



POLICY MANUAL

Revised 17 June 2022

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1. ADMINISTRATION

1.1 SMOKING - BUILDINGS & WORKING ENVIRONMENT **Policy Reviewed by Council 17 June 2022**

Council recognises that passive smoking is hazardous to health and that non-smokers should be protected from the inhalation of tobacco smoke.

To protect the health of all employees and the public users of Council's facilities, it is Council's Policy that employees do not smoke in any enclosed Council workplace, meeting room or vehicle if that vehicle is not normally operated by that staff member.

All employees, public facilities users and visitors to workplaces where the Council's smoking policy and relevant Occupational Health and Safety Regulations apply, must be informed of the Regulations Smoke Free Policy and encouraged not to smoke by use of strategically located and well-designed signage.

1.2 PUBLIC RELATIONS - PRESS RELEASES **Policy Reviewed by Council 17 June 2022**

The Local Government Act 1995 provides that the role of the Shire President is to speak on behalf of the Local Government and accordingly, the Shire President is the official spokesperson for the Council. If approached by the media for formal comment on any issue, Councillors and staff are in the first instance, to suggest that the media make direct contact with the Shire President as the Council's official spokesperson.

When the media does not make direct contact with the Shire President and a member of staff is asked to response/comment to the media, the staff member will direct the inquiry to the Chief Executive Officer who will liaise with the Shire President to determine who will respond/comment and the nature of the response/comment. If the Shire President is unable to be contacted, the Chief Executive Officer will determine who is to respond and the nature of the response.

Without express authority from the Shire President staff and Councillors are not to offer a Council view, attitude, stance, etc on any issue, this clearly being the function of the Shire President.

A Councillors right to express a personal opinion on any issue of public interest is recognised.

1.3 REVIEW OF POLICY MANUAL

Policy Reviewed by Council 17 June 2022

It is the policy of the Northampton Shire Council to maintain a manual recording the various policies of the Council.

Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.

The objectives of the Council's Policy Manual are:

- to provide Council with a formal written record of all policy decisions.
- to provide the staff with precise guidelines in which to act in accordance with Council's wishes.
- to enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council.
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council.
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances.
- to enable ratepayers to obtain immediate advice on matters of Council Policy.

The Policy Manual will be maintained in a loose-leaf binder and updated as and when a policy is varied by the Council.

Council is to carry out a review of its policies on an annual basis.

A copy of the Policy Manual, together with details of variations as they occur, shall be distributed to all Councillors and appropriate staff.

Changes to Council Policy shall be made only on:

- a) Notice of motion, or
- b) an agenda item clearly setting out details of the amended policy.

1.4 SCHOOLS - WORK EXPERIENCE PROGRAMS **Policy Reviewed by Council 17 June 2022**

It is the policy of Council to offer work experience in both administrative and works situations to all students who reside or whose families reside within the Shire area and to university students seeking work experience in the fields of Health/ Building and Town Planning.

1.5 EXECUTION OF DOCUMENTS **Policy Reviewed by Council 17 June 2022**

It is Council's policy that, for document to be validly executed, the common seal is to be affixed to the document and the President and the Chief Executive Officer attest the affixing of the seal.

1.6. LEGAL REPRESENTATION – COSTS INDEMNIFICATION **Policy Reviewed by Council 17 June 2022**

1.6.1 Introduction

This policy is designed to protect the interests of council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

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

1.6.2 General Principles

- a) The local government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
- b) The local government may provide such assistance in the following types of legal proceedings:
 - i) proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour).
 - ii) proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (eg refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions)]; and

- iii) statutory or other inquiries where representation of members or employees is justified.
- c) The local government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms leveled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

1.6.3 Applications for Financial Assistance

- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the *Local Government Act 1995*.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the *Local Government Act 1995*.
- f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

1.6.4 Repayment of Assistance

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

1.7 STATE RECORDS ACT

Policy Reviewed by Council 17 June 2022

It is the policy of Council that to comply with the requirements of the State Records Act 2000, all Councillors are to refrain from generating correspondence that relates to Council business without first referring the matter to either the President or the CEO and that all correspondence received by Councillors that relates to Council business must forward that correspondence to the CEO for correct record keeping.

1.8 REPRESENTATION – NORTHERN ZONE WA LOCAL GOVERNMENT ASSOCIATION

Policy Reviewed by Council 17 June 2022

That the President and Deputy Shire President be appointed as Council delegates for the Northern Zone of the Western Australian Local Government Association and those delegates be authorised to vote on matters on behalf of the Shire of Northampton.

1.9 RISK MANAGEMENT POLICY

Policy Reviewed by Council 17 June 2022

Objective

To encourage an integrated, effective and organisation wide approach to risk management within the Shire of Northampton, facilitating value creation and protection.

Policy Statement

Council is committed to the use of risk management in the course of achieving its strategic objectives and delivery of services to the community. Management of risk is considered the responsibility of all elected members, employees and contractors, and is to be integrated throughout the Shire.

A *Risk Management Strategy* is to be maintained and implemented utilising the Principles, Framework and Process as defined within *AS/NZS ISO 31000:2018 Risk management - Guidelines*.

Risk Tolerance and Appetite:

Risk tolerance or risk appetite refers to the amount and type of risk that the Shire is willing to take in order to meet its strategic objectives. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect, the Shire, and its stakeholders.

Council's risk tolerance and appetite is articulated with the *Risk Management Strategy* and any change to the level of risk tolerance and appetite within the Strategy can only be made with Council approval.

Risk Management Commitment:

Council will maintain a continual commitment to risk management through the appropriate allocation of resources to facilitate application of the principles, framework and process as defined within *AS/NZS ISO 31000:2018*, through the '*Risk Management Strategy*'. The *Risk Management Strategy* will assist the organisation to integrate risk management into decision making and operational activities, across the organisation. This commitment will work towards:

- Aligning the objectives, culture and strategy of the Shire with risk management.
- Addressing and recognising all obligations (including voluntary commitments) of the Shire.
- Communicating the risk appetite of the Shire to guide the establishment of risk criteria, to all employees, contractors and elected members and stakeholders.
- Promoting and conveying the value of risk management across the Shire.
- Encouraging methodical monitoring of risks.
- Ensuring that the *Risk Management Strategy* remains relevant to and considers the context of the organisation.

RISK MANAGEMENT STRATEGY

1.1 Introduction

The Risk Management Strategy (Strategy) aims to support an **integrated** and effective approach to risk management to ensure an organisation-wide approach to risk management, with the aim of value creation and protection, in accordance with the Shire of Northampton Risk Management Policy. This includes consistent assessment of risks including risk mitigation activities from a top down perspective, as well as bottom up, through operational processes and procedures.

The Shire has implemented a structured approach to risk management based on, Australian / New Zealand International Standard for Risk Management – Guidelines ISO 31000:2018. This will assist the Shire work towards:

- Aligning the objectives, culture and strategy of the Shire with risk management.
- Addressing and recognising all obligations (including voluntary commitments) of the Shire.
- Communicating the risk appetite of the Shire to guide the establishment of risk criteria, whilst conveying to all elected members, employees and contractors.
- Promoting and conveying value of risk management across the Shire.
- Encouraging methodical monitoring of risks; and
- Ensuring the Risk Management Strategy remains relevant to and considers the context of the organisation.

The key **objectives** of the Strategy are to:

- Ensure consistent and systematic approach to risk management through decision-making and corporate planning, contributing toward an effective and efficient risk management culture over time.
- Provide tools to assist management with risk identification and articulation of risks to enable appropriate risk mitigation strategies; and
- Supports the overall governance framework through integration of corporate culture, internal controls, policies and procedures (“internal control environment”) and management oversight.

1.2 Risk Management – Principles, Framework and Process

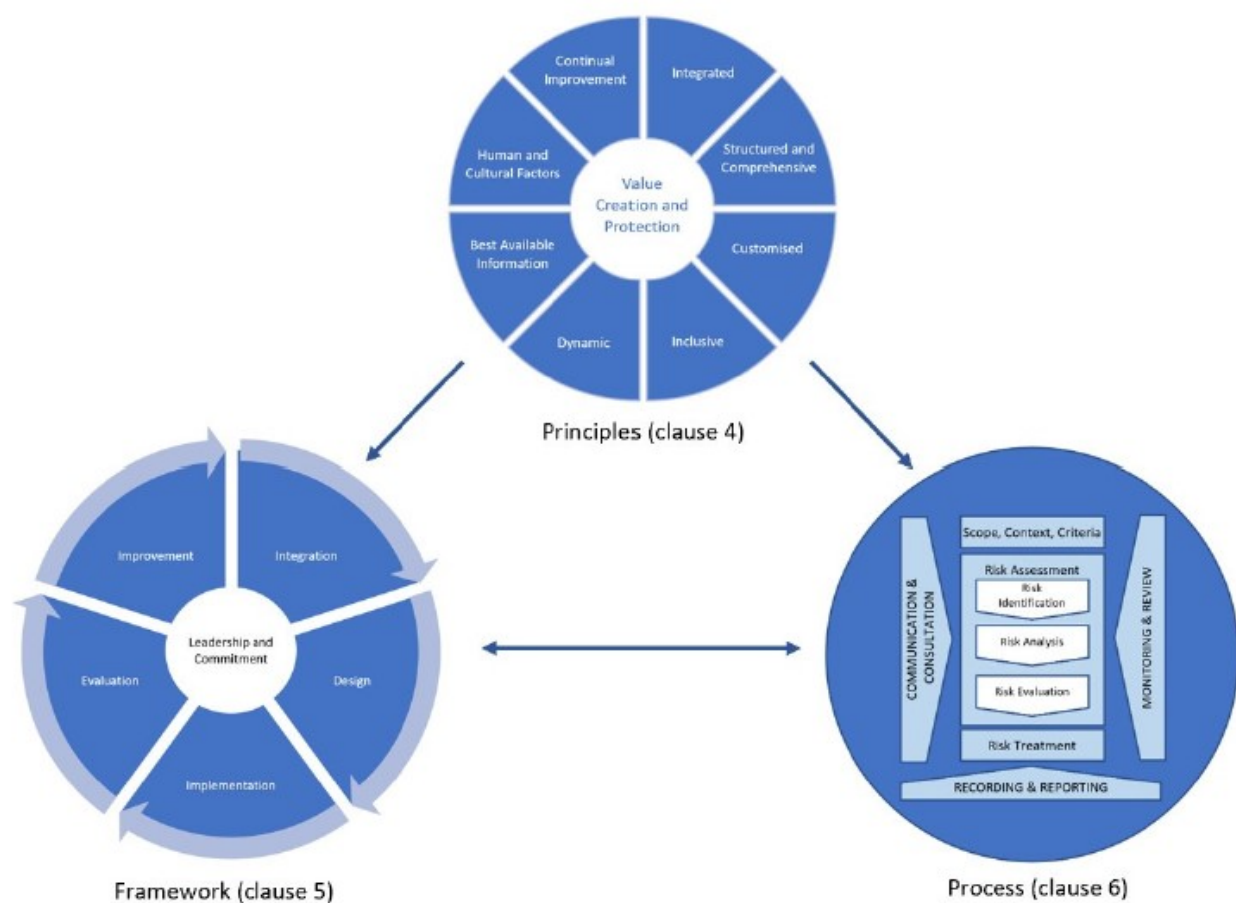
ISO 31000:2018 provides guidance on the development of a risk management approach, designed to be tailored to best apply to any organisation and its requirements. This Strategy has been developed using the Principles, Framework and Process as outlined within ISO 31000:2018.

The diagram below demonstrates the relationship between each component of the Risk Management Strategy, with the Principles forming the foundation of the Strategy. The Principles describe the features to be utilised and influence the Framework and Process elements.

The Framework component of the Strategy is intended to facilitate integration of risk management throughout the Shire, through commitment from leadership to risk management practices. Any gaps identified through analysis of existing practices will be remedied through the application of the Framework and will inform the Process component.

The Risk Management Process is to be designed and tailored to align best to the Shire's structure, resources and practices. The Risk Process is iterative, consisting of Risk Assessment, Risk Identification, Risk Analysis, Risk Evaluation and Risk Treatment, Communication and Consultation, Recording and Reporting along with Monitoring and, as noted in the below diagram. The Process component of the Strategy draws on both the Framework and the Principles in its application to managing risk.

High Level Overview of Strategy



Source: Australia/New Zealand Standard ISO 31000:2018

1.3 Risk Management Policy

The Shire's Risk Management Policy (1.10) states the mandate and commitment including roles and responsibilities of Council and all staff:

"Management of risk is considered the responsibility of all elected members, employees and contractors, and is to be integrated throughout the Shire."

The Risk Management Policy must be read and understood in conjunction with this Strategy.

1.4 Risk Management Principles

In accordance with ISO 31000:2018, the following key principles provide necessary guidance and methodology when implementing a structured risk management process.

Human and cultural factors: Risk culture is created from visible leadership and commitment in embedding a risk mindset. All elected members and employees have responsibility for managing risk.

Risk management should be a part of, and not separate from, the Shire's purpose, governance, leadership and commitment, strategy, objectives and operations.¹

Structured and comprehensive: Refers to the risk management process which encompasses:

- Risk identification, assessment and treatment.
- Risk monitoring and review; and
- Risk reporting and communication.

Inclusive accountability and transparency: Leadership to assign clear roles and responsibilities for staff, external stakeholders and decision makers to ensure risk management remains relevant and up- to-date, and is based on informed choices and agreed priorities.

Integrated: Managing risks should create and protect value by contributing to the achievement of objectives as included in the Strategic Community Plan and Corporate Business Plan (Plan for the Future), as well as project outcomes and improving Shire performance as an integrated activity within existing processes.

Customised to Shire risk profile: Recognises the Shire's external and internal influences and challenges, due to its geographical location and community needs.

Dynamic: Risks needs to be managed in a dynamic, iterative and responsive manner.

Continuous improvement: Developing a more risk aware workforce will result in operational processes which take into account risk considerations and enable processes and decision making to improve over time.

Best available information: Risk management is reliant on use of the best available information at any given point in time.

1.5 Risk Management Framework

The impact of risk management efforts is highly dependent upon the integration of risk management throughout the Shire. The Risk Management Framework is designed to assist with facilitating high level of integration across activities, practices and functions of the Shire.

Details of each stage within the framework are:

Integration

- *Integrate risk management into Shire processes and structure. All elected members and employees are responsible for managing risk.*

Design the Strategy

- *Understand the organisation and its context.*
- *Establish and adopt Risk Management Policy.*
- *Establish roles, responsibilities and accountabilities.*
- *Allocate resources; and*
- *Establish internal and external communication and reporting mechanisms.*

Implement the Strategy

- *Develop Risk Management Plan.*
- *Engage stakeholders to convey the purpose and importance of the Strategy and Plan.*
- *Implement corporate risk management processes in all activities throughout the Shire, particularly decision making processes; and*
- *Identify changes in the internal and external context, as well as identifying emerging risks or changed risk conditions.*

Evaluate the Strategy

- *Regularly assess the purpose, objectives, and outcomes of the Strategy against actual risk management practices; and*
- *Consider the suitability and application of the Strategy to the Shire's operations and activities.*

Continuous Improvement

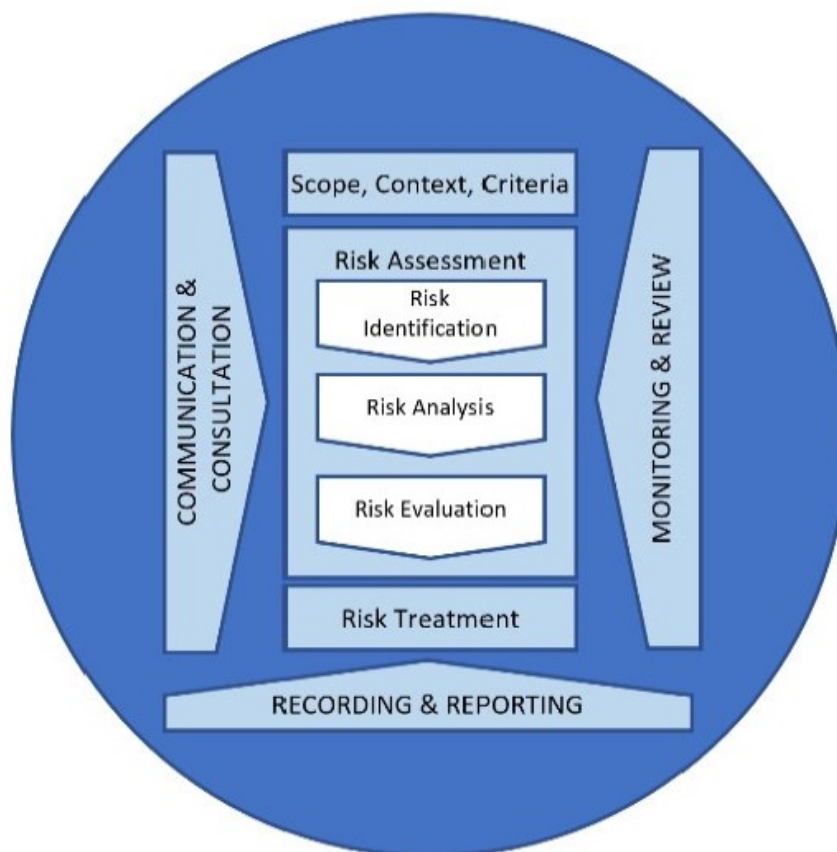
- *As gaps or improvement opportunities are identified from risk processes, continuously refine the Framework and the way the process is integrated; and*
- *Develop plans and tasks and assign them to those accountable for implementation.*

1.6 Risk Management Process

The risk management process can be delivered in many different ways. It should play a pivotal role in management of the Shire and decision making, unified with the general operations, practices, procedures and the structure of the Shire. Applications of the risk management process should be tailored to best work with the structure and context of the Shire and draw on the risk principles as defined in Section 1.4, with appropriate consideration afforded to maintaining the dynamic nature of the process, continual improvement, the variable nature of human and cultural factors, modifying and integration of processes/practices.

Given the highly dynamic and variable nature of the risk management process, the general approach by the Shire is to articulate and develop details relating to risk management processes within operational procedures, to best communicate the applicable elements of the process throughout the organisation. Development of these procedures will also enable appropriate feedback to be sought from stakeholders and implemented into decision making processes.

The diagram below depicts the re-iterative and continuous process for managing risks.



Source: Australia/New Zealand ISO31000:2018

1.7 Risk Management Process – Communication and Consultation

Communication and consultation are important elements of the risk management process. These elements promote a better understanding of risk across the Shire and convey the purpose behind actions occurring or required.

An effective risk management process relies on regular communication and consultation, both upward to leadership and downward from leadership and senior staff, involving risk owners, Shire management and Audit and Risk Committee / Council (as applicable).

The main objectives of risk communication and consultation are to:

- Provide information for decision making (relevance of information is dependent on currency).
- Utilise expertise from across the organisation in the course of carrying out risk management activities; and
- Facilitate an inclusive and empowered culture across the Shire in relation to risk management. Communication of newly identified, untreated high level risks will be as follows:

Risk Context	Purpose	Reporting to:
Strategic	Emerging risks or existing risks which impact on the Council's ability to deliver on its strategic objectives.	CEO/Council
Operating	Risks identified from operational activities which need to be addressed, reported and monitored until effectively treated to an acceptable risk tolerance.	CEO
Projects	Risks identified from capital or infrastructure projects which impact on the project deliverables above the Council's acceptable risk tolerance.	CEO
Consolidated Risk Summary	For Executive Management – summary of high level risks and above items to inform Audit Committee & Council of risk treatments.	Audit Committee / Council

In line with the multi-directional approach to risk consultation it is equally important for newly identified untreated risk to be communicated from Council to the Executive.

Each level of management must communicate risks as they become aware of them, to relevant staff at the level directly above and below them, who must in turn communicate the risks to the next level above or below.

Communication and consultation of medium and higher risks should be through a documented process. Lower level risks may be communicated verbally.

1.8 Risk Management Process – Risk Categories / Risk Themes

The purpose of risk categories and/or risk themes is to group similar risks under the appropriate risk category. The use of standard risk categories enables:

- Structured process for staff to identify and capture risks; and
- Reporting of risks by risk type, providing focus areas requiring risk mitigation, especially where similar risks are identified across functional areas and/or by different stakeholders.

The Shire's risk categories/themes should be continually reviewed to ensure relevance in current environment.

Examples of risk categories within the local government sector include:

1. Performance: ability to achieve key objectives, within current resources, potential loss of infrastructure.
2. Financial: loss of assets, impact on annual revenues or costs, external audit issues, mismanagement of funds.
3. Environmental Risk: harm to the environment.
4. Reputational Damage: adverse publicity.
5. Service Delivery/Business Interruption: loss of service, disruption in business processes or impact to service delivery (including through lack of skilled resources); and
6. Legislative / Regulatory / Policy / Occupational Safety and Health: misconduct, injury, failure to meet statutory, regulatory or compliance requirements.

Risk categories will be defined in the initial establishment of risk registers and should be dynamic to reflect the current environment.

1.9 Risk Management Process – Risk Tolerance / Risk Appetite

Risk tolerance or risk appetite can be defined as the amount and type of risk the Shire is willing to take in order to meet its strategic objectives. Given the characteristic risk profile of local governments, it is important the Elected Members and CEO understand and consider this relatively low appetite for risk when evaluating major decisions. To facilitate meaningful analysis of the Shire's risk exposures, one role of the Council is to constructively challenge management's proposals from a risk perspective.

As risk management processes mature, a risk appetite matrix which pre-defines types of risk and quantifies them in a structured manner will help ensure the Shire's strategic objectives are effectively planned and managed. It enables articulation of specific actions/practices, i.e. the Shire does not tolerate any risk of breaches to regulatory obligations or legislative requirements. This assists staff understanding of how their day to day risk management activities contribute towards the Shire's risk culture and risk profile.

Understanding risk appetite helps determine the level of acceptable/unacceptable risk and the extent to which additional controls are required to treat risk. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and procedures in order to maintain the organisation's reputation and to protect public funds from loss or misappropriation.

The appetite for risk in relation to service delivery, finance, health, safety and the environment is considered 'low to medium', requiring treatment with effective controls. Where the level of risk is considered 'high' or 'extreme', additional controls are required to reduce the risk level. In circumstances where the level of risk cannot be reduced below 'high', close monitoring of risk controls is required to ensure the relevant internal controls remain effective. In cases of medium to high risk, the Shire will mitigate the risk by taking out insurance where possible.

Documentation to support risk management process

Documentation of medium and high level risks is best undertaken through the use of a risk register (compliance calendar). Maintenance of risk registers (compliance calendar) demonstrates an active and evidentiary risk management process within the Shire.

The following provides guidance for documentation of risk registers (compliance calendar):

- All elected members and employees have responsibilities to identify, assess, evaluate and treat risks in their day to day activities; risks assessed as being mitigated to an acceptable level through operating controls or risk treatments by eliminating the risk are deemed to be effectively addressed and do not require documenting;
- Risks which require further actions or treatment by more senior officers before they are within the acceptable risk tolerance must be documented in the risk register to enable effective communication and monitoring; and
- Any risks deemed to be rated High or Extreme and unable to be immediately treated to an acceptable level, must be escalated to the CEO immediately for further escalation to the Audit & Risk Committee and/or Council, where unable to be adequately treated by the CEO within the constraints of the annual budget. These risks must also be recorded in the risk register.

Assurance activities for risks mitigated through operational and/or financial controls

The Shire has the following governance activities to ensure controls required for risk mitigation are operating as intended:

- Completion of mandatory returns as required by legislation.
- Routine independent verification of operating controls, systems and procedures.
- External audit of financial statements; and
- Via Code of Conduct, Council policies and work procedures.

The following pages contain tools and guidance useful in the implementation of this Strategy.

- Table 1: Roles & Responsibilities
- Table 2: Risk Ratings
- Table 3: Matrix Assessment
- Table 4: Likelihood Rating
- Table 5: Risk Response

Table 1: Roles and Responsibilities

Role	Responsibilities
Council	<p>Council's responsibilities are to:</p> <ul style="list-style-type: none"> • Adopt a Risk Management Policy compliant with the requirements of AS/NZS ISO 31000:2018 and to review and approve the Policy in a timely manner as required. • Be satisfied risks are identified, managed and controlled appropriately, to achieve Shire's strategic objectives. • Supports the allocation of funds / resources to treat risks as required.
Audit & Risk Committee	<ul style="list-style-type: none"> • Requests and reviews reports on risk management on a biannual basis (minimum) or as required depending on the nature of the risk(s). • Monitors the overall risk exposure of the Shire and makes recommendations to Council as appropriate. • Assesses for effectiveness the risk control measures / risk treatment plans in reducing the severity of the risk(s).
Executive	<ul style="list-style-type: none"> • Creates an environment where staff are responsible for and actively involved in managing risk. • Oversight of the Shire's Risk Management Strategy. • Maintain and implement the Risk Management Strategy. • Ensures a consistent risk management approach is embedded in the operations and processes of the Shire. • Actively participates and supports the Risk Management Strategy through identification and creation of suitable risk treatments to control strategic and operational risks facing the Shire. • Monitors the strategic and operational risk management performance. • Reviews the Shire's Risk Summary Report prior to submission to the Audit & Risk Committee.
Staff	<ul style="list-style-type: none"> • Adopt and understand the principles of risk management and comply with policies, processes and practices relating to risk management. • Alert and bring to management's attention, the risks existing within their area. • Conduct risk assessments which are appropriate with the scope of the task and the associated level of risk identified.

Table 2: Consequence Ratings

Description	Performance	Financial	Environment	Reputation	Service Delivery / Business Disruption	Legislative / Regulatory / Policy / OSH
CATASTROPHIC	Unable to achieve key objectives. External resources required. Ongoing loss of critical infrastructure.	>15% of asset value. Adverse >15% deviation from budget. Audit unable to be completed.	Catastrophic long term environmental harm.	Significant damage to public confidence leading to sustained compromise in the achievement of strategic objectives.	Major, including several important areas of service and/or a protracted period. Ongoing loss of business systems.	Criminal instances of regulatory non-compliance. Extreme breaches of Code of Conduct. Personal details compromised / revealed – all. Death.
MAJOR	Major impact on ability to achieve key objectives. Impact cannot be managed with current allocated resources. Long-term loss of critical infrastructure.	5%-15% of asset value. Adverse 5%→15% deviation from budget. Audit qualification on the report and accounts.	Significant long-term environmental harm.	Local publicity of a major and persistent nature, affecting the perception/ standing within the community.	Complete loss of an important service area for a short period. Major disruption to business processes.	Major revenue or cost implications. Individuals at risk of harm. Significant breaches of Code of Conduct. Personal details compromised / revealed – many. Multiple serious injuries.
MODERATE	Moderate impact on ability to achieve key objectives. Significant adjustment to resource allocation. Loss of support infrastructure.	2%-5% of asset value. Adverse 2%→5% deviation from budget. Management letter contains significant issues.	Significant short-term environmental harm.	Damage to reputation to a specific audience, may not have significant long-term or community effects.	Major effect to an important service area for a short period, brief impact on multiple areas. Moderate disruption to business processes.	Minor revenue or cost implications. Breach of Code of Conduct. Personal details compromised / revealed – some. Serious injury and/or illness.
MINOR	Minor impact on ability to achieve key objectives. Additional internal management efforts required. Interruption to support infrastructure.	< 2 of asset value. Adverse impact on revenues and costs <2% deviation from budget. Management letter contains minor issues.	Minor transient environmental harm.	Minor damage to reputation to a small audience, complaint from a large group of people.	Brief disruption of important service area. Noticeable effect to non-crucial service area. Minor disruption to business processes.	Minor breaches of Code of Conduct. Personal details compromised / revealed – isolated. First aid or minor lost time injury.
INSIGNIFICANT	Negligible impact on ability to achieve key objectives. Impact can be managed through routine activities. Negligible interruption to support infrastructure.	Insignificant loss. Insignificant adverse impact on annual revenue or costs. Matters discussed with management not reported.	Negligible transient environmental harm.	Minor unsubstantiated publicity or damage to reputation to a small audience, complaint from individual/small group.	Negligible impact on the effectiveness of the organisation's processes. Negligible disruption to business processes.	Little or no impact to Code of Conduct. Personal details compromised / revealed - an individuals. Incident with or without minor injury.

Table 3: Risk Matrix

		CONSEQUENCE				
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium	High	High	Extreme/Exceptional	Extreme/Exceptional
Likely	4	Medium	Medium	High	High	Extreme/Exceptional
Possible	3	Low	Medium	Medium	High	High
Unlikely	2	Low	Low	Medium	Medium	High
Rare	1	Very low	Low	Low	Medium	Medium

Table 4: Likelihood Rating

Likelihood	Definition	Frequency of Noted Occurrences	Score
Almost Certain	Expected to occur in most circumstances or occurs regularly. A clear opportunity already apparent, which can easily be achieved.	More than once per year	5
Likely	Occurrence is noticeable or is likely to occur. An opportunity that has been explored and may be achievable.	At least once per year	4
Possible	Occurs occasionally or may occur. Possible opportunity identified.	At least once in 5 years	3
Unlikely	Occurs infrequently or is not likely to occur. Opportunity that is fairly unlikely to happen.	At least once in 10 years	2
Rare	Only occurs in exceptional circumstances. Opportunity that is very unlikely to happen.	Less than once in 20 years	1

Table 5: Risk Response

Risk	Action Required
Extreme/Exceptional	Immediate corrective action
High	Prioritised action required
Medium	Planned action required
Low	Planned action required
Very low	Manage by routine procedures

Date approved:	18/12/2019
Responsible officer:	CEO
Endorsed by:	Audit Committee
Approved by:	Council
Next review:	2021

Definitions	
Consequence	The outcome of an event affecting achievement of organisational objectives.
Control	A measure that modifies a risk or manages risks within an organisation.
Establishing the context	Defining the external and internal parameters to be taken into account when managing risk and setting the scope and evaluating the significance of a risk (i.e. risk criteria).
Event	The occurrence or change of a particular set of circumstances.
Likelihood	The chance of a risk event occurring.
Monitoring	Continual checking, critically observing or determining status in order to identify change from the performance level required or expected.
Operational risk	Operational risks are linked to the Business Plan objectives and take into consideration risks which will prevent departments from delivering their annual business plans and ongoing services to the community.
Residual risk	The risk remaining after risk treatment.
Risk	The effect of uncertainty on objectives. The focus should be on the effect of incomplete knowledge of events or circumstances on the Shire's decision making.
Risk analysis	The process to comprehend the nature of risk and to determine the level of risk.
Risk assessment	The overall process of risk identification, risk analysis and risk evaluation.
Risk attitude	The organisation's approach to assessing and eventually pursuing, retaining, taking or turning away from risk.
Risk criteria	The terms of reference against which the significance of a risk is evaluated.
Risk evaluation	The process of comparing the results of a risk analysis with the risk criteria to determine whether the risk and/or its magnitude are acceptable or tolerable.
Risk identification	The process of finding, recognising and describing risks.
Risk management	The coordinated activities to direct and control an organisation with requirements to manage risk.

Definitions	
Risk management policy	The Shire's statement of overall intention and direction related to risk management.
Risk owner	The person with the accountability and authority to manage a risk.
Risk profile	The acceptable level of risk an organisation is prepared to accept. For the purposes of this Framework, the Shire's risk profile is the overall exposure to risk based on its aggregated risks, at a point in time.
Risk source	An element that, either alone or in combination, has the intrinsic potential to give rise to a risk.
Risk treatment	The process to modify risk.
Stakeholder	A person or organisation that can affect, be affected by or perceive themselves to be affected by a decision or activity.
Strategic risk	Strategic risks are the risks that will prevent the Shire from meeting the objectives outlined in its Plan for the Future.
<i>Reference: ISO 31000:2018 Risk management—Guidelines</i>	

1.10 LEGISLATIVE COMPLIANCE POLICY

Policy reviewed by Council 17 June 2022

OBJECTIVE

To ensure that the Shire of Northampton complies with legislative requirements.

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 of Northampton has an obligation to ensure that legislative requirements are complied with.

The community and those working at the Shire have an expectation that the Council will comply with applicable legislation and the Council should take all appropriate measures to ensure that that expectation is met. Regulation 14 of the Local Government (Audit) Regulations 1996 requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year.

The compliance audit is structured by the Department of Local Government and Communities and relates to key provisions of the Local Government Act 1995.

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

POLICY STATEMENT

The Council will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the Council.

These processes and structures will aim to:-

- (a) Develop and maintain a system for identifying the legislation that applies to the Shire's activities.
- (b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented.
- (c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them.
- (d) Provide people with the resources to identify and remain up-to-date with new legislation.
- (e) Establish a mechanism for reporting non-compliance.

- (f) Review accidents, incidents and other situations where there may have been noncompliance.
- (g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

Roles and Responsibilities

Councillors and Committee Members

- (a) Councillors and Committee members have a responsibility to be aware and abide by legislation applicable to their role.

- (b) Senior Management

Senior Management should ensure that directions relating to compliance are clear and unequivocal and that legal requirements which apply to each activity for which they are responsible are identified. Senior Management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

- (c) Employees

Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation. Employees shall report through their supervisors to Senior Management any areas of noncompliance that they become aware of.

- (d) Implementation of Legislation

The Council will have procedures in place to ensure that when legislation changes, steps are taken to ensure that future actions comply with the amended legislation.

LEGISLATIVE COMPLIANCE PROCEDURES

1. Identifying Current Legislation

The Council accesses electronic up to date versions of legislation through the Western Australian State Law Publisher website at www.legislation.wa.gov.au. Direct access to this site is provided from the Council's networked computers.

2. Identifying New or Amended Legislation

(a) Western Australian Government Gazette

The Council accesses electronic up to date versions of the Government Gazette through the Western Australian State Law Publisher website at

www.legislation.wa.gov.au. Direct access to this site is provided from the Council's networked computers. It is incumbent on the CEO and Senior Staff to determine whether any gazetted changes to legislation need to be incorporated into processes.

(b) Department of Local Government

The Council receives regular circulars from the Department of Local Government on any new or amended legislation. Such advice is received through the Council's Records section and is distributed to the Councillors, CEO and relevant Council officers for advice and implementation.

(c) Department of Planning

The Council receives Planning Bulletins from the Department of Planning on any new or amended legislation. Such advice is received through the Council's Records section and is distributed to the relevant Council officers for implementation.

(d) Western Australian Local Government Association (WALGA)

The Council receives regular circulars from WALGA and these circulars highlight changes in legislation applicable to local governments.

3. Obtaining advice on Legislative Provisions

The Council will obtain advice on matters of legislation and compliance where this is necessary. Contact can be made with the Department of Local Government, WALGA or the relevant initiating government department for advice.

4. Informing Council of Legislative Change

If appropriate the CEO will, on receipt of advice of legislative amendments, advise the Council on new or amended legislation. The Council's format for all its reports to Council meetings provides that all reports shall have a section headed 'Statutory implications' which shall detail the sections of any Act, Regulation or other legislation that is relevant.

5. Review of Incidents and Complaints of Non-compliance

The Council shall review all incidents and complaints of non-compliance. Such reviews will assess compliance with legislation, standards, policies and procedures that are applicable.

6. Reporting of Non-compliance

All instances of non-compliance shall be reported immediately to the CEO. The CEO may investigate any reports of significant non-compliance and if necessary, report the non-compliance to the Council and/or the relevant government department. The CEO will also take the necessary steps to improve compliance systems.

1.11 RELATED PARTY DISCLOSURES POLICY **Policy reviewed by Council 17 June 2022**

OBJECTIVES

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

POLICY STATEMENT

This policy applies to Related Parties of Council and their Related Party Transactions with Council.

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 Council through the presence of control, joint control or significant influence.

A related Party relationship could influence the normal business operations of Council. In some instances, Council may enter into transactions with a Related Party that unrelated parties would not. For example, goods are supplied to Council 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 Council 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 Council with other parties. Alternatively, one party may refrain from trading with Council 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 Council.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations by users of financial statements, including assessments of the risks and opportunities facing the Council.

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 Council are considered to include:

- Councillors (including the President).
- Chief Executive Officer; and
- The Executive Management Team

2. Identification of Related Parties

A person or entity is a related party of Council 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 Council is part of.
- They and Council are joint ventures of the same third party.
- They are part of a joint venture of a third party and Council is an associate of the third party.
- They are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council.
- 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 Council or a *close or possibly close member of the family of a person* who is a KMP of Council.
- They, or any member of a group of which they are a part, provide KMP services to Council.

For the purposes of this Policy, related parties of Council are:

- Entities related to Council.
- Key Management Personnel (KMP) of Council
- 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 Executive Officers or a corporate restructure, will also trigger a review of Council's related parties immediately following such an event.

Council 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.

Council 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 Council's accounting and electronic records management systems.
- Other transactions not passing through Council'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 Treasury & Finance, 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 Council 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.
- Settlements of liabilities on behalf of Council or by Council 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 Council
- Non-monetary transactions between Council and associated entities of Council
- Other goods and services provided by Council to associated entities of Council
- 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

Council 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 Council 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 Council 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:

- Use of Council facilities, equipment and services in accordance with Council's fees, charges and policies.
- Payment of rates and charges.
- Attendance at Council 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 Council'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 Council 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:

- 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 Council.

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 Council 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.

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

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

ROLES AND RESPONSIBILITIES

The CEO & DCEO are responsible for the implementation of this policy.

1.12 COMMUNITY ENGAGEMENT POLICY

Policy reviewed by Council 17 June 2022

COMMUNITY CONSULTATION POLICY

Purpose

This policy sets out the governing principles for community engagement and consultation that underpin the Integrated Planning and Reporting framework to ensure the strategic direction of the organisation is with in keeping with community values and aspirations.

Objectives

The objective of this policy is to provide guidance to Councillors and Officers in planning, implementing and reviewing community engagement and consultation for key projects, strategic planning and policy development. This will ensure informed decision-making, transparency, timely and effective communication with key stakeholders and the general community.

Adopted Policy

- Council is committed to providing leadership and a strong commitment to information sharing, consultation and active participation of the community in contributing to the decision making process.
- Council acknowledges the right of the community to access information, provide feedback, be consulted and actively participate in strategic planning or in key projects of service development. Council's obligations to respond to the community when exercising these rights will be clearly stated in specific consultation processes.
- Objectives for, and limits to, information, consultation and active participation during planning, project and key service development will be defined from the outset. The respective roles and responsibilities of the community (including individuals and groups) and Council (including Councillors and officers) will be made clear as well as to who makes final decisions once the information is analyzed.
- The approach for specific consultations will be tailored to the target audiences and consider all other factors outlined in this policy.
- Consultation will be undertaken as early in the planning process as possible to allow to widen the scope of consultation and to improve the outcomes. Adequate time will be made available for consultation to be effective.

- Information provided by Council during planning, project and key service development will be objective, complete and accessible. All those involved in a consultation process will have equal treatment when exercising their rights of access to information and participation.
- Council will ensure adequate financial, human and technical resources are available to make a consultation initiative effective. The allocation of resources will be considered in relation to broader budgetary restraints and the implications to existing priorities. Council will support its officers in consultation initiatives.
- Consultation on specific planning, project and key service development will be coordinated across Council to enhance knowledge management, ensure policy coherence, avoid duplication and reduce the risk of “consultation fatigue” within the community.
- Council will be accountable for the use made of input from a consultation process. Council will ensure consultation processes are open, transparent and amenable to external scrutiny and review.
- Council will actively and openly evaluate its consultation processes and practices in planning, project and key service development. The results of evaluation will directly impact upon future consultation initiatives.

Outcomes

Measures of success of consultation will include assessments of whether:

- The interests of all parties have been served.
- Expectations concerning the process have been met.
- Consensus, consent and commitment have emerged.
- The process has encouraged generation of the best options.
- Objective criteria have been used to assess the different options under consideration.
- Understanding has been enhanced.
- Relationships between Council and the community and within the community have been enhanced.
- The decision resulting from the consultation has been stable and enduring.

Responsibility

Responsibility for the implementation of this policy rests with the Council, CEO and staff of the Shire.

1.13 ATTENDANCE AT EVENTS POLICY

Adopted by Council 17 June 2022

1. OBJECTIVES

- 1.1. To introduce policy to address section 5.90A. of the Local Government Act 1995
Policy for attendance at events.
- 1.2. To provide elected members and staff with consistent guidelines to ensure transparency, relevance, and value for money for ratepayers.

2. POLICY STATEMENTS

- 2.1. In developing the Attendance at Events Policy, council needs to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council. The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings.
- 2.2. This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the Chief Executive Officer (CEO).
- 2.3. Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

3. LEGISLATION

- 3.1. Policy for attendance at events

In this section — **event** includes the following —

- a) a concert.
- b) a conference.
- c) a function.
- d) a sporting events.
- e) an occasion of a kind prescribed for the purposes of this definition.

- 3.2. A local government must prepare, and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
- a) the provision of tickets to events; and
 - b) payments in respect of attendance; and
 - c) approval of attendance by the local government and criteria for approval; and
 - d) any prescribed matter.
- *Absolute majority required.*
- 3.3. A local government may amend* the policy.
- *Absolute majority required.*
- 3.4. When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- 3.5. The CEO must publish an up-to-date version of the policy on the local government's official website.

4. PROVISION OF TICKETS TO EVENTS

4.1 Invitation

- 4.1.1. All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Chief Executive Officer. Invitations made directly to an Elected Member are to be handed to the Chief Executive Officer for action to be taken in accordance with this Policy.
- 4.1.2. Any other invitation or offer of tickets not addressed to an Elected Member or the Chief Executive Officer in general is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- 4.1.3. A list of events and attendees authorised by the local government in advance of the event is recorded in Attachment A.

5. APPROVAL OF ATTENDANCE

- 5.1 In deciding on attendance at an event, the Council will consider:
- a) who is providing the invitation or ticket to the event,
 - b) the location of the event in relation to the local government (within the district or out of the district),
 - c) the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
 - d) whether the event is sponsored by the local government,
 - e) the benefit of local government representation at the event,
-

- f) the number of invitations / tickets received, and
- g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

5.2 Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.

5.3 The CEO is authorised to determine matters relating to staff attending conferences, seminars or training (in addition to those listed at Attachment A) that form part of the ongoing operational requirements of the Shire using the considerations as outlined in 5.2 of this policy Ref CMP-030: Conference; Meetings; Training;

6. PAYMENTS IN RESPECT OF ATTENDANCE

- 6.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.
- 6.2 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 6.3 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 6.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
Western Australian Local Government Association (WALGA) Annual Conference and AGM	Annual Event	President, Deputy President 3 x Elected Members CEO DCEO	Elected Members & CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)
Northern Country Zone Conferences	Periodical	President, Deputy President Elected Members CEO DCEO	Elected Members & CEO DCEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)
State Government Budget announcement, launches and other events	Ongoing	President, Deputy President CEO	Elected Members & CEO	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Staff – CEO discretion (Clause 5.3)
WALGA Road Conference	Annual Event	President, Deputy President 2 x Elected Members CEO Manager Works & Svc	Elected Members & CEO Manager Works & Technical Services	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Elected Members – Min Ref:##/##-## Staff – CEO discretion (Clause 5.3)

Event Description	Date of event	Approved Attendee/s	Position	Approved contribution	Date of council resolution or CEO authorisation
Local Government Professionals Annual Conference	Annual Event	CEO DCEO And staff approved by CEO to attend	CEO DCEO Administration Finance Staff	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Staff – CEO discretion (Clause 5.3)
Synergy Soft IT Annual User Group Conference	Annual Event	CEO DCEO And staff approved by CEO to attend	CEO DCEO Administration Finance Staff	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Staff – CEO discretion (Clause 5.3)
Moore Stephens Annual Budget Finance Conferences	Annual Event	CEO DCEO And staff approved by CEO to attend	CEO DCEO Administration Finance Staff	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Staff – CEO discretion (Clause 5.3)
Works Supervisors Annual Conference	Annual Event	CEO Manager Works & Technical Services And staff approved by CEO to attend	CEO Manager Works & Technical Services Works Staff/Leading Hands	Registration, Accommodation, Travel, Meals and other reasonable cost & living expenses. Refer also to policy 4.3	Staff – CEO discretion (Clause 5.3)

1.14 INFORMATION TECHNOLOGY USE POLICY

Adopted by Council 17 June 2022

OBJECTIVES

This Policy outlines the conditions governing the use of all Information Technology (IT) facilities provided by the Shire of Northampton. The Policy applies to Elected Members, staff and to others to whom access to IT facilities has been provided.

MANAGEMENT PROCEDURE STATEMENT/S:

1. General Use

- 1.1 The Shire of Northampton reserves the right to, without notice, modify, upgrade, withdraw or otherwise alter any facilities provided.
- 1.2 The Shire of Northampton has ownership of all files and e-mail messages stored on Shire computers and reserves the right to examine all computer data and software on its facilities and to monitor usage in order to ensure compliance with this policy.
- 1.3 Users must respect the resource limitations of the IT facilities provided resources are not infinite.
- 1.4 Any facilities provided to users are for the business purposes of the Shire of Northampton. The Shire will not be responsible for meeting any costs resulting from either the misuse of facilities or the use of facilities for non-business-related purposes.
- 1.5 The Shire of Northampton supports only those facilities which it provides for business purposes. Hardware, software, operating systems and networking protocols not in use at, or provided and approved by the Shire of Northampton are not supported.

2. Storage

- 2.1 All corporate information including correspondence, minutes of meetings, memos, file notes and reports (other than those generated through the Shire's databases) are to be stored in the Electronic Document Management System (EDMS) generally referred to as Central Records. This is consistent with the legislative requirements of the State Records Act 2000.
- 2.2 E-mails and faxes sent and received, and of corporate nature must be captured and stored in the Electronic Document Management System. This is consistent with the legislative requirements of the State Records Act 2000.
- 2.3 Hard copy documents must be scanned and registered into the EDMS immediately upon receipt.

- 2.4 Corporate documents must not be stored on desktop computers or on portable media (i.e.: Portable Devices, CDs, DVD, USB's, Portable Hard Disk Drives) There are appropriate methods for storing draft and 'working' documents within the EDMS.

Network drives are provided for non-corporate documents only and only limited quotas are allowed. It is the responsibility of each staff member to understand what documents should be stored in the EDMS, this information can be obtained from the Record Management Record Keeping Plan 13th June 2018.

- 2.5 Only the network drives and corporate systems are backed up. 'C' drives and local 'H' drives are not backed up and users will be responsible for any loss of data stored on this drive or on portable media.
- 2.6 Duplication of data is to be avoided. Any documents stored in the EDMS do not need to be stored elsewhere unless access to EDMS is planned to be unavailable or the data is stored on media specifically designed for the purpose of backup.

3. Installing Unauthorised Software or Files

- 3.1 Users must not purchase, install, copy or use any software without prior written consultation with the Chief Executive Officer or Deputy Chief Executive Officer.
- 3.2 The use of any files that are subject to Copyright regulations that have not been authorised in writing for use by the Copyright owner are not permitted to be used on the Shire of Northampton systems.
- 3.3 Copyright authorisation documentation has to be registered in the EDMS and Manage according to the Shire's record keeping plan.

4. Access to Computer Facilities

- 4.1 Users may use only those facilities, which they have been properly authorised to use by the relevant Manager. Authorisation must be provided to Chief Executive Officer or Deputy Chief Executive Officer in writing before access is provided and/or modified.
- 4.2 Users may not use any of the facilities provided by the Shire of Northampton in such a way as to reflect poorly upon the Shire either in part or as a whole.
- 4.3 Users may not use any of the facilities provided to them by the Shire of Northampton in such a way as to achieve personal gain or to earn income external to their employment at the Shire.
- 4.4 The playing of games by staff on Shire computers is not permitted.
- 4.5 Where the use of any IT facility is governed by a password, the password must not be inappropriately divulged to any other person.

- 4.6 Users must take every reasonable precaution to ensure that their passwords, accounts, software and data are adequately protected. We recommend that no passwords are written down and kept at or near a user's desk.
- 4.7 Any computer account or facility allocated to a user is for their exclusive use. The user must not allow another person to use it without appropriate authorisation from Managers or the Chief Executive Officer.
- 4.8 Users will comply with any directive (verbal, written or electronic) from Chief Executive Officer or Deputy Chief Executive Officer relating to access to IT facilities.
- 4.9 Users must treat IT facilities and telephones with respect. Any wilful damage sustained to equipment will result in the costs of repair being sought from the user of the equipment. Any damage sustained to equipment as a result of neglect may result in the costs of repair or replacement being sought from the user of the equipment.
- 4.10 Users must be aware that the use of mobile computing facilities may result in significant communications costs. When users do not have access to WIFI data usage should be kept to a minimum. The Shire of Northampton will not be responsible for any excessive costs incurred. Mobile devices have access to shared data for staff who has to travel and need internet access.
- 4.11 Remote access to the Shire of Northampton IT facilities is provided on a need's basis. Those seeking such access will need approval from their Manager. Users with remote access must take extra care in relation to security issues and report any breaches (or perceived breaches) of security immediately to IT Services, and must use passwords with at least 12 characters and must contain a mixture of upper and lower case alpha characters and numbers.
- 4.12 The Chief Executive Officer or Deputy Chief Executive Officer reserves the right to perform system maintenance tasks outside regular working hours. Where abnormal maintenance tasks are planned notification of the anticipated down time will be communicated if possible. If staff has a particular need for after hour's access to IT facilities they should liaise with the Deputy Chief Executive Officer in advance to arrange access options.
- 4.13 The Chief Executive Officer or Deputy Chief Executive Officer has the right to remove, or reallocate specific items of IT equipment within the organisation to ensure maximum efficiencies are achieved from the shire's IT equipment. Such removals reallocations will occur with appropriate consultations with the appropriate managers.

5. Security

- 5.1 Regardless of the prevailing security, or lack of security, users shall not access any data or software except data or software that belongs to

the user or have been provided for their use, or is stored on a shared medium for which they have been granted access.

- 5.2 Users must not attempt to rename, delete, or modify the data of another user without prior authorisation from the Chief Executive Officer or Deputy Chief Executive Officer, except in the following circumstances: -
 - 5.2.1 For data or files stored on a shared network facility or transferred in/out via a shared network facility.
 - 5.2.2 Under direction of their supervising officer(s) to amend data or files stored in a personal directory.
- 5.3 Anti-virus software protection is provided at both server and desktop level. If a user suspects that their machine has become infected with a virus (or similar type entity) it should be reported immediately to Deputy Chief Executive Officer.
- 5.4 Users are encouraged to lock power down their workstations when they are not in use for any extended periods.
- 5.5 Users should correctly shut their computer systems down before finishing work each day, unless otherwise requested by Deputy Chief Executive Officer.
- 5.6 Users must report to the Chief Executive Officer or Deputy Chief Executive Officer, without delay, any breaches (either real or perceived) of security.

6. IT Support

- 6.1 The Shire would like all users of our equipment to get maximum productivity through the use of advanced technology.
- 6.2 Progress is only possible through cooperation; staff should communicate with Deputy Chief Executive Officer as frequently as possible to enable the Deputy Chief Executive Officer to understand their needs or frustration. Requests for new systems will be formal and such requests will have treated in order of priority or directives from the Chief Executive Officer.
- 6.3 Support Requests to any external IT support agencies are to be logged through the Deputy Chief Executive Officer.

7. Internet and E-mail

- 7.1 The provision of Internet browsing facilities to a user must be authorised in writing by the relevant line Managers and Chief Executive Officer.
- 7.2 E-mail users must check their e-mail frequently, delete any unnecessary messages promptly and manage their e-mail files wisely. Limits are set on mailbox sizes; therefore, users should make sure e-mails are registered into the EDMS where required.

- 7.3 When commencing leave, staff should utilise the ability of the email software to forward incoming mail to the person who is acting in the position during their absence or out of office message is to be utilised.
- 7.4 Outlook Calendars are regarded as a management tool and should be made available for other staff to review. Personal appointments can be marked 'Private' so reviewers may not see the details of the content.

8. What is Acceptable Use in regard to Internet and E-mail?

- 8.1 Subject to the following employees may use the Internet access provided by the Shire of Northampton for: -
 - 8.1.1 Work-related purposes;
 - 8.1.2 Sending and receiving personal email messages, provided that if email messages are sent with a Shire of Northampton email address in the from: or Reply-To: header, a disclaimer shall accompany the email to the effect that the views of the sender may not represent those of Shire of Northampton;
 - 8.1.3 Utilising any other Internet service or protocol for personal purposes after obtaining permission to do so from the Chief Executive Officer or Deputy Chief Executive Officer.
 - 8.1.4 Personal e-mails to advertise items are not permitted.
 - 8.1.5 E-mail messages of a corporate nature that leave the Shire of Northampton destined for an external organisation are public records and must be captured in the EDMS. Any corporate email messages that officers receive must also be captured in this manner. If the user is unclear of how to capture the correspondence in the EDMS themselves such messages should be forwarded to Records staff to facilitate this legislative (State Records Act 2000) requirement.

Condition: Provided in each case that the personal use is moderate in time, does not incur cost for the Shire and does not interfere with the employment duties of the employee or his or her colleagues. Managers and/or the CEO can determine if any private use is excessive and direct staff to curtail such use as they consider appropriate,

9. What is Not Acceptable Use in regard to Internet and E-mail?

- 9.1 Except in the course of an employee's duties or with the express permission of the Shire, the Internet access provided by the Shire may not be used for: -
 - 9.1.1 Personal commercial purposes;
 - 9.1.2 Sending unsolicited bulk email such as advertising or announcements that are not related to Council business to any group

- 9.1.3 Sending any e-mail that is inappropriate, for example, e-mails that contains pornographic material, profanity, racial and sexual discrimination, forwarding of hoaxes, chain-mail, spam, harassing colleagues or knowingly sending or forwarding virus-infected e-mails
- 9.1.4 Disseminating confidential information of the Shire of Northampton;
- 9.1.5 Any illegal purpose;
- 9.1.6 Knowingly causing interference with or disruption to any network, information service, equipment or any user thereof;
- 9.1.7 Disseminating personal contact information of officers or employees of the Shire without their consent;
- 9.1.8 Knowingly causing any other person to view content which could render the Shire liable pursuant to equal opportunity or sexual discrimination legislation at the suit of that person; or
- 9.1.9 Knowingly downloading or requesting software or media files or data streams that are not related to Shire business.
- 9.1.11 The use of real-time messaging services such as ICQ or MSN or Yahoo.
- 9.1.12 Web sites including but not limited to those of the following nature: -
 - Games.
 - Personal Shopping / Auctions.
 - Entertainment.
 - Adult Entertainment.
 - Social Sites (Facebook)
 - Pornography.
 - Personal Internet E-mail (such as Gmail, Hotmail or Yahoo).
 - Chat Rooms / Channels.

10. Example of Disclaimer to be used

Disclaimer by the Shire of Northampton. This email is private and confidential, if you are not the intended recipient, please advise us by return email immediately, and delete the email and any attachments without using or disclosing the contents in any way. The views expressed in this email are those of the author, and do not represent those of the Shire unless this is clearly indicated. You should scan this email and any attachments for viruses. The Shire accepts no liability for any direct or indirect damage or loss resulting from the use of any attachments to this email.

11. Consequences of Unacceptable Use

- 11.1 The Shire of Northampton keeps and may monitor logs of Internet usage which may reveal information such as which Internet servers (including World Wide Web sites) have been accessed by employees, and the email addresses of those with whom they have communicated. The Shire of Northampton will not, however, engage in real-time surveillance of Internet usage, will not monitor the content of email

messages sent or received by its employees unless a copy of such message is sent or forwarded to the company by its recipient or sender in the ordinary way, and will not disclose any of the logged, or otherwise collected, information to a third party except under compulsion of law.

11.2 Responsibility for use of the Internet that does not comply with this Policy lies with the employee so using it and such employee must indemnify the Shire of Northampton for any direct loss and reasonably foreseeable consequential losses suffered by the Shire by reason of the breach of Policy.

11.3 The Shire of Northampton will review any alleged breach of this Policy if and as required. If the alleged breach is of a very serious nature which breaches the employee's duty of fidelity to the Shire, the employee shall be given an opportunity to explain the circumstances that lead to the alleged breach and if it is admitted or clearly established to the satisfaction of the Shire the breach may be treated as grounds for disciplinary action.

11.4 Otherwise, an alleged breach shall be dealt with as follows: -

11.4.1 Initially, the employee shall be informed of the alleged breach, given an opportunity to respond to the allegation, and if it is not satisfactorily explained, be asked to desist from or where applicable to remedy the breach.

11.4.2 If the breach is not desisted from or remedied, The Shire of Northampton may either withdraw the employee's access to the Internet or provide a first warning to the employee, to which the employee shall have an opportunity to respond.

11.4.3 If the infringing conduct continues the employee may be given a second and a third warning, to each of which he or she shall have an opportunity to respond.

11.4.4 If a breach is committed after the third warning the employee may be dismissed. Breaches of this Procedure will be handled as per the Industry Standard Disciplinary Procedure.

1.15 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER POLICY

Adopted by Council 17 June 2022

BACKGROUND

Section 5.36 of the Local Government Act 1995 requires that a local government is to employ a person to be the Chief Executive Officer of the local government, as well as such other persons as the Council believes are necessary to enable the functions of the local government and the functions of the Council to be performed.

Additionally, Section 5.37 of the Local Government Act 1995 provides that a local government may identify a class of employees to be Senior Employees, and for those same employees to be designated employees, pursuant to the provisions of the Local Government Act 1995.

The intent of this Policy is to deal with the appointment of Senior Employees, and the appointment of an existing Senior Employee of the local government to perform the role of Acting Chief Executive Officer during the temporary absence of the existing Chief Executive Officer, in accordance with the provisions listed below.

OBJECTIVES

To determine those employees that are designated as Senior Employees for the purposes of Section 5.37(1) of the Local Government Act 1995.

To determine those employees that are considered to be suitably qualified to act in the position of Chief Executive Officer in accordance with Section 5.36(2)(b) of the Local Government Act 1995 and how the position of Chief Executive Officer will be filled on an action basis as required.

POLICY

Where the Chief Executive Officer is to be absent from work or at work but interstate or overseas for a period of five consecutive working days, the Deputy Chief Executive Officer shall be appointed to act in the position of Acting Chief Executive Officer.

Where the period of absence of the Chief Executive Officer is for a period exceeding four consecutive working days but not greater than four consecutive weeks, the Chief Executive Officer shall be authorised to appoint the Deputy Chief Executive Officer to act in the position of Acting Chief Executive Officer.

Where the period of absence of the Chief Executive officer is for a period exceeding four consecutive weeks, the Council, on advice from the Chief Executive Officer shall determine whom it wishes to appoint to act in the position of Acting Chief Executive Officer.

Where the Chief Executive Officer appoints the Deputy Chief Executive Officer in the position of Acting Chief Executive Officer in accordance with the above, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment relates.

Where the Deputy Chief Executive Office is unavailable or becomes incapacitated and cannot undertake the roll of Acting Chief Executive Officer, the Council is to appoint either a Senior Staff Member or other person qualified to undertake the roll as Acting Chief Executive Officer.

1.16 ELECTED MEMBER TRAINING & PROFESSIONAL DEVELOPMENT POLICY

Adopted by Council 18 September 2020

OBJECTIVES

Outline the process and conditions associated with Elected Members attending training or professional development.

This Management Procedure does not cover mandatory Elected Member Training stipulated under legislation. Such Training will be budgeted for accordingly and the Elected Members required to undertake such training must attend the required course.

MANAGEMENT PROCEDURE STATEMENT

Nominations

Notices inviting Councillors to nominate delegates to undertake training or professional development and similar occasions are to be brought Councillors attention.

Any Councillor who wishes to undertake training or professional development shall request endorsement from the CEO for consideration.

EXPENSES

The CEO is to approve Councillors training and professional development applications where:

- The application complies.
- An application is forwarded to the CEO for approval in a reasonable time to meet the registration deadline.
- Training and/or development is to be held within Western Australia.
- There are sufficient funds available in the Councillor allocation to meet the costs of attendance; and
- Approval of attendance at an event does not impede a quorum at any scheduled Council or Committee meetings.

Formal Council approval is required for a Councillor to attend training or professional development where:

- The application does not comply.
- Sufficient funds are not available in the Shire's budget for this purpose; and
- The training and/or development is outside of Western Australia.

Any Councillor who has been approved by the CEO or Council to attend training or professional development courses will have the following expenses paid, unless any variation is otherwise determined by Council resolution:

Travel

- Private Vehicle Use – (at the rate determined by the State Administrative Tribunal) Claim form showing km's and purpose to be submitted.
- All costs associated with any other form of travel (i.e. air, bus, etc.)

Accommodation

- Room and meals as per Council Policy 4.3.
- Alcoholic beverage as per Council Policy 4.3.

Other

- Course registration expenses.
- Taxi fares as approved by Chief Executive Officer.
- All Councillor partner expenses must be paid for by the relevant Councillor member (Either at the time expense is incurred or by reimbursing Council at a later date)

1.17 CHILD SAFETY & WELFARE POLICY

Adopted by Council 18 March 2022

OBJECTIVES

The Shire of Northampton is committed to creating a culture and environment where the safety and welfare of children is paramount. This shall be achieved through the commitment to implementing the Western Australia Government directives and National Principles for Child Safe Organisations across its operations.

POLICY STATEMENT

The Shire supports children safety and welfare in our community, and when accessing our facilities and in the care of our services. All persons undertaking work with children (PWWC) must uphold and promote the protection of children and respond appropriately where concerns are identified.

The Shire is committed to the ongoing education of children, young people and families, staff, volunteers, contractors and key stakeholders about their rights, responsibilities and reporting processes relating to child safety and welfare.

POLICY DETAILS

1. Build a Child Safe Culture

All PWWC have a responsibility to support the Shire's commitment and obligation to create a child safe culture. Such a culture is critical to ensuring the welfare and safety of children under our care, as all children have a right to develop and reach their potential.

2. National Redress Scheme Participation

The Shire's commitment to child safety and welfare was confirmed in May 2020 when Council resolved to participate in the National Redress Scheme. This policy expands on the Shire's established position and provides a clear public commitment to the National Principles for Child Safe Organisations.

3. Recognising Abuse or Neglect

The Shire has a zero tolerance of child abuse, and shall treat all allegations seriously with a commitment to investigate allegations. The Shire shall follow the direction of Police and relevant child safety and welfare agencies in the management of its child safety and welfare responsibilities.

The Shire acknowledges that every child has the right to be heard, protected and to have their concerns managed appropriately. The Shire will use its best endeavours to seek to resolve the concerns of a child in accordance with this policy.

Leadership

The Shire shall endeavour to recognise when a child within its care is exposed to any form of abuse. Appendix 3 provides definitions of the six main types of abuse which could occur or present.

4. Child Safety and Welfare Procedure & Code Of Conduct

The Shire requires all PWWC to comply with this policy and the related Responding & Reporting Procedure and the Child Safety and Welfare Code of Conduct which are detailed in Appendix 1 and 2.

5. Child Safety Officers

In delivering services to children, the Shire shall ensure the appointment or the use of existing designated employees as Child Safety Officers. This role shall be undertaken by specifically appointed officers or the manager responsible for the service.

6. Recruitment

All PWWC engaged in child-related work as defined in the *Working with Children Act 2004* are required to hold a Working with Children (WWC) Card. In addition the Shire takes responsibility to assess if a person is suitable to work with children and young people in addition to a WWC Card.

For positions that involve engagement with children, recruitment is based on selection criteria which clearly demonstrate the commitment to child safety and wellbeing to ensure the most appropriate PWWC is employed.

7. Training & Supervision

The Shire is committed to ensure that PWWC have access to training to develop and maintain an understanding of child safety and wellbeing. In addition to position specific training requirements, training will be available to all PWWC which shall include how to identify, assess, and minimise risks of child abuse and to detect potential indicators of child abuse.

8. Confidentiality

The Shire shall ensure that all information or details relating to children is maintained in strict confidence. Any and all personal information collected by the Shire in providing services for children shall be restricted to only PWWC with responsibility for the services in compliance with this policy and its associated procedure and code of conduct.

CONSEQUENCES

This policy represents the expected standards of the Shire. Deviations from the standards outlines shall invoke disciplinary action to be taken.

KEY TERM DEFINITION

Child (and or Children) in accordance with the section 3 of the *Children and Community Services Act (2004)* defines a Child as a person who is under 18 years of age. In addition reference to **young persons** is read to include any person below the age of 18 years of age.

Persons Working with Children (PWWC) relates to all persons undertaking child-related works. This includes but is not limited to the following, Shire staff, volunteers, and students, persons undertaking work experience, contractors, and partnered organisations who are responsible for the provision of children's activities or programs.

ROLES AND RESPONSIBILITIES

The Council are responsible for providing leadership for the good governance of Council by acting as a responsible partner in fostering and developing an organisational culture that has zero tolerance for child abuse. Council will advocate in the best interests of children to create and sustain a community in which children are safe and protected from abuse.

The Chief Executive Officer and Designated Senior Staff are responsible for driving the culture of zero tolerance for child abuse and ensuring that the organisation has effective controls in place for child safety and welfare. This will be achieved by ensuring:

- The Shire has in place and implements robust child safety and welfare procedures that protect children from child abuse.
- Suspected or alleged instances of child abuse are reported and fully investigated.
- Support is provided to managers, staff, volunteers and contractors in undertaking their child safety and welfare responsibilities.

Managers, Facility Managers and Child Safety Officers shall ensure this policy and associated procedures are followed and implemented by:

- Acting as the first point of contact for receiving reports of child safety concerns or allegations of abuse within Council.
- Supporting the notification of child safety concerns or allegations to relevant authorities (Police or Child safety and welfare agencies).
- Assisting alleged victims and their families to access counselling and support services.
- Providing support to affected staff.

All staff, volunteers and contractors must familiarise themselves with the relevant laws, the Code of Conduct, and policy and procedures in relation to child safety and welfare, and comply with all requirements, including:

- Participation in staff induction and refresher training.
- Report any suspicion or reasonable belief that a child's safety may be at risk to a designated Child safety and welfare officer.
- Provide an environment that is supportive of all children's emotional and physical safety.

APPENDIX 1

CHILD SAFETY AND WELFARE CODE OF CONDUCT

The Child Safety and Welfare Code of Conduct (the Code) lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. Above all, a Code helps to protect children from harm.

The Code serves to protect all children and young people (any person under 18 years of age), reduce any opportunities for abuse or neglect to occur, and promote child safety & wellbeing within the Shire. It provides guidance on how to best support children and young people and how to avoid or better manage difficult situations. Where a Persons Working with Children (PWWC) breaches the Code, the Shire may take disciplinary action, including in the case of serious breaches, dismissal and external reporting.

This Code applies to all Shire staff (including contract and temporary), committee members, contractors and sub-contractors, interns, volunteers or any other person or bodies associated with the Shire or any of its staff that engage with children and young people. The Shire acknowledges that protecting children and young people's safety & wellbeing is everyone's business.

The Code is made available to all PWWC, families and participants via the Shire's website.

All PWWC are expected to act in accordance with this Code in their physical and online interactions with children and young people.

ALL PWWC SHALL

- Act in accordance with child safety and welfare policy and procedures at all times.
- Behave respectfully, courteously and ethically towards children and young people, their families and towards other staff and volunteers.
- Listen and respond to the views and concerns of children and young people, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children in the Shire.
- Demonstrate appropriate personal and professional boundaries.
- Respect the cultural and religious practices, individual capability and gender identity/ sexuality of children, young people and families, and understand and respond to any identified special needs.
- Create an environment that promotes and enables children and young people's participation, is welcoming, culturally safe and inclusive for all and their families.

- Involve children and young people in making decisions about activities, policies and procedures that concern them wherever possible.
- Contribute, where appropriate, to Shire policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children and young people's safety and wellbeing as required by Shire risk assessment and management policy and/or procedures.
- Respond to any concerns of a child or young person's harm or abuse promptly and in line with Shire policy and procedure for receiving and responding to concerns.
- Report all suspected or disclosed child or young person's abuse or neglect as required by *Children and Community Services Act 2004*.
- Handle all personal information in accordance with Shire's privacy responsibilities.

ALL PWWC ARE PROHIBITED FROM

- Engaging in any unlawful activity with or in relation to a child.
- Engaging in any activity that is likely to physically, sexually or emotionally harm a child.
- Engage in any form of sexual relationship with a child or young person.
- Unlawfully discriminate against anyone on the basis of gender identity, culture, race, religion or disability.
- Be alone with a child unnecessarily.
- Travel, or be accommodated, alone with a child or young person before, during or after a Shire program, excursion or camp. Where approved transport is undertaken, a minimum of two adults must be present.
- In the event that a child or young person presents at a Shire staffed facility and there is only a single PWWC in attendance. The PWWC is to immediately report to their line manager the presentation of an unplanned child's or young person attendance. The PWWC in the provision of support to the child or young person must comply with their line managers directions.
- Instigate personal contact, including online contact, with children and young people they are working with for a purpose unrelated to Shire activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless they are required to do so by Shire policy and procedure on reporting.

- Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- Ignore or disregard any suspected or disclosed child abuse or neglect.
- Report to work under the influence of or in possession of alcohol or illegal substances.
- Take photos or videos of children on personal cameras or mobile phones/devices. All photos must be authorised and be taken on Shire supplied devices.
- Use personal social media platforms such as Facebook, Instagram, Snapchat etc. to contact or converse with children engaged in Shire programs. Appropriate contact with children for the purpose of delivery of Shire programs must be limited to official Shire accounts/platforms only.
- Give personal gifts to children unless under the banner of a gift from Shire (e.g. gifts from the Shire to each child at Christmas).

APPENDIX 2

RESPONDING AND REPORTING PROCEDURE

All Persons Working with Children (PWWC) are required to identify, report and respond immediately (or where reasonably practicable no later than before ending work on that day) any concerns, suspicions or allegations of child abuse.

Where a child safety concern may result from:

- a disclosure from the child or young person,
- a disclosure from a parent or carer,
- disclosure from another child,
- physical or behavioural indicators of abuse, and
- staff and/ or volunteer involvement in the community external to their professional role with Shire.

IF A CHILD OR YOUNG PERSON IS AT RISK OF HARM OR IN IMMEDIATE DANGER, YOU MUST REPORT THE SITUATION DIRECTLY TO WA POLICE ON 000.

In the event an allegation of abuse is made against any Shire related PWWC it may potentially constitute a serious breach of the Child safety and welfare policy, this procedure, the Child Safety and Welfare Code of Conduct, and child safety and welfare legislation.

Breaches if substantiated include, but are not limited to:

- sexually assaulted a child or young person who is involved in a Shire program or activity,
- physically assaulted a child or young person who is involved in a Shire program or activity,
- verbal abuse, denigrate or bully a child or young person who is involved in a Shire program or activity,
- sexually harass a child or young person who is involved in a Shire program or activity,
- take, reproduce and/or distribute photos of a child or young person without the consent of their parents/ guardians,
- publish any material containing images of children or young people who are involved in a Shire program or activity that can be used for the sexual gratification of others,

- groom or otherwise interfere with the physical or mental wellbeing of a child or young person.

In accordance with the Child Safety and Welfare Policy this Procedure and the Child Safety and Welfare Code of Conduct, all PWWC or any other party who has identified an issue must immediately report any suspected or alleged incident of abuse as per the procedure below.

STEP 1 - REPORT

If an allegation is made against any PWWC, it must be reported to the CEO.

If the allegation is made against the CEO, the allegation is to be reported to the Shire President.

If an allegation is made by an external stakeholder or partnered organisation, the allegation is to be provided in writing to the CEO who is to investigate the allegation.

If an allegation is made against a third party or where suspected abuse is identified but is unrelated to a Shire activity the Shire shall report the matter to the Department of Child Protection and Family Support.

STEP 2 - RECORD

A written record of observations and/ or any statements (correspondence) disclosed by a child or young person or other person should be factual and detail information such as:

- details about the child/ young person,
- details of those involved e.g. person who made the allegation,
- objective information about what was seen, what was said, and what has happened,
- the immediate risk to the child/ young person,
- whether or not the child/ young person has support, and
- what may need to happen to make the child safe.

This information should then be recorded or where reasonably practicable no later than before ending a shift, and must be treated as highly confidential. General discussions about the matter should not occur. This information could be required at a later stage should legal action arise.

All written record observations and/ or any statements (correspondence) recorded and/or received should only be used to assist in developing a comprehensive report detailing the chronology of events, with a copy of all correspondence to be recorded on Council records.

All documentation used during this reporting process will be filed and stored in a confidential manner. This documentation is not to be given to any other party unless specified by the *Children and Community Services Act 2004*.

STEP 3 - ASSESS

The CEO or their delegate will be required to immediately stand down any PWWC from all programs and activities involving the direct supervision of, and/ or direct contact with children and young people until further notice.

Where the PWWC is employed by the Shire, the CEO will assess all evidence obtained and conduct relevant interviews to collect statements from all those involved. Where the PWWC is employed by a third party organisation, the CEO will engage with that organisation.

The CEO must determine if the allegation is to be reported to the Department of Child Protection and Family Support within 24 hours (or where reasonably practicable).

If the CEO decides not to report the allegation to Department of Child Protection and Family Support and/ or the WA Police, the person who raised the allegation should be given a clear written statement of the reason/s why no further action will be taken. Should the person who raised the allegation still remain concerned about the situation, they are free to consult with or report to the Department of Child Protection and Family Support.

STEP 4 - REPORT

If the CEO determines the alleged incident must be reported to the Department of Child Protection and Family Support, it should be reported within 24 hours (or where reasonably practicable). A written report is to be provided using the Child safety and welfare Concern Referral form found online (Department of Child Protection– Reporting your Concern webpage) to the best of their knowledge.

The Department of Child Protection and Family Support will decide what response would be in the best interest of the parties involved. Parents/guardians are not to be informed of any reports made to the Department of Child Protection and Family Support and/or WA Police unless the agencies have instructed to do so.

APPENDIX 3

DEFINITIONS OF ABUSE

A child can suffer from one or more of these. Abuse can happen within a family or through a person outside the immediate family. Each type of abuse has a range of indicators, although just one indicator on its own may not suggest abuse. **Definitions of Abuse**

Physical Abuse	Physical abuse is when a child or young person is deliberately hurt, or is at serious risk of being physically hurt, by their parents or carers. This can include punching, kicking, shaking or throwing, scalding/burning, strangling or leaving a child alone in a car. It can also be from excessive physical discipline, or by being given drugs including alcohol. These injuries are not treated as accidental.
Sexual Abuse	Sexual abuse is children and young people being exposed to inappropriate sexual activity. This includes being involved in sexual acts (masturbation, fondling, oral sex or penetrative sex); or witnessing sexual activity, either directly or through pornography.
Emotional Abuse	Emotional abuse is being treated in ways that damages a child or young person's ability to feel and express a range of emotions. This can be caused by behaviours that occur over time, such as verbal abuse and teasing, rejection, physical or social isolation, threats and bullying.
Psychological Abuse	Psychological abuse is being treated in ways that damages a child or young person's self-esteem, personal and moral development and intelligence. This can be caused by behaviours that occur over time, for example, belittling, threatening, isolating and causing the child to feel worthless.
Neglect	Neglect is not providing enough care or supervision so that the child or young person is injured, or their development is damaged. It includes lack of food, shelter, affection, supervision, untreated medical problems and abandonment.
Family & Domestic Abuse	Family and domestic violence is strongly associated with child abuse and neglect. It is more likely that a child's basic needs will not be met in a family where there is domestic violence. Witnessing violence between parents, or being involved in a violent act, can seriously affect the

	<p>emotional health of children and young people. It can affect self-image, response to other people, and the ability to form healthy relationships. These children and young people don't feel safe and secure. They believe that violence is a solution to problems and may develop signs of posttraumatic stress disorder. Family and domestic violence is seen as child abuse when it clearly affects the child or young person's physical, emotional and psychological development.</p>
Cyber/online abuse	<p>Cyber/online abuse is a type of abuse that happens on the internet. It can happen across any device that's connected to the web, like computers, tablets and mobile phones and it can happen anywhere online, including: social media, text messages and messaging apps, emails, online chats, online gaming, live-streaming sites.</p> <p>Cyber/online abuse can take different forms, such as cyber bullying, online grooming, online sexual abuse, and child sexual exploitation. Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming or the abuse might only happen online.</p>

2. FINANCE

2.1 LOCAL PURCHASE POLICY Policy Reviewed by Council 17 June 2022

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

1. Goods and services with a single item value between \$5,000 - \$49,999 are to be purchased locally provided -
 - a) at least one quote is obtained from outside the Shire and where possible two local quotes be obtained:
 - b) the local supplier's price is no more than 5% higher than the cheapest external quote.
2. Purchase of goods and services that are subject to the Local Government (Functions and General) Regulations 1996 are to be dealt with accordingly, but also giving preference of 5% variation to local contractors.
3. The purchase of all other goods and services to be left to the responsible officer's judgment having regard to Council's desire to where possible, purchase goods and services from local suppliers.
4. A local supplier of goods or services is considered to be one residing in and actively carrying on business within the Shire District.

2.2 TENDER PROCEDURE Policy Reviewed by Council 17 June 2022

That in relation to the inviting of any tenders, the following policy procedures are to apply:

- i) advertisements or specifications are to contain the words "delivery to Northampton" and "canvassing of Councillors will disqualify;"
- ii) for each tender invited, a tender reference number shall be allocated by the Chief Executive Officer and such number shall be quoted in the heading of all tender advertisements.
- iii) such aforementioned tender number shall be quoted in all references to the particular tender, ie on the Council correspondence, files, Council Minutes, Agendas, etc.

- iv) no member, employee or agent of Council's shall barter or negotiate with tenderers, albeit perhaps in good faith, in writing and equally with all tenderers, except where full Council has so resolved.
- xii) Formal tender procedures will be followed for plant acquisition where the purchase price is above the amount set by regulation. For plant items costing less than the amount set by regulation, the Chief Executive Officer may elect to use quotation procedures, provided -
 - a) plant specifications are approved by the Council.
 - b) the purchase price does not exceed the budgeted allowance.
 - c) at least three written quotations are received. A copy of all quotations received is to be provided to the Chief Executive Officer and shall be retained as a formal record.
 - d) the quotation accepted is within 5% of the lowest quote received (normal preference to purchase locally to apply).

2.3 PURCHASING AND TENDER GUIDE PURCHASING POLICY

Policy Reviewed by Council 16 September 2022

2.3.1 OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Northampton.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Northampton operational areas.

2.3.2 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:

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

- Ensures that the Shire of Northampton receives value for money in its purchasing.
- Ensures that the Shire of Northampton considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Northampton is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Northampton's purchasing practices that withstands probity.

2.3.3 ETHICS & INTEGRITY

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

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

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

2.3.4 VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Northampton. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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

2.3.5 SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Shire of Northampton is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Northampton's sustainability objectives.

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

- Have been determined as necessary.
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labeling.
- Demonstrate environmental best practice in water efficiency.

- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage.
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range, where practicable.
- For new buildings and refurbishments – where available use renewable energy and technologies.

2.3.6 PURCHASING THRESHOLDS

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

Amount of Purchase	Model Policy
Up to \$20,000	No quotations required prior to purchase if expenditure is approved in Council budget.
\$20,001 - \$50,000	Obtain two verbal or written quotes and these quotes to be recorded by the relevant officer.
\$50,001 - \$249,999	Obtain at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations) and be submitted to Council for purchase endorsement.
\$250,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

For expenses relate to Cyclone Seroja the following policy is to apply:

Amount of Purchase	Model Policy
Up to \$100,000	No quotations required prior to purchase if expenditure is solely related to damage caused by cyclone Seroja or where that expenditure relates to an insurance claim that has been approved by Local Government Insurance Services or is recoverable from the Disaster Recovery Funding Arrangements WA.
\$100,000 - \$250,000	if expenditure is solely related to damage caused by cyclone Seroja, quotes be obtained if required under the direction and approval of Local Government Insurance Services or is recoverable from the Disaster Recovery Funding Arrangements WA.
\$250,000 and above	<p>if expenditure is solely related to damage caused by cyclone Seroja, either:</p> <ul style="list-style-type: none"> • quotes be obtained under the direction of and approval of Local Government Insurance Services, • conduct a public tender process, • or apply discretion to engage with a tender exempt opportunity under <i>Regulation 11(2) of the Local Government (Functions and General) Regulations</i>.

In addition to the above, the delegated authority to individual officers are to be at the following thresholds:

Amount of Purchase	Delegated Officer Authorisation Limits
Up to \$5,000	Administration/Finance Officer.
\$5,001 - \$19,999	Mechanic & Leading Hands
\$20,000 - \$50,000	CEO, Deputy CEO, Manager of Works & Technical Services, Principal Planner, Health/Building Surveyor
\$20,000 - \$249,999	CEO, Deputy CEO, Manager of Works & Technical Services
\$250,000 and above	Conduct a public tender process.

2.3.6.1 Up to \$20,000

Where the value of procurement of goods or services does not exceed \$20,000 and provision is made within the current budget no quotations are required as such quotes are obtained to assist in the budget process. However it is recommended to use professional discretion and occasionally undertake market testing to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

2.3.6.2 \$20,001 to \$50,000

This category is for the procurement of goods or services where the value of such procurement ranges between \$20,001 and \$50,000.

Two verbal quotes are required, and these quotes are to be recorded by the relevant officer. Two written quotes can also be obtained if deemed necessary. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Local Government employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies.

2.3.6.3 \$50,001 to \$249,999

For the procurement of goods or services where the value exceeds \$50,001 but is less than \$249,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

2.4 REGULATORY COMPLIANCE

Policy Reviewed by Council 17 June 2022

2.4.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995.
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government.
- The purchase is under auction which has been authorised by Council.
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines.
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

2.4.2 Sole Source of Supply (Monopoly Suppliers)

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

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

2.4.3 Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

2.4.4 Tender Criteria

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

An evaluation panel is to be established, consisting of at least three elected members, prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

2.4.5 Advertising Tenders

Tenders are to be advertised in a statewide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 **full** days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required.
- information as to where and how tenders may be submitted.
- the date and time after which tenders cannot be submitted.
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Shire of Northampton decides should be disclosed to those interested in submitting a tender.
 - detailed specifications of the goods or services required.
 - the criteria for deciding which tender should be accepted.
 - whether or not the Shire of Northampton has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

2.4.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Northampton not to compromise its Duty to be Fair.

2.4.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

2.4.8 Opening of Tenders

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

Tenders are to be opened in the presence of at least two employees of Council, or one employee and at least one person authorised by the CEO to open tenders. The details of all tenders received and opened shall be recorded in the Tenders Register.

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

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

2.4.9 No Tenders Received

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

- a sufficient number of quotations are obtained.
- the process follows the guidelines for seeking quotations between \$20,000 & \$149,999 (listed above).
- the specification for goods and/or services remains unchanged.
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

2.4.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

2.4.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Northampton may vary the initial

information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

2.4.12 Minor Variation

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

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

2.4.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

2.4.14 Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation.
- Internal documentation.
- Evaluation documentation.
- Enquiry and response documentation.
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation.
- Internal documentation.
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Northampton internal records management policy.

2.5 INVESTMENT OF SURPLUS FUNDS

Policy reviewed by Council 17 June 2022

The Chief Executive Officer and the Deputy Chief Executive Officer are authorised to invest money held in any Council 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.

2.6 IMMATERIALITY BASE FOR FINANCIAL REPORTING

Policy reviewed by Council 17 June 2022

It is the policy of Council that in accordance with Accounting Standards as issued by the Australian Accounting Standards board, that a value of \$5,000 be the immateriality base for financial reporting.

2.7 GIFTS

Policy reviewed by Council 17 June 2022

- (a) Members and staff are not to accept a gift, 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 authorization 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.
- (b) Members and staff who accept a gift of or below \$300 from a person referred to in (a) above are to record in a register 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;
- the nature of the relationship between the relevant person and the person who made the gift.

unless the Shire of Northampton decided that –

- specified gifts given by way of hospitality; or
- specified classes of gift given by way of hospitality,

need not be recorded.

- (c) This clause does 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).

(note amount changed to \$300 by legislation 2019)

2.8 FUNDING FOR ONGOING COMMUNITY EVENTS

Policy reviewed by Council 17 June 2022

Where Council funds a community group for the operation of a community event and that funding is for more than one year, then it is the policy of Council that no further funding after three years will be provided as it is considered that over that period the event should have reached an income level to allow the continuation of that event on its own finances.

2.9 CORPORATE POLICY

Policy reviewed by Council 16 December 2022

INTRODUCTION

A corporate credit card will be issued to the Chief Executive Officer and Deputy Chief Executive Officer of the Shire of Northampton to expedite authorised business expenditures on behalf of the shire, therefore improving administrative practices and the effective cash management of the shire.

2.9.2 Definitions

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

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

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

2.9.3 Corporate Credit Card Purchasing

The Chief Executive Officer and Deputy Chief Executive Officer are only to use the corporate credit card for business expense purchasing of goods and services on behalf of the Shire of Northampton.

2.9.3.1 Cash withdrawals are strictly prohibited.

2.9.3.2 The corporate credit card credit limit will be set by Council and reviewed at least once a year at the time all policies and procedures are reviewed. The current limit on the Shire of Northampton corporate credit card is \$20,000 with \$10,000 allocated to the Chief Executive Officer and \$10,000 allocated to the Deputy Chief Executive Officer.

2.9.3.3 Personal expenditure on the Shire of Northampton's corporate credit card is strictly prohibited.

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

2.9.3.5 In the event individual invoices/receipts are not available then the corporate credit card statement of expenditure is to be utilised to claim income tax credits under the condition that this statement complies with the Australian Taxation Office requirements.

2.9.4 Reporting Requirements

2.9.4.1 The Shire of Northampton corporate credit card statement of expenditure is to be endorsed by the Chief Executive Officer and/or Deputy Chief Executive Officer as all expenditure items listed on the statement being authorised and undertaken by them.

2.9.4.2 An expenditure report detailing credit card expenditure is to be included within the monthly financial reports presented to Council in the Agenda for the ordinary meetings of Council.

2.9.5 General Conditions

2.9.5.1 The Chief Executive Officer and Deputy Chief Executive Officer must surrender the Shire of Northampton credit card upon termination of his/her services within the Shire of Northampton or when resolved to do so by Council.

2.9.5.2 All Corporate credit card incentives (e.g. fly buys) are not to be acquired or accumulated by the Chief Executive Officer and Deputy Chief Executive Officer for their personal use or gain.

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

2.9.5.3 All expired Shire of Northampton corporate credit cards are to be destroyed by the Chief Executive Officer and Deputy Chief Executive Officer upon receipt of a new or replacement card.

2.9.5.4 Any breach of this policy is to be reported to Council for information and action if deemed necessary.

2.10 DEBT RECOVERY **Policy reviewed by Council 17 June 2022**

RATES DEBTORS

1. Rate Notices

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

2. Issue Final Notice – 14 Days After Due Date

A Final Notice is to be issued for all rates/charges remaining outstanding 14 days after the due date, (apart from those ratepayers who have opted to pay by instalments or special arrangement). Letter-advising ratepayers of applicable interest charges on the outstanding amounts should be issued in lieu of a final notice.

3. 14 Days after Final Notice – Notice of Intent to Summons

If payment not received within 14 days of final notice being issued, (allowing for postal delays), a Notice of Intent to Summons is to be issued, allowing 14 days for payment of the account, prior to commencement of legal action. Debtors who have made an arrangement to pay - A Notice of Intent to Summons is to be issued 14 days after the default of an arrangement to pay.

4. Authority to Undertake Legal Action

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

5. Form of Legal Action

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

6. Sale of Land

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

- (i) A determination on taking possession, or
- (ii) Selling the land for the recovery of rates in accordance with the provisions of the Local Government Act 1995.
- (iii) Or alternatively, placing a caveat against the land to secure Council's interest.

7. Other Considerations

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

- (i) Whether the cost to recover the rates or transfer the land outweighs the amount outstanding,
- (ii) Whether it would be more cost effective to caveat the land rather than take possession.

SUNDRY DEBTORS

1. Initial Invoice

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

2. Statement Issued at End of Month

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

3. After One Month - Second Statement and Letter of Demand

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

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

3. MEMBERS

3.1 COUNCILLORS OUT OF POCKET EXPENSES – TRAVEL EXPENSES **Policy reviewed by Council 17 June 2022**

It is the policy of Council to pay to Councillors traveling expenses for attending ordinary and special meetings of Council and for attending meetings of Committees in the capacity of a member of that committee, in accordance with the provisions of the Local Government Act 1995. The committees of Council are:

Housing/Building Committee
Disability Services Committee
Audit Committee
And any other Council Advisory Committee formulated throughout the year

The expenses are to be paid only on receipt of a formal claim from a Councillor and is to be calculated on the number of kilometers between the Councillors principal place of residence or work within the Shire to the meeting venue and back. If the person does not live or work in the district the provisions of the Local Government (Administration) Regulations apply. The rate per kilometer is to reflect actual cost as set by the Public Service Award 1992 (currently 94.3 cents per kilometer
)

A suitable claim form for this purpose will be provided by the Chief Executive Officer to all Councillors and will contain a declaration to the effect that the travel expense was incurred.

3.2 ATTENDANCE TO WA LOCAL GOVERNMENT CONVENTION **Policy reviewed by Council 17 June 2022**

It is the policy of Council that the number of Councillors to attend the annual Local Government Week conference be limited to five (5) with the President and Deputy president being given the first options to attend and then new Councillors and those who have attended Local Government Week the least be given the next option of attending.

4. STAFF

4.1 SENIOR STAFF

Policy reviewed by Council 17 June 2022

It is Council policy that "senior employees" for the purposes of Section 5.37 of the Local Government Act 1995 shall consist of the officers of Chief Executive Officer, Deputy Chief Executive Officer and Manager of Works and Technical Services.

4.2 STAFF TRAINING

Policy reviewed by Council 17 June 2022

Council has adopted the following as its policy on staff training:

1. Council has a responsibility to organise its labor resources in the most efficient manner possible so as to maximise the services provided in an effective, economic and efficient manner.
2. Council's workforce is its most important resource necessary for the achievement of Council's objectives and the skills of the workforce are of the most fundamental significance.
3.
 - a) Education (being the acquisition of general tertiary and professional skills and qualifications) is the responsibility of the individual employee. This does not preclude Council from assisting an employee (eg study leave) but such assistance extended at the discretion of the Council is not an employee right.
 - b) Training (being an extension and/or enhancement of skills and knowledge to enable employees to be more effective in their jobs and/or to provide for future progression) is the joint responsibility of Council and the employee.
4. Council recognises the need for attention to and investment in staff training and authorises an allocation in each year's draft budget.
5. The Chief Executive Officer is responsible for the management of the funds allocated for staff training in each department and any expenditure may, subject to provision being made in the budget, be endorsed by the Chief Executive Officer without reference to the Council.
6. Funds allocated by Council for staff training may be directed towards any "training expenditure" and without limiting the generality of this clause, may include:

a) Cost of salaries, registration fees, traveling and accommodation involved in attending training courses and where appropriate seminars or conferences.

b) The wages and overheads associated with the employment of training officers and similar appropriate persons for the provision of internal training courses and on the job side by side training.

c) Purchase of videos, books and other appropriate training aids.

d) Other appropriate training initiatives at the Chief Executive Officer's discretion.

7. As a general guide Council's preferences for staff training activities are:

a) utilisation of any local courses.

b) Co-ordination with other local training exercises (eg with local businesses and with government departments).

c) In-house training activities.

4.3 STAFF & COUNCILLORS ATTENDANCE AT CONFERENCES, TRAINING SEMINARS ETC **Policy reviewed by Council 17 June 2022**

Council's policy is to apply the following criteria when determining which expenses it will meet, with the application of the policy to be at the discretion of the Chief Executive Officer.

	Del	Spouse	Observer	Spouse
Laundry < 3 nights	N	N	N	N
Laundry > 3 nights	Y	Y	N	N
Councillors & Senior staff at conferences, training courses				
Minibar Sums >\$20 per day per room	N	N	N	N
Minibar sums <\$20 per day per room	Y	Y	Y	Y
Other Staff at Training Courses, Conferences etc.				
Minibar Sums >\$20 per day per room	N	N/A	N/A	N/A
Minibar Sums <\$20 per day per room	N	N/A	N	N/A
Telephone - Work + 1 call home per day only	Y	N	Y	N
Room Service - when meals otherwise already paid for	Y	Y	Y	Y
Taxi fares - only where these are conference related and no other transport is provided	Y	Y	Y	Y

Alcohol with meals-staff at Seminar, Training etc (excludes Councillors & senior staff)	N	N/A	N/A	N/A
Evening meals for staff at Seminars, Training etc (Chief Executive Officer discretion)	Y	Y	N/A	N/A
Social/sports events	Y	Y	Y	Y
Conference dinners and meals Snr Staff & Councillors - includes night of arrival and morning of departure.	Y	Y	Y	Y
Staff who find alternative accommodation to be paid \$50 per night for each night spent at that arranged accommodation	Y	N/A	N/A	N/A

With use of the min bar Staff must be aware of their responsibilities within the Councils Drug and Alcohol Policy.

Staff Travel Costs for use of Private Vehicle

Where it is determined that a rate per kilometer, to be paid to an individual employee, for work related travel, is greater than a Geraldton-Perth return flight; and a Council vehicle is unavailable; then the employee is to be booked on a return flight with Council to pay all associated flight costs and taxi/hire car fees. Council will not pay flight and other associated costs for the employee's family members to travel at the same time.

Where the employee elects to take their own vehicle, then Council is to pay associated fuel costs upon production of relevant receipts by the employee.

Councillors Travel Costs for use of Private Vehicle

- When Councillors utilise their personal vehicle to attend an approved conference/seminar/meeting on behalf of the Council, they are eligible to claim for reimbursement a rate of as set by the Public Service Award 1992 (currently 94.3 cents per kilometer) via the most direct route as determined by latest mapping data with an additional 100km of travel provided for use within the metropolitan area to allow for travel to and from place residing to the seminar/meeting/conference venue within the metropolitan region.
- Councillors when attending an approved conference/seminar/meeting on behalf of the Council within the metropolitan region, that they be given the option of a return airfare in preference to utilising their personal vehicle.
- Council will not pay flight and other associated costs for the Councillors family members to travel at the same time.

4.4 STAFF TELEPHONES IN RESIDENCES

Policy reviewed by Council 17 June 2022

It is Council policy that telephones be installed in the residences occupied by the Chief Executive Officer, Deputy Chief Executive Officer, Environmental Health/Building Surveyor, Principal Planner, Manager of Works and Technical Services, Leading Hands and Rangers.

4.5 STAFF - BANK ACCOUNTS

Policy reviewed by Council 17 June 2022

It is a policy of Council that all future employees are to open a Bank Account for direct deposit of wages and salaries.

4.6 STAFF - OCCUPATIONAL SAFETY & HEALTH POLICY

Policy reviewed by Council 17 June 2022

The Shire of Northampton is committed to providing a safe and healthy work environment, so far as practicable, for all employees, contractors and visitors. To achieve this, Council allocates responsibilities and accountabilities to all levels of persons within the organization to ensure that the maintenance of Occupational Health and Safety is optimal.

The objectives of the organization in the matter of Occupational Health and Safety is to:

- ✓ Avoid workplace injury or disease.
- ✓ Provide and Maintain a safe workplace, and safe systems of work.
- ✓ Identify, eliminate and/or control workplace hazards.
- ✓ Provide appropriate information, supervision and training to ensure work is performed safely and to a high standard.
- ✓ Instill a Safety culture where best practice initiatives are entrenched in the daily business activities of the Council.
- ✓ Comply with the relevant Occupational Health and Safety Legislation, Standards and Codes of Practice.

The Shire of Northampton encourages a consultative approach to improve safety within the workplace and will provide the time and resources required to minimize the risk of injury, harm or damage to the Council's employees and property.

4.7 FITNESS FOR WORK – DRUG & ALCOHOL POLICY

Policy reviewed by Council 17 June 2022

The Shire of Northampton's Commitment

The Shire of Northampton and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and other drug usage becomes an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired. For the purposes of this policy, the term "employee/s" shall extend to cover permanent, part time, casual, contractors, volunteers and any person performing work for or with the Shire of Northampton in any capacity.

The Individual's Responsibility

Under the *Work, Health and Safety Act 2020*, workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. The consumption of alcohol and/or drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions. Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence of alcohol and/or drugs at the workplace, or is impaired, will face disciplinary action including possible dismissal.

Reporting Requirements

Employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs.

Any employee who has been aware of, ignore or choose not to report if an employee may be affected by alcohol and/or other drugs will be subject to disciplinary action including possible termination of employment.

Drug Use on the Premises

Employees who buy, take, or sell drugs on Shire of Northampton premises, may be found to have engaged in serious misconduct. Such behaviour will result in disciplinary action up to and including dismissal. Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their manager and disclose any side effects or restrictions that these medications/drugs may cause.

Consumption of Alcohol on the Premises

Except in situations where the Shire of Northampton or the staff social club holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace.

Drug/Alcohol Treatment Programs

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Local Government will provide assistance to the employee.

- The Local Government will allow an employee to access any accrued personal or annual leave they are undergoing treatment.
- The Local Government will take steps to return an employee to their employment position after completion of the treatment program, if practicable in the circumstances.

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the supervisor or members of senior management, will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or possible termination from employment if the employee is unable to safely carry out the requirements of their role.

Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions

Team managers shall:

- encourage their people to make alternative arrangements for transport to and from work prior to the function.
- ensure that the following is made available: - Low alcohol beer, soft drinks and water - Beverages: Tea, Coffee and Food.
- if the manager believes a person may be over the BAC 0.05 limit, assist the person with safe transport home (including contacting a family member or arranging alternative transport); and
- if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

Pre-Employment Medical Tests

As part of the recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

Random Drug and/or Alcohol Testing

The Shire of Northampton may undertake random drug and/or alcohol testing of all employees or individual employees. The random testing for alcohol will be by breath test and for drugs by a tongue swipe test using approved calibrated testing equipment. If either tests show that an employee result is non-negative, then they will be required to undertake additional tests by a medical examiner.

Should it deem necessary, the Shire of Northampton may at its discretion undertake drug and/or alcohol testing following an incident/accident within the workplace.

Identification of Impairment & Testing

If the Shire of Northampton has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.

Reasonable grounds may include (but are not limited to), where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

If the Shire of Northampton suspects that an employee is under the influence of drugs and/or alcohol that has been detected in a random test, it may pursue any or all of the following actions:

- require that an employee undergo drug and alcohol testing administered by a representative of the Shire of Northampton being either a breath test for alcohol or tongue swipe for drugs using approved calibrated testing equipment.
- direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties.
- direct an employee to go home.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008.

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the Shire of Northampton may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The Shire of Northampton may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a

breach of this policy and will result in disciplinary action being taken against the employee up to and including the termination of employment.

The following steps are to be taken where an employee who has submitted to a medical assessment returns a positive test result for alcohol and/or drugs:

- The employee tested and the supervisor (or respective employer) will be informed of the result.
- A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Shire of Northampton.

An employee who returns a positive test will be in breach of this policy. A breach of this policy may result in disciplinary action being taken against the employee up to and including the termination of employment.

Education, Training & Awareness

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help.

The Shire of Northampton may engage the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling.

Consequences of Breaching this Policy

If the Shire of Northampton conducts a drug or alcohol test and an employee who has presented for work tests positive to drugs or has a breath test reading indicating that BAC is above 0.00%, the employee will be in breach of this Policy. The consequences for a breach of this Policy are set out below:

First Offence:

The employee will be stood down and sent home for the remainder of that shift without pay. Employee is permitted to access their accrued annual leave or time in lieu of overtime that has been accrued.

The employee must then provide proof to the Shire of Northampton that their test for drugs and/or alcohol is clear before returning to work and that proof is to be at the employees cost.

The employee will also (subject to any mitigating circumstances) be required to attend counselling. Free confidential advice, assistance and information is also available from the Alcohol and Drug Foundation (Australia-wide) on 1800 198 024 (24 hours a day), or you can access information via the web: www.dao.health.wa.gov.au

If in the first offence the employee is found to be in possession with intent to sell or supply an illegal drug, as determined by the WA Police, then instant dismissal will occur.

Second offence:

A second offence will result in the termination of the employee's employment subject to any mitigating circumstances.

Contractors

From time to time, contractors are engaged to provide services for the Shire of Northampton. For the purpose of this Policy any reference to a 'Contractor' includes any employee or sub-contractor of any company who has been engaged by the Shire of Northampton to perform services. Contractors will be required to adopt measures that meet, as a minimum, the requirements set out in this Policy.

Breach of this Policy by a Contractor or Visitor

If the Shire of Northampton conducts a drug or alcohol test and a Contractor or visitor tests positive to any of the drugs listed in Appendix 1 or has a BAC reading in excess of 0.00%, then the Contractor or visitor will be in breach of this Policy.

A breach of this Policy by a Contractor or visitor will result in their immediate and permanent removal from the Council Depot or work site.

Refusal, Avoidance of Tests

An Individual who refuses or avoids testing without a legitimate reason; fails to co-operate fully with the administration of an alcohol or drug test, will be subject to disciplinary action, which may include, but is not limited to summary dismissal (in the case of employees), immediate removal from the site (in the case of Contractors and visitors) or termination of the engagement (in the case of Contractors).

Transport Arrangements

Any Individual who is in breach of the Policy and is required to leave the workplace will be offered an alternative means of transport home.

Depending on the circumstances, the costs incurred will generally be covered by Northampton Shire. However, in some circumstances, the Individual will be required to bear this cost. This is a matter that will be determined by the Northampton Shire in its sole discretion.

Positive Test Result Bookkeeping

All drug and alcohol test are 'Private and Confidential' and are to be retained on the individual employees personal file held by the Local Government. All tests results will be accessible only by Manager.

Procedural Fairness

The Shire of Northampton actions and decisions made under this Policy will be in accordance with the following principles of procedural fairness:

- Individuals will be provided with an opportunity to have a witness present during any meetings which they are required to attend in relation to any matter concerning this Policy.
- Individuals will be given an opportunity to put their case forward (including any mitigating circumstances) and respond to allegations where an adverse decision or finding may be made against them.
- An investigation should seek to ascertain all reasonably attainable facts from the people involved or relevant witnesses.
- An Individual's privacy will be highly respected.
- Decision makers will consider all of the circumstances (including any mitigating circumstances) and provide reasons for decisions.

Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

4.8 EQUAL OPPORTUNITY **Policy reviewed by Council 17 June 2022**

Council recognises its legal obligations under the Equal Opportunity Act, 1984, and actively promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, sexual orientation, religious or political convictions.

All employment training with this Council is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability to meet the minimum requirements for such training.

All promotional policies and opportunities with this Council are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

All offers of employment within this Council are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagements.

This Council does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, sexual orientation, marital status or disability.

The equal employment opportunity goals of this Council are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability. Council in no way deems the adoption of this policy as meaning that Council's current attitude, or those of its current employees, as requiring to be changed or modified.

4.9 HARASSMENT AND COMPLAINTS/GRIEVANCE PROCEDURE **Policy reviewed by Council 17 June 2022**

Variation to this Policy

1. Intent

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

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

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

2. Scope

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

3. Responsibilities

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

All staff are entitled to:

- (a) recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics.
- (b) work free from discrimination, bullying and harassment; and
- (c) the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised.

All staff must:

- (a) follow the standards of behaviour outlined in this policy and the Shire of Northampton's Code of Conduct
- (b) avoid gossip and respect the confidentiality of complaint resolution procedures; and
- (c) treat everyone with dignity, courtesy and respect.

4. Additional responsibilities of managers and supervisors

Managers and supervisors have a leadership role and must also:

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

5. What is bullying at work?

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

- Aggressive or intimidating conduct
- Belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or 'initiation ceremonies'
- Exclusion from work-related events
- Unreasonable work expectations, including too much or too little work,

or

- work below or beyond a worker's skill level
- Displaying offensive material
- Pressure to behave in an inappropriate manner.

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

6. What is unlawful harassment?

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

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

Harassment can occur through behaviour such as:

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

7. Sexual harassment

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

- (a) comments about a person's private life or the way they look;
- (b) sexually suggestive behaviour, such as leering or staring;
- (c) brushing up against someone, touching, fondling or hugging;
- (d) sexually suggestive comments or jokes;
- (e) displaying offensive screen savers, photos, calendars or objects;
- (f) repeated unwanted requests to go out;
- (g) insults or taunts of a sexual nature;

- (h) sending sexually explicit emails or text messages;
- (i) behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

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

A single incident is enough to constitute sexual harassment, it doesn't have to be repeated. All incidents of sexual harassment, no matter how large or small or who is involved, require employers and managers to respond quickly and appropriately. The Shire of Northampton recognises that comments and behaviour that do not offend one person can offend another.

8. What is not bullying or harassment

A single incident of unreasonable behaviour does not constitute bullying.

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

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

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

The following conduct does not constitute unlawful harassment:

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

9. Breach of policy

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

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

10. Vexatious claims and claims made without reasonable cause

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

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

Vexatious means that:

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

11. Complaints/Grievance Procedure

Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser are victimised.

It is recognised that cases of harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.

A complaint of harassment may be lodged with any of the following persons:-

- (i) Immediate Supervisor/Manager (except where this person is the alleged harasser)
- (ii) Chief Executive Officer (if the alleged harasser is a Supervisor/Manager or the Shire President)
- (iii) Shire President (only if the alleged harasser is the Chief Executive Officer or Councillor)

A person receiving a complaint will:-

- (i) Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management.
- (ii) Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure.
- (iii) Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow up reports are provided until the matter is resolved.
- (iv) Ensure no information regarding the complaint is discussed outside this procedure.

The person handling the complaint, whether it is the person who received the complaint, or a more senior person will, with the approval of the complainant:-

- (i) As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour.
- (ii) Advise the alleged harasser of the right to contact his/her Union for advice and representation.
- (iii) Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard.

- (iv) Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.

If it is not possible to resolve the complaint, simply by discussion with the complainant and the alleged harasser:-

- (i) The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union may be party to the investigation.
- (ii) All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity.
- (iii) During the period of the investigation of a case of serious harassment:-
 - (iv) The investigation is to be conducted in a manner that is fair to all parties and all parties are to be given a fair and reasonable opportunity to put their case, to have witnesses in attendance and to respond to any proposed adverse findings that may be made against them.
 - (v) If requested by either party or by management, alternative working arrangements may be made.
 - (vi) Any reasonable request by either party for legal or union representation shall not be denied.

If, following investigation and resolution, a complaint is judged to have been proved:-

- (i) Remedial action will be taken.
- (ii) A record of the detail of the remedial action will remain on the employee's personal file for a period of 12 months, whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.
- (iii) If, following investigation, a complaint is judged to have been unproven:-
 - (iv) The complainant will be counseled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.
 - (v) Continued reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

While it is Council's wish to attempt to deal with complaints of harassment internally, no employee will be penalised for bringing this complaint to any appropriate external statutory body unless that complaint is ultimately proven to be made frivolously or maliciously.

12. Confidentiality and Victimisation

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

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

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

4.10 STAFF – PROTECTION FROM THE SUN FOR OUTDOOR WORK **Policy reviewed by Council 17 June 2022**

4.10.1 Clothing

It is Council's Policy that employees exposed to long periods of ultraviolet radiation from the sun be encouraged to take adequate precautions against its harmful effects. Clothing and protection levels recommended are as follows:

- wide brimmed sun hat
- sunglasses
- approved sunscreen cream/lotion be provided and applied to the manufacturer's specifications
- long sleeve or short sleeve, light weight shirt, shirt must have a collar
- trousers or shorts

Council will issue all of the above including allowing the purchase and issue of shorts and short sleeved shirts, on the condition that adequate sunscreen cream/lotion is provided and applied to the manufacturer's specifications.

The type of equipment to be selected will be after consultation with all employees and each employee will be provided with four (4) pairs of protective clothing per year.

No less than the minimum standard of UV protection apply to all clothing and protective equipment selected.

4.10.2 Sunglasses

It is Council policy that Council will provide one issue of standard sunglasses to all permanent full time works staff, with replacement of sunglasses to occur when the current issue is deemed by the Manager of Works and Technical Services to be unserviceable.

Should a works staff member require prescription sunglasses while working, then Council, in lieu of providing sunglasses, will cover the cost of tinting on the prescription lens only.

4.10.3 Prescription Glasses

It is Council Policy that Council will reimburse 50% of the cost of prescription safety glasses, up to a maximum of \$300, should a works staff member make a written approach to Council for the provision of such glasses for use during the course of their normal duties.

4.11 SEVERANCE PAY POLICY **Policy reviewed by Council 17 June 2022**

1. The purpose of this policy is to set down the maximum severance payable to terminating employees for the purpose of section 5.50 (1) of the local Government Act 1995 (the "Act"). Note however these severance payments may be exceeded in accordance with clause 7 at the discretion of Council.
2. A terminating employee is entitled to severance pay and benefits in accordance with:
 - a) Any federal or state award or industrial agreement applicable to that employee.
 - b) Any applicable provisions within the employee's contract of employment.
 - c) Any applicable award or order made by a federal or state industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal.
 - d) Where Council so agrees, any recommendation made by a federal or state Industrial Commissioner arising from the circumstances of that employee being specifically brought before that Commissioner.
3. Where a dismissed employee has taken or is proposing to take litigation for alleged unfair dismissal, Council may decide to settle to avoid expensive litigation.

Matters to be taken into consideration by Council as to whether it will seek settlement and if so, the extent of any financial offers may include:

- the strength of the respective cases in any litigation.
- the cost of legal advocacy and support.
- the cost of witnesses.
- the cost of travel and accommodation in running the case.
- the cost of having staff tied up in the preparation and hearing of the case; and
- the disruption to operation.

4. Council may decide to settle in a situation where an employee, due to illness or impairment is unable to perform his/her job and there has been mutual agreement that employment must end.

Matters to be taken into consideration by Council in determining the extent of any financial offer may include:

- the length of service.
- the conscientiousness of the employee over the past employment.
- the value of the employee's service having regard to position(s) held and the regard given by Council to the employee's contribution.
- the length of time to retirement.
- the personal circumstances of the employee including family responsibility, future employment prospects and alternative sources of income; and
- possible exposure to litigation if the employee was dismissed having regard to obligations of Council under the State Equal Opportunity Act, the Commonwealth Disability Discrimination Act and the Commonwealth Workplace Relations Act.

5. The term "weekly pay" means the normal weekly salary or wage payable to employee including any penalty rates normally paid but excluding overtime or intermittent payments. The term also includes salary or wages specifically sacrificed for additional non-award benefits but does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle in the case of a senior position, the normal superannuation provided to all employees etc).

6. Nothing in this Policy prevent Council from determining that in special circumstances, terminating employees may be paid additional monies or provided additional benefits where justified. If Council so determines, details of the severance pay, and benefits shall be published in accordance with section 5.50(2) of the Act.

4.12 REDUNDANCY POLICY

Policy reviewed by Council 17 June 2022

1. CONSULTATION

- a) Council is to consult employees likely to be affected by any proposed changes as to the need for and/or reason for the change and no definite decision will be made until this process has been followed up.
- b) Where Council has made a definite decision that they no longer wish the job the employee has been doing to be done by anyone, and this is not due to the ordinary and customary turnover of labour and that decision may lead to the termination of employment, Council shall hold discussions with the employees directly affected and with their union or unions.
- c) The discussions shall take place as soon as is practicable after Council has made a definite decision which will invoke the provisions of paragraph (b) hereof, and shall cover, inter alia, any reasons for the proposed termination's, measures to avoid or minimise the termination's and measures to mitigate any adverse effects of any termination's on the employees concerned.
- d) For the purposes of the discussion the Council shall as soon as practicable provide in writing to the employees concerned and their union(s), all relevant information about the proposed termination's including the reasons for the proposed termination's, the number and categories of employees likely to be affected and the number of workers normally employed and the period over which the termination's are likely to be carried out.

Provided that Council shall not be required to disclose confidential information, the disclosure of which would be inimical to Council's interests.

2. TRANSFERS WITHIN THE ORGANISATION

- a) Wherever possible and practical, appropriate employees should be offered a transfer to other positions within the enterprise and also offered the necessary and reasonable training to effect a successful transition.
- b) Where an employee is transferred to other duties for the purpose of avoiding retrenchment and those duties attract a lesser rate of pay than the incumbents previous position, Council will make up the difference between the two rates of pay for a period of twelve months (or 2 years in the case of employees covered by clause 6 below). After this time, the lesser rate will apply.

3. SEVERANCE BENEFITS

Where a position has been made redundant and a suitable transfer has not been possible, an employee may be retrenched on the following basis:

- a) A maximum period of notice possible but in any event no less than 4 weeks or payment in lieu of notice to a maximum of 4 weeks.
- b) Payment of weeks' pay.
- c) Plus 2 weeks pay for each completed year of service with the local government.
- d) The maximum payable under (b) and (c) shall be 26 weeks pay provided that the severance payments shall not exceed the amount which the employee would have earned if employment with Council had proceeded to the employee's normal retirement date.
- e) Where an employee has been employed with Council for a minimum of 5 years, pro rata long service leave shall be provided if the employee is not otherwise entitled to pro rata long service leave under the Local Government Long Service Leave Regulations.
- f) All other pro rata entitlements payable under the appropriate award or agreement to a terminating employee will be paid.
- g) During the notice period the employee shall be allowed reasonable time off from the job without loss of pay to attend employment interviews or other similar activities to assist the employee find employment.
- h) Where the circumstances of a retrenched employee are such that it will be extremely difficult for that employee to find another job, Council may exercise its discretion to provide additional benefits to such employees. In this event, details of the total redundancy package for such an employee shall be published in accordance with section 5.50(2) of the Local Government Act.
- i) The term "weeks pay" means the normal weekly salary or wage payable to the employee including penalty rates normally paid but excluding overtime or intermittent payments. The term also includes salary or wages specifically sacrificed for additional non-award benefits but does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle in the case of a senior position, the normal superannuation contribution provided to all employees etc).

4. LOCAL GOVERNMENT BOUNDARY CHANGES, AMALGAMATIONS AND BREAK-UPS

- a) Where a restructuring of Local Government boundaries (such as a break up of a Local Government or an amalgamation of Local Governments) results in a surplus of employees, Schedule 2.1 clause 11(4) of the Local Government Act provides for two years guaranteed employment except where employer and employee are able to agree to a mutually acceptable severance package.
- b) Clauses 1 and 2 above will apply. If a transfer is arranged, the "no reduction" provision in clause 2(b) will apply for two years.
- c) Where a transfer is not possible, retrenchment will be offered on the basis of clause 3 above. Additional benefits may be offered in accordance with clause 3(h) in an endeavour to reach a mutually acceptable severance package.
- d) If agreement on a severance package is not possible, the employee will be offered work for two years on conditions no less favorable than the existing contract of employment.
- e) At any time during the two years additional employment the Council and employee may re-open negotiations in an endeavour to reach agreement on a mutually acceptable severance package.
- f) Where an employee remains in employment for two years pursuant to schedule 2.1 of the Local Government Act and is then made redundant, there will be no entitlement to the redundancy benefits provided in clause 3. Redundancy benefits in accordance with the appropriate award will still apply.

5. TERMINATION DURING NOTICE

An employee who has given notice of retrenchment in accordance with clause 3 may terminate during the period of notice and shall be entitled to the same benefits and payments as if he/she had remained until the expiry of the notice. Provided that in such circumstances, the employee shall not be entitled to payments in lieu of notice.

6. ALTERNATIVE WORK

- a) Should Council have made suitable arrangements for alternative employment and the employee is not consequently unduly prejudiced, the additional benefits over and above the appropriate award arising from this Policy shall not apply.
- b) In addition Council may make application to the Industrial Relations Commission to have the award severance pay prescription varied in the case of such an employee according to the particular circumstances.

7. EXCLUSIONS

- a) Benefits provided under this Policy, which go beyond the appropriate award, shall not apply where employment is terminated as a consequence of conduct that justifies instant dismissal, including malingering, inefficiency or neglect of duty.
- b) This Policy does not apply in the case of casual or temporary employees who were engaged for a specific time period or for a specific reason or specific task, project or program.
- c) This policy also does not apply to an employee engaged on a fixed term contract where the term of the contract expires.

4.13 SUPERANNUATION CONTRIBUTION **Policy reviewed by Council 17 June 2022**

It is the policy of Council that for all staff, Council to pay the 9.5% compulsory amount and will match employee's own contribution to a maximum of 6%.

4.14 SENIOR STAFF CAR POLICY **Policy reviewed by Council 17 June 2022**

It is the policy of Council that designated Senior Staff officers are entitled to the use of Council fuel card for private vehicle when it is the officer's preference to utilise their private vehicle during periods of annual leave and long service leave."

Fuel card only to be used for the staff members immediate private vehicle being used in preference to the council owned vehicle, and no other vehicles or vessels owned by the staff member.

For all designated Senior Staff they have the use of the Council fuel card for all private use when utilising the Council owned vehicle within Western Australia.

4.15 LONG SERVICE RECOGNITION – GIFT VALUE

Policy reviewed by Council 17 June 2022

That to recognise long serving staff (excluding senior staff and the environmental health officer) an appropriate gift or cash is to be presented to long serving staff in Council's employ on the following basis, and that the presentation be made either at the annual end of year Christmas function/wind up or other date as determined by the CEO in association with the relevant staff member to receive this reward.

10 years service	\$100	35 years service	\$1,200
20 years service	\$500	40 years service	\$1,500
25 years service	\$700		
30 years service	\$1,000		

4.15 STANDARDS FOR CEO RECRUITMENT, PERFORMANCE & TERMINATION

Policy adopted by Council 19 March 2021

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.

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.
- (3) If the selection panel considers none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (a) a new recruitment and selection process for the position be carried out in accordance with these standards; and

- (b) the changes (if any) the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

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

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

11. Offer of employment in position of CEO

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

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

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a

contract of employment (the ***negotiated contract***) containing terms different to the proposed terms approved by the local government under clause 11(b).

- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

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

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the ***incumbent CEO***) who holds the position of CEO —

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether the period commenced before, on or after commencement day; and
- (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether the process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

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

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

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

23. Decision to terminate

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

24. Notice of termination of employment

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

5. PROPERTIES

5.1 STAFF HOUSING - APPLIANCES **Policy reviewed by Council 17 June 2022**

It is Council policy that if staff replaces appliances in Council owned housing because of personal preference for a particular type of appliance they do so at their own expense and reinstate the Council appliance on departure unless the Chief Executive Officer approves special arrangements in advance.

5.2 TENANCY AGREEMENTS **Policy reviewed by Council 17 June 2022**

It is the policy of Council that tenants of all Council dwellings be required to enter into a tenancy agreement.

5.3 CAMPING FOR ABORIGINAL CULTURAL PURPOSES **Policy reviewed by Council 17 June 2022**

It is the policy of Council that where the use of a reserve/land that is under the control/management and or ownership of the Shire of Northampton, by Aboriginal people for customary/cultural purposes, being: "preparing or consuming food customarily eaten by Aboriginal people, preparing or using medicine customarily used by Aboriginal people, engaging in artistic ceremonial or other cultural activities undertaken by Aboriginal people or other activities incidental to those purposes" and that use requires overnight camping then that use is approved subject to:

1. 24 hours notice of that activity being provided to the CEO and/or the Lucky Bay Camping area caretaker.
2. All rules and regulations relating to the area are adhered to.
3. Use is to be in accordance with all current Council Local Laws; and
4. That the payment of the current camping fee applying to such areas is exempt.
5. That the policy shall apply for up to 30 persons, with any event that shall have a number greater than 30 persons requiring Council approval.

6. ENGINEERING/WORKS/PLANT

6.1 VEHICLE EMBLEMS

Policy reviewed by Council 17 June 2022

It is the policy of Council that all vehicles, except those within employment contracts, have the Shire emblem placed on them at the Chief Executive Officers discretion and that all emblems to be removed prior to any vehicle leaving the depot when it has been sold or disposed of.

6.2 OPERATIONS OF PLANT BY STAFF ONLY

Policy reviewed by Council 17 June 2022

It is the policy of Council that all items of major plant are to be operated by employed staff only and further that the operations of that plant are to be operated by the employee assigned to the item of plant or to another employee who has been trained to operate that item of plant, as directed by the Chief Executive Officer or the Manager for Works and Technical Services.

6.3 PRIVATE WORKS

Policy reviewed by Council 17 June 2022

It is the policy of Council that where possible local contractors be encouraged to carry out private works but when not available Council undertake the works at rates determined when framing each year's budget. Such works to be authorised by the Chief Executive Office and/or Manager of Works and Technical Services.

6.4 ROAD DRAINAGE

Policy reviewed by Council 17 June 2022

It is the policy of Council that the landowner who constructs contours on their property be responsible for the material and labour cost for the construction of a culvert/crossing where it is required on a road reserve and the landowner be responsible for clearing the culvert/crossing and that prior notice and discussion be held with Council and adjacent landowners prior to any contouring being done that affects road drainage.

6.4 GRAVEL CONSTRUCTION OF RURAL ROADS

Policy reviewed by Council 17 June 2022

It is the policy of Council that a road pavement width of nine metres is to apply when constructing gravel or unsealed rural roads.

6.6 CROSSOVERS

Policy reviewed by Council 17 June 2022

The following is Council's policy in relation to crossovers.

Urban Areas

All crossovers shall be constructed to Council approved standard specifications. Owner/agent to arrange for construction.

The crossover shall be paved utilising sprayed bitumen, bituminous concrete, insitu concrete, paving bricks or blocks.

Council will contribute (or subsidize) a maximum of \$500 towards the cost of a standard crossover (one crossover to a property, unless where more than one crossover is required as a result of an approved multi residential or commercial development) subject to the crossover being deemed to conform with the specifications.

The subsidy applies to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy will apply to each crossover up to the number of dwellings.

Crossovers, eligible for subsidy, may be claimed for at the subsidy rate within twelve months completion of the crossover.

Reconstruction of one crossover to a property will attract a second subsidy where that crossover has exceeded its expected life (taken as 15 years) as determined by the Manager of Works and Technical Services.

The reference a "standard crossover" shall mean a sealed or paved construction to a size conforming with Council's standard widths, referred to in specifications.

Rural and Special Rural Areas

Council will contribute storm water pipes (if required) or deliver five m³ of gravel, as its half contribution towards the cost of first crossover off a gravel road to the property, upon approval from the Works Department. Where a crossover is proposed off a sealed road, the crossover shall also be sealed and drained and the subsidy will be as per gravel crossovers. All special rural developments require a sealed crossover where a sealed road frontage exists.

Crossover Maintenance

Council will not be responsible for maintenance of crossovers.

Bonds

Bonds for the construction or reconstruction of crossovers will be required to be paid at time of issue of building licence. The Chief Executive Officer will set the amount of the bond.

Crossover construction or reconstruction is required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Chief Executive Officer that the construction is necessary. Construction/reconstruction of a crossover as a condition of the building licence will not be required if the value of the licence is less than \$5,000 or the building works involve only minor works (e.g. pergola, shed, pool, patio, toilet) but will apply to all building licences for structures accessible to vehicles.

Council may construct the crossover in concrete if not constructed by the owner/agent within 6 months of practical complete or occupation of the building, where payment of a crossover bond has been made.

6.7 RURAL ROAD TREE PLANTING

Policy reviewed by Council 17 June 2022

1. No trees are to be planted on road reserves without Council approval.
2. Tree planting on twenty metre wide road reserves will not be encouraged.
3. Trees must not be planted under or over any electricity, water, sewer or telecommunication services, where the size or location of the tree will interfere with those services.
4. Trees should not be planted within five metres of the top of the back cut of the table drain.
5. Trees planted on road reserves become Council property and may be removed at any time at Councils discretion if the trees become a hazard or interfere with future road works.
6. Where trees are planted on a private basis the planting, watering and maintenance of the trees is entirely the responsibility of the adjoining landholder who undertakes the planting.
7. No tree planting will be allowed on the inside of a corner nor within 50 metres of any intersection.

6.8 ADVERTISING COSTS FOR ROAD CLOSURES
Policy reviewed by Council 17 June 2022

It is the policy of Council that where landowners request for the closure of a road reserve and that road reserve is to be transferred to the ownership of that landowner, then that landowners/applicant is to pay for all advertising cost related to the road closure.

6.9 ROADSIDE VEGETATION CLEARING – FENCE LINE CLEARING
Policy reviewed by Council 17 June 2022

It is the policy of Council that it will receive applications for clearing of areas, outside farmers' fence lines immediately adjacent to the fence, for a maximum of 1.5 metres, regardless of the road reserve width. All works are to be carried out in accordance with Department of Environment Act and Regulations. The costs for such works to be applied as follows:

- Any plant that is used outside of Council plant (ie dozer) be hired by and paid for entirely by the landholder.
- All Council plant that is used and tied in with local road works is cost shared equally 50/50 between the landholder and Council.
- Each application is to be considered by management staff in terms of road engineering and timing.

6.10 GRAVEL/SAND ROYALTIES
Policy reviewed by Council 17 June 2022

Following is the policy and procedures Council Staff will undertake when attempting to secure road building materials from private land: -

- a) The Chief Executive Officer and/or Manager for Works shall approach landowners and request acquisition from their property by way of right of entry to search for materials.
- b) If suitable materials are located a written agreement (as attached) is to be reached with the landowner for compensation for materials removed.

- c) Payment for road building materials acquired from the landowner will be at a rate of \$1.50 per cubic metre for all materials and this fee to be reviewed annually by Council. Prior to any payment a written agreement is to be entered into with Council and the landowner. This will be in the format of a standard form.
- d) Should agreement for the removal of road building not be reached with the landowner, procedures to take such materials in accordance with the Legislation detailed in the Local Government Act, 1995 will be considered by Council prior to commencement.
- e) Once gravel has been pushed it legally becomes the property of the Shire and will be paid for in accordance with the measurements undertaken by the Manager for Works at the time gravel is removed from the property.

6.11 ROADSIDE MEMORIALS

Policy reviewed by Council 17 June 2022

This policy only applies to roads under the control of the Northampton Shire Council.

Definition of a Roadside Memorial

A roadside memorial can be described as an object or image constructed, erected, planted, painted or placed within the road reserve in honour of family or friends whose lives have been lost on the road or road reserve.

Statement of Policy

The Northampton Shire Council (NSC) has an obligation to provide a safe and efficient road network.

The NSC will:

- Be considerate and respectful of the needs of persons wishing to install roadside memorials.
- Approve the placement of roadside memorials.
- Assist in the installation of roadside memorials at suitable locations as detailed in this policy.
- Not accept responsibility for the security or maintenance of roadside memorials.
- Remove any roadside memorials not conforming to this policy.
- Not approve or provide roadside memorials for animals; and
- Will only approve or provide roadside memorials for accident sites where fatalities have occurred.

Requests for Roadside Memorials

Persons wishing to erect a Roadside Memorial are required to submit their request in writing to the Chief Executive Officer (CEO). When a request has been received the CEO will assist to ensure the applicants understand the requirements of this policy and install or assist in the installation of a suitable roadside memorial at the safest location. It should be noted that this policy is intended to provide guidance to NSC Officers, and each case is to be dealt with on an individual basis.

Recording Requests for Roadside Memorials

NSC will maintain a record of requests for roadside memorials. The details will be documented so the person/s responsible for the roadside memorial can be contacted if necessary.

Memorial Requirements to Maximise Road Safety

NSC will approve and assist with the installation of a cross, paver, or decal as per the specifications below, depending on the family and/or friends' preference. Alternatively, the applicant may purchase a plant compliant with this policy.

Roadside Memorials – Types and Structure

In consideration of safety to all, the following specifications are recommended. Note these specifications should be used as a guide only. Common sense should prevail when assessing specific locations for placement of roadside memorials.

1. Cross

Crosses are to be constructed from timber and be:

- 850mm long (600mm out of the ground) and 400mm wide.
- Built from pieces 40mm x 18mm; and
- Painted white and be non-reflective.

Crosses shall be located:

- No closer than 3 metres from the edge of any bitumen/road seal.
- No closer than 1 metre from behind the line of guideposts; and
- No closer than 1 metre from the edge of any shared path.

Crosses shall not be located:

- Where they may interfere with the role of any traffic control item.
- In close proximity to residential dwellings where they may cause concern to the occupants.

2. Paver

Pavers to be of concrete and to be 600mm long and 300mm wide unless otherwise approved by the CEO. Pavers should be flush with the existing surface and are to be located:

- No closer than 1 metre from behind the line of guideposts.
- No closer than 3 metres from the edge of any bitumen/road seal.
- No closer than 1 metre from the edge of any shared path.
- On traffic islands and medians where the landscaping permits.

Pavers shall not be located:

- Within the area which is regularly graded during shoulder grading or drain maintenance.
- In close proximity to residential dwellings where they may cause concern to the occupants.
- On landscaped verges; and
- On roundabouts.

3. Decals

Decals are to be adhesive labels, 160mm long and 130mm wide, which display a white cross on a black background. No other decal design is allowed.

Decals are to be located:

- At the base of traffic signal poles; and
- At the base of streetlight columns.

Decals shall not be located:

- On any traffic signs; and
- On street name signs.

Plants

The planting of plants is at the discretion of the NSC Officer's. A request for a plant type must be stated as part of the application/approval process and NSC Officers' to verify the appropriateness of the plant type for the location. Only locally/native occurring plants are permitted, ie Geraldton Wax.

Plants are to be located:

- Outside of the maintenance clearing zone.
- No closer than 1 metre from the edge of any shared path.
- On traffic islands and medians where the landscaping permits.

Plants shall not be located:

- Where they may interfere with the role of any traffic control item.
- In close proximity to residential dwellings where they may cause concern to the occupants; and
- On landscaped verges.

5. Memorial Options

If a cross is not suitable an application for an alternative is to be submitted to the CEO for consideration and determination.

6. Memorabilia and Personalisation

In the interest of preserving safety for all, items such as flowers, toys and other personal effects must be firmly secured to the memorial. Where possible, memorabilia should not exceed the dimensions outlined in the memorial requirements, the reason being that such items may be a visual distraction to road users. Physical objects could harm road users and the possible movement of personal items onto the road could be a potential road safety hazard.

Only one (1) roadside memorial shall be allowed per life lost.

Some items that are considered a safety hazard and are not be used include:

- Reflective material such as foil and cellophane
- Solar lights
- Rocks, bricks or other non frangible items

Personalisation of crosses should be limited to non-reflective material.

Installation of Roadside Memorials

An NSC Officer representative will assist in the installation of approved roadside memorials

The Officer is to ensure its placement is in accordance with this policy and take into consideration the safety of road users. The Officer is to consider safety issues such as where the road geometry is less than optimum i.e. road crests, bends and high-speed locations.

Maintenance of Roadside Memorials

If the condition of a memorial has deteriorated, the NSC will endeavour to contact the owners of a memorial to discuss its condition and to confirm their wish for the memorial to remain in place.

Roadworks / Maintenance Near Approved Roadside Memorials

The NSC will continue to perform all construction and maintenance works required within road reserves that contain roadside memorials.

Where works are required to the ground on which an approved roadside memorial is located, the memorial will be carefully shifted away from the work area for the duration of works and then re-installed as close as practical to the original location at the conclusion of works unless otherwise advised by the memorial owner. Care will be taken to minimise damage to the roadside memorial.

For unregistered memorials, the NSC will make every effort to locate the owners of the memorial before the removal. The NSC will store removed memorials for 4 months or the period of the roadworks (whichever is the greater).

Roadside Memorial Removal Procedure

Any roadside memorial presenting a safety hazard will be removed without notice. Every effort is to be made to contact the responsible person/s regarding the removal of the roadside memorial.

Person/s responsible for roadside memorials that comply with this policy but require removal because of their poor state of repair or concerns raised by the local community is to be contacted by the NSC. If the NSC is unsuccessful in contacting the appropriate person then the memorial is to be removed and stored for a period of 4 months.

Existing Memorials

The NSC will treat all existing roadside memorials in a sensitive manner and will address each one on an individual basis with the aim of making all roadside memorials compliant with this policy.

7. BUSH FIRE

7.1 AUTHORITY TO BURN **Policy reviewed by Council 17 June 2022**

It is Council's policy that Fire Control Officers satisfy themselves that any person seeking a burning permit have authority from the owner or manager of the property.

7.2 BURNING ON PUBLIC HOLIDAYS **Policy reviewed by Council 17 June 2022**

It is Council's policy that all Fire Control Officers are to refrain from issuing permit to burn off on public holidays owing to the fact that there are generally more people away from home on these days than on Sunday thus creating a consequent shortage of Brigade personnel.

7.3 BUSHFIRE TRAINING COURSES **Policy reviewed by Council 17 June 2022**

It is Council's policy that the fares of those persons who are members of a Bush Fire Brigade within the Shire of Northampton, attending residential courses conducted by the Department of Fire and Emergency Services, may be paid for, prior to the member attending the course, by Council, subject to Council approval.

7.4 BANNING OF CAMPFIRES **Policy reviewed by Council 17 June 2022**

It is the policy of Council that the lighting of campfires be banned within the Shire during the prohibited burning period.

7.5 FIRE REPORTS **Policy reviewed by Council 17 June 2022**

It is the policy of Council that Fire Control Officers be requested to recommend prosecuting where considered desirable when submitting fire reports, with the knowledge that they will be called upon to give evidence.

7.6 AERIAL INSPECTION OF FIREBREAKS
Policy reviewed by Council 17 June 2022

It is Council policy that an aerial inspection of firebreaks be undertaken each year, if deemed necessary by the Chief Fire Control Officer and the Chief Executive Officer.

8. BUILDING & HEALTH CONTROL

8.1 BUILDING ON KALBARRI FORESHORE **Policy reviewed by Council 17 June 2022**

It is the policy of Council that the construction of buildings, other than those present and Council owned ablution facilities/community amenities, are not permitted on the Kalbarri Foreshore area, being all foreshore reserve riverside of Grey Street, Kalbarri.

8.2 TRADING IN PUBLIC PLACES POLICY **Policy reviewed by Council 17 June 2022**

Policy Objective

To guide the application of the Council's *Local Law relating to Activities on Thoroughfares and Public Places*.

This Policy does not apply to Itinerant Food Vendors as covered under Part 10 of the Shire of Northampton *Health Local Laws 2007* and Policy 8.5 – Conditions of Approval of Itinerant Food Vendors. This policy also does not apply to Mobile Food Vehicles who are dealt with separately under Local Planning Policy – Mobile Food Vendors.

Desirability of Trading Activity

Generally, the offering of a service, product or merchandise that is freely available through normal business outlets within a town will not be considered a desirable trading activity, and therefore will not have a licence issued.

However if the trading site is so isolated from those businesses it is deemed that it is not likely to have any significant effect on those businesses, then a licence may still be issued for the activity.

A general test of desirability will be applied to each application in the context of the service or goods to be provided and overall benefit that may be realized from allowing the trade.

Relationship to other Local Laws and Town Planning Scheme

Issue of a Licence under these Local Laws is deemed to also meet the requirements under any other Local Law or the Town Planning Scheme.

Application for Licence

An application shall be in writing and is to include the following information:

- Applicants name and address,
- Details of goods, wares, merchandise and or services to be offered,
- Details of van/vehicle intended to be used for trading. Such vehicle or van will be subject to assessment to see if it of a suitable standard for the purpose proposed,
- Details of area(s) where licence to trade is sought,
- Details of public indemnity insurance provider.

Trading at approved Public Events

The Local Law relating to Trading in Public Places will not apply to events such as market days or similar events approved by the Council.

Approval of places where Trading will be Permitted

A place will only be approved if:

- It affords suitable access and parking for customers.
- It is not going to interfere with access to other facilities and/or businesses, or unduly vehicle parking; and
- Only one licensee is to be approved to operate at any one time.

In Kalbarri, the only site where a licence to trade general merchandise and/or services, but not food, in a public place will be issued is in the North-East portion of the Car park opposite the Black Rock Cafe and Murchison Caravan Park.

In the case of Food Vendors, the provisions of Local Planning Policy – Mobile Food Vendors, and Policy 8.5 relating to Itinerant Food Vendors, will apply.

Period during which trading will be permitted

Licences will not be issued where it is for periods of greater than.

1. Three days consecutively, in any consecutive period of seven days, and where the period of trading does not exceed 10 hours on any of those days, or
2. For more than 2 hours in any one locality per day over consecutive days.

Certificate of Currency of Insurance

The applicant before the issue of a trading licence will provide a copy of the certificate of currency of public indemnity insurance.

General Conditions of Licence

All licences will have the following conditions applied unless approval is granted otherwise.

1. The Licensee shall not display any sign except that incorporated as part of the vehicle. If additional signage is required, only a single sandwich board sign or similar to be located in the immediate vicinity of the approved trading site will be approved.
2. A trader shall:
 - Not cause any nuisance,
 - Not obstruct pedestrians or vehicles
 - Not use any amplification system unless specifically approved by Council
 - Keep the immediate trading area in a clean and orderly condition
 - Provide receptacles to appropriately dispose of any refuse or other waste generated during the course of trading
 - Not keep any vehicle or other materials on the trading site outside the hours approved for trading unless specific approval has been granted otherwise.
3. A trading Licence is not Transferable.
4. The licence can be cancelled at any time by Council if there are any breaches of the conditions on the licence or breach of any Local Law of the Council.

8.3 INFRINGEMENT NOTICES – BREACHES OF SWIMMING POOL REGULATIONS

Policy reviewed by Council 17 June 2022

Council adopts as a policy that authority be issued to the person appointed to the position of EHO/Building Surveyor to issue Infringement Notices for the breach of Part 8, Division 2, Regulation 50(1) of the Building Regulations 2012.

8.4 PROTECTION OF KERBS/VERGES AND PATHWAYS

Policy reviewed by Council 17 June 2022

Where a Building licence is to be issued for a dwelling/house or other building within a Townsite, and the proposed works are assessed by the Building Surveyor as requiring heavy vehicles to enter or make deliveries to the site or requiring above normal vehicular activity over the roadway, kerb, verge or pathway during the construction of the dwelling/house or building, Council requires that a refundable sum of \$500.00 be deposited with the Council prior to the issuing of the Building Licence. These funds are to serve as a guarantee to ensure that the person to whom the Building Licence has been issued restores the roadway, kerb, verge or pathway to the satisfaction of the Manager of Works and Technical services prior to the return of the deposit.

In the case of a Registered Professional Builder who undertakes more than one building project within the Shire of Northampton at any one time that person or Company may lodge a perpetual guarantee of \$2,000.00 with the Council in lieu of the abovementioned individual deposit.

It shall be the responsibility of the person or Company from whom the deposit has been obtained to notify the Council that the building works have been completed and that the roadway, kerb, verge and pathway are ready for inspection and that they therefore are seeking a refund of the deposit. This deposit shall not be released without the authority of the Manager of Works and Technical Services.

If at the completion of the building works the person or Company to whom the Building Licence to restore the roadway, kerb, verge or pathway fails to restore the roadway kerb, verge or pathway to the satisfaction of the Manager of Works and Technical Services then the Builder is to be notified in writing giving them 14 days in which to undertake the restoration or repairs as detailed in the letter. If at the expiry of the 14 days the restoration or repair has not been undertaken to the satisfaction of the Manager of Works and Technical Services then the deposit held by the Council shall be used to undertake these works.

In the event that the deposit is insufficient to cover the cost of the restoration or repair then the Manager of Works and Technical Services shall arrange for an account to be issued to the person or Company holding the Building Licence to

recover the shortfall. In the instance that the person or Company is a Registered Professional Builder who has provided a perpetual guarantee of \$2,000.00 then in the instance where these funds are used partly or wholly to undertake the prescribed works then the Manager for Works and Technical Services shall arrange for an account to be issued to reinstate the perpetual deposit to the \$2,000.

8.5 CONDITIONS OF APPROVAL OF ITINERANT FOOD VENDORS

Policy reviewed by Council 17 June 2022

An application under the Shire of Northampton Health Local Laws 2007 Part 10 Section 10.1.2 Itinerant Food Vendor's Licence shall only be approved subject to the following:

- (i) excepting where specifically approved by Council so that the proprietor or proprietors do not operate within 500 Metres of any business within the Shire offering similar produce for sale.
- (ii) excepting where specifically approved by Council the proprietor or proprietors shall not operate within a Townsite during the normal trading hours of any business within that Townsite which is offering similar produce for sale.
- (iii) the proprietor or proprietors shall not park in any Car Park, Rest Area, Roadside or Verge excepting for the period it takes to serve his immediate customer after which he/they must move on.
- (iv) the proprietor or proprietors only offering for sale foods for which they have been specifically approved and licensed by the Council.
- (v) the Itinerant Food Vendors vehicle meeting the requirement of the Health Act 1911 and any associated Regulations; and
- (vi) the proprietor or proprietors meeting any other conditions which the Council may from time to time impose."

8.6 ISSUING OF SECTION 23 CERTIFICATES UNDER THE STRATA TITLES ACT 1985
Policy reviewed by Council 17 June 2022

To satisfy the requirements of Section 23 of the Strata Titles Act 1985 the person or persons wishing to Strata Title a property upon which there are existing buildings is to provide at their expense the appropriate certification that the building shown on the plan has been inspected and that it is consistent with the building plans and specifications that have been approved in respect of the building by the Shire of Northampton.

The comprehensive inspection is to be undertaken by a consulting structural engineer, mechanical and hydraulic engineer or other person qualified and authorised to undertake these inspections and shall be addressed to the Shire of Northampton.

8.7 INDEPENDENT INSPECTION OF COUNCIL OWNED ASSETS - BUILDINGS
Policy reviewed by Council 17 June 2022

That commencing from 2008 and in order to protect its assets, Council requires that all Council owned buildings, including dwellings, with a value of \$500,000 or more be independently inspected and reported upon by a Structural Engineer as to their structural soundness. The frequency of such inspections to be:-

Complexes	every Five (5) Years.
Major Public Facilities	every Five (5) Years.
Residences	every Ten (10) Years.

That these inspections be co-coordinated by the EHO/Building Surveyor who shall provide copies of the received reports to the Ordinary Meeting of Council immediately following their receipt.

9. TOWN PLANNING

9.1 LANDSCAPING BOND – DEVELOPMENTS **Policy reviewed by Council 17 June 2022**

Should an Applicant/Owner request early clearance of a subdivision condition relating to landscaping works, the Council will require the Applicant/Owner to enter into a legal agreement (prepared by Council's appointed solicitors at the subdivider's cost) and pay a bond/bank guarantee of 100% or other arrangements of the total value of landscaping works.

9.2 REQUIREMENTS FOR LICENCE AGREEMENTS TO USE CROWN RESERVES FOR COMMERCIAL, RECREATIONAL AND TOURISM ACTIVITIES **Policy reviewed by Council 17 June 2022**

9.2.1 Purpose

This Policy relates to the exercise of Council's discretion, as management body, to approve activities on reserves under its care, control and management.

The commercial use of Reserves for Mobile Food Vehicle purposes is considered exempt from this Policy, and will instead be dealt with under Local Planning Policy – Mobile Food Vehicles.

9.2.2 Policy requirements

- (a) The proposed use be consistent with the purpose for which the reserve is vested in the Shire, unless otherwise approved by the Minister.
- (b) The proposed use be consistent with any Management Plan adopted in respect of the reserve pursuant to section 49 of the Land Management Act 1997.
- (c) Council's approval of the use and the agreement with the service provider is subject to endorsement and consent of the Minister of Lands in accordance with the provisions of the Land Administration Act 1997.
- (d) The proposed use shall have been separately granted planning consent under the Scheme prior to the Shire's approval of that use as management body of the reserve.

9.2.3 General Licence Agreement Terms

- 9.2.3.1 All Agreement terms will be valid for a maximum of 3 years, coinciding with the nearest financial year.

9.2.3.2 Existing Agreement holders and other applicants must apply for renewal of the Agreement no later than 31 March of the application year.

9.2.3.3 At the end of the second year, a new application (and advertising) will be required. Council will not automatically re-issue Agreements and activities will be reviewed upon expiry of the permitted period, and where agreement numbers are limited for a particular activity or area, renewal may be subject to a competitive application process.

9.2.3.4 An operator must ensure that the Agreement is not held inactive and will be expected to carry out the approved activity during the peak tourist season. Failure to commence the activity by January 01 each year of the Agreement will result in immediate revocation of the Agreement and agreements may be entered into with other applicants to ensure that the approval is utilised.

9.2.3.5 The Agreement holder must continue to operate until the end of peak season in each year (eg Christmas school holidays and Easter holidays) or the Agreement could be cancelled for the next year or used as a factor not favoring renewal.

9.2.4 Licence Agreements

9.2.4.1 Council will prepare all Agreements.

9.2.4.2 All Agreements will commence on 01 July and terminate on 30 June the third year.

9.2.4.3 A draft Agreement will be forwarded to the Department for Planning, Lands and Heritage (DPLH) for consent prior to execution.

9.2.4.4 Once written consent is received from DPLH, two (2) copies of the Agreement will be finalised with one (1) copy to be forwarded to the applicant, and one (1) copy to be retained by Council.

9.2.4.5 The Agreement should be signed prior to the commencement of the permitted period to which the agreement relates.

9.2.4.6 The Agreement will include an automatic termination clause, if the activity is found to breach any of the conditions of the Agreement.

9.2.5 Fees

9.2.5.1 Licence Agreement Preparation Fees and other costs

9.2.5.1.1 \$150

9.2.5.1.2 Standard 'template' Agreements should cover most 'simple' applications, however, should Council consider that an application is 'complex' and warrants legal preparation of the Agreement then these legal costs will be additionally charged to the applicant.

- 9.2.5.1.3 Any mapping required to be undertaken to support the Licence Agreement will be at the Applicant's cost.
- 9.2.5.2 Reserve User Fee
 - 9.2.5.2.1 \$500 (per year)
 - 9.2.5.2.2 As commercial activity will increase the number of visitors on reserves, and as these commercial operators will benefit by commercial gain from the use of the reserve or UCL, Council considers it appropriate to charge a fee for the use of the land.
 - 9.2.5.2.3 Revenue collected from these fees will be used for management, including the improvement of visitor services and facilities and the protection of the natural environment.

10 MISCELLANEOUS

10.1 PARKING ON KALBARRI FORESHORE RESERVE **Policy reviewed by Council 17 June 2022**

It is the policy of Council that where market days or alike are conducted on the Kalbarri foreshore grassed areas that:

- no vehicles are to be parked on the grassed area at Sally's Tree, with the exception of stall holders whilst conducting market day events or similar
- The permit holder to conduct such events be required to control public parking off grassed areas.

10.2 SIDE SHOWS ON COUNCIL CONTROLLED LAND **Policy reviewed by Council 17 June 2022**

It is the policy of Council that all groups/organisations that conduct fun/fair/market days etc that includes operations such as food vans, side show entertainment etc, then those operations can enter the land earlier than the eve of the event upon application to the CEO to set up on any Council controlled land and are to vacate the area immediately on the day at the conclusion of the event or the day after the event and can only operate on the day of the event unless otherwise approved by Council.

10.2 COMMUNITY BUS **Policy reviewed by Council 17 June 2022**

Council adopts the following policy in relation to the use of the Community Bus:

- (a) A \$200 bond is to be charged to every hirer of the Community Bus unless this policy states otherwise:
 - (i) All groups who regularly hire the bus can pay a bond of \$200 at the beginning of their season to be reimbursed at the end of their season.
- (b) A formal list of dishonored debtors is to be formulated with Council to refuse hire to those individual organisations.
- (c) If the hire occurs concurrently on a weekend and the bus is not provided to the second hirer in a suitable condition, then the Shire is to be notified immediately.

(d) Council's decision on cleanliness of the bus upon return is final.

Further to the above policy, Council adopted a set of rules for the operation of the bus which are given to all users prior to hire.

Where both community buses are to be hired by seniors or school/youth groups based in either towns of the Shire, then the cost to transport a community bus to and from that town from its normal base to allow commencement of the bus use, to be at the cost of the Council.

10.4 MEMORIAL SEATS

Policy reviewed by Council 17 June 2022

Policy to allow for interested person to place memorial seats on land/reserves under the control of Council.

- The administration of all Memorial Seats and the purchase of all Memorial Plaques will be through the Chief Executive Officer.
- All Memorial Plaques are to be purchased through Council with the applicant to reimburse all costs associated with the purchase of the Memorial Plaque.
- All Memorial Seats are to be purchased through Council with the applicant to reimburse all costs associated with the purchase of the Memorial Seat.
- The purchaser of the Memorial Seat can request a location of the seat and all effort will be taken to accommodate the request but the final decision for the location of the Memorial Seat will be decided by the Chief Executive Officer.
- All care will be taken to maintain and care for the seats and plaques but if the seats or plaques are vandalised or damaged no responsibility will be taken for the damage and further should a seat or plaque be required to be removed from the site due to damage inflicted rendering the seat or plaque to be a safety concern, Council takes no responsibility in replacing the seat or plaque.
- Personal items are not to be fixed to the Memorial Seat or placed at the base of the seat.
- No ashes will be placed in or near the Memorial Seat
- Military niches are allowed on seats providing they conform to other plaques.
- No more than one plaque will be allowed per Memorial Seat.

10.5 SPORTING AND NON SPORTING ACHIEVEMENT SCHOLARSHIP PROGRAM Policy reviewed by Council 17 June 2022

It is the policy of Council to provide funding assistance to youths of the Shire of Northampton to assist them in achieving their potential in their chosen sport or nonsporting endeavours at a state or national level.

Each applicant is required to complete the attached documentation for assessment by management prior to presentation to Council for consideration.

Sporting and non Sporting Achievement Scholarship Program

Purpose of Scholarship

To support selected persons, who are aged 13 to 17 and who have shown potential to reach State or National selection, to excel and achieve their potential in their chosen sport or nonsporting endeavours.

Scholarships will also be considered for persons who are 18 years of age who are either attending full time secondary education or enrolled in full time university.

Scholarships are awarded to assist with travel and accommodation expenses whilst representing the state or the nation, not for personal costs.

Scholarships will only be awarded once to each applicant.

Scholarships are allocated on assessment of each individual application as determined by the Northampton Shire Council.

Eligibility

- The person should be aged between 13 and 17 years at the time of application and be a resident of the Shire of Northampton. Resident includes a person who is currently boarding outside the shire for education purposes.
- The person must be recognised by a relevant state or regional sporting association or other nonsporting association, as performing at a state or national competition level. This must be supported by a reference from such an association.
- Sportspersons in receipt of other sources of funding, ie Ministry of Sport, WA Institute of Sport, or private businesses/organisations that adequately cover the costs to be incurred for the individual are not eligible for the scholarship.

Ineligibility

- School competitions/activities.
- Travel for training or participating in session in preparation for the main event that the individual is participating in.
- Previously been granted a scholarship by Council.

Conditions of support

- Scholarships are not provided in retrospect. Funding must be applied for prior to the commencement of any program/activity, unless otherwise approved by the Northampton Shire council.

- Scholarships will be paid to the guardian of the applicant or the applicant sporting or nonsporting organisation.
- Each scholarship must be acquitted by providing proof of having attended the activity as outlined in the program proposal. This may be a letter from the organisation verifying attendance.
- Each scholarship must be acquitted prior to any further application being received on behalf of the applicant.

Process information

Applications can only be received on the endorsed application form and must be lodged to the Chief Executive Officer of the Shire of Northampton, PO Box 61, Northampton 6535.

The application must be endorsed by the state/regional/local sporting or nonsporting group and have all sections complete.

Only one scholarship per person will be approved per funding year

The scholarship may cover more than one or multiple activities, but only one application per year will be approved.

The maximum level of a scholarship is \$1,000 in each financial year.

Application Form

APPLICATION FORM

PART 1

To be completed by an office bearer from the applicant organisation

1. Applicant

Name of Applicant _____

Name of Applicant Organisation _____

Postal Address _____

_____ P/C _____

Telephone (Home/Mob) _____ (Work) _____

(Fax) _____ (Email) _____

Please make a brief statement of what the applicant is participating in a state or national competition:

2. Other Support Being Sought or Already Agreed for this Program

Please provide other funding sources to be received by the applicant as per the following:

Source	Type of Support	\$ Value	Sought (S) or Agreed (A)
WAIS Scholarship			
State Team Scholarship			
State Association			
Private Sponsorship			
Personal/Family Contributions			
Other (please specify)			

3. Declaration by Applicant Organisation

I hereby certify that to the best of my knowledge, the information given above and in the attached documentation is correct.

I also certify that the financial support being sought is for a program that commences after the submission of this application.

I acknowledge that the sponsorship support places obligations on the applicant **and** on the applicant organisation and I agree on their behalf to meet all such obligations, acknowledging that failure to meet these obligations might place further funding in jeopardy.

Signature _____ Date _____

Position _____

4. Attachments

Please ensure that the following documentation is attached.

- A letter of endorsement from your State Sporting or non Sporting Association for the level of activities the applicant will be participating in.
Any other documentation that will support the application.

PART 2

TO BE COMPLETED BY THE APPLICANT

5. Sportsperson Details

Name of Applicant _____

Name of Parent/Guardian _____

Postal Address _____

Telephone (Home/Mob) _____ (Work) _____

(Fax) _____ (Email) _____

Date of Birth _____ Gender Male / Female

6. The Development Program

Please tell us what you are seeking assistance for

Name of Sport/Event/Program _____

Description of proposed program _____

Where will activities be held? _____

What travel is involved? _____

Details of higher-level competitions? _____

Level of competition. National / State / State Country / Other (specify) _____

Have you been selected in a State team or are you in a training squad? Yes / No

Have you been selected in a National team or are you in a training squad? Yes / No

If 'Yes', please provide details on the last two questions _____

Program Period Dates (Begins) _____ (Ends) _____

Anything else? _____

Scholarship requested \$ _____

Please attach any relevant documentation for activities you will attend e.g. training schedules, development programs and courses.

7. Achievements to Date

Please list some of your most significant achievements to date in the above events.

8. Your Future

Please outline your short term objectives (1 year) and how you plan to achieve them.

Please outline your longer term goals (beyond the next 12 months).

9. **Budget**

What are the anticipated costs for the Scholarship period?

This may include coaching fees, travel, accommodation, necessary training manuals, specific equipment, safety gear, specific team uniforms, etc.

Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
TOTAL	\$ _____

10. Declaration by the Applicant's Parent or Guardian

I hereby certify that to the best of my knowledge, the information given above and in the attached documentation is correct.

I acknowledge that the sponsorship support places obligations on myself, which I agree to meet, acknowledging that failure to meet these obligations might place further funding in jeopardy.

Signature _____ Date _____

10.6 PETROLEUM, GAS, MINING & EXTRACTIVE INDUSTRIES POLICY Policy reviewed by Council 17 June 2022

Policy Statement

The Shire of Northampton supports the expansion of industry that helps deliver economic prosperity to its residents however, in providing this support Council supports every effort being undertaken to ensure that the initial assessment as well as compliance and monitoring of any activity is carried out at a level that protects the amenity of the natural and built environment and that of residents.

Objectives

- To ensure that local values relating to lifestyle and quality of life, including public health, amenity, biodiversity, water (both surface and ground), and other economic sectors (such as agriculture and tourism) are adequately considered and protected from the development or expansion of any extractive industry activity in the Shire of Northampton.
- To ensure that any future or existing extractive industry activity is thoroughly assessed, monitored and managed effectively to meet all conditions of development consent, and endeavour to continuously improve operational practices to reduce the environment impacts wherever practicable.
- To ensure petroleum, gas and mining companies build a commitment to best practice standards for petroleum, gas and mining activity in the Shire of Northampton, and actively participate in local communities.

Guidelines

The principal role for Council is to advocate on behalf of the Shire of Northampton and its communities. Council is not the determining authority for mining applications.

The primary economic land use within the Shire of Northampton is food production through agriculture.

The Shire of Northampton's communities and businesses are dependent on access to clean groundwater. The protection of water resources and infrastructure (including underground aquifers, catchment and recharge areas, rivers, creeks, lakes, wetlands, dams, wells and bores) from pollution of overuse is therefore of paramount importance to the sustainability of the local economy and communities in the region.

On this basis the Council does not support any extractive industry by use of "fracking" methods.

The Shire of Northampton contains areas of natural vegetation (including the Kalbarri National Park) that are unique and of global ecological significance. These areas not only provide a basis for nature-based tourism industries, but are worthy of protection in their own right in order to support the maintenance of ecosystem services including clean air, water and biological diversity.

In respect to current and future proposal for on-shore petroleum or other extractive industries, Council will;

- a. Effectively consult communities within the Shire regarding onshore petroleum or other extractive industries development and represents the concerns and interests of these communities in decision making on all matters relating to these developments;
- b. Assume a leadership role in negotiating with the State Government and resources companies to ensure that any petroleum or mineral resource projects in the Shire provide benefit to the community, and individuals within the community where appropriate;
- c. Ensure that the protection of the health of communities and the protection of groundwater resources is afforded the highest priority in decision making by the Council;
- d. Support and advocate for the rights of communities and residents within the Shire to clean water, clean air and enjoyment of land without pollution or nuisance;
- e. Support and advocate for the existing economic land uses within the Shire to continue to operate unhindered by impacts of petroleum or extractive industries;
- f. Facilitate an open dialogue and discussion within the community of all stakeholders, based on the sharing of accurate information to encourage an informed debate about issues relating to mining;

Council support for specific onshore petroleum development or exploration proposals

- a. Council does not support petroleum and/or gas resource development within the Shire (including exploration) which has not first undergone thorough and independent assessment of environmental, health, agricultural and socio-economic impacts (including cumulative impacts) by the Environmental Protection Authority, Department of Health and other relevant agencies, or if use of “fracking”
- b. The Shire of Northampton will consider each proposal for petroleum and/or gas resource development or exploration within the Shire by

applying the following criteria for decisions making. To be supported by the Shire, exploration and development must:

- Undertake thorough community consultation and achieve demonstrated broad community support for development;
 - Maintain and protect the amenity and character of the Shire, and its existing communities and land uses;
 - Ensure zero impact on groundwater resources used for drinking, agriculture and other existing uses, including the catchment and recharge areas for these resources;
 - Ensure zero impact on the health of communities or individuals within the Shire;
 - Ensure that the impacts on Council infrastructure are adequately compensated for in the immediate and future life of that asset, and that the full costs are recovered for any additional infrastructure required;
 - Provide full transparency to the community regarding all environmental compliance and monitoring data, including air quality and groundwater monitoring results, chemicals used, and any other relevant information which must be disclosed in a timely manner;
 - Accept a “presumption of liability” for any groundwater pollution that is detected in the vicinity of oil and gas extraction operations and which can reasonably be associated with those operations;
 - Provide guarantees of full reparation and remediation of groundwater, land, infrastructure, public health or other unplanned impacts that arise from the development.
- c. The Shire of Northampton is not willing to provide its support or assistance to proponents or other parties (including the State Government) who seek to undertake or promote petroleum and/or gas or mining activities within the Shire that do not meet these standards.

11. TOURISM

11.1 TOURISM POLICY **Policy reviewed by Council 17 June 2022**

SHIRE VISION FOR TOURISM

The Shire of Northampton will be a tourist destination that is highly attractive to national and international visitors. To achieve this vision, the Shire will provide leadership and support to:

- Infrastructure planning and management.
- Unifying and identifying stakeholders' functions.
- Strategic project initiatives.
- Cultural planning processes.
- Marketing the Northampton Shire as a tourist destination.

OBJECTIVES OF THE TOURISM POLICY

The objectives of the Shire of Northampton tourism policy are:

- To recognise that tourism is a social and economic force and is a major employer within the Shire of Northampton.
- To foster and create community awareness of the benefits of tourism within the Northampton Shire.
- To ensure the Shire of Northampton guides and influences the development of tourism.
- To provide the basic facilities and infrastructure sufficient to encourage tourism development.
- To ensure that facilities within the area are adequate to cater for visitors and residents.

SHIRE OF NORTHAMPTON TOURISM POLICY

1. The Shire of Northampton will liaise with the Western Australian Tourism Commission and other relevant Tourism and Government organisations and members of the public in all aspects of tourist development.
2. The Shire of Northampton will endeavour to provide adequate budget allocation for tourism expenditure.
3. The Shire of Northampton will endeavour to assist tourist organisations or events, which have the potential to develop tourism in the area.
4. The Shire of Northampton will seek representation on the Northampton and Kalbarri Tourist Associations.
5. In the formulation of its planning regulations and preparation of by-laws and other regulations, the Shire of Northampton will have regard to the requirements of tourism development.
6. The Shire of Northampton in its review of planning instruments will take into consideration policies on tourism and other leisure related issues.
7. In the preparation of local laws and regulations, the Shire of Northampton will have regard to their impact on tourism and the balanced development application process.
8. The Shire of Northampton will encourage tourism product development and investment throughout the area and will facilitate the development application process.
9. The Shire of Northampton will encourage a high standard of design and aesthetics in all forms of tourist development.
10. The Shire of Northampton will ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
11. When considering tourism developments, the Shire of Northampton will consider the social, cultural, economic and environmental impact of the proposal within the area.
12. The Shire of Northampton will ensure that where sensitive environmental, historic or cultural areas exist, these areas will be adequately protected in relation to development or usage.

13. The Shire of Northampton will initiate the provision of facilities sufficient to cater for destination and day trip visitors to appropriate areas within its boundaries.
14. The Shire of Northampton will seek financial involvement from other sources wherever possible in the provision of tourist facilities and will encourage tourism organisations to work toward financial independence.
15. The Shire of Northampton, where practicable, will promote landscaping of residential and commercial centres to make the various towns an attractive visitor destination.
16. The Shire of Northampton, where practicable, will support the enhancement of specific natural features, conservation areas of outstanding scenic beauty, and recognise items of heritage significance.
17. The Shire of Northampton will facilitate the development of scenic routes and lookouts and review signage needs in strategically important tourist areas within areas under the control of the Shire.



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DELEGATION NUMBER	-	A01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Legal Advice
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

Subject to provision being made in the budget for legal expenses, the Chief Executive Officer is delegated authority to obtain from an appropriate solicitor, such legal advice, assistance and opinions as the Chief Executive Officer deems necessary in the exercise of the management of the Local Government.

DELEGATION NUMBER	-	A02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Conferences, Seminars & Training Courses
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve the attendance by Council staff at conferences, seminars and training courses where attendance will enhance the professional development of the officer, provide benefits to the Council and is relevant to the duties and responsibilities of the officer.

DELEGATION NUMBER	-	A03
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Local Laws
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to perform the following powers/duties in relation to local laws made under the Local Government Act 1995 and any other Act:

1. Give statewide public notice and provide the appropriate Minister with a copy of the proposed local law and the statewide public notice as required under Section 3.12(3).
2. After making a local law, publish it in the Gazette and give a copy to the appropriate Minister as required under Section 3.12(5).
3. After the local law has been published in the Gazette give statewide public notice in accordance with Section 3.12(6).
4. Take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws as required under Section 3.15.
5. Give statewide public notice stating intention to review a local law as required under Section 3.16(2).
6. After the last day for submissions on the proposed review of a local law, consider the submissions and prepare a report for submission to Council as required under Section 3.16(3).
7. After the Council has made a determination in respect of the local law review, give statewide public notice as required under Section 3.16(5).

DELEGATION NUMBER	-	A04
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Rate Book
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is hereby delegated the performance of the following functions of the Council.

1. The discharge of the obligations specified in Section 6.39(1) of the Local Government Act 1995.
2. The service of Notices of Valuation and Rates referred to in Section 6.41(1) of the Local Government Act 1995 (as amended).
3. The time allowed for the payment of the rate before it becomes in arrear 6.50(2) of the Local Government Act 1995.
4. The powers conferred in Section 6.40 of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the Local Government Act 1995.
6. The recovery of rates by complaint or action pursuant to the provisions of 6.56(1) of the Local Government Act 1995.
7. Entering into an agreement in accordance with 6.49 of the Local Government Act 1995.
8. Requiring a lessee to pay rent to the Council in satisfaction of rates or service charges due and payable in accordance with 6.60(2) of the Local Government Act 1995.

DELEGATION NUMBER	-	A05
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Enforcement and Legal Proceedings
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions on behalf of Council under the Local Government Act 1995 and Council's Local Laws. Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.

DELEGATION NUMBER	-	A06
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Use of Shire Logo
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve the use of the Shire Logo by Sporting Bodies and community groups within the Shire of Northampton.

DELEGATION NUMBER	-	A07
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Contract Variations
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve minor variations to contracts entered into by Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the budget adopted by the Council.

DELEGATION NUMBER	-	A08
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Appointment of Consultants
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to appoint consultants including architects, valuers, planning consultants and the like. In exercising this delegated authority the following conditions shall apply:

1. Any Council policy is to be observed.
2. Adequate funds shall be available in Council budget.
3. The appointment is to be for an approved project.
4. The value of the appointment shall not exceed \$10,000.

DELEGATION NUMBER	-	A09
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Execution of Documents
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

Where:

- a) the Council has authorised entering into a formal contract, or
- b) a formal contract is authorised under a delegated authority from the Council, or
- c) a formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operation of the Council,

the Chief Executive Officer is delegated authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents without further reference to Council.

DELEGATION NUMBER	-	A10
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Close Down Over Christmas Holiday Period
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve a close down period for the Shire operations over the Christmas and New Year period.

When a close down period is approved, Council is to be advised and advertising of that close down must be undertaken within local newspapers.

DELEGATION NUMBER	-	B01
LEGISLATIVE POWER	-	Building Act 2011 – Sec 25 Building Regulations 2012 - Reg 4 & 22
DELEGATION SUBJECT	-	Demolition Permits (BA6)
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 19 February 2021

The Chief Executive Officer in accordance with Building Act 2011 and Building Regulations 2012, is delegated authority to approve the issue of a demolition permit as to take down a building or a part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Environmental Health Officer, Building Surveyor or appointed Building Surveyor Consultant.

DELEGATION NUMBER	-	B02
LEGISLATIVE POWER	-	Building Act 2011 – Sec 32 Building Regulations 2012 – Regs 4 & 23(2)
DELEGATION SUBJECT	-	Building, Extension of Time to Complete (BA22)
DELEGATE	-	Building Surveyor
DATE REVIEWED	-	By Council 19 February 2021

That in accordance with Building Act 2011 and Building Regulations 2012, The CEO is delegated authority, subject to advice from Council's Building Surveyor or appointed Building Surveyor Consultant, to approve of an extension of time where it was not possible to complete the building within the period specified in the building licence, subject to the payment of any additional building licence fee.

DELEGATION NUMBER	-	B03
LEGISLATIVE POWER	-	Building Act 2011 – Sec 110, 112, 115, 116, 122 Building Regulations 2012 – Reg 4
DELEGATION SUBJECT	-	Building Order (BA21) including Buildings, Removal of Neglected and Dilapidated, Unlawful Works, Dangerous
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to issue a Building Order in accordance with Building Act 2011 and Building Regulations 2012 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Building Surveyor or appointed Building Surveyor Consultant.

DELEGATION NUMBER	-	B04
LEGISLATIVE POWER	-	Building Act 2011 – Sec 57 & 56 Building Regulations 2012 – Regs 4 & 36
DELEGATION SUBJECT		Certificate of Building Compliance & Construction Compliance (BA18 & BA17)
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 19 February 2021

That Councils Building Surveyor Consultant be delegated authority to issue a Certificate of Building Compliance and Certificate of Construction Compliance in accordance with the Building Act 2011 and Building Regulations 2012,

DELEGATION NUMBER	-	B05
LEGISLATIVE POWER	-	Building Act 2011 – Sec 25 Building Regulations 2012 – Regs 4 & 21
DELEGATION SUBJECT	-	Building Permits (BA4)
DELEGATE	-	Building Surveyor
DATE REVIEWED	-	By Council 18 December 2020

That pursuant to Section 25 of Building Act 2011 and Regulations 4 and 21 of the Building Regulations 2012, the Chief Executive Officer and the Environmental Health Officer (Wendy Dallywater) are delegated authority to approve or refuse to approve plans and specifications, where the Councils appointed Building Surveyor Consultant has provided approval for plans and specifications that the building licence applies to and has approved either the issuing or refusal of that building licence and is further subject to:

- a) all Local Laws and Regulations in force in the district or part of the district in respect of building matters, and the Council's pre-determined policy in respect of building matters; and
- b) all Local Laws and schemes in force in the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters,

Furthermore, the issuing of a building permit under Section 25 of Building Act 2011 and Regulations 4 and 21 of the Building Regulations 2012 may be subject to such conditions as the appointed Building Surveyor Consultant considers necessary.

All licences issued under this delegated authority shall, in addition to any conditions imposed by the appointed Building Surveyor Consultant, contain and be subject to the following conditions:

1. The building licence is valid for a maximum period of twenty-four (24) months.
2. Any other items considered appropriate

DELEGATION**B06**

LEGISLATIVE POWER

Strata Title Act

DELEGATION SUBJECT

Applications - Strata Titles

DELEGATE

Principal Building Surveyor & Principal Planner

DATE REVIEWED

- By Council 19 February 2021

That the Chief Executive Officer and/or the Building Surveyor Consultant be delegated to authorise the release of Strata Applications, where the building has met the requirements of the Strata Titles Act and is in accordance with the building plans approved by Council.

DELEGATION NUMBER	-	BF01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Offences – Bush Fires Act
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated general authority to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Act.

The Chief Executive Officer in exercising this delegation is to refer any potential action to the Chief Fire Control Officer before exercising the delegation.

The Chief Executive Officer, in exercising this authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to the Deputy Chief Executive Officer.

DELEGATION NUMBER	-	BF02
LEGISLATIVE POWER	-	Bush Fires Act
DELEGATION SUBJECT	-	Firebreak Order, Variation to
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

That pursuant to the provisions of Council's Firebreak Order, the Chief Executive Officer is delegated authority to approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to take alternative action to abate fire hazards.

The Chief Executive Officer, in exercising this authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to the Chief Bush Fire Control Officer and the Deputy Chief Executive Officer.

DELEGATION NUMBER	-	BF03
LEGISLATIVE POWER	-	Bush Fires Act
DELEGATION SUBJECT	-	Burning, Prohibited Times (Variations)
DELEGATES	-	Shire President, Chief Executive Officer and Chief Fire Control Officer
DATE REVIEWED	-	By Council 17 June 2022

That pursuant to Section 17 (10) of the Bush Fires Act, the Shire President and the Chief Executive Officer; or the Chief Executive Officer and the Chief Bush Fire Control Officer; or the Shire President and the Chief Bush Fire Control Officer, whatever the case may be; be delegated jointly the Council's powers and duties under Section 17 (7) and 17 (8) of the Bush Fires Act in respect to varying the prohibited burning times.

The Chief Executive Officer, in exercising this authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to the Deputy Chief Executive Officer.

DELEGATION NUMBER - F01

LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Donations or Sponsorship
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated the power to determine requests for donation or sponsorship of monies up to the value of \$1,000 when a group or individual can demonstrate:

1. Significant direct benefit to the local community.
2. That the group is a community group or non-profit making organisation or running a non-profit activity.
3. That the group's financial status is such as to justify a donation from Council.
4. Special circumstances or needs exist in the opinion of the Chief Executive Officer to warrant a donation or sponsorship, eg. support of needy groups and individuals who bring credit to the municipality by achieving state or national representation or awards, which sees them, requiring financial assistance for travelling, accommodation or other incidental expenses.
5. That available funding exists in Council's budget.

DELEGATION NUMBER	-	F02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Creditors, Payment of
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing -

- a) The payee's name
- b) The amount of the payment
- c) The date of the payment
- d) Sufficient information to identify the transaction.

The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

The Chief Executive Officer in exercising this delegation is to ensure that each cheque/payment is endorsed either by the Chief Executive Officer, Deputy Chief Executive Officer or one Councillor if either of the above two officers are not available.

Where Electronic Fund Transfers are used the Chief Executive Officer in exercising this delegation is to ensure that each Electronic Funds Payment, made by Council through the National Australia Bank (NAB Connect) Software utilising computer encryption devices and passwords be authorised by a combination of two of the following staff members - Chief Executive Officer, Deputy Chief Executive Officer and Finance Officer.

DELEGATION NUMBER	-	F03
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Insurance - Public Liability Claims
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to consider claims against Council for property damage that do not exceed the insurance policy excess levels, and to accept or deny liability on behalf of Council.

In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and then only upon receipt of a release form.

DELEGATION NUMBER	-	F04
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Insurance
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

That the Chief Executive Officer be delegated authority to enter into appropriate contracts of insurance.

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Deputy Chief Executive Officer.

DELEGATION NUMBER	-	F05
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 6.12)
DELEGATION SUBJECT	-	Sundry Debtor Write Offs
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

That the Chief Executive Officer, to approve the writing off of debts in accordance with Section 6.12 (1) (c) of the Local Government Act 1995

Any Debt written off under this delegation must be:-

- (a) up to \$200 only, or
- (b) where the debt occurred due to an error or oversight by Officers.
- (c) In all cases where debt is to be written off, a separate report is to be submitted to Council for consideration.

The delegation shall remain in force indefinitely.

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Deputy Chief Executive Officer.

DELEGATION NUMBER - H01

LEGISLATIVE POWER	-	Local Government Act 1995 Local Law relating Activities in Thoroughfares and Public Places and Trading
DELEGATION SUBJECT	-	Trading in Public Places
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

That the Chief Executive Officer be delegated authority to issue licences under Council's Local Law relating to Activities in Thoroughfares and Public Places and Trading in accordance with Council policy 8.4

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Environmental Health Officer.

DELEGATION NUMBER	-	H02
LEGISLATIVE POWER	-	Public Health Act 2016
DELEGATION SUBJECT	-	Duties conferred or imposed by the Public Health Act 2016
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

Pursuant to Section 21(1)(b)(i) Part 2 of the Public Health Act 2016, the Chief Executive Officer be delegated authority to all the powers and duties conferred or imposed on the Shire of Northampton by the Public Health Act 2016.

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Environmental Health Officer.

DELEGATION NUMBER	-	O01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Native Title
DELEGATE	-	Chief Executive Office
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to register an interest in any Native Title Claim affecting Council in order for Council to have sufficient interest to become a party to the Native Title Application.

DELEGATION NUMBER	-	O02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Impounding Goods
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to:

1. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding.
2. Take appropriate action in respect to impounded non-perishable goods in accordance with Section 3.42.
3. Give notice in accordance with Section 3.44 to collect goods.
4. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46.
5. Take action to recover expenses in accordance with Section 3.48.

DELEGATION NUMBER	-	O03
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Community Bus Hire Fees
DELEGATE	-	Chief Executive Office
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to discount user fees for the community bus where that bus is being utilised for a fundraising event for a local organisation to an amount of 35 cents per kilometre with bond and fuel costs to remain as per current Council Policy.

DELEGATION NUMBER	-	O04
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Kalbarri Airport – Landing Fees
DELEGATE	-	Chief Executive Office
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to waive landing fees at the Kalbarri Airport where the aircraft/s are involved in a charitable event.

DELEGATION NUMBER	-	P01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Liquor, Sale of from Council Property
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve applications for the sale of liquor from property under the care, control and management of the Council and to approve applications to consume liquor on property under the care, control and management of Council.

Council has a policy that coincides with the delegated authority for the issue of permission for the consumption of alcohol on Council owned/controlled premises, other than licensed or private residential premises, that a permission to consume alcohol only, and not in the case where alcohol is to be sold, is not to have a duration of more than six hours.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to the Deputy Chief Executive Officer.

DELEGATION NUMBER	-	P02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Recreation Facilities – Discounted Fees
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to grant discounts or waive hire fees applying to any of Council's Recreation facilities. In exercising this delegation, the Chief Executive Officer shall take into consideration:

1. The cost of normal hire per participant being prohibitive in relation to the financial resources of the hirer/s.
2. One-off usage discounts being supported in favour of regular use discounts.
3. The participation of children/juniors in the program.
4. The benefits to the Shire, its staff and the community in general.
5. Costs to Council, including any forfeited opportunity costs.
6. Any other circumstances that warrant consideration to a discount or waiving of fees.

DELEGATION NUMBER	-	S01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Disputes, Arbitration and Industrial
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to provide the Western Australian Local Government Association with consent to act on the Council's behalf in any matter regarding disputes with employees of Council.

DELEGATION NUMBER	-	S02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Telephone (Private) – Use by Employees for Council Business
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to make appropriate financial and other arrangements with all employees to have a telephone installed in his/her principal place of residence within the Shire for some use on Council business. The Chief Executive Officer is further delegated authority to make appropriate arrangements to reimburse any employee with any telephone expense incurred on Council business.

DELEGATION NUMBER	-	S03
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Salaries
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to alter salaries payable to all staff that are not employed on performance based term contracts. The alteration may be within the employee's assigned band/classification, may involve a change of salary band/classification or may involve an appropriate over award payment.

In exercising this delegated authority the Chief Executive Officer shall ensure that the variation is the result of a satisfactory performance appraisal and appropriate funding is available on Council's budget. If any salary change is likely to involve over budget expenditure, the change will require endorsement of Council.

DELEGATION NUMBER	-	S04
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Staff Housing
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to make all arrangements in regard to occupancy and maintenance of all staff accommodation provided by Council. In exercising this delegation the Chief Executive Officer shall have regard to any Council policy in place from time to time.

In the event that any Council provided accommodation is, at any time, not required for Council employees, the Chief Executive Officer is delegated authority to rent the accommodation to persons other than Council employees, provided the tenancy arrangement is only on a monthly basis.

DELEGATION NUMBER	-	S05
LEGISLATIVE POWER	-	Local Government Act 1995 and Long Service Leave Regulations
DELEGATION SUBJECT	-	Taking of Proportionate Long Service Leave
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to determine staff applications for the taking of Long Service Leave proportionately subject to the provisions of the Long Service Leave Regulations.

DELEGATION NUMBER	-	S06
LEGISLATIVE POWER	-	Local Government Act 1995
DELEGATION SUBJECT	-	Taking of Annual Leave and Payment of Annual Leave Entitlement.
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to determine staff applications for the taking of annual leave proportionately and the payment of annual leave entitlements subject to the employee has accumulated more than two years of service entitlement (ie eight or ten weeks).

DELEGATION NUMBER	-	S07
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Vehicles, Use of
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated the authority to make all appropriate private use arrangements with all staff having use of a Council vehicles in accordance with Council policy.

DELEGATION NUMBER - TP01

LEGISLATIVE POWER		Town Planning Schemes and Planning & Development Act 2005
DELEGATION SUBJECT	-	Town Planning
DELEGATE	-	Chief Executive Officer (CEO)
DATE REVIEWED	-	By Council 17 June 2022

STATEMENT OF INTENT

The CEO shall deal with those town planning issues that are not of a contentious nature. All other items shall be referred to Council.

DELEGATIONS**1.0 Development Applications**

- 1.1 Consider and determine all 'P' and 'AA' uses where the development is generally in accordance with the relevant Town Planning Scheme objectives and policies. This includes applications advertised and adverse comment is received but on planning grounds is unable to be upheld.
- 1.2 Consider and determine all 'SA' uses (where Council has already determined that the proposal should be advertised) where the development is generally in accordance with the relevant Town Planning Scheme objectives and policies. This includes applications advertised and adverse comment is received but on Planning grounds is unable to be upheld.
- 1.3 Elect to advertise an application where it is deemed to be in the community's interest.
- 1.4 Return or defer incomplete or unsatisfactory applications.
- 1.5 Request further information from the applicant to process the application.
- 1.6 Consider and determine applications for patios, pergolas, verandas, car ports, shade structures and/or other minor additions in all zones provided that advertising/consultation with adjoining landowners has occurred, where appropriate.

Note: Applications receiving adverse comment based on valid Planning grounds will be referred to the next available Council meeting.

2.0 Residential Design Codes

- 2.1 Consider and determine all 'P' and 'AA' uses where discretion is required under the *Residential Design Codes* including applications advertised and adverse comment is received but on Planning grounds is unable to be upheld.
- 2.2 Consider and determine all 'SA' uses (where Council has already determined that the proposal should be advertised) where discretion is required under the *Residential Design Codes* including applications advertised and adverse comment is received but on Planning grounds is unable to be upheld.
- 2.3 Consider and determine all applications requiring a determination under the Performance Criteria or requiring a discretionary approval from Council.

3.0 Subdivision / Amalgamation / Strata Title

- 3.1 Respond to the WA Planning Commission on all referrals (excepting those recommended for refusal) where:
 - a. The proposal is in accordance with the relevant Town Planning Scheme objectives and policies or adopted plans.
 - b. The proposal is generally in accordance with a. above, but contains variations not adversely affecting adjoining landowners or prejudicing the orderly and proper planning of the locality.
 - c. The amalgamation is in accordance with a Planning Consent issued or is relatively straight forward, being no more than a formality.
 - d. Amended proposals where the previous conditions still apply.
- 3.2 Clear conditions including the acceptance of bonds or securities as performance guarantees against unfulfilled conditions.

4.0 Town Planning Scheme Amendments

- 4.1 Require modifications to Town Planning Scheme Amendment documents to ensure that all documents are maintain at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.
- 4.2 Accept modifications to Town Planning Scheme Amendment documents required by the WA Planning Commission or the Minister for Planning and Infrastructure at any stage throughout the Scheme Amendment process.

5.0 Miscellaneous

- 5.1 Respond to Town Planning Appeals.
- 5.2 Approve the use of street names where an approved street names list exists.
- 5.3 Approve amended plans provided:
 - a. The amendment conforms to the relevant Town Planning Scheme objectives and policies.
 - b. Where consent of abutting landowners was required for the original application, then the amendment should also be referred to abutting landowners for comment.
 - c. The amendment does not have a detrimental effect on the amenity of the locality.
 - d. Where the original application was required to be advertised under the relevant Town Planning Scheme or the *Residential Design Codes*, then (if the amendment is considered substantial) the amendment be readvertised in accordance with the relevant Town Planning Scheme or the *Residential Design Codes*.
- 5.4 Approve building envelope (including variations to building envelope locations) where applicable.
- 5.5 Approve sign applications where the application complies with the relevant Town Planning Scheme.
- 5.6 Issue notices for non-compliant signs as per the provisions contained within the Shire of Northampton Town Planning Schemes.
- 5.7 Consider and determine applications for variations to setbacks.

DELEGATION NUMBER	-	W01
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Street Appeals
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to determine all applications for street appeals. The Chief Executive Officer shall have regard to any Council Policy relating to street appeals.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Environmental Health Officer/Building Surveyor.

DELEGATION NUMBER	-	W02
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Regulatory Signs, ie Stop, Give-Way, Speed etc
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to make applications to the Main Roads WA for the installation of regulatory signs and markings at such places as the Chief Executive Officer considers warranted.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Manager of Works and Technical Services.

DELEGATION NUMBER	-	W03
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Road Closures, Temporary
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority (Executive Function S.3.18) to temporarily close a street or a portion of a street for a period not exceeding 28 days if he is of the opinion that by reason of heavy rain a street is likely to be damaged by the passage of traffic generally or traffic of any particular class.

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Manager of Works and Technical Services.

DELEGATION NUMBER	-	W04
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Disposal of Surplus Equipment, Materials, Tools, etc
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to sell items of surplus equipment, materials, tools, goods etc which are no longer required, or are outmoded, or are no longer serviceable to a value of \$5,000 without advertising calling for expressions of interest.

For items of surplus equipment, materials, tools, goods etc which are no longer required and are considered to have a value above \$5,000 to \$19,999 then advertising calling expressions of interest is to occur before the delegation can be exercised.

CEO can refer the sale of any items of surplus equipment, materials, tools, goods etc which are no longer required, or are outmoded, or are no longer serviceable, to Council for determination.

DELEGATION NUMBER	-	W05
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Events on Roads
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991. The Chief Executive Officer shall have regard to Section 3.50 of the Local Government Act 1995.

DELEGATION NUMBER	-	W06
LEGISLATIVE POWER	-	Local Government Act 1995, Signs
DELEGATION SUBJECT	-	Directional Signs
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to approve applications for, the erection and the removal of, directional signs, subject to the sign meeting Main Roads "SFB" standards.

DELEGATION NUMBER	-	W07
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Executive Functions - Duties
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to perform the following duties, so far as is reasonable and practicable, on behalf of Council in regard to the performance of executive functions (refer Section 3.21):

1. Ensure that the lawful use of any land, thoroughfare or premises is not obstructed, and any reasonable request that a person makes to avoid such obstruction is met.
2. Ensure that as little harm or inconvenience is caused and as little damage is done as is possible.
3. Ensure that danger to any person or property does not arise from anything done on land.
4. Ensure that anything belonging to it, or to a person who has exercised a power of entry on its behalf, that has been left on any land, premises or thing entered is removed as soon as practicable unless this Act expressly allows it to be left there.
5. Ensure that buildings, fences, and other structures are not disturbed nor damaged.
6. Ensure that when it enters land that is fenced, it enters through the existing and usual openings in the fence unless it is expressly authorised to open the fence.
7. Ensure that any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Manager of Works and Technical Services and the Environmental Health Officer/Building Surveyor.

DELEGATION NUMBER	-	W08
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Power of Entry
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in Section 3.28 to 3.36 inclusive of the Local Government Act 1995.

DELEGATION NUMBER	-	W09
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Council Plant – Non-Profit Organisations
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to determine any application for the use of Council plant for use on projects organised by non-profit organisations (eg sporting clubs) provided that the plant, at all times, is operated by Council employees.

DELEGATION NUMBER	-	W10
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT		Dangerous Excavation in or near Public Thoroughfare
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to take all appropriate action in accordance with Local Government (Uniform Local Provisions) Regulation No 11 to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare.

DELEGATION NUMBER	-	W11
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Contractors – Use on Works
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

The Chief Executive Officer is delegated authority to engage private contractors to assist and compliment Council's work staff in carrying out any works and services. In exercising this delegated authority, the Chief Executive Officer shall have due regard to the following:

- a) It must be demonstrated that by engaging the private contractors, it will be in the best interests of Council.
- b) Appropriate funds are provided on the budget.
- c) The engagement of private contractors shall only take place with due compliance with the Local Government (Functions and General) Regulations relating to tenders.
- d) All contracts are to be formalised in writing.

DELEGATION NUMBER	-	W12
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Long Vehicle, Road Train & Extra Mass Permits
DELEGATE	-	Chief Executive Officer
DATE REVIEWED	-	By Council 17 June 2022

Council adopt the current approved Main Roads WA's Restricted Access Vehicle (RAV) roads and conditions associated with approved roads within the Shire of Northampton.

Procedures for the establishment of a new or amendment to an existing Heavy Haulage Route.

1. Shire staff inspect new route to determine suitability in accordance with basic MRWA criteria.
2. Shire staff put recommendation to MRWA to reject or progress the application.
3. MRWA Heavy Vehicle Officer (HVO) will send the application to MRWA regional office to inspect route and make appropriate recommendation back to MRWA Heavy Vehicle Officer (HVO).
4. MRWA HVO reviews the route assessment then approves or rejects route and advises Shire of Northampton accordingly.

Once a route has been approved it remains relevant to all operators who then make direct application to MRWA for a permit (not to Council).

Refer to the current Main Roads WA's Restricted Access Vehicle (RAV), website for the approved list of roads within the Policy;