee who issued the relevant purchase order to attest that the goods or services have been received in full and that the invoice is valid for payment.

The invoice must subsequently be authorised for payment by:

- The employee who authorised the purchase order to which the expenditure relates; and
- The relevant Senior Employee.

10.3 Cheque authorisations

All cheques are to be signed by two authorised signatures.

10.4 Electronic funds transfer authorisations

Authorisation of electronic funds transfers (such as external funds transfers for payroll or transfers strictly between Shire of Northampton bank accounts) are not subject to the thresholds in this policy. Authorisation for such transfers is required to be made by two authorised signatories.

11 Credit cards

Council credit cards are issued only to designated Senior Employees of the Shire of Northampton. The provisions of this policy where applicable apply to purchases made using Council credit cards. A list of expenses incurred on Shire of Northampton credit cards is to be presented to Council together with the normal monthly payments schedule.

Administration

This policy will be administered by the Office of the CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED XXXX

NEXT DUE FOR REVIEW 20 JUNE 2027

The Administration of this Policy is by Office of the CEO.

Purpose

The purpose of this policy is to ensure the Shire of Northampton complies with the tendering requirements of the *Local Government Act 1995*.

Policy Measures

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1. Objectives

- i. To provide compliance with the Local Government Act, 1995 and the *Local Government (Functions and General) Regulations, 1996*.
- ii. To deliver a best practice approach and procedures to tendering for the Shire of Northampton.
- iii. To ensure consistency for all tendering activities.

To the extent that this Policy is silent, Corporate Policy 2.3 – Purchasing Policy applies.

2. Approval for procurement

Prior to any formal action occurring:

- a. Council, or if delegated, the Chief Executive Officer must issue approval reflecting a conscious decision to call tenders for that particular procurement / disposal (for the purposes of this provision, relevant purchasing activities as approved by the Annual Budget are considered to be the approval of Council);
- b. The Chief Executive Officer must designate the employee or consultant responsible for the preparation of the tender specifications; and
- c. the responsible employee or Chief Executive Officer must ensure that the anticipated expenditure is approved either as part of the adopted budget or by a resolution of the Council carried by an absolute majority. Tenders should not be called if it is believed insufficient funds are available to cover the expenditure.

3. Probity officer

In order to foster a tendering environment which is consistent, and independent, the Chief Executive Officer is the probity officer responsible for all tenders. The Chief Executive Officer may delegate this function to an employee. The probity officer is responsible for:

- a. The maintenance of the tender register;
- b. Issuing of tender numbers;
- c. Review of the tender documentation for completeness (note the probity officer is not responsible to review tender specifications);
- d. Management of tender closing including ensuring tenders submitted electronically or by facsimile prior to the closing date/time are secured;
- e. Management of tender opening;
- f. Acknowledgement of tenders received;
- g. Acknowledgement of tenders awarded, unsuccessful; and
- h. Contract documentation.

4. Tender register

A tender register must be kept detailing certain information pertaining to the tender process. The register may be inspected by any member of the public.

The tender register is to include the following:

- a. Summary of tender procedures followed;
- b. Notification of the approval to proceed to tender;
- c. Copy of the tender advertisement;

- d. List of tenders received;
- e. Identification of the Council minute number approving the successful tenderer;
- f. Amount awarded to the successful tenderer.

Tender submissions are not to be kept on the tender register file. Submissions should be placed on the records file for that particular tender.

5. Exemptions

Public tenders do not have to be invited where:

- a. It is obtained from expenditure authorised in an emergency [Reg 11(2)(a)];
- b. Goods or services are obtained through WALGA Purchasing Service [Reg 11(2)(b)];
- c. Public tenders were invited within last 6 months but no tender was submitted that met tender specifications [Reg 11(2)(c)];
- d. The contract is entered into by auction after being expressly authorised by a resolution from Council [Reg 11(2)(d)];
- e. Goods or Services are supplied by State, Federal, another local government or a regional local government [Reg 11(2)(e)];
- f. The Shire of Northampton has good reason to believe that because of the nature of goods / service it is unlikely there will be more than one potential supplier [Reg 11(2)(f)]. Note: Every endeavour to find alternative sources must be made and documentation supporting this determination is to be approved by the Chief Executive Officer and is required to be placed on the tender register file. The application of this exemption should only occur in limited cases as usually there is more than one supplier capable of providing most goods or services; and
- g. The contract is for petrol, oil or other liquid or gas used for internal combustion engines [Reg 11(2)(g)].

6. Calling for tenders

If the value of goods or services to be procured is anticipated to be \$250,000 (ex GST) or more then tenders must be called.

In determining the anticipated value of the procurement, the expected payments over the life of the contract (including any option periods) is to be value by which the tender threshold is measured against.

The source of funding for the tender of goods or services is irrelevant.

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Tendering Policy

The Shire of Northampton may wish to call tenders for goods or services whose value is anticipated to be less than \$250,000. In these circumstances, the provision of this policy is to apply to such tenders.

Anti-avoidance - Procurement shall not be broken up into two or more contracts of a similar nature for the purpose of splitting the value of the contracts below the tender threshold level of \$250,000.

7. Tender Criteria

Before tenders are publicly invited, the criteria for determining which tender should be accepted must be decided, documented and must be included in the tender documentation.

Tender criteria should be generic in nature and should clearly address both qualitative and price aspects. Weighting as to importance of each criteria and basis of evaluation should also be included.

The following simple yet effective assessment matrix is to be applied to each stated criteria in the tender documentation.

Essential tender criteria must be established that is applicable to all tenders and which is required to be met. Tenders that are not compliant will be identified as non-conforming and may only be included for tender assessment at the discretion of the Chief Executive Officer.

Qualitative Criteria (example total of 60%)

Criteria	Priority	Weighting	Evaluation basis	Assessed rating	Total Qualitative Score
A	High	30%	Specify for each criteria	Refer below for each criteria	Weighting x Assessed rating for each
B	Medium	20%			
C	Low	10%			
Total		60%			Sum A-C

Price Consideration (example total of 40%)

Criteria	Priority	Weighting	Evaluation basis	Assessed rating	Total Price Score
Tendered sum	High	40%	Specify	Refer below	Weighting x Assessed rating

Total Score

Criteria		Weighting	Total Score
A	Qualitative	60%	Total qualitative score
B	Price	40%	Total price score
Total		100%	Sum A+B

Assessed Rating Factor

0	Does not address assessed requirement
0.1	Fails to meet the assessed criteria (ie 25% above average price; well below average in ability to complete works etc).
0.2	Assessed between descriptor.
0.3	Below the average (ie 15% above average price; below average in ability to complete works etc).
0.4	Assessed between descriptor.
0.5	Average (ie within 10% of average price, an average statement / meeting of criteria etc).
0.6	Assessed between descriptor.
0.7	Above the average (ie 15% below average price; above average in ability to complete works etc).
0.8	Assessed between descriptor.
0.9	Assessed between descriptor.
1.0	Fully meets assessed requirement (i.e.: more than 25% cheaper than the average price, exceptionally high level of evidence of experience etc)

The tender with the highest overall total score, may be deemed the most advantageous tender unless other extenuating circumstances exist. If two or more tenders receive the same overall total score, then the lowest price shall be selected and recommended to Council.

An evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase. An evaluation panel must contain a minimum of 2 people.

8. Advertising of Tenders

All tenders shall be advertised as follows:

- a. Statewide Public Notice in the local government tenders section of "The West Australian" newspaper in either Saturday's or Wednesday's edition;
- b. on the Shire of Northampton's web page;
- c. Locally in the Geraldton Guardian and/or Mid West Times only where staff are aware that goods and services can be obtained within the region;

If considered worthwhile and cost effective, tenders may, at the discretion of the Chief Executive Officer, also be advertised in either:

- a. Other public internet tender publications; or

- b. In the tender section of the other publications.

All tenders must remain open for at least 14 full days after the date the tender is first advertised.

As illustrated below, tender advertisements shall clearly state:

- a. the tender number;
- b. a brief description of the goods or services required;
- c. particulars identifying a person from who more detailed tender information may be obtained;
- d. information as to where and how tenders may be submitted;
- e. the date and time of closure of tenders; and
- f. the Chief Executive Officers name.

<SHIRE OF NORTHAMPTON BANNER> Tender <u>XX/ XX</u> The Shire of Northampton is seeking tenders for the supply and delivery of _____ & trade in or outright purchase of _____ Details of the tender are available from the Shire of Northampton by phoning 08 99341202 or from the Shire's web site www.northampton.wa.gov.au Specification or trade details can be obtained from XXXXXX on 08 XXXX XXXX. Further detailed information please contact XXXXXXXX on 08 XXX XXXX. Late tenders will not be accepted. The lowest or any tender will not necessarily be accepted. Tenderers canvassing staff will be disqualified. Tenders should be marked "Tender <u>XX /XX</u> "_____ " and delivered to the tender box, Shire of Northampton, 199 Hampton Road, Northampton or posted to PO Box 61 Northampton WA 6535 or emailed at XXXX@northampton.wa.gov.au Tenders close at Time Day Year. XXXX Chief Executive Officer
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The Chief Executive Officer is to approve all proposed tender advertisements prior to their placement. The costs of advertising the tender, together with all direct costs of the tender process, are to be allocated against the job to which the tender relates.

9. Tender Documentation

The tender documentation should provide detailed information regarding the tender including, specifications and other conditions for the supply of goods or services, the requirements for submission and the assessment criteria.

Tender documentation will contain the following components:

Cover	Summary sheet
Section 1	Principals Request
Section 2	Conditions of Tender
Section 3	Specifications and Special Conditions of Contract
Section 4	Tenderers Offer
Section 5	Price Schedule
Section 6	General Conditions of Contract (relevant to procurement)

Specifications and Special Conditions of Contract are to be prepared by the responsible officer designated in clause 2.

Tender documentation Specifications and Special Conditions of Contract is to be approved by the Chief Executive Officer for the responsible employee and tender documentation completeness is to be approved by the Probity Officer prior to advertisement.

It is essential that details are recorded of all potential tenderers who obtained a copy of the tender documentation from any Shire of Northampton source. This is essential if clarifications, addendums or further communication is required prior to the close of tenders, so that all potential tenderers have equal access to this information in order for the Shire of Northampton not to compromise due process.

Tenderers who wish to discuss the tender with the responsible officer may clarify information supplied however canvassing other than what is exempted by this policy shall not be permitted.

10. Addendum to tender documentation

If there is additional information which could be perceived to be substantial in nature, then this information must be sent to all potential tenderers who have received tender documents by way of an addendum to the tender documents. At no point may an officer disclose any information to a tenderer that would prejudice that or other tenderers.

11. Tender Closing

The probity officer responsible shall check that all mailed or e-mailed tenders have been placed in the tender box before the specified tender closing time.

The probity officer shall ensure that at the closing time on the specified day, that the tender box is closed, removed from public access and shall remain locked and under the custody of the probity officer until tender opening.

A tender that is not received (in full) by the advertised tender deadline shall be rejected.

12. Tender Opening

Tender opening shall normally be 30 minutes after the tender deadline to confirm all tenders received by the deadline have been collected (ie a tender e-mailed just prior to the deadline will need to be printed and placed in the tender box). No tenders are to be removed from the tender box prior to the stated opening.

Tenders are to be opened in accordance with the nominated time and place. Members of the public have a right to attend the opening of the tenders.

Tenders are to be opened in the presence of the probity officer and at least one other nominated person (being either Shire employee or Shire appointed third party such as a consultant).

Upon opening, tenders must be read out loud stating the company or person tendering. Unless otherwise stated in the tender advertisement or the request for tender documentation in order to protect “commercial in confidence”, the disclosure of price information shall occur at tender opening.

Immediately after opening, the tenderers offer form and price schedule shall be date stamped and initialled by at least two officers present at the opening. The probity officer shall then record each tender submission into the Tender Register.

After opening:

- a. the probity officer shall keep a copy of the tenderers offer and price schedule;
- b. The original tender submissions shall be placed on the relevant tender file; and
- c. The responsible officer shall be entitled to keep a copy of the tenderers submissions for the purposes of evaluation.

13. No tenders received

Where tenders have been invited however no compliant submissions have been received, Council may choose to either, readvertise without amendment, readvertise following a restructure or amend to the tender or alternatively, proceed to direct procurement from any selected supplier subject to the following:

- a. the provision of Council Policy 2.3 – Purchasing policy are applied (other than for the anticipated sum);
- b. the specifications for the goods or services remains unchanged; and
- c. the procurement is arranged within 6 months of the closing date of the lapsed tender.

14. Tender Assessment

The assessment process is not easy, is often subject to challenge requiring that great care be exercised.

Rejected tenders are not required to be evaluated.

Tenders that have not been rejected shall be assessed by the tender evaluation panel by means of written evaluation against the predetermined criteria to determine which tender is the most advantageous.

Non-conforming tenders may be included in the assessment process at the discretion of the Chief Executive Officer.

It should be noted that there is a degree of subjectivity in the assessment process (when assessing on more than price) and that officers should, wherever possible, be clear in their documentation supporting the basis of their assessment.

Any applicable Regional Price Preference applicable under Corporate Policy 2.5 Regional Price Preference is to be applied at the time tenders are assessed.

15. Canvassing

Canvassing in relation to this policy is defined as where a tenderer or their representative undertakes to discuss any part of their submitted tender, another submitted tender or the tender request generally with a Councillor or employee for the purposes of trying to influence the decision making process in the award of that tender.

Canvassing of Shire employees is forbidden. The employee shall immediately report any attempt (other than appropriate canvassing as stated below) to influence a tender decision, through canvassing by a tenderer or their representative, to the Chief Executive Officer. If the Chief Executive Officer determines that the canvassing was an obvious and significant attempt to influence the tender process, that tender may be immediately excluded by the total discretion the Chief Executive Officer.

The appropriate method of canvassing by tenderers is via the following mechanisms:

- a) Addressing Councillors during the Deputations / Public Question time during the Council meeting where the tender is presented to Council for determination; or
- b) A submission in writing that will be provided to all present Councillors on the day of the Council meeting where the tender is presented to Council for determination.

Employees seeking clarification or further information from a tenderer is not considered to be canvassing.

16. Presentation to Council

An agenda item by the designated officer shall be submitted to Council at the earliest possible Council meeting.

The agenda item shall contain a summary of the tender evaluation including:

- a. Background on tender, including budget allocation and/or Council resolution to go to tender.
- b. Comments including when tenders were called, advertised, closed etc.
- c. Assessment criteria specified and a schedule containing for each tenderer:
 - i. Assessment of each criteria including price considerations;
 - ii. Total rating (according to assessment criteria); and
 - iii. Statement of conformance, and if not conforming, give details as to why it was non-conforming.
- d. Comment then to include the highest conforming tender, statement as to the recommended tenderer and reason why that was the successful one (particularly if not lowest price).
- e. Statutory, Financial, Policy and Sustainability implications to be addressed as needed.
- f. Recommendation as to the tender submission considered most advantageous to the Shire of Northampton.

The probity officer shall record the details and total value of the awarded tender in the Tender Register.

17. Notification to Successful and Unsuccessful Tenderers

The probity officer shall notify each tenderer in writing of the outcome of the tender following the Council resolution. Notification shall include:

- a. The name of the successful tenderer; and
- b. The total value of consideration of the winning tender.

18. Contract documentation

The probity officer shall arrange for contract relating to the tender to be drawn up and signed by both parties.

19. Minor variations

The Shire of Northampton may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the tendered goods or services including any “minor variations” required, subject to such minor variations not altering the nature of the goods or services procured, nor materially altering the specifications or structure provided for by the initial tender.

For the purposes of guidance, a variation which would result in an increase in the total consideration of 10% or greater would not be considered minor, whereas a variation of up to 5% would be considered minor. Variations between 5% and 10% would need to be considered on their individual merits.

20. Panels of Pre-qualified Suppliers

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

- The Shire of Northampton determines that a range of similar goods and services are required to be purchased on a continuing basis;
- There are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of ‘value for money’;
- The purchase activity under the intended Panel is assessed as being of a low to medium risk;
- The Panel is streamline and will improve procurement processes; and
- The Shire of Northampton has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

Establishing a Panel

Should the Shire of Northampton determine that a panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of one (1) year and for a maximum length of time deemed appropriate by the Shire.

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

Where a panel is to be established, the Shire will endeavour to appoint at least two (2) suppliers to each category, on the basis that best value for money is demonstrated.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.

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

Distributing Work Amongst Panel Members

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

- a) Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 9.4; and/or
- b) Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; and/or
- c) Purchase goods and services on a rotational basis from each pre-qualified supplier and endeavour to provide an even amount of work amongst pre-qualified suppliers.

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

- i. Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; and/or
- ii. Service requests that are not possible to obtain a fixed price may be rotated between pre-qualified supplier(s) to obtain the most advantageous result for the Shire of Northampton which may take into account the existing familiarity with a suppliers previous work on a specific Shire of Northampton asset; and/or
- iii. Should the list of panel members be exhausted with no panel member accepting the offer to provide goods/services under the Panel, the Shire of Northampton may then invite suppliers that are not on the panel to provide goods/services in line with the purchasing thresholds as listed in the policy 2.3 Purchasing Policy.

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

Purchasing from the Panel

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

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire of Northampton's electronic records system.

21. Records management

All records associated with the tender process must be recorded and retained in accordance with the Shire of Northampton's Records Policy and the State Records Act.

The following documentation should be held on the relevant tender file in central records:

- a. Tender documentation;
- b. Tender submissions;
- c. Internal documentation including evaluations;
- d. Enquiry and response documentation;
- e. Notification and award documentation;
- f. Contract documentation; and
- g. Panel documentation.

Administration

This policy will be administered by the Office of the CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of the CEO.

Corporate Policy
2.5
Regional Price Preference

Purpose

Regional price preference policies are designed to support local procurement when using public funds within the confines of statutory provisions.

Policy Measures

Background and Issues

Supporting local business is a prerogative of the Shire of Northampton. This support must be balanced by seeking the best value for money for purchased goods and services to maximise scarce financial resources.

Objectives

- To support the local community as much as possible;
- To seek value for money in purchasing goods and services with public money; and
- To maximise limited financial resources available to the organisation.

Guidelines

This Policy relates to all purchasing by the Shire of Northampton. Where possible and within reasonable limits set out herein, the Shire of Northampton will support local businesses through the application of this Regional Price Preference Policy.

Regional Price Preference

- (a) Unless specifically excluded in advance of advertising, a Regional Price Preference will apply to the following
 - (i) purchases when calling tenders
 - (ii) purchases when seeking quotations
- (b) The "Region" to which the Regional Price Preference applies is the district of the Shire of Northampton.
- (c) A supplier of goods or services who submits a tender or quotation is regarded as being a regional tenderer if:
 - (a) That supplier has been operating a business continuously out of premises in the region for at least 6 months before the time the relevant tender closes; or
 - (b) Some or all of the goods or services are to be supplied from regional sources. In this instance, the preference only applies

Corporate Policy
2.5
Regional Price Preference

to that part of the tender or quote that has been supplied from the regional sources which needs to be specified in the tender submission.

- (d) The regional pricing preference to be given to a regional tenderer is outlined below and represents the amount by which the regional tenderer's price bids or other quotations would be reduced for the purpose of assessing the tender or quotations:

For construction (building services)

Value of Tender / Supply by Regional Tenderer	% Regional Price Preference
\$0 to \$20,000	\$0 + 5.0 % of excess above \$0
\$20,000 to \$50,000	\$1,000 + 4.0 % of excess above \$20,000
\$50,000 to \$100,000	\$2,200 + 3.0 % of excess above \$50,000
\$100,000 to \$250,000	\$3,700 + 2.0 % of excess above \$100,000
Above \$250,000	\$6,700 + 1.0 % of excess above \$250,000

For all other goods and services

Value of Tender / Supply by Regional Tenderer	% Regional Price Preference
\$0 to \$10,000	\$0 + 10.0 % of excess above \$0
\$10,000 to \$20,000	\$1,000 + 6.0 % of excess above \$10,000
\$20,000 to \$50,000	\$1,600 + 4.0 % of excess above \$20,000
\$50,000 to \$100,000	\$2,800 + 3.0 % of excess above \$50,000
\$100,000 to \$250,000	\$4,300 + 2.0 % of excess above \$100,000
Above \$250,000	\$7,300 + 1.0 % of excess above \$250,000

Subject to the maximum regional price preference capped at \$50,000.

- (e) That the Regional Price Preference Policy be applied to all types and nature of business, goods or services supplied from the regional sources on the scales outlined above.

Administration

This policy will be administered by the Office of CEO.

**Corporate Policy
2.5
Regional Price Preference**

Adoption and Date Due for Revision

**ADOPTED 20 JUNE 2024
REVIEWED N/A**

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.

Corporate Services
2.6
Investment of Surplus Funds

Purpose

To ensure surplus funds are invested appropriately.

Policy Measures

The Chief Executive Officer and the Manager Financial Services are authorised to invest money held in any Shire of Northampton fund, from time to time, and not required for immediate use, by fixed deposit or other short term Trustee authorised investment; provided that sufficient working funds are retained for operating expenses at all times. Investments made are to be submitted in reports to Council. Council approves investments with the National Australia Bank only whilst the bank retains a branch within Northampton.

When investing money as per the Local Government (Financial Management) Regulations 1996 section 6.14(1), a local government may not do any of the following —

- (i) deposit with an institution except an authorized institution.
- (ii) deposit for a fixed term of more than 12 months.
- (iii) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government.
- (iv) invest in bonds with a term to maturity of more than 3 years.
- (v) invest in a foreign currency.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

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The Administration of this Policy is by Office of CEO.

Corporate Policy
2.7
Related Party Disclosures

Policy Measures

OBJECTIVES

The purpose of this policy is to define the parameters for Related Party Transactions and the level of disclosure and reporting required for the Shire of Northampton to achieve compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

POLICY STATEMENT

This policy applies to Related Parties of the Shire of Northampton and their Related Party Transactions with the Shire of Northampton.

POLICY DETAILS

Related Party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of the Shire of Northampton through the presence of control, joint control or significant influence.

A related Party relationship could influence the normal business operations of the Shire of Northampton. In some instances, the Shire of Northampton may enter into transactions with a Related Party that unrelated parties would not. For example, goods are supplied to the Shire of Northampton on terms that might not be offered to other customers. Also, transactions between Related Parties may not be made on the same terms as between unrelated parties.

The normal business operations of the Shire of Northampton may be affected by a Related Party relationship even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Shire of Northampton with other parties. Alternatively, one party may refrain from trading with the Shire of Northampton because of the significant influence of another for example, a local supplier may be instructed by its parent not to engage in supplying goods to the Shire of Northampton.

For these reasons, knowledge of the Shire of Northampton's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of the Shire of Northampton's operations by

users of financial statements, including assessments of the risks and opportunities facing the Shire of Northampton.

1. Identification of Key Management Personnel (KMP)

AASB 124 defines KMP's as *"those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity"*.

KMP's for the the Shire of Northampton are considered to include:

- Councillors (including the President).
- Chief Executive Officer; and
- Senior Employees.

2. Identification of Relates Parties

A person or entity is a related party of the Shire of Northampton if any of the following apply:

- They are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
- They are an associate or belong to a joint venture of which the Shire of Northampton is part of.
- They and the Shire of Northampton are joint ventures of the same third party.
- They are part of a joint venture of a third party and the Shire of Northampton is an associate of the third party.
- They are a post-employment benefit plan for the benefit of employees of either the Shire of Northampton or an entity related to the Shire of Northampton.
- They are controlled or jointly controlled by *close members of the family of a person*.
- They are identified as a *close or possibly close member of the family of a person* with significant influence over the Shire of Northampton or a *close or possibly close member of the family of a person* who is a KMP of the Shire of Northampton.
- They, or any member of a group of which they are a part, provide KMP services to the Shire of Northampton.

For the purposes of this Policy, related parties of the Shire of Northampton are:

- Entities related to the Shire of Northampton.
- Key Management Personnel (KMP) of the Shire of Northampton.
- Close family members of KMP.
- Possible close family members of KMP's; and
- Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

3. Review of Related Parties

A review of KMP's and their related parties will be completed every 6 months.

Particular events, such as a change of Councillors, Chief Executive Officer or Senior Employees or a corporate restructure, will also trigger a review of the Shire of Northampton's related parties immediately following such an event.

The Shire of Northampton management shall implement a suitable system to identify related parties. The primary identification method of close family members and associated entities of Key Management Personnel shall be by (but not limited to) KMP self-assessment. KMP have a responsibility to identify and report any changes to their related parties as they occur.

Prior to the commencement of this policy taking effect an initial identification process will be undertaken and recorded.

The Shire of Northampton management shall identify suitable methodology and procedures for identifying and reporting on related party transactions such that accurate data will be collated from 01 July 2019. Identification and reporting methods shall consider.

- Transactions occurring via the Shire of Northampton's accounting and electronic records management systems.
- Other transactions not passing through the Shire of Northampton's electronic accounting / management systems; and
- The identification of the associated terms and conditions of the related party transactions.

If any elected member or employee believes a transaction may constitute a related party transaction, they must notify the Chief Executive Officer who will,

in consultation with the Manager Financial Services, make a determination on the matter.

4. Identification of Control or Joint Control

A person or entity is deemed to have control if they have:

- power over the entity.
- exposure, or rights, to variable returns from involvement with the entity;
and
- the ability to use power over the entity to affect the amount of returns.

To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

5. Required Disclosures and Reporting

AASB 124 provides that the Shire of Northampton must disclose the following financial information in its financial statements for each financial year period:

- 5.1.** *Disclosure of any related party relationship* - must disclose in the annual financial statements its relationship with any related parties or subsidiaries (where applicable), whether or not there have been transactions within the relevant reporting period.
- 5.2.** *KMP Compensation Disclosures* - must disclose in the annual financial statements KMP for each of the categories of compensation (as defined in the definitions of this Policy) in total.

6. Related Party Transactions Disclosures

Related Party Transactions are required to be disclosed, regardless of whether a price is charged. Such transactions may include:

- Purchase or sale of goods.
- Purchase or sale of property and other assets.
- Rendering or receiving services.
- Leases.
- Quotations and/or tenders.
- Commitments.

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2.7
Related Party Disclosures

- Settlements of liabilities on behalf of the Shire of Northampton or by the Shire of Northampton on behalf of the related party.
- Guarantees given or received.
- Loans and Settlements of liabilities.
- Expense recognised during the period in respect of bad debts.
- Provision for doubtful debts relating to outstanding balances.
- Grants and subsidy payments made to associated entities of the Shire of Northampton.
- Non-monetary transactions between the Shire of Northampton and associated entities of the Shire of Northampton.
- Other goods and services provided by the Shire of Northampton to associated entities of the Shire of Northampton.
- Compensation made to key management personnel.
- Fees and charges charged to related parties.
- Infrastructure contributions and application fees from related parties.
- Purchase of materials and services from related parties.
- Employee expenses for close family members of key management personnel.

The Shire of Northampton must disclose all **material** and **significant** Related Party Transactions in its annual financial statements and include the following detail:

6.1. The nature of the related party relationship; and

6.2. Relevant information about the transactions including:

6.2.1. The amount of the transaction.

6.2.2. The amount of outstanding balances, including commitments, and

- Their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement; and
- Details of any guarantee given or received.

6.2.3. Provision for doubtful debts related to the amount of outstanding balances; and

6.2.4. The expense recognised during the period in respect of bad or doubtful debts due from related parties.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- Significance of transaction in terms of size.
- Whether the transaction was carried out on non-market terms.
- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets.
- Whether the transaction is disclosed to regulatory or supervisory authorities.
- Whether the transaction has been reported to senior management; and
- Whether the transaction was subject to the Shire of Northampton approval.

Regard must also be given for transactions that are collectively, but not individually significant.

Disclosures that Related Party Transactions were made on terms equivalent to those that prevail in arm's length transactions can only be made if such terms can be substantiated.

All transactions involving Related Parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions (OCTs), and to determine the significance of each of the transactions.

7. Ordinary Citizen Transaction (OCT)

Transactions with related parties of the Shire of Northampton which are of a nature that any ordinary citizen would undertake will not be captured and reported. These transactions are not material transactions because of their nature. However, if the OCT occurs on terms and conditions that are different to those offered to the general public the transaction may become material and subsequently disclosed.

Ordinary Citizen Transactions shall include:

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Related Party Disclosures

- Use of the Shire of Northampton facilities, equipment and services in accordance with the Shire of Northampton's fees, charges and policies.
- Payment of rates and charges.
- Attendance at the Shire of Northampton functions and activities that are open to the public.
- Payment of fines and other penalties on normal terms and conditions; and
- Related party transactions occurring during the course of delivering the Shire of Northampton's public service objectives and which occur on no different terms to that of the general public.

Amendments to transactions classified as Ordinary Citizen Transactions may be identified from time to time and this policy will be amended accordingly.

8. Review of Related Party Transactions

A review of all Related Party Transactions will be completed every 6 months.

KEY TERM DEFINITIONS

AASB 124 means the Australian Accounting Standards Board, Related Party Disclosures Standard.

Asset - A physical component of a facility which has value, enables a service to be provided and has an economic life of greater than 12 months.

Close members of the family of a person - are those family members who may be expected to influence, or be influenced by, that person in their dealings with the Shire of Northampton and include:

- (a) that person's children and spouse or domestic partner.
- (b) children of that person's spouse or domestic partner; and
- (c) dependents of that person or that person's spouse or domestic partner.

Entity can include a body corporate, a partnership or a trust, incorporated, or unincorporated group or body.

Incorporated association means an association incorporated under the *Associations Incorporation Act 1957*.

Key management personnel - as defined in Section 6.1 of this Policy.

KMP Compensation means all forms of consideration paid, payable, or provided in exchange for services provided, and may include:

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- Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees;
- Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care.
- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation.
- Termination benefits; and
- Share-based payment.

Material (materiality) means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

Ordinary Citizen Transaction means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with the Shire of Northampton.

Possible (Possibly) Close members of the family of a person are those family members who could be expected to influence, or be influenced by, that person in their dealings with the Shire of Northampton and include:

- (a) that person's brothers' and sisters.
- (b) Aunts', uncles', and cousins of that person's spouse or domestic partner.
- (c) dependents of those persons' or that person's spouse or domestic partner as stated in (b); and
- (d) that person's or that person's spouse or domestic partners', parents' and grandparents.

Record means any record of information however recorded and includes anything on which there is writing, a map, plan, diagram or graph, a drawing, pictorial or graphic work, photograph; or anything from which images, sounds or writings can be reproduced.

Related Party – as defined in Section 6.2 of this Policy.

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2.7
Related Party Disclosures

Related Party Transaction is a transfer of resources, services or obligations between the Shire of Northampton and a related party, regardless of whether a price is charged.

Significant (significance) means likely to influence the decisions that users of the Shire of Northampton's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Shire of Northampton and related party outside a public service provider/ taxpayer relationship.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.

**Corporate Policy
2.8**

Authority to Execute Documents on Behalf of Council

Purpose

The purpose of this policy is to provide guidance regarding the delegation of authority to the Chief Executive Officer to execute documents on behalf of the Council in accordance with the *Local Government Act 1995*, Sections 9.49A and 9.49B.

Policy Measures

The delegation of authority to the Chief Executive Officer to execute documents allows for efficient administration and avoids the need to prepare Council reports on matters considered routine, minor or straightforward.

All matters concerning the disposal, purchase, assignment, boundary adjustment or leasing of land and any changes to the vesting purpose or vesting authority are to be put before Council for authorisation prior to execution. The reason for this practice is the view that long term or permanent change to public property should be a matter for Council consideration.

Authority is delegated to the Chief Executive Officer to execute documents on behalf of Council other than for matters concerning the disposal, purchase, assignment, boundary adjustment or leasing of land and any changes to the vesting purpose or vesting authority.

In cases where there is a requirement to execute documents for matters concerning the disposal, purchase, assignment, boundary adjustment or leasing of land and any changes to the vesting purpose or vesting authority and require the use of the Common Seal, the Shire President and Chief Executive Officer are authorised subject to decision on the matter of Council.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 20 JUNE 2024
REVIEWED N/A**

NEXT DUE FOR REVIEW 20 JUNE 2029

Authority to Execute Documents on Behalf of Council

The Administration of this Policy is by Office of CEO.

Corporate Policy
2.9
Fraud Management

Policy Measures

Background

Fraud is defined as any intentional act committed to secure unlawful or unfair gain, whether in cash or in kind. Fraud has potential to occur within or outside of the organisation by Councillors, employees or third parties individually or in collusion with others.

Anti-fraud controls already exist in the organisation in many forms and the intent of the Fraud Management Policy is to capture organisation expectation in a consolidated policy.

Fraud may involve:

- Misappropriation (theft) or wilful destruction (property, records etc);
- Loss of assets;
- Unauthorised use of organisation assets;
- Bribery and corruption;
- Inappropriate relationships with third parties creating conflicts of interest;
- Manipulation, falsification or alteration of records;
- Suppression or omission of the effects or interactions from records;
- Recording interactions without substance;
- Deliberate misapplication of statutory requirements, policies and legitimate direction; and
- Disclosing confidential information to third parties without authority.

Guidelines

The objectives of the organisation in relation to fraud / misconduct are:

- Assignment of a zero tolerance to fraud / misconduct;
- Promotion of an open and transparent culture of communication;
- Encouragement to report of suspected cases of fraud / misconduct; and
- Spread awareness and educate on the risks faced by the organisation.

The Chief Executive Officer (CEO) shall be responsible for reviewing cases of suspected fraud / misconduct and where proven appropriate criminal, statutory or other action as deemed appropriate ensure the following:

- Recording all complaints received on suspected incidents of fraud / misconduct;
- Conduct reviews, inspections and investigations to identify details about the reported incident and clearly identify the perpetrator if possible;

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2.9
Fraud Management

- Make a determination on how to deal with the reported incident taking into account statutory requirements, organisation considerations and any other relevant matter;
- Refer the matter to relevant authorities if required and/or take appropriate disciplinary action;
- Take necessary steps to recover losses and/or misappropriated assets; and
- Report to Council as appropriate.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 JUNE 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.

Additional Superannuation Contributions for Employees

Purpose

To provide definitive advice on additional Superannuation contributions for Employees.

Policy Measures

That the Shire of Northampton will offer an additional Superannuation contribution matched to an employee's own contribution up to a maximum of 6% in addition to providing the compulsory statutory Superannuation contributions.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 20 JUNE 2024
REVIEWED N/A**

NEXT DUE FOR REVIEW 20 JUNE 2029

The Administration of this Policy is by Office of CEO.
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Purpose

To provide guidelines for the acceptable use of Council Information and Communications Technology (ICT) assets by Council Members, employees, contractors and volunteers.

Background and Issues

Acceptable use of the Shire of Northampton's (Shire) information and communication technology resources will underpin the organisation's ability to keep pace, grow and innovate whilst maintaining increased and affordable access to and protection of data and services. Acceptable use of ICT resources and services creates a secure, well managed and more efficient workplace.

Objectives

To support the safe and effective use of Council ICT assets by:

- Controlling risks associated with cyber security threats to Council ICT assets;
- Protecting the privacy of personal information; and
- Preventing inappropriate and unlawful use of ICT assets.

Area of Application

This policy applies to Council Members, Council Employees, ICT providers to Council, Contractors, Volunteers and any other person who is provided access to Council ICT assets.

Policy Measures***1. Business Purposes***

The Shire of Northampton's (Shire) ICT systems and resources are tools to be used for Shire business purposes.

Use of the Shire of Northampton's ICT systems must:

- a) Be for Shire business purposes only, or where authorised or required by law, or with the express permission of an Authorised Person; and
- b) Be used like other business communications and comply with any code of conduct or legislative requirements that apply to the user.

Notwithstanding clause 1(a), users of the Shire of Northampton's ICT systems may use those systems for personal use provided the use is minor and infrequent and does not breach this Policy.

Users must not engage:

- a) In excessive personal use of the Shire's ICT systems during working hours; or
- b) In excessive personal use of electronic communications and the internet using Shire's networks outside working hours.

A breach of either of these constitutes a failure to abide by this Policy.

Minor and infrequent personal use must be conducted as follows: in accordance with this clause:

- a) Subscribing to list servers, mailing lists and other similar services must be for Shire purposes or professional development reasons only; and
- b) Online conferences, discussion groups or other similar services must be relevant and used for Shire purposes or professional development activities. Such interaction requires that internet etiquette should be observed along with current societal standards for respect and fairness.

Obtaining unauthorised access to electronic files of others or to email or other electronic communications of others, is not permitted and may constitute a criminal offence.

Large downloads or transmissions should be minimised to ensure the performance of the Shire's ICT systems for other users is not adversely affected. Where a user has caused the Shire to incur costs for excessive downloading of non-work related material in breach of this policy, the Shire may seek reimbursement or compensation from the user for all or part of these costs or apply other forms of disciplinary action.

2. Shire Property

The Shire of Northampton is the owner of, and asserts copyright over;

- a) All electronic communications created by employees as part of their employment and traverse with the Shire's ICT systems.
- b) All electronic data / information stored on the Shire's ICT systems.
- c) Personal devices if they are fitted with Shire software

Electronic communications created, sent or received by the users referred to in the 'Area of Application' of this Policy are the property of the Shire, and may be accessed as records of evidence in the case of an investigation. All electronic communications are kept for 7 years. Electronic communications may also be subject to discovery in litigation and criminal investigations. Please note that email messages and mobile phone text messages may be retrieved from back-up systems and organisations, their employees and the authors of electronic communications have been held liable for messages that have been sent. This clause is subject to Commonwealth or State law that precludes such access.

3. Monitoring

Use of the Shire's ICT systems may be monitored by Authorised Persons.

Shire employees shall have no expectation of privacy in anything they store, send or receive on the Shire's information systems. The Shire may monitor messages without prior notice. The Shire is not obliged to monitor email messages.

From time to time, Authorised Persons may examine or monitor the records of Shire's ICT systems including for operational, maintenance, compliance,

(ICT) System Acceptable Use

auditing, security or investigative purposes. For example, electronic communications and web sites visited may be monitored. The Shire of Northampton may investigate a complaint arising from the use of the Shire's ICT systems.

Use of the Shire's ICT systems is provided to users on condition that it is agreed that the Shire's ICT systems are monitored in accordance with this Policy. Use of the Shire's ICT systems constitutes consent to monitoring in accordance with this Policy.

If at any time there is a reasonable belief that the Shire's ICT systems are being used in breach of this Policy, the CEO or the Manager of the person who is suspected of using the Shire's ICT systems inappropriately may suspend all or any part of a person's use of the Shire's ICT systems and may require that the equipment being used by the person be secured by the CEO or the manager while the suspected breach is being investigated.

4. Defamation

Electronic communications may be easily copied, forwarded, saved, intercepted or archived. The audience of an electronic message may be unexpected and widespread. The Shire's ICT systems must not be used to send material that defames an individual, organisation, association, company or business. The consequences of a defamatory comment may be severe and give rise to personal and/or Shire of Northampton liability.

5. Copyright Infringement

The copyright material of third parties (for example, software, database files, documentation, cartoons, articles, graphic files, music files, video files, text and down loaded information) must not be used without specific authorisation to do so. The ability to forward and distribute electronic messages and attachments and to share files greatly increases the risk of copyright infringement. Copying material to a hard disk or removable disk, printing or distributing or sharing copyright material by electronic means, may give rise to personal and/or the Shire of Northampton liability, despite the belief that the use of such material was permitted.

The Shire of Northampton supports the rights of copyright owners and does not and will not tolerate reckless or deliberate copyright infringement. Copyrighted material will be deleted if discovered.

6. Illegal Material

The Shire's ICT systems must not be used in any manner contrary to law or likely to contravene the law. Any suspected offender will be referred to the police or other relevant authority and will be viewed as a serious breach of the terms of employment and appropriate action taken.

Illegal or unlawful use includes but is not limited to use of certain types of

pornography (e.g. child pornography), defamatory material, material that could constitute racial or religious vilification, unlawfully discriminatory material, stalking, use which breaches copyright laws, fraudulent activity, computer crimes and other computer offences under various Crimes Acts or any other relevant legislation.

7. *Offensive or Inappropriate Material*

Use of the Shire's ICT systems must be appropriate to a workplace environment. This includes but is not limited to the content of all electronic communications, whether sent internally or externally.

The Shire's ICT systems must not be used for material that is pornographic, h a r a s s i n g , hateful, racist, sexist, abusive, obscene, discriminatory, offensive or threatening. This includes sexually oriented messages or images and messages that could constitute sexual harassment (sometimes referred to as flaming).

All users of the Shire's ICT systems should be familiar with any Shire of Northampton anti-discrimination, equal opportunity and harassment policies.

Users of the ICT systems who receive unsolicited offensive or inappropriate material electronically should notify their Manager. Offensive or inappropriate material received from people known to the receiver should be deleted and the sender of the material should be asked to refrain from sending such material again. Such material must not be forwarded internally or externally or saved onto the Shire's ICT systems except where the material is required for the purposes of investigating a breach of this policy.

8. *Confidentiality*

Electronic communication is not a secure means of communication. While every attempt is made to ensure the security of the Shire's ICT systems, users must be aware that this security is not guaranteed, particularly when communicating to an external party. The sender should consider the confidentiality of the material they intend to send when choosing the appropriate means of communication.

9. *Malicious Software*

Electronic communications are potential delivery systems for various forms of computer viruses. All data, programs and files which are downloaded electronically or attached to messages or imported on any other media (e.g. thumb drives, flashcards, iPods, removable disks, cameras) should be scanned by an anti-virus program before being launched, opened or accessed.

Viruses have the potential to seriously damage the Shire's ICT systems. Do not open any downloaded files, emails or attachments that you are not expecting or that look suspicious. If you receive any files that you suspect contain a virus it should be reported immediately to the ICT Department.

10. Attribution

There is always a risk of false attribution of breaches of this Policy. It is possible that communications may be modified to reflect a false message, sender or recipient. In these instances, an individual may be unaware that he or she is communicating with an impostor or receiving fraudulent information. If a user has a concern with the contents of a message received or the identity of the publisher of the electronic information, action should be taken to verify their identity by other means. If a user believes an electronic communication has been intercepted or modified, the ICT Department should be informed.

Users are accountable for all use of Shire's ICT systems that have been made available to them for work purposes and all use of the Shire's ICT systems performed with their user-ID. Users must maintain full supervision and physical control of the Shire's ICT equipment, including notebook computers and mobile phones at all times. User-IDs and passwords must be kept secure and confidential. User-IDs and passwords should not be disclosed to anyone, including disclosure to Managers or Senior Management. Users must not allow or facilitate unauthorised access to the Shire's ICT systems through the disclosure or sharing of passwords or other information designed for security purposes.

Active connections are to be terminated when access is no longer required and personal computers and devices secured by password when not in use.

11. Mass Distribution and "Spam"

The use of electronic communications for sending junk mail, for-profit messages, or chain letters is strictly prohibited. Mass electronic communications should only be sent in accordance with normal Shire of Northampton procedures.

The use of electronic communications for sending unsolicited commercial electronic messages ('Spam') is strictly prohibited and may constitute a breach of the *Spam Act 2003* (Cth).

12. Records Management

Electronic communications are public records and subject to the provisions of the *State Records Act 2000*.

Shire of Northampton record management practices for management of email messages must comply with Shire policies and guidelines on recordkeeping and management of electronic communications as amended from time to time. Email messages that are routine or of a short-term facilitative nature should be deleted when reference ceases, as distinct from ongoing business records such as policy or operational records.

Retention of messages fills up large amounts of storage space on the network and can slow down performance. As few messages as possible should be

maintained in a user's mailbox.

13. Email Disclaimer

All emails sent externally from the Shire of Northampton will have a disclaimer placed along with the employee's signature. The current disclaimer is worded as follows:

"This e-mail and any attachment(s), is confidential and may be legally privileged. It is intended solely for the recipient(s). If you are not the recipient, dissemination, copying or use of this e-mail or any of its content is prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail, any attachment(s) and any copies. All liability for viruses is excluded to the fullest extent permitted by law. It is your responsibility to scan or otherwise check this email and any attachment(s). Unless otherwise stated (i) views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorised to state those views on behalf of the Shire of Northampton (ii) no contract may be construed by this e-mail. Emails may be monitored and you are taken to have consented to this monitoring."

This disclaimer must not be altered or interfered with in any way, except by the Manager of Corporate Services with approval of the CEO. The use of this disclaimer may not necessarily prevent the Shire of Northampton or the sender of the email from being held liable for its contents.

14. Complaints

If a Shire officer wishes to make a complaint about an electronic communication that is offensive or inappropriate, raise it with the Manager of Corporate Services or the officers direct Manager.

15. Non-Compliance

Depending on the nature of the inappropriate use of the Shire's ICT systems, non-compliance with this Policy may constitute:

- a) A breach of employment obligations;
- b) Serious misconduct;
- c) Sexual harassment;
- d) A criminal offence;
- e) A threat to the security of the Shire of Northampton's ICT systems;
- f) An infringement of the privacy of staff and other persons; or
- g) Exposure to legal liability.

Non-compliance with this Policy will be regarded as a serious matter and appropriate action may be taken.

16. Breaches of this Policy

Breaches of this Policy may be classified using the following categories. The categories do not cover all breaches of this Policy, for example the categories do not specifically refer to breaches of copyright. Matters not covered by the following categories will be dealt with on an individual basis and by consideration of the relevant facts.

Category 1: Illegal

This category covers the following:

- a) Child pornography - offences relating to child pornography as defined **as: "a film, photograph, publication or computer game that describes or depicts a person who is, or appears to be, a minor engaging in sexual activity or depicted in an indecent sexual manner or context."**
- b) Objectionable material - offences relating to the exhibition, sale and other illegal acts relating to **"objectionable films"** and **"objectionable publications"**.
- c) Any other material or activity that involves or is in furtherance of a breach of the criminal law.

Category 2: Extreme

This category involves non-criminal use of material that:

- a) Depicts, expresses or otherwise deals with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that the material should not be classified;
- b) Describes or depicts in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether or not the person is engaged in sexual activity or not); or
- c) Promotes, incites or instructs in matters of crime or violence.

Category 3: Critical

This category involves other types of offensive material including any material that:

- a) Has sexually explicit material that contains real depictions of actual sexual intercourse and other sexual activity between consenting adults;
- b) Involves racial or religious vilification;
- c) Is unlawfully discriminatory;
- d) Is defamatory;
- e) Involves sexual harassment; or
- f) Brings or has the potential to bring the employee and/or Shire of Northampton into disrepute.

Category 4: Excessive personal use during working hours

This category covers personal use that satisfies the following three criteria:

- a) It occurs during normal working hours (but excluding the employee's lunch or other official breaks); and
- b) It adversely affects, or could reasonably be expected to adversely affect the performance of the employee's duties; and
- c) The use is frequent and more than insignificant.

17. Authentication

- a) All passwords/passphrases must expire at regular intervals and have some complexity containing a mixture of numbers, symbols, uppercase and lowercase letters as specified by the ICT Department.
- b) Users must change their password/passphrase when requested by the system or when they feel it may have been compromised.
- c) All passwords/passphrases are to be treated as sensitive, confidential information and must not be shared.
- d) Do not use the 'Remember password' feature of any application for any Shire passwords/passphrases under any circumstances.
- e) Passwords are to be a minimum length of 10 characters.
- f) Paraphrases are to be a minimum length of 14 characters.
- g) Where MFA or 2FA is available to be used for an application or online services, it is mandatory for employees to utilise the authentication method.

18. Remote Access

Remote access is provided to network users by default and by using remote access technology, users must understand that their machines are a de facto extension of the Shire's network, and as such are subject to the same rules and regulations that apply to the Shire's owned equipment. That is, their machines must be configured to comply with this procedure. The employee, contractor, vendor or agent bears responsibility for the consequences if this access is misused.

The following conditions apply to employees, contractors, vendors and agents using remote access:

- a) All requirements outlined in this procedure apply to the use of remote access.
- b) Family members must not violate any of the Shire's policies, perform illegal activities, or use the access for outside business interests. Responsibility rests with the approved user for any consequences that arise from misuse.
- c) The computer that is connected remotely to the Shire's corporate network is not to be connected to any other network at the same time, with the exception of personal networks that are under the complete control of the

- user.
- d) The use of non-Shire email accounts (i.e. Hotmail, Yahoo, and Gmail) or other external resources is not permitted for the conduct of Shire business, thereby ensuring official business is not confused with personal business.
 - e) Non-standard hardware configurations and security configurations for access to hardware must be approved by ICT Department.
 - f) All hosts connected to the Shire's internal networks via remote access technologies must use the most up-to-date anti-virus software. This includes personal computers. Third Party connections must comply with requirements.
 - g) Personal equipment used to connect to the Shire's networks must meet the requirements of the Shire's owned equipment for remote access. ICT Department will provide advice regarding current requirements.
 - h) Organisations or individuals who wish to implement non-standard Remote Access solutions to the Shire's production network must obtain prior approval from ICT Department.

19. Termination of Employment

At the termination of employment of a Shire employee, any Shire owned devices will be cleared by ICT, and communications (e.g. email, mobile phone calls) will be redirected as is deemed appropriate.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 FEBRUARY 2025
REVIEWED N/A

NEXT DUE FOR REVIEW 20 FEBRUARY 2030

The Administration of this Policy is by the Office of CEO.
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**Corporate Policy
2.11
(ICT) System Acceptable Use**

APPENDIX

I, _____(please print) acknowledge that I have received training and understand Corporate Policy **2.11 Information and Communications Technology (ICT) Systems Acceptable Use**.

Signature _____

Date _____

Purpose

To protect the Shire of Northampton's (Shire) information and communications technology (ICT) systems and electronic information from security threats ('information security'). The policy supports Council and community resilience and compliance with obligations in relation to information security.

Background and Issues

As part of the Shire's business, it collects, receives and stores information and data. Given increasing public awareness of data security and privacy concerns, the Shire needs to ensure stringent measures are taken to protect systems and data and to prevent data loss, leakage and/or theft.

Objectives

To protect the Council ICT systems and information by:

- Effectively managing the risks associated with information security threats to Council.
- Responding effectively to information security incidents.
- Continuously improving management of information security risks.

Implementation of the policy does not eliminate risks, however it reduces the likelihood and consequences if a risk materialises.

Area of Application

This policy applies to all ICT assets to the extent that Council has management responsibility or control of those assets and to anyone with access to the Shire's electronic systems, information, software and hardware including Council Members, Council Employees, ICT providers to Council, Contractors, Volunteers and any other person who is provided access to Council ICT assets.

Policy Measures

This policy set out the guidelines to maintain appropriate security if the Shire's systems, networks and data which includes:

- Security Risk Management.
- Information & Data Security.
- Sharing of Information.
- Security of Information.
- Acceptable Use.
- Physical Access Control.
- Monitoring of ICT Systems.
- Security Awareness and Training.

1. Security Risk Management

The identification, assessment and management of Cybersecurity risks are incorporated into the Shire's wider Risk Management policy. As part of that approach, the Shire's ICT Risk Register will include:

- a) Visibility of information security risk across the Shire.

- b) Identification of ICT assets to be protected.
- c) Risk mitigation or recommendations.
- d) Monitoring of risk treatments and their effectiveness.

2. Information & Data Classification

The Shire will classify its data and information as follows:

CONFIDENTIAL – Information whose unauthorised disclosure could reasonably be expected to cause damage to personal/organisation's security.

- Personal – refers to confidential information that is personal in nature, such as:
 - Social Security numbers.
 - Date of Birth.
 - Driver's License Numbers.
 - Home Address and Phone Numbers.
- Sensitive – If disclosed, could reasonably be expected to cause damage to personal or organisation's security.
 - Information that could impair a person's security or well-being.
 - Information that could compromise Shire's business operations.
- Financial – Information related to financial matters such as:
 - Payroll Details.
 - Investments.
 - Debt Levels.
- Restricted / Corporate – Refers to information that is highly sensitive and confidential business or personal data that is subject to strict protection measures.
 - Highly confidential business information.
 - Sensitive information that could have a serious adverse impact if disclosed.

Systems that store and process this information in this category require the most stringent security measures. All employees must take extra care when handling this data or information.

INTERNAL – Data that is only intended for use within the organisation, such as:

- Employee handbooks and policies.
- Internal memos and communications.
- Shire's intranet.

PUBLIC – Data that is freely available and does not require special security measures. It can be openly shared with anyone without additional precautions.

- Community Announcements.
- Government projects.

- Community rules and regulations.
- Shire Staff Members and Departments.

3. *Sharing of Information*

The Shire's users may only share information:

- a) When authorised by the Shire's Executive Team.
- b) When required and permitted by Law.
- c) That is public information or for public distribution.
- d) Where a formal process has been defined.

4. *Security of Information (Preventative Measures)*

The Shire and its Managed Service Provider must ensure:

- a) Provision of a consistent and secure ICT environment across all platforms. This will enable better control over any technical vulnerabilities that are known or that arise.
- b) The provision of up-to-date hardware, including computers, servers and mobile devices, that are procured and installed in consultation with the Shire's Information Technology consultant.
- c) Controls and other preventative measures are in place to avoid Cyber Security Incidents, either as a result of experience from previous Cyber Security Incidents or as a countermeasure or deterrent to likely Cyber Security Incidents.
- d) Security logs are reviewed to identify and manage Cyber Security Incidents and/or breaches in the security of Digital Services, as well as create and manage records and documents associated with Cyber Security Incidents for further analysis.
- e) 2FA is enabled for Office 365 applications and other crucial systems.
- f) A password-protected automated screen-saver lock is implemented in all Shire desktop and laptop computers.
- g) All external logins to the Shire's network are routed via the Shire's Virtual Private Network (VPN).
- h) Access to files on the common and live drives are restricted in accordance with delegation and positional functionality as defined in the Shire's "User Access File Matrix".
- i) All Synergy login ID's have access restricted to modules so that users only have access to applicable information and relevant batch authorisation functionality. "Refer to the "SynergySoft Modules Security Matrix"
- j) Basic proprietary firewall hardware is in place.
- k) Appropriate Antivirus software is in place and kept up to date to detect any malware or similar malicious code.
- l) The Shire uses systems that detect spam, phishing messages, and other malicious emails entering and leaving its email servers to protect against Spam, Phishing attempts and viral outbreaks. The configuration of this software is adjusted to cater to new types of spam, phishing

- attempts, and other forms of malicious email when ITDS is made aware of them. As such, reporting suspicious activity is still vital to this process.
- m) Monitoring of system access logs which may reveal signs of external interference, including foreign interference. This must be reported to the CEO or Executive Management Team immediately.
 - n) The Shire provides information and support relating to Cyber Security, Phishing, and Good Practices.

All users must ensure:

- Confidential and Internal information they have been granted access to is protected.
- The systems to which they have been granted access to are protected.
- The Shire is informed if they suspect their user account or credentials have been compromised or if they have become the victim of a Cyber Attack.
- Passwords meet the level of complexity within industry standards in all authorised passwords. Refer to the Acceptable Use Policy for more details about the Shire's password requirements.
- Computer devices are protected by ensuring unattended devices will not be subject to unauthorised access.
- Any external logon from the Shire's network uses the Virtual Private Network (VPN) logon functionality.
- Suspected Cyber security events or breaches of security protocols are reported to the CEO or Executive Management Team immediately.
- Devices that access the Shire's Information Technology environment are virus-free, have up-to-date antivirus/malware software installed, and will not circumvent or compromise any security controls.
- Appropriate levels of care and caution are exercised to prevent unauthorised access to all Digital Services (see the Digital Information Security Policy).
- Appropriate levels of care and caution are exercised to maintain the security of confidential and sensitive information and protect all authorised users' privacy.
- Awareness that where remote access is provided, such access is subject to the "Information Technology Use Policy" and access to this functionality may be subject to review.

5. Security Awareness and Training

To improve staff awareness of cyber-related risks, the Shire may provide Cyber Awareness Training.

- a) All staff must attend Cyber Training sessions provided by the Shire.
- b) Exceptions for attendance may only be provided by the CEO.

6. Acceptable Use

Access to information and ICT resources must only be granted to Councillors,

Employees and contractors who have been identified in accordance with the Shire's *ICT 3.4 Systems Acceptable Use Policy*.

7. Physical Access Control

All ICT Systems or ICT Assets identified as critical must be physically protected in secure areas from unauthorised access in accordance with *Physical Access Control Policy*.

8. Monitoring of ICT Systems

The Shire may conduct surveillance of any User's activity on its ICT Systems without providing any notice to the Users. The Shire may retain records of any User's activity. The Shire may disclose these records:

- a) For any purposes related to the activities of the Shire, related to the employment or engagement of any User.
- b) To a law enforcement agency in connection to any offence or alleged offence.
- c) In connection with legal proceedings.
- d) As reasonably necessary to avert an imminent injury to a person or any damage to property.

The Shire reserves the right to:

- a) View the information hosted on the Shire's ICT Systems, including information which has been deleted.
- b) Monitor and record information and activities on the Shire's ICT Systems (including emails, access to internet sites and social media).
- c) Block emails or access to the internet or any internet site.
- d) Restrict or revoke a User's access to the Shire's systems.

9. Policy Violations

Violations of this policy may result in disciplinary action, up to and including termination of employment or legal action, depending on the severity and impact of the violation.

10. Reporting And Violation

Users are encouraged to report any suspected violations of this policy to their manager or their supervisor.

11. Review And Revision

This policy will be reviewed regularly to ensure its effectiveness and relevance. Amendments may be made as necessary to address changing circumstances or technology.

12. DEFINITIONS

Terms	Definition
ICT Asset	Any physical or logical computing device either owned, leased, or used by the Shire to store, process or communicate electronic information.
Technology Systems	Any systems used by the Shire to store electronic data and information.
Confidential Information	Information whose unauthorised disclosure could reasonably be expected to cause damage to personal/organisations security.
Internal Information	Data that is intended for use within the organisation.
Public Information	Data that is publicly available and does not require special security measures.
Risk Register	A strategic log that lists all potential threats that could impact an organisation's operations, reputation, and compliance. It guides through the complexity of risks, organises and prioritises risks and enables a structured response strategy.
Information Security	The practice of protecting information assets from unauthorised access, use, disclosure, disruption, modification, or destruction to ensure confidentiality, integrity, and availability.
Privacy	Protecting personal and sensitive information from unauthorised access, use, disclosure, or misuse, ensuring compliance with privacy regulations and safeguarding individuals' privacy rights.
Threats	Potential events or circumstances that can exploit vulnerabilities in an organisation's systems, networks, or processes, leading to harm or damage to information assets.
Risk Mitigation	The process of identifying, assessing, and implementing measures to reduce the impact or likelihood of risks and threats, aiming to prevent or minimise potential harm to an organisation's operations and assets.
Virtual Private Network	A Virtual Private Network (VPN) is a technology that creates a secure, encrypted connection over a less secure network, such as the internet. It allows users to send and receive data across shared or public networks as if their computing devices were directly connected to a private network. This helps ensure privacy and protects sensitive data from eavesdropping, interference, and censorship

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 FEBRUARY 2025
REVIEWED N/A

NEXT DUE FOR REVIEW 20 FEBRUARY 2030

The Administration of this Policy is by the Office of CEO.
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APPENDIX

ACKNOWLEDGEMENT

I, _____ (please print) acknowledge and confirm that I have read, understood and agree to adhere to the Shire of Northampton's ***2.12 Cyber Security Governance Policy***.

Signature _____

Date _____

Purpose

This policy serves as a framework for the Shire's commitment to effective internal controls, encompassing financial and non-financial matters, to ensure efficient management and safeguarding of resources.

Background

The implementation and maintenance of systems and processes are crucial for ongoing assessment and improvement of internal controls in alignment with ISO31000 and the Shire's Risk Management Framework.

Internal control is not limited to financial matters. An effective internal control environment provides the means by which the Shire can successfully address and mitigate any risks.

Objectives

This policy is intended to guide employees and contractors who use social media as part of their job or in a personal capacity. It applies anytime an employee is using social media in relation to:

- The Shire of Northampton;
- Its products or services;
- Its people; and
- Its competitors and/or other business-related individuals or organisations.

Depending on the circumstances, non-compliance with this policy may be a breach of employment, misconduct, harassment, discrimination, bullying or some other unlawful behaviour.

Those who fail to comply with this policy may be subject to disciplinary action, up to and including termination of employment.

Personal and professional use of social media by the Shire of Northampton employees and contractors must not:

- Bring the Shire of Northampton into disrepute;
- Imply the Shire of Northampton's endorsement of personal views;
- Disclose confidential information;
- Make disparaging or derogatory comments of the Shire of Northampton, colleagues, customers, clients or competition; or
- Compromise effectiveness at work (e.g. through excessive use).

Area of Application

This policy applies to all Council Members, Executive Managers, and Workers, providing guidance for effective management and resource utilisation.

Policy Measures

The internal control policy aims to minimise or contain internal risks within acceptable levels, as outlined in the Shire's Risk Management Policy. The CEO has delegated responsibility for operational and financial management, ensuring the establishment and maintenance of effective internal controls.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- a) Staffing and segregation of duties;
- b) Information Technology;
- c) Documented procedures and processes covering the recording, reporting and authorisation of transactions;
- d) Monitoring performance and adherence; and
- e) Legislative activities.

1. KEY FOCUS AREAS

- a) Plan for the future; ensure efficient monitoring and reporting of Council's Strategic Community Plan objectives;
- b) Accuracy and Reliability – maintain accurate reporting to facilitate informed decision-making;
- c) Compliance – ensure adherence to relevant legislation and regulations;
- d) Asset Protection – secure assets from unauthorised use;
- e) Record Integrity – maintain complete, secure and reliable records;
- f) Risk Mitigation – identify, assess and mitigate risks; and
- g) Accountability and Transparency – establish strong internal controls fostering community trust and confidence.

2. INTERNAL CONTROL

Effective internal control involves:

2.1 Establishing an appropriate control environment

Emphasise compliance with policies, codes of conduct, directives, procedures and values, supported by adequate training and technology usage.

2.2 Assessment of Risks

Adopt a proactive risk management approach, regularly reviewing and identifying risks in accordance with the Shire's Risk Management Framework and Risk Management Policy.

2.3 Implementation of Control Activities

Implement preventative, detective, and directive control measures below.

- a) Preventative Control Measures such as training programs, improvement and thorough review of contract conditions; regular

review of policies and procedures, and security to avoid undesirable events from occurring.

- b) Detective Control Measures such as audits, review and reconciliation processes to detect and subsequently correct undesirable events that have already occurred.
- c) Directive processes such as Business Continuity Plans, Disaster Recovery Plans, insurance, education and disciplinary procedures to encourage continuity and mitigation of risk.

2.4 Information and Communication

Ensuring clear communication about internal controls throughout the Shire which includes documenting procedures, staff training and keeping everyone informed about updates.

2.5 Monitoring and Review Activities

Successful internal control implementation is indicated by:

- a) Risk management reviews undertaken annually by the Local Government Insurance Scheme (LGIS);
- b) Completion of the Compliance Calendar on a quarterly basis; and
- c) Completion of the annual Compliance Audit Return.

3. OUTCOMES

Successful internal control implementation is indicated by:

- a) Efficient resource utilisation;
- b) Timely detection and correction of anomalies;
- c) Asset protection and authorised use;
- d) Integrity and accessibility of records; and
- e) Effective risk containment.

4. ROLES AND RESPONSIBILITIES

4.1 Council

Council is responsible overseeing the Internal Control Policy.

4.2 Chief Executive Officer (CEO)

The CEO is accountable to Council for developing and implementing effective systems, promoting best practices and reporting to Council on internal control effectiveness.

4.3 Workers

Workers are responsible for adhering to internal control policies and procedures reporting inadequacies to management.

Reference Information

- Introduction to Local Government Accounting – 4.4 Internal Control and Risk

- Management (Department of Local Government, Sport and Cultural Industries);
- Integrated Planning and Reporting – Long Term Financial Plan Guidelines (Department of Local Government);
 - Local Government Operational Guideline No. 9 – Audit in Local Government (Department of Local Government, Sport and Cultural Industries);
 - Shire of Northampton Register of Delegations, Authorisations and Appointments;
 - Shire of Northampton 2.3 Purchasing Policy; and
 - Shire of Northampton 2.13 Risk Management Policy.

Legislation

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996.*
- *Local Government (Audit) Regulations 1996*
- *Financial Management Act 2006*
- *State Records Act 2000.*
- *Local Government (Miscellaneous Provisions) Act 1960;*
- *Planning and Development Act 2005, sections 214(2), (3) and (5).*

Associated Documents

- Shire of Northampton Employee Code of Conduct
- Shire of Northampton 1.4 Councillor Training and Professional Development Policy
- Shire of Northampton 2.13 Risk Management Policy

DEFINITIONS

Terms	Definition
Detective Controls	An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.
Internal Control	A comprehensive process supported by policies, procedures and practices, ensuring objectives related to operations, financial data and compliance are achieved.
ISP documents	Integrated Strategic Planning documents comprising of the Council's Strategic Community Plan and other plans that guide the Shire's operations.
Preventative Action	A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard or weakness in a system. Preventative action can include ways to improve an organisation's workflow or situation.

Preventative Controls	Attempt to prevent or control undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error or omission.
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Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 20 FEBRUARY 2025
REVIEWED N/A

NEXT DUE FOR REVIEW 20 FEBRUARY 2030 (or earlier if required)

The Administration of this Policy is by the Office of CEO.
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Purpose

To ensure a consistent and transparent approach is applied to setting lease terms, lease fees and maintenance responsibilities to all Shire of Northampton land and building leases.

Background and Issues

The Shire of Northampton leases land and buildings to various community groups, clubs and recreational bodies and commercial enterprises.

Objectives

To provide a consistent approach to setting lease terms, lease fees and maintenance responsibilities.

Area of Application

This policy applies to all Shire of Northampton land and building leases, excluding residential tenancy agreements.

Policy Measures

1. Council approval is required for each new lease, the lease agreement is then finalised with standard lease conditions to the satisfaction of the Chief Executive Officer. Lessee requests to exercise renewal options included in the lease do not require further Council approval.
2. Lease preparation fees are to be met by the Lessee, either in accordance with the annual fees and charges adopted by Council and/or the recouping of outgoing expenses. Leases bound by the *Commercial Tenancy (Retail Shops) Agreements Act 1985* are an exception and will not be charged lease preparation fees in accordance with section 14(b) of the Act.
3. Lessees may elect for the lease to be registered on the land title at their expense.
4. Terms and conditions for Commercial leases are to be negotiated on a case by case basis taking into consideration:
 - a) current market conditions;
 - b) existing condition of the property;
 - c) Shire outgoing expenses;
 - d) annual lease fee to be set by Council based on a market value established by the Valuer General's Office;
 - e) annual lease fee to be reviewed annually with Consumer Price Index (CPI) adjustments and at the end of each term by a market valuation; and
 - f) minimum five year lease term where the *Commercial Tenancy (Retail Shops) Agreements Act 1985* applies.

**Corporate Policy
2.14**

Property Leasing

5. Leases to government authorities and some service providers are to be negotiated on a case by case basis.
6. A licence to occupy may be considered as an alternate arrangement to a lease in certain situations for the non-exclusive use of land or buildings. A licence to occupy will generally follow the guidelines of this policy, assessed on a case by case basis.

7. Terms and conditions for leases to community organisations are to be in accordance with the following table, unless alternate terms and conditions are negotiated and approved by Council.

Leases to Community Associations

Building Tenure	Lease Fee	Lease Term	Lessee Responsibilities
Buildings and improvements owned by a community association on Shire managed land.	\$10 per annum, payable on demand (equivalent to a peppercorn rental) for organisations with a minimal income earning capacity.	Five years, with a five year renewal option, for minor buildings and improvements. (Examples: community gardens and shipping containers for recreational storage.)	Full responsibility for maintenance, insurance and all expenses related to buildings and improvements owned by the Lessee.
Lessee's equity in and therefore responsibility for the building is acknowledged and the lease is for the land only.	\$100 per annum for organisations that have licensed premises with potential to earn income.	Ten years, with a ten year renewal option, for buildings of significant type and function, such as recreational clubrooms. 20 years minimum for aged persons' accommodation to reflect the long-term residential use of the property.	Utility charges (rates/service charges, usage charges and all other expenses). Terms and conditions of the lease also apply to associated assets outside of the lease area.*

Corporate Policy
2.14
Property Leasing

Buildings and improvements owned or managed by the Shire and leased to a community association.	\$10 per annum, payable on demand (equivalent to a peppercorn rental) for organisations with a minimal income earning capacity. \$200 per annum for organisations that have licensed premises with potential to earn income.	Five years, with a five year renewal option.	See following Maintenance Responsibilities Schedule. Minor variations to this schedule may occur, due to the nature of the lease and existing condition of the building, to the satisfaction of the Chief Executive Officer. Full responsibility for maintenance, insurance and all expenses related to assets and improvements owned by the Lessee. Terms and conditions of the lease also apply to associated assets outside of the lease area.*
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* Improvements/Assets outside of a lease area including, but not limited to, utility connections, plumbing, waste pipes, drains, septic systems, light poles, signage, football goal posts, football dugouts, oval lights, scoreboards, oval fencing and like improvements and assets.

Maintenance Responsibilities Schedule

Buildings owned or managed by the Shire and leased to community associations.

In accordance with the lease agreement, at their own expense the Lessee shall at all times:

1. maintain the premises in a good condition to the satisfaction of the Shire, including maintenance and repairs not attributable to fair wear and tear, unless specified in the table below;
2. not make alterations, additions or modifications to the premises without first seeking the consent of the Shire;
3. be responsible in part or whole as determined by the Shire for the costs of repairs or replacement required due to misuse, modifications by the Lessee, maintenance neglect or other negligence; and
4. advise the Shire promptly of all damage sustained to the premises.

The Shire will:

1. carry out structural maintenance and repairs to the building at the Shire's discretion in accordance with the annual budget adopted by Council;
2. conduct capital works and upgrades in accordance with the budget adopted by Council;
3. be responsible for building insurance, unless otherwise negotiated according to the use and lessee's potential to earn income; and
4. recoup expenses from the Lessee when applicable, relating to the Lessee responsibilities in the table below or damage due to misuse, negligence and modifications.

Definitions:

Maintenance: Routine upkeep of the building/assets and regular ongoing work necessary to retain operational status. eg: repairs to fittings, periodic painting.

Renewal/Refurbishment: Restore, rehabilitate, replace existing asset to its original capacity. Includes repairs required due to normal wear and tear, age, structural faults etc and replacement of assets at the end of expected life span.

Upgrade/Improvements: Enhance existing asset to provide higher levels of service.

Maintenance Item		Lessee Responsibility	Shire Responsibility
1	Appliances, fixtures and fittings (existing; eg: air conditioner and heating units)	• Maintenance in accordance with manufacturer's standards. • Clean and change filters as required. • Service and repair when required.	• Renewal and upgrade as determined by Council.
2	Appliances, fixtures and fittings (Lessee installed)	• Full responsibility. • Shire approval required prior to installation.	• No responsibility.

**Corporate Policy
2.14
Property Leasing**

Maintenance Item		Lessee Responsibility	Shire Responsibility
3	Building External	• Keep in a clean and tidy state at all times. • Maintenance.	• Renewal and upgrade as determined by Council.
4	Cleaning	• Keep all areas in a clean and hygienic state at all times, including walls, ceilings, windows, floors, fixtures and fittings. • Compliance with the Health Act and Health Local Law.	• No responsibility.
5	Doors and security screens	• Maintenance. • Renewable due to foreseeable misuse.	• Renewal and upgrade as determined by Council.
6	Doors (automatic)	• Servicing, twice per year by an approved person. • Maintenance.	• Renewal and upgrade as determined by Council.
7	Electrical wiring and fittings	• Maintenance and renewal of all electrical fittings, such as power points, light switches, light fittings and globes.	• Maintenance and renewal of building wiring from main supply to switchboard and to fittings.
8	Fire extinguishers and all fire equipment	• Annual costs associated with inspection, servicing, maintenance and refilling.	• Arrange annual servicing to all fire equipment – recoup cost from Lessee. • Renewal and upgrade as determined by Council.
9	Floor surfaces and coverings	• Regular cleaning and maintenance in accordance with the requirements of the type of the surface/covering. • Carpets to be professionally cleaned when required. • In food premises the food handling areas are to comply with the Food Act and to meet the relevant Food Safety Standard.	• Renewal and upgrade as determined by Council.
10	Food handling areas and equipment	• Maintenance. • Renewal due to misuse or neglect. • Compliance with legislation, including Food Act 2008, Food Regulations 2009, Food Standards Code and Health Local Law. • Benches, cupboards and other fittings must be cleaned and maintained in a sound working condition at all times. • Ovens, refrigerators, fans, hot water systems and other appliances and equipment to be cleaned and maintained in accordance with manufacturer standards and legislation. • Full responsibility for Lessee owned appliances, including compliance with legislation. • Shire approval required prior to installation of additional fittings, alterations and appliances.	• Renewal and upgrade as determined by Council.
11	Gardens and Surrounds	• Mow grass, prune, weed, water and maintain gardens. • Maintenance of improvements, such as fences and footpaths. • Maintenance of reticulation where installed. • Shire approval required prior to removal of trees, planting new trees or new species.	• Maintain trees to a safe standard. • Renewal and upgrade of improvements as determined by Council.

Corporate Policy
2.14
Property Leasing

Maintenance Item		Lessee Responsibility	Shire Responsibility
12	Gutters and downpipes	• Clean as needed, minimum once per year.	• Maintenance, renewal and upgrade as determined by Council.
13	Keys, Locks and Door Hardware	• Responsible for keys issued by Shire. • Maintenance of locks and hardware. • Cost of additional keys requested by Lessee. • Cost of replacement locks, keys and hardware due to loss or misuse.	• Purchase and install all locks. • Renewal and upgrade as determined by Council. • Recoup costs from Lessee when applicable.
14	Painting	• Internal and External painting, minimum once during each 10 years or at end of lease. • Paint and colour to be approved by Shire.	• No responsibility.
15	Pest Control	• All areas are to be kept in a clean and hygienic state, free from pests and vermin. • Maintenance and renewal of assets attributable to neglect of pest control.	• No responsibility. • Recoup costs from Lessee if inspection or treatment is arranged by Shire. • Termite inspections, annually unless otherwise agreed. Conducted by a licensed pest control operator with certification to be provided. • Treatment for termites when required.
16	Plumbing and fixtures	• Maintenance, ensure all taps and water outlets are in good working order. • Renewal of minor fixtures and fittings, such as taps. • Shire approval required prior to installation of new plumbing and fixtures.	• Renewal and upgrade as determined by Council.
17	Plumbing waste pipes and drains	• Clear and repair if blocked. • Maintenance and cleaning of grease traps. • Maintenance and renewal due to misuse.	• Maintenance, renewal and upgrade as determined by Council.
18	Roof	• No responsibility except in the event of misuse or damage by the Lessee.	• Maintenance, renewal and upgrade as determined by Council.
19	Septic Systems	• Septic system pump outs on a regular basis according to use.	• Maintenance, renewal and upgrade as determined by Council.

**Corporate Policy
2.14
Property Leasing**

20	Skylights	No responsibility except in the event of misuse or damage.	Maintenance, renewal and upgrade as determined by Council.
Maintenance Item		Lessee Responsibility	Shire Responsibility
21	Utilities	Connection, disconnection, rates/service charges, rental, usage charges, maintenance, service, testing and other expenses associated with water, electricity, gas and telephone services.	- No responsibility. - Recoup utility expenses from Lessee when applicable.
22	Vandalism	- Removal and repair of minor vandalism; up to the value of \$300 per incident. - Minor vandalism to be removed within 48 hours of discovery.	Repairs required due to major vandalism not attributed to the actions of the Lessee or any agent or visitor of the Lessee, as determined per incident and above \$300. Recoup \$300 per incident from Lessee.
23	Walls and Ceilings	Renewal if damaged due to misuse, negligence and unapproved modifications.	Maintenance, renewal and upgrade as determined by Council.
24	Windows/Glass	Replace broken glass, except when broken as a result of vandalism and cost is greater than \$300.	Replace glass broken as a result of an act of vandalism, when the cost of repairs is greater than \$300. Recoup \$300 per incident from Lessee.
25	Window treatments, where fitted	Maintenance.	Renewal and upgrade as determined by Council.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 18 JULY 2024
MODIFIED 20 FEBRUARY 2025**

NEXT DUE FOR REVIEW 20 FEBRUARY 2030

The Administration of this Policy is by Office of CEO.

Purpose

To outline the Shire of Northampton's (Shire) key commitments to risk management, including its approach to identifying, assessing and managing risk and opportunities associated with Council services, operations and facilities.

The aim of the Policy is to ensure a greater consistency of informed management decision making and the subsequent alignment of management and operational resources.

Background

The Shire may be exposed to a broad range of risks which could adversely affect its operations and impact the achievement of strategic, operational and community objectives.

The Shire is therefore committed to organisation-wide risk management principles, systems and processes that ensure consistent and effective assessment of risk in all planning, decision-making and operational processes.

Objectives

The objectives of this Policy and its associated documents is to;

- a) To create an environment where Council, Executive Managers, and Workers accept direct responsibility for risk management, through development, implementation of and maintaining effective risk management practices.
- b) To develop and maintain an organisational culture which shows confidence in the use of risk assessment and management tools in:
 - i. the effective and efficient delivery of agreed levels of service;
 - ii. maintaining financial sustainability;
 - iii. developing and maintaining an effective and positive relationship between Council and the community;
 - iv. enabling the Council in partnership with the community, to make decisions for the community's future with a high level of confidence that key risks have been taken into account and where relevant, are being, or have been, mitigated;
 - v. to ensure that appropriate risk assessment and management provisions are in place in order to satisfy statutory requirements and identified risks mitigated.
- c) To commit to organisation-wide risk management principles, systems and processes that ensure consistent, efficient, and effective assessment of risk in all planning, decision making and operational processes.
- d) Ensure public safety within the Shire's district is not compromised.
- e) Achieve organisation goals and objectives
- f) Support the ongoing health and safety of all workers at the workplace
- g) Limit loss or damage to property and other assets
- h) Limit interruption to business continuity
- i) Ensure through collaboration of the Council and the Administration that there is a positive public perception of the Council and the Shire

- j) Apply equal opportunity principles in the workforce and the community.

Area of Application

This Policy applies to all risk processes within the Shire and is subject to regular monitoring through the Audit and Risk Committee and Council. This policy applies to all activities undertaken by Members and Workers.

Policy Measures

Risk management is the responsibility of everyone and will be treated as an integral part of the Shire's corporate governance, culture, policies and procedures.

It outlines the requirements and responsibilities for Council, Councillors, Council staff, volunteers, contractors and special committees and emphasises that management of risk and the reporting on risk is everyone's responsibility.

The Shire recognises that risk management responsibility for managing specific risks lies with the person who has the responsibility for the function, service or activity that gives rise to that risk.

Risk Management Framework (RMF)

The Shire considers risk management to be an essential management function in its operations. The Shire is committed to the principles, framework and process of managing risk as outlined in AS/NZS ISO 31000:2018.

The Shire will have in place a Risk Management Framework that underpins the principles of effective risk management and provides guidance to Council, Members, Workers and the community. The framework will be subject to regular reviews every three years to coincide with the Audit Reg 17 review to be undertaken in accordance the Local Government (Audit) Regulations 1996.

Principles (refer to RMF)

The risk management framework contains key principles for effective risk management that are to be considered when identifying, assessing, or managing risk.

The Shire will consider these key principles for effective risk management.

Procedures (refer to RMF)

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making through all levels of the Shire in relation to planning or executing any function, service or activity.

In particular it will be applied to:

- a) Strategic Planning;
- b) Expenditure of large amounts of money;
- c) New strategies, plans and procedures;
- d) Management of procurement, projects, business cases or other proposals;
- e) Introducing change management; and
- f) The management of sensitive issues.

Responsibilities (refer to RMF)

- a) Council is committed morally and financially to the concept and resourcing of risk management.
- b) It is the responsibility of every department to observe and implement this policy in accordance with procedures and initiatives that are developed by management.
- c) Executive Managers, Line Managers, Coordinators, and Supervisors have the responsibility and accountability for ensuring that:
 - i. all workers manage the risks within their own work areas. Risks should be anticipated and reasonable protective measures taken.
 - ii. they encourage openness and honesty in the reporting and escalation of risks.
- d) All Workers will:
 - i. be encouraged to alert management to the risks that exist within their area, without fear of recrimination.
 - ii. after appropriate training and induction, adopt the principles of risk management and comply with all policies, procedures and practices relating to risk management.
 - iii. as required, conduct risk assessments during the performance of their daily duties.
 - iv. will acknowledge the level of sophistication of the risk assessment will be commensurate with the scope of the task and the associated level of risk identified.
- e) Failure by Workers to observe reasonable directions from Executive Managers/Line Managers or Supervisors regarding the management of risks and/or failure of workers to take reasonable care in identifying and treating risks in the workplace may result in disciplinary action.

Monitoring and Reporting (refer to RMF)

The Shire will implement a robust reporting and recording system that will be regularly monitored to ensure close out of risks and identification of ongoing issues and trends.

Risk Management key performance indicators, as part of a risk register for the Shire, relating to organisational and personal performance will be developed, implemented and monitored by the Shire.

The Shire will report and provide regular updates to the Audit and Risk Committee and any risks that are rated significant or extreme will be reported to the Audit and Risk Committee and Council at the earliest opportunity.

Reference Information

- AS/NZS ISO 31000:2018 Risk Management Guidelines
- Risk Management Resources (Department of Local Government.
- Internal Control Policy
- Legislative Compliance Policy

Associated Documents

Risk Management Framework

Appendix A – Risk Tables (from Risk Management Framework)

Shire of Northampton Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$2,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$2,001 - \$20,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$20,001 - \$100,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$100,001 - \$1,000,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$1,000,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Shire of Northampton Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Shire of Northampton Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Shire of Northampton Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Shire of Northampton Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	- Processes (Controls) operating as intended and aligned to Policies / Procedures. - Subject to ongoing monitoring. - Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement.	- Processes (Controls) generally operating as intended, however inadequacies exist. - Nil or limited monitoring. - Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	- Processes (Controls) not operating as intended. - Processes (Controls) do not exist, or are not being complied with. - Have not been reviewed or tested for some time.

DEFINITIONS

Terms	Definition
Act	<i>Local Government Act 1995</i>
Audit and Risk Committee	Committee established un section 7.1A of the <i>Local Government Act 1995</i>
CEO	Chief Executive Officer
Council	The local government responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the Shire's Standing Orders.
Executive Managers	Senior Employees that Council resolves to designate in accordance with Section 5.37 of the <i>Local Government Act 1995</i> .
Members	In relation to Council or Committee, a Council Member in the Act, Elected Member, or Councillor or a member of the committee.
Risk	Effect of uncertainty on objectives.
Regulations	Local Government (Administration) Regulations 1996
Risk	"The effect of uncertainty on objectives" – AS/NZA ISO 31000:2018. A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.
Risk Assessment	The process of applying risk management methodologies to assess the level of risk in a particular or general circumstance, activity or operation or decision.
Risk Management	The application of coordinated activities to direct and control an organisation regarding risk.
RMF	Risk Management Framework
Shire	The Shire of Northampton
Workers	Employees, contractors and volunteers as per the <i>Work Health and Safety Act 2020</i> (WHS) legislation



Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 17 JUNE 2022
REVIEWED 20 FEBRUARY 2025**

NEXT DUE FOR REVIEW 20 FEBRUARY 2030 (or earlier if required)

The Administration of this Policy is by the Office of CEO.



APPENDIX

ACKNOWLEDGEMENT

I, _____ (please print) acknowledge and confirm that I have read, understood and agree to adhere to the Shire of Northampton's **2.15 Risk Management Policy.**

Signature _____

Date _____

Purpose

The Shire of Northampton (Shire) is committed to upholding its legal and regulatory obligations in alignment with its values, objectives, and community expectations. Through proactive measures, continual improvement, and collaboration, we ensure compliance with legislative requirements while fostering a culture of integrity and accountability.

Background

A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.

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

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

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

Objectives

The objectives of this policy are:

- a) to ensure a commitment to compliance is communicated widely to all Workers and relevant interested parties in clear and convincing statements supported by action.
- b) to meet the requirements of regulatory and legislative requirements including a commitment to continual improvement of the Shire's compliance management system.
- c) to align with the Shire's compliance obligations, governance and risk management framework, integrating legislative requirements into the Shire's operations while considering compliance management practicalities and risk management practices.
- d) to align with the Shire's values, objectives and strategy contained in the Strategic Community Plan.

Area of Application

This policy applies to all Members and Workers of the Shire of Northampton.

Policy Measures

The Shire of Northampton recognises the importance of compliance with legislative requirements to maintain trust and meet community expectations. We aim to cultivate a compliance culture that empowers all Members and Workers to fulfill their obligations while aligning with our strategic objectives and capabilities.

1. Responsibilities

- a) Members and workers have a responsibility to be aware of and abide by legislation applicable to their role.
- b) The Shire shall have systems in place to ensure that Members and Workers are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their role, within its financial capacity to do so.

2. Management Strategies and Allocation of Responsibilities and Resources

- a) The Shire will maintain a compliance calendar to set objectives, identify obligations, and assess compliance risks. Regular reviews will ensure the currency of the calendar, incorporating relevant legislation and updates from authoritative sources.
- b) The Office of the CEO will oversee the implementation of legislative obligations, ensuring clear lines of responsibility.
- c) Executive Managers will support the CEO in executing compliance strategies within their respective domains.
- d) Members and Workers will receive ongoing training and resources to stay updated on relevant legislation.
- e) The Executive Management Group will review accidents, incidents, complaints, and audit reports to identify compliance gaps and facilitate improvements.

3. Compliance Obligations

The most obvious compliance obligations affecting the Shire arise from legal and regulatory contexts that the Shire operates in however, obligations or risks can also arise from other factors such as the Strategic Community Plan that outlines the objectives of the community. The Shire shall maintain awareness of regulatory and legislative requirements through various channels including:

- a) utilisation of government websites for up-to-date legislation;
- b) membership in professional groups and attendance at industry forums;
- c) meeting with the DLGSC and other regulators;
- d) arrangements with legal advisors; and
- e) subscription to relevant information services and consultation with external and internal stakeholders.

4. Other Compliance Matters

In addition to regulatory and legislative obligations, the Shire will adhere to:

- a) agreements with community groups or non-governmental organisations;
- b) agreements with public authorities and ratepayers;
- c) organisational requirements through local laws, policies, procedures, and directives;
- d) principles or codes of practice;
- e) obligations arising from contractual arrangements with the Shire; and
- f) relevant organisational and industry standards.

A risk-based approach through the Shire's risk management framework will ensure the effective management of compliance obligations.

5. Non-Compliance

In the event of nonconformity or noncompliance, the Shire will take immediate action to control and correct the issue to:

- a) ensure that Workers report all instances of non-compliance to the relevant Manager. The Manager shall then evaluate the root causes and determine what corrective actions are to be implemented to prevent recurrence the appropriate response and report the matter to the CEO.
- b) ensure that in cases where a Member becomes aware of non-compliance, they report the matter to the Shire President, who will then determine the appropriate response and liaise with the CEO regarding the matter.
- c) investigate any reports of significant non-compliance through the Office of the CEO, and if necessary, report the non-compliance to the Council and/or the relevant government authority if required.
- d) take corrective action through the documentation of all non-conformities and the corrective actions for review and process improvement to be implemented through operational procedures and processes, including training.

6. Compliance And Review

This policy will undergo regular review to ensure alignment with legislative requirements, industry standards, and best practices. Members and Workers will be informed of any updates through standard communication channels.

7. Implementation

This policy will be disseminated to all employees, elected officials, contractors, volunteers, and stakeholders of the Shire to ensure widespread understanding and adherence.

Reference Information

- Local Government Regulatory Compliance Framework (DLGSC)

Legislation

- *Local Government Act 1995*
- *Local Government (Audit) Regulations 1996*
- *Work Health and Safety Act 2020*
- *Work (Health and Safety) General Regulations 2022*

Associated Documents

- Register of Delegations
- Governance Framework
- Risk Management Framework
- Risk Management Policy

DEFINITIONS

Terms	Definition
Compliance culture	Values, ethics, beliefs and conduct that exist through the Codes of Conduct of the Shire and interact with the Shire's structures and control systems to produce behavioural norms that are conducive to compliance.
Compliance risks	Likelihood of occurrence and the consequences of noncompliance with the Shire's compliance obligations.
Conduct	Behaviours and practices that impact outcomes for customers, workers, suppliers, markets and communities.
Interested parties	Person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity.
Non-compliance	Non-fulfilment of compliance responsibilities.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 17 JUNE 2022
REVIEWED 20 JUNE 2024
UPDATED 20 FEBRUARY 2025**

NEXT DUE FOR REVIEW – Annually with review of Delegation Register

The Administration of this Policy is by the Office of CEO.

Purpose

The Shire of Northampton is committed to providing an accessible, consistent and responsive process for managing complaints that promotes organisational learning and continuous improvement of the Shire's services.

Background

It is important to differentiate between a "customer request" for service and a "complaint".

A "customer request" is part of the normal business operation of the Shire (such as noise levels, dangerous dogs, potholes, grading, flooding, rubbish bins, stray animals, vegetation overhanging fence lines etc.).

A "complaint" is an expression of dissatisfaction made to an organisation, related to its products, or the complaints management process itself, where a response is explicitly or implicitly expected.

A "complaint" may result from failure to respond to a customer request in a reasonable time or to a suitable standard. A "complaint" may also concern the behaviour of Councillors, employees, Shire contractors, the failure to meet service standards or dissatisfaction with a decision of the Council (such as due process not followed, or Council acted beyond its powers).

Objectives

The key objective of this policy is to provide a mechanism by which complaints can be amicably resolved. The features of an effective complaints management system should reflect:

- Visibility
- Accessibility
- Responsiveness
- Free of charge
- Objectivity
- Confidentiality
- Customer focused
- Continuous improvement
- Accountability

The principle of natural justice is supported. Complaint investigations and resolutions are to be fair, accessible and responsive with each case considered on its merits, paying due care to individual differences and needs. There should be no conflict of interest arising.

The complaint management system also provides staff with guidance in handling

nuisance or vexatious complaints or unreasonable conduct by complainants.

Area of Application

This policy applies to the Chief Executive Officer (CEO), employees, Council members, committee members and candidates and any other person who submits a complaint in accordance with this policy.

This policy does not apply in the following situations where other restitution methods are available to complainants:

- Complaints about Councillors where specifically covered by Councillor conduct provisions of the *Local Government Act 1995* or Council Policy 1.4 *Councillor Training and Professional Development*;
- Complaints about decisions of the Council where the complainant has a right of appeal to the State Administrative Tribunal;
- Specific matters whereby remedies are available under other legislation;
- Appeals for infringements where an appeals committee exists;
- Any matters currently before the Department of Local Government and Communities, a court, ombudsman or Commission;
- Staff matters which fall within the jurisdiction of Industrial Relations courts; and
- Complaints concerning internal disputes of other organisations including “not-for-profit” community bodies.

Policy Measures

1. **Information on complaints system**

Information about the complaints system is to be readily available to customers both in a hard copy brochure format at both the Administration Centre and the Shire Depot and in an electronic format on the Shire’s web site.

2. **Fees and Charges**

The complaints handling system is to be free of charge to complainants.

3. **Complaints handling officer**

Upon receipt of a complaint, the CEO is to designate an appropriate officer to investigate the complaint and where appropriate, provide recommended redress and remedies.

A complaint is best handled by people at the point of service delivery (typically at the relevant Manager level) however more serious complaints may be designated to a more senior officer (typically at the relevant Executive Manager level).

In determining the appropriate officer to investigate the complaint, the CEO is to initially consider the severity, safety implication, complexity, impact and the need and possibility of immediate action. The complaints handling officer cannot investigate a matter involving themselves, a relative or someone closely

associated to them.

4. Confidentiality

The identity of the complainant is to be protected as far as is reasonably possible when a complaint is being investigated or reported.

In the case of a complaint against staff, the complaints process is also to remain confidential with details of the complaint known only by those directly concerned.

5. Complaints management procedure

On receiving a complaint, the following procedure applies:

- a) A written complaint is to be completed by the complainant and lodged with the Shire of Northampton;
- b) An acknowledgement of complaint will be provided to the complainant;
- c) The complaint is then recorded and tracked in the records system as a complaint;
- d) The CEO is to designate the officer to handle that complaint. If the complaint is against an employee, the Human Resources Officer may also be informed.
- e) Investigation of the complaint (refer policy point 6 below) is to be undertaken by the complaints handling officer and a report prepared containing a recommendation;
- f) The relevant Executive Manager is to review the report and make a “primary decision” either accepting the recommendation of the complaint handling officer or deciding an alternative course of action be taken;
- g) That primary decision or any action to be taken is to be communicated to the complainant (and in the case of a complaint against staff, to that staff member) in writing as soon as practicable;

If the complaint cannot be immediately resolved, then the manner intended to lead to its effective resolution is to be outlined;

- h) If the complainant accepts the primary decision or action, then the complaint is closed once any proposed action has been carried out;
- i) If the complainant does not accept the primary decision or action, then the complainant may request an internal review be conducted by the CEO resulting in a “review decision”;

- j) The review decision or any action to be taken resulting from the CEO review is to be communicated to the complainant (and in the case of a complaint against staff, to that staff member) as soon as practicable;
- k) If the complainant accepts the review decision, then the complaint is closed once any proposed action has been carried out; and
- l) If the complainant does not accept the review decision, then the complainant is encouraged to refer their complaint directly to the State Ombudsman's Office or other relevant agency.

Complaints made against an Executive Manager are to be investigated by the CEO. Complaints made against the CEO may be investigated on behalf of the Shire President by a representative from WALGA.

Note: At any point in the process the complainant may withdraw their complaint if the matter is adequately resolved during the investigation or for any other reason. If this occurs, the complaint handling process is to cease, the matter noted as withdrawn and written notification thereof provided to relevant parties.

6. Investigations

The investigation by the designated complaints handling officer is to be fair to both the complainant and the person or organisation against whom the complaint is made. All complaints are to be treated seriously and in confidence.

Investigations should follow the following process:

Step 1 – Assess the complaint

- Consider significance, time elapsed since issue, if matter can be resolved without investigation (ie through an explanation), or should be referred to another relevant agency.

Step 2 – Select appropriate investigative approach

- Evidence focused (pursue all lines of inquiry) or
- Outcome focused (quickly identifying and remedying problem).

Step 3 – Plan the investigation

- Define the issue, identify questions to be answered and information needed and the best way to obtain those.

Step 4 – Confirm authority

- Distinguish between right to ask and power to demand, ensure approved terms of reference and adequate resources to carry out.

Step 5 – Obtain evidence using the following process

- (a) The complainant is to be given the opportunity to put their case;
- (b) The person the subject of the complaint is to be informed of all the allegations concerning themselves and provided an opportunity to put their case;
- (c) Seek supporting information and/or independent witnesses where the objective of confidentiality can be maintained; and
- (d) Allegations are to be proved or disproved on the “balance of probabilities”.

Step 6 - Reporting

- A report should set out the complaint, how the investigation was conducted, relevant facts determined, conclusions reached and recommendations.

7. “Off the record” complaints not accepted

All complaints are required to be in writing (preferable) or by email.

“Off the record” or verbal complaints will not be acted upon under any circumstances.

8. Nuisance or vexatious complaints

Complaints requiring undue resources to investigate and resolve may be terminated, at the discretion of the Council, where the complainant is unreasonably persistent, makes unreasonable demands, provides unreasonable arguments, is uncooperative or the nature of the complaint is considered to be merely vexatious.

9. Unreasonable behaviour by complainants

Any correspondence containing personal abuse, inflammatory statements or material clearly intended to intimidate is to be returned to the sender and not acted upon.

If personal abuse, inflammatory statements or comments intended to intimidate are made during a telephone conversation or interview, the employee may terminate the telephone conversation or interview after warning the complainant of that intention.

10. Disciplinary procedures

It is not the role of this policy to prescribe or report on any disciplinary procedures arising from the investigation of a complaint.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

**ADOPTED 19 JUNE 2025
REVIEWED N/A**

NEXT DATE FOR REVIEW JUNE 2030

The Administration of this Policy is by the Office of CEO.
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Purpose

The purpose of this policy is to ensure records are properly created, maintained, accessible, protected and disposed of in order to meet legal requirements, support transparency and ensure efficient and accountable operations.

Background

This policy outlines principles and expectations applicable to the creation, management, retention and disposal of records within the Shire of Northampton (Shire), in accordance with the *State Records Act 2000 (WA)* and related legislative and accountability requirements.

Objectives

The key objective of this policy is to ensure records are systematically created, maintained, protected, accessible, and disposed of in a lawful, efficient, and accountable manner.

Area of Application (Eligibility)

This policy applies to Elected Members, employees and contractors of the Shire and to all external and internal records, which are handled, received or generated by the Shire, regardless of their format or media type.

Policy Measures

Elected Members, employees and contractors of the Shire will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

1. Creation and Categorisation

All records created and received in the course of the Shire's business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate recordkeeping and business systems that are managed in accordance with sound recordkeeping principles.

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction and kept in accordance with the necessary retrieval, preservation and storage requirements.

2. Maintaining Records

All records made or received by Shire or an individual staff member in the course of conducting Shire business are the corporate property of the Shire and are therefore subject to the Shire's records management practices and procedures.

Registers are to be maintained of all records series and special categories, including by not limited to, registers of policies, assets, tenders and quotations, forms, vital records, files and contracts.

Records are not to be removed from the Shire unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing official business.

3. Access to Records

Access to corporate records by Elected Members and Committee Members will be via the Chief Executive Officer in accordance with Section 5.92 of the *Local Government Act 1995*.

Access to corporate records by employees and contractors will be in accordance with designated access and security classifications. Access to corporate records by the general public will be in accordance with the *Freedom of Information Act 1992*.

4. Disposal and Destruction

The officer responsible for management of Shire records will dispose of all corporate records in accordance with the General Disposal Authority for Local Government Records and/or the General Retention and Disposal Authority for Source Records, following authorisation from the Chief Executive Officer.

5. Ephemeral Records

Ephemeral records may not be required to be placed within the Shire's official record keeping systems. Elected Members, employees or contractors may dispose of such ephemeral records once reference ceases.

6. Training

The officer responsible for management of Shire records will make available training in relation to record keeping compliance, record keeping practices, policies and the records management system. Ongoing training and assistance is available on request.

Elected Members will receive training as part of induction and ongoing support from the Shire.

DEFINITIONS

Terms	Definition
Corporate Record	Means any hard-copy, digital or online record that meets one or more of the following criteria: - It conveys information essential or relevant in decision-making processes. - It conveys information upon which others will, or may, use to make decisions affecting the Shire's operations, rights and obligations under legislation. - It commits the Shire to certain courses of action, the commitment of resources or provision of services. - It conveys information about matters of public safety or public interest or involves information upon which contractual undertakings are entered into. - The information is likely to be needed for future use or is of historical value.
Ephemeral Records	Means any record that has no continuing value to the Shire, including duplicated records and/or those that have only short-term value with little or no on-going administrative, fiscal, legal, evidential or historical value. The Shire uses the guidelines contained within the <i>General Disposal Authority for Local Government Records</i> to determine which records are considered ephemeral.
General Retention and Disposal Authority	Means the General Retention and Disposal Authority DA-2023-005 for Local Government records or equivalent (<i>the schedule</i>). It is designed to provide consistency throughout Local Governments in disposal activities and decisions. It is a continuing authority for the disposal and archival of records which document a Local Government's operations.
Government Record	A record created or received by a government organisation or a government organisation employee in the course of their work for the organisation.
Record	Recorded information in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business and kept as evidence of such activity.
Significant Records	Significant records contain information which is of administrative, legal, fiscal, evidential or historical value, and are not recorded elsewhere on the public record. They describe a topic, record who was involved, why a decision was made, and may include actual guidelines.
State Record	A parliamentary or government record

Adoption and Date Due for Revision

ADOPTED 19 FEBRUARY 2026

NEXT DUE FOR REVIEW FEBRUARY 2031

The Administration of this Policy is by Office of the CEO.

**Administration Policy
3.2
Freedom of Information**

Purpose

To ensure that appropriate application of the statutory responsibilities of the Shire of Northampton are consistently applied.

Policy Measures

The Shire of Northampton will provide a general right of access to documents and records in accordance with the provisions of the *Freedom of Information Act 1992*, the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* and the guidelines in this policy.

Guidelines

1. The Shire of Northampton's Manager Corporate Services is delegated the roles of "FOI Coordinator and Decision Maker" and is hereby authorised to make decisions regarding access to information.
2. The Shire of Northampton's Chief Executive Officer is delegated as the "Internal Review Officer" appointed to review an application should the applicant be dissatisfied with the results of their application.

Procedures for determining access, exemptions, personal information review and the preparation of information statements shall be in accordance with the Freedom of Information Implementation Guidelines prepared by the Office of the Information Commissioner, Perth.

The Shire of Northampton shall apply fees and charges applicable under the *Freedom of Information Act 1992* and as published in the Government Gazette from time to time.

Administration

This policy will be administered by Office of the CEO.

Adoption and Date Due for Revision

**ADOPTED 20 JUNE 2024
REVIEWED N/A
NEXT DUE FOR REVIEW 20 JUNE 2029**

The Administration of this Policy is by Office of CEO.

Administration Policy
3.3
Community Bus Hire

Purpose

To ensure that the hire of the Community Bus is managed effectively.

Policy Measures

1. The fees and applicable refundable bond (deposit) are set by Council's Annual Fees and Charges.
2. All groups who regularly hire the Community Bus may choose to pay the refundable bond at the start of their period of use with it to be refunded at the end of their period of use.
3. Failure to pay for the hire of the Community Bus via the Shire's debtor system may result in Council making a decision to withhold any future approval to that group to hire the Community Bus.
4. The hire of the Community Bus must be in accordance with the current conditions of hire at that time. If the Community Bus is received by the group in a condition not in accordance with the conditions of hire, that group is to notify the Shire as soon as practicable.
5. Where a Community Bus is hired by seniors, or youth groups (including schools) and that Community Bus is not located in the same town, the Shire may fund the fuel costs associated with relocating the bus to the point of hire.

Administration

This policy will be administered by Office of the CEO.

Adoption and Date Due for Revision

ADOPTED 19 SEPTEMBER 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 19 SEPTEMBER 2029

The Administration of this Policy is by Office of CEO.

Finance Policy
4.1

Disposal of Shire of Northampton Property

Policy Measures

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

1. Disposal of land

The disposal of “land” includes the sale, lease or assignment of all or any part of the land.

Shire of Northampton owned land is to be disposed of in accordance with the provisions of Section 3.58 of the *Local Government Act 1995* either by;

- (a) Public auction;
- (b) Public tender; or
- (c) Local public notice of intention to dispose (including details and consideration of submissions thereon).

Under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*, an exemption applies where land is disposed of:

- (a) To an owner of adjoining land (subject to value less than \$5,000);
- (b) To a charitable or not for profit body;
- (c) To the Crown;
- (d) Is leased to an employee of the local government for use as the employees residence; or
- (e) Is residential property leased to a person.

Notwithstanding the provisions of the Act or the Regulations, any disposal of Shire of Northampton land is to:

- have regard to the commercial value of the land being disposed as determined by a qualified valuer and or the Valuer Generals Office; and
- be brought before Council for consideration.

Council’s Regional Price Preference policy does not apply to any disposal of Land.

2. Disposal of confiscated or uncollected goods (including animals)

Confiscated or uncollected goods are to be disposed of in accordance with Section 3.47 of the *Local Government Act 1995*.

Finance Policy
4.1

Disposal of Shire of Northampton Property

The property is to be disposed of as if it were the property of the Shire of Northampton and therefore subject to the provisions of Section 3.58 of the *Local Government Act 1995*.

3. Disposition of other goods and property

The disposal of any other Shire of Northampton owned goods or property is to be disposed of in accordance with the provisions of Section 3.58 of the *Local Government Act 1995* either by;

- (a) Public auction;
- (b) Public tender; or
- (c) Local public notice of intention to dispose (including details and consideration of submissions thereon).

Under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*, an exemption applies where the property to be disposed of;

- (a) Has a market value less than \$20,000; or
- (b) The entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75,000.

From time to time, minor property that is surplus to the needs of the Shire of Northampton is identified for disposal. Where the property to be disposed of is exempt under the market value provisions (ie value is less than \$20,000) the CEO is to determine the most efficient method of disposal taking into consideration the costs associated with disposal.

As a general guideline the following approach is to apply based on the estimated value of the property,

- | | |
|--|---|
| (a) \$10,000 - \$20,000 | Local public notice calling for expressions of interest |
| (b) \$ 5,000 - \$10,000 | Seek three quotations (if possible) from likely purchasers |
| (c) \$ 5,000 or less | Seek only one quotation from likely purchasers |
| (d) \$ 1,000 or less or of no commercial value | Internal expressions of interest or alternatively, by way of a donation to a not for profit community group |

Where the property is to be disposed of by local public notice calling for expressions of interest, the Shire of Northampton's general expression of interest document is to be used.

Council's Regional Price Preference does not apply to the disposal of property and does not apply to the value of items traded in.

Administration

This policy will be administered by Office of the CEO.

Finance Policy
4.1
Disposal of Shire of Northampton Property

Adoption and Date Due for Revision

ADOPTED 19 JULY 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 19 JULY 2029

The Administration of this Policy is by Office of CEO.

Purpose

This policy serves as a framework for the Shire of Northampton's (Shire) commitment in providing fair, transparent and consistent rate relief to ratepayers experiencing financial hardship, while ensuring legislative compliance, responsible financial management and community wellbeing.

Background

The Shire acknowledges that due to exceptional circumstances ratepayers may at times encounter difficulty in paying rates and service charges as they fall due. It is not the intention of the Shire to cause further hardship to any ratepayer through Council policy 4.3 *Debt Recovery*. The Shire is committed to working with ratepayers to find an appropriate payment solution that is effective and sustainable.

Objectives

The objectives of this policy is to provide clear guidance and support to ratepayers through the process of applying for rate relief that:

- a) Enables a ratepayer liable for rates and service charges, who is experiencing financial hardship, to make application for assistance relating to any unpaid rates or service charges levied on their residential property under the *Local Government Act 1995*;
- b) Ensures all ratepayers are treated fairly and consistently with respect and compassion when the Shire is considering their circumstances in recognising financial hardship; and
- c) Directly aligns the policy framework to policy 4.3 *Debt Recovery*.

Area of Application

This policy applies to:

- All ratepayers within the Shire of Northampton experiencing genuine financial hardship.
- Shire staff in the Finance department who are responsible for the recovery of overdue rates and charges.
- External stakeholders when assisting customers experiencing financial hardship (e.g., Financial Counsellors).

Policy Measures

1. Payment difficulties, hardship and vulnerability

Financial hardship occurs where a person is unable to pay rates and charges

without affecting their ability to meet their basic living needs, or the basic living needs of their dependents. The Shire of Northampton recognises the occurrence of payment difficulties, financial hardship and vulnerability in our community, and is committed to providing additional support to assist the ratepayer.

The Financial Hardship application is for all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2. Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. The Shire will take a flexible approach to a range of individual circumstances and depending on the type of hardship being experienced, it will assist with appropriate solutions.

A ratepayer can be identified as experiencing a short term or ongoing financial hardship, caused by one or more of the following factors:

- low income or loss of income;
- marriage/partnership breakdown;
- domestic or family violence;
- recent unemployment or under-employment;
- sickness or recovery from sickness;
- unanticipated circumstances such as caring for and supporting extended family;
- a serious accident;
- sudden bereavement within a family;
- severe/life threatening illness or medical disability;
- an impact on a dependent or family member who has serious disability or health problem and who relies on the affected person for their financial support;
- prolonged imprisonment;
- business downturn;
- temporary physical or mental incapacity;
- emergency event from natural disasters such as flood, bushfire, cyclone or earthquake.

Ratepayers are encouraged to contact the Shire as soon as possible if they think they are in financial hardship or alternatively a Financial Counsellor may contact the Shire directly on their behalf.

The ratepayer must provide evidence of genuine financial hardship to satisfy the Shire who will consider all circumstances, applying the principles of fairness,

Financial Hardship (Rate Relief)

integrity and confidentiality whilst complying with our statutory responsibilities.

3. Applying for Financial Hardship

An application for Financial Hardship (Rate Relief) (FHRR) form will need to be completed by the ratepayer and submitted to the Shire, addressed to the CEO, with the required supporting documentation:

- a) letter from a recognised Financial Counsellor (i.e. must be a member of a financial counselling association, for example Financial Counsellors' Association of WA (FCAWA) or financial planner confirming financial hardship or a Statutory Declaration from ratepayer outlining reasons for applying for hardship;
- b) copy of recent bank statements of all bank accounts;
- c) any related Centrelink documentation (if applicable);
- d) a written statement and/or advice provided by a recognised Financial Counsellor on capacity to pay if the Shire provides concessions and leniencies the Shire would otherwise consider; and
- e) a repayment proposal.

4. Review Process

The application will be reviewed within 10 business days and if it meets the policy criteria will proceed for processing. An application may be referred back to the Rates and/or Debtors Officer or the Financial Counsellor for further information or discussion if the application does not contain the correct information.

5. Approval

The Rates Officer will refer the application with their recommendation to the Chief Executive Officer (CEO) for final approval and signoff.

6. Financial Hardship Payment Plan

If the Shire determines the ratepayer is in financial hardship, they will be offered a payment plan based on their application status.

- an extension in time to pay;
- a payment plan;
- a suspension of interest charges and administration fees whilst a payment plan is in place; and
- the reasonable maximum length of time to be on the FHRR payment plan is considered to be three years.

(This does not apply to payment plans where the Shire and a ratepayer have agreed to alternative ways for the ratepayer to meet their obligations.)

Deferring interest and write off of charges

- a) A suspension of interest will occur immediately from the date of receiving a completed application form and confirmation of the appointment made with a Financial Counsellor.
- b) Any action as to writing off interest is in accordance with the delegated authority of Council and sub delegated authority by the CEO.

7. Debt Recovery

- a) The Shire will suspend the debt recovery processes whilst negotiating a suitable payment arrangement with the ratepayer.
- b) The Shire will not commence any legal proceedings to recover debt whilst the rate debtor's financial application is being reviewed and assessed.
- c) The Shire will not commence any legal proceedings to recover rates and charges where the ratepayer is complying with their payment plan.

Legal Proceedings

If legal proceedings have commenced and the debtor lodges a financial hardship application, these proceedings will be temporarily suspended whilst the debtor's application is reviewed and assessed.

If the debtor is successful with their application, no further legal action will be taken whilst the debtor is complying with their payment plan.

The Shire reserves the right to recommence the legal proceedings if the debtor's payment plan is cancelled for noncompliance.

The Shire will make all reasonable attempts to contact the debtor to advise them of our next course of action.

Non-Compliance with Payment Plan

If a rates debtor does not comply with their extension in time to pay, payment plan or other payment arrangement, the Shire may commence or recommence debt recovery proceedings as per Council Policy 4.3 *Debt Recovery*

Legal action proceedings will be initiated or re-initiated, where a debtor's account will be referred to the Shire's nominated Debt Collection Agent.

Legal Costs

All legal costs and expenses incurred in recovering outstanding rates and charges will be charged against the property in accordance with section 6.56(1) of the *Local Government Act 1995*.

Legal Action taken in error

If legal proceedings were inadvertently taken by the Shire due to an internal administrative error the Shire will take every measure to rectify a ratepayers

account. This may include:

- reversing any associated costs or fees; or
- seeking a Notice of Discontinuance or Memorandum of Consent, will be lodged at the Magistrates Court at the Shire's expense.

8. Review of Application

The Shire will review all Financial Hardship approvals under this Policy each year, or unless changes in circumstances have become apparent and a review is required.

9. Communication and Confidentiality

The Shire will always maintain confidential communications and undertake to communicate with a nominated support person or other third party at your request.

The Shire will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

The Shire recognises that applicants for hardship consideration are experiencing additional stressors and may have complex needs. The Shire will provide additional time to respond to communication and will communicate in alternative formats where appropriate. The Shire will ensure all communication with applicants is clear and respectful.

Adoption and Date Due for Revision

ADOPTED 19 February 2026

NEXT DUE FOR REVIEW February 2031

The Administration of this Policy is by Office of the CEO.
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Purpose

This policy serves as a framework for how the Shire of Northampton (Shire) will fairly, consistently and lawfully recover all monies owed to the Shire, while balancing financial responsibility with community obligations.

Background

The Shire of Northampton derives a large share of its revenue from property rates and charges and general fees and charges in order to meet the service provisions of the organisation. To enable the Shire to meet its service obligations, it must ensure that monies owing are collected in a timely, effective and efficient manner. It must also ensure that where revenue is not received in a timely manner, appropriate measures are undertaken to recover outstanding amounts in accordance with the *Local Government Act 1995* (the Act).

Objectives

The objective of this policy is to:

- Provide clear, accountable and transparent processes for the collection of any and all outstanding debts;
- Ensure that debt collection procedures are carried out in a fair and equitable manner;
- Make the process used to recover outstanding debts clear, simple to administer and cost effective; and
- Reduce the likelihood of debts for outstanding rates and service charges becoming unrecoverable, by closely monitoring and reviewing aged accounts.

Area of Application

This policy applies to all monies owed to the Shire of Northampton, including rates and service charges, fines, prosecutions and infringements, and any other general debts arising from the provision of services or enforcement of legislation.

Policy Measures

The Shire will exercise its debt recovery powers, as outlined in Part 6 of the *Local Government Act 1995* (the Act), in order to reduce the overall debt burden on ratepayers. It will be guided by the principles of equity, consistency and transparency, ensuring the following:

- Efficient and effective methods are in place for the collection of outstanding debts to optimise cashflow and minimise bad debts;
- Individual circumstances are considered, and flexibility offered for those experiencing genuine hardship;

- All reasonable action is undertaken to recover revenue before the debt is written off; and
- The Shire is compliant with all regulatory obligations.

1. Guidelines – Sundry Debtors

- 1.1 An invoice will be issued to the Sundry Debtor as soon as practicable, with payment due within seven (7) days of the invoice date.
- 1.2 A current statement will be issued at the end of each month.
- 1.3 A final statement will be issued at the end of the second month, accompanied by a courtesy letter or email reminding the Debtor that payment is due. The correspondence will advise that, if payment is not received or an approved payment plan is not entered into within fourteen (14) days, the outstanding amount will be referred to a debt collection agency or legal representative.
- 1.4 Any sundry debt remaining unpaid after ninety (90) days, where no approved payment plan is in place, will be referred to a debt collection agency or legal representative. Any costs incurred in the recovery of the debt will be charged to the Debtor.
- 1.5 Sundry Debtors with accounts in arrears for more than ninety (90) days will not be permitted to incur further debt with the Shire until the outstanding balance has been paid in full.
- 1.6 Employees with approved payroll deduction agreements in place are exempt from this process.

The Chief Executive Officer (CEO) may approve suitable payment arrangements for persons experiencing financial difficulty in relation to sundry debtor charges.

2. Guidelines – Fines, Prosecutions and Infringements

- 2.1 Fines, prosecutions and infringements are issued by an Authorised Person of the Shire and require payment within 28 days.
- 2.2 Where payment is not received within 28 days from the date of the infringement, a Final Demand Notice will be issued, with an applicable fee. The Final Demand Notice gives the customer a further 28 days to pay the infringement. Part payment is not permitted.
- 2.3 Should a debtor fail to pay an infringement within 28 days, the Shire shall lodge a notice with the Fines Enforcement Registry (FER). This carries further costs and may affect licences held in the debtor's name. The Shire will have no further involvement in the recovery of fines lodged with FER.
- 2.4 A debtor may seek a payment arrangement with the Fines Enforcement Registry.

3. Guidelines – Rates Debtors

- 3.1 An Annual Rate Notice will be issued outlining available payment options and due dates. Rates are payable within thirty-five (35) days of the date of issue. Interim Rate Notices will be issued as soon as practicable following receipt of a valuation and will be payable within thirty-five (35) days of the date of issue.
- 3.2 Where rates remain unpaid by the due date, a Final Notice will be issued fourteen (14) days after the due date.
- 3.3 Where no payment has been received within thirty (30) days of the due date, a courtesy letter will be issued by the Rates Officer reminding the ratepayer that rates are overdue and advising that, if payment is not received or an approved payment plan is not entered into within fourteen (14) days, the outstanding amount will be referred to a debt collection agency or legal representative.
- 3.4 Rates remaining unpaid after sixty (60) days from the due date and where no approved payment plan or instalment arrangement is in place, will be referred to a debt collection agency or legal representative. Any costs incurred in the recovery of the debt will be charged to the relevant property assessment.
- 3.5 Exemptions include eligible pensioners and employees with approved payroll deduction agreements in place.

Rate Instalments

- 3.1 A person using the instalment payment method must make at least the first payment by the due date and will not have outstanding rates and charges from prior years on their account. The instalment payment plan is subject to an administration charge and instalment charge as set by Council for that year. Should a person default on payment of instalments, legal proceedings may be instituted to recover any outstanding amount.

Back Rates

- 3.6 The Shire may, under Section 6.39 of the Act, amend the rate record for the five years preceding the current financial year. Should the amount of back rates total less than \$20.00 in respect of one rating year, this charge will not be imposed. Service charges will be included in back rating.

Unpaid Rates

- 3.8 The CEO is authorised to recover unpaid rates and charges by engaging the services of a debt recovery service provider. The pre-legal stage of the debt recovery process involves letters of demand, issued on behalf of the Shire by its appointed service provider, along with telephone calls and/or emails.

- 3.9 If all pre-legal action is unsuccessful, in accordance with Section 6.56 of the Act, the CEO is authorised to recover rates and services charges in a court of competent jurisdiction.
- 3.10 If a Property Seizure and Sale Order (PSSO) on goods is unsuccessful, the next step is to proceed with a PSSO against land.
- 3.11 If a property is leased, the Shire may recover outstanding rates and charges by collecting rent payments from the lessee under the provisions of Section 6.60 of the Act. Notices must be given to the lessee and lessor.
- 3.12 Under the provisions of Section 6.64(3) of the Act, the CEO is authorised to lodge caveats on land where rates and service charges are in arrears, and it is considered appropriate that the interest of the Council should be protected.
- 3.13 The CEO is authorised to withdraw caveats lodged on land where the owner has met his/her obligation in full in relation to the rates and charges outstanding.
- 3.14 Council will be consulted if debt collection action is proposed for the collection of amounts owed by pensioners.

Where Rates or Service Charges are outstanding for three years or more.

- 3.15 If all reasonable attempts outlined above result in no successful recovery and the rates and charges remain unpaid for three years or more, the CEO is authorised to take possession of the land to lease or sell the land; or transfer the land to the Crown or itself, in accordance with Section 6.64(1) of the Act.
- 3.16 A report is to be presented to Council detailing the amount of rates and charges outstanding, the attempts to recover the debt and the recommended action.
- 3.17 The CEO is authorised to engage a debt recovery service provider to assist in administering the process and the Council approved action.

4. Approved Payment Plan

The CEO may allow persons experiencing financial difficulties to apply for an approved payment plan.

- 4.1 Upon application to the Rates Officer or Debtors Officer, a debtor may apply to enter into an agreed payment plan, subject to the following conditions:
- a) Penalty interest, as adopted in the Council Budget, will continue to accrue on the outstanding balance.
 - b) Reminder notices or accounts will not be issued while the payment plan remains in place.
 - c) Rate Debtors will be advised of the Shire of Northampton Financial Hardship (Rate Relief) Policy.
- 4.2 All agreed payment plans will be monitored by officers. Any default on an agreed payment plan will result in the matter being immediately referred to a debt collection agency or legal representative.

5. Small Balance Write-off

The CEO is authorised to write off small balance amounts on a monthly basis, being balances of fifty cents (\$0.50) or less for Rates accounts and one dollar (\$1.00) or less for Sundry Debtor accounts.

6. Debt Referral Threshold Amount

Recovery action will only proceed where the cost of recovery is reasonable and proportionate to the value of the debt. Debts where the cost of recovery exceeds the outstanding amount will not be escalated unless exceptional circumstances apply.

- 6.1 Debts with an outstanding balance of less than one hundred dollars (\$100) will not be referred for debt collection.
- 6.2 The CEO may approve an exception to clause 6.1 where there are justifiable circumstances.

Adoption and Date Due for Revision

ADOPTED 19 February 2026

NEXT DUE FOR REVIEW February 2031

The Administration of this Policy is by Office of the CEO.

Community Development

5.1 Community Grants Program

Purpose

Council has established a Community Grants Advisory Committee to oversee the distribution of funding for community based purposes. Funding for the program will be sourced from both the Shire and external sources where available.

The allocation of community funds will be distributed in two rounds occurring after Council has set its annual budget. The first round will open in July with funds distributed in September and will allocate 60%* of the funding pool. The second round will open in January with funds distributed in March and will allocate 30%* of the funding pool. 10%* of the funding pool will be held over by the Council for discretionary distribution at any time of the year. Funding is capped to maximum amounts and co-contributions will be viewed favourably but are not essential.

*Note: The Shire of Northampton reserves the right to amend these amounts at any time and at its total discretion.

The award of funding for each round is at the absolute discretion of the Council and will focus on the following categories:

1. General community projects and financial hardship support for Community Groups;
2. Youth initiatives;
3. Events that benefit the district; and
4. Skills and capacity building in the community.

Exclusions to the Community Grant Program include maintenance or upgrades to Shire building infrastructure, tourist based contributions (other than events) and other ordinary Shire business. These matters will be considered as part of Council's normal annual budget process.

Policy Objectives

The objectives of the Community Grants Program are:

1. To support the community to improve liveability, support, connectedness and participation by evolving the sense of community;
2. To improve visitation and liveability by supporting community led events;
3. To encourage the social activation of youth in the district;
4. To provide seed funding or co-contribution financial support for the community to make funding applications;
5. To provide an open, transparent and equitable mechanism for Council to distribute community grants; and
6. To grow the funding pool for the Community Grants Program through sourcing additional funds through external sources.

Community Development

5.1 Community Grants Program

Policy Measures

GLOSSARY OF TERMS

For the purposes of the Community Fund Program, the terms listed below are understood to have the following meanings:

auspicing organisation	An incorporated organisation with a current ABN which agrees to work with a non-incorporated community group to receive hold & disburse grant funds on behalf of the non-incorporated group. The auspicing organisation will be responsible for the management of grant funds according to all conditions of the grant, and for the eventual acquittal of those funds (working closely with the community group to achieve this.)
community champion	A person who coordinates, facilitates and/or manages skills and capacity building projects for Shire communities.
community group	A group of people working together to pursue a common interest. Generally, almost all members of a community group will be participating in a volunteer capacity (i.e. not as a part of their paid work duties). A community group may have a formal governance structure or may be a less structured group.
incorporated association	An organisation that has been incorporated under the <i>Associations Incorporation Act</i> . Such an organisation has a formally adopted constitution and is governed by an elected committee.
not-for-profit group	A group or organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect. Any profit made by the group or organisation goes back into its operation to carry out its purposes and is not distributed to any of its members.
umbrella organisation	An organisation (of sound capacity) which provides support to smaller community groups such as assistance in grant writing, auspicing grant funds or other support including office accommodation and administrative assistance. In the Community Fund Program an umbrella group may support its community groups in their application for funds but still apply for funds themselves as long as the funds in the different applications are not for the same purpose, project or event.
youth	Young people between the ages of 12 and 25 years inclusive.
youth group or youth project	A group or project catering to the needs of young people between the ages of 12 and 25 years inclusive.

Community Development

5.1 Community Grants Program

CONDITIONS OF THE COMMUNITY FUND PROGRAM

The following conditions are applicable across ALL categories of the Community Grants Program:

- a. The Community Fund Program will be opened to the public in July (round 1) and January (Round 2) each year.
- b. Applicants should be notified of their success or otherwise in September (Round 1) and March (Round 2) each year.
- c. The region in which the activities supported by funds can be carried out is the district of the Shire of Northampton and the benefits of the activities supported by funds shall be directed predominantly to residents of the Shire of Northampton.
- d. Generally, schools are not eligible for funding under this program, however proposed school-based projects which have a strong broader community benefit may be considered. Prospective applicants should approach the Shire in the first instance to discuss eligibility and if eligible the proposal would be required to be submitted as a General Community Group & Projects grant application.
- e. Category Funding will be guided by the following table comprising four distinct categories. The amounts listed are maximum amounts available per project or financial support, but this should not be viewed as a guarantee of that level of funding.

Application category	shall not exceed (ex. GST) (without the consent of Council)
Cat 1a General Community Group projects	\$4,000
Cat 1b Community Group financial hardship	\$2,000
Cat 2 Youth and Community Youth Groups	\$3,000
Cat 3a Events with broader target area	\$5,000
Cat 3b Events with a more limited target area	\$4,000
Cat 3c Events which are new and emerging	\$3,000
Cat 3d One-off events celebrating a significant anniversary	\$3,000
Cat 4 Community Skills and Capacity Building projects	\$4,000

Community Development

5.1 Community Grants Program

- f. Fund allocation will be guided by the principle of fairness and equity in terms of both applicants, activities and location.
- g. Funds will be paid only to incorporated associations which have a current ABN. Groups which are not incorporated are able to apply for funding but must nominate in their application the name and ABN of an auspicing organisation or umbrella group which will receive the funds on their behalf if the application is successful. (The auspicing organisation or umbrella group may not necessarily be subject to Condition h. at the discretion of the Community Grants Advisory Committee).
- h. Only one application per group will be considered for funding in each funding round for each category group 1(a/b), 2, and 4 unless otherwise approved by Council after recommendation of the Community Grants Advisory Committee. Category 3(a/b/c&d) applications may be considered for multiple event applications.
- i. Grants will be paid in advance upon receipt of a tax invoice.
- j. The proposed project or event must take place, be completed and acquitted within a year of when that funding is made available. (example – if funding is awarded in September of one year the project must be finalised before September of the following year).
- k. Prior approval of the Shire must be sought for any substantial change of proposal after funding is awarded.
- l. All funded groups and organisations will be required to acknowledge the support of the Shire of Northampton in any promotional or publicity material.
- m. Every endeavour will be made by grant recipients to support local business and services when expending the allocated grant monies.
- n. Payments of grants may be suspended at any time if, in the opinion of Council, any of the conditions laid down are not met, or satisfactory progress has not been achieved.
- o. The Shire may use the project information provided by funded groups and organisations for promotional and networking purposes.

Community Development

5.1 Community Grants Program

- p. Full disclosure of any other Council contribution (cash or in-kind) towards the project such as traffic management plans and civic receptions is required as part of any Community Grant Program application.
- q. Applicants must illustrate that reasonable effort has been made to secure funding from alternative sources including other funding bodies, sponsorships, membership or registration fees, fundraising activities or other commercial activities such as ticket or product sales in any application made to the Community Grants Program.
- r. Acquittal of all granted monies must be completed and submitted using an acquittal process provided by the Shire by no later than twelve months from the notification of grant success.
- s. Failure of a group or an auspicing organisation or group to comply with the conditions set out above may result in the Community Grants Advisory Committee restricting or prohibiting access to future Community Grant Program rounds.

CATEGORY 1a – GENERAL COMMUNITY GROUP PROJECTS

Community groups and not-for-profit organisations may apply for funding for projects and activities that have a target focus which benefits communities within the Shire of Northampton.

The Community Grants Advisory Committee will assess each application and recommend to Council to grant funds to projects that are deemed to have merit and are prioritised by the assessment process.

All of the conditions of the Community Fund Program apply to the General Community Groups & Projects category.

CATEGORY 1b – COMMUNITY GROUP FINANCIAL HARDSHIP

Community groups and not-for-profit organisations may apply for financial hardship funding where they can demonstrate difficulty funding their normal operations. Applications for this category will be scrutinised closely to ensure that only community groups who are struggling financially to make ends meet receive assistance.

All of the conditions of the Community Fund Program apply to the Community Group Financial Hardship category.

CATEGORY 2 - YOUTH AND COMMUNITY YOUTH GROUPS

The Shire of Northampton recognises the strategic importance of supporting youth activity and development throughout the Shire.

Community Development

5.1 Community Grants Program

Youth and youth groups can, and are encouraged to, submit their application in partnership with an auspicing incorporated or umbrella group before the closing dates. For the purposes of the Community Grants Program, 'youth' are defined as young people between the ages of 12 and 25 years inclusive.

All of the conditions of the Community Fund Program apply to the Youth Groups category.

CATEGORY 3 - EVENTS

There are four sub-categories of events; each is treated separately in the Community Fund Program:

- **Category 3a events** have a broader target area which may include state, interstate and international visitors; and
- **Category 3b events** have a more limited target area including Mid West regions.
- **Category 3c events** are new and emerging events seeking to establish themselves on the Shire's annual events calendar.
- **Category 3d events** are events that celebrate significant one-off milestones or anniversaries in a community.

Category 3a Events

Council recognises the opportunity and economic benefit in supporting events that will market and promote the Shire to a target population residing well beyond the Mid West region.

All of the conditions of the Community Fund Program apply to category 3a events.

In ADDITION to conditions a. to s. there are extra conditions specific to category 3a events which are:

- t. Demonstrate strong ties to broad scale marketing and promotional outcomes.
- u. Demonstrate that the target group is much broader than the Mid West region.

Category 3b Events

Council recognises the social benefit in supporting events that will promote a particular theme or activity to a target audience from within the Shire and extending to the Mid West region.

All of the conditions of the Community Fund Program apply to category 3b events.

Category 3c Events

Council recognises the potential for increased social and economic opportunity in supporting new and emerging events which are endeavouring to become established on the Shire's annual events calendar.

All of the conditions of the Community Fund Program apply to category 3c events.

Community Development

5.1 Community Grants Program

Category 3d Events

The Shire recognises one-off events such as a milestone anniversary that forms a celebration in the community. The Community Grants Advisory Committee will determine applications in this category based on merit including considerations of community importance, community reach and community involvement.

All of the conditions of the Community Fund Program apply to category 3d events.

CATEGORY 4 – COMMUNITY SKILLS AND CAPACITY BUILDING

Council encourages projects and programs that improve community skills and capacity. This category is quite open, but applications designed to support commercial returns or compete against existing local business or services may be excluded from consideration. Generally, a community group or community champion will administer the programs and it is recommended that contact is made with the Shire to discuss the suitability of prospective applications in this category before applications are made.

All of the conditions of the Community Fund Program apply to category 4 applications.

Administration

This policy will be administered by the Community, Development and Regulation Division.

Adoption and Date Due for Revision

ADOPTED 20 June 2024
REVIEWED (Not Applicable)

NEXT DUE FOR REVIEW 20 June 2029

The Administration of this Policy is by Community, Development and Regulation Division.

Background & Issues

The Shire of Northampton is committed to the promotion of events and community groups located within the Shire. Promotion may occur through the Shire's webpage and social media, electronic notice boards located at the Shire's administration offices located in both Northampton and Kalbarri.

In addition, two fixed banner poles are located on the corner of Grey Street and Porter Street in the Kalbarri Townsite.

Objectives

The purpose of this policy is to outline the requirements and processes associated with use of the fixed banner poles to assist in the promotion of local events and local community groups. This is a free service provided to the local community by the Shire of Northampton.

Application of Policy

The provisions of this policy apply to the fixed banner poles located at the intersection of Grey Street and Porter Street, Kalbarri and any other fixed banner poles that may be established by the Shire in the future.

Policy Measures

Applications to display any banners on the fixed banner poles is to be consistent with the following requirements:

Application Process and Conditions

- All bookings for the use of Shire banner frames shall be made in writing using the application form attached to this policy;
- All applications must be accompanied by a photo image of the banner;
- The permit holder must install and remove the banner as specified in the letter of approval. Shire Officers will not undertake this task unless the banner relates to a Shire of Northampton event;
- The banner must be securely fastened to the banner poles;
- Banners are to be erected for a maximum of 2 weeks prior to the event and must be removed by 5pm on the final day of approval, or the day immediately following the event;
- Where approval is sought for a banner relating to a specific event, the erection of the banner may take precedence over more general community group advertising.

Where a more general sign has been granted approval first, the Shire reserves the right to modify the approval to allow erection of a specific event banner, allowing the more general banner to be erected at another time.

No banner shall be erected without the prior written approval of the Shire.

Acceptable Banners

- Banners must exclusively relate to the promotion of local festivals or events, or the general promotion of community groups in the townsite in which the banner poles are located;
- Banners shall not relate to commercial advertising. Where recognition of sponsors is to be shown on a banner relating to an event the surface area of the commercial contact shall be less than 30% of the banner surface area;
- The banners shall be not greater than 3m in length and 1m in height; and
- Banners must be made of durable material and be capable of being fixed to the banner poles in a suitable manner.

Unacceptable Banners

- Promotion of events that have not received approval from the Shire of Northampton;
- Banners to promote business, make political statements or in relation to an election;
- Promotion of events located outside of the townsite in which the banner poles are located unless otherwise approved by resolution of Council;
- Banners are not permitted to display text or images that may be considered offensive or divisive;

The Shire reserves the right to remove a banner that does not comply with the requirements of this policy, or where the banner is considered reflective, poor visual quality of lacking durability.

Delegation

Applications that comply with the policy requirements may be approved by the Shire's Community Development Officers. Non-Compliant applications, or applications to erect a banner in a location other than the fixed banner poles shall be referred to Council for determination.

**Adopted 17 April 2025
Next Due for Review April 2029**

Purpose

The purpose of this policy is to provide guidelines for the construction and maintenance of rural roads while acknowledging the importance of the protection and conservation of native vegetation contained within rural road verges under the care, control and management of the Shire of Northampton (the Shire).

Background

Road reserves managed by Local Government often contain significant remnant native vegetation, particularly in areas where surrounding land has been extensively cleared. These reserves provide important environmental, landscape, and biodiversity values, including habitat for native fauna, protection of threatened flora and ecological communities, and connectivity between vegetation remnants.

At the same time, road reserves are required to accommodate safe and efficient transport, essential infrastructure, drainage, and access for public services and utilities. In the absence of a clear management framework, roadside vegetation may be subject to unnecessary or inconsistent clearing, resulting in environmental degradation, safety risks, and enforcement action and penalties under the *Environmental Protection Act 1986*.

The Department of Water and Environmental Regulation (DWER) is the primary agency responsible for administering the clearing provisions in the *Environmental Protection Act 1986* and its subsidiary legislation, including the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Objectives

The objectives of this policy are to:

- Provide a clear and consistent framework for the management of vegetation within road reserves;
- Balance road safety, access and infrastructure requirements with the protection and sustainable management of native vegetation and environmental values; and
- Ensure compliance with relevant State legislation, codes of practice and best-practice roadside vegetation management principles.

Area of Application

This policy applies to road verges located in a dedicated road reserve within the Shire. Although conservation of roadside vegetation is an objective of this policy, road safety and road asset protection are the principal and highest priority consideration.

Policy Measures

1. Road Construction Operations

- 1.1 All works shall be planned to ensure that there is no damage to any vegetation outside the limits of the designated maintenance corridor.

Where necessary, the Shire will make application for the appropriate clearing permits from the Department of Water and Environmental Regulation (DWER) prior to undertaking any road construction. If required as conditions of the permit, special considerations for declared or threatened flora and/or fauna will be made during works.

- 1.2 Rural road widening is to be carried out according to the requirements of the Shire and will take into consideration the preservation of roadside vegetation wherever possible by clearing only one side of the road.

2. Road Maintenance Operations

- 2.1 The Shire's road maintenance program includes grading, slashing, herbicide application, pruning, drain cleaning, drainage improvements, bitumen resealing, bitumen shoulder grading and gravel re-sheeting. Road maintenance activities will be contained within the 'maintenance corridor', which comprises the running surface, shoulder, table drain and batter to the top of the backslope.
- 2.2 When major weed control works are to be undertaken, including areas outside the 'maintenance corridor', consultation may occur with the Department of Biodiversity, Conservation and Attractions (DBCA), DWER and local catchment management groups.
- 2.3 As part of the Shire's annual road program, unsealed shoulders subject to significant traffic will require periodic grading and gravel re-sheeting. During this process all grasses and vegetation will be removed and disposed of off-site prior to operation.
- 2.4 Some maintenance grading requires occasional clearing of vegetation to accommodate the machine and ensure road safety, however, where possible this will be minimised.
- 2.5 Drains are usually mechanically cleared and maintained using a grader, and/or slashed if covered with grass. Drains inaccessible to mechanical equipment may require maintenance with hand

tools or approved herbicides. In cases where these practices will not provide an acceptable level of drainage the use of excavation equipment may be used.

- 2.6 Shire will take all care not to damage any portion of the rural road reserve from the backslope to the fence line, however, the Shire does not accept any responsibility for any loss or damage to vegetation or areas of the road reserve that may occur due to road maintenance or construction activities.

3. Removal of Dangerous Vegetation

- 3.1 Occasionally it is necessary to remove a dangerous tree/vegetation that pose/s an imminent threat to public safety, such as impeding sight along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fence line or a roadway. Following inspection by a Shire Officer, tree removal will be in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

4. Services and Utilities

- 4.1 Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire of Northampton regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas. Alignment of services is to be encouraged to minimize impact on roadside vegetation where possible. However, if removal of vegetation is required, it is the responsibility of the service providers to obtain a valid clearing permit from DWER.
- 4.2 All materials are to be removed from the road verge by the utility providers on the completion of works. All trenches, if relevant, are to be backfilled, adequately compacted and trimmed to ensure they are safe.

5. Unauthorised Clearing and/or Activities within Rural Road Reserves

- 5.1 Clearing of a rural road verge or unmade road reserve without the relevant permits is prohibited and is an offence in accordance with the *Local Government Act 1995* and the adopted Local Laws. Penalties may also apply in accordance with Environmental Protection legislation.

Road Reserve Vegetation Management

Clearing of native vegetation within a rural road verge or unmade road reserve is an offence unless authorised under a valid clearing permit or an applicable exemption in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. Unauthorised clearing may result in enforcement action and penalties under the *Environmental Protection Act 1986*.

- 5.2 No works shall be undertaken in rural road reserves without written approval from the Shire. This includes planting (including native species), drainage work, fencing, spraying, burning off, clearing vegetation or seed collection.

6. Landowner Maintenance of Rural Road Verges**6.1 Application Process and Approvals**

- a) Landowners may apply, in writing, to the Shire of Northampton to maintain the rural road verge immediately adjacent to their property boundary. An application fee may be applicable.
- b) Maintenance activities may include vegetation protection or weed removal but do not include any additions or developments such as drainage works or construction of any type. Planting within road verges may be considered, however, approval will only be given to native/local species that enhance the biodiversity of the road verge area.
- c) Landowners need to be aware when applying for approval that their application may be refused if the Shire is required to carry out maintenance activities to maintain the integrity of the road infrastructure.
- d) Landowners must also obtain a permit or exemption from the Department of Water and Environmental Regulation (*Environmental Protection Clearing of Native Vegetation Regulations 2004*) if planning to undertake any work in a rural road verge.

6.2 Fence Line Clearing or Removal of Trees over Fencelines/Boundaries

Where trees and/or branches fall onto fences and/or into properties from rural road reserves, unconstructed road reserves or reserves vested in the Shire under a management order, fence reinstatement is the responsibility of the affected property owner.

- a) The property owner is responsible for removing and disposing of the fallen tree over their fence line and within their property.
- b) The tree debris remaining on the rural road reserve will be retained as roadside vegetation to provide habitat for

- wildlife, unless otherwise determined by the Executive Manager Works and Technical Services.
- c) Repair of damage to crossovers or private assets, caused by trees falling from a road reserve, is the responsibility of the property owner.
 - d) Clearing may be approved along, but no more than 1.5 metres from a fence line to provide access to construct or maintain a boundary fence under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.
 - e) Landowners wishing to remove vegetation from road verges to allow them to construct or maintain an existing boundary fence should apply in writing to the Shire of Northampton for approval.

6.3 Seed Collection from Road Verges

- a) Landowners wishing to collect seed from native vegetation in road verges should refer to Department of Biodiversity Conservation and Attractions (DBCA) as they may be required to obtain a permit. It is the responsibility of the landowner to check they have the relevant approvals in place.

7. **Annual Spraying Program**

- 7.1 The Shire's annual spraying program is conducted within town sites and select rural road verges to reduce the amount of flammable material whilst targeting weeds. Residents requesting that the rural road verge adjacent to their property not be sprayed as part of this program must apply to the Shire, in writing, for the verge to be placed on the 'Do Not Spray' Register.
- 7.2 If approved, the area of verge not to be sprayed will be placed on the Shire's 'Do Not Spray' Register which is provided to staff and/or contractors carrying out the spraying work. Landowners should note that the drains to the top of the backslope will be sprayed if considered necessary to maintain the integrity of the drainage system.

8. **Fire Hazard**

- 8.1 The Shire conducts an annual spraying program both within town sites and rural road verges to reduce the amount of flammable material whilst targeting weeds.
- 8.2 The *Environmental Protection Amendment Act 2020* provides an exemption from the need for a clearing permit on land owned

Road Reserve Vegetation Management

and vested with local government provided clearing is occurring for the purpose of fire prevention or fire control.

- 8.3 Local Government authorities must be able to demonstrate that the clearing is directly related to fire prevention and/or control, which may be achieved by clear references to clearing activities in a Bush Fire Risk Management Plan which has been endorsed by the Department of Fire and Emergency Services.

9. Definitions

Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Schedule 2, Section 2 (1) provides that Local Government can carry out activities to maintain and protect the integrity of road infrastructure within the designated 'transport corridor'.

Designated Transport Corridor is defined as a stretch of road that includes barriers, signs, guideposts, drains, levies, embankments, gutters, bridges, overpasses and other similar structures. An example of the transport corridor on a rural road is shown in Diagram 1 (referred to as a 'maintenance corridor').

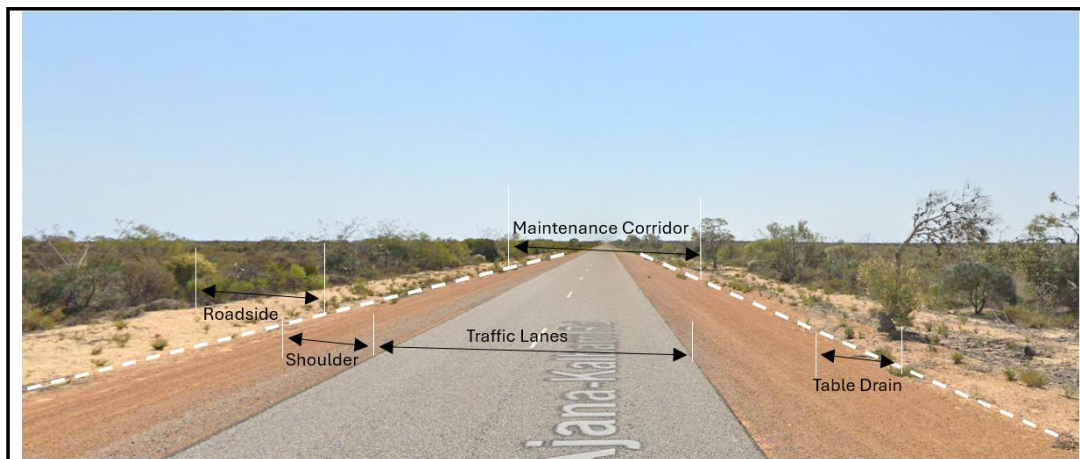


Diagram 1 - Designated Transport / Maintenance Corridor

Administration

Responsibility for implementing this policy is delegated to the Executive Manager Works and Technical Services.

Adoption and Date Due for Revision

ADOPTED 19 February 2026

NEXT DUE FOR REVIEW February 2031

The Administration of this Policy is by Office of Works and Technical Services.

Purpose

The purpose of this Policy is to clearly regulate how privately owned infrastructure is proposed, installed, maintained, and managed within road reserves, while protecting public safety, road assets, and environmental values.

Background

Private Service providers, Private Developers, Contractors and other Statutory or Approved Users, will commonly need to use road reserves in order to install and maintain infrastructure. They also need to meet current standards, to achieve required level of service outcomes and to address road safety issues.

All works require prior approval of the Shire of Northampton in accordance with the *Local Government Act 1995* and adopted Local Laws.

Objective

The objectives of this policy are to:

- Provide a clear and consistent framework for the assessment and approval of private services within road reserves;
- Ensure that the installation, maintenance, upgrade or replacement of private infrastructure within road reserves is managed in a safe, orderly and coordinated manner; and
- Protect road infrastructure, public safety, access, and the efficient operation of the road network.

Area of Application

Whole of Shire.

Any land required for Public Work as defined in the *Land Administration Act 1997*, the *Public Works Act 1902*, the *Local Government Act 1995* and the *Main Roads Act 1930*.

Policy Measures

The following guidelines shall apply to applications for the installation of private services in road reserves. It does not apply to the activities of government service agencies.

1. The Chief Executive Officer (CEO) or delegate shall have authority to assess and approve applications for underground services in road reserves
2. Approval shall be subject to such conditions as deemed necessary to ensure protection of the road, other services and the public.

3. A bond of \$1000 is required or as otherwise determined in the Shire of Northampton's Statutory Fees & Charges Schedule, considering the risk to the Shire infrastructure. The bond payment to be retained by the Shire either until the point in time proposed works completed or for a period of twelve months from that point forward, which will be determined by the Shire officer on case-by-case basis.

Administration

Responsibility for implementing this policy is delegated to the Executive Manager Works and Technical Services.

Adoption and Date Due for Revision**ADOPTED 19 February 2026****NEXT DUE FOR REVIEW February 2031**

The Administration of this Policy is by Office of Works and Technical Services.
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Purpose

This policy provides guidelines for the undertaking of private works by the Shire of Northampton (the Shire).

Background

At various times, the Shire may undertake private works on behalf of other organisations including Local Authorities, local residents or organisations, utility service providers, State Government departments or private businesses. While private works can provide an opportunity to increase the utilisation of plant and equipment, the primary purpose of the Shire's plant and equipment is to deliver its own works.

Objective

If the Shire undertakes private works, its primary objective is the full recovery of all associated costs.

Area of Application

This policy applies to private works performed by the Shire for individuals, organisations or businesses. This includes Shire staff and Councillors.

Private works of a value in excess of \$10,000 may not be undertaken without prior Council approval, unless the works are being undertaken for a Federal or State Government department or another Local Government.

Policy Measures

1. Private works will be discouraged and only be undertaken when there is no detriment to the Shire's own works program.
2. The Shire will attempt to avoid, where possible, carrying out private works where involvement in such works would place the Shire in direct competition with local private suppliers.
3. To maintain transparency and avoid potential conflicts of interest, Shire staff and Councillors are strongly discouraged from applying for private works.
4. Shire staff or Councillors who have requested private works must not be involved in any part of the process other than from the perspective of the client. All private works will be performed, supervised, and accounts issued independently of the employee or Councillor.
5. Plant and equipment must be hired on a 'wet hire' basis only, meaning that an approved Shire employee must operate the plant or equipment.

Private Works

6. The wet hire of plant and equipment applies to all individuals, organisations and businesses, meaning that an approved Shire employee must operate the plant or equipment.
7. No dry hiring of any Shire plant and equipment shall be permitted in any circumstance.
8. The Executive Manager Works and Technical Services will schedule the works, and a time frame will be provided to the client indicating when the works will be completed. Any variations must be authorised by the client in writing before the works are performed.

Plant and Equipment Use (Local Sporting and Community Groups)

The Chief Executive Officer (CEO), in consultation with the Executive Manager Works and Technical Services, is authorised to approve the use of Shire plant and equipment by local sporting and community groups, subject to the following conditions:

9. Use is limited to minor works of less than two (2) hours' duration.
10. Plant and equipment must be hired on a 'wet hire' basis only, meaning that an approved Shire employee must operate the plant or equipment on a voluntary basis.
11. Where voluntary operation by a Shire employee cannot be arranged, the full cost of any wages paid will be recovered from the organisation requesting the works.
12. All fuel consumed in undertaking the works must be replaced or reimbursed by the organisation for which the works are being carried out.
13. The plant and equipment must be used only to facilitate works for a local community or sporting organisation and must not be removed from the Shire of Northampton district.

Administration

Responsibility for implementing this policy is delegated to the Executive Manager Works and Technical Services.

Adoption and Date Due for Revision**ADOPTED 19 February 2026****NEXT DUE FOR REVIEW February 2031****The Administration of this Policy is by Office of Works and Technical Services.**



Applications to Keep Additional Dogs or Cats

1.0 Introduction

1.1 Purpose

The purpose of this policy is to:

- i) outline the circumstances under which the Shire of Northampton may be prepared to conditionally approve the keeping of more than the maximum number of Dogs and Cats permitted under Shire of Northampton Local Laws; and
- ii) To outline the procedure to be followed by Shire employees in assessing such applications.

1.2 Background

The Shire of Northampton Local Laws prescribe the following numbers for dogs and cats that may be registered at a property without further approval:

- i) The Shire of Northampton's *Dog Local Law 2017* permits:
 - a) *2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated in a town-site; or*
 - b) *4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside of a townsite; and*
- ii) The Shire of Northampton's Health Local Laws specifies the maximum number of cats without an exemption in writing is 3 cats over the age of 3 months.

1.3 Interpretation

For the purpose of this policy, all terms shall have the same meaning as defined by the Dog Act 1976 and Cat Act 2011, the associated regulations and relevant Shire of Northampton Local Laws.

1.4 Policy Application

The provisions of this Policy do not apply to the following premises:

- a) Premises where an exemption has been granted pursuant to Section 26(3) of the Dog Act 1976.
- b) under the relevant Shire of Northampton Local Law;
- c) licensed Kennel or Veterinarian;
- d) premises approved as an "Animal Establishment" under the provisions of the Shire of Northampton's Local Planning Scheme No 10 – Northampton District and No 11 – Kalbarri Townsite. The Policy applies to all other land within the Shire of Northampton.

2.0 Policy Provisions

2.1 Dogs

In accordance with Section 26(1) of the *Dog Act 1976* up to two dogs may be kept on any premises, 'as of right'. As detailed in balance of section 26, local government may through the making of a local law, limit the maximum number of dogs that may be permitted. Pursuant to this, Part 3.2 of the Shire of Northampton's *Dogs Local Law 2017* states:

- (2) *The limit on the number of dogs which may be kept on any premises ism for the purpose of section 26(4) of the Act –*
- (a) *2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situation within a townsite; or*
 - (b) *4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated out of a Townsite.*

An exemption to permit the keeping of up to six dogs may be granted under Section 26(3) of the Dog Act, which states:

- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified are but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption –*
- (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
 - (b) *shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
 - (c) *may be revoked or varied at any time.*

Applications for an exemption are to be assessed against the criteria specified in clause XX of this policy.

2.2 Cats

Part 5, Division 2 of the *Cat Act 2011* details that the local government may make and enforce a local law that regulates aspects of cat ownership, including the number of cats that may be kept at a property. While are no Cat Local Laws applicable to the Shire of Northampton clause 5.2.4 of the Shire's *Health Local Law 2007* states that without an exemption in writing the maximum number of cats to be kept at a premises is 3 cats over the age of 3 months.

Applications for an exemption under clause 5.2.4 of the *Health Local Law 2007* shall be assessed against the requirements set out in the Local Law and provisions of this policy. Where a conflict exists between provisions of this policy and the Health Local Law, provisions of the *Health Local Law 2007* shall prevail.

2.3 Application Process

Where an application is to be made to keep more dogs/cats than permitted by Shire of Northampton Local Laws, the submitted details should include:

- A completed Application for Permit to Keep Additional Dogs/Cats;
- The submission of supporting correspondence detailing the background to the situation and the reasoning for the keeping of more dogs/cats;

- In the case of a tenanted property, correspondence from either the landowner or their appointed real estate agent authorising the application; and
- Payment of the required fee in accordance with the Shire of Northampton's Schedule of Fees and Charges adopted as part of the annual budget.

2.4 Assessment of Proposals

All applications seeking approval to the keeping of more than the maximum number of dogs/cats prescribed by the relevant Shire of Northampton Local Laws shall be determined by Council. Agenda Items prepared for Council consideration, shall address the following matters to the satisfaction of the Chief Executive Officer:

1. Applications to keep more than the number of dogs/cats prescribed by the Shire of Northampton Local Laws shall only be supported in the following circumstances:
 - a) A maximum of three (3) dogs being approved on a single premises within a townsite;
 - b) A maximum of five dogs (5) dogs being approved on a single premises outside of a townsite;
 - c) The reason for requesting more than the number of dogs/cats prescribed by the local laws is as a result of:
 - i. To replace an elderly or sick dog in the family that it is not expected to live;
 - ii. Sudden family emergency and dog inherited;
 - iii. Merging of two households;
 - iv. Where the applicants have had approved to keep more than prescribed number in another local authority.
 - d) The existing dogs/cats on the premises are registered.
 - e) The application does not relate to a restricted or declared breed.
 - ff) The property has been inspected and deemed suitable by Shire Officer's authorised under the Dog Act 1976 and/or Cat Act 2011.
2. Applications for approval to keep more than the prescribed number of dogs/cats on the following grounds shall not be supported:
 - a) Just wanting another dog/cat;
 - b) Rescued a stray and would like to keep it;
 - c) Family member moves home and brings dog/cat;
 - d) A third party moving into a property (i.e. a boarder) and bringing a dog/cat with them;
 - f) Wanting to keep puppies/kittens from litters that have not been disposed of within three months of being born.
 - g) For breeding purposes, unless the owner is a registered breeder and the premises is already licensed as a Kennel, or approved as an Animal Establishment in accordance with the provisions of the Shire of Northampton's Local Planning Scheme No 10 – Northampton District or No 11 – Kalbarri Townsite;
 - h) Applications seeking to keep declared or restricted breeds.

2.5 Consultation

Neighbouring property owners shall be advised of the application for an exemption and provided a minimum of 14 days to comment on the proposal.

2.6 Conditions of Approval

Conditions of approval shall be recommended to Council as deemed necessary by the Chief Executive Officer. Without limiting the generality of the foregoing, recommendations for approval are contain to conditions addressing the following:

1. This approval relates the keeping of the following dogs/cats only:
 - Shire Officer to list each dog/cat by, age, colour/description, breed, microchip number and registration number.
2. The owner ensuring that the registration and registration details relating to each dog/cat are kept up to date at all times.
3. The animals hereby approved shall be managed so as not to create a nuisance as defined by the Dog Act 1976 in the case of Dogs or the clause 5.2.4 of the Shire of Northampton Health Local Laws 2007 in the case of cats;
4. Within a townsite, not more than two of the animals hereby approved shall be unsterilized unless the premises have been approved as an "Animal Establishment" in accordance with the provisions of Local Planning Scheme No 10 – Northampton District or No 11 – Kalbarri Townsite as may be applicable; and
5. Outside of a townsite, not more than four of the animals hereby approved shall be unsterilized unless the premises have been approved as an "Animal Establishment" in accordance with the provisions of Local Planning Scheme No 10 – Northampton District or No 11 – Kalbarri Townsite as may be applicable.

Advice to Applicant:

1. The applicant is advised that the Shire of Northampton reserves the right to revoke this approval should any of the above conditions be met, or any complaints and/or nuisance results from the keeping of the additional dogs/cats on the premises.
2. The applicant is advised that this approval is not transferrable to another property.
3. The applicant is advised that in accordance with the provisions of the Shire of Northampton's Local Planning Scheme No 4, the keeping of more than two dogs or cats for the purposes of breeding is classified as an "Animal Establishment". Council's prior planning approval is required for the use of land as a "Animal Establishment".

