



POLICY MANUAL

Updated 01 October 2020



POLICY MANUAL INDEX

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Updated following Policy additions 22 August 2017

NPP176929 created 5 September 2017

NPP188103 created 21 September 2018

E1 USE OF COUNCIL CHAMBERS**PURPOSE**

To promote the Shire within the community and to regulate the use of the Council Chambers to ensure public usage reflects the best interests of Council and the community.

POLICY

The Council Chambers may be made available for public meetings on the following basis;

1. That the meeting is related to Council business, or is associated with Council involvement.
2. That a Councillor or staff member is an attendant of the meeting.
3. That the meeting is not a private function, nor used for political or electoral purposes (other than to conduct an election in accordance with the *Local Government Act 1995*).

Date of Last Amendment – 27 June 2017

(reviewed 27 June 2017 Minute 140617)

E3 STAFF SALARY SACRIFICES**PURPOSE**

A policy which provides for all employees to reduce their salary and obtain certain benefits, which are not subject to Fringe Benefits Tax (FBT).

POLICY

To allow employees to package their remuneration more effectively. Offering salary packaging will make the Shire of Irwin more attractive to present and prospective employees. The items are limited to those used primarily for work-related use and are exempt from FBT.

Guidelines:

1. The following items will be available for salary sacrifice packaging by staff:
 - i) Superannuation
 - ii) Portable electronic device – one item per employee per year (including laptops, iPads/tablet, mobile phone)
 - iii) Leisure Centre memberships (under \$500)

2. Items that require the Shire to incur expenditure to purchase are subject to the following:
 - i) Minimum period of employment of 12 months
 - ii) Maximum time to repay is 12 months
 - iii) Must be covered by annual / long service leave accrued at time of agreement

Date of Last Amendment – 27 June 2017

(reviewed 27 June 2017 Minute 140617)

E4	USE OF COMMON SEAL
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PURPOSE

To enable the execution of documents requiring the affixation of the Council's Common Seal in accordance with clause 16.1 of the Shire of Irwin's Meeting Procedures Local Law 2016.

POLICY

SIGNATORIES TO COMMON SEAL

The Shire President and Chief Executive Officer or a senior employee authorised by him or her are authorised to affix and sign all documents to be executed under a common seal.

REGISTER TO BE KEPT

A3 EXECUTION OF DOCUMENTS

(A) USE OF COMMON SEAL

The Shire President and Chief Executive Officer or a senior employee authorised by him or her are authorised to affix and sign all documents to be executed under a common seal.

Details of all transactions where the Common Seal has been affixed shall be recorded in a register kept by the Chief Executive Officer, with such register to record each date on which the common seal was affixed to a document, the nature of the said document, and the parties to any agreement to which the common seal was affixed.

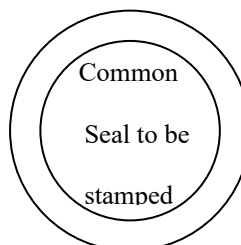
Below is an example of an entry into the Common Seal Register:

Seal Number	Document	Document Description	Signatories
001	Creation of Easement	Deed between Dongara Holdings Pty Ltd and Shire of Irwin	<ul style="list-style-type: none"> • Shire of Irwin Shire President • Shire of Irwin CEO • Director Dongara Holdings • Secretary Dongara Holdings

Below is an example of how documents should be executed under the common seal:

Dated this 23rd day of February 2009

The COMMON SEAL of the }
SHIRE OF IRWIN }
was hereunto affixed in the }
presence of: }



(INSERT NAME OF SHIRE PRES)

Shire President

(INSERT NAME OF CEO)

Chief Executive Officer

(B) EXECUTION OF DOCUMENTS WHERE COMMON SEAL NOT REQUIRED

Council authorises the Chief Executive Officer to sign deeds, contracts, funding agreements and other documents not requiring the use of the Common Seal, on behalf of the Shire of Irwin.

<i>Date of Last Amendment – 27 June 2017</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E5 NAMING OF COUNCIL FACILITIES**PURPOSE**

To establish a framework for the naming of council buildings and parks and to determine the process for considering a name change of council property.

POLICY

Council recognises that the names of buildings, parks and reserves owned by the Shire can influence the future development and sense of community within an area. With this in mind, it has determined that the naming of facilities, buildings and amenities under the control of the Shire will be undertaken in a planned and coordinated way which respects and acknowledges the area's history, heritage and environment.

1. Naming of Parks, Reserves, Buildings and Facilities – General

Parks and Reserves shall be named after an adjacent boundary road or such other name that clearly defines the location.

Buildings and facilities shall be named after the locality in which they reside or after an adjacent road and/or their prime function, where possible, to facilitate ease of identification, alternatives may be developed using the following principles.

2. Principles of Naming Facilities

When proposing names for facilities developed and owned by the Shire, the following will be taken into consideration:

- The locality within which the development is situated;
- Any historical events associated with or near the site;
- Indigenous and cultural heritage relevant to the site;
- Community or corporate sponsorship;
- Marketing opportunities;
- Pioneering families associated with the immediate area;
- Social or calendar events; and
- Significant individuals who have contributed substantially to the community.

3. Procedures for Naming New Facilities

The naming of new facilities will be undertaken in a timely and coordinated fashion. Due process will be given to the consideration of any proposed name for any new facility. Where a new facility is being developed/constructed, elected members and the community may suggest, in writing, names for the facility and the reasons for the suggestion. Where it is proposed to name the facility after a person who is no longer living and who made a significant contribution to the community, it is a requirement that background information on that person be provided as part of the written material.

In the event that a name or names are suggested other than a name relating to the locality or prime function of the facility, using the criteria listed above, the Chief Executive Officer will prepare a confidential report on the proposed names.

4. Proposals to Rename Existing Council Facilities

4.1 Criteria for renaming an existing facility

The Shire recognises that from time to time it may be appropriate to rename a Shire owned facility. When considering options for re-naming Shire facilities, in addition to the criteria listed in Section 2 (above), the following will also be considered:

- The historical reasons for the original name;
- The public profile/familiarity of the facility's original name;
- The costs associated with changing the facility's name; and
- The relevance to the facility's main user group of the proposed new name.

4.2 Proposing the Renaming of a facility

Any resident of the Shire may propose the renaming of a Council facility, however the proposal must be supported in writing by an elected member. Nominations must be made in writing to the Chief Executive Officer.

On receipt of a nomination the Chief Executive Officer will cause a report to be prepared based on the naming criteria identified in this policy. The report shall be circulated to all elected members as a confidential item. If two or more elected members express an objection to the nomination, the nomination is deemed to be refused. If only one or no elected member objects to the report's recommendation, it shall be included in the Agenda for the next ordinary Council meeting as a confidential item.

4.3 Recognition of Community Members

In instances where the renaming proposal relates to recognising a member of the community who, in their lifetime, demonstrated outstanding contributions to the Shire, the following criteria will be required to be met:

- Persons nominated should have made substantial contribution directly to the Shire of Irwin, largely in a voluntary capacity;
- The nominee must have given extensive and distinguished service to the community that goes beyond the particular Local Government Authority concerned (e.g. service to other organisations, voluntary and community groups, school P&C etc.) in a largely voluntary capacity;
- The service should be easily recognisable as having a direct benefit to the Shire and have produced substantial long term improvement for the Shire;
- Nominees should have lived within the Shire for a significant number of years (significant would usually mean at least 20 years) and had a long and close association and identification with the Shire.

The person making a nomination to re-name a facility after an individual will provide sufficiently detailed background information to enable the Chief Executive Officer to prepare a report on the proposal which considers the criteria listed in this policy.

<i>Date of Original Adoption – 28 April 2009</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E6 ACCEPTANCE OF COUNCIL DOCUMENTS IN ELECTRONIC FORMAT**PURPOSE**

To allow acceptance of notice papers, agendas and documents in electronic format (PDF) for tabling at Council or committee meetings or produced for presentation at that meeting.

POLICY

That notice papers, agendas and documents are accepted in electronic format (PDF), as the sole format, for tabling at Council or committee meetings or produced for presentation at that meeting, unless a request is received on notice by the Chief Executive Officer.

Date of Original Adoption – 23 October 2012 (reviewed 27 June 2017 Minute 140617)

E8 ENTERTAINMENT ALLOCATION**PURPOSE**

To enable the CEO and Directors to reciprocate hospitality and to promote the Shire of Irwin in an appropriate environment.

POLICY

The CEO shall be provided with an allocation of up to \$2,000 per annum from within current budgetary allocation for moderate acts of hospitality to business associates of Council.

Date of Last Amendment – 27 June 2017

(reviewed 27 June 2017 Minute 140617)

E9 GRATUITY PAYMENTS

PURPOSE

To provide guidance on Council contributions or gifts upon retirement or resignation of employees.

POLICY

For the purpose of section 5.50 of the Local Government Act (Payments to employees in addition to contract or award) under no circumstances will Council pay to an employee whose employment with the Shire is finishing, an amount in addition to any amount to which the employee is otherwise entitled.

Council provides for the retirement of employees through the contribution of the superannuation guarantee (compulsory in accordance with the *Superannuation Guarantee (Administration) Act 1992*) plus an additional contribution of 5% to match contributions from employees who voluntarily contribute 5%. If more than 5% is additionally contributed from employees then Council will contribute 5%.

Council is supportive of recognising the service of employees whose employment with the Shire is finishing by providing a suitable gift and/or function in accordance with this policy.

Upon resignation/retirement of an employee who has provided satisfactory service to Council for 5 (five) years or more, the Chief Executive Officer, in consultation with the Shire President, may authorise a suitable gift to be presented to that employee. The following is a guide to the value of the gift:

5 years	\$200	10 years	\$400
15 years	\$600	20 years	\$800

Objectives:

To show appreciation to employees who have made long term or otherwise contributions to Council and to promote good Council/Staff relations.

Guidelines:

At the discretion of the Chief Executive Officer, a gift may be provided to employees leaving Council prior to 5 years of service. The value of the gift to be approximately \$30 for every year of service.

An appropriate farewell/presentation to be organised for Executive Officer's leaving Council, at the discretion of the Shire President and Chief Executive Officer

Date of Last Amendment –15 December 2015 (reviewed 27 June 2017 Minute 140617)

E12 EMERGENCY SERVICES VOLUNTEER DISCOUNT**PURPOSE**

To regulate the conditions for the granting of Irwin Recreation Centre gym discounts of 50% to Emergency Services volunteers and to provide guidance in identifying eligible volunteers within the Emergency Services wishing to apply.

Emergency Services volunteers play a unique role in protecting people and property and assisting community members in physical need or distress, at times of potential personal danger and often the commitment of many unforeseen hours. These volunteer roles also require a certain degree of physical fitness, which gives the community the opportunity to enhance this requirement as well as supporting and acknowledging their valued contributions.

POLICY

This policy covers active volunteers within our Emergency Services and is limited to Bush Fire Brigades, Fire and Rescue Units, St John Ambulance and Dongara Sea Search and Rescue. All Emergency Services groups must operate within the Shire of Irwin and all eligible volunteers reside in the Shire of Irwin.

Emergency Services volunteer memberships are charged at 50% of the Irwin Shire Council's Fees and Charges set out in the Annual Budget.

A single membership is only valid for the person that purchased it, they are not transferrable. A membership can only be suspended for a set period of time upon the receipt of a doctor's certificate and through consultation with Irwin Recreation Centre management.

Bush Fire Brigades

All eligible members must be a volunteer of a local Bush Fire Brigade, actively involved in the fighting of fires and fire control exercises. All members must have their Irwin Recreation Centre gym applications endorsed by their Bush Fire Brigade captain. All applications must be signed off by the Shire of Irwin's Community Emergency Services Manager.

Fire and Rescue Units

All eligible members must be volunteers of Dongara Fire and Emergency, actively involved in fighting structural fires and road rescue. All members must have their Irwin Recreation Centre gym applications endorsed by their Fire and Rescue captain. All applications must be signed off by the Fire and Rescue secretary.

Note: All volunteers with Fire and Emergency also volunteer within the Bush Fire Brigade.

St John Ambulance

All eligible members must be volunteers of St John Ambulance Irwin District Sub Centre, actively involved in the delivery of ambulance services in the Irwin community. All members must have their Irwin Recreation Centre gym application endorsed and signed off by the Community Paramedic for the Mid West South.

Dongara Sea Search and Rescue

All eligible members must be volunteers of Dongara Sea Search and Rescue actively involved in the delivery of Sea Search and Rescue operations. Identified active members are limited to radio operators, skippers and crews.

This policy does not cover social members, boat owner members, committee members or social committee members.

All members must have their Irwin Recreation Centre gym application endorsed and signed off by the Dongara Sea Search and Rescue Commander.

Date of Original Adoption – 29 April 2014

(reviewed 27 June 2017 Minute 140617)

E14 ELECTED MEMBERS' ALLOWANCES AND EXPENSES**PURPOSE**

To outline allowances that will be provided and expenses the Shire of Irwin will reimburse to Elected Members in accordance with the *Local Government Act 1995*.

POLICY**1. ALLOWANCES****1.1 Annual Meeting Attendance Fees**

In lieu of paying the President, Deputy President and Elected Members their meeting attendance fee for each prescribed meeting to the minimum amount within the range set by the Salaries and Allowances Tribunal (SAT) in accordance with the *Salaries and Allowances Act 1975*.

1.2 Annual President Allowance

The Shire will pay the median Annual Local Government Allowance within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to the President.

1.3 Annual Deputy President Allowance

The Shire will pay the maximum Annual Local Government Allowance within the range set by the Salaries and Allowances Tribunal through a determination published in the *Government Gazette* from time to time that may be paid to the Deputy President (25% of the President Allowance).

2. EXPENSES**2.1 Travel**

Elected Members will be reimbursed for travel expenses incurred whilst undertaking Council Business upon receipt of Sufficient Information.

Elected members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from their home incurred for the following purposes:

1. To any Council or committee meeting regardless of whether or not they are a member;
2. To any community meeting as an authorised delegate or liaison member;
3. To meetings of an organisation to which they have been appointed as Council delegate or liaison member;
4. The cost of travel to any conference or other function that they have been authorised by Council to attend; and
5. An expense incurred by an elected member in performing a function in his or her capacity as an elected member.

The calculation of the reimbursement amount is by way of a log record identifying the date, location, reason for travel and the number of kilometers travelled and through the use of the rates specified in Schedule F – Motor Vehicle Allowance of the Public Service Award 1992 (as amended from time to time).

A claim for Council Business travel reimbursement covering no later than a three month

period (quarterly), must be completed and submitted for reimbursement within three months from the end of the quarter for processing. Claims submitted outside these timeframes must be presented to Council for approval.

Taxi and parking fees incurred whilst undertaking Council business may be reimbursed upon lodgement of relevant receipts that accompany the claim form.

If an elected member is provided with a Shire vehicle to attend official duties, travel costs are not claimable.

2.2 Information Technology and Telecommunications

Elected Members are provided with an iPad for their Council use and provision is made for the associated communication costs.

In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, rental charges incurred by an elected member in relation to one telephone and one facsimile machine.

An expense incurred by an elected member in performing a function in his or her capacity as a council member.

Claims must be accompanied by an invoice and are to be submitted to the Chief Executive Officer for authorisation for reimbursement.

2.3 Child Care Costs

- (a) In accordance with Regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal.
- (b) Claims must be accompanied by a receipt or invoice and detail the date, number of hours, rate and function attended.
- (c) Any claims outside the policy for child care costs incurred are to be submitted to the Chief Executive Officer for authorisation for reimbursement.

Definitions

Council Business means any business where an Elected Member:

- a) Represents the interests of electors, ratepayers and residents of the district;
- b) Provides leadership and guidance to the community in the district;
- c) Facilitates communication between the community and the Council; or
- d) Performs such other functions as are given to a Councillor by the *Local Government Act 1995* or any other written law.

Public Service Award Motor Vehicle Allowance means the rate used to calculate travel expenses for Elected Member reimbursement from the *Public Service Award 1992* (Schedule F).

Salaries and Allowances Tribunal means the body who review the maximum and minimum rates to calculate fees, expenses and allowance in accordance with the *Salaries and Allowances Act 1975* issued by the Western Australian Industrial Relations Commission as amended from time to time.

Sufficient Information means a requirement of Regulation 32(1) of the *Local Government (Administration) Regulations 1996* and includes receipts or documentation in the Elected Members' name, evidencing proof of payment for expenses or allowances authorised by statute

or this policy. The option is available for Elected Members to complete a statutory declaration which will constitute as Sufficient Information.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E15 ELECTED MEMBERS IPAD**PURPOSE**

To provide guidelines for access to and usage by Elected Members of Council issued iPads.

POLICY

Elected Members will be provided with an appropriately resourced iPad to assist in performing their duties.

Applications (Apps)

- Council staff will undertake the initial setup of the iPads and download a standard set of apps.

Usage

- All Council documents will be made available to Elected Members electronically utilising Dropbox, notification will be advised by the Coordinator Executive Services when documents are available on Dropbox by email
- Elected Members iPads are to be used predominantly for Council business
- Each iPad will have access to a data plan that is considered sufficient to undertake Council business utilising the iPad, data use will be monitored by Council Staff
- Dropbox must only be used to carry out official duties.
- Illegal or improper use (i.e. sending or receiving inappropriate content that is offensive, immoral or defamatory, sending viruses, violation of a copyright, disclosing confidential or personal information held by Council etc) that may threaten Council's security or integrity is strictly prohibited.

Responsibilities

Each Elected Member is responsible to:

- a) Ensure that use of the iPad is in a manner consistent with the iPad Policy and the Code of Conduct for Elected Members
- b) Ensure that the iPad is kept safe at all times (i.e. the iPad must not be left in a vehicle, or in an unsecure location)
- c) Advise Council staff immediately should the iPad be lost, stolen or damaged
- d) Bring the iPad to all Council meetings (ordinary, special, committee, forum or workshop)
- e) Return the iPad to Council staff in a timely manner should it be requested, to allow for necessary maintenance to be undertaken.

Email/Calendar

- Elected Members will be provided with a Council email address which will be accessible using the iPad (the format will be csurname@irwin.wa.gov.au)
- Council email addresses should only be used for official Council business
- Elected Members will have access to an individual calendar on the iPad which can be utilised to record availability.

Support and Training

- Elected Members will receive training upon distribution of the iPads
Training will cover:
 - a) Basic use of the iPad
 - b) Email and calendar use
 - c) Use of apps for performing Council related duties.

- Elected Members are to report any issues or faults with the iPads or make any enquiries directly to the Coordinator Executive Services or Manager Customer Services
- Support will be provided by Council staff as required.

Accessories

- All iPads will be distributed with a protective cover and charging equipment.

Issuing and Return

- The iPad and all accessories must be returned to the Council when the Elected Member's term ceases (not re-elected, resigns etc)
- Council staff will undertake a 'resetting of the iPad' prior to being issued for use again.

Replacement

- iPads will be replaced every four years after the Elected Member's term expires
- iPads will only be replaced prior to their scheduled replacement date if:
 - a) they no longer operate effectively and cannot be economically repaired
 - b) have been lost, stolen or damaged.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E16 ELECTED MEMBERS' COMMUNICATION

PURPOSE

To guide effective communication and interaction between Elected Members and employees of the Shire of Irwin.

POLICY

Elected Member Communications Generally

There are various statutory requirements relevant to Elected Members communications:

1. the *State Records Act 2000* requires that all correspondence, including email, relating to the business of the Shire and the Council must be retained in the official records of the Shire;
2. the *Freedom of Information (FOI) Act 2000* requires the preservation of correspondence and its availability for FOI purposes;
3. Sections 2.8(1)(d) and 5.41(f) of the *Local Government Act 1995* provides that only the Shire President may speak on behalf of the Shire (unless the CEO is authorised by the Shire President to do so);
4. Section 5.93 of the *Local Government Act 1995* provides that an Elected Member (as well as employees) must not make improper use of any information acquired; and
5. Regulation 6 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members to maintain confidentiality.

Elected Member Correspondence

Correspondence from individual Elected Members (including correspondence emanating from their Shire-issued iPad's) is not to be construed as official correspondence of the Shire and only reflects the personal views of the respective Elected Member.

When the Shire President is providing technical information to correspondents on behalf of the Shire, the CEO or his/her nominee may draft the correspondence on behalf of the Shire President.

Where the Shire is responding to correspondence on behalf of an Elected Member(s) a copy of that response is to be provided to the Elected Member for information.

All correspondence generated and received by Elected Members that relate to the business of Council is subject to the *State Records Act 2000*, the *Freedom of Information Act 1992* and the Shire's Record Keeping Plan, and as such must be retained within the Shire's recordkeeping system by providing a copy to the Coordinator Executive Services.

Media Relations

In accordance with the *Local Government Act 1995*, no person may speak on behalf of the Shire except the Shire President or, in accordance with a written authorisation from the Shire President, the Chief Executive Officer or other authorised person.

When speaking to the media as spokesperson for the Shire, the Shire President may only represent the official view of the Shire, having regard to the *Local Government (Rules of Conduct) Regulations 2007* and the *Local Government Act 1995*.

Elected Members of the Shire of Irwin Council have a legal duty of fidelity to act in the best interests of the Council and the Shire and must not make public statements that are critical of a

Council decision or cause detriment to the Shire or an employee.

Elected Members other than the Shire President (or Deputy President/Acting President when performing the statutory duties of Shire President) must not speak to the media or other third parties purporting to represent the views of the Council, unless expressly authorised by a Council resolution. Elected Members are to clearly state that they are presenting a personal viewpoint and they are not speaking for the Council.

Communication between Elected Members and the Administration

All communications between Elected Members and the Administration are to be channelled through the CEO, Directors or Coordinator Executive Services, or by utilising the Shire's Councillor Helpdesk email system. Where the Councillor Helpdesk email system is used, requests are to include sufficient detail to enable an investigation of the request to occur. Where direct contact is made to employees they are required to refer Elected Members to their Director or the CEO.

Where the request entails the use of Shire resources (human or physical) to an extent which a Director or Manager believes may impact on the effective management or day to day activities of the Shire, the request is to be referred to the CEO for determination. The CEO will discuss such requests with the originating Elected Member to determine the extent of information or action required.

The CEO may subsequently refer the matter to Council for determination should a resolution not be achieved.

Elected Members are to be kept informed of progress towards the resolution of any matter they have requested the Administration to attend to.

<i>Date of Original Adoption – 15 December 2015</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E17 LEGAL REPRESENTATION

PURPOSE

To set out guidelines to assist Council in determining when it is appropriate to pay legal representation costs.

POLICY**1.0 General Principles:**

1.1 The Shire may approve the legal representation costs of an Elected Member or employee if the following criteria are satisfied:

a) The legal representation costs must relate to a matter that arises from the performance, by the Elected Member or employee in the course of their duties;

b) The legal representation costs must be in respect of legal proceedings that have been, or may be, commenced;

c) In performing his or her functions, to which the legal representation relates, the Council Member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and

d) The legal representation costs must not relate to a matter that is of a personal or private nature.

1.2 In each case it will be necessary to determine whether assistance with legal representation costs is justified through the provision for the good government of the Shire's people and its district.

2.0 Application for financial assistance:

2.1 If the criteria in item 1.1 of this policy are satisfied, the Shire may approve the payment of legal representation costs as follows:

a) Where proceedings are brought against a Elected Member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Elected Member or employee; or

b) To enable proceedings to be commenced and/or maintained by an Elected Member or employee to permit him or her to carry out his or her functions - for example where an Elected Member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the Elected Member or employee; or

c) Where exceptional circumstances are involved – for example, where a person or organisation is compromising the confidence within the community by publicly making adverse personal comments in relation to an Elected Member or employee.

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

3.0 Application for payment

3.1 An Elected Member or employee seeking assistance under this policy is required to make an application, in writing, to the Chief Executive Officer. Where the applicant is the Chief Executive Officer, the application is to be made to the Shire President who is

to refer the application to the Director Corporate and Community for processing.

3.2 The written application for payment of legal representation costs is to give details of the following:

- a) The matter for which legal representation is requested;
- b) How the matter relates to the functions of the Elected Member or employee;
- c) The legal firm nominated to provide the legal representation;
- d) The nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
- e) An estimated cost of the legal representation; and
- f) Why it is in the interests of the Shire for payment to be made.

3.3 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

3.4 The application is to be accompanied by a signed written statement by the applicant that:

- a) They have read, and understand, the terms of the policy;
- b) Acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject;
- c) Undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7; and
- d) Has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

3.5 An application is also to be accompanied by a report prepared by the Chief Executive Officer or, where the Chief Executive Officer is the applicant, by an appropriate employee.

4.0 Legal representation costs – Limit

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

4.2 An Elected Member or employee may make a further application to the Council in respect of the same matter.

5.0 Council's powers

5.1 The Council may:

- a) Refuse;
- b) Grant; or
- c) Grant subject to conditions.

5.2 In addition to the limit on legal representation costs set under clause 4.1, conditions

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

- 5.3 In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Elected Members or employees insurance policy or its equivalent.
- 5.4 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The Council may, subject to clause 5.6, determine that an Elected Member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:
- a) Not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - b) Given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the Council makes a determination under clause 5.5, it may also determine that all or part of the legal representation costs paid by the Shire, are to be repaid by the Elected Member or employee in accordance with clause 7.

6.0 Delegation to Chief Executive Officer

- 6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 Where the Chief Executive Officer is the applicant, the powers in clause 6.1 are to be exercised by the Director Corporate and Community.
- 6.3 An application approved by the Chief Executive Officer under clause 6.1, or by the Director Corporate and Community under clause 6.2, is to be submitted to the next ordinary meeting of the Council. The Council may exercise any of its powers under this policy, including its powers under clause 5.4.

7.0 Repayment of legal representation costs

- 7.1 A Council Member or employee whose legal representation costs have been paid by the Shire is to repay the Shire –
- a) All or part of those costs – in accordance with a determination by the Council under clause 5.7; or
 - b) As much of those costs as are available to be paid by way of off-set – where the Elected Member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.
- 7.2 The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

Definitions

Approved Lawyer means:

- (a) A 'certified practitioner' under the *Legal Practice Act 2003*;

(b) From a law firm on the WALGA Preferred Suppliers, the Shire's panel of legal service providers (if applicable) or where the requirements of the Shire's Purchasing Policies have been met, unless the Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and

(c) Approved in writing by the Council or the Chief Executive Officer under delegated authority.

Elected Member or employee means a person who is, or was, a commissioner, Elected Member, an external committee member or employee of the Shire.

Legal Proceedings means civil, criminal or investigative proceedings.

Legal Representation means the provision of legal services, to or on behalf of an Elected Member or employee, by an approved lawyer that are in respect of:

a) A matter or matters arising from the performance of the functions of an Elected Member or employee; and

b) Legal proceedings involving an Elected Member or employee that have been, or is to commenced.

Legal Representation Costs mean the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal Services means advice, representation or documentation that is provided by an approved lawyer.

Payment means Shire of legal representation costs by either:

a) A direct payment to the approved lawyer (or the relevant firm); or

b) A reimbursement to an Elected Member or employee.

<i>Date of Original Adoption – 15 December 2015</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E18 PERSONAL AND PROFESSIONAL DEVELOPMENT OF ELECTED MEMBERS AND STAFF**PURPOSE**

To outline Council's commitment to supporting elected members and staff in undertaking personal and professional development for the benefit of the Shire of Irwin.

POLICY

Subject to approved budget provision and in accordance with any internal policies and procedures, Council supports its elected members and staff by encouraging appropriate personal and professional development, such as training courses, conferences, seminars, workshops and studies leading to qualifications under the Australian Qualifications Framework that compliments the Shire's goals and strategic direction.

Date of Original Adoption – 22 November 2016 (reviewed 27 June 2017 Minute 140617)

E21 PROTECTIVE CLOTHING FOR VOLUNTEER BUSH FIRE BRIGADES**PURPOSE**

To ensure all volunteer fire fighters are equipped with all necessary protective clothing and safety equipment to ensure that they are able to fulfil their duties safely and effectively.

POLICY

That each financial year Council provides personal protective clothing/equipment to volunteer fire-fighters comprising the following equipment:

- 1 x pair of overalls OR 1 x set of pants & tunic
- 1 x pair of boots
- 1 x pair of goggles
- 1 x helmet
- 1 x pair of gloves

Each Brigade Captain is to be responsible for their allocation to members.

The Dongara Town Brigade is to hold up to six spare sets of PPE at all times for the purposes of being taken to fires and loaned to volunteers who do not have their equipment available.

Council reserves the right to vary this allocation depending on the success or otherwise of Local Government Grant Scheme (*formerly the Emergency Services Levy*) allocations to assist Council with the cost of these items.

Date of Last Amendment – 25 June 2013

(reviewed 27 June 2017 Minute 140617)

E22 SECURITY CAMERAS**PURPOSE**

To specify operating procedures and guidelines for the operation of security cameras within the Shire of Irwin.

POLICY

Definitions:

“Authorised personnel”: to view the security footage is the Chief Executive Officer or as authorised by the Chief Executive Officer.

1. Location of Cameras

Cameras are to be located randomly throughout the Shire of Irwin under the supervision and authority of ‘authorised personnel’.

2. Control of Footage and Content

- a) The Chief Executive Officer may authorise the copying of original video footage where a recorded incident is the subject of legal proceedings.
- b) Copying of original video footage is to be made only by an officer authorised by the Chief Executive Officer for this purpose.
- c) Any footage copied is to be marked ‘copy’ and certified as such.
- d) Certified copies of footage may only be released to the WA Police, lawyers acting on behalf of individuals engaged in legal proceedings related to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident.
- e) Certified copies will only be released to the parties named above when permission has been received from the Chief Executive Officer and on the completion of the appropriate documentation.
- f) At no time shall the security camera be used to record members of the public going about their lawful business.
- g) At no time shall the security camera be used to provide surveillance of individuals or groups engaging in rallies, protests or other political behaviour unless there is a well founded belief that an offence against statute law is likely to or is taking place.
- h) Any incident captured shall be recorded including date, time and category of incident.
- i) All recordings shall be kept in secured storage under the control of the Shire of Irwin.
- j) All original recordings shall be erased after seven (7) days after the date of the recording unless a request is made in writing for it to be held.
- k) All written requests for access to original recordings shall be addressed to the Chief Executive Officer.

3. Viewing of Footage

Requests to view footage shall be responded to within one working day.

4. Release of original video tapes or still photographs

- a) Original recordings and still photographs shall not be released to any person or organisation unless requested under s.711 of the WA Criminal Code, by Court summons or by other legal instrument.
- b) At no time shall original or copied recordings or still photographs be released to any media organisations, journalist or other individual or group without the written approval of the Chief Executive Officer of the Shire of Irwin.

5. Joint operations with WA Police

- a) Members of the WA Police may request the co-operation of the Shire of Irwin for the purpose of covert surveillance of WA Police operations.
- b) Such requests shall be made in writing by the WA Police officer responsible for co-ordinating the operation.
- c) The request shall detail the times and general purpose for which surveillance support is requested.
- d) The Shire of Irwin may decline to provide co-operation.
- e) The Shire of Irwin authorised personnel may withdraw co-operation at any time during the operation if she/he believes that the surveillance is not operating within the procedures outlined in this document as approved and amended by the Shire of Irwin or she/he believes that other operational requirements have a higher priority.

6. Record Keeping

Authorised personnel shall ensure that records are maintained in accordance with the Shire's Recordkeeping Plan and the *State Records Act 2000*, including all telephone calls, requests for police assistance and footage.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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E23 LOCAL RECOVERY MANAGEMENT

PURPOSE

The purpose of this policy is to provide guidance to employees of the Shire of Irwin, in fulfilling Local Recovery Management responsibilities as outlined in the Emergency Management Act 2005, and in accordance with the Local Government Act 1995.

This policy applies to all Shire of Irwin employees and contractors.

DEFINITIONS

Local Recovery Coordinator (LRC): a position appointed by the Local Government depending on the nature and magnitude of the event. Preferably there should be more than one person appointed to undertake the role in case the primary appointee is unavailable when an emergency occurs.

Local Recovery Coordinating Group (LRCG): The Local Recovery Coordinating Group coordinates and supports local management of the recovery processes within a community. The Local Recovery Coordination Group comprises a core membership plus additional personnel depending on the type and magnitude of the event and the community affected.

Local Recovery Plan: A plan developed to clearly identify recovery management arrangements and operational considerations. It identifies agreements that have been made between local governments and/or emergency management agencies.

Recovery Management: Recovery management is the coordinated process of supporting “emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial, and economic wellbeing”(Emergency Management Act 2005)

BACKGROUND

The Emergency Management Act 2005 contains the following requirements:

- Local governments are to set out policies for emergency management
- Local government must prepare local emergency management arrangements, which are to include ‘a recovery plan and the nomination of a local recovery coordinator’
- Local government is to manage recovery following an emergency affecting the community in its district.

POLICY

1. Local Recovery Coordinator (LRC)

- 1.1. The Chief Executive Officer is the LRC of the Shire of Irwin depending on the nature and magnitude of the event.

- 1.2. The CEO will designate a deputy to undertake the role of the LRC in case the primary appointee is unavailable when an emergency occurs.
- 1.3. LRC will advise the Shire President (and CEO, if not the LRC) to activate the Local Recovery Plan and convene LRCG in the occurrence of an emergency.
- 1.4. The LRC will assess requirements for the restoration of services and facilities to the community, with the assistance of responsible agencies such as the Department of Health, WA Police, Department of Child Protection and Family Support, Western Power and Water Corporation.
- 1.5. The LRC will manage the LRCG, related planning for the Shire of Irwin and oversee the recovery process including consideration for social, infrastructure, environment and economic factors.
- 1.6. The LRC will approach the CEO to direct other staff to perform various recovery roles depending on the nature of the event. The Shire of Irwin expects that all staff extend cooperation to the LRC and maintain staff roster and OH&S requirements.
- 1.7. It is the responsibility of the LRC to establish and maintain effective communication with all relevant stakeholders (including community members, businesses, media, government agencies, not-for-profit agencies, elected representatives) with support of a communication officer (where appointed) including the review and approval of media releases.

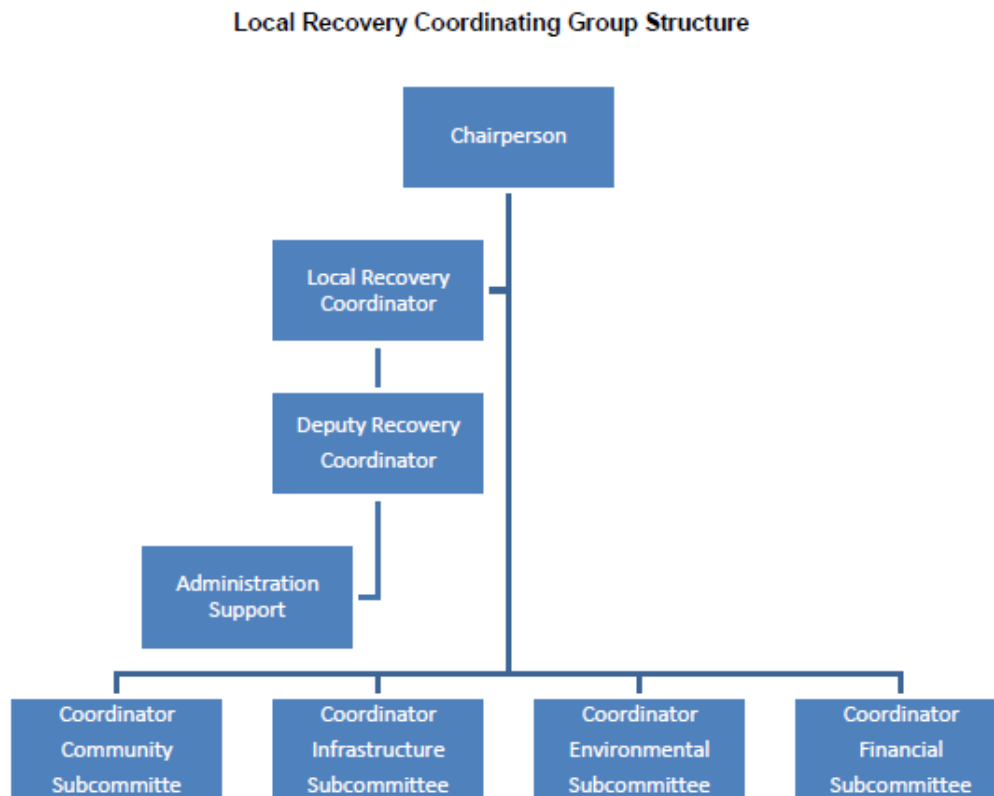
2. Local Recovery Coordinating Group (LRCG)

- 2.1. The LRCG comprises a core membership plus additional personnel depending on the type and magnitude of the event and the extent of the community affected. The composition includes:

Executive

- Chairperson (Shire President);
- Chief Executive Officer;
- Local Recovery Coordinator (if not the CEO);
- Deputy Recovery Coordinator;
- Administration Support (appointed by local government)

Local Recovery Coordinating Group Structure



- 2.2. The LRCG will co-ordinate and support the local management of recovery processes within the community in accordance with the local recovery plan.
- 2.3. The LRCG will appoint staff to key positions within the committee and, when established, sub-committees.
- 2.4. The LRCG will assess requirements for recovery activities relating to the psychological, social, infrastructure, physical, health, environmental and economic wellbeing of the community with the assistance of the responsible external agencies where appropriate.

ROLES AND RESPONSIBILITIES

The Community Emergency Services Manager is responsible for implementing this policy and reviewing it on an annual basis.

WORKPLACE INFORMATION / REFERENCES

- Emergency Management Act 2005
- State Emergency Management Plan 2016
- State Emergency Management Procedures 2016
- Local Recovery Guidelines 2017
- Local Government Act 1995

C1 USE OF SHIRE OF IRWIN COMMUNITY BUS**PURPOSE**

The aim of this policy and procedure is to ensure that all groups that hire the Community bus have a safe and comfortable trip that is satisfactory to all parties involved.

POLICY

Council have a Community Bus that is available for hire to residents. Non-residents are also able to make bookings, however, it should be noted that if a resident requires use of the bus that they will be given preference over the non-resident regardless as to who booked first. The cost of the community bus is dependent on the kilometres travelled, but is charged at various rates. There are three categories of groups requesting to hire the Shire of Irwin Community Bus:

- Category 1: Dongara District High School and Seniors;
- Category 2: Community and Sports Groups;
- ~~Category 3: Business and Private Groups.~~

When booking the bus each category is required to complete the relevant booking form and nominate a driver(s). A bond is applicable to all bus hire categories; this bond is to be made up of the following:

- A bus hire bond to the value of vehicles insurance excess; and
- A cleaning bond of \$75.00.

Note: Council has a list of drivers, if a hire group wishes to use its own driver(s), that driver must provide a current "LR" class license (photocopy will be held by the Shire) prior to the hire event.

CATEGORY 1**DONGARA DISTRICT HIGH SCHOOL AND SENIORS**

Dongara District High School and the Irwin Autumn Centre are two of the most regular bus users. The fee for this category is included in the Schedule of Fees and Charges and is reviewed annually, with no fee for kilometres travelled.

As regular users, the bond amount is payable once and will be held in a trust account by Council. On each return, the bus will be checked over by an appropriate Shire employee. Any cleaning/repair costs will be deducted from the bond and the hirer will be advised.

CATEGORY 2**COMMUNITY AND SPORTS GROUPS**

For Community and Sporting Groups located within the Shire of Irwin the hire fee is included in the Schedule of Fees and Charges and is reviewed annually. There is a daily hire rate for usage within the Midwest Region, or a daily hire rate for usage outside the Midwest Region and the hirer will be charged for kilometres travelled.

As regular users, the bond amount can be payable once and will be held in a trust account by Council or to pay the bond before the bus is collected, on each return, the bus will be checked over by an appropriate Shire employee and the kilometres travelled will be recorded.

When all conditions have been met, the hire form will be signed off and if all is clean and no damage, the bond can be refunded less the kilometres used charge or if the bond is being retained by Council in Trust, then payment of the kilometre used charge must be received in full.

Note: An invoice can be issued for the daily hire fee and kilometres travelled charge.

The Community Bus must be returned with a full fuel tank; however, with the prior approval of the Chief Executive Officer, this requirement may be waived.

CATEGORY 3

BUSINESS AND PRIVATE GROUPS

~~Category 3 covers individuals or any group not covered by Categories 1 or 2; charges for this category, including a per kilometre charge are included in the Schedule of Fees and Charges and reviewed annually. The Community Bus must be returned with a full fuel tank.~~

~~*Note: (Hire to users in this category is at the discretion of the Shire's Chief Executive Officer)*~~

~~There is also a requirement for the hirer to pay the bond before the bus is collected, on return, the bus will be checked over by an appropriate Shire employee and the kilometres travelled will be recorded. When all hire conditions have been met, the hire form will be signed off and if all is clean and no damage, the bond will be refunded less the kilometres used charge and the cost for fuel, if the bus has not been refuelled prior to return.~~

Note: Due to insurance implications, it is at the CEO's discretion that for a provisional period the Shire of Irwin must decline the request to hire the community bus to business and private groups.

COMMUNITY BUS CONDITIONS OF HIRE

- All bookings are to be made through the Shire of Irwin.
- Drivers must produce a current "LR" class license (photocopy will be held by Shire);
- Bus to be cleaned inside and out on return, failure to do so will result in the loss of all or part of the cleaning bond;
- Bus to be returned to the Shire Depot by 4pm for daily bookings and 7am the following morning for overnight bookings;
- Charges will apply if tank is not full on return;
- No smoking on board the bus at any time;
- Food and drinks to be consumed at the discretion of the driver;
- Any damage/defects to be recorded in book on bus and reported to the Shire of Irwin immediately;
- Costs incurred to Shire of Irwin as a result of damage to bus are to be paid for by the undersigned;
- Keys to be picked up from the Shire Office (11-13 Waldeck Street) prior to departure during office hours;
- Enclosed footwear to be worn when picking up and dropping off the bus at the Shire Depot.

SHIRE OF IRWIN RESPONSIBILITY

- Ensure that the Shire of Irwin Community Bus is clean and well presented, roadworthy and reliable and meets the standard required by the booking;
- Ensure that the Driver is licensed, authorised, and competent to perform to the standard required;

DRIVER RESPONSIBILITY

- The Driver will ensure that he/she is fit, well and able to undertake the responsibility;
- The Driver will make every effort to ensure that the passengers enjoy a safe and comfortable journey;
- The Driver will ensure that all passengers are seated in accordance with the legal seating capacity of the bus, that all passengers are, and remain seated safely and properly, and that all luggages is stowed and secured correctly;
- The Driver will abide by all road and traffic rules, and shall not under any circumstance breach any laws in relation to driving hours;
- The Driver will ensure that the vehicle is clean and full of fuel;

- The Driver is required to wear appropriate footwear (enclosed shoes recommended) when operating, picking up and delivering the vehicle.

HIRER(S) RESPONSIBILITY

- The Hirer or Group must nominate at least one adult person to be responsible for the acceptable behaviour and well being of the passengers;
- Smoking, eating or drinking is at the discretion of the driver;
- The seating capacity of the community bus must not under any circumstance be exceeded, with only one adult person to each adult person space;
- If luggage needs to be carried with the passengers, the hirer should consider hiring the trailer;
- The community bus is seat belt equipped, all passengers must wear the seat belts;
- Standing passengers are not permitted;
- Passenger must remain seated whilst in transit;
- The aisle of the community bus, or emergency exits must not be obstructed by any means.
- School students, or groups of persons under 18 years of age, must have at least one adult travelling with them, who will be responsible for the behaviour and well being of the passengers.

EMERGENCY PROCEDURES

The community bus may be required to be evacuated under the following circumstances:

- At the instruction of the Driver, an authorised Shire employee, a police officer, or any other person having reasonable cause and authority to instruct;
- If there is a risk to passengers whilst any repairs or adjustments are made to the community bus;
- If there is a risk of fire or explosion;
- Post incident or accident.

PROCEDURE FOR EVACUATING BUS

Evacuation of the community bus may be instigated by one of the above mentioned events, and should proceed quietly, quickly and in an orderly fashion once the vehicle is stationary, and it is safe to do so. Evacuation will be by;

- The community bus door(s) if they are able to be opened, unobstructed and it is safe to do so;
- If evacuation is not practicable by the door(s), then evacuate by an available marked Emergency Exit;
- Once out of the vehicle, assembly shall be at a safe location sufficient distance from the vehicle, this distance being dependent on the circumstances;
- The adult/supervisor in charge will account for all the passengers, and attend to their needs, and keep order;
- The Driver will be the last person to leave the vehicle, and will oversee the safe assembly and accounting for the passengers;
- The Driver must report all incidents involving evacuation to the Shire of Irwin as soon as practicable followed up by a written report;
- This report shall include all details, such as, where, when, why, who the hiring group is, person in charge, person instructing evacuation, and names of persons injured or under duress, names, addresses and phone numbers of witnesses or involved parties.

REPLACEMENT POLICY

The vehicle is to be replaced according to the Plant and Equipment Replacement Program.

VEHICLE MAINTENANCE

Vehicle maintenance will be the responsibility of the Shire of Irwin and will be carried out on a regular basis and as required.

INSURANCE

The vehicle will be registered and insured under the Shire of Irwin's own Insurance Policy. The policy provides cover for any organisation hiring the bus, on the condition the nominated driver(s) has the appropriate driver's licence for the vehicle class. The cover is extended to all passengers on the bus in addition to any damage to property that may belong to a third party.

OPERATING BUDGET

The operating budget for the Community Bus will be in accordance with Council's Annual Budget. Operational costs shall include consideration of; the annual operational costs, estimated distance of travel, depreciation, trade value and new purchase price of a replacement unit.

Council considers the provision of a Community Bus to be a valuable community service and is committed to covering the costs associated even if it should run at a loss however all efforts will be made to make this a viable service.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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C4 'THE VILLAGE' HOUSING POLICY**PURPOSE**

To establish a process for administering and managing the accommodation for the Port Denison Retirement Village (the Village).

POLICY

Administration and management of the Port Denison Retirement Village is to be directed by 'The Village' Housing Procedures. Policies within this document include;

- Eligibility
- Waiting List Management
- Allocations
- Tenancy Management
- Disruptive Behaviour Management
- Tenant Eligibility
- Transfer
- Debt Recovery
- Priority Assistance
- Cultural Diversity and Language Services
- Housing for People with Disabilities
- HIV/AIDS
- Utilities and Services
- Bond Accrual
- Fraud Management
- Refurbishment of Occupied Properties
- Good Neighbour

These policies are relevant to employees, contractors, tenants and applicants to ensure that housing assistance and service is delivered in an equitable and effective manner.

Date of Original Adoption – 25 June 2013

(reviewed 27 June 2017 Minute 140617)

C5 – COMMUNITY ENGAGEMENT AND PUBLIC CONSULTATION

PURPOSE

To provide direction for Council's community engagement activities.

POLICY STATEMENT

This policy upholds the view that involvement of the community and key stakeholders in planning and decision making for the local area is fundamental to effective governance. It ensures that Council's responsibilities to effectively communicate, consult and engage with stakeholders are fulfilled.

SCOPE

This policy applies to all facets of Council's operations including council's corporate, land use and financial planning and our day to day business activities.

It defines the principles underpinning Council's engagement activities, the role of councillors and staff in engaging with the community, and the mechanisms which council will use to engage the community.

PRINCIPLES

Council has decided to take a principle-based approach to its community engagement activities. This approach provides consistency, cohesion and facilitates the alignment of our performance reporting requirements. Each principle seeks to clarify the purpose of why Council engages with the community and guide how that engagement occurs. Principles which guide the actions of Shire of Irwin employees are as follows:

➤ Inclusiveness

- The consultation must encourage the involvement of people who are affected by or interested in a decision;
- Affected and interested parties will be given equal opportunity to do so, including groups who have traditionally not participated in the past;
- Affected groups and interested parties can select their own representative from within their group to work with Council; and
- The type of consultation or contact that is made will be sensitive to a group's particular needs.

➤ Purpose

- The Shire will use this framework to ensure that consultation is purpose-driven to provide assistance in the decision making process of Council which can include revision of policies;
- The type of consultation chosen must be appropriate for the task;
- There is a clear statement about what consultation is to achieve;
- There is a clear statement about what the role of Council is and what the role of the participants is, in the consultation; and
- There is internal coordination within the Council to ensure organisational ownership of the consultation.

➤ Provision of information

- Information relating to the consultation is to be made readily available so that participants can make informed and timely contributions;
- Information relating to the consultation can be accessed easily by everyone involved before key decisions are made;
- Information must be presented in an easily understood format;
- In some instances, full details about an issue may not be fully disclosed to the public because of its commercial sensitivity or personal nature; and
- In some circumstances, Council may determine to recover part of the cost of providing the information.

➤ Informed consultation

Consultation is most effective when people have the facts before them. This will mean that Council will need to have the officers do some development work on an issue or proposal, prior to the commencement of the consultation.

- This work will generally be described as the scoping work or study. This scoping work will be the information that Council will put into the public arena for consultation. It will be factual.
- On occasion Council may develop preference for a particular position. When this occurs, Council will indicate what that preliminary position is and the reason for this. This will assist the community to understand where the Council stands at the start of the consultation.

METHODS OF CONSULTATION

As a guide, Council has outlined types of consultation that may be appropriate in a range of circumstances.

The methods of consultation are:

- A. Notifications on site (where appropriate)
- B. Verbal/written contact to affected household or group advising them of issue/project (no feedback invited).
- C. Written contact to affected household or group. Information will be given on how the receiver may give feedback.
- D. Council-organised community forum/meeting.
- E. Surveys or other forms of formal market research that are independently conducted and are statistically valid. Note: matters that are identified as requiring surveys will be determined by Council on a case-by-case basis when the scoping of the matter and full consultative program is presented to Council.
- F. Seek input via affected groups or advisory committees (if relevant one exists).
- G. Council's Shire Website / Brilliant Blend Bulletin / Council Facebook Page / Notice Board / Shire of Irwin Electronic Community Sign
- H. Advisory Public Notices / Media Release (i.e. Dongara Denison Local Rag, Geraldton Guardian etc)
- I. Public Notice advertising for public comment/feedback

COMMUNITY IMPACT LEVELS

Council believes that there are basically six different groups of issues on which it will wish to consult:

- Group One** Matters that are a “one-off” issue impacting on Shire service delivery
e.g. The temporary closure of a sporting facility for maintenance works.
- Group Two** Matters that change the current arrangements/uses on a single site
e.g. example: Any minor redevelopment of a Shire facility, park or reserve.
- Group Three** Matters impacting on an area or neighbourhood
e.g. Traffic management proposals/solutions, streetscape proposals
- Group Four** Service Planning Matters which have impacts across the Shire
e.g. Changes to the rubbish service
- Group Five** Major Plans which have impacts across the Shire
e.g. Open Space Planning, Community Development Plan, Tourism Plan.
- Group Six** Major projects or issues with Shire wide impacts
e.g. Construction of new building or major infrastructure/major redevelopment/Strategic Plan/Town Centre Development proposals

In circumstances categorised as group one, two or three, few examples beyond the type above were identified as having an impact or being significant enough to necessitate extensive consultation.

In such circumstances, consultation is more likely to involve a specific party, groups or neighbourhood (i.e. those that may be affected) than the wider community, and the appropriate consultative tools would be outlined by the project team at the commencement of a project.

COMMUNITY ENGAGEMENT GUIDELINES

COMMUNITY IMPACT LEVELS							
METHOD		1	2	3	4	5	6
	A.	N	N	-	-	-	N
	B.	P	P	-	P	-	-
	C.	-	-	N	-	N	N
	D.	-	-	-	-	P	P
	E.	-	-	-	-	P	P
	F.	-	N	N	-	N	N
	G.	N	N	N	N	N	N
	H.	P	N/P*	-	N	N/P*	N/P*
	I.	-	N/P*	N	-	N/P*	N/P*

*If both H & I are relevant to a specific group, one or the other must be selected. This will be based on whether the engagement is to be used for the purposes of informing or advising the community.

N – Necessary

P – Possibility (needs to be considered)

This table identifies minimum requirements however this should be reviewed on an as needs basis during operational planning.

APPROPRIATE CONSULTATION

This framework will apply predominantly to matters requiring a decision by Council. It will not necessarily apply to routine, day-to-day activities such as:

- Maintenance activities
- Implementing an existing plan

- Where the work is integral to the work of an advisory committee

Note: This framework relates to obtaining community input before the Council makes a decision on the matter, i.e. consultation. When the decision has been made and the decision is being implemented/the activity is routine, it is more appropriate for the Council to inform/advise.

STATUTORY OBLIGATIONS

Council has responsibilities and makes decisions under a wide variety of State and Federal legislation. In many instances the legislation sets standards and provides minimum/maximum requirements in regard to notifications and referrals.

This Consultative Framework is designed to complement any statutory obligations the Council may have and to ensure the Council's principles of consultation are applied.

Council is rarely the final decision makers, so it must be mindful of the folly of inviting input from residents whose objection cannot be reasonably taken into account (e.g. relativity to a proposal).

IMPLEMENTING THE CONSULTATION

- a) This policy applies to Elected Members, Council staff, contractors, agents and consultants acting on behalf of the Council.
- b) The Chief Executive Officer is responsible for implementing community engagement and consultation programs in accordance with this policy. Guidelines and resources are to be provided to enable staff to fulfil the consultation requirements of legislation and this policy.

ENGAGEMENT ACTIVITIES

Council will use different community engagement techniques and communication mechanisms depending upon the issue or project, its particular circumstance and the audience it needs to target.

The need for, and type of community engagement to be undertaken will be determined at the project's planning stage following an analysis of the desired project outcomes. The project plan will also identify the most appropriate communication tool to ensure that the particular target group(s) are well informed of both the issue and related engagement opportunities.

At the planning stage the project team will also consider whether or not it can obtain the community information it requires from another source, or previous engagement activity in order to maximise the use of limited resources and minimise the likelihood of consultation fatigue developing within the community.

PARTNERSHIPS

As an integral part of his policy Council will facilitate the establishment of a range of partnerships between all levels of government, business and community organisations. These partnerships will:

- provide a flexible vehicle to respond to economic, environmental and community issues;
- advocate to other levels of Government on issues of regional importance;
- attract external funding to the region; and

- undertake specific projects or activities of mutual benefit to the region and its communities.

ROLES AND RESPONSIBILITIES

Councillors and staff play complementary roles in engaging with the community.

Council will decide the high level strategic issues on which it will engage the community. These issues will be linked to an identified corporate plan priority, or a significant emerging regional issue.

Councillors have responsibility for engaging with their local and divisional communities; and council staff have responsibility for engaging the community in their day-to-day business activities and on agreed projects and place-making activities.

DEVELOPING ENGAGEMENT CAPACITY

In order to develop a culture of engagement across the organisation Council will:

- explore opportunities to provide community engagement training for councillors and staff;
- modify its Council Agenda report format to include a section titled 'community engagement'; which details the proposed engagement strategy to be undertaken within the context of the report; and
- identify new and emerging information, communication, and knowledge management technologies and explore how they could be used to better engage the community.

REVIEW OF THE POLICY

Council will formally review this policy annually in line with the formal Policy Manual review.

<i>Date of Last Amendment – 15 December 2015</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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C6 ONLINE COMMUNICATION AND ACCESS POLICY**PURPOSE**

To provide direction for Council's social media and website activities, and other online promotional methods.

POLICY STATEMENT

The Shire of Irwin understands the requirement to provide a framework for using social networking sites, the Shires website and other online promotional methods such as the electronic Community Information Sign, including clarity on appropriate conduct, and emphasizes the need for its employees to use good judgement about what appears and its context within these venues/spaces.

The objective of this policy is to ensure all the organisation's employees are aware of appropriate professional and personal online conduct to ensure the greatest benefit to the Shire of Irwin.

SCOPE

This policy applies to all employees and contractors (whether paid or unpaid) at the Shire of Irwin who access social media for professional or social purposes whether via personal devices or those supplied by the Shire of Irwin and/or whom have the ability to make alterations to the Shires website and electronic Community Information Sign.

Social Media means forms of electronic communication (eg. Web sites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (e.g. videos). Some examples include (but are not restricted to) Facebook, Pinterest, LinkedIn, Twitter and YouTube.

This policy also extends to cover Shire of Irwin website alterations and staff accessing other websites within work hours. It is emphasised that staff are to only access websites required for work related purposes and should not access anything that does not align with Council's values.

Similarly, only authorised staff are to access the electronic Community Information Sign website for adding, deleting and/or altering community messages, with the sign only to be used for authorised purposes (Community event advertising, Shire advertising etc).

SOCIAL MEDIA USE AND ONLINE COMMUNICATION FOR SHIRE OF IRWIN PURPOSES

The Shire of Irwin may directly specify employees to use social media or other forms of online communication for Shire purposes. Only employees with appropriate training and knowledge who are expressly authorised by the CEO may carry out these activities via use of social media or other forms of online communication.

If a person is provided with express permission by the CEO to use social media or other forms of online communication s/he must provide information that is truthful, accurate and in the interests of the Local Government. S/he must not disclose anything that is confidential financial or technical information, commercially sensitive information, personal information about employees, or any information about customers, suppliers or members of the general public.

Employees who are required to use social media in the course of their work must:

- Use spell check and proof read each post;
- Understand the context before entering any conversation;
- Know the facts and verify the sources;
- Be respectful of all individuals and communities with which the person interacts with online;
- Be polite and respectful of other opinions;
- Seek to conform to the cultural and behavioural norms of the social media platform being used;
- If a mistake is made, the person must correct it quickly by disclosing it was a mistake (including the particulars of the correction) and inform his/her supervisor; and
- Understand and comply with any directions given by the CEO on topics that are not to be discussed for confidential, operational or legal reasons.

A person required to use social media who has been trained and given express permission by the CEO should always be aware that the Shire of Irwin may be liable for any posts made. Accordingly s/he should always seek guidance from his/her supervisor or the CEO if s/he is ever unsure about stating or responding to something on a social media site.

WEBSITE AND ELECTRONIC COMMUNITY INFORMATION SIGN USE FOR SHIRE OF IRWIN PURPOSES

The Shire of Irwin may directly specify employees to make alterations to the Shire of Irwin website and/or electronic Community Information Sign, only employees with appropriate training and knowledge who are expressly authorised by the CEO are able to make such adjustments.

If a person is provided with express permission by the CEO to make these alterations s/he must provide information that is truthful, accurate and in the interests of the Local Government. S/he must not disclose anything that is confidential financial or technical information, commercially sensitive information, personal information about employees, or any information about customers, suppliers or members of the general public.

Employees who are required to alter the Shires website and/or Community Information Sign must:

- Use spell check and proof read;
- Know the facts and verify the sources;
- Be polite and respectful of other opinions;
- If a mistake is made, the person must correct it quickly by disclosing it was a mistake (including the particulars of the correction) and inform his/her supervisor; and
- Understand and comply with any directions given by the CEO on topics that are not to be discussed for confidential, operational or legal reasons.

If in the event that the person editing the website/community information sign is unsure of whether the content proposed is relevant, S/he must always seek guidance from his/her supervisor or the CEO.

PERSONAL/PRIVATE USE OF THE SHIRE OF IRWIN'S CORPORATE SITES

An employee cannot comment on behalf of the Shire of Irwin unless expressly authorised by the CEO. If the person wishes to broadcast something (either as an initial broadcast or a response) then a request to the CEO (or his/her authorised delegate) must be made.

A person of the Shire of Irwin is able to share links that the Local Government has posted on the social media sites, or submitting a “like” action, or comment on an event, initiative and/or program, provided that it is in the best interests of the Local Government.

PERSONAL/PRIVATE USE OF NON-SHIRE OF IRWIN SITES

Employees at the Shire of Irwin are permitted reasonable use of social media for personal/private purposes on the condition that it does not interfere with the performance of their work.

Employees who use social media for personal/private purposes must not infer or state they are speaking on behalf of the Shire of Irwin and are reminded that any inappropriate postings or actions carried out on social media may result in disciplinary action.

CONSEQUENCES OF BREACHING THIS POLICY

The policy constitutes a lawful instruction to all of the organisation’s employees and contractors and breaches may lead to disciplinary action or termination by the Shire of Irwin, or referral to appropriate external Authorities where applicable. Employees who breach the law may also be personally liable for their actions.

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. All users of social media (be it for personal or professional purposes) within the organisation and those making alterations to the Shire website and accessing of other websites are responsible for remaining familiar with this policy.

REVIEW OF THE POLICY

Council will review this policy annually in line with the formal Policy Manual review.

<i>Date of Last Amendment – 15 December 2015</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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C7 FINANCIAL ASSISTANCE FUNDING POLICY**PURPOSE**

To provide guidelines for the application, assessment and determination of requests received for funding and to ensure expenditure of all funds are transparent and appropriately acquitted.

OBJECTIVE

To provide an overarching framework for financial assistance to not for profit community based organisations, event organisers and individuals which supports the promotion and development of social, economic, recreational, art and cultural projects that make a positive contribution to the quality of life within the Shire of Irwin.

POLICY STATEMENT

This policy provides prospective applicants with information about the financial assistance available from the Shire of Irwin. The Shire receives a large number of requests throughout the year, this policy ensures the assessment process provides;

- Transparency and accountability to the Irwin Community;
- Fairness and equity to all applicants;
- Eligibility criteria for each type of Financial Assistance;
- The amount of Financial Assistance available;
- Guidelines to assist applicants in completion and lodgement of forms; and
- For applications to be assessed by a Delegated Officer or Committee.

TYPES OF FUNDING**Community Assistance Scheme**

The Community Assistance Scheme (CAS) provides financial assistance up to \$5,000 to support community events or projects. CAS grants are open in two rounds each year with the schedule being advertised on the Shire of Irwin website.

Community Assistance Scheme funding is available to a maximum value of \$5,000 per application.

Each organisation is eligible to submit one application per round, provided the total cumulative amount of successful applications does not exceed \$5,000.

Waiver of Fees

Waiver of Fees and Charges, for the use of Shire owned resources, up to \$1,000 can be applied for at any time throughout the year using the Waiver of Fees and Charges application form.

Waiver of Fees and Charges is available to a maximum value of \$1,000 per application.

Each organisation is eligible to submit several applications per financial year, provided the total cumulative amount of successful applications does not exceed \$1,000.

Sundry Donations

Sundry Donations are small grants up to \$500 that can be applied for at any time using the Sundry Donation application form.

Sundry Donation funding is available to a maximum amount of \$500 per application.

Each organisation is eligible to submit several applications per financial year, provided the total cumulative amount of successful applications does not exceed \$1,000.

Travel Subsidy Assistance Elite Athletes

Travel Subsidy Assistance Elite Athletes provide financial assistance to Shire of Irwin residents selected to participate in a national sporting event or who receive a scholarship to the Mid West Academy of Sports.

Council support to elite athletes through cash, memberships or services is limited to the value of \$400 per athlete per year.

RESTRICTIONS ON FUNDING

Council allocates approximately 1% of the value of rates revenue per financial year to the Financial Assistance Policy. The allocated funding is then distributed between four funding categories in the following way:

- **80% is allocated to the *Community Assistance Scheme* and**
- **20% is allocated to the;**
 - ***Travel Elite Athletes,***
 - ***Waiver of Fees and***
 - ***Sundry Donations combined.***

Each organisation eligible for financial assistance, as described in the Financial Assistance Funding Policy, will not be granted funding that exceeds \$5,000 in any financial year. The maximum \$5,000 may be sought through the Community Assistance Scheme only or as a combination of Waiver of Fees, Sundry Donation and the Community Assistance Scheme.

Applications will be considered for projects or events that;

- Are open for attendance by the local community;
- Encourage participation by a community organisation;
- Encourage volunteer participation;
- Enhance community spirit and quality of life within the Shire of Irwin; and
- Promote the development of social, economic, recreational, sporting, art or cultural projects

ELIGIBILITY

To be eligible for funding the applicant must be a not for profit, incorporated, community organisation or be sponsored by an incorporated organisation.

RECURRING GRANTS

No applicant can be guaranteed funding nor can any applicant be guaranteed to receive the full amount requested.

ACKNOWLEDGING THE SHIRE'S SUPPORT

Successful applicants are to acknowledge the Shire of Irwin in any advertising and on any material relating to the activity or event for which the funding has been provided.

<i>Date of Adoption – 25 July 2017</i> (Minute 060717)
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C8 ART ACQUISITION DISPLAY AND MANAGEMENT

PURPOSE

The purpose of this policy is to provide guidance for the effective acquisition, display and management of art located within Council premises, public spaces or space owned or administered by the Shire of Irwin Council.

Public places and spaces include Council owned or operated public access buildings held for civic, cultural or recreational purposes. Council owned or maintained open spaces, streets, pathways, parks and foreshore areas.

Council's Art Collection

The purpose of the Shire of Irwin's Art Collection is to:

- Maintain and enhance an artistic statement within the Shire of Irwin for the benefit of our community, current and future;
- Contribute to the Shire's cultural development through diversity in artistic and cultural expression;
- Provide through the artistic medium, an insight into the historical context and future visions of the Shire of Irwin.

OBJECTIVE

By developing and adopting this Art Acquisition Display and Management Policy, Council acknowledges that artists and art contribute to the Shire's cultural development through diversity in artistic and cultural expression.

DEFINITIONS

Art	Artistic works designed and created from many different materials and forms, which may include (but not be limited to): paintings, sculpture, mosaic, stained glass, textiles, ceramics, photography, prints and mixed media. The types of art covered under this policy are: public art, community art and Temporary art.
Public Art	Artistic works designed or created by an artist(s) and situated in an accessible place of the public and memorials for public spaces in the Irwin municipal area.
Community Art	Artistic works involving the active participation of community members, in the design or creation, and are often facilitated by an artist(s) or a community arts worker.
Temporary Art	Artistic works designed and created for a short life span.

POLICY STATEMENT

This policy supports the notion that visually attractive towns stimulate a sense of community pride and belonging. In addition, appropriate art provides social, economic, cultural and environmental benefits to the community.

Through this policy the Shire of Irwin recognises the value and significance of arts and culture to the community. This Art Acquisition Display and Management Policy acknowledges the importance of art and the need for Council to maximise the interpretation, promotion and celebration of Irwin's cultural heritage and its built and natural environment.

In addition, this Art Acquisition Display and Management Policy have links with the following objectives taken from the Strategic Community Plan 2012 – 2022:

1. Implement the Public Open Space Strategy;
2. Recognise Places of Heritage Value in the Tourism Development and Promotion Plan, including Cultural and Built Heritage;
3. Investigate the Feasibility of an Arts and Cultural Centre;
4. Develop a Town Centre Revitalisation Plan;
5. Develop a Community Sponsorship and Funding Strategy;
6. Support Arts, Culture and Recreation Programs through a Community Grants Scheme.

ART ACQUISITION

The Shire of Irwin Art Collection aims to promote the development of art and artists by acquiring artworks both traditional and contemporary. The following criteria will be used to determine the suitability of all art being considered for acquisition:

- Artworks that build on the strengths and address the gaps in the Shire of Irwin's collection;
- Artworks designed or created by artists living, working in, or who have a strong connection to the Shire of Irwin;
- Artworks with themes relating to the Shire of Irwin;
- Artworks intended to excite the imagination of the public and increase the understanding and enjoyment of art;
- Artworks designed or created through processes of group or community artistic expression;
- The cost and community value of the artwork;
- The ongoing maintenance costs of the artwork.

Art Acquisition through Art Awards

Artworks can be acquired by Council through the following methods, subject to compliance with this Policy, and the availability of funds in the budget.

This section relates to art acquisitions through Easter Art Exhibition and Shire of Irwin Awards. Artworks can be acquired by the Shire through the provision of the annual Shire of Irwin Best 'Local Artist Award'. The awards are sponsored to the value of \$500 for the winning entry and the following criteria will be used to guide the process:

- The artist will be a resident of the Shire of Irwin;
- All works will be the original work of the artist;
- The award will be officially presented to the winner by the Shire President or his/her representative at the Art Exhibition;
- The winning artwork will be displayed in a public areas reinforcing the Shire's commitment to local art, both for artists and the viewing public;
- The Shire of Irwin will be recognised as a Sponsor of the Art Exhibition and shall be recognised on all printed material and in any promotions relating to the art exhibition;
- Copyright will remain with the artist and the artist agrees that the Shire of Irwin reserves the right to use the image of the winning entry for non-commercial reproduction and publicity purposes;

For art acquisitions that occur through awards and valued at more than \$500 the Chief Executive Officer has delegated authority to approve purchases to the value of \$1,000.

Art Acquisition through Funding

Council is committed to exploring a range of funding options and will actively seek funding for future art projects, including:

- Partnership, sponsorship and donations;
- Capital Works allocation within existing or proposed projects;
- State and Federal Government funding.

Commissioned Artwork Projects

Artworks can be acquired by the Council through commissioning an artist(s) in line with the acquisition criteria.

Depending on the size, complexity and cost of the artwork project, the following general criteria will be used to guide the commissioning process:

- Design and creativity of concept;
- Proposed ideas are high quality, engaging and integrated into the site design;
- Cost for proposed artwork;
- Maintenance for proposed artwork;
- Experience in comparable projects and artistic disciplines;
- Compatibility to criteria outlined in the artist brief;
- Previous experience working within project timelines and budgets;
- Previous projects were conducted safely and were technically feasible;
- Experience in undertaking projects requiring community consultation.

MANAGEMENT OF ART

Artwork that is commissioned by local government or is gifted to local government needs to be managed as an asset and obligations for maintenance are the Shire of Irwin's.

For art that has been commissioned by Council the artist(s) are required to prepare a manual containing comprehensive instructions for the proper cleaning, operation and maintenance of the artwork if applicable. The manual should include the following:

- Description of the materials used, including Materials Safety Data Sheet where relevant;
- Any other relevant issues relating to the cleaning, operation and maintenance of the artwork; and
- Contact details for the artist.

<i>Date of Adoption – 23 February 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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C9 DONGARA PUBLIC LIBRARY

PURPOSE

To outline the role and responsibilities of the Shire's public library.

POLICY

The Shire of Irwin is committed to the provision of free, accessible, quality library resources and services to the local community. Library services are provided in partnership with the State Library of Western Australia.

Library Charges

1. Council supports the principle of a free public library service with no charge being made for obtaining, displaying and lending books and related materials, other than charges levied through Council rates.
2. Council Policy is that any additional services provided such as photocopying and faxing, through its libraries should be paid for by the users of any such services.
3. Council Policy is to invoice readers to recover the cost of lost or damaged library books immediately after the loss or damage is incurred.

Date of Original Adoption – 27 May 2014

(reviewed 27 June 2017 Minute 140617)

C11 PUBLIC ACCESS TO THE INTERNET AND COMPUTER FACILITY AT THE DONGARA PUBLIC LIBRARY**PURPOSE**

To provide direction for the provision of public internet use made available at the Dongara Public Library.

POLICY

The Dongara Public Library service provides the public with access to information within the scope of its roles and responsibilities in accordance with the Framework Agreement between State and Local Governments for the Provision of Public Library Services in Western Australia. While ensuring that this access does not legally comprise the Shire of Irwin, the Shire is committed to providing a Public Library Service that empowers its members to seek, evaluate, use and create information effectively to achieve their personal, social, occupational and educational goals.

The Dongara Public Library service for public computer use and online access shall be:

1. Provided in accordance with the strategic objectives contained within the Framework Agreement between State and Local Government for the Provision of Public Library Services.
2. Provided within the Library Service's procedures in relation to the "Procedures and Conditions of Use - Public computers and online access", which will be publicly displayed at the computer terminal within Dongara Public Library that is for use by the public.
3. In accordance with Division 6 (Computer Services) *Classification (Publications, Films and Computer Games) Enforcement Act 1996* which defines the conditions and liability under which computer services operate.
4. Provided in accordance with *Copyright Act 1968* and *Copyright Amendment (Digital Agenda) Act 2000*.
5. Provided within the parameters of internet and email management software tools, including filtering and monitoring systems to ensure compliance with the Agreements, Acts and Procedures noted within this policy.
6. Provided for the use of minors with the parent or legal guardian retaining the responsibility for the management of such use.

Date of Adoption – 15 December 2015

(reviewed 27 June 2017 Minute 140617)

C15 MANAGEMENT OF INVESTMENTS**PURPOSE**

To provide guidelines for the investment of surplus funds which ensure that returns on funds invested are maximized within levels of acceptable risk.

POLICY**Investment Objectives**

- To take a conservative approach to investments, but with a focus to add value through prudent investment of funds.
- To achieve a high level of security for the overall portfolio by using recognised rating criteria.
- To maintain an adequate level of diversification as detailed in this policy.
- To have ready access to funds for day-to-day requirements, without penalty.

Statutory Compliance

All investments are to be made in accordance with:

- Local Government Act 1995 – Section 6.14
- The Trustees Act 1962 – Part III Investments
- Local Government (Financial Management) Regulations 1996 – Regulation 19, 28 and 49
- Australian Accounting Standards

Delegation of Authority

The authority is to be delegated to the Chief Executive Officer to make investment decisions and sign investment lodgements and withdrawals. Pursuant to the provisions of Section 5.45 of the Local Government Act 1995 the CEO may in turn delegate the day to day management of Council's investments to Director Corporate and Community and Manager Customer Services.

Prudent Person Standard

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

Authorised Institutions

In accordance with Local Government (Financial Management) Regulations Section 19C the Shire can only invest in the following institutions;

- Authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or
- Western Australia Treasury Corporation established by the Western Australian Treasury Corporation Act 1986.

Authorised Investments

The only types of authorised investments under Local Government Act 1995 section 6.14(1) are as follows;

- Deposits with an authorised institution and the term is to be no more than 12 months;
- Bonds that are guaranteed by the Commonwealth Government, or a State or Territory government with a term to maturity of up to 3 years;
- Australian currency only.

General Policy Guidelines

- (i) **Quotations on Investments**
Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.
- (ii) **Credit/Diversification Risk**
The short term (0-365 days) credit guidelines will be based on Standard and Poors Short Term Issue Credit Ratings which are:
- A1+ The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
 - A1 The obligor's capacity to meet its financial commitment on the obligation is strong.
 - A2 The obligor is susceptible to adverse economic conditions however the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

The long term rating (1 to 3 years) is confined to bonds that are guaranteed by the Commonwealth Government, or a State or Territory government with a term to maturity of up to 3 years. The amount invested with any one financial institution or product should not exceed the following percentages of average annual funds invested within each risk rating.

Credit Rating	Maximum % in credit rating category	Maximum % in one authorised institution
Short term A1+	100	75
Short term A1	50	75
Short term A2	25	50
Long term – Government Guaranteed Bonds	100	100

- No more than 75% of funds may be invested in one organisation without Council approval.
- These provisions relating to the diversification of Council's Investments do not apply if Council chooses to place its investments with the institution that operates Council's Municipal Fund.

(iii) **Preference to community support**

Where two or more quotes are equal in terms of risk and return then the institution that can demonstrate a greater community support will be preferred over the other.

(iv) **Change in Credit Ratings**

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

Reporting and Review

A monthly report will be provided to Council, detailing the investment portfolio in terms of products held and investment income earned versus budget year to date.

For audit purposes, certificates must be obtained from the authorised institutions confirming the amounts of investment held on Council's behalf at 30 June each year.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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C20 RELATED PARTY DISCLOSURES**PURPOSE**

Under the Local Government Act 1995, and Local Government (Financial Management) Regulations 1996, all local governments in Western Australia must produce annual financial statements that comply with the Australian Accounting Standards (AASB).

The Australian Accounting Standards Board has determined that from 1 July 2016, AASB 124 (Related Party Disclosures) will apply to government entities including local governments. The objective of AASB 124 *“is to ensure that an entity’s financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties”*.

This policy provides a framework for the identification of related party relationships and the disclosure of related party transactions with Council.

The objective of this policy is to provide guidance on:

- The identification of Council's related parties;
- Management of related party transactions;
- Recording such transactions; and
- Disclosure of the transactions in the Shire of Irwin annual financial statements in accordance with AASB 124.

DEFINITIONS

In the context of this policy, the following terms shall be used.

TERM	DEFINED AS:
AASB 124	Australian Accounting Standards Board, Related Party Disclosures Standard 124.
Close family members of Key Management Personnel (KMP)	Those family members who maybe expected to influence, or be influenced by, that person in their dealings with Council and include: <ul style="list-style-type: none"> • the KMP’s children, and spouse or domestic partner; • children of that KMP’s spouse or domestic partner; and • dependents of the KMP or the KMP’s spouse or domestic partner.
Compensation	To include all employee benefits in the form of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered to the entity Refer AASB 119 Employee Benefits.
Entity	Includes a body corporate, a partnership or a trust, incorporated, or unincorporated group or body.

TERM	DEFINED AS:
Entity Related to Council	<p>An entity that is either controlled, or jointly controlled, or over which Council has significant influence. A person or entity that is a Related Party of Council if any of the following apply:</p> <ul style="list-style-type: none"> • 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 family members of the family of a KMP; • They are identified as a close or possible close family member of the family of a person with significant influence over Council or a close possibly close member of the family of a person who is a KMP of Council; • Or, they, or any member of a group of which they are part of, provide KMP services to Council.
Entity Related to Key Management Personnel (KMP)	<p>An entity that is related to key management personnel and includes entities that are:</p> <ul style="list-style-type: none"> • Controlled, or jointly controlled by a KMP; • Apart from Council, where a KMP has significance influence over, or is a member of the key management personnel of the entity or parent of the entity; or • Controlled or jointly controlled by a close family member of a KMP of Council. <p>A person or entity is deemed to have control if they have:</p> <ul style="list-style-type: none"> • Power over the entity; • Exposure, or rights, to variable returns from involvement with the entity; or • The ability to use power over the entity to affect the amount of returns. <p>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.</p>
Key Management Personnel (KMP)	<p>Those persons having authority and responsibility for planning, directing and controlling the activities of Council or Council entities, directly or indirectly. Key Management Personnel for the Shire of Irwin are:</p> <ul style="list-style-type: none"> • Elected Members (including the President);

TERM	DEFINED AS:
	<ul style="list-style-type: none"> Persons employed under section 5.36 of the Local Government Act 1995 as Chief Executive Officer, Director or Manager.
Materiality	The assessment of whether a 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.
Ordinary Citizens Transaction (OCT)	A transaction that an ordinary member of the community would undertake in the ordinary course of business with the Shire of Irwin.
Related Party	<p>A person or entity that is related to the local government that is preparing its financial statements.</p> <p>A person or close member of that person's family is related if that person:</p> <ul style="list-style-type: none"> Has significant influence over the reporting entity; or Is a member of the key management personnel of the reporting entity. <p>An entity is related if any of the following conditions apply:</p> <ul style="list-style-type: none"> the entity and the reporting entity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others); or a person is a member of the key management personnel of the entity.
Related Party Transaction	The transfer of resources, services or obligations between the Shire of Irwin and a related party, regardless of whether a price is charged.

POLICY

The related party disclosure policy seeks to reduce the risk that the Shire of Irwin's transactions may be influenced by the interests of parties related to the transaction. This occurs where the parties are in a position to influence the decision of whether a benefit is provided to them, and the terms of the provision of that benefit. It is therefore important that Key Management Personnel act honestly and with reasonable care and diligence whilst avoiding improper use of their position and information. It is equally important that Key Management Personnel of the Shire of Irwin are subject to a high level of accountability, including appropriate disclosure of their transactions with the Council in the annual financial statements.

IDENTIFICATION OF RELATED PARTIES

AASB 124 provides that the Shire of Irwin is required to disclose in its Annual Financial reports related party relationships, transactions and outstanding balances. For the purpose of determining application of the standard, the Shire of Irwin has identified the following persons as meeting the definition of Related Party:

- Elected Members (including the President);

- Key Management Personnel being a person employed under section 5.36 of the Local Government Act 1995 as Chief Executive Officer, Director or Manager, with purchasing limits of \$20,000 or greater;
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner;
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The Shire of Irwin will therefore be required to assess all transactions made with these persons or entities. Other parties may be assessed to be related parties from time to time depending upon Council's structure and delegations or in accordance with the requirements of AASB 124.

KEY MANAGEMENT PERSONNEL

All Key Management Personnel are responsible for assessing and disclosing their own, their close family members', and their related entities' relationship with Council. All related parties must be included in the self-assessment. A *Related Party Disclosures Declaration* form is provided as an attachment to this policy.

KMP COMPENSATION

Council is required to disclose KMP compensation in total and for each of the following categories:

- (a) Short-term employee benefits (e.g. salary, motor vehicle benefits, fringe benefits)
- (b) Post-employment benefits (e.g. superannuation)
- (c) Other long-term benefits (e.g. annual leave and long service leave)
- (d) Termination benefits (N/A, unless the recipient of voluntary severance)
- (e) Share-based payments (NA).

RELATED PARTY TRANSACTIONS

KMP must provide a *Related Party Disclosures Declaration* Form 183 [[Form 183 - Declaration Form - Related Party Disclosure.docx](#)], notifying of any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members.

ORDINARY CITIZEN TRANSACTIONS (OCTs)

Ordinary Citizen Transactions are transactions with a related party that are made on terms that are considered reasonable if the parties were dealing at 'arm's length'. Related party transactions excluded from disclosure requirements on the basis of classification as Ordinary Citizen Transactions are transactions that:

- occur during the normal course of Council delivering its public service goals;
- are under the same terms that would be available to a member of the community; and

- belong to a class of transaction that an ordinary member of the community would normally transact with Council.

Examples of Ordinary Citizen Transactions include:

- facility hire;
- use of Council owned facilities such as Recreation Centre, libraries, parks, ovals and other open public spaces (whether charged a fee or not);
- payment of rates, dog registrations, or fines;
- any valid discounts or fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance;
- any service or benefit provided as part of the normal Council business operation to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance.

Transactions between Council and Related Parties that would normally be considered Ordinary Citizen Transactions but where the terms and conditions differ from normal practice however, must be disclosed.

NON-ORDINARY CITIZEN TRANSACTIONS

All related party transactions that do not satisfy the definition of Ordinary Citizen Transaction must be disclosed in accordance with AASB 124.

Examples of transactions that must be disclosed if they are with a related party, and are not an Ordinary Citizen Transaction:

- purchase of sales or goods (finished or unfinished);
- purchases or sales of property or other assets;
- rendering or receiving services;
- leases;
- transfers of research and development;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or kind);
- provisions of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future, including execution of contracts (recognized or unrecognized); and
- settlement of liabilities on behalf of Council or by Council on behalf of the related liability.

DISCLOSURE REQUIREMENTS

Council Disclosure

Transactions between Council and related parties, whether monetary or not, are required to be identified. Disclosure of these transactions within the annual financial statements will be determined in accordance with materiality by assessment against the nature and size when considered individually and collectively.

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

- the nature of any related party relationships;
- the amount of transactions;
- the amount of outstanding balances, including commitments, including:
 - i. terms and conditions, whether they are secured, and the nature of the consideration to be provided in settlement; and
 - ii. details of any guarantees given or received;
- provisions for doubtful debts related to the amount of outstanding balances; and
- the expense recognized during the period in respect of bad or doubtful debts due from related parties.

The following matters must be considered in determining 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 of 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.

KEY MANAGEMENT PERSONNEL DISCLOSURE

For the purposes of determining relevant transactions, elected members and key management personnel will be required to complete a *Related Party Disclosures Declaration* Form 183 [[Form 183 - Declaration Form - Related Party Disclosure.docx](#)] twice yearly, and no later than the following dates each financial year:

- 30 December each year; and
- 30 June each year.

A review of KMP's and their related parties will be completed every 6 months. Particular events such as change of Councillors, Chief Executive Officer or Executive Managers or a corporate restructure will also trigger a review of Council's related parties immediately following such an event.

The Chief Executive Officer 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.

MATERIALITY

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

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

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be in compliance with the framework of the Australian Accounting Standard AASB 124 and other relevant standards, as required.

REGISTER OF RELATED PARTY TRANSACTIONS

Council will maintain and keep up to date a register of related party transactions that captures and records information required for disclosure purposes for each existing or potential related party transaction (including ordinary citizen transactions assess as being material in nature) during a financial year.

INFORMATION PRIVACY

The following information is classified as confidential, and is not available for inspection by or disclosure to the public, including through a Freedom of Information Application:

- i. information (including personal information) provided by a key management person in a Related Party Transaction Notification; and
- ii. personal information contained in a register of related party transactions.

ACCESS TO INFORMATION

The following persons are permitted to access, use and disclose the information provided in a related party disclosure or contained in a register of related party transactions for the purposes of section 4 are:

- The Chief Executive Officer;
- Director Corporate and Community Services;
- Manager Financial Services;
- An auditor of Council including an auditor from the WA Auditor General's Office; and
- Other officers as determined by the Chief Executive Officer.

PERMITTED PURPOSES

Persons specified in section 4.7.1 may access, use and disclose information in a related party disclosure or contained in a register of related party transactions for the following purposes:

- Assess and verify the disclosed related party transaction;
- Reconcile identified related party transactions against those disclosed in the related party Disclosure or contained in the register of related party transactions;
- Comply with the disclosure requirements of AASB 124; or
- Verify compliance with the disclosure requirements of AASB 124.

REFERENCE DOCUMENTS

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Australian Accounting Standards – AASB 124 Related Party Transactions AASB 2015-6

Shire of Irwin Code of Conduct

P4 TEMPORARY ACCOMMODATION

PURPOSE

To prevent the establishment of two dwellings on rural lots.

POLICY

Temporary accommodation may be approved by Council under Policy B4 'Isolated Outbuildings' subject to:

- Only on lots zoned 'General Farming' and lots one hectare and over (all other lots require specific Council approval);
- The only form of temporary accommodation to be approved will be within a caravan parked inside a shed, built in accordance with Policy B4;
- Toilet, shower and laundry will need to be provided connected to an approved effluent disposal system and use of the temporary accommodation will not commence until facilities are inspected and approved by the Environmental Health Officer;
- Temporary accommodation will be approved for an initial period of six months. An extension of up to a further six months may be granted subject to progress in building the permanent residence. If you require a further extension of time, application must be made to the Minister of Local Government.

The application must be accompanied with a bond as outlined within Council's Fees & Charges.

Date of Original Adoption –15 December 2015 (reviewed 27 June 2017 Minute 140617)

P10 PERFORMANCE BONDS

PURPOSE

To ensure planning conditions imposed by Council are complied with. To secure the satisfactory completion of developments which would normally involve the construction of buildings, car parks, accessways, landscaped areas or any other relevant matter.

POLICY

Other than the exemptions detailed below, all development with an estimated cost of over \$50,000 (including Caretaker's Dwellings, Secondhand Dwellings and relocated buildings) must have a Performance Bond condition applied on the Planning Approval. The condition must be complied with prior to the commencement of development.

The following bond format will apply:-

Estimated cost of development	Amount
Less than \$50,000 (small development)	Set annually in the Shire's Schedule of Fees and Charges
Between \$50,000 and \$500,000 (medium development)	
Estimated development cost is over \$500,000 (large development)	

If the development is not completed within the timeframe specified by the condition of approval, the Performance Bond shall be forfeited to Council. Such forfeiture does not change the applicant's obligation to comply with the conditions of the approval.

EXEMPTIONS

The following types of development are exempt from this policy: temporary development, shade sails, pergolas, water tanks, flag poles, solar arrays, Single Houses, a maximum of 2 Group Dwellings, Ancillary Accommodation/Dwellings, and Outbuildings.

STANDARD PLANNING CONDITION

The following standard condition of approval shall be applied where in accordance with the above provisions:

Prior to the commencement of the development, a Performance Bond of \$_____ will be required to be paid to the Shire of Irwin, with such Performance Bond only being returned upon satisfactory compliance with the relevant Planning Approval conditions.

Date of Last Amendment –15 December 2015 (reviewed 27 June 2017 Minute 140617)

P12 PAYMENT OF GRAVEL ROYALTIES

PURPOSE

To secure sufficient quantities of gravel in strategic locations to ensure the cost efficient construction and maintenance of roads in the Shire of Irwin.

POLICY

The Shire of Irwin will remove gravel from the land owner property subject to the following conditions and the agreed rate will take into account whether the Shire or land owner is accountable for these conditions:

1. Royalties to be paid at a rate as negotiated with the land owner for the gravel.
2. Gravel pits to be maintained in a safe and orderly condition at all times.
3. Top soil to be stockpiled and spread over the excavation site on an ongoing basis.
4. Excavation not to encroach closer than 10 metres from any fence line.
5. Any damage to fences, gates, access roads and other improvements attributable to the

Shire, to be repaired at the expense of the Shire.

Date of Last Amendment – 26 February 2013 (reviewed 27 June 2017 Minute 140617)

P14 PRIVATE WORKS – LOCAL CLUBS / ORGANISATIONS

PURPOSE

To provide a fair and equitable arrangement for the provision of Council services to local sporting and charitable organisations.

POLICY

That Council's policy relating to works of a private nature for clubs and organisations within the Shire of Irwin be as follow:

1. Where Council is requested to undertake or provide services relating to outside works on behalf of community groups or organisations on Crown, Club or Council property then the following will apply.
2. Works performed during normal hours of Council operations which are of a routine maintenance and adhoc in nature and do not lead rise to further requests on a regular basis be provided free of charge if approved by the Chief Executive Officer (e.g.. one off load of sand to a community group)
 - i. Works performed either during normal hours of Council operation or outside these hours which are of a routine maintenance and are carried out on a regular basis for the benefit of that group or organisation shall be charged at cost recovery rates if approved by the Chief Executive Officer (e.g. regular mowing of a leased reserve or grounds)
 - ii. Works requests which are significant in nature and beyond routine maintenance and result in a capital improvement of that group or organisation's grounds/facilities shall be considered through the Community Assistance Scheme where appropriate, or authorised by the Manager Technical Services as provide for within Budget, with a decision relating to the charge or otherwise being on the merits of the application.
3. Works performed on land outside of Crown, Club or Council owned property to be charged at normal private works rates for community groups or organisations

Guidelines:

A record shall be kept of all private works of this nature so that the value of services to groups/clubs can be identified.

<i>Date of Last Amendment – 22 November 2016</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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P16 PROTECTION OF KERB/FOOTPATH & CLEANING OF ROAD AND/OR DRAINS

PURPOSE

To protect Council's verges and footpaths, and, to ensure those causing damage pay for remedial works.

POLICY

- i) In the granting of approvals for building demolition and/or building development, a deposit payable by bond or bank guarantee is required to be lodged by the builder. The amount of the deposit shall be based on an estimate of the cost of reinstating the footpath and/or kerbing abutting the allotment. The deposit will also cover the cost for cleaning the road and/or drain caused by sand drift from the building site.
- ii) It is the responsibility of the builder and/or owner to record evidence (photos) to identify the condition of the footpath, kerbing, road and drainage prior to any works commencing.

Further to this a pre building inspection shall be carried out by an Officer from the Works Technical Services Department to determine any pre-existing damage to the kerb, footpath and drainage once a building permit has been approved by the Shire of Irwin. A copy of the Pre- Building Inspection Form will be sent to the builder before construction work commences, this is to be retained by the builder for future reference.

Upon completion of construction works, the builder is responsible for lodging a Bond Reimbursement Form with the Shire of Irwin. A post work inspection will then be carried out, by an Officer from the Works Technical Services Department to determine the extent of damage to the footpath and/or kerbing (if any), and the amount of cleaning (if any) of the road and/or drain caused by the builder.

The builder is required to pay the cost of reinstating the footpath and/or kerbing damaged or removal of sand and debris from the road pavement and reserve or drains as a result of the demolition or building activity.

- iii) Upon payment of the cost of reinstatement, the bond or bank guarantee will be returned. Failure to pay reinstatement costs will result in Council utilising the deposit to carry out the works.
- iv) The amount to be lodged for Kerb, Footpath and Road Drainage Bond will be as set in the schedule of fees and charges.

Requirements for Protection of Footpath and Kerbing

1. Where property development is proceeding and an existing footpath is damaged, warning signs should be placed at each boundary to warn pedestrians that an unsafe condition exists until repairs can be completed. Should the builder not undertake this requirement, the signs will be placed and maintained by Council, with costs debited against the footpath deposit.
2. Where a path is in existence, the builder must provide a temporary crossover to the site to the satisfaction of Council.

Date of Last Amendment – 27 June 2017

(reviewed 27 June 2017 Minute 140617)

P17 STREET TREES AND VERGE TREATMENT

PURPOSE

To provide direction for plantings in the Shire's streets and verges.

OBJECTIVE

To ensure that planting and other works are carried out in accordance with the vision, aims and objectives of the Green Infrastructure Strategy.

POLICY

Each project must submit the following details for consultation with the Shire's Planning & Infrastructure Services, prior to Shire approval:

1. Site Plan, showing the site location, location of proposed plantings, list of species to be planted and technical details as necessary; and
2. Project description that briefly:
 - a. demonstrates consistency with the Green Infrastructure Strategy's aims and objectives through the project's: contribution to sense of place/community, relationship with adjoining land, rationale for species, water conservation and rainwater harvesting technique(s);
 - b. explains the required works, planting, mulching, actions/responsibilities; and
 - c. explains the expected ongoing maintenance requirements.

Consideration of Projects

The Shire's Planning & Infrastructure Services will consider each project on its merits in terms of consistency with the Green Infrastructure Strategy's aims and objectives and potential impacts on: visual amenity, services, public safety and Council's other policies (e.g. Verge Treatment policy), plans and strategies.

When considering projects, the Shire will generally prefer the use of native species, where appropriate. However, it is understood that in some locations, particularly in semi-natural and man-made environments, the use of non-native species may be more appropriate. As such, the species in the following table provides guidance towards the Shire's preferred species. Proposals can also include plants from the popular Trees and Shrubs of the Midlands and Northern Wheatbelt (Wilcox et al. 1997) or from the Water Corporations 'Waterwise Plant Search'. The planting of recognised weeds will not be supported.

NATIVE AUSTRALIAN TREES	NON-NATIVE TREES
Dongara Mallee (<i>Eucalyptus dongarensis</i>)	Poinciana (<i>Delonix regia</i>)
Illyarrie (<i>Eucalyptus erythrocorys</i>)	Orchid Tree (<i>Bauhinia blakeana</i>)
Rottneest Island Teatree (<i>Melaleuca lanceolata</i>)	Chinese Elm (<i>Ulmus parvifolia</i>)
Port Jackson Fig (<i>Ficus rubiginosa</i>).	Crimson Sentry (<i>Acer platanoides</i>)

Moreton Bay Fig (<i>Ficus macrophylla</i>)	Field Maple (<i>Acer campestre</i>)
Callistemon (<i>Kings Park special</i>)	Jacaranda (various)
Swamp She Oak (<i>Casurina glauca</i>)	
WA Peppermint (<i>Agonis flexuosa</i>)	
Bottlebrush (<i>Callistemon</i>)	

INDICATIVE LOCATIONS OF TREES BY TYPES	
Open spaces in the Town Centre, Moreton Bay Estate, Ocean Drive and Northshore	Moreton Bay Fig, Port Jackson Fig
South Beach	Rottnest Island Tree, Coast She-oak
Flanagan Way, Pickering Drive, Retreat , Waldeck Street, Church Street	WA Peppermint

Ground Cover
Coastal Pigface (<i>Carpobrotus virescens</i>); Coastal Daisy Bush (<i>Olearia axillaris</i>); Coastal Rosemary (<i>Westringia fruticosa</i>); Glow Wattle (<i>Acacia lasiocarpa</i>); Creeping Boobialla (<i>Myoporum parvifolium</i>); Silverbush (<i>Convolvulus cneorum</i>); and Orange Jessamine (<i>Murraya paniculata</i>).

Note: New street trees should maintain the following minimum setbacks: 20m from an intersection, 5m from a crossover, 5m from public utility boxes, 3.25m from neighbouring lot boundaries and 3.2m from the back edge of a kerb.

Date of Original Adoption – 25 May 2005

(reviewed 27 June 2017 Minute 140617)

P18 PUBLIC OPEN SPACE

PURPOSE

To improve the Shire's green network by enhancing the natural qualities of public open spaces, enriching biodiversity, rationalising water use and maintaining high quality spaces for public use.

Objectives

1. To rationalise the Shire's public open space reserves to reduce ground water use, while still maintaining high quality facilities, by developing projects for each site;
2. To reduce the need to use large volumes of water on existing turfed areas by converting them to native garden areas; and
3. To reduce the occurrence of overwatering by grouping types of vegetation into categories with similar water requirements.

POLICY

Requirements for projects aimed at rationalising existing POS

Each project must submit the following details for consultation with the Shire's Planning & Infrastructure Services, prior to Shire approval:

1. Site Plan, showing the site location, location of proposed plantings, list of species to be planted and technical details as necessary; and
2. Project description that briefly:
 - a. demonstrates consistency with the Green Infrastructure Strategy's aims and objectives through the project's: contribution to sense of place/community, relationship with adjoining land, rationale for species, water conservation and rainwater harvesting technique(s);
 - b. explains the required works, planting, mulching, actions/responsibilities; and
 - c. explains the expected ongoing maintenance requirements.

Consideration of Projects

The Shire's Planning & Infrastructure Services will consider each project on its merits in terms of consistency with the Green Infrastructure Strategy's aims and objectives and potential impacts on: visual amenity, services, public safety and Council's other policies, plans and strategies. When considering projects, the Shire will generally prefer the use of native trees, shrubs and other plants, where appropriate.

Water Conservation Requirements

Each area of public open space must meet the following requirements:

Type of POS	Max volume of water per year
High use, high profile	10,000 kl/ha/yr
Low use, high profile	7,500 kl/ha/yr
Low use, low profile	6,000 kl/ha/yr
Dry areas of POS, parks and bush	0 kl/ha/yr

Date of Original Adoption – 15 December 2015 (reviewed 27 June 2017 Minute 140617)

P19 EMPLOYEE HIRE OF PLANT AND EQUIPMENT

PURPOSE

To assist Shire of Irwin employees to utilise Council equipment in their private time.

POLICY

At the discretion of the Chief Executive Officer or his/her authorised representative staff are permitted to hire plant and equipment belonging to the Shire of Irwin at Council's normal hire rate minus the cost of the operator, otherwise known as dry hire.

The rate for dry hire is outlined in the schedule of fees and charges.

The following regulations apply to the hire of plant and equipment by all Shire of Irwin employees.

- plant and or equipment will only be used on property owned or occupied by the staff member;
- the plant and/or equipment will only be operated by a Shire of Irwin employee;
- those staff that hire equipment and do not possess experience in the safe operation of that plant and/or equipment must organise with another competent staff member to carry out the respective works at a cost agreed upon by both parties;
- dry hire fees include fuel;
- no plant or equipment can be dry hired during normal working hours; and
- hire will commence from the time of pick up to the time the plant/equipment is dropped off.

Date of Original Adoption – 15 December 2015 (reviewed 27 June 2017 Minute 140617)

P20 VEHICLE CROSSOVER POLICY

PURPOSE

To define Council's specifications and financial obligations for the construction of vehicle crossovers in road reserves.

POLICY

Background

Under the *Local Government (Uniform Local Provisions) Regulations 1996 Regulation 15*;

(1)Where —

- (a) a local government —
 - (i) under regulation 12 constructs or approves the construction of; or
 - (ii) under regulation 13(1) requires the construction of,
 - a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and
- (b) the crossing is the first crossing in respect of the land; and
- (c) the crossing is a standard crossing or is of a type that is superior to a standard crossing,

the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

(2) In subregulation (1) —

first crossing, in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358² of the *Local Government Act 1960*³ as in force at any time before 1 July 1996;

standard crossing means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.

All crossovers must be constructed in accordance with the Shire's *Standard Vehicle Crossover Specifications*.

Crossover Subsidy

All new and reconstructed crossovers require written approval by the Shire of Irwin prior to construction.

- I. The owner shall arrange for construction.
- II. The crossover shall be paved utilising in-situ concrete, paving bricks or blocks.
- III. The Shire will contribute 50% towards the cost of only one standard residential crossover, subject to the crossover being deemed to conform to Shire specifications.

- IV. The subsidy shall apply to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy shall apply to each crossover up to the number of dwellings.
- V. The reference a “standard crossover” shall mean a crossover construction to a size conforming to the Shire’s standard widths, referred to in the ***Standard Vehicle Crossover Specifications***.
- VI. Where Council undertakes road works affecting existing crossovers Council will bear the cost of replacement.

Crossover Maintenance

The crossover is that section of driveway that extends from the road kerb or edge of road seal to the front or side property boundary line, across the verge. The property owner is responsible for the cost of construction and all future maintenance and repairs to the crossover, including any damage resulting from the roots of street trees and water runoff from private property.

The Shire will not undertake any maintenance or repairs to the crossover or accept any liability as a result of poorly constructed or maintained crossovers.

Existing Vehicle Crossover

The Shire will not provide any subsidy to replace or repair any existing crossover. It is the property owners’ responsibility to ensure the crossover complies with the Shire’s minimum requirements as defined in the ***Standard Vehicle Crossover Specifications***. Crossover repairs must be undertaken if it is considered by Council to be unsafe.

Administration

To qualify for a subsidy, the applicant must first complete a ***Crossover Application Form*** (prior to construction) and then lodge a ***Crossover Reimbursement Form*** (after construction is finalised) with the Shire.

On receipt of the ***Crossover Application Form*** an Officer from the Works Technical Services Department will conduct a site inspection, prior to construction works commencing, to ensure the proposed crossover is in accordance with the ***Standard Vehicle Crossover Specifications***.

A subsidy will be processed on completion of the construction of a crossover, once a ***Crossover Reimbursement Form*** has been lodged with the Shire. A final inspection will then be carried out by an Officer from the Works Technical Services Department, to ensure that the crossover conforms to the Shire of Irwin’s specifications.

All forms are available from the Shire of Irwin’s Administration Office, at 11-13 Waldeck Street, Dongara or by contacting the Shire of Irwin on 99 270 000.

Bonds

- I. Bonds for the construction of crossovers shall be required to be paid at the time of issue of the building permit. The amount of the bond will be set by the Shire’s Director Planning and Infrastructure.
- II. Crossover construction shall be required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Shire’s Director Planning and Infrastructure that the construction is necessary.

- III. Construction of a crossover as a condition of the building permit shall not be required if the value of the licence is less than \$5,000 or the building work involves only minor works (e.g. pergola, shed, pool, patio, toilet) but shall apply to all building permits for structures accessible to vehicles.

Building Permit

The Building Permit is for building construction inside the property boundary and does not include approval for the construction of a vehicle crossover. Hence, a separate application is required for the construction of a crossover within the road verge, which is vested with the Shire of Irwin.

The position, width, and construction of the crossover shall be in accordance with the Shire of Irwin's ***Standard Vehicle Crossover Specifications***.

Protection of Existing Services, Street Trees and the Public

- I. Existing services within the vicinity of the proposed crossover shall be protected at all times. The owner or authorised representative may be contacted to provide advice in relation to the protection of services;
- II. Where damage is caused to the Shire's infrastructure (i.e. kerb, pathway, road etc) as a result of the construction of the crossover, the infrastructure shall be repaired to the satisfaction of the Director Planning and Infrastructure;
- III. Conflicting public utility services shall be adjusted or relocated at the applicant's expense, subject to formal approval by the relevant authority;
- IV. The Shire's existing drainage structures (i.e. pits drains or culverts) that conflict with the location of the proposed crossover are to be adjusted by the Shire's Works Department and all costs associated with this work shall be borne by the applicant;
- V. The removal, adjustment, or reinstatement of reticulation is the responsibility of the applicant;
- VI. Street trees shall not be removed without the prior approval of the Shire's Director Planning and Infrastructure. Crossovers shall be located a minimum of 2 metres from a tree and removal will only be undertaken where it can be demonstrated that this is the only option available. All costs associated with the removal of the street tree shall be borne by the applicant;
- VII. The applicant shall be responsible for the protection of the public at all times. Signage, lighting, barricades, and/or any other protection measure deemed necessary shall be provided by the applicant to ensure that the public are protected during the execution of the works;
- VIII. Safe access for pedestrians on the verge shall be maintained at all times. The Shire will not permit pedestrians being forced to walk on the road pavement unless appropriate measures are put in place for the protection of pedestrians; and
- IX. Vehicle crossings abutting major roads shall be subject to the approval of Main Roads WA in conjunction with the Shire of Irwin.

<i>Date of Last Amendment – 27 June 2017</i>	<i>(reviewed 27 June 2017 Minute 140617)</i>
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P21 REQUESTS FOR THE CLEARANCE OF VEGETATION ON RESERVES MANAGED BY THE SHIRE OF IRWIN IN ORDER TO REDUCE BUSHFIRE ATTACK LEVELS FOR HABITABLE BUILDINGS ON ADJACENT LAND

PURPOSE

To provide a consistent response to requests for the clearance of vegetation on reserves managed by the Shire of Irwin in order to reduce Bushfire Attack Levels for habitable buildings on adjacent land.

PROVISIONS

The local government will support requests for the clearance of vegetation on reserves managed by the Shire of Irwin in order to reduce Bushfire Attack Levels for habitable buildings on adjacent land, subject to the requesting landowner:

1. placing notifications on the relevant property titles with the purpose of ensuring the landowner will be responsible for ensuring the vegetation is satisfactorily cleared and maintained to the satisfaction of the Shire of Irwin in perpetuity; and
2. bearing the full cost of:
 - a. placing the required notifications on the relevant titles; and
 - b. clearing the vegetation and the ongoing maintenance requirements; and
3. applying for the necessary Clearance Permits from the Department Environment Regulations, at the landowners cost.

Date of Original Adoption – 22 November 2016 (reviewed 27 June 2017 Minute 140617)

P22 STALLHOLDER PERMITS

PURPOSE

The purpose of this Policy is to ensure stallholder permits are correctly determined under the provisions of the *Shire of Irwin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*.

The Policy aims to ensure that there is no conflict with applications that may have its determination impacted by other legislation, such as Food Businesses. The Policy also defines the classes of person to whom a stallholder permit is not required to be obtained and where a fee for an application is not required to be paid.

POLICY

Stallholder Permit Application Forms

An application for a stallholder permit may only be accepted if made on one of the forms endorsed by the Shire.

Stallholder Application Form - Non Food

This form relates to those activities that do not include the sale of food i.e. – items of fabric, wood, jewellery and other similar items.

Stallholder Application Form – Food

This form relates to those activities that involve the sale of food and includes Food Businesses registered under the *Food Act 2008* and also those activities exempted by the *Food Regulations 2009* from Food Business registration that involve the sale of food from the stallholder.

Determination of a Stallholder Permit Application

The officer determining a stallholder application is to have regard to:

- Council Policies – this and any other relevant Policies
- Desirability of the proposed activity – appropriateness and benefit to the community.
- A stallholder cannot sell goods/services within 300m of another premises that sells the same good/services, unless it is a temporary food stall taking part in an event approved by the Shire.
- The location – suitability of the physical site and compatibility with the surrounding area.
- In keeping with the Competition Principles Agreement.
- Evidence of compliance with other relevant laws – includes *Food Act 2008* where applicable.

Exemption to Classes of Persons to Obtain a Stallholder Permit

The Shire exempts a person or class of person who meets the following criteria:

- Persons that have written permission from a private land owner to conduct activities on

a public place that is privately owned land and that activity complies with any other relevant written law. This may include private car parks or thoroughfares situated on privately owned land.

Waiving of Application Fees for Stallholder Permits

The Shire waives the requirement to pay a fee or part of a fee by a charitable organisation and any other class of organisation not specified within its adopted fee schedule.

STATUTORY REFERENCE

Clause 6.5 (1) and Clause 6.7 of the Shire of Irwin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000

<i>Date of Adoption – 27 June 2017</i>	<i>Minute No 140617</i>
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P23 ASSET MANAGEMENT

PURPOSE

The objectives of this policy are to:

- Provide a framework and clear direction for the sustainable management of the Shire's assets;
- Ensure an organisation wide and inclusive approach is taken to asset management;
- Ensure adequate provision is made for the maintenance, renewal, upgrade; and replacement of assets in accordance with agreed levels of service.

DEFINITIONS

The following definitions are relevant to this Policy and are in accordance with IPWEA's International Infrastructure Management Manual 2011:

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 and a replacement cost greater than \$1,000.

Asset Class – Groupings of assets of similar nature and use in a local government's operations. The Shire's asset classes include recreation assets, property assets, transport assets, plant and equipment and waste assets.

Asset Management – The systematic and coordinated activities and practices of an organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of assets.

Asset Management Information Systems – A combination of processes, data, software and hardware applied to provide the essential outputs for effective asset management.

Asset Management Plan – A long term rolling plan (10 years) that outlines the asset activities and programs for each service area and resources applied to provide a defined level of service in the most cost effective way. An Asset Management Plan informs the Shire's Long Term Financial Plan.

Asset Management Policy – A document that broadly outlines the principles and mandated requirements for undertaking asset management across the organisation in a systematic and coordinated way, consistent with the organisation's strategic plans. It provides the framework for the Shire's Asset Management Strategy and Asset Management Plans.

Asset Management Strategy – The high level long-term approach to asset management including asset management action/improvement plans and objectives for managing assets sustainably.

Integrated Asset Management Framework – The overarching asset management hierarchy including the Asset Management Policy, Asset Management Strategy and Asset Management Plans.

Level of Service – Levels of service statements describe the outputs or objectives the Shire intends to deliver to its community.

Lifecycle Cost – The total cost of an asset throughout its life including costs for planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal cost.

POLICY

The Shire will ensure assets supporting the delivery of services to the community are managed responsibly and cost effectively over their lifecycle and take into consideration community expectations for levels of service (time, quality and value for money).

This policy encourages an organisation wide approach and commitment to achieving these policy goals and applies to elected members, employees, contractors and consultants engaged by the Shire. The policy is supported by accurate and current financial details of assets being included within the Long Term Financial Plan.

The Shire's assets are physical items within the boundaries of the local government and under its control. They include but are not limited to the following asset classes:

- Recreation Assets – Parks, ovals and associated ancillary infrastructure, reserves, gardens, playgrounds, significant trees etc.
- Property Assets – Buildings, structures, freehold land and associated ancillary infrastructure, etc.
- Transport Assets – Roads, paths, culverts, drainage, foreshore infrastructure, aerodrome, street furniture etc.
- Plant and Equipment – Vehicles, tools, plant, communication equipment etc.
- Waste Asset – Waste water tanks & ponds, transfer station, residential bins, dump points etc.

Asset Management Plans will be prepared for each major asset class and be annually reviewed and updated.

The Shire's Asset Management Strategy describes how this Policy will be applied within the Shire and specifies how the Shire's asset portfolio will be managed to meet the service delivery needs of its community and visitors.

In order to implement this Policy, the Shire commits to the following Asset Management Principles:

- systematic and appropriate asset management practices be implemented including a continuous improvement approach to asset management;
- a methodology for strategic asset management built around the enhancement and delivery of five key needs areas including service focus, skills, knowledge, review and governance;
- impacts on the Shire's Strategic Community Plan objectives be considered in asset management;
- asset management plans be informed by the Shire's electronic data management system, community consultation, financial planning and workforce planning;
- service levels be identified for all major asset classes in consultation with the community;
- asset renewal and upgrades be prioritised in the Shire's Corporate Business Plan based on level of service and ability of the current assets to provide the desired level of service;
- an asset evaluation program be developed to ensure agreed service levels are maintained and to ensure assets are managed, valued and depreciated in accordance with appropriate asset management practices and applicable Australian Accounting Standards;
- total life cycle costs be considered in asset management decisions relating to new services and assets; and
- assets may be rationalised where the level of service requirement falls to a sufficiently low level.

The Asset Management Policy will be reviewed annually to ensure its currency and relevance.

Date of Original Adoption – 22 May 2012

(reviewed 27 June 2017 Minute 220617)