

# Council Policy Manual



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# Background

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## Introduction

The Shire of Kellerberrin has developed policies as a guide for councillors, employees and the public, on normal practices and activities of Council. The policies assist staff and Council in ensuring and encouraging impartiality, fairness and access to information on decision making and management of Council resources. A Council Policy is not binding on Council but provides a framework and guidance for Elected Members and Staff so that consistency of decision making can be achieved.

The policies contained within this manual have been developed through the input of staff from across the organisation, Senior Management, Elected Members and external Consultants where appropriate. Each policy has been created to address specific matters and objectives of the Shire of Kellerberrin, and, in some instances, as required by legislation.

To maintain Council's decision making and management is up to date, the Policy Manual is reviewed and existing policies are amended or new policies are established and adopted, as required. The document includes a version date to ensure that the most current version is being referred to. A review table is at the end of each policy to track reviews and changes to each policy. An amendment table is also included at the end of this document to track changes and the history of the policy manual. Any alterations will show date and resolution number of the motion of the amendment.

This Policy Manual forms part of the Shire's public documentation and is available to the public on Council's website and during office hours, at the Administration office, on request.

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## **Council and Governance**

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## CG 01.01 Acting CEO Policy

Version: Current

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to appoint an Acting Chief Executive Officer while the Chief Executive Officer is away on an extended period of leave.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin Chief Executive Officer and senior staff.

## 3. DEFINITIONS

<b>Act</b>	Local Government Act 1995
<b>CEO</b>	Shire of Kellerberrin Chief Executive Officer
<b>Council</b>	Local Government of the Shire of Kellerberrin, as per <i>Act Division2, Section 2.5</i>

## 4. STRATEGIC CONTEXT

This policy links to key goal areas:

- Relationships that bring us tangible benefits (to the Shire and our community)
- Our lifestyle and strong sense of community
- We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

Pursuant to Section 5.37 of the Act, the following employees are designated as senior employees –

- Manager of Governance; and
- Manager Works & Services

For the purposes of Section 5.36 (2) of the Act, the Council has determined that employees that are appointed in one of the above positions are suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave, subject to the following condition:

- The CEO is not an interim CEO or Acting in the position;
- The term of appointment is not longer than 20 working days consecutive;
- That the employee's employment conditions are not varied other than the employee is entitled at the CEO's discretion, no greater than the salary equivalent to that of the CEO during the Acting period.

In the case of the unavailability of the CEO due to an emergency, the Manager of Governance is automatically appointed as the Acting CEO for up to a period of 2 weeks from commencement, and continuation is then subject to determination by the Council.

All other interim, Acting or CEO appointments to be referred to Council.

## 6. RELATED LEGISLATION/ DOCUMENTATION

CEO is a designated senior employee under the Act. There is no requirement to have designated employees other than for the purpose of automatic appointment as Acting Chief Executive Officer. Most requirements placed on designated employees are already covered by s.5.74 – to declare gifts and to make primary / annual declarations if making direct report to Council or exercising delegated authority.

- Local Government Act 1995.

7. HISTORY

Original Adoption	April 2021	Resolution #	MIN039/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



## 1. PURPOSE

The purpose of this policy is to guide Council's annual performance and remuneration review process for the Shire's Chief Executive Officer.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

Section 5.38 of the *Local Government Act 1995* requires Council to review the performance of the Chief Executive Officer at least once each year. Conducting this review is an important function of Council because the CEO is Council's only employee and it is through this review process that Council can also review the performance of the organisation. At the same time, it is appropriate for Council to also conduct an annual review of the CEO's remuneration package.

The Salaries and Allowance Tribunal (SAT), established under the *Salaries and Allowances Act 1975* (the Act), has responsibility for determining and recommending rates of remuneration for local government CEO's in accordance with sections 7A and 8 of that Act. Rather than determine a specific remuneration package amount, SAT sets the minimum and maximum Total Reward Package (TRP) to be paid or provided to local government CEOs depending on a 'Band' classification structure established by the SAT. The SAT has classified the Shire of Kellerberrin as a Band 4 local government.

### Performance Review Panel

- a) The Council shall establish a CEO Performance Review Panel (the Panel) to have carriage and oversight of the Annual Review Process.
- b) The Panel shall be appointed by resolution of Council for a two year term ending on the date of the next ordinary local government election.
- c) The Panel shall comprise up to seven members, including the President as Chairperson.
- d) The primary functions of the Panel are to:
  - (i) Subject to clause 2.4, determine the scope of work to engage a consultant to assist with the conduct of the review process;
  - (ii) Review quotations received from consultants to assist with the conduct of the review process;
  - (iii) Provide a recommendation to Council on the appointment of a suitable consultant to assist with the conduct of the review process;
  - (iv) Manage the consultant appointed by Council;
  - (v) Review the results of the performance review process and remuneration review and provide a recommendation to Council on the same; and

- (vi) Discuss possible KPIs and measurements with the CEO for reporting to Council arising from the performance review process.

### **Appointment of Consultant**

- a) Council shall have due regard to the advice of the Panel and shall appoint a suitably qualified and experienced consultant to assist with the conduct of the performance review process in an independent and equitable fashion.
- b) Unless otherwise determined by Council, the selected consultant shall be appointed for a two year term to coincide with the membership term of the Panel.
- c) To ensure the review process is commenced in a timely manner, Council will make the decision to appoint a consultant by no later than one month before the CEO's 12 month anniversary date falls due.
- d) The appointed consultant shall, as a minimum, undertake the following as part of the performance review process:
  - (i) Prepare and distribute a questionnaire to all current Council Members on the extent to which the CEO is considered to have achieved the KPIs and measurements that applied during the review period;
  - (ii) Provide all current Council Members with the opportunity to provide verbal feedback on:
    - the extent to which the CEO is considered to have achieved the KPIs and measurements that applied during the review period;
    - the CEO's responsibilities during the review period; and
    - the organisation's performance during the review period.
  - (i) Conduct a review of the CEO's remuneration package;
  - (ii) Convene and attend at least one meeting between the consultant and the CEO to discuss the feedback received;
  - (iii) Convene and attend at least one meeting between the consultant and the Panel to discuss the feedback received;
  - (iv) Convene and attend at least one meeting between the consultant, the Panel and the CEO to discuss the feedback received; and
  - (v) Provide to the Panel and the CEO an Annual Performance Review report incorporating the results of the review exercise.
  - (vi) Conduct a review of the CEO's Key Performance Indicators (KPIs) and recommend draft KPIs and measurements for the upcoming review period in discussion with the CEO and the Panel.

### **Roles & Responsibilities** The President will be responsible for:

- 05 Coordinating the activities of the Panel throughout the review process; and
- 06 Two months prior to the completion of the KPI review year falling due, initiating the Request for Quotation (RFQ) process to appoint a consultant in accordance with Council's Purchasing Policy and relevant corporate procedures.

No later than six weeks following the completion of the KPI review year, the CEO shall provide to Council's appointed consultant a written self-assessment of the CEO's own performance against the KPIs and measurements that applied during the review period.

Council's appointed consultant will be responsible for coordinating Council Member feedback on the CEO's self-assessment against KPIs and measurements, and the Manager's feedback on the CEO's leadership behaviours.

The Panel is responsible for:

- a) Presenting a report to Council to appoint a suitable consultant prior to the CEO's anniversary date falling due; and
- b) Overseeing the performance review process and ensuring that a final review report is presented to Council to conclude the process within 3 months of the completion of the former KPI review period.

If a local government election, or another extraordinary event, falls within this 3 month period, the Panel shall establish revised timeframes for the review process in liaison with the CEO.

- The Panel and the CEO shall be responsible for presenting the draft KPIs and measurements to Council for determination within 3 months of the completion of the former KPI review period.
- It is incumbent upon Council Members and senior staff to actively participate in the CEO Performance Review process and to provide feedback in accordance with the provisions of this policy.

**KPI Review Period**

- If the CEO’s anniversary date does not align with the financial year, then over a period of time agreed between Council and the CEO, the CEO’s KPI review period (inclusive of remuneration review) will be transitioned to align with the financial year.
- To give effect to clause 4.1, Council and the CEO may agree to conduct a performance review(s) for a period of less than 12 months based on KPIs that align to that same duration of time.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CG 01.03 Conference & Meeting Attendance & Expenses****Version: Current****Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure Councillors are aware of opportunities to attend Local Government Week Conference and other conferences and meetings requiring/allowing the attendance of a representative of Council.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Notices inviting Council to nominate delegates or observers to conferences, meetings and similar occasions be circulated to all Councillors. Any Councillors who wish to represent Council at such an event shall request nomination at a Council Meeting. Council shall decide by resolution to nominate such representatives as Council may consider are appropriate.

Councillors receiving authorisation to attend are required to provide a written report on attendance of meeting.

Council will pay the conference/meeting registration fees, accommodation expenses as deemed appropriate by Council and travelling expenses for the delegate if using their private vehicle, at a rate prescribed in the Local Government Industrial Award 2010.

**Conference – Local Government Week**

The Council President, Deputy President and the Chief Executive Officer will be the nominated delegates for Council. In the event of these delegates not being able to attend, Council may decide by resolution, to choose other Councillors to replace them.

Councillors wishing to attend the Annual Conference in addition to the nominated delegates should advise when registrations are requested or when notice of Conference is presented to Council.

Council shall determine by resolution all matters pertaining to representatives, numbers of Councillors attending and payment of expenses, but the following shall be used as a guide;

- a) Council shall pay the expenses of Annual Conference delegates.
- b) Council shall pay the cost of conference registration for the delegate and the annual dinner fee for both the delegate and delegate's partner.
- c) Council shall pay the accommodation expenses, which includes bed and breakfast for the delegate and delegate's partner.

**Other Conferences. Meetings and Occasions**

All proposals for attendance at other conferences and meetings shall firstly be subject to an assessment by Council with advice from the Chief Executive Officer based on the following criteria –

- Whether the proposal relates to an objective identified within the current or future strategic direction of Council.
- The current relevance of the proposal to the Shire.
- Historic or expected attendance.
- The relationship of the proposal to the outcomes to be delivered and how these relate to the Councillor’s role as either a Presiding Member, Committee Member or Councillor.
- Equity of opportunity and the remaining period of office of the Councillor concerned including recognition of the number of opportunities previously provided to the Councillor.
- Whether there are more cost effective options to acquire the relevant knowledge and information.
- Whether it is appropriate that more than one Councillor attend.
- The total cost of travel, accommodation, registration, meals and other expenses and the potential impact of these on the Shire’s budget allocation including the future impact on conference attendance by other Councillors during the current financial year.

**Administration Process**

Registration for all approved conferences and meetings including travel and accommodation must be organised through the Chief Executive Officer. Where possible, all airfares and other travel arrangements including registration, accommodation and associated fees and charges shall be paid direct by the Shire.

**Reimbursement of Expenses**

Authorised expenditure shall be reimbursed to the Councillor delegate upon presentation of receipts. Councillor delegates will be personally liable for any outstanding amounts not properly authorised.

The Chief Executive Officer is responsible for implementing this policy.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to maintain professional protocols when attending the Office of Council

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The following protocols for a Council Member to access the Office of Council and/or seek access to designated Staff;

- a) Council Members shall only enter the Office of the Council via the front entry, other than for Council Meetings.
- b) Council Members shall announce their arrival at the front Customer Service Reception Desk, to request access to Staff.
- c) Council Members shall announce their arrival at the front Customer Service Reception Desk in order to pick up Council Members mail/business papers.
- d) Whilst in the Office of Council, Council Members shall;
  - (i) be seen to act properly and professionally in accordance with Council's adopted Rules of conduct and in accordance with any other Law
  - (ii) perform their duties impartially, in good faith, honestly and in the best interest of the Council, uninfluenced by fear or favour and without exceeding their powers which have been identified in the best interest of the Council and the Community.
- e) Always remain responsible for the safety and security of the Office of Council and of the Chambers of the Council whilst attending for their respective use and requirements.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CG 01.05 Designated Senior Employees Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to clearly identify employees to be appointed Senior Employees pursuant to provisions of the Local Government Act 1995.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

That the following positions:

- Manager of Governance
- Manager Works & Services

Be designated as Senior Employees pursuant to the provisions of Section 5.37 of the Local Government Act 1995.

The Chief Executive Officer is responsible for ensuring that Council is informed of each proposal to employ or dismiss a senior employee employed under a contract of employment and advertisements for these positions are done in accordance with Section 5.37 (3) of the Local Government Act 1995.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended	June 2023	Resolution #	MIN060/23

**CG 01.06 Elected Member Continuing Professional Development Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

To ensure that elected members of the Shire of Kellerberrin receive appropriate information and training to enable them to understand and undertake their responsibilities and obligations

**2. SCOPE**

This policy applies to the Shire of Kellerberrin elected member

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire of Kellerberrin recognises the importance of providing Elected Members with the knowledge and resources that will enable them to fulfil their role in accordance with statutory compliance and community expectations and make educated and informed decisions.

Pursuant to the Local Government Act 1995, elected members must complete Council Member Essentials which incorporates the following training units:

- a) Understanding Local Government
- b) Conflicts of Interest
- c) Serving on Council
- d) Meeting Procedures and Debating; and
- e) Understanding Financial Report and Budgets.

Council's preferred provider for the training is WALGA (Western Australian Local Government Association) or South Metropolitan TAFE.

All units and associated costs will be paid for by the shire and must be completed by 30 June in the year immediately following the elected member's election. The training is valid for a period of five years.

Additionally, the Shire will publish, on the Shire's website, training undertaken by all Elected Members within one month after the end of the financial year pursuant to Local Government Act 1995.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost efficient form of delivery. It is acknowledged however that there may be Elected Members who prefer to receive the training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

**Procedures**

Considerations for approval of the training or professional development activity include:

- The costs of attendance including registration, travel and accommodation, if required;
- The Budget provisions allowed and the uncommitted or unspent funds remaining;



- Any justification provided by the applicant when the training is submitted for approval:
- The benefits to the person attending:
- Identified skills gaps of elected members both individually and has a collective:
- Alignment to the Shire's Strategic Objectives; and
- The number of Shire representatives already approved to attend.

Consideration of attendance at training or professional development courses, other than the online Council Member Essentials, which are deemed to be approved, are to be assessed as follows:

- Events for the Shire President must be approved by the Deputy Shire President, in conjunction with the CEO; and
- Events for Councillors must be approved by either the Council or the Shire President, in conjunction with the CEO.

Note: Any expenditure commitments associated with training.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Nil

## 7. HISTORY

Original Adoption	April 2021	Resolution #	MIN039/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CG 01.07 Elected Member Training Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure Elected Members are provided with the appropriate training to enable them to fulfil their duties of office.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Council recognises that Elected Members have a responsibility to undertake the training necessary to enable them to fulfil their duties of public office. Council therefore is committed to the ongoing development of its Elected Members in the interests of effective representation.

An annual allocation shall be provided in each year's budget to pay for Elected Member training and development.

Elected members are encouraged to attend Councillor Governance Training Courses by seeking Council approval, by resolution at a Council Meeting, for such attendance.

Council shall pay the Councillor's training registration fees, appropriate accommodation fees as determined by Council and travelling expenses if using the Councillor's private vehicle at a rate per kilometre as specified within the Local Government Industrial Award 2010.

A Councillor may use a Council Vehicle for attendance at a training seminar/course held within Council office hours, provided there is another Council Vehicle available for Office use.

Elected Members are now required to complete five mandatory training courses within 12 months of being elected.

The Chief Executive Officer is responsible for implementing this policy.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CG 01.08 Freeman of the Shire of Kellerberrin Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure consistency in the appointment of Freeman of the Shire and uphold the honour of the position.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Guidelines for Appointment**

The award of Freeman is intended to recognise outstanding community service over a significant period of time and in a diversity of activities within the Shire of Kellerberrin. The award would not usually be presented for excellence of service in only one activity.

**Residency Eligibility**

Nominees should have lived within the Shire of Kellerberrin 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.

**Service**

The award is intended to recognise service within the local community that goes beyond the particular local government concerns (e.g. service to other organisations, voluntary and community groups) in a largely voluntary capacity. The nominees must have made an outstanding contribution to the Shire of Kellerberrin such that the nominee's contribution can be seen to stand above the contributions made by most other people.

The award of Freeman is to be seen as independent of any other award.

This award is to be recognised as the highest honour that the local community, through its elected Shire Council, can confer on one of its citizens. It therefore follows that the award will be conferred sparingly.

For the award to have the desired standing within the community, it should only be conferred where there is a great assurance of public approval.

It is suggested that the Minister for Local Government be consulted with regard to each candidate, prior to Council's formal resolution conferring the award.

**Nomination Procedure**

Nominations must be made in the strictest confidence without the nominee's knowledge.

Any resident or elector of the Shire of Kellerberrin may make a nomination but an elected member must sponsor it.

Nominations must be made in writing to the Chief Executive Officer. On receipt of a nomination, the nomination shall be circulated to all elected members for a confidential, information discussion. If an elected member expresses an objection to the nomination, that elected member must give reasons for the objection. If no elected member objects, it shall be assumed that all agree to the nomination.

If the elected members agree that the nominee should be made an Honorary Freeman of the Shire of Kellerberrin, the nomination shall be put before Council and a formal vote taken.

It is not seen as desirable that the award of Freeman be presented to a sitting member of Council. The title of Freeman confers upon the holder an invitation to attend any function conducted by the Shire of Kellerberrin.

The award shall be made at a ceremony, decided by the President.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CG 01.09 Shire President – Motor Vehicle Registration Plates Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to prescribe the use of the motor vehicle registration number plate 00 KE, by the Shire President during his/her term in office.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin elected members.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire of Kellerberrin retains ownership of the motor vehicle registration number plate 00 KE at all times for the use of the Shire President, elected by the Council every two years or as the need arises.

The Shire President, upon his/her election by elected members may use the motor vehicle registration number plate 00 KE on his/her primary private motor vehicle for the duration of his/her term in office, subject to a written undertaking to return the plates upon stepping down from the position of Shire President.

The Shire of Kellerberrin is to meet all costs associated with the manufacture/purchase of the motor vehicle registration number plate 00 KE, including remakes and transfer of the plates onto a private motor vehicle.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

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## **Corporate Services**

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## CS 02.01 Attendance at Events Policy

Version: Current

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to provide transparency and consider the purpose of, and benefits to the community from Elected members and the Chief Executive Officer attending events.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Elected members, Chief Executive Officer and employees. This policy is not intended to provide guidance on the acceptance of a gift.

**3. DEFINITIONS**

<b>CEO</b>	Chief Executive Officer of the Kellerberrin Shire
<b>Elected Members</b>	Elected President of the Shire of Kellerberrin; or A Councillor on the council.
<b>Employees</b>	Shire of Kellerberrin staff (part time, casual, full time and contract)
<b>President</b>	Person elected by electors of the district as President to the Council of Shire of Kellerberrin.
<b>Shire</b>	Local Government of the Shire of Kellerberrin, as per <i>Act Division2, Section 2.5</i>

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

This policy applies to Elected Members, the CEO and all employees of the Shire of Kellerberrin (the Shire) in their capacity as an Elected Member or employee of the Shire and where they may receive free or discounted tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community, generally, from a third party.

Attendance at an event, in accordance with this policy, will exclude a gift recipient from the requirement to disclose a potential conflict of interest if the ticket is above \$300 (inclusive of GST) and the donor has a matter before Council. Any gift received that is \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

**Notations**

- If an Elected Member receives a ticket in their name, in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.
- Whilst the law permits gifts greater than \$300 to be accepted by the CEO (but not other employees), in their role with the Shire, the CEO and all other employees, by operation of this Policy, are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event, or as a gift pursuant to Section 5.50 of the Act (gratuity on termination).
- If the CEO or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct re; notifiable and prohibited gifts.
- An event does not include training, which is dealt with separately via employment contract and Councils Policy Elected Member Training.

- Nothing in this Policy shall be construed as diminishing the role of the CEO in attending or approving attendance at activities or events by other employees, that in the opinion of the CEO, are appropriate, relevant and beneficial to the Shire and its employees as long as it does not involve gifted or discounted attendance fees.

### **Permitted Events**

All Elected Members, the CEO and employees with the approval of the CEO or their respective Line Manager, are entitled to attend permitted events to assist represent the Shire.

If there is a fee associated with a permitted event, the fee, including the attendance of a partner, and if deemed necessary, travel and accommodation, may be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under clause 4 of this policy.

If there are more Elected Members than tickets provided then the Shire President shall allocate the tickets.

Note well: Donated or Discounted individual tickets and any associated hospitality with a discount / donated estimated or face value above \$500 (inclusive of GST and if relevant, travel) provided to the Shire are to be referred to Council for determination.

The following events are permitted subject to the provisions of this policy:

- Advocacy, lobbying or Members of Parliament or Ministerial briefings (Elected Members, the CEO and Line Management only);
- Meetings of clubs or organisations within the Shire of Kellerberrin;
- Any free event held within the Shire of Kellerberrin;
- Australian or West Australian Local Government events;
- Events hosted by Clubs or Not for Profit Organisations within the Shire of Kellerberrin to which the Shire President, Elected Member, CEO or employee has been officially invited;
- Shire hosted ceremonies and functions;
- Shire hosted events with employees;
- Shire run tournaments or events;
- Shire sponsored functions or events;
- Community art exhibitions within the Shire of Kellerberrin or District;
- Cultural events/festivals within the Shire of Kellerberrin or District;
- Events run by a Local, State or Federal Government;
- Events run by schools and universities within the Shire of Kellerberrin;
- Major professional bodies associated with local government at a local, state and federal level;
- Opening or launch of an event or facility within the Shire of Kellerberrin or District;
- Recognition of Service event's within the Shire of Kellerberrin or District;
- RSL events within the Shire of Kellerberrin or District;
- Events run by WALGA, LGIS or a recognised and incorporated WA based local government professional association; and
- Where Shire President, Elected Member or CEO representation has been formally requested.

### **Approval Process**

Where an invitation is received to an event that is not listed as permitted and not prohibited or requiring Council approval, it may be submitted for approval prior to the event for approval as follows:

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the CEO may be approved by the Shire President; and
- Events for employees may be approved by the CEO or their respective Line Manager.

Considerations for approval of the event include:

- Any justification provided by the applicant when the event is submitted for approval.
- The benefit to the Shire of the person attending.
- Alignment to the Shire's Strategic Objectives.



- The number of Shire representatives already approved to attend.

### **Other Matters**

- If the event is a free event to the public then no action is required.
- If the event is ticketed and the Elected Member, CEO or employee pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member, CEO or employee pays a discounted rate, or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the CEO (or President if the CEO) if the discount or free value is greater than \$50 for employees, other than the CEO, and greater than \$300 for Elected Members and the CEO.

### **Conference Registration, Bookings, Payment and Expenses**

Shall be dealt with in accordance with Council Policies and relevant employment contracts:

- Elected Member Training
- Conference & Meeting attendance & Expenses

### **Dispute Resolution**

All disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Elected Members and the CEO and the CEO in relation to other employees.

### **Procedures**

Organisations that desire attendance at an event by a particular person(s), such as the President, Deputy President, Elected Member, CEO or particular officer of the Shire, should clearly indicate that on the offer, together what is expected of that individual, should they be available, and whether the invite / offer or ticket is transferable to another Shire representative.

Free or discounted Invitations / offers or tickets that are provided to the Shire without denotation as to who they are for, are to be provided to the CEO and attendance determined by the CEO in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

### **Forms and Templates**

Declaration of Gifts/Contributions to Travel Form is required to be completed and lodged within 10 days, if the gift of free or discounted attendance is provided in their name due to or as part of their role with the Shire as follows:

- If the gift is provided to the Elected Member and the discount or free value is over \$300, inclusive of GST, with the CEO;
- If the gift is provided to the CEO and the discount or free value is over \$300, inclusive of GST with the Shire President; and
- If the gift is provided to an employee, other than the CEO, and the discount or free value is over \$50, inclusive of GST, with the CEO.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

Section 5.90A of the Act requires the Shire to prepare and adopt\* a policy that deals with matters relating to the attendance of Elected Members and the CEO at events, including:

- a) The provision of tickets to events; and
- b) Payments in respect of attendance; and
- c) Approval of attendance by the local government and criteria for approval; and
- d) Any prescribed matter.

*\*Absolute majority required*

A policy or an amendment to the policy must comply with any prescribed requirements relating to the form or content of a policy under this section.

The CEO must publish an up-to-date version of the policy on the Shire’s website.

**7. HISTORY**

Original Adoption	April 2021	Resolution #	MIN043/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## CS 02.02 Closed Circuit Television Policy

Version: Current

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure appropriate governance of video surveillance and recording operations.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Community

**3. DEFINITIONS**

<b>Council</b>	elected members of the Shire of Kellerberrin
<b>Review</b>	activity undertaken to determine the suitability, adequacy and effectiveness of the subject matter to achieve established objectives (AS/NZS ISO 31000:2009)
<b>Risk</b>	effect of uncertainty on objectives (AS/NZS ISO 31000:2009)
<b>Risk Assessment</b>	overall process of risk identification, risk analysis and risk evaluation (AS/NZS ISO 31000:2009)
<b>Risk Treatment</b>	process to modify risk (AS/NZS ISO 31000:2009)
<b>Shire</b>	the Shire of Kellerberrin
<b>Value</b>	combination of quality standards, sustainability, life cycle costing, total costs of ownership and transaction costs, exclusive of GST

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- Relationships that bring us tangible benefits (to the Shire and our community)
- Our lifestyle and strong sense of community
- We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Commitments as to Surveillance and Recording**

The Shire must deploy and operate surveillance equipment only in the interests of community safety; and only in accordance with relevant legislation.

The Shire must make surveillance records available only in the interests of community safety; and only in accordance with relevant legislation.

**Rationale for Surveillance**

The Shire is committed surveillance in order to:

- Minimise human and environmental Risk; and
- Increase the likelihood of achieving its goals.

**Deployment of Video Surveillance**

Prior to being established, installations of video surveillance equipment must:

- be technically feasible;
- present reasonable Value;
- have the necessary budget appropriation;
- have documented or testimonial evidence of activity in the proposed vicinity of the installation which presents a human or environmental Risk; and
- have documented a Risk Assessment for which the Risk at (d) exceeds Tolerable prior to Risk

Treatment.

Upon being established, installations of video surveillance equipment must be accompanied in the general vicinity under surveillance by permanent signage advising that the area is under surveillance.

### **Recording and Storage**

Information produced by operation of video surveillance equipment is to be stored and disposed of in accordance with the General Disposal Authority for Local Government Records.

### **Access to Information**

- Access to recordings must occur either via Freedom of Information provisions (fees apply as per Shire of Kellerberrin Schedule of Fees and Charges); or
- in the case of WA Police official business requiring timely access consistent with commitments and rationale at 1. and 2. above, via a joint memorandum of understanding between the WA Police representative and the Chief Executive officer which may include fees and charges; or
- where in the documented opinion of the Chief Executive Officer it is necessary to provide temporary, qualified and supervised access to fulfil the commitments and rationale for surveillance at 1. and 2. above.

### **Accountability and Responsibility**

The Chief Executive Officer must:

- a) Review periodically the Video surveillance and recording policy; and
- b) Allocate resources necessary to support the operation of Video surveillance and recording.

### **Review and Improvement**

The Shire should review and improve the Video surveillance and recording policy on a periodic basis.

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

Surveillance Devices Act 1998

Security and Related Activities (Control) Act 1996

Freedom of Information Act 1992

## **7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## CS 02.03 Contract Management Policy

Version: Current

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

To support the Shire's Procurement Policy.

**2. SCOPE**

This policy applies to procurement-related activities including recording of contracts and managing contractor relationships including measuring of performance against the Shire's requirements.

**3. DEFINITIONS**

<b>Act</b>	Local Government Act 1995
<b>CEO</b>	Shire of Kellerberrin Chief Executive Officer
<b>Contracts</b>	A contract is a legally binding agreement that sets out the rights and duties of the parties involved. Typical contracts entered into by the Shire include the provision of building maintenance, construction of civil works, supply of goods and materials and consultancy services on issues such as engineering design, industrial relations, town planning, local enforcement and community engagement.
<b>Council</b>	Local Government of the Shire of Kellerberrin, as per <i>Act Division2, Section 2.5</i>

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

This policy provides guidance on the review of the Shire's contractors prior to any extension or renewal action, to ensure performance outcomes are achieved.

The objective of this policy is to govern the execution and management of contracts entered into by the Shire and minimise the exposure to financial and reputational risk. This Policy is to be read in conjunction with the Shire's Procurement Policy.

The Manager of Governance is responsible for reviewing and updating this Policy every two years or as required.

- a) Council supports an active and ongoing contractor management system which:
  - Seeks opportunities for improvements in service delivery;
  - Is based on contemporary risk management principles; and
  - Promotes positive working relationships between contractors and the Shire.
- b) To achieve these outcomes, the Shire will ensure that all contracts are reviewed prior to any extension or renewal action.
- c) As a business rule all Shire contracts above the value of \$25,000.00 that address the requirements for contract variations and exercising of extension options will be recorded and centrally registered within the Shire's contractor management database.

- d) Information in the contract management database will be maintained to ensure that it remains current. All Shire contracts nearing expiry will undergo review and renewal in a timely manner (no less than three months prior to the contract expiry)
- e) All Shire contract nearing expiry will undergo review and renewal in a timely manager (no less than three months prior to the contract expiry). Reviews should be consultative and clearly communicated with contractors.

The outcomes of such reviews shall be recorded in the Shire's record keeping system and used to inform corrective actions and guide future contracting decisions.

- f) The Policy does not apply to employment contract, non-binding Memoranda of Understanding or partnering agreements with other agencies.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Local Government tendering is subject to the requirements of s.3.57 of the *Local Government Act 1995* and r. 11 – 24 of the *Local Government Act (Functions and General) Regulations 1996*.

Local government record keeping (including procurement-related matters) is subject to the requirements of the *State Records Act 2000*

## 7. HISTORY

Original Adoption	November 2021	Resolution #	MIN184/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CS 02.04 Fraud and Prevention Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure that the Shire of Kellerberrin prevent, deter and detect fraudulent and corrupt behaviour in the performance of the Shires activities.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS**

NIL

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

- a) All Elected Members and employees have a key responsibility to safeguard against damage and loss through fraud, corruption or misconduct and have an obligation to support efforts to reduce associated risk by behaving with integrity and professionalism in undertaking their duties.
- b) The Shire expects its elected members and employees to act in compliance with the Codes of Conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the Shire.
- c) All suspected instances of fraudulent or corrupt conduct are to be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.
- d) The Chief Executive Officer is to ensure that a Fraud and Corruption Prevention Plan is developed, reviewed by the Audit Committee, and adopted by Council at least once every two years.

**6. RELATED LEGISLATION/ DOCUMENTATION**

Fraud and Corrupt Prevention Plan

**HISTORY**

Original Adoption	April 2021	Resolution #	MIN037/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CS 02.05 Information Communication Technology (ICT) Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to ensure effective security is a team effort involving the participation and support of every Shire of Kellerberrin employee who deals with information and/or information systems and devices. Every digital device user must understand this policy and carry out their use of digital devices in accordance with this policy.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees and its elected members.

**3. DEFINITIONS**

<b>Employees</b>	Persons performing work with the Shire of Kellerberrin.
<b>ICT</b>	Information Communication Technology
<b>ICT Team</b>	Perfect Computer Solutions (PCS)
<b>CEO</b>	Chief Executive Officer

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****General Use of ICT Equipment**

While the Shire of Kellerberrin's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the Shire of Kellerberrin's database/server systems remain the property of the Shire of Kellerberrin. The need to protect the Shire of Kellerberrin's network, the confidentiality of personal (non-work-related) information stored on any network device belonging to the Shire of Kellerberrin cannot be guaranteed.

A degree of personal use is allowed on the Shire of Kellerberrin's equipment/devices/systems. Employees/Elected members should exercise conservative judgment regarding the reasonableness of personal use but should be guided by the following principles:

- a) personal use should be conducted either before or after contracted hours of work or during authorised breaks;
- b) Personal use should be limited and brief, avoiding excessive downloads or transmissions. An example of acceptable personal use would be conducting brief transactions through internet banking;
- c) personal use should not breach anything in this policy, particularly relating to the downloading of offensive or copyrighted materials;
- d) managers will determine the specific acceptable personal use for their respective business areas as this will differ according to the needs of each group; and
- e) if there is any uncertainty regarding acceptable personal use then employees should consult their supervisor or manager for guidance.

For security and network maintenance purposes, authorised individuals within the Shire of Kellerberrin may monitor equipment, systems and network traffic at any time, according to the specific nature and requirements of their roles.



The Shire of Kellerberrin reserves the right to audit networks and systems on a periodic basis to ensure system integrity and compliance with this policy.

All emails sent by Shire of Kellerberrin employees/elected members should include the 'signature' and disclaimer at the foot of the body of the email, in the format specified by the Shire of Kellerberrin's style guide.

### **Security and Proprietary Information**

- a) All information stored on the Shire of Kellerberrin's database/server systems should be regarded as confidential and care must be exercised before sharing or distributing any information. If there is any uncertainty regarding the level of confidentiality involved then employees/elected member should consult their supervisor or manager for guidance.
- b) Passwords are kept secure by the employee/elected member and recorded through KeePass where access is only permitted by the Chief Executive Officer. Accounts must not be shared and Authorised users are responsible for the security of their passwords and accounts. Passwords should be changed in accordance with Shire of Kellerberrin's advice from the ICT Team and forwarded to the Chief Executive Officer to update KeePass.
- c) All devices connected to the Shire of Kellerberrin's computing systems/networks, regardless of ownership, must be running approved and up to date virus-scanning software.
- d) Employees/elected members must use caution when opening files received from unknown senders.

### **Unacceptable Use**

The information in this policy provides a framework for activities which fall into the category of unacceptable use, but do not represent an exhaustive list. Some users are exempted from these restrictions during the course of carrying out responsibilities related to their role.

Under no circumstances is any user authorised to engage in any activity that is illegal under local, state, federal or international law while connected to or utilising Shire of Kellerberrin ICT systems or resources.

### **System and Network Activities**

The following activities are not permitted:

- a) violations of the rights of any person or company/organisation protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the duplication, installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Shire of Kellerberrin or the end user;
- b) unauthorised copying or digitising of copyrighted material and the installation of any copyrighted software for which the Shire of Kellerberrin or the end user does not have an active license;
- c) exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. The appropriate Manager should be consulted prior to export of any material where status is in unclear;
- d) introduction of malicious programs or codes into the network or onto devices connected to the network;
- e) revealing your account password to others or allowing use of your account by others;
- f) the Shire of Kellerberrin's equipment is not to be used for the downloading or distribution of any material that could be considered as offensive. If an employee/elected member receives such material they should notify their Manager and/or CEO and also the ICT Team;
- g) making fraudulent offers of products, items, or services, or running private business interests via any Shire of Kellerberrin equipment, device or account; and
- h) undertaking private work.

The following activities are not permitted unless they are within the scope of regular responsibilities for an expressly authorised role/position:

- a) effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorised to access;
- b) executing any form of network monitoring which will intercept data not intended for the user's host;
- c) attempting to avoid or bypass the Shire of Kellerberrin's network security measures;

- d) interfering with any other user's account, by whatever means; and
- e) using the system in a way that could damage or affect the performance of the network.

### **Email and Communications Activities**

The following activities are not permitted:

- a) except in the course of normal business notifications, sending or forwarding unsolicited electronic messages, including the sending of "junk mail" or other advertising material, jokes, or chain communication to individuals who did not specifically request such material;
- b) any form of harassment via electronic/ICT means;
- c) unauthorised use, or forging, of email header information;
- d) solicitation of communication for any other electronic address, other than that of the poster's account, with the intent to harass or to collect replies;
- e) creating or forwarding "chain letters" or "pyramid" schemes of any type;
- f) use of any of the Shire of Kellerberrin's network or systems for the purpose of generating unsolicited communications;
- g) providing information about, or lists of, the Shire of Kellerberrin's employees to parties outside the Shire of Kellerberrin or to personal email addresses;
- h) communicating in a manner that could adversely affect the reputation or public image of the Shire of Kellerberrin; and
- i) communicating in a manner that could be construed as making statements or representations on behalf of the Shire of Kellerberrin without the CEO's express permission to do so.

Users should also endeavour to archive their Inbox, Sent Items, Deleted Items and other email boxes on a regular basis, by either archiving or saving in the central record system. A size limit per mailbox may be implemented to ensure that the system is functioning optimally.

### **Remote Access**

Employees/Elected members with remote access should be reminded that, when they are connected to the Shire of Kellerberrin's network, their machines are an extension of that network, and as such are subject to the same rules and regulations that apply to the Shire of Kellerberrin's equipment and database/server systems. That is, their machines need to connect and communicate reliably with the Shire of Kellerberrin's network and servers to ensure the security and integrity of data and records.

Employees/Elected members are reminded of the following conditions relating to remote access to the Shire of Kellerberrin's system:

- a) family members must not violate any of the Shire of Kellerberrin's policies, perform illegal activities, or use the access for outside business interests;
- b) the device that is connected remotely to the Shire of Kellerberrin's database/server network should be secure from access by external non-Shire of Kellerberrin parties and should be under the complete control of the user;
- c) the use of non-Shire of Kellerberrin email accounts (e.g. Yahoo, Outlook, Gmail etc.) or other external resources is not permitted for the conduct of Shire of Kellerberrin business, thereby ensuring official business is not confused with personal business; and
- d) all devices (whether personal or corporate) connected to the Shire of Kellerberrin's networks via remote access technologies should have up-to-date anti-malicious-code software.

### **Provision and Use of Mobile Phones and Information/ Communication Devices**

Some employees/elected members will be supplied with a mobile phone and/or other mobile computing device if it is deemed necessary to their position. All mobile/portable devices supplied remain the property of the Shire of Kellerberrin and users must not change service providers unless authorized in writing to do so.

Where a mobile phone or device provides an email service, all emails sent or received or otherwise processed via the mobile device that are classified as a record of the Shire of Kellerberrin should be sent through the Shire of Kellerberrin's server, to ensure the integrity of the recordkeeping system.

Where the device includes a digital camera, users are to use the technology in a sensible manner. A failure to do so may lead to disciplinary action including possible termination of employment/contract. Employees/elected members may also be held criminally liable for their actions.

It is unlawful for drivers to operate a mobile phone and/or other mobile computing device whilst driving. Phone calls may otherwise be made or received providing the device is accessible while mounted/fixed to the vehicle or does not need to be touched by the user. An employee/elected members who operates a mobile phone and/or other mobile computing device whilst driving may face disciplinary action including possible termination of employment. Employees/elected members may also be held criminally liable for their actions.

The following conditions apply to the provision and use of mobile phones and other electronic devices:

- a) The allocation of mobile phones and other devices for business purposes shall be determined by the CEO and/or the Deputy CEO based on operational need.
- b) The purchase and replacement of mobile phones and other devices shall be determined by the CEO and DCEO.
- c) All employees/elected members in receipt of a mobile phone and/or other device shall sign an acceptance form acknowledging the provisions of this policy.
- d) A Shire of Kellerberrin mobile phone is to be used for business use except in the event of a personal emergency, unless otherwise approved by the CEO or documented as a benefit in a contract/package.
- e) Should an employee/elected member's private use of a mobile phone and/or other device be determined by the CEO to unreasonable and excessive, such costs attributed to that use shall be reimbursed by the employee/elected member.
- f) An employee/elected member in possession of a mobile telephone and/or other device is responsible for its use and care, and shall provide immediate notification of any loss, damage or malfunction, with explanation to the particular circumstances.
- g) The Shire of Kellerberrin may withdraw entitlement to use a mobile phone or other device should there be evidence or an admission as to personal neglect or abuse. Reimbursement of the cost for repair, replacement, or reimbursement of excessive use may be sought from the offending officer at the discretion of the CEO.
- h) Staff may be required to return mobile phones and/or devices to the office or other staff members during period of leave.
- i) Where a mobile phone or device is willingly or maliciously damaged or lost, the person to which the mobile phone or device is responsible shall repair or replace the mobile phone or device at their cost.

#### **Consequences of Breaching This Policy**

- a) Any employee/elected member found to have breached this policy may be subject to disciplinary action including possible termination of employment/contract. The Shire of Kellerberrin may also be obligated to refer any breach of this policy to an external agency where an employee/elected member may be held criminally liable for their actions.
- b) Private/personal or unauthorised use of database/server ICT systems and/or devices may result in the employee/elected member being obligated to pay any extra costs incurred.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

## **7. HISTORY**

Original Adoption	June 2022	Resolution #	MIN083/22
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CS 02.06 Naming of Council Facilities****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is 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.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Community.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

This policy outlines the philosophy and process for the naming of:

- Towns, localities, streets and parks;
- New Council buildings, gardens, memorials and other infrastructure or council-owned amenities; and
- The re-naming of existing council buildings, gardens and other infrastructure or council owned properties.

Council recognises that the names of buildings, gardens, parks and reserves owned by the Shire can have significant influence on 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.

**Naming of Towns, Localities, Streets and Parks – General**

The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers.

Council will follow the principles and guidelines for the general naming of streets, parks, roads, towns localities, as determined by the Geographic Names Committee of Western Australia, and set out by Landgate.

While in general, Parks and Reserves shall be named after an adjacent boundary road, and buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification, alternatives may be developed using the following principles.

**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;

- 02 Any historical events associated with or near the site;

- 03 Indigenous and cultural heritage relevant to the site;
- 04 Community or corporate sponsorship;
- 05 Marketing opportunities
  - Pioneering families (family names only) associated with the immediate area (5-10 kilometres radius);
  - Social or calendar events; and
  - Significant individuals who have contributed substantially to the community.

### **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. Elected members will be invited to select their preferred option through a ballot system based on 'first-past-the-post'. If an absolute majority preference is not achieved through this process, the secret ballot will be recast, based on the two (2) most popular choices.

### **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 of Kellerberrin 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.

### **Proposing the Renaming of a facility**

Any resident or elector of the Shire of Kellerberrin may propose the renaming of a Council facility, but a proposal by an elector 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 for confidential, informal discussion. If an elected member expresses an objection to the nomination that elected member must give reasons for the objection. If no elected member objects to the report's recommendation, it shall be assumed that all agree to the proposal. An objection received will not necessarily invalidate the nomination subject to agreement by the majority of Council.

### **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 of Kellerberrin, the following criteria will be required to be met:

- Persons nominated should have made substantial contribution directly to the Shire of Kellerberrin, 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 of Kellerberrin and have produced substantial long term improvement for the Shire of Kellerberrin.
- Nominees should have lived within the Shire of Kellerberrin 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 of Kellerberrin.

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.

Being a former Councillor or former Member of Parliament is not sufficient grounds on which to nominate an individual. (In the event that the nominee is still living, the nomination must be made in the strictest confidence without the nominee's knowledge). Death or former ownership of the land on which the facility is developed is not normally acceptable as criteria for nomination.

### **Process on Receipt of a Nomination**

On receipt of a proposal to rename an existing facility, the Chief Executive Officer will cause a report to be prepared and circulated on a confidential basis to elected members for consideration. On the written advice of at least four elected members the report and recommendation shall be put to Council for consideration.

In the event that less than four elected members support the proposed name change, the Chief Executive Officer will advise the person who proposed the name change accordingly.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

## **7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CS 02.07 Obtaining Legal Advice Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to expedite and ensure a mechanism are in place in respect to the acquisition of legal advice, as required.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS**

**CEO** Chief Executive Officer

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Chief Executive Officer is authorised to obtain legal advice within budget constraints as is deemed necessary to maintain the proper administration of Council affairs, subject to the following conditions;

- a) Where copies of legal advice are made available to Councillors, the content of the advice is not permitted to be disclosed to third parties, unless by a resolution of the Council following the opinion of the Solicitor who provided the advice to the Council about the possible consequences of making that advice available to a third party.
- b) That where a legal opinion is sought in relation to an item placed before Council a note that the item is subject to legal advice is included in the relevant Agenda or Minutes.
- c) The intent of any advice is included in the relevant Agenda and/or Minutes.
- d) The intent of any advice received relating to any matter placed before Council for determination being conveyed to Councillors within seven (7) days of receipt, Councillors may obtain a copy of this advice together with Council's letter of instruction.
- e) The CEO is responsible for implementing and ensuring compliance with this policy.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## CS 02.08 Public Interest Disclosure Policy (Whistleblower)

Version: Amended

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

This Policy has been established to communicate the Council's zero tolerance approach and response actions to fraudulent and corrupt conduct within the performance of its functions and interactions with contractors and suppliers, the community and all other stakeholders of the Council. To facilitate the disclosure of public interest information under the Public Interest Disclosure Act 2003 (PID Act) and ensure protection for those making disclosures.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and it's:

- Elected Members,
- Committee Members,
- All workers whether by way of appointment, secondment, contract, agency staff, temporary arrangement or volunteering,
- Any external party involved in providing goods or services to the Council such as contractors, consultants and outsourced service providers.

## 3. DEFINITIONS

**Fraud** - Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud'. (Australian Standard AS8001:2008 Fraud and Corruption Control)

**"corruption"** - Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of corruption can also involve corrupt conduct by the entity, or a person purporting to act on behalf and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly. (Australian Standard AS8001:2008 Fraud and Corruption Control)

**"serious misconduct"** – Serious misconduct occurs when:

- a) a public officer corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment; or
- b) a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or
- c) a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by two or more years' imprisonment. (Corruption, Crime and Misconduct Act 2003)

**"minor misconduct"** – Minor misconduct occurs if a public officer engages in conduct that:

- a) adversely affects the honest or impartial performance of the functions of a public authority or public officer, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or



- b) involves the performance of functions in a manner that is not honest or impartial; or
- c) involves a breach of the trust placed in the public officer; or
- d) involves the misuse of information or material that is in connection with their functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person; and
- e) constitutes, or could constitute, a disciplinary offence providing reasonable grounds for termination of a person's office or employment. (Corruption, Crime and Misconduct Act 2003)

**“public interest information”** - means information that tends to show, in relation to its public function a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in:

- a) improper conduct; or
  - b) an act or omission that constitutes an offence under a written law; or
  - c) a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or
  - d) an act done or omission that involves a substantial and specific risk of –
    - (i) injury to public health; or
    - (ii) prejudice to public safety; or
    - (iii) harm to the environment;
- or
- e) a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971. (Public Interest Disclosure Act 2003)

**“public officer”** – Includes a member, officer, or employee of an authority, board, corporation, commission, local government, Council, committee or other similar body established for a public purpose under an Act. (Corruption, Crime and Misconduct Act 2003)

**“public authority”** – Includes an authority, board, corporation, commission, Council, committee, local government, regional local government or similar body established under a written law. (Corruption, Crime and Misconduct Act 2003)

#### 4. STRATEGIC CONTEXT

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

#### 5. POLICY STATEMENT

The Shire of Kellerberrin will receive disclosures of public interest information in accordance with the provisions of the PID Act. The Shire of Kellerberrin is committed to the aims and objectives of the PID Act and to meeting its obligations under that Act.

The Shire of Kellerberrin does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Kellerberrin and its officers, employees and contractors. It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

The Council expects its Elected Members, Committee Members and employees to act in compliance with the Code of Conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the Council.

A zero tolerance attitude is taken to fraudulent or corrupt conduct which will be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.

#### Fraud Control Framework

The Council's organisational structure provides clearly defined responsibilities and appropriate segregation of duties and controls within systems, particularly financial and procurement, that inhibits opportunities for fraud to occur. The zero tolerance tone is set by the Chief Executive Officer and the Executive Management Team. The structure also includes an independent external audit function and a proactive internal audit process which provides reports to the Chief Executive Officer on the appropriateness and effectiveness of internal control, legislative compliance and risk management.

### **Policies and Procedures**

A Code of Conduct is prepared and adopted by Council as required by section 5.103 of the Local Government Act 1995. The Code sets out the principles and standards of behaviour Elected Members, Committee Members and employees must observe when performing their duties and is intended to promote accountable and ethical decision making. The Code provides for the reporting of breaches or suspected breaches of the Code.

The Fraud and Prevention Policy outlines the Council's commitment and approach to managing risks and all employees within the Council are encouraged to develop an understanding and awareness of risk and contribute to the fraud prevention process.

The Purchasing Policy and the associated Purchasing Protocols commit the Council and officers to developing and maintaining purchasing systems and practices that ensure goods are obtained in an equitable and transparent manner that complies with applicable legislation.

### **Prevention and Detection**

The Annual Internal Audit Plan includes audits of high risk areas to ensure controls are adequate and are working as intended. Audit reviews are carried out by the Council's Internal Auditor who reports the results of the audits directly to the Manager of Governance or Chief Executive Officer. Whenever necessary, independent external auditing companies may be engaged by the Council to carry out audits.

### **Response Strategies**

All incidents of fraud, or suspected incidents of fraud, will be thoroughly investigated and whenever necessary the appropriate reporting and notification lines followed, including to external investigative and/or oversight agencies.

### **Chief Executive Officer's Duty to Notify**

As a principal officer of a notifying authority the Council's Chief Executive Officer is required by the Corruption, Crime and Misconduct Act 2003 to notify the Corruption and Crime Commission or the Public Sector Commission in writing of any matter that they suspect, on reasonable grounds, concerns either serious or minor misconduct by a public officer.

### **Reporting Serious or Minor Misconduct**

A public officer or any other person may report to the Corruption and Crime Commission or the Public Sector Commission any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct that:

- has or may have occurred; or
- is or may be occurring; or
- is or may be about to occur; or
- is likely to occur.

### **Public Interest Disclosure**

Any person may make an appropriate disclosure of public interest information to a proper authority (includes a local government). The legislation which governs such disclosures is the Public Interest Disclosure Act 2003.

A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal.

The Act requires local governments to appoint a person, known as the Public Interest Disclosure Officer (PID Officer), to whom disclosures may properly be made. The PID Officer should be consulted when considering whether to make a disclosure.

**Disciplinary and Recovery Action**

On all occasions the Council will seek to recover any losses it may have suffered through fraudulent or corrupt conduct, which for an employee may include the termination of their employment.

**6. RELATED LEGISLATION/ DOCUMENTATION**

- Public Interest Disclosure Act 2003
- Public Interest Disclosure Regulations 2003
- State Records Act 2000
- Corruption, Crime and Misconduct Act 2003
- Local Government Act 1995
- Shire of Kellerberrin Code of Conduct

**7. HISTORY**

Original Adoption	April 2021	Resolution #	MIN040/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## CS 02.09 Records Management Policy

Version: Current

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to define the principles of the Shire's record keeping functions and the roles and responsibilities of those individuals who manage or perform record keeping processes on behalf of the Shire.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

**Ephemeral Records** - Ephemeral records are records that have no continuing value to the Shire of Kellerberrin with no administrative, fiscal, legal, evidential or historical value. They may include duplicate copies, messages, promotional material or information material produced by other organisations.

**ERMS** - Electronic Records Management System (ERMS) is the Central Records Module within IT Vision's SynergySoft

**General Disposal Authority** - The General Disposal Authority for Local Government Records (GDALG) is a management tool for identifying and determining the retention and disposal of records.

**Record** - A record or significant record may be recorded information (in any form) created or received and maintained by the Shire of Kellerberrin or person in the transaction of business and kept as evidence of such activity.

**Vital Records** - Are records essential to the continued functioning or reconstitution of the Shire of Kellerberrin during and after an emergency.

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

### Creation and Capture of Records

Full and accurate records will be created and captured in the appropriate format (preferably in an electronic format), in accordance with legislation and the Shire of Kellerberrin's Record Keeping Plan, policy and procedures meeting all legislative, business, administrative, financial, evidential and historical requirements.

Where an original hard copy record exists and has been captured in Shires ERMS, it is required that the hard copy be provided to the Records Officer for filing and to meet retention requirements as per GDALG

### Security

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction.

Records are not to be removed for the Shire Administration Building or Kellerberrin Memorial Hall (offsite location) unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing their official business.

### Storage of Records

Confidential personnel and payroll records are kept locked in CEO’s office.

Vital Records including but not limited to, Rate Books, Lease & Agreements, Minutes and other significant or permanent records are kept in fire resistant walk-in safe.

Non-current (audited) financial records are stored at Kellerberrin Memorial Hall awaiting disposal in accordance with the GDALG.

**Access to Records**

Access to records by Employees or Contractors will be in accordance with designated and approved access and security classifications.

General public access to the City’s records will be in accordance with the Local Government Act 1995, the Freedom of Information Act 1992 and other relevant legislation and policies.

Elected Members access to records will be via the Chief Executive Officer in accordance with the Local Government Act 1995.

**Disposal and Retention of Records**

All records maintained by the Shire of Kellerberrin are to disposed of in accordance with the State Records Office’s General Disposal Authority for Local Government Records (GDALG)

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CS 02.10 Social Media Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

This policy also establishes the Shire's commitment to maintaining high standards of professional and ethical conduct by supporting strategies that prevent, detect and respond to misconduct, fraud and corruption.

The Social Media Policy outlines protocols for using social media to undertake official Shire of Kellerberrin business and provides guidance for employees in their personal use of social media.

This policy aims to inform employees how to use social media appropriately and has been developed to assist employees to use social media so they can participate in the use of social media while being mindful of their responsibilities.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected member's, employees, volunteers and contractors.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

This policy applies to the official use of social media, where employees have been authorised by the Chief Executive Officer and/or Manager of Governance to use social media as a communication tool, to engage the community or to distribute content on behalf of the Shire.

This includes posting to the Shire's official social media account/s (e.g. Facebook) and participating as a representative on a third-party site (e.g. news comment, online forum).

This policy also provides guidance to employees in their personal use of social media. Employees are reminded of their responsibilities under the Shire of Kellerberrin's Code of Conduct and other policies, procedures and processes.

**Official use of social media**

The same high standards of conduct and behaviour expected of the Shire staff also applies when participating online through social media. Online participation should reflect and uphold the values, integrity and reputation of the Shire of Kellerberrin.

Officers managing the Shire of Kellerberrin social media account/s are responsible for engaging online with the general public and other stakeholders in an official capacity.

Statements / comments made from the Shire's social media account/s must not:

- Endorse or make judgements about specific individuals, groups, businesses, services or agencies.

- Discuss circumstances surrounding the Shire's specific relationship with individuals, groups, businesses, services or agencies.
- Make personal judgements about any matter pertaining to the Shire of Kellerberrin, including decisions of Council, management, staff, policy, procedure or process.
- Engage in any on-line discussion involving specific individual circumstances or personal details. If this occurs the employee should direct the person/s involved to an alternative medium (e.g. email, telephone, and letter) as appropriate.

### **Principles for official use of social media**

All employees who are authorised to use or manage social media as an official communication tool need to be familiar with and apply the following principles:

- The Shire's official social media account/s must be administered by an authorised officer/s.
- Before commencing a social media project it must be approved by the Manager of Governance and/or the Chief Executive Officer.
- Always use authorised Shire of Kellerberrin contact details, not personal details, when posting to or responding from social media accounts.
- Maintain confidentiality and only post publicly available information. Under no circumstances should official or confidential information be disclosed.
- Do not make commitments or engage in activities on behalf of the Shire unless you are authorised by the Chief Executive Officer and/or Manager of Governance to do so.
- Protect your own privacy and personal information and do not disclose private details of other employees. Do not disclose details of private conversations unless you have obtained explicit consent from all relevant parties.
- Avoid statements that advocate or criticise decisions, policies, procedures and processes of the Shire.
- Always be courteous, polite and respectful. Be sensitive to diversity and avoid arguments or making personal attacks. Do not post obscene, defamatory, threatening, harassing, discriminatory or hateful content.
- Make sure the information you publish is correct as people may make decisions based on the information you post.
- Respect copyright.
- Keep records of all posts you make in an official capacity as set out in the Shire's Record Keeping Plan.
- Review content before you post it and have another employee review the content before posting it.

### **Personal use of social media**

Shire of Kellerberrin employees should be aware that content published on social media is, or may become, publicly available even from personal social media accounts.

Employees must ensure they:

- are mindful that their behaviour at all times is bound by the Shire's Code of Conduct, even outside work hours and when material is posted using an alias or pseudonym.
- make clear that any views are expressed are their own and not those of the Shire of Kellerberrin.
- do not use a work email address to register personal social media accounts.
- do not make comments that are obscene, defamatory, threatening, harassing, discriminatory or hateful to or about, work, colleagues or peers, Elected Members or the Shire of Kellerberrin.
- do not publish, post or release any information that is considered confidential, private or not public, including confidential information in regards to the Shire of Kellerberrin, personal information of employees, Elected Members and other individuals associated with the Shire of Kellerberrin.
- do not post comments or images that are or could be perceived to be:
  - made on behalf of the Shire of Kellerberrin.

- compromising the capacity to fulfil duties as an employee of the Shire in an impartial and unbiased manner (this applies particularly where comment is made about a decision of Council, management, staff, policy, procedure or process).
- unreasonable criticism about an individual, community group, or other stakeholders.
- compromising public confidence in the Shire.
- remember the Internet is not anonymous and everything written on the web can be traced back to its author one way or another.
- do not return fire, if a negative post or comment is found online about the Shire of Kellerberrin or one of its representative, do not counter with another negative post.

As a local government employee, there is no clear line between your work life and your personal life. Always be honest and respectful in both capacities.

Employees should be aware that the Shire may observe content and information made available by employees through social media.

As comments made by staff on their personal Facebook account may not be considered private, employees should use their best judgement, when posting material, that it is neither inappropriate nor harmful to the Shire of Kellerberrin, its members of council, employees or residents.

***It should also be noted that comments / postings made by staff on their personal Facebook Account pertaining to the Shire that are or could be perceived to be in breach of the Shire of Kellerberrin Code of Conduct or any other Shire policy, procedure or process will be dealt with seriously and this may impact the employee's employment with the Shire.***

## 6. RELATED LEGISLATION/ DOCUMENTATION

Shire of Kellerberrin Code of Conduct

## 7. HISTORY

Original Adoption	February 2020	Resolution #	MIN009/20
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



**CS 02.11 Habitual or Vexatious Complainants Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The Shire of Kellerberrin is committed to providing an accessible, consistent and responsive Complaints Management process.

**2. SCOPE**

This policy is applied to the Shire of Kellerberrin Councillors and Employees.

**3. DEFINITIONS**

<b>CEO:</b>	Chief Executive Officer.
<b>Customer:</b>	Refers to a person who is accessing Council's services, facilities, policies, products, programs or events.
<b>Malicious Complaint:</b>	A complaint made for the purpose of hurting another person (their career, their reputation or their livelihood).
<b>Frivolous Complaint:</b>	A complaint that has no serious purpose or value. It may have little merit and be trivial; investigating would be out of proportion to the seriousness of the issue complained about
<b>Habitual Complaint:</b>	A complaint that is done repeatedly or as a habit.
<b>Vexatious Complaint:</b>	A complaint that is not supported by any evidence and there is other evidence to suggest that the complaint was made primarily for the purpose of causing annoyance.

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Habitual or vexatious complaints can be a problem as they are time consuming and wasteful of resources. Whilst the Council endeavours to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

**Complaints that will not be considered**

The CEO, may determine that a complaint may not be investigated if it:

- is considered malicious, frivolous or vexatious or not made in good faith or concerns trivial matters;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses the remedy or right of appeal;
- where a matter is subject to an existing mediation process;
- relates to a decision made by a meeting of Council;
- relates to conduct before a court, coroner or tribunal;
- relates to a matter under investigation by the Minister for Local Government, Corruption and Crime Commission, the WA Ombudsman's office, a Minister of the Crown or Government Department or the WA Police Service;
- relates to the appointment or dismissal of an employee or an industrial or disciplinary issue;
- relates to actions or conduct of private individuals;

- does not relate to an action Council has taken or is the responsibility of the local government; or
- involves a matter where the complainant declines or refuses to provide further information and/or there are threats made against Council and/or its staff.

Should Council decide not to proceed with the complaint, the complainant will be advised of the reason for the decision.

### **Criteria for Determining Habitual or Vexatious Complaints**

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows how they meet one of the following criteria:

Where complainants:

- persist in pursuing a complaint where the Council's complaints process has been fully and properly implemented and exhausted.
- persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).
- are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
- regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a trivial matter can be subjective and careful judgment will be used in applying this criteria.
- have threatened or used physical violence towards employees at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. The Council has determined that any complainant who threatens or uses actual physical violence towards employees will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Council is to be made.
- have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person, by telephone, letter, email or fax. Judgment will be used to determine excessive contact taking into account the specific circumstances of each individual case.
- have harassed or been verbally abusive on more than one occasion towards employees dealing with the complaint. Employees recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.
- are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- make unreasonable demands on the Council and its employees and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's complaints procedure or normal recognised practice.
- make unreasonable complaints which impose a significant burden on the human resources of the Council and where the complaint:
  - clearly does not have any serious purpose or value; or
  - is designed to cause disruption or annoyance; or
  - has the effect of harassing the public authority; or
  - can otherwise fairly be characterised as obsessive or manifestly unreasonable.
- make repetitive complaints and allegations which ignore the replies which Council Officers have supplied in previous correspondence

## Vexatious Complaints Matrix

Date of Initial Complaint	Number of Complaints	Record Number
Are the complaints of the same nature?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Has the complaint be ongoing for more than three months?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is the complainant demonstrating an unreasonable manner or requesting unrealistic outcomes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is the complaint a matter of Community Safety?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Has the Shire received complaints of a similar nature from other residents?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
What actions has the Shire taken in relation to the complaint?		
Number of interactions phone/in person/outwards correspondence generated by the Shire		
Is the complainant unwilling to accept documented evidence given as being factual?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does the Shire deem the complaints to be of an unreasonable nature which is imposing a significant burden on resources within the Shire?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does the Shire require legal advice in relation to habitual or vexatious complaints?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is the matter an area or issue of the Shire's jurisdiction?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is the complainant personally affected by the action or decision?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Has the Shire acted in accordance with the relevant head of power including local laws, policies and State Government legislation?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Has the Shire acted reasonably and justly?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Has the Shire provided reasons for a decision?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

### Option for Dealing with Habitual or Vexatious Complainants

In some instances, Council will encounter complainants who refuse to accept the decision of the CEO solely on the basis that the decision was not in the complainant's favour. Complainants may also make persistent and repeat contact with Council and staff to the point that the complaint or complainant diverts a substantial and unreasonable portion of resources away from Council's other functions.

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed:

- A letter to the complainant setting out responsibilities for the parties involved if Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.
- Decline contact with the complainant, either in person, by telephone, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact. The complainant will be notified of this in person.
- Notify the complainant, that Council has responded fully to the complaint and there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.
- Inform the complainant that in extreme circumstances Council will seek legal advice on habitual or vexatious complaints.
- Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking legal advice or guidance from its solicitor or other relevant agencies.

In some instances, Council will encounter complainants whose behaviour is aggressive or threatening, consistently rude, abusive or the complainant makes threats to oneself, staff or third parties (whilst using Council services or on Council premises) or in general. Under these circumstances, details of complaints are to be provided to the Chief Executive Officer who may make a recommendation that:

- further correspondence and/or telephone contact with the complainant be restricted;
- further discussions, interviews etc will not be granted that relate to the same matter; and
- access to Council premises be restricted for a specified period of time.
- The CEO will consider all facts and issues of the individual case prior to acting on any recommendation/s. If a decision is made to endorse the recommendation, the CEO will write to the complainant explaining the decision.

All threats made to staff or third parties will be reported to the WA Police

## 6. RELATED LEGISLATION/ DOCUMENTATION

AS/NZS 10002 – Guidelines for complaint management in organisations  
Western Australian Ombudsman  
Complaint Handling Guidelines  
HR03.01 Code of Conduct Policy

## 7. HISTORY

Original Adoption	February 2025	Resolution #	MIN 008/25
Last Reviewed		Resolution #	
Amended		Resolution #	

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# Human Resources

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**HR 03.01 Code of Conduct Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure an appropriate Code of Conduct is adopted, maintained and reviewed on an annual basis supported by administration documentation in the form of management guidelines

The following Code of Conduct Attachments have been adopted, and form part of this Policy: -

- Councillors, Committee Members & Candidates Code of Conduct
- Employees Code of Conduct

**2. SCOPE**

This policy applies to the Shire of Kellerberrin:

- Council members, Committee Members and Candidates of Local Government Elections,
- All employees whether by way of appointment, secondment, contract, temporary arrangement or volunteering, work experience, trainees and interns; and
- Any external party involved in providing goods or services to the Shire of Kellerberrin, such as contractors, consultants, outsourced service providers and suppliers

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- Relationships that bring us tangible benefits (to the Shire and our community)
- Our lifestyle and strong sense of community
- We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

Council is required in accordance with section 5.104 of the *Local Government Act 1995* to adopt a Code of Conduct for council members, committee members and candidates.

The Chief Executive Officer is required in accordance with section 5.51A of the *Local Government Act 1995* to adopt a Code of Conduct for employees.

The *Local Government (Model Code of Conduct) Regulations 2021* and division 2 of the *Local Government (Administration) Regulations 1996* detail matters that must be covered in a code of conduct.

**6. RELATED LEGISLATION/ DOCUMENTATION**

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

Local Government (Administration) Regulations 1996

**7. HISTORY**

Original Adoption	April 2021	Resolution #	MIN039/21
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2024	Resolution #	MIN008/25

## HR 03.02 Community Engagement Policy

Version: Current

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to communicate the Shire of Kellerberrin's commitment to a zero-tolerance approach to misconduct, fraud and corruption.

This policy also establishes the Shire's commitment to maintaining high standards of professional and ethical conduct by supporting strategies that prevent, detect and respond to misconduct, fraud and corruption.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

**IAP2** - The International Association for Public Participation is an international organisation advancing the practice of public participation. IAP2 supports people who implement or participate in public decision-making processes.

**Community engagement** - Refers to the range of opportunities for involving people, in a meaningful way, in the decisions that affect their lives; it needs to be a purposeful and planned process.

**Community** - Includes individuals or groups who live, work, play, study, visit, invest in, or pass through the Shire of Kellerberrin Local Government area.

**Good governance practice** - Effective processes for making and implementing decisions.

## 4. STRATEGIC CONTEXT

This policy links to core drivers;

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

## 5. POLICY STATEMENT

Council recognises that Community engagement is the cornerstone to good governance practice and key to the long-term prosperity of the community. Council is therefore committed to transparent, two-way communication and appropriate consultation to inform of opportunities and decisions that affect the current and future needs of the Kellerberrin community.

This commitment is founded on the core values identified by the International Association for Public Participation (IAP2) which are:

- being open and transparent about the decision-making process and the challenges and opportunities to be met,
- seeking to involve those community members potentially affected by, or interested in, a decision as early as possible in the decision-making process;
- ensuring that the purpose of our engagement is clear and relevant, and that the level of engagement is appropriate to the decision being made (not over or under engaging);
- ensuring that the methods used are well suited to generate highly effective and inclusive community engagement from a broad section of the community;
- providing information that is clear, easy to understand, and accessible to the community;

- incorporating the community's views into the decision-making process to the agreed level of participation and reporting back to the community how their input was considered and impacted the decision; and
- evaluating our community engagement processes to continually improve our approach to community engagement.

Statutory public notices and regulatory compelled or recommended community consultations notwithstanding, this community engagement may occur for:

- major and strategic projects
- policy, plan and strategy development
- service delivery programs and
- capital works.

Where practicable the policy should be applied at the scoping phase of the above listed occurrences or when reviewing or adding a service level, activity or infrastructure construction. Community engagement is the responsibility of all Council employees and contractors.

There is no 'one-size fits all' approach to community engagement activities and a variety of methods are likely to be required to cater for the different purposes of engagement as well as the broad range of groups and individuals in the community.

The conduct of community engagement is the responsibility of all Council service areas, teams and employees as appropriate to their role and function. To ensure the effective application of community engagement across the Shire of Kellerberrin, community engagement guidelines tools; and templates are developed.

In planning a community engagement process, Council will determine at which level to engage, the nature and methods of the engagement and what corresponding commitment is to be made to the community and/or stakeholders.

Furthermore, the level of engagement that is selected is to govern how feedback from the community is used at Council and within Council's decision-making process. Such decision-making processes may be influenced by several factors such as financial and resource considerations, political directives and environmental and social concerns. As such, if a difference occurs between the level of engagement and the Council's final decision, the reasons will be clearly outlined.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Local Government Act 1995

Shire of Kellerberrin Strategic Community Plan

## 7. HISTORY

Original Adoption	August 2018	Resolution #	MIN015/18
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2024	Resolution #	MIN008/25



**HR 03.03 Council Owned Vehicle Allocation Standards Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure consistency of changeover of vehicles with regards to type and value parameters.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees.

**3. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**4. POLICY STATEMENT**

That future vehicle allocation and programmed changeovers have the following guidelines:

- Chief Executive Officer – Toyota Land Cruiser or other vehicle as agreed by Council
- Manager Works & Services – Ford Ranger or other vehicle as agreed by Council
- Manager of Governance – Ford Everest or other vehicle agreed by Council
- Doctor – Ford XR6 Sedan or Holden SV6 Sedan or other equivalent vehicle as agreed
- Caravan Park – Toyota Camry or other vehicle agreed by Council
- Builder's – Ford one tonne ute or other vehicle agreed by Council
- Team Leader Parks and Gardens – Isuzu Crew Cab ute or other vehicle agreed by Council
- Team Leader Road Crew – Isuzu Crew Cab or other vehicle agreed by Council
- General Hand – Isuzu DMAX 4WD
- Curator – Holden single cab ute or other vehicle agreed by Council
- Mechanic – Mini truck or other vehicle agreed by Council.

The Chief Executive Officer is the Delegated Authority to authorise change over Council owned vehicles at such times and intervals as the Chief Executive Officer considers represents the best financial result for Council.

The Chief Executive Officer to report vehicle changeovers delegated under this policy to Council for endorsement if the changeovers become out of budget.

**5. RELATED LEGISLATION/ DOCUMENTATION****6. REVIEW DETAILS**

Original Adoption	October 2018	Resolution #	MIN182/16
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2024	Resolution #	MIN008/25

*REMOVED - HR 03.04 COVID-19 Financial Hardship Policy*

*REMOVED - HR 03.05 COVID 19 Leave Policy*

**HR 03.06 Employee Gratuity Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to provide recognition of service to employees ceasing employment with the Shire of Kellerberrin.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

In accordance with *Section 5.50 (1) of the Local Government Act 1995* the Shire of Kellerberrin hereby adopts the following policy in relation to the recognition of service when an employee leaves the organisation.

It should be noted that an employee would not be considered to receive recognition by way of a gratuity payment unless that person has given loyal and dedicated service for a period of employment.

Should a gratuity be considered, Council would take into consideration the employee service record, in particular the number of days of sick leave the employee has accrued but not taken. Particular attention should be paid to the employee's attitude towards the Council's objectives and their willingness to contribute towards those objectives without necessarily expecting recognition or reward.

Council may consider employee recognition at the completion of employment for their service to Council by offering any or all of the following at the discretion of Council:

- a) A leaving function is to be held in consultation with the employee or member's wishes
- b) A set of Council embossed drinking glasses and a copy of the Kellerberrin History book "A man, his dog and a dead kangaroo"
- c) A cheque to the value of \$50 per completed year of service with the Shire of Kellerberrin (to a maximum of \$500)
- d) Council at its discretion may provide an additional gift, commensurate with years of dedicated service and unblemished performance record to the employee or member.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	February 2020	Resolution #	MIN168/16
Amended	November 2024	Resolution #	MIN008/25

## HR 03.07 Equal Employment Opportunity Policy

Version: Current

Responsible Officer: Manager of Governance

## 1. PURPOSE

The purpose of this policy is to ensure every person employed or engaged by the Council shall have equal opportunity, training and advancement. The provision of such opportunities is merit based. The Shire prohibits discrimination of any type and ensures equal opportunities to employees and applicants without regard to race, age, sex, marital status, pregnancy, political conviction, religious conviction, impairment, family responsibilities or family status, sexual orientation, gender history or any other characteristic covered by law.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

**Discrimination** is when a person is treated less favourably than another person or group because of their background or certain personal characteristics.

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

## 5. POLICY STATEMENT

Council and the Shire affirm its commitment to the principles of equal employment opportunity (EEO). The Shire's commitment EEO at the Shire means the Shire will ensure that all policies, procedures, and actions reflect and value the social and cultural diversity within the Shire and the community it serves through:

- Structured recruitment and selection policies that are designed to select the best candidate based solely on qualifications, skills, competency and experience
- The implementation and constant monitoring of EEO policies to ensure that social and cultural backgrounds, including any disabilities of all members of the organisation and customers are recognised and respected.
- Learning and development opportunities are linked to the future needs of the Shire.
- The adherence to the Shire's organisational values that support our commitment to respect, fairness, dignity, diversity, and equity.
- Implementation and constant monitoring of a zero-tolerance approach, identifying the responsibilities of all contractors, employees, managers, directors, the CEO and elected members of their rights and responsibilities in respect of EEO.
- Provision of equal employment opportunity by making decisions concerning all members of the organisation based on merit and fairness only.
- The requirement that all employees are required to participate in EEO training and managers, line supervisors, directors and the CEO receive formal training on managing EEO complaints and understanding the Shire's grievance management process.
- The implementation of a structured grievance management process, by which all EEO complaints are investigated.

- Provide an enjoyable, challenging, involving and harmonious working environment for all members of the organisation where each can progress to the extent of their ability based solely on merit.

The Shire is committed to the principles of equal employment opportunity. The Shire acknowledges and celebrates diversity and commits to actively and flexibly seeking to appoint and accommodate the unique needs of many different employees.

The Shire is committed to providing an environment free from all forms of direct and indirect discrimination and providing an environment where all employees are treated in a fair and equitable manner in all decisions and processes. This includes providing equal access to improving the skills and competency levels of all employees, so they have equal access to further employment opportunities or career path progression.

### **Environment**

The Shire recognises that when discrimination occurs in the workplace, job satisfaction, morale and productivity suffer. A healthy and safe work environment free from discrimination is a primary objective of the Shire. The Shire therefore aims to enable a psychological safe workplace for all workers and visitors

### **Diversity**

The Shire appreciates the inherent value in a diverse workforce. Diversity may result from a range of factors including origin, age, gender, race, cultural heritage, religion, lifestyle, education, physical ability, appearance, language, or other factors.

### **Awareness**

Upon appointment, all employees are to be given a copy of this policy. It is also readily accessible electronically on the Shire's website.

### **Monitoring**

Employment related practices are to be periodically reviewed in accordance with this policy, with consideration of practices covering:

- Recruitment,
- Conditions of employment,
- Appointment, promotion, and transfer; and
- Training and development.

### **Lodging a complaint**

Any member of the organisation who feels that they have being discriminated against, or witnessed a fellow member being discriminated against, is expected to report the alleged behaviour as follows:

- Employees will be required to immediately report any such behaviour to their line supervisor or manager. In the case that the alleged behaviour is in respect of their direct line supervisor, the employee should advise the Chief Executive Officer.
- Elected members will be required to immediately report any such behaviour to the Shire President. In the case that the alleged behaviour is in respect of the Shire President, the elected member should report the behaviour to the Deputy Shire President or the Chief Executive Officer.

### **Consequences of breaching EEO**

Any breach of equal employment and anti-discrimination legislation by an employee of the Shire will be a serious breach, and the individual concerned will be required to participate in the Shire's performance counselling process. The outcome of a breach may result in the employee facing disciplinary action up to and including termination of employment.

Any breach of equal employment legislation by a contractor of the Shire will be a serious breach, and the contractor will be required to explain their actions to the CEO. The outcome of a breach may result in the contractor providing a written apology or the contract being terminated for breach of conditions.

Any breach of equal employment legislation by an elected member of the Shire will be a serious breach, and as such the elected member may be required to participate in disciplinary action.

The Chief Executive Officer, all Managers and Supervisors are responsible for ensuring that this policy and provisions contained within the Equal Opportunity Act 1984 are adhered to.

6. RELATED LEGISLATION/ DOCUMENTATION

Equal Opportunity Act 1984  
Fair Work Act 2009

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	November 2024	Resolution #	MIN008/25

**HR 03.08 Personal/Carer's, Compassionate and Family & Domestic Violence Leave Management****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

This policy outlines the entitlement to, process and obligations for taking the following entitlements:

- a) unpaid personal leave;
- b) unpaid carer's leave;
- c) unpaid compassionate leave;
- d) paid family and domestic violence leave,

and is read in conjunction with the Local Government Industry Award 2020 and the National Employment Standards (NES).

**2. SCOPE**

This policy applies to all employees of the Shire of Kellerberrin except the Chief Executive Officer.

**3. DEFINITIONS**

**Immediate family** means a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of an employee; or a child, parent, grandchild or sibling of the employee's spouse or de facto partner.

For the purposes of family and domestic violence leave, family and domestic violence means violent, threatening or other abusive behaviour by certain individuals known to an employee that both:

- seeks to coerce or control the employee
- causes them harm or fear.

A **close relative** of the employee is a person who:

- is a member of the employee's immediate family; or
- is related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

The Shire of Kellerberrin is committed to:

- a) fostering a balance between work, family and personal commitments,
- b) ensuring that employees understand their workplace rights and their obligations, and
- c) ensuring that employees understand and properly access appropriate leave entitlements.

Employees should only access leave when they are entitled to do so, otherwise there is an expectation that employees devote their work time to the performance of their duties and manage personal matters outside of work hours wherever possible.

**Leave Types****Unpaid Personal Leave**

Unpaid personal/carers leave is available to employees who do not have any accrued personal/carers leave, however, the same documentation and evidentiary requirements still apply.

In circumstances where an employee has exhausted their personal leave entitlement, they may apply to use their annual leave. There is no guarantee that such an application will be approved. A request needs to be made by the employee and signed off by the supervisor and approved by the CEO.

The requirements set out in section 7 and the Procedure still apply to the taking of unpaid personal leave, and as such an employee still needs to provide notice, complete a leave application form and provide evidence where required.

#### Unpaid Carer's Leave

An employee, including a casual employee, is entitled to two (2) days of unpaid carer's leave for each occasion when a member of the employee's immediate family or member of the employee's household requires care or support because of a personal illness, injury or an unexpected emergency.

Unpaid carer's leave can be taken in a single continuous period of up to two (2) days or separate periods as agreed between the employee and his or her line manager.

In the case of full-time and part-time employees, they must use any accrued personal / carer's leave before accessing unpaid carer's leave.

Employees are required to notify the Shire of all absences on unpaid carer's leave and the Shire reserves the right to request evidence to substantiate the reason for taking such leave, in accordance with section 7 and the Procedure.

#### Compassionate Leave

An employee is entitled to two (2) days of compassionate leave:

- a) to spend time with a member of their immediate family or household who has contracted, developed or sustained a life-threatening illness or injury; or
- b) when a member of their immediate family or household dies.

An employee may take compassionate leave for each occasion as a single continuous two-day period or two (2) separate periods of one (1) day each or separate periods as agreed between the employee and his or her line manager.

Employees, other than casual employees, will be paid at their base rate of pay for the ordinary hours they would have worked during the period. Casual employees are not entitled paid compassionate leave.

Employees are required to notify the Shire of all absences for compassionate leave and the Shire reserves the right to request evidence to substantiate the reason for taking such leave, in accordance with section 7.

#### Family and Domestic Violence Leave

All employees (full time, part time and casual) are entitled to 10 days of paid family and domestic violence leave in each 12-month period. The employee's entitlement to this leave renews every 12 months. It doesn't accumulate from year to year if it isn't used.

All employees are also entitled to five (5) days of unpaid family and domestic violence leave per 12-month period. It is available in full (5 days) at the start of each 12-month period of the employee's employment and does not accumulate from year to year.

An employee can take family and domestic violence leave when they:

- a) are experiencing family and domestic violence;
- b) need to do something to deal with the impact of the family and domestic violence and it is impracticable to do so outside of the employee's ordinary hours of work.

An employee can take the leave as:

- a single continuous period; or
- separate periods of one (1) or more days each; or
- any separate periods to which the employee and the employer agree, including periods of less than one (1) day.

After using a paid leave entitlement, nothing prevents the employee and the employer agreeing that the employee may take more than 5 days of unpaid leave to deal with the impact of family and domestic violence.



If required by the employer, an employee who wishes to access Family and Domestic Violence leave needs to provide evidence that would satisfy a reasonable person of the requirement. This could be a Statutory Declaration or a document issued by:

- a police service;
- a court or family violence support service;
- a medical practitioner;
- a legal service;
- a counsellor;
- a refuge service; or
- a financial institution.

A **close relative** of the employee is a person who:

- is a member of the employee's immediate family; or
- is related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

The Shire will take reasonably practical steps to keep any information about an employee's situation confidential when they receive it. This includes information about the employee taking Family and Domestic Violence Leave, including leave records as well as any evidence provided by the employee. The Shire will work with the employee making the request to discuss and agree on how the information provided will be handled and the level of confidentiality required.

The Shire is not prevented from disclosing such information where it is required to by law, or it is necessary to protect the life, health or safety of the employee or another person.

### **Notice and Evidence Requirements**

Employees must provide the Shire with notice of the taking of such leave and advise of the period, or expected period, of the leave as soon as reasonably practicable.

The Shire is entitled to request evidence that would reasonably substantiate the requirement for leave.

If an employee is required to substantiate the reason for leave and fails to do so or does not produce evidence that would satisfy a reasonable person, then the employee may not be entitled to the leave and their absence may be treated as unauthorised.

Requirements around notice and providing evidence are set out in the Procedure.

### **Employee Assistance Program**

The Shire has an Employee Assistance Program (EAP) which employees can access for confidential counselling services provided by independent and experienced professionals. If an employee's leave taking is being managed, Managers and Supervisors may wish to provide details of the EAP service.

Flyers with information about the EAP service and contact details are available from Depot/Crib Room notice board and Administration Office notice board.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

Local Government Industry Award 2020.

Local Government Officers (WA) Award 2021

The National Employment Standards / *Fair Work Act 2009*.

Definitiv Leave application portal

## **7. HISTORY**

Original Adoption	December 2020	Resolution #	MIN163/20
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**HR 03.09 Public Service Days Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to provide information regarding Council employees; access to two (2) Public Service Days per year.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees (excluding casuals).

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

Core drivers identify what Council will be concentrating on as it works towards achieving Council's vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

Council employees are provided with two (2) Public Service Days per year.

These days are incorporated into the Christmas/New Year period and Easter break as follows:

- One (1) day to be taken during the Christmas/New Year Period; and.
- The Tuesday after 2. Easter Monday (subject to work rosters).

**6. RELATED LEGISLATION/ DOCUMENTATION**

Nil

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**HR 03.10 Relocation Expenses – Employee's Joining Council Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure a relocation subsidy policy is in place to assist in the attraction of employees and to ensure consistency of application.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

At the Chief Executive Officer's (CEO's) discretion, the cost of relocation and removal expenses may be offered to successful candidates during the recruitment process. The conditions of the financial assistance must be set out in the eligible employee's Employment Agreement.

Relocation and removal expenses are subject to:

- A Maximum amount payable of \$5,000
- Reimbursement of 50% of the removal expenses after 3 months of service
- Reimbursement of remaining 50% of removal expenses after completion of an additional 9 months of service (12 months)
- Receipts must be produced to claim reimbursement.

**6. RELATED LEGISLATION/ DOCUMENTATION**

Nil

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2022	Resolution #	MIN083/22
	June 2023		MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**HR 03.11 Remote and Isolated Workers Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The Shire is committed to ensuring that an effective means of communication is available which will enable any employee or contractor who is performing remote or isolated work to call for assistance in the event of an emergency. The Shire is also committed to ensuring that a process is available for regular contact to be made with the employee or contractor and that they are effectively trained in the process.

**2. SCOPE**

This procedure applies to all Shire worksites where there are staff members (employees and contractors) who perform remote or isolated work.

**3. DEFINITIONS**

**Staff Member** – for the purposes of this policy, means employees and contractors.

**Remote or isolated work** – means work that is isolated from the assistance of other persons because of location, time or nature of the work.

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT****Working Alone After Regular Working Hours**

Employees and Contractors are to ensure that their immediate Supervisor is aware that they intend to be working alone after regular working hours. The Supervisor must be advised of the location where the work is intended to be performed, the nature of the work, and the approximate finishing time. Once work has been completed the staff member is to advise their supervisor.

Failure to advise the Supervisor that the task at hand has been completed safely will result in progressive implementation of response in accordance with pre-agreed timeframes and actions.

**Remote or Isolated Work**

From time to time, work may be required to be performed in remote or isolated areas where conventional communications methods (mobile phones, radios, land lines) are ineffective and for those working in such conditions, must be able to contact the necessary assistance should there be an emergency. This may require alternative methods of communication to be considered.

Shire vehicles are fitted with appropriate communications platforms to ensure that ability to make contact is maintained at all times. Staff members should make sure that their communication equipment is working effectively prior to, and following, deployment and report any problems to their Supervisor as soon as they become aware.

Staff members who have regular contact with members of the public as part of their work are not considered “alone”. However, it is recognised that contact with members of the public may in and of itself pose risks and therefore appropriate risk control measures will be implemented in accordance with the situation that exists.

There is no set minimum time for a staff member to be on their own to be considered “alone”, each situation must be considered specific to the relevant factors including the nature of the work, the location, the time of the day, the competencies of the worker, the duration of the tasks being performed and the communication systems available.

### **Risk Assessment**

Prior to the work being carried out, a risk assessment should be completed by the staff member and Supervisor to identify all hazards associated with the task to be completed (paying particular regard to any remote or isolated work aspects and the associated risk control mitigations). Risks must then be assessed and managed in accordance with legislative requirements.

All staff members are responsible for taking reasonable measures to ensure their own safety and personal security when working in isolation, including compliance with all Shire systems of work and communication requirements.

### **Communication Method**

The means of communication will depend on the circumstances and the risks inherent in the work.

Communication systems may include fixed phones, mobile phones, two-way radio, personal locating beacons or satellite phones. The means of communication to be employed will be appropriately maintained and tested prior to deployment, to ensure that the system remains operational and effective.

### **Communications Process**

As the Shire conducts operations over a diverse range of conditions and geographical locations, definition of a single communications procedure to fit all circumstances where remote or isolated work may be performed is not possible.

The following general process will be applied as a methodology to achieving the Shire’s aim of a legislatively compliant and safe workplace:

- Assess the work situation pre-deployment, including:
  - Geographical location
  - Whether workers will be performing remote or isolated work
  - Determine viable communications methods for the situation – including communications systems test for effectiveness
- Determine an appropriate call in schedule;
- Determine an action schedule which will be progressively implemented in the instance of a scheduled call in being missed;
- Determine the system of work that will be utilised to minimise risks; and
- Ensure that all persons involved in the remote or isolated work are trained in the system of work that will be implemented, including effective communications which are to be utilised, and are fully aware of what actions will be initiated in the event of a scheduled call in failing to be logged.

### **Responsibilities**

#### Shire Management Responsibilities

The Shire is responsible for ensuring legislative requirements associated with remote or isolated staff members at the workplace are fulfilled, including provision of adequate resources to fulfil these requirements and maintenance of associated records in accordance with designated timeframes.

#### Shire Supervisors Responsibilities

Shire Managers and Supervisors are responsible for ensuring remote or isolated work management practices are subject to a risk assessment process and that safe systems of work are subsequently effectively implemented within their area of control, so as to assist the Shire in fulfilling their legislative obligations.

#### All Personnel on Site Responsibilities

All persons within the Shire are responsible for conforming to the remote and isolated worker risk management processes and associated safe systems of work, so as to assist the Shire in fulfilling their legislative obligations.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Work Health and Safety Act 2020 (WA)

Work Health and Safety (General) Regulations 2022 (WA)

AS/NZS ISO 31000:2018, Risk Management – Principles and guidelines.

Guidance Note: Working Alone, WorkSafe WA Commission (2009)

## 7. HISTORY

Original Adoption	August 2022	Resolution #	MIN123/22
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**HR 03.12 Staff Rates Subsidy Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to provide an annual payment to employees and members who provide their own housing for the purposes of attracting and retaining high calibre Council employees.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin permanent employees who reside within the Shire.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT**

Council will make an annual contribution, equivalent to the minimum rate levy, on rates levied on an employee's property subject to the following criteria:

- The property is owned (either partly or in full) in the employee's name
- The employee resides in that property
- The property is located within the boundaries of the Shire of Kellerberrin
- The property is owned by the employee as at 1<sup>st</sup> July of each year in which the contribution is to be made
- Only one (1) subsidy per property is payable each year (in situations where two (2) or more employees jointly own the property).
- A pro-rata subsidy applies to an employee working less than 38 hours per week.

The CEO may at their discretion approve the contribution on an employee's property if any of the above criteria are not met.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**HR 03.13 Superannuation Contribution Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to promote and encourage superannuation benefits to assist the Shire in attracting and retaining high calibre Council employees.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Council contributes to Employees' nominated Superannuation fund in accordance with the Superannuation Guarantee Rate.

Should an employee choose to contribute additional voluntary superannuation contributions, Council will match the employee's contribution rate up to a maximum of 5% (unless Contract of Employment stipulates otherwise).

**6. RELATED LEGISLATION/ DOCUMENTATION**

Nil

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2022	Resolution #	MIN083/22
	June 2023		MIN060/23
Amended	February 2025	Resolution #	MIN008/25



**HR 03.14 Training Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The Shire of Kellerberrin is committed to fostering a learning culture. This Training Policy is designed to outline how we invest in our employees' professional development and progression to ensure the continuing successful operation and functioning of the Shire through the efforts of our people.

**2. SCOPE**

This procedure applies to the Shire of Kellerberrin employees.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

Core drivers identify what Council will be concentrating on as it works towards achieving Council's vision. The core drivers developed by Council are:

- a) Relationships that bring tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire is committed to ensuring that you receive training, information and instruction so that you can work safely and are protected from risks within the workplace at all times. Council also encourages employees to become professionally qualified and has in place a comprehensive training and education program that is designed to upskill all employees at all levels.

Managers and Supervisors are expected to ensure that any training is directly linked to Council's business objectives and plans and employees are encouraged to contribute to the planning of their own professional development.

A performance review system operates to ensure the employee's training and development needs are discussed annually to ensure their skills are kept up to date.

**Induction**

New employees will complete Council's induction program, aiming to introduce them to the structure of the Shire of Kellerberrin. It is the responsibility of the employee's Manager or Supervisor to ensure that the induction is completed.

The induction will cover areas such as the Shire's Code of Conduct, expectations regarding workplace behaviour and an introduction to the Shire's Workplace Health and Safety Management system. Online training modules may be required to be completed including subjects relevant to their work area.

**Employee Development Plan**

As an employee completes their probationary period the Manager is responsible for completing a final Progress Review. An important part of the Progress Review is the "Employee Development Plan". The purpose of this is to identify areas of development and training needs, either to build on the employee's strengths or to cover those elements of the job where they may have limited experience. The training requirements need will be discussed, agreed and documented in the Employee Development Plan and will form the basis of their individual training plan for the period until their next review.

The employee's next review will be an annual Performance Appraisal and will also include an "Employee Development Plan" for the next 12 months.

### **Professional/Vocational Qualifications**

The Shire of Kellerberrin recognises that there are many professional skills required to ensure that the Shire is successful. Professional qualifications in areas such as Workplace Health and Safety, Risk Management, Accountancy, Information Technology and Human Resources are valued.

Subject to prior agreement with their area Manager, the fees for relevant professional education may be met or subsidised by the Shire of Kellerberrin.

### **Proviso**

Reimbursement of fees for non-obligatory courses is on the proviso that an employee undertakes to remain with the Shire of Kellerberrin for a period of at least one (1) year from successful completion of the course. An employee will sign an undertaking to repay fees should they terminate their employment within 12 months, including permitting Council to deduct fees (pro-rata) from final salary and leave balances.

### **Study Leave**

If it is necessary for employees to have time off to attend classes and/or examinations, they may do so, provided the study is considered of benefit to the staff member in their career with the Shire of Kellerberrin. Approval for such absence must be obtained from the Manager.

Normally staff are allowed half a day (0.5 work day) study leave in the week prior to an exam and half a day (0.5 work day) for each exam. Any need for extended study leave should be discussed with their Manager in conjunction with the Chief Executive Officer.

### **Professional and Representative Bodies**

If an employee is a member of an appropriate professional body which is recognised by the Shire of Kellerberrin, their subscription fee will be reimbursed.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

Nil

## **7. HISTORY**

Original Adoption	June 2023	Resolution #	MIN060/23
Last Reviewed		Resolution #	
Amended	February 2025	Resolution #	MIN008/25

**HR 03.15 Bullying and Sexual Harassment in the Workplace Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

Council strongly supports all employees and elected members, having the right to work in an environment which is free from bullying, harassment and sexual harassment. Council considers bullying, harassment and sexual harassment in the workplace to be an unacceptable form of behaviour that is not tolerated and recognises that it is unlawful.

Workplace bullying, harassment and sexual harassment is behaviour that harms, intimidates, offends, degrades and humiliates someone that is unwelcome and unsolicited.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin elected members and employees as well as those engaged to do business with the Council e.g. Consultants and Contractors.

**3. DEFINITIONS**

**Bullying** is repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety and that a reasonable person would expect to offend, humiliate, intimidate or threaten the person(s) exposed to the conduct. Bullying is unlawful under various state and federal legislation.

**Unlawful harassment** is any form of conduct or behaviour towards a person that is unwelcome or uninvited, is based on one of the unlawful reasons and a reasonable person would have anticipated that the behaviour might humiliate, offend or intimidate that person.

**Sexual harassment** occurs when a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or engages in other unwelcome conduct of a sexual nature in relation to the person harassed; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. In determining whether an advance, request or other conduct may be sexual in nature, the intention of the alleged harasser is not relevant. An advance, request or other conduct may be sexual in nature even if the person engaging in the conduct does not have a sexual interest in that person or is of a different sexual orientation to the person harassed.

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- d) Relationships that bring us tangible benefits (to the Shire and our community)
- e) Our lifestyle and strong sense of community
- f) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT****Bullying**

Some examples of bullying include, but are not limited to:

- Loud, abusive or offensive language or comments
- Yelling and screaming
- Unjustified criticism and insults
- Unjustified threats of dismissal or other disciplinary action
- Acts of sabotaging another's work by withholding information which is required to fulfil tasks

- Spreading malicious rumours and misinformation
- Inappropriate comments about an employee's appearance, lifestyle or family,
- Deliberately excluding an employee from workplace meetings and activities,
- Hiding documents or equipment or withholding vital information required for effective work performance,
- Constantly changing targets or work deadlines,
- Setting tasks that are unreasonably below or beyond an employee's level of skill,
- Threats of assault or violence or actual violence,
- Teasing and practical jokes, and
- Isolating or ignoring an employee on a constant basis.

### **Sexual Harassment**

The following examples may constitute sexual harassment:

- Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching,
- Subtle or explicit demands for sexual activities, or molestation,
- Uninvited and unwelcome jokes that have a sexual and/or sexist undertone,
- Unsolicited leers and gestures of a sexual nature, and the display with the workplace of sexually offensive material

### **Complaints**

Any complaints of bullying or sexual harassment made against another person associated with Council is viewed seriously, treated confidentially and thoroughly investigated by appropriate persons. The Shire of Kellerberrin encourages all employees to report instances of bullying or sexual harassment and Council will ensure anyone who makes a complaint, or witnesses, is not victimised. Employees will be required to immediately report any such behaviour to their supervisor or manager. In the case that the alleged behaviour is in respect of their direct line supervisor, the employee should advise the Chief Executive Officer

Disciplinary action, up to and including termination will be taken against any employee or council member who engages in behaviour that bullies, harasses or victimises another person at work.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

Sex Discrimination Act 1984

Fair Work Act 2009

Occupational Safety and Health Act 1984 (WA)

Occupational Safety and Health Regulations 1996 (WA)

Equal Opportunity Act 1984

Various Criminal Laws

## **7. HISTORY**

Original Adoption	April 2024	Resolution #	MIN040/24
Last Reviewed		Resolution #	
Amended	February 2025	Resolution #	MIN008/25

**HR 03.17 Employee Health and Wellbeing Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

Council encourages the health and wellbeing of its employees at work and promotes employee work life integration so our team members are able to fulfil work and personal responsibilities efficiently and effectively. This policy outlines how to access health and wellbeing initiatives and choices in our workplace.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees.

**3. DEFINITIONS**

Nil

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

**5. POLICY STATEMENT****Senior Staff and Management Consultation**

All employees have the right to speak with a senior staff member if they have a concern with their employment e.g. workload, hours etc. Council encourages staff to communicate concerns before it affects productivity and morale. An employee who voices concerns will be listened to and not disadvantaged.

**Wellbeing Program Initiatives**

As part of Council's commitment to employee's health and wellbeing, it offers employees access to health services. Examples of such services include:

- a) Skin cancer screenings
- b) Flu vaccinations
- c) Health seminars/workshops
- d) Ergonomic assessments
- e) Manual task training

Periodically throughout the year, health and wellbeing matters will be promoted and made available to employees. As the services are dependent on funding, limited spaces may be available however every effort will be made to provide these services to those interested in participating.

**Gym Membership**

Employees are provided free membership to the gymnasium at the Recreation Centre. Prior to joining, a membership form must be completed at the Administration Office as well as a \$50 bond paid for the electronic access card.

Your membership entitles you to use of the gymnasium during operating hours. All terms and conditions of the gymnasium apply. Note that the Gymnasium is unsupervised.

## **Kellerberrin Pool Membership**

Employees are entitled to apply for a seasonal single or family pass for the Kellerberrin Pool. The family pass enables two (2) adults and two (2) children access to the pool for the season. All terms and conditions of entry still apply

## **Smoke Free Workplace**

Council is committed to providing a smoke free workplace. This includes cigarettes, vapes and e-cigarettes.

Smoking in the following places is prohibited:

- a) All Shire buildings
- b) All Shire vehicles and plant
- c) Within 5 metres of access points to buildings such as doors, windows, near air conditioning vents and ducts
- d) Other areas designated as non-smoking areas by signage.

Non-smokers shall not be subjected to smoke inhalation, therefore if you are smoking or vaping and are asked to move away or extinguish a cigarette, you must comply with the request.

If you have been smoking a cigarette, you must ensure that cigarette butts are disposed of appropriately i.e. in a rubbish bin.

## **Employee Assistance Program**

### Access

The Shire offers staff mental wellbeing support services, in the form of external and confidential counselling services. The services are provided by Lifeworks and are designed to assist employees and their immediate family experiencing personal and/or work related issues. The services are offered to all employees of the Shire and are designed to be solution focussed. Use of the services provided is on a voluntary basis and is provided free to employees.

LifeWorks is a confidential Employee Assistance Program (EAP) and wellbeing resource, available any time, 24/7, to help you find answers to questions about work, life, health, family, or money. They offer expert advice, support, practical resources, and referrals to help employees manage life's issues and challenges – whether personal or professional.

LifeWorks can be contacted by –

- Phone, 24 hours a day, seven days a week, 365 days of the year. (1300 361 008)
- Online at <https://login.lifeworks.com/> Access hundreds of articles, e-books, audio recordings, assessments, toolkits, and more.
- By mobile app (for iOS & Android).

This service is available at no additional cost to the employee as Council provides this program as a benefit to support health and wellbeing.

### Number of Sessions

The counselling services provided by LifeWorks are primarily short-term and solution focused. The number of sessions provided is based on what is deemed clinically appropriate. In the event that your concern is ongoing in nature, your counsellor will discuss with you the appropriateness of a referral to a community resource outside the EAP and will work with you to access this long-term support. Sessions are predominantly phone based. Upon special request, face to face counselling can be organised depending on availabilities.

### Leave Provisions

If the employee prefers that their manager or colleagues are not aware that they are undertaking counselling, then sessions can be completed during non-working hours. The arrangement for taking time off during work hours will be the same as for any form of absence from the workplace, including time in lieu, however the manager does not need to be informed of the referral or the specifics of the matter.

Confidentiality

Information on all referrals to LifeWorks services is in confidence. Confidentiality means that Council will not receive any information concerning the employee's problem. Employees will need to provide written consent to release their personal information, should they choose to share their counselling information to a third party.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	April 2024	Resolution #	MIN040/24
Last Reviewed		Resolution #	
Amended	February 2025	Resolution #	MIN008/25

**HR 03.19 Working From Home Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

This policy establishes the framework for employees of the Shire of Kellerberrin to work from home (WFH) in a way that supports operational needs, service delivery, and employee well-being while ensuring compliance with relevant legislation and policies.

**2. SCOPE**

This policy applies to all employees who seek to work from home, whether on a regular or ad-hoc basis, and must be read in conjunction with applicable employment laws, work health & safety regulations, employee contracts and enterprise agreements.

**3. DEFINITIONS**

**'Working from Home (WFH)'** is working away from a workers ordinarily contracted place of employment.

**'Home office'** is a designated space for a worker to work while at home.

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- d) Relationships that bring us tangible benefits (to the Shire and our community)
- e) Our lifestyle and strong sense of community
- f) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Eligibility**

Employees may apply to work from home if:

- Their role is suitable for remote work without impacting service delivery.
- They have demonstrated the ability to work independently and productively.
- They have an appropriate home workspace that meets health and safety standards.
- That arrangements are consistent with the needs of Council and do not adversely affect other officers.

**Application Process**

Work from home may only be entered into by mutual agreement between the Shire of Kellerberrin and the employee on a case-by-case basis. Where it is a one off need to work from home it can be approved by the employee's manager. Where it is more than a one-off event it must be approved by the Chief Executive Officer.

Employees must submit a formal request to their manager, outlining:

- The proposed WFH schedule (e.g., specific days or ad-hoc arrangements).
- The nature of the work to be performed remotely.
- Confirmation that they have a safe and secure home workspace.
- Any technological or equipment requirements.

Managers will assess requests based on operational needs, job suitability, performance considerations, and equity across the team. Approval is at the discretion of the CEO or delegated authority.

**Work Expectations**

Employees working from home must:

- Maintain the same level of productivity and service delivery as when working on-site.
- Be available and responsive during agreed working hours.



- Adhere to all Shire of Kellerberrin policies, including Code of Conduct and Information Security.
- Notify their manager of any issues affecting their ability to work remotely.

### **Health, Safety, and Wellbeing**

Employees must ensure their home workspace complies with Work Health and Safety (WHS) standards, including:

- A suitable desk, chair, and ergonomic setup.
- Adequate lighting, ventilation, and a safe working environment.
- All hazards are adequately identified and controlled, and all incidents investigated.
- Compliance with relevant Australian Work Health and Safety laws.

The organisation may require employees to complete a self-assessment checklist and may conduct periodic safety reviews.

### **Equipment and Technology**

Shire of Kellerberrin may provide necessary equipment, such as laptops or software, subject to approval. Employees must use council-provided technology for official work and comply with data security protocols. Any equipment damage or IT issues must be reported immediately to the line manager and IT provider.

### **Data Security and Confidentiality**

- Employees must ensure the security of all work-related data when working from home.
- Sensitive or confidential information must not be stored on personal devices.
- Cybersecurity measures, such as network access and password protection, must be followed.

### **Communication and Collaboration**

- Employees must remain accessible via email, phone, and virtual meetings during work hours.
- Regular check-ins with managers and team members are required.
- Employees may be required to attend the office for meetings or operational needs.

### **Performance Monitoring**

Managers will assess WFH arrangements based on:

- Employee productivity and work quality.
- Responsiveness and communication.
- Impact on team collaboration and service delivery.

If performance concerns arise, the WFH arrangement may be reviewed or revoked.

### **Review and Termination of Arrangements**

WFH agreements will be reviewed periodically. The Shire of Kellerberrin reserves the right to modify or terminate any WFH arrangement with reasonable notice if operational needs change or performance standards are not met.

## **13. RELATED LEGISLATION/ DOCUMENTATION**

Work Health and Safety Act 2020

Work Health and Safety Regulations 2022

Local Government Act 1995

Equal Opportunity Act 1984

## **6. HISTORY**

Original Adoption	February 2025	Resolution #	MIN008/25
Last Reviewed		Resolution #	
Amended		Resolution #	

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# Financial Management

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**FM 04.01 Accounting Principles Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure consistency and accuracy of reporting in accordance with required standards.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Summary of Significant Accounting Policies****a) Basis of Preparation**

The Shires financial information is prepared in accordance with the *Local Government Act 1995 (the Act)* and, prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities) and Australian Accounting Standards Board (AASB) where no inconsistencies exist.

Except for cash flow and rate setting information, the budget has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement of fair value of selected non-current assets, financial assets and liabilities.

**Critical Accounting Estimates**

The preparation of the Shires financial information in conformity with Australian Accounting Standards required management to make judgement, estimates and assumptions that affect the application of policies and reported amounts of Assets and Liabilities, Income and Expenses. The estimates and associated assumption are based on historical experience and various other factors that are believed to be reasonable under the circumstances. The result of this experience and other factors combine to form the basis of making judgements about carrying values of Assets and Liabilities not readily apparent from other sources. Actual results may differ from these estimates.

**b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

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

All monies held in the Trust Fund are excluded from the financial statement. A separate statement of those monies appears as a Note to the Annual Financial Statements.

### Actual Balances

Balances shown in the current budget as Actual are as forecast at the time of the budget preparation and are subject to final adjustments.

### Rounding Off Figures

All figures in this budget, other than a rate in the dollar, are rounded to the nearest dollar.

#### c) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local Government obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

#### d) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a Gross basis. The GST components of a cash flows arising from Investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

#### e) Superannuation

The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

#### f) Cash and Cash Equivalents

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

Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial positions.

#### g) Trade and Other Receivables

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables are reviewed on an ongoing basis. Debts that are known to be uncollectible are written off then identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

#### h) Inventories General

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

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

### Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding cost until completion of

development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit and loss at the time of signing an unconditional contract of sale in significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

i) Non-current Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as the date of acquisitions under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulations 17A (5)*. These assets are expensed immediately and are placed on 'Attractive & Portable items register' for reference and maintenance.

Where multiple individual low value assets are purchase together as part of a larger asset or collective forming a larger asset exceed the threshold, the individual assets are recognised as one asset and capitalised.

j) Initial Recognition and measurement between mandatory revaluation dates

In relation to initial measurement, cost is determined as fair value of the assets given as consideration plus costs incidental to acquisition. For assets acquired at zero cost or otherwise significantly less than fair value cost is determined as fair value at the date of acquisition.

The costs of non-current assets constructed by the Shire include the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings, infrastructure and investment properties (including vested improvements) acquired between initial recognition and the new revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed at fair value as management believed cost approximates fair value. They are subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework.

k) Revaluation

The fair value of land, buildings, infrastructure and investment properties is determined five (5) years in accordance with the regulatory framework. This included building and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land.

At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is in accordance with the *Local Government (Financial Management) Regulation 17A (2) (a)*, which required land, buildings, infrastructure, investment properties and invested improvements to be shown at fair value.

Individual assets are plant and equipment type assets and right of use assets are measured using the cost model in accordance with *Local Government (Financial Management) Regulation 17A (2)(b) and 17A (2)(c)*.

Surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

l) Land Under Control and Land under Roads

As a result of amendments to the Local Government (Financial Management) Regulations 1996, effective from 1 July 2019, vested land, including land under roads, is treated as right of use asset measured at zero cost. Therefore, the previously inconsistency with AASB 1051 in respect of non-

recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in the Note.

m) Depreciation of Non-Current Assets

All non-current assets that have a limited useful life as separate and systematically depreciated over their useful lives in a manner that reflect the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the assets are completed and held ready for use.

Depreciation is recognised on a straight-line basis over the useful life, using rates which are reviewed at each reporting period.

The major categories of assets and the useful lives recorded on recognition are:

<b>Building</b>	<b>45 to 50 years</b>
<b>Furniture and Equipment</b>	<b>5 to 10 years</b>
<b>Plant and Equipment</b>	<b>3 to 50 years</b>
<b>Roads</b>	<b>12 to 72 years</b>
<b>Footpaths</b>	<b>35 years</b>
<b>Drainage</b>	<b>75 years</b>
<b>Public Facilities</b>	<b>6 to 75 years</b>
<b>Right-of-use (furniture and equipment)</b>	<b>Based on the remaining lease term</b>

The assets residual values and useful lives are reviewed and adjusted in appropriate, at the end of each reporting period. An asset carrying amount is written down immediately to its recoverable amount if the assets carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

n) Fair Value of Assets and Liabilities

When performing a revaluation, the Council uses a mix of both independent and management valuations using the following guides:

Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific assets. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation Techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs)

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

o) Fair Value Hierarchy

AASB 13 required the disclosure of fair information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2

Measurements based on inputs other than quoted prices in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset is included in Level 3.

Valuation Techniques

The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:

Market Approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost Approach

Valuation techniques that reflect the current replacement cost of an asset as its current service capacity.

Each valuation technique uses inputs that reflect the assumptions that buyers and sellers would use when pricing an asset or liability, including assumptions about risks. When selecting a valuation technique, the council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulation required, as a minimum, all assets carried at a revalued amount to be revalued at least every five (5) years.

p) Initial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

q) **Classification and Subsequent Measurement**

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method or cost.

Amortised cost is calculated as:

- The amount in which the financial asset or financial liability is measured at initial recognition;
- Less principal repayments and any reduction for impairment and
- Plus or minus the cumulative amortisation of the difference, if any, between the amount, initially recognised and the maturity amount calculated using the effective interest rate method.

r) **Financial Instruments**

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

s) **Financial assets at fair value through profit and loss**

Financial assets are classified as "fair value through profit and loss" when they are held for trading for purpose of short-term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.

t) **Loans and receivables**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

u) **Held-to-maturity investments**

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

v) **Available-for-sale financial assets**

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories in financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payment.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss



Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.

**w) Financial Liabilities**

Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

**x) Impairment**

A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a “loss event”) having occurred, which has an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

**y) Derecognition**

Financial assets are derecognised where the contractual rights of receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

**z) Impairment of Assets**

In accordance with Australian Accounting Standards the Council’s assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset’s fair value less costs to sell and value in use, to the asset’s carrying amount.

Any excess of the asset’s carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on the budget document.

#### **aa) Trade and Other Payables**

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

#### **bb) Employee Benefits**

##### Short-Term Employee Benefits

Provision is made for the Council's obligations for short term employee benefits. Short term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

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

##### Other long-Term Employee Benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual report period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wages and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any measurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

#### **cc) Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

#### **dd) Provisions**

Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an overflow of economic benefits will result and the outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

#### **ee) Current and Non- Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the same when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified

as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current leased on the Council's intention to release for sale.

**ff) Comparative Figures**

Where required, comparative figures have been adjusted to conform with changes in presentation for the current budget year.

**gg) Budget Comparative Figures**

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

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	November 2024	Resolution #	MIN029/24

**FM 04.02 Corporate Credit Card Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to outline the issue of corporate credit cards used to expedite authorised business expenditures on behalf of the Shire of Kellerberrin, therefore improving administrative practices and the effective cash management of the Shire.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Chief Executive Officer and Manager of Governance.

**3. DEFINITIONS**

**Credit Cards** - a facility allowing the card holder to pay for goods and services on credit.

**Business Expenses** - any expense necessary to the conduct of the business or is allowed under terms of the employee's contract of employment.

**Personal Expense** - any expense not of a business nature.

**WSFN** - Wheatbelt Secondary Freight Network

**4. STRATEGIC CONTEXT**

This policy links to key goal area

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Corporate Credit Card Purchasing**

- The Chief Executive Officer, Manager of Governance, WSFN Program Director and WSFN Program Manager are only to use their corporate credit cards for purchasing goods and services on behalf of the Shire of Kellerberrin or in association with the employee's contract.
- The corporate credit card credit limit for each card will be set by Council and reviewed at least once a year at the time all policies and procedures are reviewed.
- The current limit on the Shire of Kellerberrin corporate card is \$10,000 for the Chief Executive Officer and \$5,000 for the Manager of Governance, WSFN Program Director and WSFN Program Manager.
- Personal expenditure on Shire of Kellerberrin's corporate credit cards is strictly prohibited.
- All purchases by the Shire of Kellerberrin's corporate credit card must be accompanied by an appropriate tax invoice/receipt to ensure the Shire is able to claim all input tax credits in accordance with the requirements of the Australian Taxation Office.
- In the event individual invoices/receipts are not available then the corporate credit card statement of expenditure is to be utilised to claim income tax credits under the condition that this statement complies with the Australian Taxation Office requirements.

**Reporting Requirements**

- The Shire of Kellerberrin corporate credit card statement of expenditure is to be endorsed by the Officer in whose name the card is issued as all expenditure items listed of the statement being authorised and undertaken by him/her.

- The endorsed credit card statement of expenditure is to be included with the financial reports presented to Council in the Agenda for the ordinary meetings of Council for Council Information.

#### **General Conditions**

- Officers must surrender their Shire of Kellerberrin corporate credit card upon termination of his/her services within the Shire of Kellerberrin or when resolved to do so by Council.
- All Corporate credit card incentives (e.g. fly buys) are not to be acquired or accumulated by the Officer for his/her personal use or gain. Any such credit card incentives associated with the Shire of Kellerberrin corporate credit cards are to be utilised for the benefit of the Shire of Kellerberrin's business expense operations only.
- All expired Shire of Kellerberrin corporate credit cards are to be destroyed by the Chief Executive Officer upon receipt of a new or replacement card.

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

### **6. RELATED LEGISLATION/ DOCUMENTATION**

Local Government Act 1996

Local Government (Financial Management) Regulations 1996

### **7. HISTORY**

Original Adoption	October 2018	Resolution #	MIN182/18
Last Reviewed	February 2020	Resolution #	MIN009/20
Amended	April 2024	Resolution #	MIN040/24

**FM 04.03 End of Year Surplus Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to establish parameters for the use of untied surplus funds at the end of each financial year as identified through the Annual Budget adoption process.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

As part of the Annual Budget process the Council must calculate its end of year financial position, or surplus/deficit as a starting point for the following year's budget.

Included in this calculation are projects which have not been completed in the previous financial year and in most cases, these items are carried forward for expenditure in the following financial year. However, budget savings which have been achieved which cannot be readily identified at the end of the financial year are known as an "untied surplus".

The Council recognises that the allocation of untied surpluses is an important aspect in discharging its financial management responsibilities. The Council recognises that untied surpluses will not be used to offset the future annual operating costs of the Council, being allocated after the completion of the Annual Financial Report.

**Principles**

The use of any identified untied surplus at the end of a financial year will be limited to one (or more) of the following transactions, in order of preference:

- a) Retirement of debt (where possible);
- b) Allocated to a "one-off" capital project;
- c) Allocated to special project nominated by the Council;
- d) Transferred to a Reserve Account to be nominated by the Council;

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**FM 04.04 Investment Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to provide compliance with the Local Government Act 1995 (as amended) and the Local Government Act (Functions and General) Regulation 1996 (as amended in March 2007).

To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.

**2. SCOPE**

The policy applies to any investment of surplus funds other than bank deposits for operational purposes.

**3. DEFINITIONS**

**Prudent-Person** - rule is a legal principle that is used to restrict the choices of the financial manager of an account to the types of investments that a person seeking reasonable income and preservation of capital might buy for his or her own portfolio.

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

To invest the local government's surplus funds, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met, whilst minimizing the possibility of incurring capital loss.

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

- Preservation of capital is the principle objective of the investment portfolio. Investments are to be performed in a manner that seek to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
- The investment is expected to achieve a predetermined market average rate of return that takes into account the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

The objectives of the Policy on Investment of Surplus Funds are:

- To provide maximum capital security of funds;
- To provide the best available rate of interest from an approved source; and,
- To ensure sufficient liquidity to meet Council's cash flow requirements.

Investment shall be restricted to term deposits or commercial bills offered by the following banks or government institutions:

- National Australia Bank
- Commonwealth Bank of Australia

- Bankwest
- Australia and New Zealand Bank
- Westpac Banking Corporation
- WA Treasury Corporation
- Bendigo Bank

### Prohibited Policies

The investment policy prohibits any investment carried out for speculative purposes including;

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

Speculative financial instruments are specifically prohibited, together with the use of the portfolio for speculation. Leveraging of the portfolio (borrowing to invest) is prohibited.

*Local Government (financial Management) Regulations 1996 – Reg 19 c (2)* does not allow the following;

- Deposit with an institution except an authorised institution;
- Deposit for a fixed term of more than 12 months;
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- Invest in bonds with a term to maturity of more than 3 years; and
- Invest in a foreign currency.

### Term and Management Reporting

The term of individual investment shall be consistent with the Shire's cash flow requirements and shall not exceed twelve (12) months.

The status and performance of the investment portfolio is to be reported monthly to Council.

### Prudent Person Standard

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

### Ethics and Conflicts of Interest

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

### Authorised Investments

Without approvals from Council, investments are limited to;

- Fixed and floating rate interest bearing deposits/securities issued by Authorised Deposit taking Institutions (ADI's) as defined in the *Banking Act 1959 (Commonwealth) Section 5*, including, Fixed and Floating Rate securities;
- State Bonds as established by the *Western Australian Treasury Corporation Act 1986*;
- Other investments as approved through resolution of Council.

## 6. RELATED LEGISLATION/ DOCUMENTATION

## 7. HISTORY

Original Adoption	May 2020	Resolution #	MIN069/20
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



**FM 04.05 Local Purchasing Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to ensure Council supports the Local Community and provides opportunity of purchasing goods locally.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

- a) That Council treats local businesses as preferred suppliers
- b) That Council provides opportunities for Local Businesses to quote on Council purchases
- c) That Council factor a 10% local variance for purchasing items locally.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**FM 04.06 Procurement Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The Shire of Kellerberrin is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire's strategic and operational objectives.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire's purchasing activities will:

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

**Ethics & Integrity**

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

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

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

### **Value for Money**

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

### **Assessing Value for Money**

Value for money assessment will consider:

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

### **Purchasing Thresholds and Practices**

#### **Defining the Purchasing Value**

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

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

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

#### Strategic Purchasing Value Assessments

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

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

#### Individual Purchasing Value Assessments

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

- a) Exclusive of Goods and Services Tax (GST); and
- b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.
- c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

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

#### **Table of Purchasing Thresholds and Practices**

##### Supplier Order of Priority

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

**Priority 1: Existing Prequalified Supplier Panel or other Contract**

Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract.

If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.

**Priority 2: Local Suppliers**

Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.

If no relevant local supplier is available, then a relevant WALGA PSA may be used.

**Priority 3: Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)**

Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.

However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:

- i. Local supplier availability (that are not within the PSA); or,
- ii. Social procurement – preference to use Aboriginal business or Disability Enterprise.

If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.

**Priority 4: Tender Exempt - WA State Government Common Use Arrangement (CUA)**

Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.

However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.

If no relevant CUA is available, then a Tender Exempt [F&G Reg. 11(2)] arrangement may be used.

**Priority 5: Other Tender Exempt arrangement [F&G Reg. 11(2)]**

Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.

**Priority 6: Other Suppliers**

Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

Table of Purchasing Thresholds and Practices

This table prescribes Purchasing Value Thresholds and the applicable purchasing practices which apply to the Shire's purchasing activities:

Purchase Value Threshold (ex GST)	Purchasing Practice
Up to \$5,000 (ex GST)	Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$5,001 and up to \$20,000 (ex GST)	Seek at least three (3) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers response to: <ul style="list-style-type: none"> <li>a brief outline of the specified requirement for the goods; services or works required; and</li> <li>Value for Money criteria, not necessarily the lowest price.</li> </ul> The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$20,001 and up to \$50,000 (ex GST)	Seek at least three (3) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1) except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers' responses to: <ul style="list-style-type: none"> <li>a brief outline of the specified requirement for the goods; services or works required; and</li> <li>Value for Money criteria, not necessarily the lowest quote.</li> </ul> The purchasing decision is to be evidenced using the Brief Evaluation Report Template retained in accordance with the Shire's Record Keeping Plan.
From \$50,001 and up to \$250,000 (ex GST)	Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). The purchasing decision is to be based upon assessment of the suppliers response to: <ul style="list-style-type: none"> <li>a detailed written specification for the goods, services or works required; and</li> </ul>

Purchase Value Threshold (ex GST)	Purchasing Practice
	<ul style="list-style-type: none"> <li>pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire's Record Keeping Plan.</p>
Over \$250,000 (ex GST)	<p><b>Tender Exempt</b> arrangements (i.e. WALGA PSA, CUA or other tender exemption under <i>F&amp;G Reg.11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).</p> <p><u>OR</u></p> <p><b>Public Tender</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:</p> <ul style="list-style-type: none"> <li>A detailed specification; and</li> <li>Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases (Within Budget) Refer to Clause 1.4.3	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases (No budget allocation available) Refer for Clause 1.4.3	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
LGIS Services Section 9.58(6)(b) Local Government Act	<p>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

Purchase Value Threshold (ex GST)	Purchasing Practice
From \$35,001 and up to \$85,000 (exc GST)	<p>Seek at least two (2) written quotations, if practical, from suitable suppliers.</p> <p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, seek quotations in accordance with the contract requirements.</p> <p>If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then a quote must be sought from either:</p> <ul style="list-style-type: none"> <li>• a supplier included in the relevant WALGA Preferred Supplier Arrangement; or</li> <li>• other suppliers that are accessible under another tender exempt arrangement; or</li> <li>• the open market.</li> </ul> <p>If quotes are not being sought from a WALGA Preferred Supplier Arrangement, at least one (1) quotation is to be sought, where a suitable supplier is available, from:</p> <ul style="list-style-type: none"> <li>• a WA Disability Enterprise; and / or</li> <li>• an Aboriginal Owned Business; and / or</li> <li>• a Local Supplier.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• value for money criteria, not necessarily the lowest price.</li> </ul> <p>The procurement decision is to be represented using the Brief Evaluation Report Template.</p>

### Emergency Purchases

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

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

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

### Inviting tenders though not required to do so

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

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

## **Expressions of Interest**

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

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

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

## **Unique Nature of Supply (Sole Supplier)**

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one (1) potential supplier may only be approved where the:

- a) purchasing value is estimated to be over \$5,000; and
- b) purchasing requirement has been documented in a detailed specification; and
- c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

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

## **Anti-Avoidance**

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two (2) or more contracts or creating multiple purchase order transactions of a similar nature.

## **Contract Renewals, Extensions and Variations**

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

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

- a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract; and
- c) Authorised by the Chief Executive Officer by delegation to the value of no more than 10% of the contract value or the extension or renewal options were included in the original contract for all tendered contracts;
- d) Authorised by the Chief Executive Officer by delegation for all operational contracts

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

## **Sustainable Procurement**

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



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

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

Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

### **Local Economic Benefit**

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire will:

- a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- g) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

The Shire has adopted a Local Purchasing Policy, which will be applied when undertaking all purchasing activities.

### **Socially Sustainable Procurement**

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

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

### **Aboriginal Businesses**

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

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

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

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

### **Australian Disability Enterprises**

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

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

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

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

### **Environmentally Sustainable Procurement**

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

Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- a) demonstrate policies and practices that have been implemented by the business as part of its operations;
- b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

### **Panels of Pre-Qualified Suppliers**

#### Objectives

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

Part of the consideration of establishing a panel includes:

- a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- b) the Panel will streamline and will improve procurement processes; and
- c) the Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

#### Establishing and Managing a Panel

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

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

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

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

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

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

#### Distributing Work Amongst Panel Members

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

- a) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- b) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- c) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

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

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under *Functions and General Regulation 24AD(5)(f)* when establishing the Panel.
  - The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.
  - Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.
  - Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause 1.4.2(2) of this Policy.
  - When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

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

#### Purchasing From the Panel

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

#### Communications with Panel Members

The Shire will ensure clear, consistent and regular communication with Panel Members.

Each quotation process, including the invitation to quote, communications with Panel members, quotations

received evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

### Record Keeping

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

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

### Purchasing Policy Non-Compliance

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

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

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

If non-compliance with legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Manager of Governance

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

Where a breach is substantiated it may be treated as:

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

## 6. RELATED LEGISLATION/ DOCUMENTATION

- Local Government Act 1995 (as amended)
- Local Government Act (Functions and General) Regulation 1996 (as amended in March 2007).
- Corruption, Crime and Misconduct Act 2003
- Public Sector Management Act 1994
- State Records Act 2000

## 7. HISTORY

Original Adoption	February 2020	Resolution #	MIN009/20
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended	July 2022	Resolution #	MIN102/22

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## **Work Health and Safety**

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**WH 05.01 Drugs & Alcohol Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to outline the Shire of Kellerberrin's commitment to zero tolerance of alcohol and non-prescribed drugs in the workplace. To ensure that the health and safety of workers is not adversely affected by any other worker being at the workplace whilst affected by alcohol or drugs.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees, contractors, sub-contractors, visitors and volunteers engaged or appointed (directly or indirectly) by Council while on Council premises or while engaged in related activities.

**3. DEFINITIONS**

<b>Worker</b>	Includes any employees, contractors, sub-contractors, visitors and volunteers
<b>Alcohol</b>	Means ethyl alcohol or ethanol
<b>Drug</b>	Any substance that may result in psychological or behavioral changes that cause impaired work performance.
<b>Fit for Work</b>	Refers to an individual's functional capacity (physically, mentally and behaviorally) to perform assigned tasks competently and in a manner which does not compromise or threaten the safety or health of themselves or others.
<b>Under the influence</b>	Impaired functioning owing to alcohol and/or drug consumption
<b>Illicit or Illegal Drugs</b>	Illegal/Illicit Drugs includes all drugs identified as such by AS/NS4308 or drugs which have been synthetically designed to be outside the detection limits of AS/NZS 4308 and are not considered Prescription Drugs or Non-Prescription Drugs.
<b>Prescription Drugs</b>	Includes medications and other substances, both naturally occurring and synthetic, that cannot be legally purchased without prescription from a registered medical practitioner
<b>Non-prescription drugs or over the counter</b>	Includes medications and other substances, both naturally occurring and synthetic, as sold legally over the counter, by a registered medical practitioner (ie pharmacist) without a physician's prescription
<b>Invalid sample</b>	is a urine sample which is adulterated and/or which does not conform to the requirements of Australian Standard 4308.
<b>EAP</b>	Employee Assistance Program

**4. STRATEGIC CONTEXT**

This policy applies to the Shire of Kellerberrin:

- Council members, Committee Members and Candidates of Local Government Elections,
- All employees whether by way of appointment, secondment, contract, temporary arrangement or volunteering, work experience, trainees and interns; and
- Any external party involved in providing goods or services to the Shire of Kellerberrin, such as contractors, consultants, outsourced service providers and suppliers.

**5. POLICY STATEMENT**

Both the Council and individual workers have obligations under the *Work Health & Safety Act 2020*. Part of this duty to take reasonable care relates to taking reasonable steps to ensure workers are in a state to work safely and to minimise risks to both themselves and other workers. Workers and other persons in the workplace have a corresponding duty under legislation to take reasonable care so as not to expose themselves or other workers to unnecessary risks.

Workers have an obligation to advise the employer if they:

- Are unfit to perform work as a result of being under the influence of alcohol and/or drugs
- Are taking any medication that might affect their work performance
- Believe another worker or person in the workplace is unfit to perform work as a result of alcohol or drugs.

To monitor compliance with this Policy, Council reserves the right to conduct searches, inspections and tests on Council premises in accordance with applicable law and without prior notice of the clothing, personal effects, lockers, toolboxes, baggage, vehicles and quarters of any person subject to this Policy. The possession, cultivation, distribution, sale, purchase or consumption of illegal substances on Council property, or while otherwise on Council business, will be considered a criminal matter, and be referred to the appropriate authorities.

### **Drug and Alcohol Testing**

Council will conduct Drug and Alcohol testing upon reasonable suspicion when a person(s) may be impaired (fitness for work testing), following a workplace health and safety incident (Incident testing), randomly (random testing) and voluntary testing. Council will carry out testing with a breath analysis for alcohol testing and saliva testing for other drugs.

A person who returns a positive screening test will not be permitted to remain in or return to the workplace pending the receipt by the employer of the confirmatory test result.

#### Random Testing

All workers and other persons in the workplace may be required to provide a sample for testing as a result of a random selection process. The Council reserves the right to amend and adjust the random selection process from time to time as appropriate. All workers will be tested at least once in every twelve months.

#### Fitness for Work Testing

Testing may be required if Health and Safety Officer, Supervisor, Manager or Chief Executive Officer, based on evidence received, has reasonable grounds for concern that an worker may not be fit for work due to drugs and/or alcohol. If Council has reasonable grounds to believe that an worker is under the influence by drugs and/or alcohol it will take steps to address the issue.

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

#### Incident Testing

Workers may be tested if involved in an incidents or accident which:

- Resulted in a serious or dangerous event; or
- Involved vehicle accidents;
- Resulted in injuries treated by a medical practitioner;
- Caused property/equipment damage,
- Was reported as a near miss.

#### Pre-Employment Testing

All prospective employees shall be required to provide a urine sample that will be analysed for traces of prohibited or restricted drugs as a pre-requisite for employment with the Council. The prospective employee will be requested to declare whether they are taking any medication, including prescription and/or non-prescription over the counter drugs.

### Extraordinary Testing

A worker once found to have obtained a positive result in either drug or alcohol testing shall be required to undergo further urine testing at the rate of three extraordinary tests over six months not including normal selection for random testing. The Chief Executive Officer shall determine when extraordinary testing is to take place.

### Refusal to Undertake a Test

Refusal by a worker to submit to or cooperate fully with the administration of a drug and alcohol test will be deemed to be the same as a first positive result and the worker will be sent home on either accrued leave or leave without pay at the worker's choice. The worker will be given a verbal warning.

The worker will present themselves at an authorised testing centre within 24 hours of the first refusal and undergo a test. If the worker continues to refuse to take a test, it will be treated as a Second Positive result and the worker will be sent home on either accrued leave or leave without pay at the worker's choice. The worker will be given a final written warning assuming there are no mitigating circumstances.

The worker will present themselves for another test within 24 hours of the second refusal and undergo a test. If the worker continues to refuse to take a test, it will be treated as a Third Positive result. Formal disciplinary procedures will be invoked to ascertain if any mitigating circumstances exist and to allow the worker to state their case. Unless there are convincing arguments to the contrary, the individual may be dismissed without notice.

### Provision of an Invalid Sample or Inability to Provide a Sample

Where a worker or other person in the workplace asserts that they are unable to provide a sample for testing, in the absence of an explanation acceptable to the employer and when given a reasonable timeframe, the person will be deemed to have returned a positive confirmatory test result for the purposes of this Policy.

## **Acceptable Levels**

### Alcohol

Where an individual, after a 20-minute break, records a positive reading with the following Blood Alcohol Content levels:

Range 0.00% to 0.02%	Will be stood down and provided with safe transport off site. Time off is to be taken as accrued leave/ leave without pay.  The first offence the worker will be given a verbal warning by their supervisor and any subsequent positive test will result in formal disciplinary action being taken and a letter of warning issued.
Range 0.02% to 0.10%	Will be stood down and provided with safe transport off site. Time off is to be taken as accrued leave/ leave without pay.  A formal written warning will be issued
Range greater than 0.10%	Will be stood down immediately for 24 hours with a view to terminate their employment at the discretion of the Chief Executive Officer

### Drugs

All workers tested are to produce a result of 'Negative' using the oral fluid testing panel. Australian Standard AS/NZ 4308:2008 lists the target concentration of drugs in oral fluid testing as:

<b>Class of Drug</b>	<b>Saliva</b>	<b>Urine</b>
Amphetamine type stimulants	25 ng/ml	250 µg/L
Cannabinoid's (THC)	15 ng/ml	50 µg/L
Cocaine & metabolites	25 ng/ml	300 µg/L
Opiates (morphine)	25 ng/ml	300 µg/L



Where a positive test result is returned indicating the presence of a class of drugs consistent with the declared prescription and/or over the counter drugs no further action will be taken pending receipt of the confirmatory test results and provided the person is fit for work.

### **Action in Relation to Test Results**

If a worker or other person in the workplace returns a positive confirmatory test result, they will be provided with a copy of the laboratory drug and/or alcohol test results and will be sent home on accrued leave or leave without pay. Only if a negative test result is returned will the worker be able to resume their normal duties and the cost of testing to provide a negative result shall be at the worker's own expense

Disputed results will be dealt with in accordance with Australian Standard 4308 and at the worker's own cost. The referee sample will be made available for testing by an authorised testing centre and all records of the original test made available for re-examination. Due to possible degradation of sample over time, re-testing need only detect the presence of the drug or metabolite using mass spectrometry.

#### **First Positive**

If a worker or other person returns a positive confirmatory test result for the first time for other drugs then the following will apply:

- If management considers the test result to be a serious breach, management may commence appropriate disciplinary action in line with the recommended WALGA HR practices.
- The worker shall enter into discussions with their manager and the CEO regarding the positive result. The worker may request a representative to be present in a purely observatory capacity.
- In the event of the positive result being for drugs other than cannabis, the worker will present themselves within 48 hours at an authorised testing centre and undergo a further test. If the test is positive, it will be treated as a Second Positive.
- In the event of the positive result being for cannabis, the worker shall undertake weekly drug testing at an authorised testing centre. The worker will not be permitted to commence work until a negative result is achieved. This may continue for a maximum period of up to six weeks.
- On return to work the worker will be subject to extraordinary testing in addition to the usual testing programme. Further contravention of this Policy will result in disciplinary action up to and including termination of employment.

#### **Second Positive**

The below steps apply only if a first positive was not considered a serious breach, and the worker is not currently undergoing relevant disciplinary procedures.

If an worker records a positive confirmatory test result for the second time for alcohol or drugs then the worker shall present themselves as soon as possible to a panel consisting of;

- Manager
- Chief Executive Officer, and
- Health and Safety Representative (if worker chooses)

The objective of the panel is to discuss the source of problem and explain the repercussions of a Third Positive test.

In the event of the positive result being for alcohol and drugs other than cannabis, the worker will present themselves within 48 hours at an authorised testing centre and undergo a further urine or breathe test. If the test is positive, it will be treated as a Third Positive. In the event of the positive result being for cannabis, the worker shall undertake weekly drug testing at an authorised testing centre. This may continue for a maximum period of up to six weeks.

The employer will consider failure to undertake weekly drug testing as required and to return a test result that indicates a decline in the level of the drug which was found to be at or above the cut-off level prescribed in this Policy or to return a test result which indicates the presence of any other drug at or above the cut-off level prescribed in this Policy as evidence of the worker's intention not to return to work and may terminate the contract of employment accordingly.

On return to work the worker or other person in the workplace will be subject to extraordinary testing in addition to the usual testing programme. Further contravention of this Policy will result in disciplinary action up to and including termination of employment.

#### Third Positive

The worker will be immediately suspended from work without pay pending an investigation of the incident or occurrence. Formal disciplinary procedures will be invoked to ascertain if any mitigating circumstances exist and to allow the worker to state their case.

Unless there are convincing arguments to the contrary, the individual may be dismissed without notice. Where a person in the workplace other than a worker returns a positive confirmatory test result for the third time The Shire of Kellerberrin may refuse to permit the person to perform work for or on behalf of the Council or to perform work on the premises or property of the Council.

#### **Education, Training and Awareness**

Workers who recognise that they have a drug and/or alcohol problem, or that they are aware they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help. The Shire provides access to an EAP provider for use, consultation, counselling and treatment purposes. The program is free to all workers and is totally confidential. The Shire encourages worker to avail themselves of this service.

#### **RELATED LEGISLATION/ DOCUMENTATION**

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007 r.3

(1)(h) Occupational Safety and Health Act 1984

Occupational Safety and Health Regulations 1996

#### **HISTORY**

Original Adoption	July 2017	Resolution #	MIN121/17
Last Reviewed	June 2023	Resolution #	MIN060/23
Amended	February 2025	Resolution #	MIN008/25

**WH 05.02 Major Plant Purchasing and Hire Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure safety in utilising plant.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT****Duties of manufacturers, etc.**

A person who designs, manufacturers, imports or supplies any plant for use at a workplace shall, so far as is practicable -

- a) ensure that the design and construction of the plant is such that persons who properly install, maintain or use the plant are not in doing so, exposed to hazards;
- b) test and examine, or arrange for the testing and examination of the plants so as to ensure that its design and construction are as mentioned in paragraph (a); and
- c) ensure that adequate information in respect of-
  - (i) any dangers associated with the plant;
  - (ii) the specifications of the plant and the data obtained on the testing of the plant as mentioned in paragraph (b);
  - (iii) the conditions necessary to ensure that persons properly using the plant are not, in doing so, exposed to hazards; and
  - (iv) the proper maintenance of plant.

A person who erects or installs any plant for use at a workplace shall, so far as is practicable, ensure that it is so erected or installed that persons who properly use the plant are not subjected to any hazard that arises from, or is increased by, the way in which the plant is erected or installed.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## 1. PURPOSE

The purpose of this policy is to demonstrate this commitment to workplace safety, a copy of this policy shall be included in all tender documentation issued to vendors of plant and equipment as well as to the providers of equipment hired by the Shire of Kellerberrin.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

Implementation of this policy complies with the obligation to ensure safe systems of work.

To reduce the risk of injury and ill-health to employees all hazards must be identified, assessed and controlled.

**Hazard Identification** ensures all possible risks to employees from the purchase or hire of equipment are recognised and taken into account **before** purchase or hire is finalised.

**Hazard Assessment** enables the likelihood of injury and the severity of injury to be assessed.

**Hazard Control** recommends possible courses of action to minimise all risks based on the recognised hierarchy of hazard control with elimination being the most desirable and substitution the next option. Engineering controls may also be relevant.

The above three step hazard management system is relevant to all Council operations.

The assessment should be conducted by the section Supervisor, the usual operator and the safety and health representative **before** purchase or hire of any plant and equipment. The workshop supervisor may also attend these assessments as his knowledge and expertise would be relevant to the maintenance schedule and any suggested alterations and modifications.

**The Occupational Health and Safety Act 1995 and Occupational Safety and Health Amendment legislation 1995 make specific reference to the obligations of manufacturers and suppliers of equipment:**

When inspecting plant and equipment, either for purchase or hire, there are a number of areas that need to be taken into consideration to minimise risk to employees.

### Ergonomics

**Seating** - needs to be comfortable and able to support the operator without sagging. Appropriate lumbar support should be incorporated in seat design plus adjustments available to accommodate all sizes of operators.

**Operating controls** - should be located within easy reach to minimise operator stretching, bending and twisting movements. Controls should be light in movement to minimise strain and muscular effort. Steering wheel positioning should be adjustable to suit all sizes of operators and there must be sufficient distance from the operator’s thighs and the steering wheel.

**Access and egress** - hand holds and steps should be located to enable ease of entry and exit from the cab.

**Noise**

Noise levels both inside and outside the cab should be assessed. Exposure to excessive noise levels can result in permanent hearing loss and also contributes to fatigue. Employers are obliged to reduce noise levels as far as practicable at the workplace. Noise level measurements of the item of plant or equipment should be provided by the supplier before purchase or hire to ascertain the risk to employees operating the equipment as well as employees and /or members of the public who may be in the vicinity at the times of operation.

**Dust and moisture control**

Cabs must be sealing correctly to minimise penetration of dust and moisture. Adequate ventilation is essential for operator comfort.

**Thermal comfort**

Adequate ventilation is essential and wherever possible air-conditioning should be installed and tinted glass for those items with large areas of glass. Heaters should be fitted to enable comfort in colder conditions and demisting facilities to enable clear visibility.

**Vibration**

Cabs should be mounted to minimise vibrations transmitted from road surfaces. Correct suspension seating also absorbs vibration and improves operator comfort.

**Lighting**

Work lights should be positioned to light up the required work area of the equipment e.g. the road sweeper lights should be positioned so that the operator can clearly see the gutter line and channel brushes while operating.

**Visibility**

Visibility from the vehicle should be assessed to ensure a clear field of view in all directions with any possible blind spots identified.

**Passenger comfort**

Passenger comfort should be taken into consideration if more than two people are to travel in the vehicle. Most trucks only cater well for two people with a small centre seat over the engine cowling for the third person. To avoid discomfort for the third person it is undesirable for this middle seat to be used for any great length of time.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	February 2020	Resolution #	MIN009/20
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**WH 05.04 Work, Health & Safety Policy****Version:** Current**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The Shire of Kellerberrin will plan and conduct works in such a manner that the health, safety and welfare of persons is given the highest level of protection, so far as is reasonably practicable, including for:

- a) Any members of the community, or other persons, who may be affected by works undertaken;
- b) All workers, whilst engaged in the performance of works, and;
- c) All visitors to our workplaces.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees, elected members, contractors & volunteers.

**3. DEFINITIONS**

**Employees** - Persons performing work with the Shire of Kellerberrin.

**WHS** - Work Health and Safety

**CEO** - Chief Executive Officer

**4. STRATEGIC CONTEXT**

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire understands and accepts responsibilities imposed under Workplace Health and Safety (WHS) legislation and is committed to providing healthy and safe working conditions, which are aimed at the prevention of work related injuries or ill health. Consistent with this, the Shire will:

- a) Provide and maintain a healthy and safe work environment through the proactive identification of work related hazards and elimination of these where possible, or reduction of associated risk level through the application of the hierarchy of risk controls where hazards cannot be completely eliminated;
- b) Strive to achieve high standards and continuous improvement in work health and safety performance by utilising best practice procedures and taking into account current levels of technical knowledge and development;
- c) Comply with all applicable legislation and requirements;
- d) Establish, implement and maintain an Work Health and Safety Management System; including measurable objectives and targets aimed at elimination of work related injury and illness;
- e) Ensure that all workers and other persons within the workplace are fully informed of potential hazards and associated risk control measures, including through a process of training, instruction, information sharing and supervision as applicable;
- f) Effectively communicate and consult with all WHS duty holders, including workers and their representatives, so as to ensure that everyone within the workplace is offered the opportunity to participate in the ongoing development of a healthy and safe workplace; and
- g) Ensure that all workers, are fully aware of their responsibility to take reasonable care to safeguard

their own health and safety at work and to avoid adversely affecting the health or safety of others through any act or omission at work and report hazards, accidents, incidents and near misses to their supervisor.

Copies of this Policy shall be made readily available to all workers, and any other interested parties, including through display within the workplace

6. RELATED LEGISLATION/ DOCUMENTATION

Work Health and Safety Act 2022.  
Work Health and Safety (general) regulations 2022

7. HISTORY

Original Adoption	August 2022	Resolution #	MIN135/22
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## WH 05.04 Chemical Safety in the Workplace

Version: Current

Responsible Officer: Manager Works and Services

## 1. PURPOSE

The purpose of this policy is to ensure that there is a systematic and consistent approach in the safe management and handling of hazardous chemicals in the workplace. The policy has been developed as a guide in the safe use, storage and disposal of hazardous chemicals and also applies to the storage and handling of dangerous goods, ensuring compliance with *Work Health and Safety Act (2020)*, its regulations and codes of practice.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin employees, volunteers and contractors who use and/or have management or control of hazardous chemicals in the workplace.

## 3. DEFINITIONS

**Hazardous Chemical** – any liquid, gas, material or vapour that has the potential to cause injury, illness or disease through either acute and/or chronic exposure.

**Dangerous Goods** – are substances, mixtures or articles that, because of their physical, chemical or acute toxicity properties, present an immediate hazard to people, property or the environment.

**Material Safety Data Sheets (MSDS)** – is a document that provides detailed information about chemicals.

**Controlled Substances** - (or Scheduled Drugs and Poisons) is a classification of pharmaceuticals and poisons that require licensing. Under the license conditions there are restrictions on access, labelling and use.

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- g) Relationships that bring us tangible benefits (to the Shire and our community)
- h) Our lifestyle and strong sense of community
- i) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

### Purchase of Hazardous Chemicals

Prior to purchasing a hazardous chemical consideration should be given to the following;

- Has the chemical been purchased before?
- Is the MSDS available?
- Is the chemical deemed a hazardous chemical?
- Is the possibility of substituting a hazardous chemical for another with less risk?
- Does the hazardous chemical require a license, special approvals or registrations?
- Does the chemical have specific storage requirements (eg security concerns, compatibility with other chemicals) and can it be stored appropriately once purchased?
- Does the chemical require PPE that is supplied and/r in stock?
- Can the chemical be disposed of under current waste management processes?

On first purchase of a hazard chemical completion of a risk assessment must be conducted and an MSDS must be obtained from the supplier prior to its use. Once the hazardous chemical has been received from the supplier the chemical register must be updated.



## Chemical Inventory

The Manager Works and Services must ensure that all chemicals and dangerous goods are recorded in the Chemical Register. The register will take in to account the following:

- Chemical classification (hazard substances, dangerous goods, controlled substance),
- Storage location,
- Quantities

## Chemical Risk Assessment

The manager/supervisor must ensure that all chemicals in their area of responsibility have chemical risk assessments completed prior to use.

## Training

The Manager/Supervisor must ensure that the required level of information, instruction and training is available to all staff handling chemicals. The training must provide the skills and knowledge required to perform activities in a manner that is safe and without risks to health, in so far as is reasonably practicable.

## Storage and Handling

The manager/supervisor must ensure that controls are adopted and maintained that eliminate or reduce so far as is reasonably practicable the risks associated with the storage and handling of chemicals. For all chemicals this will include:

- Ready access to a current MSDS
- Accurate, clear and durable labelling of all chemicals in accordance with regulatory requirements
- Availability of a risk assessment to all staff who are required to handle and/or store the chemicals
- Training for staff required to handle the chemicals
- Emergency plans suitable to the chemical
- Where required, signage is displayed as per regulatory requirements.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Work Health and Safety Act (2020)

Health & Safety – Chemical Risk Assessment Form

Health & Safety – Guide to chemical risk hierarchy of control

## 7. HISTORY

Original Adoption	November 2024	Resolution #	MIN029/24
Last Reviewed		Resolution #	
Amended		Resolution #	

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# Community and Facilities

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**CF 06.01 Australia Day Awards****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to ensure that awards are presented consistently under the appropriate guidelines.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

An Award is to be presented to a Shire of Kellerberrin citizen nominated for their outstanding service to the community. The award is presented to recognise and reward outstanding community service to the recipient and encourage community spirit.

**Australia Day Awards Criteria****Shire of Kellerberrin Community Service Award**

The selection criteria for a "Shire of Kellerberrin Community Service" Award are as follows;

- a) Persons who have made a noteworthy contribution and/or given outstanding service to the local community over a number of years
- b) Persons who perform voluntary service within the community
- c) Person who raise funds for community/charity/event/project

A nominee for a "Shire of Kellerberrin Community Service" Award will only be considered for a "Citizen of the Year Award" or "Young Citizen of the Year Award" if shown on the nomination form.

**Community Event of the Year Award**

The "Community Event of the Year" Award is awarded to an individual, community group or a group of people whom have illustrated the following;

- a) Perform a service to the community
- b) Raise funds for a community charity/event/project
- c) Conduct a successful project, event or activity
- d) Bring credit/recognition to the community through a cultural, environmental or sporting achievement.

The contribution can occur in the year prior to the award being presented or as recognition of a long-standing commitment/ service to the community.

**Citizen of the Year Award**

The "Citizen of the Year" is awarded to a person who has made a noteworthy contribution to the Shire during the current year, or given outstanding service to the local community over a number of years.

All nominees for “Citizen of the Year” will automatically be considered for a “Shire of Kellerberrin Community Service” Award and separate nominations are not required

A nominee for a “Shire of Kellerberrin Community Service” Award will only be considered for a “Citizen of the Year Award” or “Young Citizen of the Year Award” if shown on the nomination form.

#### Young Citizen of the Year Award

The “Young Citizen of the Year” is awarded to a young person, who has made a noteworthy contribution to the Shire during the current year, or given outstanding service to the local community over a number of years.

To be eligible, the person must not be more than 30 years of age in the following year.

All nominees for “Young Citizen of the Year” will automatically be considered for a “Shire of Kellerberrin Community Service Award” and separate nominations are not required.

A nominee for a “Shire of Kellerberrin Community Service Award” will only be considered for a “Citizen of the Year Award” or “Young Citizen of the Year Award” if shown on the nomination form.

#### **Australia Day Awards Guidelines**

The recipient will be chosen based on the following guidelines:

- Recipients cannot receive the same award in a five (5) year span, unless in exceptional circumstances as determined by Council.
- The recipient must promote, highlight or advantage the Shire of Kellerberrin.
- Must be over and above their normal line of employment
- Nominees are not to be adequately or sufficiently paid for the work associated with the nomination. If there is any payment received it must be disclosed on the nomination form.
- Nominations are to be called between September and November each year.
- Council is not bound to present an award in any particular category each year.
- Council will consider all nominations at the December Council meeting each year.
- Council’s decision is final and no correspondence will be entered into.

#### **Additional Terms**

Nominations may be made by individuals, community organisations, clubs or associations. The nomination must be made on the attached form

- The closing date for nominations is stated on all advertising.
- That Council is the selection committee who have the authority to award the Shire of Kellerberrin Community Services award, Community Event of the Year Award, Young Citizen of the Year Award or Citizen of the Year Award as determined Council The Chief Executive Officer, Deputy Chief Executive Office, Community Development Office and Media Officer may offer advice and be present when Council discusses all nominations and decides on recipients at its December Council meeting.
- Only one recipient shall be awarded for the categories “Citizen of the Year” award and “Young Citizen of the Year” award.
- All nominator’s details remain confidential.
- All recipients of awards will remain confidential until the awards are presented.
- Nominations received from individuals or groups nominating themselves for an award will be deemed invalid.

Nomination forms are to be sent to:

“Australia Day Awards”  
Chief Executive Officer  
Shire of Kellerberrin  
P.O. Box 145  
KELLERBERRIN WA 6410

Presentations will be made on Australia Day each year at the advertised Shire of Kellerberrin Australia Day function.

6. RELATED LEGISLATION/ DOCUMENTATION

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## **1. PURPOSE**

The purpose of this policy is to help manage playgrounds and provide for current and future community needs in an equitable and sustainable manner and to promote safe use and enjoyment of public open space and amenities for the wider community benefit.

## **2. SCOPE**

This policy applies to the Shire of Kellerberrin Community.

## **3. DEFINITIONS**

## **4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## **5. POLICY STATEMENT**

### **Age/Ability Scope**

Play equipment is to consider usage specifically toddlers through to 12 years of age. Disabled access to the park area is also to be managed and maintained.

### **Nature Play Elements**

Nature Play elements are to be incorporated into the playground design, where appropriate and in accordance with Australian Standards for Playgrounds and budget constraints.

Nature play refers to areas that contain elements of the natural environment such as tree planting, mulching, creative landscaping and use of natural occurring elements such as logs and boulders to enhance and encourage the connection with nature in outdoor play.

### **Recreation**

As well as playground equipment the Shire of Kellerberrin provides suitable lighting, seating, BBQ areas and attractive natural elements for the wider community to enjoy.

### **Compliance**

The Shire of Kellerberrin playgrounds must comply with relevant Australian Standards. This includes appropriate soft fall zones and materials.

### **Alcohol Consumption**

Alcohol consumption at any of the Shire of Kellerberrin playgrounds is to be on application to the Shire of Kellerberrin only.

### **Improvements/Maintenance**

The Shire of Kellerberrin maintenance of grounds to include but not be limited to, ensuring adequate lighting, cleanliness and usability of BBQ areas and fountains, pathway and soft fall maintenance as well as checking of equipment for damage, wear and tear and rubbish and debris removal.

**Community Consultation**

The Shire of Kellerberrin will consult with the community with regards to the installation, refurbishment or removal of playground/play equipment when required.

**Requests for Changes to Playground**

The Shire of Kellerberrin shall consider each new request for additions, amendments to its playgrounds at the next scheduled Council Meeting after its request. Each request will be subject to budget constraints and the maintenance schedule of Council.

**6. RELATED LEGISLATION/ DOCUMENTATION**

- Relevant Policies/Management Documents
- Australian Standards for Playgrounds
- Maintenance Management – Shire of Kellerberrin
- Legislation/Local Laws Requirements
- Dogs Local Law 2012
- Occupiers Liability Act 1995

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## CF 06.03 Child Safety Awareness Policy

Version: Current

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The Shire of Kellerberrin supports and values all children and young people. Council makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways Council demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. Council is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that the Shire of Kellerberrin is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. Council will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, this policy provides a framework that outlines the role of Council in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin Community. The safety and wellbeing of children is everyone's responsibility. This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of Council, regardless of their work related to children or young people. It applies to occupants of Council facilities and venues, including visitors, contractors and suppliers

## 3. DEFINITIONS

**Abuse** - Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

**Child/Children** - Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

**Child Safe Organisation** - is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

**Child safe:** For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.



- Harm:** Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.
- Wellbeing:** Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

#### **4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny
- d) The rights of children and young people are upheld.
- e) Children and young people are respected, listened to, and informed about their rights.
- f) Children and young people have the fundamental right to be safe and cared for.
- g) Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- h) The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- i) Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- j) Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- k) Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

#### **5. POLICY STATEMENT**

The Shire of Kellerberrin will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- a) Developing a process to deliver child safe messages (for example at Council venues, grounds and facilities or events).
- b) Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

#### **Responsibilities**

- a) Council has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.
- b) Although Kellerberrin Shire is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise Council facilities to operate in alignment with the Child Safe Awareness policy.
- c) Council will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

#### **6. RELATED LEGISLATION/ DOCUMENTATION**

- Employee Code of Conduct
- Corporate Communications Policy
- Information Technology Policy
- Record Keeping Policy
- Strategic Community Plan
- Volunteer Policy
- Child Care Services Act 2007
- Children and Community Services Act 2004
- Civil Liability Act 2002

- Corruption, Crime and Misconduct Act 2003
- Equal Opportunity Act 1984
- Freedom of Information Act 1997
- Local Government Act 1995
- National Principles for Child Safety Organisations
- Parliamentary Commissioner Act 1971
- Public Interest Disclosure Act 2003r
- Public Sector Management Act 1994
- United Nations Convention on the Rights of the Child (CRC)
- Work Health and Safety Act 2020
- Working with Children (Criminal Record Checking) Act 2004

## 7. HISTORY

This policy will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.

Original Adoption	June 2023	Resolution #	MIN060/23
Last Reviewed		Resolution #	
Amended		Resolution #	

**CF 06.04 Community Bus Hire – General Policy****Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to ensure consistency in regards to bus hire costs and rules in regards to cleanliness are followed.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Community.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**Vehicle Bookings

All bookings to be made at the Shire Office.

Vehicle Keys

The keys to be picked up at the Shire Office. Keys to be returned to the Shire Office at the first available opportunity during office hours or in the Administration Office "Return Facility" after hours.

Hire Bond

A \$200.00 bond will be charged in accordance with Council Policy, and must be paid before the hire date. The bond may be retained in the event that non-payment occurs and/or the cleanliness of the bus is not satisfactory (Council's decision on cleanliness of the bus upon return is final). Home and Community Care is not to be charged a bond. All groups who regularly hire the bus can pay a bond of \$200.00 at the beginning of their season to be reimbursed at the end of their season.

Vehicle Cleanliness & Vehicle Condition

The Hirer to make sure the inside of the bus is clean and tidy before returning the keys. If not clean, they will be asked to clean it, or a cleaning fee will be charged @ \$30.00 per hour. Council's decision on cleanliness of the bus upon return is final.

Report on Vehicle Cleanliness Condition

If the Hirer picks up the bus in an unsatisfactory condition, the Hirer must contact the Shire Office immediately. If this is after hours, the Hirer should leave a message on the Shire Office answering machine service.

Regular Hiring

All groups who regularly hire the bus may pay the bond at the beginning of the year/season to be reimbursed at the end of the year/season.

Vehicle Safety & Security

Hirers are to ensure that the Community Bus is parked in a safe and secure environment/property. Damage to and theft from the Vehicle shall be assessed once the Council has been notified and further consideration

by the Council will be given to full recoup of costs associated with replacement/repairs of the vehicle and/or accessories due to theft and/or unwanted actions. An Incident/Accident Report must be completed and presented to Council and in addition to normal reporting procedures to Police.

Vehicle Damages & Repairs - Damages or breakages which result from misuse/negligence by the user are the responsibility of the user and all replacement or repair costs will be charged to the user. Repairs arising from normal usage are the responsibility of Council. Please also refer to point 7 in reference to this.

#### Motor Vehicle Accident

In the case of a motor vehicle accident where the hirer is proven to be negligent, the hirer is liable for the first \$1,000.00 arising out of an Insurance Claim to cover Council's \$1,000.00 excess, in all other circumstances Council will carry the excess. An Incident/Accident Report must be completed and presented to Council and in addition to normal reporting procedures to Police.

#### Passenger Safety

The hirer is responsible for the safety of all passengers.

#### Vehicle Smoking Ban

Smoking is not permitted in the bus at any time.

#### Vehicle Breakdown

In the case of breakdowns of the bus, the hirer is to make every endeavour to return the bus to Kellerberrin and the alternate transport of passengers becomes the sole responsibility of the hirer.

#### Vehicle/Engine Checks

During use the Hirer shall check the oil, water and tyres daily.

#### Full Fuel Tank

When picked up, the bus will have a full tank of diesel fuel. The Hirer is to ensure that they fill up the tank on returning the bus.

#### Vehicle Logbook

Complete the logbook prior to and at the end of each hire period.

- The Shire of Kellerberrin retains the right to change, alter or adopt new rules as they wish, also to refuse use of the Bus if they wish.
- Garage doors are to be closed after removal & upon return of Community Bus to garage
- Cleaning products are kept in the Bus shed.

#### Additional Information:

- a) formal list of dishonoured debtors is to be formulated with Council to refuse hire to those individuals/organisations
- b) If the hire occurs concurrently on a weekend and the bus is not provided to the second hirer in suitable condition, then the Shire is to be notified by phone immediately
- c) Council's decision on cleanliness of the bus upon return is final

## **6. RELATED LEGISLATION/ DOCUMENTATION**

## **7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## **COUNCIL POLICY**

**Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to control the consumption of liquor within Council controlled Public Facilities.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

That all users of Council controlled Public Facilities must make written application to the Chief Executive Officer if they wish to consume liquor on that property detailing date, time and reasons for the function.

Application forms can be collected from the Shire office.

Council, in accordance with Section 5.42(1) of the Local Government Act 1995 delegates to the CEO the exercise of any of its powers or the discharge of any of its duties under this policy.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	April 2021	Resolution #	MIN 039/21
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**CF 06.06 Event Risk Management Policy****Version:** Current**Responsible Officer:** Manager of Governance**1. PURPOSE**

The purpose of this policy is to develop the culture, processes and structures that are directed towards the effective management of risks that may present potential adverse effects and opportunities, prior to and during an event. It also is designed to reduce the potential costs of risk by reducing liability, litigation and improving loss control.

The key drivers for events risk management will be:

- Practicing good corporate governance and the Council's responsibility in exercising due diligence
- Adhering to legislation and best practice guidelines for all Events, especially for Events that cater for more than 5000 people and
- Due diligence requirements of the Council's insurer to mitigate the potential for untoward claims arising from the Event.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Community.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

- To communicate to all key stakeholders the Shire's approach to Event risk management.
- To ensure all Events conducted within the Shire's locale adhere to the necessary laws, regulations and guidelines
- To ensure all Events conducted within the Shire's locale are of a high standard and successful, which in turn will promote future Events
- To protect and enhance the reputation of the Council, displaying their robust corporate governance.
- To implement the Risk Management Standard AS/NZS ISO 31000:2009 in all aspects of Events risk management
- To define the Council's level of Event risk tolerance, ensuring that all high – extreme rated risks are adequately addressed and managed
- To develop an Event risk management plan, which is tailored specific to the Event and its context.
- Ensuring that an Event Risk Management Policy has been developed, adopted and communicated throughout the Shire.
- Ensuring that the Event Risk Management Policy is reviewed annually.
- Ensuring that all Event proposals requiring Council approval are reviewed and actioned within the designated time frame.

## 6. RELATED LEGISLATION/ DOCUMENTATION

## 7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Council Adoption	June 2023	Resolution #	MIN060/23
Amended		Resolution #	

## CF 06.07 Flag Flown for Funerals Policy

Version: Current

Responsible Officer: Manager of Governance

**1. PURPOSE**

The purpose of this policy is to ensure that Council show their respect to all residents of the Shire, past and present.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS**

**Council** Elected Members of the Shire of Kellerberrin

**4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Upon Council being notified of a death in the community and or receiving a request that the flag be lowered to half-mast in accordance with the following:

The extract below is taken from the following publications:

*The Australian National Flag written by Carol & Richardson Flags published in 1995 – The Australian National Flag at Half Mast on page number 16.*

*“To achieve the half-mast position, the flag should be raised to the top of the flagpole, then in a continuing movement lowered slowly to half-mast. It is important that the flag appears to be at half-mast, and not to have fallen away from the top of the flagpole. This will generally be attained when the top of the flag is one third of the total length of the flagpole from the top.*

*Before lowering the flag for the day, it should be raised once again to the top of the flagpole and then lowered slowly to the ground.”*

**Local Resident Burial:** The flag is to be flown half-mast on the day of the funeral.

**Outside Shire Burial:** Once notified the flag is to be flown at half-mast on the day of the funeral.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to ensure authority and consistency in private works being undertaken and to ensure that the works program is not affected.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin Community.

## 3. DEFINITIONS

**Private Works** Use of labour and plant associated with construction and maintenance of roads, drains, dams, general earth moving jobs, transportation, etc. restricted to the Shire's outside staff and plant.

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

The Shire of Kellerberrin may undertake private works upon request from private individuals, businesses, contractors, local clubs and community organisations where it is considered to be in the best interest of the community and the availability of the required resources without jeopardising prior commitments with the works program.

Pursuant to Section 5.42 of the Local Government Act, 1995 The Delegation Manual be amended to include a new delegation "Private Works" that;

"The Chief Executive Officer is delegated authority to undertake private works in accordance with the Council's adopted policy.

The Chief Executive Officer is delegated authority to use his/her discretion:-

- a) To provide quotations for private works contracts provided the Shire of Kellerberrin margin in respect to plant hire is achieved and all other components of the quotation are better than a break-even result.
- b) The cost of private works will be determined as per Council's Fees and Charges Schedules

Before private works commences, Private Works Book's forms describing as costing the works must be completed and be signed by the Chief Executive Officer or appropriate Manager and the customer.

Payment for private works valued at less than \$200 must be paid for by the customer before works commence unless otherwise authorised by the CEO

The Chief Executive Officer is authorised to negotiate with the customer the terms of payment for works more than \$200.

## 6. RELATED LEGISLATION/ DOCUMENTATION

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**Responsible Officer:** Chief Executive Officer

## **8. PURPOSE**

The purpose of this policy is to support services and initiatives that result in improved business conditions within the Shire of Kellerberrin. Council is dedicated to providing support and encouragement in the growth of small business and business innovation which will in turn improve local employment opportunities for residents and help achieve thriving local industry and community.

## **9. SCOPE**

This policy applies to the Shire of Kellerberrin Business Owners and its elected members and employees. It is the responsibility of All Staff to ensure that they adhere to the policy, direction and legislation. Council is responsible for the application of the policy. Council is responsible for the review of the policy.

## **10. DEFINITIONS**

## **11. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## **12. POLICY STATEMENT**

In recognition of the important role that businesses play in contributing to the local economy and liveability within the Shire, Council is committed to the provision of development and support services for Small and Medium businesses through the Community Business Support Grant.

The Community Business Support Grant will give Council the capacity to:

- a) Encourage local business to invest in online and e-commerce activities.
- b) Encourage local businesses to invest in professional development and training.
- c) Assist local business in their ability to increase business opportunity and sustainability.
- d) Provide businesses with support for capital works projects to adapt to changes in business structure and/or conditions.
- e) Assist new enterprises that are establishing with the Shire of Kellerberrin.

### **Funding**

Council will allocate funds to be available for the Community Business Support Grant and for these to be included as part of the Shire of Kellerberrin annual budget process.

The Community Business Support Grant offers cash grants of up to \$3,000 per application on a matched dollar for dollar basis.

### **Eligibility**

Applicants must meet the following requirements:

- a) Be able to demonstrate they are involved in business support enterprise;

- b) Have a registered Australian Business Number (ABN);
- c) Have the appropriate insurances, permits and licences;
- d) Have a proposal that will deliver benefits to the Shire of Kellerberrin;
- e) Have a proposal which is financially viable;
- f) Provide a project plan detailing objectives of the project, costs, timelines, and methodology; and
- g) Be able to demonstrate:
  - (i) The need for the activity / project;
  - (ii) How the activity / project aligns to Council strategies;
  - (iii) The potential economic impact for the Shire of Kellerberrin and how this will be measured; and
  - (iv) Value for money.

### **General Conditions**

- a) Applications may be accepted year-round.
- b) Grant funding is to be paid as reimbursement for spending or costs incurred after the Community Business Support Grant application has been approved. Assistance will not be given retrospectively.
- c) Funding will not be approved to any applicant that currently holds outstanding debts with the Shire of Kellerberrin, including any overdue acquittals from previous grant funding.
- d) The proposal must meet the specific funding program guidelines and eligibility criteria.
- e) The applicant organisation must demonstrate their capacity to manage financial and funding accountabilities of the project, as well as their overall project management capabilities.
- f) Funding is not to be used for any other purpose than what was detailed in the original application.
- g) All applications must be submitted on the relevant application forms.
- h) Where groups and individuals have an ABN (Australian Business Number) and are registered, GST will be applicable and will be paid. Unregistered groups and individuals will need to complete an Australian Taxation Office declaration form prior to receiving reimbursement of grant monies.
- i) Recipients of funds under this Policy must complete and submit evaluation and acquittal forms provided by Council no later than 60 days following any funded event or activity
- j) Businesses will be allowed to apply once per year.
- k) Organisations may not apply for funding under the Business Support Grants Program if they have also received funding under the Shire Community Grants Program in the same year.
- l) In-kind labour and equipment may be included in the applicant's contribution but may not exceed one third of the completed value of the project.
- m) Council may opt to use their employees or equipment in lieu of a cash contribution.
- n) Council reserves the right to carry out a Progress Inspection or request a Progress Report at any stage of the project.
- o) The Chief Executive Officer is given delegated authority to approve or reject minor variations to the Applicant's Project Budget following approval of the grant from Council.

### **Submission and Assessment Process**

- a) Applications can be received via mail, email or printed copies dropped into the Front Counter at Shire Administration Office
- b) Applications will be assessed by the Grants Team based on Grant Criteria and a recommendation made to Council.
- c) Applications will be presented to Council and assessed based on eligibility and merit.
- d) Allocation of grant funding is at the discretion of the Council.
- e) All applicants will be contacted in writing regarding the outcome of their application.
- f) Applicants are encouraged to seek feedback on the outcome of their application.

### **Acknowledgement of Assistance**

The applicant agrees to acknowledge the Shire of Kellerberrin's assistance through the following mediums, inclusive of, but not limited to:

- a) Council logo displayed on any media, marketing, or promotional material, including websites, apps, or social media relating to the initiative;
- b) Undertake joint media promotion with the Shire of Kellerberrin;
- c) Submission of an acquittal report containing photographs of project deliverables upon project completion

### **Allocation of Funds**

All successful applicants are required to sign a funding agreement with the Shire of Kellerberrin prior to funds being released.

Council will not:

- fund deficit funding
- fund retrospectively

Generally, variations to funding agreements will not be accepted unless activities are impacted by circumstances demonstrated to be beyond the recipient's control. Any request to vary expenditure from the approved activity would need to be submitted to and approved by the Shire prior to the expenditure occurring.

Only minor variations that do not change the overall intent of the approved activities will be considered. Decisions regarding funding applications are final and will not be reconsidered.

Applicants may choose to resubmit their applications during future funding rounds, including those in the same financial year.

### **Acquittal**

All Businesses that receive funding will have to provide the following after their project's completion within 12 months of the funding being awarded:

- a) Completed Acquittal Form (to be provided);
- b) Proof the project, activity or event took place (e.g. photographs etc.);
- c) Proof of expenditure (e.g. copy of financial records and invoices paid); and
- d) Evaluation of project, activity or event (e.g. copy of participant feedback, surveys etc.).

### **Unspent Funds**

Funds allocated within the budget which are unspent at the conclusion of the Financial Year remain with Council.

## **13. RELATED LEGISLATION/ DOCUMENTATION**

## **14. REVIEW DETAILS**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed		Resolution #	
Amended		Resolution #	

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted

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## **Works and Infrastructure**

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Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to assist Council in the maintenance and grading of all unsealed roads within the Shire of Kellerberrin's boundaries.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The Shire of Kellerberrin has a road hierarchy whereby unsealed roads are classified in accordance with their usage:-

- Level One Roads – Includes all school bus routes and major local arterial roads leading to grain receival points – roads to be graded a minimum of twice each year.
- Level Two Roads – Includes connecting roads to arterial roads – roads to be graded a minimum of once each year.
- Level Three Roads – Includes all minor roads excluding farm and paddock access roads – Roads to be graded a minimum of once every two years.
- Level Four Roads – Includes Farm and paddock access roads as well as remote formed roads – Roads to be graded as required.

This policy is subject to weather conditions.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure consistency and quality when constructing sealed roads.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Council to construct roads to Main Roads WA design using the following standards;

- Formed roadway of minimum 12 metres with 2.0 metre shoulders on each side and minimum 8.0m sealed surface.
- Guideposts to be 6 metres from the centre of the road.
- That the construction of all future road intersections must conform to Main Roads – Western Australia specifications (“t” junctions).

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	June 2022 April 2024	Resolution #	MIN168/16 MIN040/24
Amended		Resolution #	



**WI 07.03 Unsealed Road Closures Policy****Version:** Current**Responsible Officer:** Manager Works & Services**1. PURPOSE**

The purpose of this policy is to protect the integrity of gravel and dirt roads within the Shire following heavy rain events by implementing temporary road closures and restrictions. This procedure ensures effective communication through various channels and addresses local access needs while safeguarding the road network.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin employees, volunteers and contractors who use and/or have management or control of hazardous chemicals in the workplace.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- d) Relationships that bring us tangible benefits (to the Shire and our community)
- e) Our lifestyle and strong sense of community
- f) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

If, in the opinion of the Manager Works and Services, there is a risk to public safety or risk of damage to Shire road infrastructure, the Chief Executive Officer may close roads to vehicles.

The Chief Executive Officer may exempt certain vehicles that require access, which may include:

- a) Local traffic that is proceeding to a place of garaging;
- b) Other vehicles that require access on the road, such as school buses or emergency services vehicles;
- c) Access relating to perishable goods or animal welfare; or
- d) Vehicles not exceeding a Gross Vehicle Mass of 4.5 tonnes or greater.

In the event of a temporary road closure, an information bulletin will be provided via text message and/or email. Information will also be communicated through social media and on the Shire of Kellerberrin website.

**6. RELATED LEGISLATION/ DOCUMENTATION**

- Local Government Act 1995

**7. HISTORY**

Original Adoption	November 2024	Resolution #	MIN029/24
Last Reviewed		Resolution #	
Amended		Resolution #	

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# Fire Control

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Responsible Officer: Manager of Governance

## 1. PURPOSE

The purpose of this policy is to have guidelines to follow for the appointment and actions of Fire Brigade Officers & Bush Fire Advisory Committee.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

Nil

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

### Appointment

In accordance with relevant provisions of the Bush Fires Act 1954 (as amended), Council shall appoint required Fire Control Officers, including the positions of Chief Bushfire Control Officer and Deputy Chief Bush Fire Control Officer. The adopted procedure for these appointments will be as follows;

- a) The Shire appointed Bushfire Advisory Committee shall at their March Annual Advisory Meeting consider and recommend to Council, the appointment of required Fire Control Officers including the Chief Bushfire Control Officer and the Deputy Chief Bushfire Control Officer.
- b) The Shire Bush Fire Advisory Committee shall undertake the following tasks at their two (2) annual Advisory Meetings in March and September of each year as follows;
  - (i) Fire Control Officer Appointments and recommendation - March
  - (ii) Firebreak Order Review and recommendation - March
  - (iii) Capital Equipment/Vehicle Replacement Budget (ESL) Planning and recommendation - March
  - (iv) Prohibited and Restricted Burning periods review and recommendation - March
  - (v) Communications Strategies including radios and repeater network review and recommendation – March or September
  - (vi) Bushfire Policy Review and recommend to the Council for consideration – March or September
  - (vii) Other Business – not included above and of a substantive nature – March or September

It should be noted that all business considered at a Bushfire Advisory Meeting is presented to the Council with recommendations for Council consideration and/or adoption. The Shire agrees to provide Administrative support to the Shire of Kellerberrin Bushfire Advisory Meetings only.

Fire Control Officers are not permitted to issue permits to burn, for their own purposes. Fire Control Officers wishing to burn must obtain a permit from another authorised Fire Control Officer.

- a) Authority to Act at a Bushfire Emergency – that the Chief Executive Officer be authorised to release/allocate Council operated vehicles, plant and machinery to a Bushfire Emergency, in consultation with or upon request from the Fire Control Officer in charge at the Bushfire Scene.
- b) Recovery of Costs from a Bushfire Emergency - costs incurred by Council vehicle/s, plant and machinery attending to an extreme/out of control Bushfire Emergency, is to be recouped from the ESL Scheme (DFES).

Bush Fire Courses - It be Council's policy that every encouragement be given to the Bush Fire Brigade Members and Fire Control Officers to attend Bush Fire and Fire Control Officer Courses run by DFES.

That Fire Control Officers be authorised to expend up to \$200 without authorisation. Expenditure above \$200 is to be authorised by the Chief Executive Officer in the course of management of control of a bushfire and that DFES be notified of the expense required to assist with controlling a fire.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Bush Fires Act 1954 (as amended)

## 7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to encourage landowners to accept responsibility for their land in regards to tidiness, reduce vermin attraction and fire hazard reduction responsibility to all vacant landowners within the townsites of the Shire of Kellerberrin.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

**Council** Shire of Kellerberrin

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

- a) That an annual Fire Hazard Reduction Inspection be conducted within the townsites of Doodlakine and Kellerberrin in regards to landowner responsibility towards tidiness and neatness to comply with Council's Firebreak Notice.
- b) The Inspection to be arranged by the Chief Executive Officer and completed in association with Council's appointed Chief Bushfire Control Officer or his or her representative, to be completed by end of second week of **September**.
- c) Non Compliance Notices be forwarded to offending landowners by end of **September**.
- d) **Non-compliance at 1 November will result in Infringement Notices being issued.**
- e) If Landowner remains non-compliant at the end of the stated period Council will enter land to undertake necessary works in accordance with its powers to achieve compliance at landowners cost.
- f) That this becomes Policy of the Council, to be included in Annual Fire Break Notices and advertised accordingly.

## 6. RELATED LEGISLATION/ DOCUMENTATION

Bush Fires Act 1954 (as amended),

## 7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to ensure processes are in place and followed for the issuing and advertising of Harvest Bans.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

That the Chief Bushfire Control Officer and Deputy Chief Bushfire Control Officer or their delegate, be authorised to initiate Harvest and Vehicle Movement Bans within the Shire of Kellerberrin.

The decision to initiate a Harvest and Vehicle Movement Ban is to be determined by not less than three (3) individual Fire Weather Readings from within the Shire of Kellerberrin from one of the four (4) Fire Control Officers within the Shire of Kellerberrin.

In the event that the Fire Danger Index reaches 32 or more, based on an average of three or more weather readings representative of three distinct areas of the Shire of Kellerberrin, a Harvest and Vehicle Movement Ban will be automatically issued over the whole of the Shire of Kellerberrin.

Once issued, a Harvest and Vehicle Movement Ban will remain in force until such time that three (3) of the five (5) fire control officers indicate that it is safe to lift the ban.

In the event of inclement weather conditions prevailing, a Harvest and Vehicle Movement Ban may be extended beyond the original time indicated.

### Media Releases

For the purpose of 'Press Releases' relating to the issue of Harvest and Vehicle Movement Bans, the following wording will be utilised at all times:

### Weather Condition Harvest Bans

"A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Kellerberrin until 6.00pm, and may be extended if necessary"

OR

"Currently there are no Harvest and Vehicle Movement Ban within the Shire of Kellerberrin".

OR (in the case of a fire)

"A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Kellerberrin until further notice, due to a fire within the Shire of Kellerberrin".

Under no circumstances will the words ‘to be reviewed at’ be utilised when issuing notice of Harvest and Vehicle Movement Ban due to weather conditions.

6. RELATED LEGISLATION/ DOCUMENTATION

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure adequate guidelines are in place for restrictions in roadside burning and to ensure that road verges and vegetation thereon is retained.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

No roadside burning is allowed within the Shire for the purposes of fire protection. Any landholder wishing to utilise road reserves for fire protection may apply to Council for permission to use chemical sprays. Council will assess each application upon consideration of:

- Vegetation in the affected area/chemicals to be used
- Tree planting, revegetation undertaken by Council
- Previous burns in the area/cater courses in area
- Roadside vegetation

Landowners must recognise Council's intent to maintain road verges "fire free". When damage occurs to verge vegetation because of a fire escaping from private property. Council assess a claim for damages/reinstatement on following grounds;

- Vegetation in the affected area
- tree planting
- revegetation undertaken by Council
- cost of reinstatement
- a valid permit is in place (if required) and that conditions on permit are complied with.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure that Council have advice and control on when burning can take place during restricted periods.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Any requests to burn the townsite Reserve 2913, Water Supply (Golf Club), must be approved by Council.

Burns within Reserve 15593, Recreation, are the responsibility of the Kellerberrin Golf Club. Requirements for permits stand for each and every fire within the Reserves, during the restricted periods.

**6. RELATED LEGISLATION/ DOCUMENTATION**

Bush Fires Act 1954 (as amended)

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

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## **Building and Development**

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**Responsible Officer:** Chief Executive Officer

## **1. PURPOSE**

The purpose of this policy is to outline policy for establishment of crossovers.

## **2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## **3. DEFINITIONS**

## **4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## **5. POLICY STATEMENT**

### **Townsite**

That Council allow one 3 metre wide bitumen or emulsion seal crossover per lot, 50% of cost to ratepayers. Additional cost involved in wider crossovers or additional crossovers to be paid in full by the ratepayer. 4 metres tapered (designated) crossover/driveway width to property.

### **Rural**

Where landowners require a culvert crossover, Council will construct if landowner supplies the culvert. 12 metres tapered (designated) crossover/driveway width to property

### **Industrial/Commercial**

10 metres tapered (designated) crossover/driveway width to property

Application and Approval Conditions for either of the above listed crossover/driveway request;

- a) Council to prepare the requested and identified crossover/driveway for construction as agreed and determined by the Council upon application from landowner/property owner.
- b) Crossover/Driveway construction standard to be in accordance with Council Design and Specification Standard (Australian Roadmaking Standards for Culvert/Crossover Construction) and as required by and to the satisfaction of the Manager Works & Services.
- c) Requests for Crossover/Driveway not be retrospective and are to be made on application to the Council and the appropriate Works Request Form completed.
- d) Costs associated with the agreed and standard crossover/driveway be on the basis of gravel material surface between the road and property boundary and the appropriate and approved pipes/culvert be included in the required design of a standard suitable for the deemed crossover/driveway.
- e) Costs for crossover/driveway standard over and above (gravel material surface) to that described in above, be allocated at Council discretion.
- f) Assessment of each crossover/driveway request be considered by the Manager Works & Services and if satisfied, approval is given and the works programmed in due course for installation.

- g) If an adequate standard of crossover/driveway exists to a property, then Council may or may not accept the request OR may accept the request if the landowner is prepared to accept 100% cost for the improvement work.

The above stated crossover/culvert widths are approximate and are in consideration of the standard length of culvert/pipe manufactured according to industry standards.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**BD 09.02 Deep Drainage Policy****Responsible Officer:** Chief Executive Officer**1. PURPOSE**

The purpose of this policy is to ensure a procedure is in place for landholders planning to use deep drainage as an engineering option for salinity control that directly affects Council controlled land & infrastructure

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Prior to the commencement of drainage works within the Shire of Kellerberrin the proponent or an authorised agent must submit a Notice of Intent (NOI) to drain to the Department of Agriculture and Food pursuant to the Soil and Land Conservation Regulations 1992.

Proponents must provide a copy of the letter of no objection provided by the Department of Agriculture and Food, prior to the contractor commencing drainage excavation work.

As a condition of approval by the Shire of Kellerberrin, a public notice will be advertised by the Shire of Kellerberrin within the local newspaper being the "Pipeline" advising on which locations drainage excavation works are to be constructed within the Shire of Kellerberrin and advise which roads, reserves or town site are to be affected.

Once approval has been given for the Notice of Intent (NOI) by the Department of Agriculture and Food to drain the drainage proponent must give Council at least four (4) weeks notice prior to the commencement of any drainage excavation work that directly affects Council controlled lands and infrastructure, to allow for advertising and Council consideration of how drain waters will be allowed to cross Council infrastructure without affecting its integrity and standard.

At Council's discretion, proposals to move water via the means of deep drainage excavation work must be accompanied by an Engineer certified design, taking into account the impact on Council's land and/or infrastructure of extra-ordinary events that may cause damage to the integrity of the drainage line. Such a certified design will be undertaken at the proponents cost in reference to drainage within Council Road Reserve.

The proponent shall enter into an agreement with the Shire of Kellerberrin that future maintenance costs of the drainage system shall be at the proponents cost and may be recorded as an absolute caveat on the affected land. Such remedial works shall be carried out within fourteen (14) days of written advice from the Shire of Kellerberrin.

Upon the expiry of the fourteen (14) days Council reserves the right to enter upon the land and to carry out the necessary remedial works using appropriate machinery at the proponents cost. The cost will be standard Council cost plus 100%.

All construction and remedial costs, including traffic management, of the drainage conveyance structure shall be at the proponents cost.

If drainage works are crossing Council roads a culvert design with all the relevant supporting information is to be submitted to Council by the proponent for Council consideration.

The culvert design must;

- a) Adhere to the Australian Standards for Road Design
- b) Extend the whole length of the road reserve, with the ends positioned inside the proponents boundary (fence)
- c) Use culvert pipe and headwall material made of HDPE or recycled plastic material to ensure durability and longevity of the culvert in consideration of cost, efficiency and availability
- d) Be a minimum of 600mm diameter. This larger culvert pipe diameter is stipulated to allow the proposed drain to be extended in the future should volumetric flow increase from upstream drainage systems.

The material and labour associated with installing culverts at Council Road crossing as a part of the drain conveyance are at the proponents cost. Installation and reinstatement works are to be either undertaken or supervised by Council.

6. RELATED LEGISLATION/ DOCUMENTATION

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to control the size and height of outbuildings in residential areas and to ensure that the construction of an outbuilding does not detract from the general aesthetics of the residential area.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## 3. DEFINITIONS

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

Outbuildings that satisfy the following development criteria may be approved by the Building Surveyor without referral to the Council of the Shire of Kellerberrin.

Outbuildings that:

Comply with the Building Code of Australia

- Are constructed of new materials. Where second hand materials are proposed, the Building Surveyor may require a certification from a practicing structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also require the cladding of the proposed second hand outbuilding to be painted in an approved colour or renewed.
- Are not attached to a dwelling;
- Are not habitable;
- Are not within the primary street setback area;
- Do not reduce the amount of open space required by the Residential Design Codes to less than the prescribed amount;
- Are setback in accordance with the requirements of the Residential Design Codes;
- Are of size, or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in the table below –

LOT AREA (m <sup>2</sup> )	MAX SINGLE OUTBUILDING (m <sup>2</sup> )	TOTAL OUTBUILDINGS (m <sup>2</sup> )	MAX WALL HEIGHT	MAX. RIDGE HEIGHT
500 – 749	46	62	2.4	3.6
750 – 999	73	97	3.0	3.6
1000 – 1249	94	125	3.0	3.6
1250 – 1699	117	156	3.0	3.9
1700 – 2049	130	202	3.0	3.9
2050 – 2999	143	262	3.3	4.2

3000 – 5000	157	375	3.6	4.5
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6. RELATED LEGISLATION/ DOCUMENTATION

7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure that excessive sized outbuildings are not built within the Kellerberrin and Doodlakine town sites.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

The limit for approval by the Building Surveyor without reference to Council for outbuildings is up to 100 square metres.

Applications seeking to increase this area beyond 100 square metres are to be considered by Council, on recommendation of the Building Surveyor.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

## 1. PURPOSE

The purpose of this policy is to communicate the Shire of Kellerberrin's commitment to a zero tolerance approach to misconduct, fraud and corruption.

This policy also establishes the Shire's commitment to maintaining high standards of professional and ethical conduct by supporting strategies that prevent, detect and respond to misconduct, fraud and corruption.

## 2. SCOPE

This policy applies to the Shire of Kellerberrin and its elected members and employees.

Outbuildings are often a necessary requirement for landowners within the Shire, as they support a variety of rural land uses. As lifestyle patterns and domestic storage needs have evolved there is a trend toward the construction of larger outbuildings within the Shire.

This policy seeks to apply a regional variation to the deemed-to-comply provisions for outbuildings within *State Planning Policy 3.1 - Residential Design Codes* (R-Codes) by allowing for greater floor area, ridge and wall heights within the specified zones. Outbuildings need to be sensitively located and designed so as not to impact on the amenity of nearby residents, the streetscape, and the character and environmental attributes of the area. Therefore, this policy seeks to ensure that outbuildings are constructed to a high standard, and are suitably sized and located relevant to their context so as to not adversely impact on the surrounding area.

## 3. DEFINITIONS

**"Council"** means the elected members of the Shire.

**"Deemed provisions"** means the provision designated as a deemed provision under Section 256(5)(b) of the *Planning and Development Act 2005*. Deemed provisions, as amended from time to time, have affect and may be enforced as part of each local planning scheme to which they apply, whether they are prescribed before or after the scheme comes into force.

**"Development site"** means a parent lot in which development is proposed.

**"Outbuilding"** means an enclosed non-habitable structure that is detached from any dwelling.

**"Residential Design Codes"** as referenced under *State Planning Policy 3.1 - Residential Design Codes*.

**"Ridge Height"** means the maximum vertical distance between the natural ground level and the finished roof height directly above.

**"Scheme"** means the Shire of Kellerberrin *Local Planning Scheme No.4*.

**"Substantially commenced"** means that some substantial part of work in respect in respect of a development approved under a planning scheme or under an interim development order has been performed.

**"Wall height"** means the vertical distance from the natural ground level at the boundary immediately adjacent to the wall to the roof or parapet at any point.

## 4. STRATEGIC CONTEXT

This policy links to key goal areas:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community

- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

The Shire of Kellerberrin, as enabled under the *Planning and Development (Local Planning Schemes) Regulations 2015*, Division 2, Schedule 2 of the deemed provisions, hereby makes this Local Planning Policy (LPP) regarding Outbuildings. Clause 3(1) of the deemed provisions allows for a local government to prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

Any LPP prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A LPP is not part of the Scheme and shall not bind the Local Government in any respect of any application for development approval, but the local government shall have due regard to the provisions of any policy, and the objectives which the policy is designed to achieve before making its decision.

This LPP applies to the Residential, Rural Residential and Rural Townsite zones within the Scheme area.

### Background

Outbuildings are often a necessary requirement for landowners within the Shire, as they support a variety of rural land uses. As lifestyle patterns and domestic storage needs have evolved there is a trend toward the construction of larger outbuildings within the Shire.

This policy seeks to apply a regional variation to the deemed-to-comply provisions for outbuildings within *State Planning Policy 3.1 -Residential Design Codes* (R-Codes) by allowing for greater floor area, ridge and wall heights within the specified zones. Outbuildings need to be sensitively located and designed so as not to impact on the amenity of nearby residents, the streetscape, and the character and environmental attributes of the area. Therefore, this policy seeks to ensure that outbuildings are constructed to a high standard, and are suitably sized and located relevant to their context so as to not adversely impact on the surrounding area.

### Objectives

The objectives of this policy are:

- To vary the deemed-to-comply provisions of the R-Codes for Design Principles 5.4.3 - Outbuildings;
- To provide flexibility for outbuilding size, construction and materials to meet the needs of local residents;
- To ensure that outbuildings are constructed to a suitable standard and located in such a way as to minimise their impact on the amenity of the locality or adjoining properties, including the protection of natural vegetation, water quality and bushfire risk;
- To ensure outbuildings constructed within the Shire are consistent with relevant zone objectives outlined in the scheme; and
- To provide further clarity on the definition of an outbuilding.

### Application

This policy applies to the assessment of outbuildings on land in the Scheme area within the following zones:

- Residential
- Rural Residential; and
- Rural Townsite;
  - (i) a person must not commence the construction of an outbuilding on land within the above zones in the Scheme area unless the person has obtained development approval of the Council; or
  - (ii) the development is of a type that is referred to in Section 6.1.2 of this policy.

The following provisions are intended to guide and regulate the design and positioning of outbuildings to ensure a balance between legitimate forms of storage requirements of landowners and potential amenity and landscape impacts. For the purposes of this policy, sea containers, animal feed bins, dongas and water tanks do not constitute an outbuilding.

This policy does not apply to the Town Centre zone; outbuildings in this zone are regulated by the R-Codes as permitted under Clause 4.2 of the Scheme. Outbuildings in the Industrial zone will be considered on a case-by-case basis and require Council approval.

### Exemptions from Development Approval

Under Clause 61(1)(i) of Schedule 2 of the deemed provisions, the following exemptions from development approval apply:

- Development approval of the Shire is not required for the development of an outbuilding with an area of 10m<sup>2</sup> or less.
- Development approval of the Shire is not required for the development of an outbuilding with an area of greater than 10m<sup>2</sup>, provided that it complies with the maximum development requirements outlined within Section 7 of this policy, in the Residential, Rural Residential and Rural Townsite zones.
- Development approval of the Shire is not required for the development of an outbuilding in the general agriculture zone, providing the development adheres to the provisions of the Scheme.

Development approval is required if located in a place that is:

- entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
- the subject of an order under the *Heritage of Western Australia Act 1990*;
- included on a heritage list prepared in accordance with the Scheme;
- within an area designated under the Scheme as a heritage area;
- the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990*, Section 29; and/or
- on a lot abutting an unconstructed road, or a lot which does not have frontage to a constructed road.

### Maximum Development Requirements

#### Maximum standards for outbuildings in R-Coded areas

(Includes: Residential, Rural Residential and Rural Townsite zones as seen on Scheme Map)

The following variations to the deemed-to-comply requirements of Part 5.4.3, C3 iii, iv and v of the R-Codes, shall apply in these R-Coded areas:

DENSITY CODE	ZONING	GROSS TOTAL SITE AREA		WALL HEIGHT (m)	RIDGE HEIGHT (m)
R2	RESIDENTIAL / RURAL RESIDENTIAL	200m <sup>2</sup> or 10% of the site area (whichever is less)		4	5.5
R2.5 - 5	RESIDENTIAL	Lots less than 2000m <sup>2</sup>	150m <sup>2</sup> or 10% of the site area (whichever is less)	3.5	4.5
		Lots greater than 2000m <sup>2</sup>	180m <sup>2</sup> or 10% of the site area (whichever is less)		
R10 - 40	RESIDENTIAL / RURAL TOWNSITE	Lots less than 1000m <sup>2</sup>	80m <sup>2</sup> or 10% of the site area (whichever is less)		
		Lots greater than 1000m <sup>2</sup>	100m <sup>2</sup> or 10% of the site area (whichever is less)		

Maximum standards do not override the deemed-to-comply requirements of Table 1 of the R-Codes or any specific Scheme requirements.

Outbuildings shall be located in cleared areas, behind the main residential building line in accordance with Schedule 1 of this policy.

The gross total area is cumulative.

### Appearance and other standards

Factory applied steel wall and roof cladded outbuildings shall be constructed of non reflective material that is sympathetic to the surroundings and finish of the existing dwelling on the development site.

The use of second-hand materials will only be permitted where the materials are in good condition and are sympathetic to the surroundings and finish of the existing dwelling on the development site. The Shire may require a structural engineer report for use of second-hand materials.

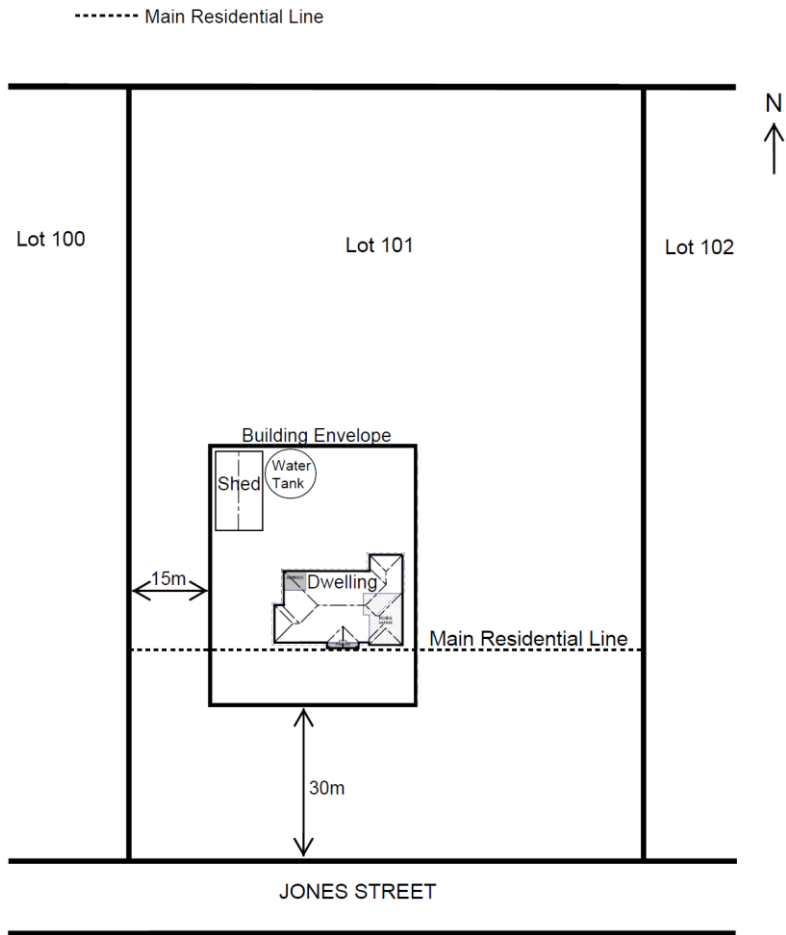
Outbuildings that do not comply with the maximum development requirements will not be supported unless detailed justification can be provided for proposed variations.

**Use of Outbuildings**

Outbuildings shall only be used for incidental uses associated with a residential use and/or rural purpose.

The Shire may grant approval for the use of an outbuilding to accommodate a caravan for the purposes of temporary accommodation for a period not exceeding twelve (12) months, where a building permit has been approved and work has substantially commenced on the development site.

The Shire may grant approval for the use of an outbuilding to accommodate a caravan for the purposes of temporary accommodation for a period not exceeding twelve (12) months, where a building permit has been approved and work has substantially commenced on the development site.



**Advertising**

Variations to the acceptable standards will be referred to affected surrounding landowners for comment, in accordance with Clause 64 of Schedule 2 of the deemed provisions. Where a submission is received objecting to a proposal the application may be referred to Council for consideration.

**Schedule 1 – Main Residential Line**

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	April 2018	Resolution #	
Last Reviewed	June 2020	Resolution #	MIN089/20
Amended		Resolution #	

**Responsible Officer:** Chief Executive Officer

## **1. PURPOSE**

The purpose of this policy is to manage the use of sea containers in Kellerberrin to ensure that the intent of the Town Planning Scheme is maintained.

## **2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## **3. DEFINITIONS**

## **4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## **5. POLICY STATEMENT**

- a) The location of sea containers within the Shire of Kellerberrin is regarded as development and will require Council's development approval;
- b) That the containers be used as outbuildings but not for ancillary accommodation;
- c) All applicants will be required to obtain a Building License;
- d) One Sea Container (12m or less) may be located on a property in residential and special rural zoning subject to the following conditions:
  - (i) That containers shall be fitted with a pitched roof;
  - (ii) That the containers shall be located to the rear of the dwelling;
  - (iii) That the containers shall be located within building setbacks in the current Town Planning Scheme;
  - (iv) That the containers shall be fitted with doors that can be opened from inside to ensure safety of users;
  - (v) That the containers shall be painted to match the colour of the house;
  - (vi) That the containers shall not be located over septic tanks, leach drains or utilities;
  - (vii) That if the containers fall into disrepair or become unsightly Council shall require their removal.
- e) Permanently Located Sea Containers (up to 12m) may be used for storage only on land zoned industrial with Council's approval subject to the following conditions:
  - (i) That the containers shall be located on the lot to the satisfaction of Council
  - (ii) That the containers shall be located within building setbacks in the current
  - (iii) Town Planning Scheme;
  - (iv) That the containers shall be able to be opened from the inside to ensure safety of users;
  - (v) That the containers shall be painted to match the buildings on the lot;
  - (vi) That the containers shall not be located over septic tanks, leach drains or utilities;
  - (vii) That if the containers fall into disrepair and become unsightly, that Council shall require their removal.
  - (viii) One permanent sea container per 4,000 square metres.

- f) Sea containers will not be permitted in the Town Centre Zone, Mixed Use Zone and on Local Reserves (including road reserves) without prior Council approval.
- g) Temporary use of a sea container on building sites as an office or storage unit is permissible, subject to application to and approval of Council. Council may delegate authority to the CEO to approve temporary use on building sites. Approval extends for the period of construction of the building only, and the sea containers shall be removed within 14 days of completion of the building. As a component of the application, suitable safety mechanisms must be in place to allow emergency exit from the container, to the satisfaction of the Council.”

## 6. RELATED LEGISLATION/ DOCUMENTATION

## 7. HISTORY

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



**1. PURPOSE**

The purpose of this policy is to provide a uniform minimum standard for veranda's over footpaths.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

That as a minimum standard for verandas over footpaths be of bullnose construction and:

- a) Veranda is to be non load bearing, full metal construction and signed accordingly;
- b) Posts to be a minimum of 100mm x 2.5mm duragal full butt weld or double bolted with high tensile steel bolts;
- c) Veranda to be self-supporting and capable of loss of ½ of the posts without collapsing.
- d) Vertical separation for fire purposes to be provided to the Veranda.
- e) Framework to comprise a truss system connected primarily to the parapet wall of the building.
- f) All designs are to be certified by a practicing structural engineer

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

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## **Environmental Health Services**

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Responsible Officer: Chief Executive Officer

## 1. PURPOSE

The purpose of this policy is to provide clear direction regarding the ongoing management of the Food Act 2008, Food Regulations 2009, and the Australia New Zealand Food Standards Code (in particular Chapter 3).

## 2. SCOPE

This policy applies to the Shire of Kellerberrin Community.

## 3. DEFINITIONS

The definition of a Temporary Food Business according to the *Food Act 2008* is a food business set up as part of a one off event where temporary or permanent premises are used. Food Safety is still vitally important and most of the requirements of the *Food Safety Standards Code 3.2.2* still apply in relation to a Temporary Food Business (TFB).

The definition of a Mobile Food Business according to the Food Act 2008: A food business that operates from premises that are non-permanent; for example food vehicles and caterers.

## 4. STRATEGIC CONTEXT

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## 5. POLICY STATEMENT

### Notification

In accordance with the notification requirements detailed in Clause 4, Standard 3.2.2 of the Code, all food businesses must, before the food business commences any food handling operations, notify the Local Government of:

- their contact details;
- nature of the food business; and
- location of all food premises associated with that food business (within the Shire).

This notification process is a once-off requirement. Notification is also required whenever there is a change to the nature of the business, and/or proprietor (transfer of food business registration fee applies when there is a change of proprietor).

Failure to notify the Local Government of a food business activity creates an offence under the Act.

### Registration

All food businesses must 'notify' the Local Government of their intention to operate, regardless of whether they are required to 'register' the business in accordance with the Act. In order to comply with Section 109, a food business must ensure that any premises used in conjunction with the sale of food is approved by the Local Government, as part of the food business' 'registration'.

## **Certificate of Registration**

A formal certificate of registration will be issued to all approved food businesses within the Local Government. Registration and invoicing of annual fees will occur annually, and be valid for the financial year.

## **Temporary Food Businesses (TFB)**

A Temporary Food Businesses will need to register with the Shire of Kellerberrin but will not require Council consent to establish. A temporary food business will go through the registration procedures that a normal food business would go through including having a kitchen/premises and food safe practices that comply with the Food Standards Code. A Temporary Food Business will be able to operate a maximum of 15 times in one financial year without the need to pay an annual food surveillance fee (ie. at the local monthly markets that run on one Sunday per month and 3 nominated events located within the bounds of the Shire of Kellerberrin eg. the Agricultural Society Show, Gala Night). A Temporary Food Business will have a classification no higher than low risk and will not be permitted to operate outside the bounds of the Shire of Kellerberrin. Should the nature of the approved temporary food business change in any way, the Shire of Kellerberrin must be notified of these changes. Re-notification or registration may be required.

## **Mobile Food Businesses (MFB)**

Mobile food businesses are not considered as temporary food businesses. The term is used to indicate a permanent food business that can be moved to new locations and might return to a base overnight. Their design, construction and fit out are usually restricted by space, weight and having to be self-sufficient in water supply, power supply and waste disposal. The *Food Act 2008* requires that Mobile Food Businesses are to be registered with the Shire of Kellerberrin prior to handling, preparing or selling food.

Temporary and Mobile Food Businesses typically include: food vehicles, market and barbecue stalls, and must undertake the notification and, if applicable, the registration process within the Local Government in which they are housed (i.e. food van), or where the food business is located (i.e. where the food is manufactured for sale in a low risk stall). Temporary Food Businesses will be approved and most likely inspected by the Local Government's Environmental Health Officers prior to the commencement of trade, and being permitted to operate. Mobile Food Businesses will be approved and inspected by the Local Government's Environmental Health Officers prior to the commencement of trade and being permitted to operate.

*Note: Food may not be prepared in a residential premise, unless it is registered with that local government. Only very low risk- low risk food preparation in a residential setting will be approved within the Shire of Kellerberrin.*

- apply for a stallholders or street traders permit within the Local Government in which they intend to operate. Where a permit is sought, the Local Government's Environmental Health Officers will assess the suitability of the TFB/MFB operating within the Local Government. A permit will be issued if the TFB/MFB meets the appropriate requirements.

## **Fees and Charges**

Fees are set under Part 6, Division 5, Subdivision 2 of the *Local Government Act 1995*, and are adopted by Council in the 'Schedule of Fees and Charges' for the relevant financial year.

- Registration – annual food surveillance fees will be charged for all food businesses in accordance with a risk based fee structure, i.e. High/Medium/Low/Very Low Risk. Further details are found in Clause No. 2 – Food Business Risk Profiling. (Temporary Food Businesses are exempt from food surveillance fees)
- Re-inspection fees – additional inspections be charged for inspections that result from an identified serious non-compliance. Serious non-compliances include the issue of an Infringement Notice, Improvement Notice and/or Prohibition Order.
- Temporary Food Businesses and Mobile Food Businesses will be charged a stall holders or street trader's license fee in accordance with the Shire of Kellerberrin Fees and Charges. Each temporary or mobile food business will be subject to a fee in the form of a one-off event (day by

day), a weekly or annual permit for a particular event/location (i.e. Community Recreation Centre regular weekend football fixtures).

- Temporary Food Businesses and Mobile Food Businesses will not be charged a stallholders or street trader's fee to operate at events supported by Local Government (e.g. Ag Show, Circus) where an application is received for hire of the facility. All applications are to be submitted within the specified time-frame prior to the event (i.e. 14 days prior).
- Late applications may not be accepted,
- Re-Inspection fees will be invoiced post-event to any food business demonstrating non-compliance with the Local Government's requirements on the day of the event.
- Charitable/Community Temporary Food Premises will not be charged fees, except in the case where a food business demonstrates non-compliance with the Local Government's requirements on the day of the event (invoicing will be undertaken post-event). Further details on requirements and exemptions specific to charity and community events are detailed below.

Exempt Premises under *Food Regulations 2009* (the Regulations):

- Food businesses conducted as fundraising events (see Clause 1.7 –Charity and Community events for further details).
- 'Very Low Risk' food businesses, i.e. those solely selling packaged food that are not potentially hazardous (i.e. news agency selling confectionary, potato crisps).
- Food businesses that provide complimentary drinks in conjunction with another kind of business, e.g. hairdresser providing complimentary beverages.
- Food businesses conducted in premises that are, or form part of a registered establishment - as per the definition given in the *Export Control Act 1982* (Commonwealth) section 3.

The following categories of food premises are also considered by the Local Government to be eligible for an exemption. These premises will be required to undertake the Notification process, and Register with the Local Government, but will not be charged any notification/annual registration fees, unless the premises is identified to have serious non-compliance issues or a history of non-compliance during routine inspections.

- Public school canteens, where funds directly benefit the school (i.e. not operated by an external contractor)
- Registered not-for-profit organisations, e.g. community child care groups.

### **Charity and Community Events**

Charity and Community Fundraising Events are exempt from some of the requirements under the Act and Regulations provided that:

- all the money raised is for a community or charitable cause; and
- foods produced are not potentially hazardous (i.e. low risk cakes and slices), or are cooked thoroughly for immediate consumption (i.e. sausage sizzles).
- Volunteers who donate food such as cakes, slices and preserves for fundraisers are only permitted to make these foods from home where the food is not 'potentially hazardous' and will still be required to notify the Local Government of their proposed food. Premises used for the preparation of non-potentially-hazardous food by volunteers will not need to be registered, however, these types of food business preparation activities, will need to notify as a Temporary Food Premises.

Preparation of potentially hazardous foods (medium risk and above) must be undertaken in an approved food premises (i.e. commercial kitchen, approved school canteen facility). In this instance, Notification and Registration requirements apply to Charitable and Commercial Events. Waiving of fees is at the discretion of the Local Government (refer to 1.6- Fees and Charges above).

**NOTE:** 'Potentially hazardous' food products include examples such as: cream cakes, fried rice, curries, soups and casseroles

## FSANZ – Food Safety: The Priority Classification System for Food Businesses

All food businesses in the Shire are currently assessed using the Food Standards Australia and New Zealand Priority Classification System for Risk Assessment. This risk-based scoring system is designed to classify businesses into priority ratings, based on the risk they present to public health and safety.

The following major risk factors are considered:

- the type of food;
- activity of the business;
- method of processing; and
- customer base (e.g. vulnerable groups).

This Risk Assessment tool has been formally adopted by the Local Government, and will be used to determine whether a premises is profiled as High, Medium, Low Risk or Very Low Risk.

### Examples of Typical Food Business Risk Profiling

- High Risk – child care centre, nursing home, small goods manufacturer, caterers.
- Medium Risk – restaurant/cafe, delicatessen, bakery, manufacturer, butcher, fast food chain, school canteen.
- Low Risk – liquor shop, fruit and vegetable shop.
- Very Low Risk – newsagency/pharmacy selling confectionary and potato crisps.

*Note: profiling also depends on individual premises assessment and takes into account the factors detailed in Clause 2.3 – Inspection Frequency.*

### Inspection Frequency

All premises will be allocated an initial inspection frequency based on their risk profile, however the following factors must also be taken into consideration:

- performance history of the food business;
- changes to food production or fit-out that affect the inherent risk;
- substantiated complaints; and
- risk reduction programs that may be implemented by a food business (i.e. demonstrated good food safety practices and compliance with a food safety program).

Base inspection frequencies adopted by the Local Government are as follows:

- High Risk- 4-6 monthly
- Medium Risk –4-6 monthly.
- Low Risk – 12 to 18 monthly.
- Very Low Risk (exempt premises) – unlikely to require inspection, to be considered individually, based on health risk and complaints.

### Infringement Notice

Section 126 of the Act allows for the issue of an Infringement Notice for 'prescribed offences', within 28 days of the alleged offence being committed. Schedule 3 of the Regulations details recognised offences and associated modified penalties.

The Shire of Kellerberrin Authorised Officers are authorised to issue infringement notices for breaches of the *Food Act 2008* and the relevant Food Safety Standards.

### Improvement Notice

Section 62 of the Act allows for the service of an Improvement Notice on the proprietor of a food business if the Authorised Officer believes, on reasonable grounds that a food business is operating a food premises that is:

- unclean or insanitary, or unfit for purpose intended to be used;
- does not comply with a provision of the Food Safety Standards;
- not adequately implementing its food safety program; or

- contravening the Food Standards Code in relation to handling of food intended for sale.

The Shire of Kellerberrin Authorised Officers are authorised to issue improvement notices for breaches of the *Food Act 2008* and the relevant Food Safety Standards.

The Authorised Officer may, prior to the end of the period specified in the Notice, extend the compliance time frame. The Improvement Notice may also include ancillary or incidental directions. Compliance with a Notice must:

- be noted with the date of compliance on a copy of the Notice; and
- if requested, the Local Government must provide a copy to the person served.

*Note: associated re-inspection fees will be charged in accordance with Clause 1.6 – Fees and Charges.*

### **Prohibition Order**

A Prohibition Order will take a form that prohibits the handling of food on specified food premises, vehicle or equipment, or that food is not to be handled in a specified way or for a specified purpose. It should be noted that Section 8 of the Act defines food handling very broadly, including activities such as collection, transporting, storing or displaying food. Breach of a Prohibition Order will normally result in prosecution.

A Prohibition Order may be issued if an Improvement Notice has not been complied with, within the specified time or if the initial non-conformance is severe enough to cause an immediate danger to public health.

In accordance with Section 72, the Order:

- must specify the provision of the Code to which it relates; and
- may specify particular action to be taken by a person to ensure compliance with the provision of the Code to which it relates.

The Shire of Kellerberrin CEO is authorised to issue Prohibition Orders for breaches of the *Food Act 2008* and the relevant Food Safety Standards.

### **Assessment of Plans for Construction and Fit-Out of Food Premises**

The assessment of plans for food premises via the Development Application, Building Permit or Food Premises Fit-Out process will be undertaken by the Local Government's Environmental Health Officers in accordance with Standard 3.2.3 of the Code, and Australian Standard 4674:2004 - Design, Construction and Fit-Out of Food Premises.

New construction standards are outcome based and less prescriptive than those detailed in the repealed *Health (Food Hygiene) Regulations 1993*. However, to assist food businesses in achieving appropriate outcomes, the Local Government's Environmental Health Officers will utilise AS 4674:2004 as a recognised design guide and detail examples of compliance with legislative requirements in the Local Government's *A guide to the construction of Food Businesses for Owners, Operators, Architects and Builders*.

### **Residential Food Businesses (Home Occupation)**

The Act does not prohibit food preparation in residential premises, but requires all food businesses to ensure compliance with the Act, which adopts the Code in full (i.e. all food businesses must comply with its requirements).

Chapter 3 of the Code contains the structural and hygiene outcomes that all food businesses must meet. Allowance is made within the Code for some exemptions relating to requirements for food premises that are used principally as a private dwelling if the proprietor has the approval in writing of the appropriate Local Government [e.g. Standard 3.2.2 clause 17(2)].

Prior to a food business receiving approval to operate from a residential food premises within the Local Government, the following must be met:

- Planning Approval for a Home Activity is required to be obtained, whether or not the proposal involves the installation of a commercial grade kitchen.

- Relevant notification/registration requirements in accordance with the Act;
- The structure/fit-out of the premises must be deemed appropriate for the proposed food handling activities, in accordance with Standard 3.2.3 of the Code (i.e. all facilities to be located within the one room); and
- The risk of the food preparation activities assessed (i.e. low risk operations only).

Consideration will also be given to whether the activity is for commercial gain, or for fundraising/charitable purposes.

The Department of Health policy on food businesses that operate from premises that are used principally as a private dwelling, is that the approval for the exemptions contained within the Code should only be granted for those food businesses that have been classified as 'low risk'. Examples include the manufacture of 'cottage industry' goods such as jams, biscuits and preserves. It is considered appropriate that the Local Government adopt the DOH policy in this regard, meaning that medium and high risk food businesses will not be approved to operate from a residential food premises.

### **Training – Skills and Knowledge**

All food businesses must ensure that persons undertaking or supervising food handling operations have appropriate skills and knowledge in relation to food safety and food hygiene matters, in accordance with Standard 3.2.2 of the Code.

A majority of the food industry within the Local Government is involved in the hospitality industry, which traditionally has a relatively high staff turn-over, particularly casual staff. It is strongly recommended that at least one managerial staff member complete the nationally accredited 'Hygiene for Handlers' Certificate, obtained by completing the Online Food Handler Training Course. All other sectors of the food industry are strongly encouraged to seek appropriate training specific to their industry from a registered Training Organization.

All food business proprietors and other trained staff members are strongly encouraged to impart food safety knowledge to other staff members who are not formally trained, e.g. providing information at team meetings, demonstrating skills, and displaying posters regarding correct practices.

## **6. RELATED LEGISLATION/ DOCUMENTATION**

## **7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	



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# Natural Resource Management

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Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure there is consistency in permitting the collection of seeds from road reserves.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin Community.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

Council may grant permission for seed to be collected from Shire Reserves and Road Reserves provided:

- a) Applicant must show proof of a current DER licence
- b) 10 per cent of any seed collected is to be provided to the Shire of Kellerberrin at no charge and the designated species to be collected is to be agreed upon.
- c) Permission is valid for 12 months
- d) Permits expire in conjunction with DER licences.
- e) There is to be no destruction of flora and fauna associated with the collection of seeds
- f) The Shire of Kellerberrin to be advised on a weekly basis when picking is in progress, species being picked and the location of picking. This is to be recorded in a log book by the Shire.
- g) An administration fee of \$50 to apply for the annual permit to collect seed from Council reserves and road reserves.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

**Responsible Officer:** Chief Executive Officer

## **1. PURPOSE**

The purpose of this policy is to ensure that conditions are in place to carry out exploration drilling on Shire Roads and Reserves.

## **2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

## **3. DEFINITIONS**

## **4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

## **5. POLICY STATEMENT**

The applicant is required to indemnify the Council at all times against liability arising from the work.

The applicant shall provide Council with a plan showing the site number and location of proposed drill holes with the completed application form.

Application fees to be paid for a licence by applicants for exploration or investigation for minerals, water and other purposes in the road reserve shall be as follows; per drill hole or seismic hole.

- |                               |                      |
|-------------------------------|----------------------|
| • 1 to 5 holes (inclusive)    | Licence Fee of \$100 |
| • 6 to 10 holes (inclusive)   | Licence Fee of \$200 |
| • 11 to 30 holes (inclusive)  | Licence Fee of \$300 |
| • 31 to 100 holes (inclusive) | Licence Fee of \$500 |
| • 101 holes and over          | Licence Fee of \$500 |

Where an applicant is a company actively mining or drilling in the district and hold a mineral lease, which attracts Council rates, a discount of 20%, will apply to the licence fee payable.

A refundable deposit, being the same amount as the licence fee, is payable. No discount will apply to the deposit. The fee shall be payable for each discrete program applied for. The bonds shall be refunded, subject to an inspection and acceptance by Council of the site conditions following the investigation.

The applicant is required to meet the cost of any damage to any Council or private property.

All holes, trenches and other excavations are to be backfilled with dry soils and compacted in such a way as to prevent future subsidence. All excess soil is to be removed where requested. Capping uncased holes is not permitted.

Excavation and bores are to be located a minimum distance of 2m from any bitumen road.

Where plant is working such that a hazard exists, signs and lights are to be used in accordance with the Road Traffic Act.

The applicant is to be covered by a public risk policy (minimum \$5 million) and appropriate workers compensation and general policies, as the Council will not be liable for any costs arising from the operation.

The applicant is responsible for ascertaining the position of all public services including underground services and avoiding damage to them.

Polluted discharges occurring from the work site are to be trapped and only clean waters will be accepted to the public drainage system.

Large volume discharges are to be dispensed slowly to avoid erosion and scours to land and drain surfaces.

The applicant is required to inform the Chief Executive Officer of significant materials encountered e.g. Laterite gravels, limestone, granites, water etc.

Three (3) days' notice is to be given prior to commencement and the applicant is to provide a timed schedule of works.

The drilling company shall provide a suitable plan/map showing the location of the holes to be drilled prior to the issue of the letter of approval.

**6. RELATED LEGISLATION/ DOCUMENTATION**

**7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

Responsible Officer: Chief Executive Officer

**1. PURPOSE**

The purpose of this policy is to ensure a proper procedure is followed to ensure that public is informed.

**2. SCOPE**

This policy applies to the Shire of Kellerberrin and its elected members and employees.

**3. DEFINITIONS****4. STRATEGIC CONTEXT**

This policy links to core drivers:

- a) Relationships that bring us tangible benefits (to the Shire and our community)
- b) Our lifestyle and strong sense of community
- c) We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

**5. POLICY STATEMENT**

That immediately following the receipt by this Shire of a copy of a mining company's exploration licence application for sub-surface mining, the CEO arranges to have the notification published in the "Pipeline" Newsletter to alert affected landholders within our Shire.

**6. RELATED LEGISLATION/ DOCUMENTATION****7. HISTORY**

Original Adoption	October 2016	Resolution #	MIN168/16
Last Reviewed	April 2024	Resolution #	MIN040/24
Amended		Resolution #	

# History Summary

## Amendment Record

Item	Date	Action	Description
1	June 2023	Adopted	Resolution of Council MIN060/23 All Council Policies Adopted
2	October 2023		Change of Headers and move policies Amendment to Public Interest Disclosure Policy
3	January 2024		Add numbering system to policies Add Background Information Section Add History Summary – Amendment Record
4	April 2024	Adopted MIN 040/24	Council Policy Manual Review Add CF06.09 Community Business Support Grants Policy Add HR03.15 Bullying and Sexual Harassment in the Workplace Policy Add HR03.17 Employee Health and Wellbeing Policy Add HR03.18 Employee Training Policy
5	November 2024	Adopted MIN 129/24	Council Policy Manual Review Add WF 07.03_Unsealed Road Closures Add WH 05.04_Chemical Safety in the Workplace Policy Updated FM 04.01 Accounting Principles Policy
6	February 2025	Adopted MIN 008/25	Remove HR03.04 COVID-19 Financial Hardship Policy Remove HR03.05 COVID 19 Leave Policy Remove HR 03.18 Employee Training Policy – doubled up Add CS02.11 Habitual or Vexatious Complainants Policy Add HR03.19 Working From Home Policy HR Policies reviewed by external consultant & amendments made as per MIN008/25.