



**murchisonshire**

*Ancient land under brilliant skies*

**Ordinary Council Meeting**

**25 November 2020**

**Attachments**

# Application RAUVIII000154

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## Application Summary

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**Application ID**

RAUVIII000154

**Application Title**

RAUVIII - SHIRE OF MURCHISON

**Program Name**

Remote Airstrip Upgrade Program Round 8

**Applicant**

SHIRE OF MURCHISON

**Submitted Date**

11/11/2020

## Program selection

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### SHIRE OF MURCHISON

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**Are you a trustee on behalf of a trust?**

No

**Do you have an ABN?**

Yes

### Entity details

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**ABN**

63002218762

**Legal name**

SHIRE OF MURCHISON

**Business name**

Murchison Shire

**Date of registration**

1/11/1999

**GST Registered**

Yes

**Are you a charity registered with the Australian Charities and Not-for-profits Commission (ACNC)?**

No

**Are you a not-for-profit?**

Yes

### Program Selection

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**Program**

Remote Airstrip Upgrade Program Round 8

**Program Element**

Remote Airstrip Upgrade Program Round 8

## Eligibility

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### Eligibility

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**Do you have an ABN?**

Yes

**Are you a legal entity that can enter into a grant agreement with the Commonwealth?**

Yes

**Select which entity type you are.**

an Australian local government agency as defined in appendix A of the grant opportunity guidelines

**Are you an Australian local government agency or body and is your total project cost equal to or less than \$150,000?**

Yes

**Are you an owner and/or operator of an existing aerodrome in a remote or very remote area in Australia?**

Yes

**Is your aerodrome identified as 'remote or very remote' as defined by the 2016 Australian Statistical Geographic Standard (ASGS) Remoteness Area?**

Yes

**Is your aerodrome Indigenous owned and/or operated?**

No

**Are you and a third party (State government or other entity) both contributing to eligible project costs?**

No

**Can you provide evidence from your board or Council (or chief executive officer or equivalent if there is no board) that the project is supported by the applicant organisation, and that the organisation is willing to accept responsibility to complete the project and meet the costs of the project not covered by grant funding?**

**You must attach this evidence later in the application.**

Yes

## Applicant address

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**Business street address**

**Is the address located in Australia?**

Yes

**Address Details**

Lot 3007 Carnarvon-Mullewa Rd  
MURCHISON WA 6630  
Australia

**Business postal address**

**Is the address located in Australia?**

Yes

**Address Details**

PO Box 61  
MULLEWA WA 6630  
Australia

## Applicant financials

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### Latest Financial Year Figures

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**Has the applicant existed for a complete financial year?**

Yes

**What was the latest complete financial year?**

2018/19

### Recent Trading Performance

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**Sales Revenue (Turnover)**

\$ 17,934,589

**Export Revenue**

\$ 1

**R&D Expenditure**

\$ 1

**Taxable Income**

\$ 1

**Number of employees (headcount)**

16

**Number of independent contractors (headcount)**

3

## Project information

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### Project title and description

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If your application is successful, we will publish some grant opportunity details on GrantConnect and other government publications. Published details include

- name of the grant recipient
- a project title
- a brief project description and its intended outcome
- amount of grant funding awarded.

**Provide a project title.**

Floodlighting of Murchison Shire Airport Taxiway Turn Around

**Provide a brief project description for publication.**

**Ensure your project description focuses on your project's key activities and outcomes. Outline what it is you are going to do and how it will benefit your organisation.**

**An example of a brief project description is: 'This project will upgrade the airstrip power supply and fuse box and purchase a new Pilot Activated Lighting system and LED battery operated backup emergency lighting.'**

Provide Floodlighting to the turn-around terminus of the airport taxiway at the Murchison Settlement Airport.

The existing Airport only has solar lighting of the runway and taxiway with no lighting at terminus of the taxiway. Users and RFDS transfer patients have no lighting other than from the RDFS plane or from car lights from patrons.

Floodlighting this area is critical to ensure RFDS transfer patients are able to safely move around the area at night and thereby greatly assist emergency patient transfers. This will also benefit Emergency Services Aircraft and the general flying public

### Detailed project description and key activities

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This information will be included in your grant agreement if your application is successful.

**Provide a detailed description of your project including the project scope and key activities.**

**You must also provide a project plan which you should attach later in your application. Refer to the grant opportunity guidelines for the requirements of the project plan.**

Design specifications and Procurement Procurement through public tender process. Contractor Purchase of Materials. Undertake trenching and excavation for underground conduits . Complete electrical installation of cables, poles, LED lighting and switchboard. Undertake Project Acquittal.

### Project outcomes

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This information will be included in your grant agreement if your application is successful.

**Provide a summary of the expected project outcomes.**

Provide Floodlighting to the turn-around terminus of the airport taxiway at the Murchison Settlement Airport .

Install associated electric conduits from current supply and provide switchboard of sufficed size to allow for potential future underground lighting of runway and taxiway

### Project duration

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Your project start date cannot be earlier than 15 February 2020 and must be completed 30 April 2022.

The project length will be calculated by the start and end dates you enter and can be no longer than 14 months.

**Estimated project start date**

15/01/2021

**Estimated project end date**

31/05/2021

**Estimated project length (in months)**

5

## Project milestones

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Provide details on the project milestones including the key activities occurring at each milestone.

The milestone start and end dates must be between the project start and end dates.

You can add up to 8 milestones.

Refer to the sample application for examples of how to complete these details.

**Milestone title**

Design Specifications and Procurement.

**Description**

Finalise design specifications which are substantially completed, complete procurement process and finalise contractor engagement

**Estimated start date**

25/01/2021

**Estimated end date**

15/02/2021

**Milestone title**

Contractor Material Purchases

**Description**

Purchase of required electrical poles, lights, cable conduits and switch board by contractor

**Estimated start date**

16/02/2021

**Estimated end date**

15/03/2021

**Milestone title**

Construction of Trenching Cabling and Lighting

**Description**

Undertake excavation and trenching works, install cabling switchboard and lights

**Estimated start date**

16/03/2021

**Estimated end date**

15/05/2021

**Milestone title**

Project Acquittal

**Description**

Independent Project Acquittal

**Estimated start date**

16/05/2021

**Estimated end date**

31/05/2021

## Project location

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### Project Site 1

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3 Mulga Crescent  
Murchison WA 6630  
Australia

Estimated % of project value expected to be undertaken at site

100

## Airstrip/Aerodrome name

### Project site name

You must provide the following details for each project location entered in the section above. Press Add to enter the details for each location.

Murchison Shire Airport

### Airport/Aerodrome name and confirm your project site location

1. Click on the National Map (this has Electoral Divisions and Remoteness Area already filtered)
2. Once loaded (can take a few minutes) click on "Search for locations"
3. Find your airstrip (either using the longitude and latitude, or name of your airstrip, or the location, or official place name or address)
4. Click on the airstrip
5. Click on Share/Print icon
6. Confirm information (longitude, latitude) and click on "copy" and paste it into this field after the airport/aerodrome name.

Murchison Airport

### Project Site Address Latitude

26.9167004

### Project Site Address Longitude

115.9830017

### Is your project site Remote or Very Remote?

Very Remote

### Project electorate

Durack

### What is the nearest town (Inc. postcode) or service centre to the aerodrome?

Murchison 6630

### What is the runway length (metres)?

1448

### What is the runway surface?

Sealed

### What is the aerodrome category?

ALA/other

## Indigenous Corporation Number (ICN)

## Project budget

Provide a summary of your eligible project expenditure over the life of the project.

If you are registered for GST, enter the GST exclusive amount. If you are not registered for GST, enter the GST inclusive amount. We only provide grant funding based on eligible expenditure. Refer to the grant opportunity guidelines for guidance on eligible expenditure.

The minimum project expenditure for this grant opportunity is \$5,000.

The grant amount will be up to 50 per cent of eligible project costs (grant percentage), unless:

- where the applicant (you) and a third party (could include State/Territory or local government, or neighbouring cattle station) are both contributing to eligible project costs, the grant amount will be up to 33.3 per cent of eligible project costs or
- where the applicant meets the Small Project criteria in section 3.2 as an Australian local government agency or body and the total project cost is equal to or less than \$150,000, the grant amount will be up to 100 per cent of eligible costs or
- where the applicant (you) meets the definition in these Guidelines as an Indigenous Owned and/or Operated Aerodrome, the grant will be up to 100 per cent of eligible project costs.

## Project budget summary

Type of expenditure	Head of expenditure	Financial Year	Costs
Project expenditure			\$38,120
	Contractor Costs		\$12,678
		2020/21	\$12,678
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
	Employee Costs		\$3,000
		2020/21	\$3,000
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
	Aviation-safety related staff training		\$0
		2020/21	\$0
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
	Capital expenditure		\$0
		2020/21	\$0
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
	Materials		\$18,545
		2020/21	\$18,545
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
	Tender design and process costs		\$550
		2020/21	\$550
		2021/22	\$0
		2022/23	\$0

Type of expenditure	Head of expenditure	Financial Year	Costs
		2023/24	\$0
	Other eligible expenditure		\$3,347
		2020/21	\$3,347
		2021/22	\$0
		2022/23	\$0
		2023/24	\$0
Total Project Costs (\$AUD and GST exclusive)			\$38,120

Financial Year	Costs
2020/21	\$38,120
Total Project Costs (\$AUD and GST exclusive)	\$38,120

**Total grant funding sought. We will add GST to this where applicable.**

\$ 34,570

## Source of funding

Total source of funding must be equal to the total eligible project expenditure – please complete the 'Your contribution' section below, unless you are seeking 100% funding for cash contributions.

In this section provide details of how you will fund the project, other than the grant funding sought.

Your own contribution is considered a 'source of funding' and details of cash and or in-kind contributions must be provided.

A brief description for your cash contribution is not mandatory but must be provided for in-kind where included as part of your source of funding.

The in-kind description should include the type of in-kind items, quantity and the calculation of its value.

Where you have project partners you will need to provide further details later in the application.

The total of all sources of funding plus your grant, should be equal to your total project expenditure in the section above.

## Your contribution

Enter your organisation name. In the description field, provide additional details. Indicate whether your contribution is sourced from cash flow, loans, equity etc.

### Name of contributor

Shire of Murchison

### Details of contribution

Contribution Type	Amount	Due Date	Description
Cash	\$0		
In-Kind	\$3,550	15/05/2021	Trenching and Tender Design & Procurement
Total	\$3,550		



## Other non-Commonwealth government grants

Enter the government organisation name. In the description field, provide additional details. Provide the name of the grant.

If you add a new entry but do not complete it, you should delete the entry.

## Other non-government contribution

Enter the organisation name. In the description field, provide additional details about the contribution.

If you have project partners you must provide their name and their contribution here. We will ask you for further organisation details later in the application.

If you add a new entry but do not complete it, you should delete the entry.

## Assessment criteria

We will assess your application based on the weighting given to each criterion and against the indicators listed beneath each criterion. We will only consider funding applications that score at least 50 per cent against each criterion, as these represent best value for money.

The amount of detail and supporting evidence you provide should be commensurate with the project size, complexity and grant amount requested.

To support your answers you must include mandatory attachments later in the application.

### Assessment criterion 1

#### Demonstrated need for your project (Score out of 45)

You should demonstrate this by explaining:

- a. the extent of need to improve general access, all weather access and/or safety of the airstrip to facilitate delivery of essential services to the community (where applicable, attach evidence to support your application, including airstrip inspection or engineering reports).
- b. the extent to which upgrades are required to support the operation of the RFDS or operators providing similar aero-medical services to the community.
- c. the extent to which the project *is time critical and the extent to which it cannot proceed without grant funding*.

Where applicable, attach evidence including airstrip inspection or engineering reports later in this form.

Refer to the sample application for further details about inclusions in your response.

Your written response should include:

- a description of the essential services delivered via the airstrip (RASS, RFDS/aeromedical, air schools, food/medical supplies, other essential)
- the extent that the community relies upon the airstrip to deliver these essential services
- information, and where possible support documents, regarding the number of days annually where:
  - there have been safety or access related concerns and/or incidents
  - the airstrip has been closed due to landing surface safety concerns
  - the airstrip has been closed due to weather impacts, for example, poor visibility or lack of landing access
  - an aeromedical operator (e.g. RFDS) used the aerodrome airstrip
  - a clear explanation of how this project will address these safety/access concerns.

Other evidence to support claim can be included, for example, photographs of safety/access issues, airstrip inspection or engineering reports.

You should also demonstrate the need for grant funding by providing:

- an explanation of why your project is time critical and why it cannot proceed without grant funding; the impact on scope, specification and timing of works
- information on your financial position or your ability to raise funds
- other evidence to support claim, for example, reference to ABS 2016 SEIFA index.

The primary purpose of the Murchison Shire airstrip is to provide access in emergency situations through the RFDS, Fire and Emergency Services air traffic and to deliver goods and services required in situations such as flood events when the Murchison Settlement is isolated. This is essential as the Settlement caters for the surrounding pastoral areas but also the Settlement population of 29 who are either entirely made up of Council staff who run the Shire or who run and manage the Council owned Roadhouse. These are critical operations that need remote support. Local travelling Tourists and other businesses also use the airstrip but for the travelling public it is essential in cases of emergency.

Reason for the application is that the proposed works are 100% required to support safe night time operations. Whilst the runway and taxiway has solar runway lighting there is no lighting whatsoever between the end of the taxiway adjacent to a small shed that contains emergency fuel for Emergency Services Aircraft and the entrance off Mulga Crescent where members of the public congregate. (Refer attached pictures).

Works are 100% required to support RFDA operations at night. Current lack of lighting means that

- the support people of the patient being transported are required to use car lights, torches, head lamps or other sources of light to see and assist
- RFDS staff are required to use headlamps as lights from the aircraft will face away from the current collection point
- Patients using the Patient Transfer vehicle will rely on rear lights from the vehicle which require the vehicle to remain running with exhaust fumes an issue

The above only provides a bare miniscule of lighting which adversely impacts on the airports primary safety reason for being operational

At this time Council is significantly compromised with respect to the COVID-19 situation and our related response through a range of stimulus projects that have wider community benefit and justification than the works proposed under this application. Whilst the works are essential for improved safety from experience they will be rarely required other than perhaps 2-3 times per annum but when they are needed the situation could be critical. If installed however this may lead to an increase in night time flights.

Council has also just upgraded the settlement current power supply and is also committed to a major solar / diesel micro grid upgrade as a priority so funds are committed elsewhere

The scale and size of the request is very minor in nature and deemed a prime potential candidate as a small COVID-19 related project stimulus project. As such it will be unlikely to proceed without the project funding given our constraints.

## Assessment criterion 2

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### Capacity, capability and resources to deliver the project (Score out of 30)

You should demonstrate this by explaining:

- a. your track record managing similar projects.
- b. your plan to manage the project including addressing scope, implementation plan, procurement and works, timeframes, budget and risk management (including work health and safety).
- c. your strategy to maintain the project outcomes beyond the term of the grant funding

You must attach a project plan later in this application.

Refer to the sample application for further details about inclusions in your response.

Successful management of RADS 2017-19 Grant to reseal runway and repaint runway markings at the Murchison Shire Airport. Council arranged for an external experienced supervisor who

- Supervised resealing works for airstrip, turning area taxiway and parking area
- Supervised linemarking works
- Undertook tender management and overall seal design

This resulted in an overall a successful outcome for on ground works as well as successfully acquitting the grant through management by Council staff

Council also has a sound track record of managing a large array of Council and Government Funded Projects with strong success in delivering and acquitting funding received, eg Roads to Recovery and DRFAWA Flood damage works

The Chief Executive Officer has also previously successfully applied for and managed two Building Better Regions Projects whilst with Flinders Council on Flinders Island (Tasmania). ie Flinders Business Economic Social Structural Review Project (\$52,500 grant) and Telecommunications Transformation Project (\$9.93m grant) from 2017 to 2019.

Council is responsible for the Murchison Settlements Power Supply and reticulation. This extension to the existing lighting and power supply network of some 100m will fall under Councils normal operations and be adequately supported and managed

Project is relatively simple and straight forward.

Scope of works has already been defined at a high level involving electrical installation of

- underground electrical cabling and connection to Councils existing settlement power supply grid
- two 500 watt led flood lights on 8m metre break back hot dip galvanized poles
- free standing switchboard with the built-in capacity for future power requirements or extensions which has already been assessed.

Procurement

Involves advertising for suitable electrical contractors to design and install the above works within the required timeframe and required works in accordance with the appropriate design lighting standards. All materials and suppliers are available within the region

Trenching is to be provided locally by Council staff.

Experience

All of the works required are those that Council has had extensive experience in managing as part of our Settlement Power Supply network

Risks

There are no real time constraints, other than contractor availability. Rainfall in Murchison is extremely low and is rarely an issue

## Assessment criterion 3

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### Impact/benefit of grant funding on your project (Score out of 25)

You should demonstrate this by explaining:

- a. the benefits to be provided to the communities serviced by the aerodrome (including what services the community relies upon the aerodrome for).
- b. the total investment the grant will leverage (including the level of State/Territory Government co-funding and/or the contribution to other Commonwealth Government programs).

Refer to the sample application for further details about inclusions in your response.

This is a simple project with the overall public benefit of having a remote lowly used but essential airport able to ensure improved public safety for aircraft (primarily RFDS and Emergency Services Aircraft) visiting at night through improved safety. The current lack of any public lighting means that

- support people to the patient being transported are required to use car lights, torches, head lamps or other sources of light to see and assist
  - RFDS staff are required to use headlamps as lights from the aircraft will face away from the current collection point
  - Patients using the Patient Transfer vehicle will rely on rear lights from the vehicle which require the vehicle to remain running
- These basic works will also have small potential benefit for other night time users

The scale and size of the request is very minor in nature and deemed a prime potential candidate as a small COVID-19 related project stimulus project. As such it will unlikely be able to leverage other co-funding but we have made provision in the design to ensure that the electrical conduits and new switch board have sufficient capacity to cater for a potential upgrade to the runway lighting.

## Project partners

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Complete this section if you are making a 'Joint Application'. You must also attach a letter of support for each partner later in the application - refer to section 7.2 of the grant opportunity guidelines for further details about joint applications and what is to be included in each letter of support.

## Project partners

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No Collaborators found for this Application.

## Application finalisation

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## Conflict of interest

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**Do you have any perceived or existing conflicts of interest to declare?**

**Refer to the grant opportunity guidelines for further information on your conflict of interest responsibilities.**

No

## Program feedback

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**How did you hear about the grant opportunity?**

Direct mail/email

## Additional information

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You should attach any additional supporting documentation here. You should only attach documents that we have requested or you have referred to in your application.

Total of all attachments cannot exceed 20MB. Filenames should only include letters or numbers and should be fewer than 40 characters.

### Trust documents

Where you have indicated your entity type is a trustee applying on behalf of a trust, you must attach trust documents showing the relationship of the incorporated trustee to the trust.

### Evidence of support from your council, board, CEO or equivalent

Upload all program document here Mandatory: You must provide evidence from your board (or chief executive officer or equivalent if there is no board) that your project is supported and that you can complete the project and meet the costs of the project not covered by grant funding.

Murchison Shire - 2020 Remote Airstrip Upgrade Program Application - CEO Approval.pdf

### Project plan

You must attach a project plan outlining all the project activities including a timetable to support your claims against merit criterion 2.

Murchison RADS Project Scope of Works Project Plan.pdf

### Other supporting documentation

You may attach other evidence to support your responses to assessment criteria. For example, you may attach evidence such as airstrip inspection reports or engineering reports, photos, incident reports and quotes.

Murchison RADS Project Budget.pdf

AIRPORT light murch Quote.pdf

Murchison RADS Project Site Plan.pdf

Murchison Shire Airport Taxiway Turn Around Pics.pdf

RFDS Letter of Support ac1896 Murchison pdf.pdf

## Your ANZSIC code

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Please provide the Australian and New Zealand Standard Industrial Classification (ANZSIC) details for your organisation.

**ANZSIC Division**

O - Public Administration and Safety

**ANZSIC Class**

7530 - Local Government Administration

## Indigenous organisations

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**Is your organisation Indigenous owned?**

An organisation is considered Indigenous owned where at least 51% of the organisation's members or proprietors are Indigenous.

No

**Is your organisation Indigenous controlled?**

An organisation is considered Indigenous controlled where at least 51% of the organisation's board or management committee is Indigenous.

No

## Primary application contact

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**Title**

Mr

**Given Name**

Bill

**Family Name**

Boehm

**Position Title**

Chief Executive Officer

**Email Address**

ceo@murchison.wa.gov.au

**Phone Number**

08 9963 7999

**Mobile Number**

0428 637 998

**Business postal address of the primary contact****Is the address located in Australia?**

Yes

**Address Details**

3007 Carnarvon-Mullewa Road

Murchison WA 6630

Australia

## Declaration

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### Application declaration (with working with children) clause

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### Privacy and confidentiality provisions

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I acknowledge that this is an Australian Government program and that the department will use the information I provide in accordance with the following:

- Australian Government Public Data Policy Statement,
- Commonwealth Grants Rules and Guidelines,
- Program Guidelines, and
- applicable Australian laws.

Accordingly, I understand that the department may share my personal information provided in this application within this department and other government agencies:

- a. for purposes directly related to administering the program, including governance, research and the distribution of funds to successful applicants and
- b. to facilitate research, assessment, monitoring and analysis of other programs and activities

unless otherwise prohibited by law.

I understand that where I am successful in obtaining a grant, the financial information that I provide for the purposes of payment will be accessible to departmental staff to enable payments to be made through the department's accounts payable software system.

I understand that information that is deemed 'confidential' in accordance with the Program Guidelines may also be shared for a relevant Commonwealth purpose.

The Department will publish information on individual grants in the public domain, including on the department's website, unless otherwise prohibited by law.

## Applicant declaration

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I declare that I have read and understood the grant opportunity guidelines, including the privacy, confidentiality and disclosure provisions.

I declare that the proposed project outlined in this application and any associated expenditure has been endorsed by the applicant's Board or person with authority to commit the applicant to this project.

I declare that the applicant will comply with, and require that its subcontractors and independent contractors comply with, all applicable laws.

I declare that the information contained in this application together with any statement provided is, to the best of my knowledge, accurate, complete and not misleading and that I understand that giving of false or misleading information is a serious offence under the *Criminal Code Act 1995* (Cth).

I acknowledge that I may be requested to provide further clarification or documentation to verify the information supplied in this form and that the Department of Industry, Science, Energy and Resources (the department) may, during the application process, consult with other government agencies, including state and territory government agencies, about the applicant's claims and may also engage external technical or financial advisors to advise on information provided in the application.

I acknowledge that if the department is satisfied that any statement made in an application is incorrect, incomplete, false or misleading the department may, at its absolute discretion, take appropriate action. I note such action may include excluding an application from further consideration; withdrawing an offer of funding; using the information contained in the application for a fraud investigation that would be consistent with the Australian Government's Investigations Standard and Commonwealth fraud control framework and for management purposes and/or terminating any grant agreement between the Commonwealth and the recipient including recovering funds already paid.

I understand that I am responsible for ensuring that I have met relevant state or territory legislation obligations related to working with children, and that any person that has direct, unsupervised contact with children as part of a project under this grant opportunity, has undertaken and passed, a working with children check, if required under relevant state or territory legislation. I am also responsible for assessing the suitability of people I engage in this project to ensure children are kept safe.

I agree to participate in the periodic evaluation of the services undertaken by the department.

I declare that I am authorised to complete this form and acknowledge that by including my name in this application I am deemed to have signed this application.

I approve the information in this application being communicated to the department in electronic form.

**By checking this box I agree to all of the above declarations and confirm all of the above statements to be true**

Yes



## Information Statement 2020

Freedom of Information Act 1992  
Adopted by Council 25 November 2020

### Introduction

The *Freedom of Information Act 1992* (FOI Act) that came into effect on 1 November 1993, created a general right of access to documents held by state and local government agencies. The FOI Act requires agencies, including local governments, to make available details about the kind of information they hold and enables persons to ensure that personal information held by government agencies about them is "accurate, complete, up to date and not misleading".

Section 96(1) of the Freedom of Information Act 1992 requires each government agency, including local governments, to prepare and publish annually an Information Statement. The Information Statement must set out:-

- ~ The Agency's Mission Statement.
  - ~ Details of legislation administered.
  - ~ Details of the agency structure.
  - ~ Details of decision-making functions.
  - ~ Opportunities for public participation in the formulation of policy and performance of agency functions.
  - ~ Documents held by the agency.
  - ~ The operation of FOI in the agency
- It is the aim of the Murchison Shire to make information available promptly, at the least possible cost and wherever possible, documents will be provided outside the freedom of information (FOI) process.

An updated information statement will be published at least every twelve months. At a summary of any activities under this the statement will be included in the Annual Report.

### Raison D'etre

**Vision** *Working together to preserve the unique character of the shire, supporting diverse and sustainable lifestyle and economic opportunities*

#### Key Result Areas Objectives

*Economic* To develop the region's economic potential to encourage families and businesses to stay in the area.

*Environmental* To improve the sustainability of land use and improve the condition of the environment.

*Social* To develop co-ordinate. Provide and support services and facilities which enhance the quality of community life in the Shire by

- ~ Supporting and assisting in coordinating projects and events as required
- ~ Providing information on services (funding opportunities, Grant processes etc)
- ~ Supporting community groups
- ~ Supporting and maintaining social infrastructure (ie Parks, Gardens, Cemetery) and support those groups that use them

*Civic Leadership* To provide Good Governance through

- ~ Regional collaboration where possible
- ~ Detailed and professional administration
- ~ High levels of accountability
- ~ Compliance with statutory requirements
- ~ High-quality forward planning, particularly for assets and finances
- ~ Openness and transparency and enhanced consultation and public participation
- ~ Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication

## Structure and Functions of Council

### 1 Establishment

The Murchison Shire is constituted as a Local Authority under the Local Government Act, 1995. The general function of a Local Government is to provide for the good government of people living and working within its district and includes legislative and executive powers and responsibilities.

Other major legislation which creates a duty or an authority for Council to act includes –

- ~ Agriculture and Related Resources Protection Act 1976
- ~ Building Act 2011
- ~ Bush Fires Act 1954
- ~ Caravan Parks and Camping Grounds Act 1995
- ~ Cat Act 2011
- ~ Cemeteries Act 1986
- ~ Disability Discrimination Act 1992
- ~ Dog Act 1976
- ~ Equal Employment Opportunity Act 1984
- ~ Environmental Protection Act 1986
- ~ Food Act 2008
- ~ Freedom of Information Act 1992
- ~ Health Act 1911
- ~ Heritage of Western Australia Act 1990
- ~ Industrial Awards
- ~ Land Administration Act 1997
- ~ Library Board of Western Australia Act 1951
- ~ Litter Act 1979
- ~ Liquor Control Act 1988
- ~ Local Government Act 1995
- ~ Local Government (Miscellaneous Provisions) Act 1960
- ~ Main Roads Act
- ~ Occupational Safety and Health Act 1984
- ~ Public Interest Disclosure Act 2003
- ~ Racial Discrimination Act 1976
- ~ Sex Discrimination Act 1984
- ~ Shire of Murchison Town Planning Scheme
- ~ State Records Act 2000
- ~ Strata Titles Act 1985
- ~ Town Planning and Development Act 2005
- ~ Western Australia Disability Services Act 1993
- ~ Workers Compensation and Assistance Act 1981

### 2 Structure

Council's affairs are managed by six people elected by the community. The Shire President is elected by the councillors. Council acts as a "community board", establishing policies and making decisions in accordance with the Local Government Act 1995.

The following Statutory Committees have been established:

- ~ Audit Committee
- ~ Local Emergency Management Committee
- ~ Murchison Community Fund Management Committee

The following working groups and committees have been established to assist with the sound governance of the Shire:

- ~ Community Development Working Group
- ~ Plant Working Group
- ~ Settlement Building Working Group
- ~ Settlement Drinking Water Working Group
- ~ Settlement Power Supply Working Group
- ~ Wild Dog Control Working Group
- ~ Economic Development Working Group

### 3 Function

#### Roles of Council, the Shire President, Councillors and the CEO Council

- (a) governs the local government's affairs;
- (b) is responsible for the performance of the local government's functions.
- (c) oversees the allocation of the local government's finances and resources; and
- (d) determines the local government's policies.

#### The Shire President

- (a) presides at meetings in accordance with the Local Government Act;
- (b) provides leadership and guidance to the community in the district;
- (c) carries out civic and ceremonial duties on behalf of the local government;
- (d) speaks on behalf of the local government;
- (e) performs such other functions as are given to the president by the Local Government Act or any other written law; and
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.

#### Councillors

- (a) represent the interests of electors, ratepayers and residents of the district;
- (b) provide leadership and guidance to the community in the district;
- (c) facilitate communication between the community and the Council.
- (d) participate in the Local Government's decision-making processes at Council and Committee Meetings.

**The CEO**

- (a) advises the council in relation to the functions of a local government under the Local Government Act and other written laws;
- (b) ensures that advice and information is available to the council so that informed decisions can be made;
- (c) causes council decisions to be implemented;
- (d) manages the day to day operations of the local government;
- (e) liaises with the mayor or president on the local government's affairs and the performance of the local government's functions;
- (f) speaks on behalf of the local government if the president agrees;
- (g) is responsible for the employment, management supervision, direction and dismissal of other employees;
- (h) ensures that records and documents of the local government are properly kept for the purposes of the Local Government Act and any other written law; and
- (i) performs any other function specified or delegated by the local government or imposed under the Local Government Act or any other written law as a function to be performed by the CEO.

Council makes decisions which give strategic direction to the organisation. Such decisions include the development of comprehensive business plans, budgets, financial plans and policies with the aim of good governance.

The Chief Executive Officer has delegated authority to make decisions on a number of specified administration and policy matters. These delegations are listed in the Delegations Register and are reviewed annually by Council.

Meetings of Council and Committees are advertised at least once each year. Unless changed, Ordinary Meetings of Council are held on the fourth Thursday of each month commencing at 12.00 noon, except for the month of January, when there is a traditional recess. All members of the public are welcome to attend. Local public notice is given before any change of date of a meeting.

**Regional Involvement**

Elected members are involved with many organisations within the community, and also actively represent the community at a regional or state level. Council's nominations include –

- ~ Murchison Country Zone of the WA Local Government Association (regional)
- ~ Mid-West Regional Road Group Murchison Sub-Group
- ~ Murchison Geo Region

**Agendas**

To ensure that all items are included in the agenda, matters for consideration should reach the Council office at least 7 days before the Council meeting date as agendas are prepared for distribution 72 hours in advance. A copy of the agenda is available to the public before the meeting.

**Minutes**

The un-confirmed Minutes are made available to the public within ten business days of a Council Meeting as required by the Local Government (Administration) Regulations 1996. All Minutes are subject to confirmation by Council at the following meeting.

**Service to the Community**

Council provides an extensive variety of services for the community under authority of a wide range of legislation. Services provided include –

- ~ building control
- ~ cemetery
- ~ bush fire control
- ~ citizenship ceremonies
- ~ dog control
- ~ electricity supply to Murchison Settlement
- ~ environmental health
- ~ demolition permits
- ~ drainage
- ~ parks & reserves
- ~ fire prevention
- ~ playground equipment
- ~ library services
- ~ public toilets
- ~ media releases
- ~ planning control
- ~ public buildings for hire
- ~ recreational /sporting facilities
- ~ street lighting
- ~ roads / footpaths /kerbing
- ~ vehicle licencing agency
- ~ street tree planting
- ~ non potable water supply to Murchison Settlement



## Public Participation

Members of the public have a number of opportunities to put forward their views on particular issues before Council. These include:

- ~ Deputations – With the permission of the President, a member of the public may address Council personally, on behalf of another or on behalf of an organisation.
- ~ Submissions – Some development applications do not require special approval of Council. Where special approval is required, residents are notified by advertising in the local newspaper, and in some instances they may also be notified individually by Council or the developer. When an application is advertised, residents have the opportunity to make a written submission to Council expressing their views regarding the application.
- ~ Petitions – Written petitions can be addressed to Council on any issue within the Council's jurisdiction.
- ~ Written request – Members of the public can write to Council on any Council policy, activity or service.
- ~ Elected members – Members of the public can contact any of the elected members to discuss any issue relevant to Council.
- ~ Council meetings – public question time.

## Access to Council Documents

Many documents are available for public inspection free of charge at the Council office or on the website. Copies of some documents can be made available, although some will incur a charge to cover photocopying. Information that is available includes –

- ~ Annual Budget
- ~ Annual Report
- ~ Annual Financial Statement
- ~ Code of Conduct
- ~ Committee Agendas
- ~ Council Agendas
- ~ Council Local Laws
- ~ Delegations Manual
- ~ Disability and Inclusion Plan
- ~ Freedom of Information Statement
- ~ Minutes of Committee Meetings
- ~ Minutes of Council Meetings
- ~ Minutes of Electors Meetings
- ~ Plan for the Future made in accordance with s 5.56
- ~ Policy Manual
- ~ Rates Schedule
- ~ Register of Complaints
- ~ Register of Financial Interests
- ~ Register of owners & occupiers and electoral roles
- ~ Schedule of Fees & Charges

- ~ Town Planning Strategy & Scheme
- ~ Such other information relating to the Local Government:
- ~ Required by a provision of this Act to be available for public inspection;
- ~ As may be prescribed.

Requests for other information will be considered in accordance with the Freedom of Information Act. Under this legislation, an application fee and search fee must be submitted with the completed request form unless the information required is personal or an exemption is granted.

## Freedom of Information Operations

### Procedures and Access Arrangements

It is the aim of the Shire of Murchison to make information available promptly and at the lowest cost. Documents will therefore be provided outside the FOI process where possible. If information is not routinely available, the *Freedom of Information Act* 1992 provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

While the Act provides for general right of access to documents it also recognises that some documents require protection – these exemptions are listed in Schedule 1 of the Act and include:

- ~ Personal information;
- ~ Information concerning trade secrets;
- ~ Other commercially valuable information; or
- ~ Any other information concerning the business, professional, commercial or financial affairs of a third party who is not the applicant.

### FOI applications are to:

- ~ be in writing;
- ~ proof of identity may be required eg drivers licence
- ~ give enough information so that the documents requested can be identified;
- ~ give an Australian address to which notices can be sent; and
- ~ be lodged at the agency with any application fee payable.

FOI applications, payments, correspondence and general inquiries may be directed to:

Chief Executive Officer  
Shire of Murchison PO Box 61  
MULLEWA WA 6630

T 9963 7999  
F 9963 7966  
E [ceo@murchison.wa.gov.au](mailto:ceo@murchison.wa.gov.au)

An application form is attached to this statement or they are available on the website at [www.murchison.wa.gov.au](http://www.murchison.wa.gov.au).

**FOI Charges:**

The scale of fees and charges is set under the FOI Act Regulations. Apart from the application fee for non-personal information all charges are discretionary. The charges are as follows.

**Charges**

~ Personal information about the applicant	No fee
~ Application fee (for non-personal information)	\$30.00
~ Charge for time dealing with the application (per hour, or pro rata)	\$30.00
~ Access time supervised by staff (per hour, or pro rata)	\$30.00
~ Photocopying staff time (per hour, or pro rata)	\$30.00
~ Per photocopy	\$0.20
~ Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
~ Duplicating a tape, film or computer information	Actual Cost
~ Delivery, packaging and postage	Actual Cost

**Deposits**

~ Advance deposit may be required of the estimated charges	25%
~ Advance deposit may be required of the estimated charges	75%
~ Advance deposit may be required of the estimated charges	25%

**Access Arrangements**

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

**Notice of Decision**

As soon as possible but in any case, within 45 days you will be provided with a notice of decision which will include details such as -

- ~ the date which the decision was made;
- ~ the name and the designation of the officer who made the decision;
- ~ if the document is an exempt document the reasons for classifying the matter exempt; or the fact that access is given to an edited document;
- ~ Information on the right to review and the procedures to be followed to exercise those rights.

**Refusal of Access**

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you then can apply to the Information Commissioner for an external review:

Office of the Information Commissioner Albert Facey House  
469 Wellington Street  
PERTH WA 6000

P 6551 7888 or 1800 621 244  
F 6551 7889  
E [info@foi.wa.gov.au](mailto:info@foi.wa.gov.au)  
W [www.oic.wa.gov.au](http://www.oic.wa.gov.au)

Shire of Murchison 2005 Policy Manual Register									Updated 18/11/2020
Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
	<b>DIVISION 1 - ADMINISTRATION</b>								
1.1	Council Meetings		21/10/2005		21/10/2005				
1.2	Committees		21/10/2005		21/10/2005				
1.3	Committee Functions		21/10/2005		21/10/2005				
1.4	Committee Payments	Added and renumbering commenced	19/02/2010		19/02/2010	19/02/2010			
1.5	Agendas		21/10/2005		21/10/2005				
1.6	Minutes		21/10/2005		21/10/2005				
1.7	Freeman of the Shire		21/10/2005		21/10/2005				
1.8	Local Preference Policy		19/02/2016		19/02/2016				
1.9	Media Releases		21/10/2005		21/10/2005				
1.10	Records Management		19/12/2013		19/12/2013				
1.10	Managing Public Question Time	Procedures Added 20/11/15	20/11/2015		19/06/2015	20/11/2015			
	<b>DIVISION 2 - WORKS AND PLANT</b>								
2.1	Roads and Reserves for Roads								
2.1.1	Use of Heavy Vehicle Combinations on Local Roads		21/10/2016		25/10/2005	21/10/2016			
2.1.2	Traffic Signs		21/10/2005		21/10/2005				
2.1.3	Stock Grids		22/06/2017		22/06/2017				
2.2	Works and Plant								
2.2.1	Plant Repairs		21/10/2005		21/10/2005				
2.2.2	Use of Equipment by Employees		21/10/2005		21/10/2005				
2.2.3	Garaging of Council Plant		21/10/2005		21/10/2005				
2.2.4	Fire Extinguishers on Council Plant		21/10/2005		21/10/2005				
2.2.5	Used Grader Blades		21/10/2005		21/10/2005				
2.2.6	Smoking in Council Plant and Vehicles		21/10/2005		21/10/2005				

Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
2.2.7	Vehicle Replacement Programme		21/10/2005		21/10/2005				
2.3	Private Works								
2.3.1	Restrictions on use of plant for private works		21/10/2005		21/10/2005				
2.3.2	Aircraft Landing Strips		17/02/2006		25/10/2005	17/02/2006			
2.3.3	Private Works for Non Profit Community and		21/10/2005		21/10/2005				
2.3.4	Maintenance of Station Shearing Shed Roads		17/02/2006		25/10/2005	17/02/2006			
2.4	Works General								
2.4.1	Gravel Supply Agreements		21/10/2005		21/10/2005				
2.4.2	Sale of Surplus Materials		21/10/2005		21/10/2005				
2.4.3	Council Road Hierarchy		21/10/2005		21/10/2005				
2.4.4	Bund Construction	Added	15/04/2016		15/04/2016				
	<b>DIVISION 3 - BUILDING CONTROLS</b>		21/10/2005		21/10/2005				
3.1	Building Control		19/08/2016		25/10/2005				
	<b>DIVISION 4 - HEALTH</b>		21/10/2005		21/10/2005				
4.1	Health Controls								
4.1.1	Delegations to Council's Health Surveyor	Deleted		16/12/2016	25/10/2005				
4.1.1	Parties, Concerts and Large Public Events		16/12/2016		16/12/2016				
	<b>DIVISION 5 - PLANNING</b>		21/10/2005		21/10/2005				
	<b>DIVISION 6 - FINANCE</b>		21/10/2005		21/10/2005				
6.1	Budgets and Rating								
6.1.1	Budget Preparation		21/10/2005		21/10/2005				
6.1.2	Budget Submissions		21/10/2005		21/10/2005				
6.1.3	Budget Adherence		21/10/2005		21/10/2005				
6.1.4	Unpaid Rates – Procedure for Collection		21/10/2005		21/10/2005				
6.1.5	Discount on Rates		21/10/2005		21/10/2005				
6.2	Investments and Borrowing								
6.2.1	Investment of Surplus Funds		21/10/2005		21/10/2005				

Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
6.2.2	Borrowings		21/10/2005		21/10/2005				
6.2.3	Self-Supporting Loans		21/10/2005		21/10/2005				
6.3	Reserve Accounts								
6.3.1	Staff Leave Reserve		21/10/2005		21/10/2005				
6.3.2	Plant Reserve		21/10/2005		21/10/2005				
6.3.3	Interest on Reserve Accounts		21/10/2005		21/10/2005				
6.4	Financial Reporting		21/10/2005		21/10/2005				
6.4.1	Responsible Employee		21/10/2005		21/10/2005				
6.5	General								
6.5.1	Operation of Bank Account		15/09/2018		25/10/2005	16/12/2016	15/09/2018		
6.5.2	Donations and Grants		24/05/2018		25/10/2005	24/05/2018			
6.5.3	Purchase of Property, Plant and Equipment		21/10/2005		21/10/2005				
6.5.4	Purchase of Capital Items		17/07/2012		17/07/2012				
6.6	Fuel Price		24/10/2019		7/12/2012	24/10/2019			
	<b>DIVISION 7 - LEGAL</b>								
7.1	Legal Advice		21/10/2005		21/10/2005				
7.2	Legal Proceedings and Prosecutions		21/10/2005		21/10/2005				
7.3	Valuation of Property		21/10/2005		21/10/2005				
7.4	Legal Representation Costs Indemnification		21/10/2005		21/10/2005				
	<b>DIVISION 8 - STAFF</b>								
8.1	Staff Matters		21/10/2005		21/10/2005				
8.1.1	Senior Staff		21/10/2005		21/10/2005				
8.1.2	Appointment of Staff		21/10/2005		21/10/2005				
8.1.3	New Positions		21/10/2005		21/10/2005				
8.1.4	Relocation Expenses		21/10/2005		21/10/2005				
8.1.5	Interview Expenses		21/10/2005		21/10/2005				
8.1.6	Long Service Leave		21/10/2005		21/10/2005				

Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
8.1.7	Annual Leave		21/10/2005		21/10/2005				
8.1.8	Rostered Days Off		21/10/2005		21/10/2005				
8.1.9	Conditions of Employment		21/10/2005		21/10/2005				
8.1.10	Superannuation		18/04/2008		25/10/2005	18/04/2008			
8.1.11	Staff – Other Employment		21/10/2005		21/10/2005				
8.1.12	Uniforms/Protective Clothing		21/10/2005		21/10/2005				
8.1.13	Equal Opportunity Policy Statement		21/10/2005		21/10/2005				
8.1.14	Sexual Harassment Policy		21/10/2005		21/10/2005				
8.1.15	Medical Examinations		21/10/2005		21/10/2005				
8.1.16	Probationary Period		21/10/2005		21/10/2005				
8.1.17	Paid Leave for Voluntary Service		21/10/2005		21/10/2005				
8.1.18	Smoking in the Workplace		21/10/2005		21/10/2005				
8.1.19	Conference and Seminar Attendance		21/10/2005		21/10/2005				
8.1.20	Staff Training – Costs applicable		21/10/2005		21/10/2005				
8.1.21	Staff Safety and Health Policy		21/10/2005		21/10/2005				
8.1.22	Drug and Alcohol Policy		18/11/2016		18/11/2016				
8.2	Staff Housing								
8.2.1	Standards		21/10/2005		21/10/2005				
8.2.2	Conditions of Tenancy - Staff Housing – Availability		21/10/2005		21/10/2005				
8.2.3	Electricity Accounts		21/10/2005		21/10/2005				
8.2.4	Maintenance of Staff Housing		21/10/2005		21/10/2005				
8.2.5	Housing Bonds and Tenancy Agreements		21/10/2005		21/10/2005				
8.2.6	Rental Charges		21/10/2005		21/10/2005				
	<b>DIVISION 9 - MEMBERS</b>								
9.1	Councillors Expenses								
9.1.1	Members Meeting Expenses		24/05/2018		25/10/2005	24/05/2018			
9.1.2	Conference, Seminar and Training Course		24/05/2018		25/10/2005	24/05/2018			

Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
9.1.3	Accommodation		21/10/2005		21/10/2005				
9.1.4	Parking		21/10/2005		21/10/2005				
9.1.5	Meals General		24/05/2018		25/10/2005	24/05/2018			
9.1.6	Meals Local Government Week		20/10/2006		25/10/2005	20/10/2006			
9.2	Meetings of Council								
9.2.1	Questions - Notice		21/10/2005		21/10/2005				
9.2.2	Motions to be written		21/10/2005		21/10/2005				
9.2.3	Council Meetings		21/10/2005		21/10/2005				
9.3	Members - Other								
9.3.1	Title of Councilor or President		21/10/2005		21/10/2005				
9.3.2	Councilors Induction Material		21/10/2005		21/10/2005				
9.3.3	Council Representatives		21/10/2005		21/10/2005				
9.3.4	Council Chamber		21/10/2005		21/10/2005				
9.3.5	Executive Function Tests		21/10/2005		21/10/2005				
9.3.6	Instrument of Delegation		21/10/2005		21/10/2005				
9.3.7	Local Laws		21/10/2005		21/10/2005				
	<b>DIVISION 10 - FIRE CONTROL</b>		21/10/2005		21/10/2005				
10.1	Fire Organisations								
10.1.1	Establishment of Bushfire Brigades		21/10/2005		21/10/2005				
10.1.2	Bushfire Advisory Committee		21/10/2005		21/10/2005				
10.1.3	Bushfire Control Officers		21/10/2005		21/10/2005				
10.1.4	Clearing Fires		21/10/2005		21/10/2005				
10.1.5	Protected Burning Fires – Suspension of		21/10/2005		21/10/2005				
10.1.6	Hazard Reduction Operations		21/10/2005		21/10/2005				
10.1.7	Use of Shire Plant and Equipment		21/10/2005		21/10/2005				
10.1.8	Infringement Notices and Legal Action		21/10/2005		21/10/2005				
10.1.9	Fire Reports		21/10/2005		21/10/2005				

Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
10.1.10	Prohibited and Restricted Burning Times		21/10/2005		21/10/2005				
10.1.11	Advise of Intention to Burn		21/10/2005		21/10/2005				
10.1.12	Fire Control Point		21/10/2005		21/10/2005				
10.1.13	Insurance		21/10/2005		21/10/2005				
10.1.14	Fire Channel		21/10/2005		21/10/2005				
10.2	Fire fighting Vehicles and Equipment								
10.2.1	Provision of Vehicles and Equipment		21/10/2005		21/10/2005				
10.2.2	Housing of Fire Fighting Vehicles		21/10/2005		21/10/2005				
10.2.3	Maintenance of Vehicles and Equipment		21/10/2005		21/10/2005				
10.2.4	Drivers of Shire Fire fighting Vehicles		21/10/2005		21/10/2005				
10.2.5	Use of Fire fighting Vehicles and Appliances		21/10/2005		21/10/2005				
10.2.6	Tools and Equipment		21/10/2005		21/10/2005				
10.2.7	Communications		21/10/2005		21/10/2005				
10.3	Training of Fire fighters								
10.3.1	Recognition of Training		21/10/2005		21/10/2005				
10.3.2	Training Programmes		21/10/2005		21/10/2005				
10.3.3	Insurance		21/10/2005		21/10/2005				
10.3.4	Minimum Training Requirements		21/10/2005		21/10/2005				
10.4	Safety and Health for Volunteer Fire fighters								
10.4.1	Safety and Health		21/10/2005		21/10/2005				
10.4.2	Safety Clothing and Footwear		21/10/2005		21/10/2005				
	<b>DIVISION 11 - GENERAL</b>		21/10/2005		21/10/2005				
11.1	Elections								
11.1.1	Signs for Election Advertising		21/10/2005		21/10/2005				
11.2	Australian Citizenship Receptions		21/10/2005		21/10/2005				
11.3	Permits and Licenses								
11.3.1	Explosive Licenses		21/10/2005		21/10/2005				



Ref	Description	Comments	Latest Operational Date	Date Recinded	Date Adopted	Date Reviewed	Date Reviewed	Date Reviewed	Date Reviewed
11.4	Council Crest		21/10/2005		21/10/2005				
11.5	Council Property								
11.5.1	Short Term Accommodation		21/10/2005		21/10/2005				
11.5.2	Murchison Sports Club		21/10/2005		21/10/2005				
11.5.3	Sports Club Public Toilets		21/10/2005		21/10/2005				
11.5.4	Roadhouse Public Toilets		21/10/2005		21/10/2005				
11.5.5	Smoking in Council Buildings		21/10/2005		21/10/2005				
11.5.6	Consumption of Liquor		21/10/2005		21/10/2005				
11.6	Council Well Wishes / Public Notices		20/10/2006		20/10/2006				
	<b>DIVISION 12 - CODE OF CONDUCT</b>		16/05/2008		21/10/2005	16/05/2008			
	<b>DIVISION 13 - OTHER POLICIES NOT INCLUDED IN MANUAL</b>								
	Purchasing Policy		27/02/2020		25/10/2011	15/03/2015	20/05/2016	22/02/2017	27/02/2020
	Asset Management		21/06/2013		21/06/2013	21/06/2013			
	Risk Management		18/12/2014		18/12/2014	18/12/2014			
	Grievances Investigations and Resolution		28/06/2018		28/06/2018	28/06/2018			
	Performance Management		28/06/2014		28/06/2014	28/06/2014			
	COVID-19 Financial Hardship		26/08/2020		26/08/2020	26/08/2020			



Western Australia

# SHIRE OF MURCHISON

## POLICY MANUAL

Adopted by Council on 21<sup>st</sup> October 2005  
Updated 18th November 2020

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## DIVISION 1 – ADMINISTRATION

### 1.1 Council Meetings

The Council shall meet on the third Friday of each month commencing at 9.30am unless specifically resolved otherwise by Council to allow for other circumstances.

### 1.2 Committees

Council shall operate the following core committees.

Plant Committee – 2 Councillors plus Chief Executive Officer and Works Manager.

Housing Committee – 2 Councillors plus Chief Executive Officer.

Audit Committee – 7 Councillors plus the Chief Executive Officer.

### 1.3 Committee Functions

The Committee shall have powers of recommendation to full Council only and shall make recommendations in regard to the planning, development and maintenance.

### 1.4 Committee Payments

Council will reimburse expenses as set out in Policy 8.1 Councillor Expenses to members of committees who are not elected members or employees of the Shire of Murchison.

*Adopted 19th<sup>b</sup> February 2010; Item Number 13-1.4*

### 1.5 Agendas

The closing date for items to be included in the Agenda for the Ordinary Meetings of Council is the Friday seven (7) days prior to the date of the meeting.

The Agenda is to be made available to the public prior to the meeting and agendas are to be delivered to Councilors electronically either by email or fax by no later than the Tuesday prior to the meeting date.

### 1.6 Minutes

Draft copies of the minutes of all full Ordinary Meetings of Council are to be made available free of charge on the Shire of Murchison website within ten days of the meeting date.

### 1.7 Freeman of the Shire

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 Murchison.

The award would not usually be presented for excellence of service in only one activity.

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

The award is to be recognised as the highest honor that the Local Community, through its Council can confer on one of its citizens. The award will therefore be conferred sparingly and should only be conferred where there is a great assurance of public approval.

### 1.8 Local Preference Policy

Substituted by Regional Price Preference as a separate document

*15<sup>th</sup> May 2015 Buy Local – Regional Price Preference Policy V1; Item No 17.1*  
*15<sup>th</sup> April 2016 Buy Local – Regional Price Preference Policy V2; Item No 17.2*

**1.9 Media Releases**

The Shire President and the Chief Executive Officer are authorised to make media releases or act as spokesperson for the Shire of Murchison.

Councillors and Staff other than the Chief Executive Officer are permitted to make media releases or act as spokespersons for the Shire of Murchison only with the approval of the President or Chief Executive Officer.

Council staff are to keep ratepayers informed of Council activities via the Murchison Monologue which is to be produced by Council at least every six weeks.

**1.10 Records Management**

All elected members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire of Murchison’s business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

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

Ownership of any record received or created by elected members, staff, contractors and consultants, acting on behalf of the Shire of Murchison in the course of their work, resides with the Council and not the individual.

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

Access to the Shire of Murchison’s records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire of Murchison’s records by the general public will be in accordance with the Freedom of Information Act 1992. Access to the Shire of Murchison’s records by elected members will be via the Chief Executive Officer in accordance with the Local Government Act 1995.

All records kept by the Shire of Murchison will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA, on an annual review cycle.

*Amended 19th<sup>b</sup> December 2013; Item Number 18.4*

**1.10 Managing Public Question Time**

Council is to manage Public Question Time at ordinary meetings of Council and prescribed meetings in a proper and efficient manner according to statutory provisions and the Shire of Murchison Public Question Time Procedures as adopted and amended from time to time

*Adopted 19th<sup>b</sup> June 2015; Item Number 18.4*

Amended Procedures Adopted

*Adopted 20th<sup>b</sup> November 2015; Item Number 21.1*





## DIVISION 2 – WORKS AND PLANT

### 2.1 Roads and Reserves for Roads

#### 2.1.1 Use of Heavy Vehicle Combinations on Local Roads

The Chief Executive Officer is authorised by Council to consider and approve requests from operators:

- a) to add or amend a road on a Restricted Access Vehicle Network, or
- b) for a Restricted Local Access Period Permit,

on the condition that the application has been made in the prescribed manner to Main Roads Heavy Vehicle Services, in the first instance.

The CEO is to give due consideration to the condition of the road and other assets, such as grids and culverts, prior to forwarding approval to HVS, especially if the application is for a Restricted Local Access Period Permit, where Route Assessment Guidelines are not met.

The following conditions are to be included in all approvals:

- 1 Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations;
- 2 In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Murchison;
- 3 CA07 – All operators must carry the written approval from the LG authority permitting use of the road;
- 4 The following speed limits will generally apply
  - Unsealed open road 80 km / hour
  - Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser

*Amended 21 October 2016; Item Number 18.3*

#### 2.1.2 Traffic Signs

Council accepts the delegation of responsibility from Main Roads WA relating to the erection, establishment and display of any traffic signs and traffic control signals in respect to construction and maintenance of roads within the Shire of Murchison. This does not include roads not under Council control.

#### 2.1.3 Stock Grids

- 1 Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, the CEO may commence the process to remove the grid;
- 2 The process is that the CEO will notify the lessee/landowner of Council's intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
- 3 After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
- 4 If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed
- 5 This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is

no longer required. Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location.

6. Boundary grids will be maintained.

*Adopted 22 June 2017; Item Number 18.3*

## **2.2 Works and Plant**

### **2.2.1 Plant Repairs**

When practicable minor repairs to Council plant are to be carried out by Local tradesmen in the shire.

### **2.2.2 Use of Equipment by Employees**

Plant and Equipment is not to be made available for use by employees for works on Council properties without the written consent of the Chief Executive Officer. Minor items such as lawn mowers, edgers, cement mixers etc may be used with approval of the Chief Executive Officer subject to the use being to maintain Council properties.

### **2.2.3 Garaging of Council Plant**

Wherever possible Council's vehicles and plant when at the depot are to be kept under cover.

### **2.2.4 Fire Extinguishers on Council Plant**

All Council vehicles and plant are to be equipped with appropriate fire extinguishers.

### **2.2.5 Used Grader Blades**

Used grader blades are to be made available to local residents and included in the sale of surplus items when a suitable amount as deemed by the Chief Executive Officer are available.

### **2.2.6 Smoking in Council Plant and Vehicles**

To protect the health of work colleagues the council has a smoking policy that limits smoking in enclosed areas such as vehicles, buildings and workshops when other persons who do not smoke are present. Smoking is prohibited where explosives and flammables are stored, handled or disposed of.

### **2.2.7 Vehicle Replacement Programme**

Motor vehicles and utilities will be changed over on an as required basis, with factors such as changeover price, repair costs and total operating costs all considered prior to changing over a vehicle. All vehicles must be considered by Council prior to being changed over with the exception of the Chief Executive Officers vehicle which may be changed over at any time provided it is at Nil cost and is the same make and model of at least equal specification.

## 2.3 Private Works

### 2.3.1 Restrictions on use of plant for private works

Council will refrain from hiring out small equipment such as small petrol Generators Welders, Jackhammers, Concrete mixer, Chainsaws, Whipper Snippers etc.

Council's plant shall not be used for any purpose either the Chief Executive Officer or the Works Foreman believe is potentially dangerous or not the intended use of the particular machine.

Council plant shall be available for private works hire subject to the operation of the machine being by Council operators. Private works must not exceed \$5,000 at any given time. Once private works costs reach an amount of \$5,000 (five thousand dollars) immediate payment of this amount is required in full by cash, Cheque or EFT prior to continuing with the works.

### 2.3.2 Aircraft Landing Strips

Grading of aircraft landing strips will be carried out as required by the Maintenance Crew or upon request from the landowner or manager to the Chief Executive Officer. Grading of the Landing Strip will be carried out at no cost and all requests for grading must be directed to and approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

*Amended 17<sup>th</sup> February 2006; Item Number 0506.67*

### 2.3.3 Private Works for Non Profit Community and Sporting Groups

Council plant will be made available for non profit community and sporting groups when such a usage does not interfere with Council programs and subject to approval by the Chief Executive Officer under the following conditions:-

Council machines are only to be operated by suitably experienced council employees.

### 2.3.4 Maintenance of Station Shearing Shed Roads

Grading of Station access roads from the nearest Council road to the nominated station shearing shed or cattle yard will be carried out as required by the Maintenance Crew while the machines are in the vicinity and upon request from the landowner or manager to the Chief Executive Officer. Grading of the shearing shed or cattle yard access roads will be carried out at no cost and all requests for grading must be directed to and approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

*Amended 17<sup>th</sup> February 2006; Item Number 0506.67*

## 2.4 Works General

### 2.4.1 Gravel Supply Agreements

Where gravel use is negotiated with land holders from pastoral property either a written or verbal agreement is to be entered into with the landholder as required. The agreement is to clearly identify estimated area required and the amount of gravel to be extracted. Gravel pits are to be leveled and reinstated by council staff at the end of their useful life as determined by the Works Foreman or Chief Executive Officer.

**NOTE: Council reserves the right to enforce its rights to extract gravel by legal means if arrangements cannot be made with landholders.**

**2.4.2 Sale of Surplus Materials**

Surplus items will be made available to the public via a tender process on an as required basis. All tenders received for any items are to be considered by Council prior to acceptance.

**2.4.3 Council Road Hierarchy**

Council has an adopted Road Hierarchy for all roads throughout the Shire of Murchison. This hierarchy is to be used as a means of prioritizing every roads throughout the Shire as well as set a predetermined level of maintenance for each road category. The Road Hierarchy was adopted by council on 21<sup>st</sup> October 2005.

**2.4.4 Bund Construction**

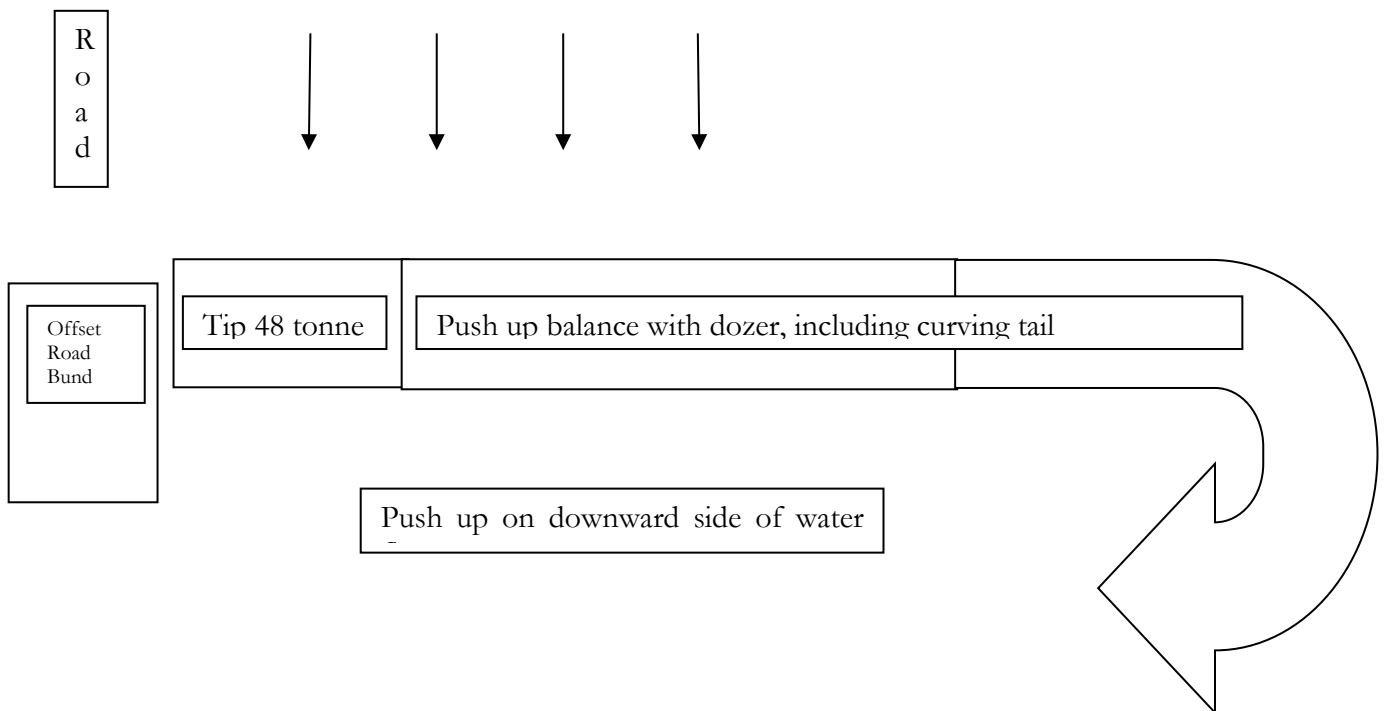
Drainage bunds are to be constructed by tipping two 24 tonne side-tipper loads of gravel adjacent to the road and then the remainder of the bund is to be pushed up using a bulldozer.

The bund is to be pushed up on the downward side of the water flow and is to include a long curving tail, constructed in such a manner as to sheet the water away from the road. Finally, the entire length of the bank, commencing from the end of the tail, is to be track rolled and lightly bladed to a level finish.

This method of construction will eliminate the potential traffic hazard created by the bulldozer pushing up adjacent to the road and leaving depressions which may fill up with water, attracting animals to drink.

The road bund is to be offset from the drainage bund, on the downward side of water flow.

The bund angle from the road will be site specific and dependent on water flows – the diagram is an example only.



*Adopted 15<sup>th</sup> April 2016; Item Number 17.3*



## DIVISION 3 – BUILDING CONTROLS

### 3.1 Building Control

The Shire of Murchison has no current obligation to issue building permits for any building work undertaken within the Shire. In the interest of due diligence, the Shire will require certification in relation to compliance with the National Construction Code (NCC) for any buildings that the Shire itself contracts the construction of.

Where a new building would normally require the issuing of a Certificate of Design Compliance (CDC) pursuant to the NCC, the Building Act and the Building Regulations, the Shire will require the submission of the same by a suitably qualified person (Building Surveyor) for all construction within the Murchison Settlement. Copies of CDC's for all Council Projects are to be retained on site at the Shire Administration Centre, Murchison Settlement

Where any owner or occupier wishes to lodge a CDC for any construction undertaken within the Shire but outside of the Murchison Settlement, a copy will be retained on the Shire records free of charge. Proponents of any construction project within the Shire are to be advised of this Council Policy with respect to Building Controls and that fees such as the Building and Construction Industry Training Fund (BCITF) may still require payment. All enquiries and payments to the BCITF and/or the Building Commission should be directed to those authorities

*Policy Repealed and Replaced 19<sup>th</sup> August 2016 replaced; Item Number 18.2*

## DIVISION 4 – HEALTH

### 4.1 Health Controls

#### ~~4.1.1 Delegations to Councils Health Surveyor~~

~~The Chief Executive Officer delegates the authority and power to the Environmental Health Officer to:~~

- ~~→ Issue certificates of approval relating to the maximum number of people permitted in a public building.~~
- ~~→ To issue any notice or direction pursuant to the Health Act when it is considered that the urgency of the issue involved requires immediate action.~~

*Deleted 16<sup>th</sup> December 2016; Item Number 18.1*

#### 4.1.1 Parties, Concerts and Large Public Events

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community. Events are to be assessed and approved in accordance with the Health Act 1911 and the Health (Public Buildings) Regulations 1992.

*Adopted as a replacement for 4.1.1 Delegations to Councils Health Surveyor 16<sup>th</sup> December 2016; Item Number 18.1*



**DIVISION 5 – PLANNING**

The Murchison Shire currently has no adopted Town Planning Scheme.

Planning information and advice can be obtained from the Shire Office.

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## DIVISION 6 – FINANCE

### 6.1 Budgets and Rating

#### 6.1.1 Budget Preparation

- Preparation of draft budgets inclusive of all items requested by Council during the preceding year shall be the responsibility of the Chief Executive Officer.
- A draft budget shall be prepared and presented to a meeting of Council for consideration by no later than the first week in August of the financial year for consideration.
- Council should under normal circumstances adopt the budget no later than the end of July in any year.

#### 6.1.2 Budget Submissions

All organisations and individuals that have made submissions for consideration by Council in its budget deliberations shall be advised of the outcome of the submission as soon as practicable after adoption of the budget.

#### 6.1.3 Budget Adherence

Adherence to the budget following adoption is the responsibility of staff. Any items exceeding budget or considered that are outside budget allocations must be approved by full Council.

#### 6.1.4 Unpaid Rates – Procedure for Collection

The following procedure shall apply for the collection of unpaid rates:

- Final notices to be issued within six (6) month of the expiration of the discount period.
- Advice of legal action to be taken for recovery will be forwarded to outstanding debtors for rates once rates have been outstanding for more than 12 months.
- Legal action to be commenced following the imposition of penalties for outstanding rates.

#### 6.1.5 Discount on Rates

- Where discount is provided for early payment of rates and is not claimed it shall be refunded to eligible ratepayers.
- Discount allowed will be only allowed up to the close of business on the final day as stated on the rate notice. Any remittance received after the close of business on the last day for the discount will not attract the discount regardless of the reason for delay i.e. in the post etc. To be eligible the payment must be in the Shire office by the close of business on the last day for discount allowed.

### 6.2 Investments and Borrowing

#### 6.2.1 Investment of Surplus Funds

The Chief Executive Officer is authorised to invest funds surplus to the immediate operating needs of the Shire of Murchison and shall be responsible to ensure that investments are made to maximize the benefit to the Council. While council operates a sweep account facility with the Westpac Bank, Geraldton the need to manually invest funds does not exist.

An authorised investment shall be at call/short dated deposits with the Shire Bank or any other bank within the meaning of the Banking Act 1959 of the Commonwealth. The Chief Executive Officer shall report to each Ordinary meeting of Council details in respect to investments made, interest rates and terms applicable.

**6.2.2 Borrowings**

When a decision has been made to borrow funds for a Council activity either in budget deliberation or by a decision of the Council the Chief Executive Officer shall obtain quotes from the banking industry and The Treasury sources and recommend to Council the acceptance of the most suitable quote.

**6.2.3 Self-Supporting Loans**

Council may at its discretion, agree to raise self-supporting loans on behalf of Incorporation Local Organisations. Such agreement will be subject to:

- The applicant meeting all costs relevant to the raising of the loan with the exception of administrative charges.
- The applicant meeting any costs involved in preparing agreements, lease or other documents required.
- Prior to Council granting approval the applicant will be required to provide suitable details of current and future financial viability.

**6.3 Reserve Accounts****6.3.1 Staff Leave Reserve**

A Staff leave Reserve shall be maintained. The purpose of the account is to pay Staff Leave entitlements to Councils current employees and for claims of past employees (Long service leave only) who have transferred to other Councils. The account shall be maintained by budget transfer allocations as approved by Council with the aim of the account to hold sufficient funds to meet Councils Annual and Long Service Leave Liability at any given time.

**6.3.2 Plant Reserve**

A Plant Reserve Account shall be maintained. Monies held in the account are to be used to assist in funding the replacement or major repair of plant items. The account will be maintained by transfer of funds from budget allocations as approved by Council.

**6.3.3 Interest on Reserve Accounts**

Interest earned on reserve funds shall be applied to the reserve from where the interest was earned.

**6.4 Financial Reporting****6.4.1 Responsible Employee**

The Responsible Employee as defined under the Local Government (Financial Management) Regulations 1996 shall be the Chief Executive Officer.

**6.5 General****6.5.1 Operation of Bank Account**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;

- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire's Municipal Fuds) are to be authorised by the Chief Executive Officer and the President.  
For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire's investments by way of Term Deposit held at the same bank that holds the Shire's Municipal Fuds. This includes the opening and closing of term deposit accounts.

*5.5.1 Amended 16<sup>th</sup> December 2016; Item Number 18.2*

*5.5.1 Amended 15<sup>th</sup> September 2018; Item Number 18.4*

### 6.5.2 Donations and Grants

Council will include an amount in the budget each year for the purpose of donation to relevant charities or appeals and other bodies. Each application shall be presented to Council for consideration during budget deliberations and preference will be given to local organisations that are operating within the Shire of Murchison.

Donations of \$100 or less may be made at the discretion of the Chief Executive Officer.

Donations of \$500 or less may be made at the joint discretion of the Chief Executive Officer and Shire President.

Applications for donations of over \$500 which have not been included in the budget will be presented to Council for consideration

*5.3 Amended 24<sup>th</sup> May 2018; Item Number 18.2*

### 6.5.3 Purchase of Property, Plant and Equipment

- a) Where the purchase of Property, Plant or Equipment is put forward for consideration outside of budget allocations full details of the proposal must be submitted to Council for approval prior to any action to purchase being considered.
- b) For purchase of items for which budget allowance has been made the Chief Executive Officer is authorised to proceed with the purchase subject to at least three written quotes being obtained for any item valued in excess of \$5,000 and on the basis that the costs of the accepted provider is within budget allocations.
- c) Motorcars and utilities will be changed over on an as required basis, with factors such as changeover price, repair costs and total operating costs all considered prior to changing over a vehicle. All vehicles must be considered by Council prior to being changed over with the exception of the Chief Executive Officers vehicle which may be changed over at any time provided it is at Nil cost and is the same make and model of at least equal specification.

### 6.5.4 Purchase of Capital Items

That the purchase of capital items be those items for which provision is made for in the current budget unless prior approval passed by an absolute majority of Council, has been given.

A capital item is a separate item for which the value exceeds \$2000.

Where items are expected to exceed \$100,000 in value tenders must be called in accordance with the Local Government Tender Regulations. Where considered prudent, for instance where a range of options or suppliers may be available tenders should also be called although the expected value is less than \$100,000.

Where quotes are obtained (tenders not required or deemed unnecessary) the process already detailed in the Purchase Policy should be strictly adhered to.

Council Orders issued for purchases should be consistent with the tender or quote accepted to confirm the price for the purchase about to be made.

*Adopted 17<sup>th</sup> July 2012; Item No 18.4*

**6.6 Fuel Price**

That in relation to the operating of fuel facilities at the Murchison Oasis Roadhouse that Council's policy is to aim to operate these facilities at neither a profit nor loss over the medium to long term.

*Adopted 7<sup>th</sup> December 2012; Item No 10.3*

*Amended 24<sup>th</sup> October 2019; Item No 19.5*



## DIVISION 7 – LEGAL

### 7.1 Legal Advice

The Chief Executive Officer is authorised to obtain from Councils Solicitors, such legal advice and opinion as is deemed by the Chief Executive Officer to be necessary to enable to proper legal administration of Councils business.

### 7.2 Legal Proceedings and Prosecutions

- 1) No action shall be taken to institute legal proceedings or prosecution unless by specific resolution of Council or by specific delegation.

**NOTE: For the purpose of paragraph (1) the issue of a modified penalty under a local law or Regulation or where uniform guidelines are already in place shall not be deemed to be legal proceedings.**

- 2) Where in the opinion of the relevant officer it will not be in the interest of the Council to include the names and personal details of persons who are subject to recommendation for prosecution such details may be omitted other than necessary to describe the place and nature of the offence.

### 7.3 Valuation of Property

The Chief Executive Officer is directed to obtain from the Valuer Generals Office or a sworn valuer duly appointed by notice in the Government Gazette, the value of any land or property being the subject of a report or submission to Council involving negotiations for the purchase or sale thereof for Local Government Purposes. Provided always that costs are included in the budget provisions.

### 7.4 Legal Representation Costs Indemnification

#### 1) Introduction

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

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

#### 2) General Principles

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

- carrying out his or her functions is considered detrimental to the person (eg defending defamation actions), and
- (iii) Statutory or other inquiries of members or employees is justified.
- c) The Local Government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms leveled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the Local Government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the Local Government’s solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Local Government.
- 3) *Applications for Financial Assistance*
- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer.
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest provisions of the Local Government Act 1995.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the Chief Executive Officer in writing under Section 5.42 of the Local Government Act.
- f) Where it is the Chief Executive Officer who is seeking urgent financial support for legal services the Council shall deal with the application.
- 4) *Repayment of Assistance*
- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be offset against any moneys paid or payable by the Local Government.
- b) Assistance will be withdrawn where the Council determines, upon legal advice that a person acted unreasonably, illegally, dishonestly, against the interests of the Local Government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Local Government may take action to recover any such moneys in a court of competent jurisdiction.





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## DIVISION 8 – STAFF

### 8.1 Staff Matters

#### 8.1.1 Senior Staff

In accordance with Section 5.37 (1) of the Local Government Act Senior Employee shall be the Chief Executive Officer.

#### 8.1.2 Appointment of Staff

The selection, appointment of dismissal of all staff shall be in accordance with the Local Government Act and be the responsibility of the Chief Executive Officer.

#### 8.1.3 New Positions

No new staff positions or major restructure of existing positions shall be carried out or created without prior approval of Council.

#### 8.1.4 Relocation Expenses

Each case will be individually assessed by the Chief Executive Officer and an arrangement between the Chief Executive Officer and the employee arranged and confirmed in writing with the total value of the contribution towards relocation costs not exceeding \$1,000.

**NOTE Council reserves the right to make alternative arrangements for contracted employees.**

#### 8.1.5 Interview Expenses

Council will reimburse travel costs for applicants attending interviews subject to prior agreement with candidates and on the following basis:-

- ▶ If the applicant is traveling by car, the vehicle to be fueled at the Murchison Roadhouse and charged to the Shire.
- ▶ If air travel is appropriate and available an amount equal to a single economy return class airfare from the current place of residence of the applicant to Perth.
- ▶ If any other form of travel is appropriate the actual costs to and from the place of residence of the applicant to the place of interview.

#### 8.1.6 Long Service Leave

- a) The Chief Executive Officer may authorise the taking of long service leave by employees is not more than three consecutive periods subject to the leave being taken in full by a period of two (2) years from the due date of leave falling due.
- b) Employees are required to take Long Service Leave within a period of not more than twelve (12) months from the due date unless formal approval is provided by Council to defer leave for a longer period.

As a general rule however leave is to be taken as soon as practicable after it falls due.

#### 8.1.7 Annual Leave

Annual Leave is to be taken in the year in which it becomes due unless approval is granted by the Chief Executive Officer for deferral.

As a general rule, employees shall not be permitted to accrue more than eight (8) weeks annual leave.

**8.1.8 Rostered Days Off**

Where employees are accruing Rostered Days Off they shall be taken at a time suitable to the Supervising Officer and the Staff Member as soon as practicable after they fall due.

No employee is entitled to accrue more than five (5) rostered days off at any one time.

**8.1.9 Conditions of Employment**

All Works Crew employees are employed under an Australian Workplace Agreement which must be entered into prior to the commencement of employment. This workplace agreement is not negotiable from employee to employee however will be reviewed in April of each year.

A performance appraisal and review of conditions of employment shall be carried out in April of each year and any applicable changes to conditions shall apply from the 1<sup>st</sup> of July of that year for all staff except those employed under contract arrangements whereas the applicable date shall be determined by the contract arrangements.

**8.1.10 Superannuation**

Council contribution to staff Superannuation including the Superannuation Guarantee (9%) shall be at a total of 14% of salary. The voluntary contribution shall be subject to a minimum contribution of 5% by the employee (permanent staff only). Variation to this policy shall be considered during review of conditions of employment.

Casual staff are not eligible for any additional Council Superannuation contributions and therefore only the compulsory Superannuation Guarantee 9% will be paid.

*Amended 18th April 2008; Item Number 0708.90*

**8.1.11 Staff – Other Employment**

Approval for staff to engage in remunerated positions outside of normal working hours is subject to there being no conflict of duties and approval by the Chief Executive Officer.

**8.1.12 Uniforms/Protective Clothing**

**Works Staff**

To be issued with one (1) winter issue of clothing per year. The issue shall consist of two pairs of trousers and three hi visibility cotton drill long sleeve shirts.

All other necessary safety and protective gear is to be supplied as needed e.g. boots, safety glasses, vests, hats, water bottles, sun screen etc. Windcheaters and jackets will be provided every two (2) years or (4) years respectively. Fair wear and tear replacement of all items will be made.

**Office Staff**

Office Staff will be issued with their choice of uniforms from the Dowd Corporate Wardrobe as follows:-

On completion of a probationary period – subsidy to the value of \$250 per person.

Subsequent Issues - \$250 per year.

Permanent Part-time staff shall be subsidized on a pro-rata basis applicable to the amount of hours worked. Casual staff shall not be subsidized.

As part of the Shires customer service focus, employees are required to wear the corporate uniforms at all times and to provide an image suitable to the Shire.

**8.1.13 Equal Opportunity Policy Statement**

- 1) The Shire of Murchison recognizes its legal obligations under the Equal Opportunity Act 1984 and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.
- 2) All employment training with the Council will be directed towards providing equal opportunity to all employees providing their relevant experience, skills and ability to meet the minimum requirements for such training.
- 3) All promotional policies and opportunities with this Council will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirement for such promotion.
- 4) All offers of employment within the Council will be directed towards providing equal opportunity to all employees providing their relevant experience, skills and ability meet the minimum requirements for such engagement.
- 5) This Council will not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a persons race, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.
- 6) The equal opportunity goals of this Council are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

**8.1.14 Sexual Harassment Policy**

- 1) Council strongly supports the concept that every employee, Councillor and member of the public employed or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.
- 2) Council considers sexual harassment to be an unacceptable form of behaviour, which will not be tolerated and recognizes that sexual harassment is unlawful.
- 3) Sexual harassment is any conduct of a sexual nature and/or sexist nature (whether physical, verbal or non verbal) which is unwelcome and unsolicited and rejection of which may disadvantage a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee Councillor or member of the general public.
  - ◆ Deliberate and unnecessary physical conduct such as patting, pinching, fondling, kissing, brushing against, touching;
  - ◆ Subtle or explicit demands for sexual activities or molestation;
  - ◆ Intrusive enquiries into a persons private life;
  - ◆ Uninvited and unwelcome jokes that have a sexual and/or sexist undertone;
  - ◆ Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

- 4) Council recognizes that sexual harassment can undermine health, performance and self esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including training of the workforce and specific training for officers identified to deal with complaints. Appropriate discipline will be taken against any individual found to be engaging in such conduct.
- 5) Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.
- 6) Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face to face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without prior consent of both parties.
- 7) An employee whose health or work performance has been proven to be affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

**8.1.15 Medical Examinations**

All permanent employees are required to agree to a medical examination by a Medical Practitioner whose appointment, which will be paid for by the Shire of Murchison. Results will be confidential to the immediate Supervisor and the Chief Executive Officer. A copy will be retained in the employee's personal file.

**8.1.16 Probationary Period**

All positions within the Shires permanent workforce will be subject to a probationary period of six (6) months.

**8.1.17 Paid Leave for Voluntary Service**

- 1) All staff who are bona fide members of volunteer emergency service groups, such as Fire Brigade, State Emergency Services, Ambulance etc who are required for emergency service to those groups during working hours shall be released and paid for time absent by Council up to the total of ordinary time usually worked during that day or the period of the emergency but will not include time in excess of ordinary working hours, weekend or public holidays.
- 2) For the purpose of this policy ordinary time shall be the time ordinarily worked on the days the employee may be absent including any standard overtime arrangements.

**8.1.18 Smoking in the Workplace**

To protect the health of work colleagues the council has a smoking policy that limits smoking in enclosed areas such as vehicles, buildings and workshops when other persons who do not smoke are present. Smoking is prohibited where explosives and flammables are stored, handled or disposed of.

**8.1.19 Conference and Seminar Attendance**

- Requests for authority for the Chief Executive Officer to attend Conferences and Seminars outside of that classified as Staff Training shall wherever practicable be brought before Council for consideration.

- Council shall by resolution authorise the attendance of these Conferences and Seminars as considered appropriate.
- Where authority is granted under this clause for the attendance of Staff or staff contracts include authorisation for attendance under certain contracts conditions, all reasonable expenses relating to accommodation, nomination, meals and other reasonable expenses incurred will be met by Council subject to presentation of documented evidence for the expense.
- Where it is considered appropriate for a staff member to be accompanied by another person when attending any function where attendance has been authorised by Council, Council will meet the expenses applicable to that person with approval of full Council.

#### **8.1.20 Staff Training – Costs applicable**

Where staff request authority to attend staff training approval may be granted by the Chief Executive Officer having regard to the following:-

- ▶ The relevance of the training to the staff member,
- ▶ The cost of the training,
- ▶ Budget allocation for training provided,
- ▶ Obligations of performance appraisals completed,
- ▶ Any other relevant factors

Where training is approved Council will pay all reasonable expenses relating to costs of the training, accommodation, travel, meals and other reasonable expenses incurred subject to presentation of documentary evidence of the expense.

Whilst Council accepts its obligations to train its staff to satisfactory levels to enhance their performance it shall be incumbent on the staff to recognize that training provides personal rewards and they should accept that overtime will not be paid for out of hours training attendance and travel and every effort shall be made to reduce costs associated with training in all areas of expense if possible.

#### **8.1.21 Staff Safety and Health Policy**

This policy recognises that the safety and health of all employees within the Shire of Murchison is the responsibility of Council management. In fulfilling this responsibility, management has a duty to provide and maintain, so far as is practicable, a working environment in which employees are not exposed to hazards:

- ▶ Providing and maintaining safe plant and systems of work;
- ▶ Making and monitoring arrangements for the safe use, handling, storage, disposal and transport of plant and substances;
- ▶ Maintaining the workplace in a safe and healthy condition;
- ▶ Providing information, training and supervision for all employees enabling them to work in a safe and healthy manner.

The Chief Executive Officer is responsible for the implementation and monitoring of this policy.

The safety and health duties of management at all levels will be detailed and council procedures for training and back-up support should be followed. In fulfilling the objectives of this policy, management is committed to regular consultation with employees to ensure that the policy operates effectively and that safety and health issues are regularly reviewed.

**Duties**

Recognising the potential risks associated with hazards that may be present, this Council will take very practicable steps to provide and maintain a safe and healthy work environment for all employees.

**Management**

- ▶ Is responsible for the effective implementation of the Council safety and health policy;
- ▶ Must observe, implement and fulfill its responsibilities under the Acts and Regulations which apply to Local Government;
- ▶ Must ensure that the agreed procedures for regular consultation between management and those who designated and elected safety and health responsibilities are followed;
- ▶ Must make regular assessments of safety and health performance and resources in co-operation with those with designated and elected safety and health functions;
- ▶ Must ensure that all specific policies operating within the Council e.g. fire and evacuation, purchasing, training, first aid and systems of work, are periodically revised and consistent with Council safety and health objectives;
- ▶ Must provide information, training and supervision for all employees in the correct use of plant, equipment and substances used throughout the Council;
- ▶ Must be informed of incidents and accidents occurring on Council premises or to Council employees so that safety and health performance can be accurately gauged.

**Employees**

- ▶ Have a duty to take the care of which they are capable for their own safety and health and of others affected by their actions at work;
- ▶ Must comply with the safety procedures and directions agreed between management and employees with nominated or elected safety and health functions;
- ▶ Must not willfully interfere with or misuse items or facilities provided in the interests of safety, health and welfare of Council employees;
- ▶ Must, in accordance with Council procedures for accident and incident reporting, report potential and actual hazards and accidents/incidents to their elected safety and health representatives.

This policy will be regularly reviewed in the light of legislation and Council changes. Management seeks co-operation from all employees in realizing our safety and health objectives and creating a safe work environment. All employees will be advised, in writing, or agreed changes and arrangements for their implementation.

**8.1.22 Drug and Alcohol Policy**

Separate Document

*Adopted 18<sup>th</sup> November 2016; Item Number 18.4*

**8.2 Staff Housing****8.2.1 Standards**

Council Housing should be upgraded or built to meet the following minimum specifications:-

- ▶ All windows to be aluminum fitted with locking system.
- ▶ Fences to be 1.0m high and fully surround the property.
- ▶ Single vehicle carport.
- ▶ Ceiling fans
- ▶ Ducted Evaporative Air-conditioning.
- ▶ Wood fuel tile fire.
- ▶ External Television aerial.

- ▶ Curtain rods to be provided to facilitate installation of curtains by tenants.
- ▶ Security screen doors to be provided to external access doors.

#### **8.2.2 Conditions of Tenancy - Staff Housing – Availability**

Staff Housing will be provided for all members of council staff.

#### **8.2.3 Electricity Accounts**

All electricity is to be provided to council employees and employee’s families within the Murchison settlement at no charge. Staff is to be made aware of the importance of using power wisely upon commencement.

#### **8.2.4 Maintenance of Staff Housing**

The opportunity will be given for staff occupying Council housing to provide a list of needs associated with housing during March of each year with the Councils Building Committee. During March / April an inspection of Council buildings including housing will be completed and a schedule of works including estimated costs will be provided for budget consideration.

A contingency amount for maintenance of \$1,500 per house will be allowed in the budget for items of an urgent nature, which may arise eg. replacement of water heating, during a budget period.

#### **8.2.5 Housing Bonds and Tenancy Agreements**

All staff occupying Council housing shall be required to provide a bond of \$500.00 (five hundred dollars). In the event of payment of the bond creating financial hardship for the Tenant, arrangements may be made for payroll deduction at an amount not less than \$50.00 per fortnight.

#### **8.2.6 Rental Charges**

Charges for rental for Council properties will as per the adopted schedule of fees and charges for that financial year.





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## DIVISION 9 – MEMBERS

### 9.1 Councillors Expenses

#### 9.1.1 Members Meeting Expenses

Councillors shall be paid for travel, meeting expenses and communication allowance at a rate set by Council annually. Travel Payments will be paid in arrears on an as required basis but are not to remain outstanding for more than six months. Meeting attendances will be made on a quarterly basis, usually in October, January, April, and July of each year. Councillors are required to complete a travel claim form to receive refunds

*8.1.1 Amended 24th May 2018; Item Number 18.2*

#### 9.1.2 Conference, Seminar and Training Course Attendance

Prior to any Councillor attending a conference the matter is to be discussed at the Council meeting prior to the conference and a motion put and carried supporting which councillors are to attend the conference and in what capacity.

There will be no restriction on the number of elected members attending Local Government Convention. The number and the names of the elected members however, will be determined annually by Council. Council will ensure adequate funds are allocated in its annual budget to cover delegate expenses each year.

The Shire President will have automatic rights to attend Local Government Convention each year.

When attending a conference, where the CEO is attending the same one, an attempt should be made to travel to and from the conference with the CEO in Council's vehicle. If this is not possible or the CEO is not attending, then the Councillor will be entitled to claim travel at the rate set under Section 8.1.1 – Members Meeting Expenses.

When attending a conference in the capacity of a councillor, Council agree to pay the following charges where applicable:

*8.1.2 Amended 24th May 2018; Item Number 18.2*

#### 9.1.3 Accommodation

On an as required basis and is dependant of the distance required to travel. For example a three day conference in Perth commencing on Friday morning and finishing late on a Sunday afternoon council would agree to pay for accommodation on the Thursday, Friday, Saturday and Sunday evenings as an allowance needs to be made to travel between Perth and Murchison.

A half day conference in Geraldton between 10.00am and 3.00pm it would be fair to suggest that travel to and from Geraldton would be possible in the same day and accommodation would not be required in this instance.

If any doubt exists regarding the need for council to provide for accommodation for any councillor or staff member the final determination shall be at the discretion of the CEO.

#### 9.1.4 Parking

Council will meet all valet parking charges while attending a conference where applicable.

**9.1.5 Meals General**

Council will meet meal charges while attending a conference for the person attending the meeting or conference only

Any Councillor or staff member attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (ie; not in motel/hotel accommodation), be paid an amount as set out for the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission.

*8.1.5 Amended 24th May 2018; Item Number 18.2*

**9.1.6 Meals Local Government Week**

Council will meet meal charges for the councillor or staff member attending Local Government Week AND meal charges for their spouse or partner who may also be attending this conference. Any additional meal charges for friends, family and children etc are to be paid for in full by the Councillor or staff member prior to checkout.

*Amended 20<sup>th</sup> October 2006; Item Number 0607.54*

**9.2 Meetings of Council****9.2.1 Questions - Notice**

To allow staff to adequately research queries, Councillors should give twenty four hours clear notice of questions which require research and to which they require answers at a particular meeting.

**9.2.2 Motions to be written**

Wherever possible motions are to be written and signed by the mover and seconder. Councillors are responsible to ensure that any motion prior to being put reflects accurately what is required.

**9.2.3 Council Meetings**

Councillors shall have regard to “Standing Orders” applicable to Council meetings and the adopted “Code of Conduct” in their behaviour at Council meetings.

**9.3 Members - Other****9.3.1 Title of Councilor or President**

No Councillor is to use their title to in any way imply Councils support, approval, opposition or any other opinion or point of view.

**9.3.2 Councilors Induction Material**

All Councillors are to be issued with a Councillors Handbook and other information relevant to the position at induction. On retirement all information received is to be returned to the Chief Executive Officer.

**9.3.3 Council Representatives**

All Council representatives wherever possible shall be serving members of Council.

Upon ceasing to be a member of Council the representative shall immediately cease to be a member of the relevant committee unless specifically requested to continue as a Council representative.

Council representatives representing Council on committees shall at all times represent Council position not their personal position on an issue.

**9.3.4 Council Chamber**

The Council Chambers shall not be used as a venue for meetings for other groups unless approved by the President as exempt from this provision or unless specifically authorised by the President. In the absence of suitable meeting venues for staff meetings, or public meetings with staff, staff are entitled to use the Council Chambers with approval of the Chief Executive Officer.

**9.3.5 Executive Function Tests**

When any new service or facility is proposed, the Chief Executive Officer proposing the service or facility is required to submit sufficient information to enable Council to make an informed decision in exercising its discretion under Section 3.18(3) of the Local Government Act. Where a proposal may be challenged under one or more of the provisions of that section, the Chief Executive Officer shall be authorised to seek submissions from the community.

**9.3.6 Instrument of Delegation**

When powers and duties are delegated by the Council to a committee in accordance with the requirements of the Local Government Act an instrument of delegation be executed by the President and Chief Executive Officer.

When powers and duties are delegated by the Council to the Chief Executive Officer the instrument of delegation shall be signed by the President and the Deputy President.

**9.3.7 Local Laws**

The Council shall make, publicise and review its Local laws according to the guidelines below.

That Local Law making powers be used sparingly and after applying the following tests:-

- Can Council achieve the objectives without making a law,
- Has Council the will and resources to enforce the law,
- Will practical benefits result from the law.

That Local Laws be worded as simply as possible.

That where Local laws are site specific e.g. laws relating to a town hall, a copy of the laws be posted at the site concerned or an abbreviated version of same stating:-

Offences and penalties.

That a full copy of the law can be inspected at the Shire Office.

That where regulation or licensing of an activity, premise or animal is required the opportunity be taken to issue a leaflet advising of the Local Law.

That the President consider making the exercise of legislative powers by the Local Government a component of the President's annual report as a means of identifying distinct problems and steps Council has taken to combat them.



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## DIVISION 10 – FIRE CONTROL

### 10.1 Fire Organisations

#### 10.1.1 Establishment of Bushfire Brigades

Council shall establish and maintain Bushfire Brigades in accordance with the Bush Fire Act in order to provide adequate protection of those areas of the Municipality within the Bushfire district.

#### 10.1.2 Bushfire Advisory Committee

Council will form a Bushfire Advisory Committee to administer Council's policies on matters relating to bushfire prevention, control and extinguishment as provided for by the Bush Fires Act.

The Committee shall have powers to advise Council by providing recommendations in respect to the powers above. The Bushfire Advisory Committee shall consist of:-

- ▶ The Chief Bushfire Control Officer (who shall be chairman of the Committee),
- ▶ The Deputy Chief Bushfire Control Officer (who shall be Deputy Chairman of the committee)
- ▶ Two representatives from each of the Bushfire Brigades of the Shire of Murchison,
- ▶ A Councillor as a shire representative and,
- ▶ The Chief Executive Officer or their nominee who shall act as the administration/secretary to the committee.

The Annual General Meeting of the Bushfire Advisory Committee will be held at the completion of the Ordinary Council Annual General Meeting where all appointments will be confirmed and Station plant inventory checked and updated.

A quorum for meetings shall comprise one more than half of the designated Committee. Minutes of the Bushfire Advisory Committee meetings shall be presented to the next meeting of the Council held after the Bushfire Advisory Committee Meeting. Meetings will be held in the first week of September and March in each year.

#### 10.1.3 Bushfire Control Officers

A Bushfire Control Officer is a person who has been appointed to that position by the Council, usually the Chief Executive Officer. Such appointment is to be advertised at least once in a newspaper circulating in the district. They are voluntary officers who give their time in furthering the aims of fire prevention and control within the Shire of Murchison.

Bushfire control Officers have powers as prescribed by the Bush Fires Act and are not liable for any damage, loss or injury caused as a result of the exercise in good faith of their powers.

##### **Outline of Duties:-**

- a) Attend Bush Fire Advisory Committee Meetings and participate in the formulation of Control Policies as required.
- b) Inspect firebreaks and ensure standards set are met by the various landholders in the relevant Brigade area.
- c) Issue permits as required for the burning of bush.
- d) Issue permits for other fires such as clover burning permits and ensure any special conditions are met.
- e) Issue permits for protective burning during prohibited burning times and ensure special conditions are met and permits endorsed as required.
- f) Prevent bushfires and protect life and property in the outbreak of fire.

- g) Take steps for legal action against any person committing an offence under the Act by report to the Chief Executive Officer of the Council.

**10.1.4 Clearing Fires**

It is the responsibility of the person lighting a clearing fire to ensure that adequate equipment is available for the protection of their property and neighbouring property. Shire Fire Units should remain at their normal station and must be well maintained and ready for use at short notice.

**10.1.5 Protected Burning Fires – Suspension of Requirements**

The suspension of the need for permits during the restricted burning times does not alter the requirement of advice to neighbours of intention to burn.

**10.1.6 Hazard Reduction Operations**

All hazard reduction operations undertaken by Bushfire Brigades shall be authorised by the Shire of Murchison.

**10.1.7 Use of Shire Plant and Equipment**

The Shire President, Deputy Shire President, Chief Executive Officer or the Works Forman are authorised upon request by an authorised Bushfire Control Officer in charge of a fire, to call out and authorise the use of Shire Plant and Equipment other than plant used exclusively for fire fighting or local control. If authorised the operators of that equipment have discretion as to the extent of that use with particular regard to safety and machine capabilities. The use of Shire Plant and Equipment outside of the district for fire fighting purposes is subject to the conditions of the preceding paragraph.

**10.1.8 Infringement Notices and Legal Action**

Only persons authorised by the Shire of Murchison are authorised to take legal action against offenders under the Bush Fires Act.

**10.1.9 Fire Reports**

Bushfire Control Officers who have been in control of a fire outbreak shall submit fire reports on the forms provided by the Shire within 48 hours of the fire being controlled to the Chief Executive Officer.

The report shall include recommendations relating to investigation and or prosecution.

**10.1.10 Prohibited and Restricted Burning Times**

The Restricted Burning Times within the Shire of Murchison are:-

- ▶ 19<sup>th</sup> September to 31<sup>st</sup> October, and
- ▶ 1<sup>st</sup> March to 29<sup>th</sup> March.

The Prohibited Burning Times within the Shire of Murchison are:-

- ▶ 1<sup>st</sup> November to 28<sup>th</sup> February

Variations to the prohibited and restricted burning times can only be authorised by the Chief Bushfire Control Officer and the Shire President. Such variations are to be advertised.

**10.1.11 Advise of Intention to Burn**

Any person intending to carry out a large burn which may be seen from either a neighbour or a passing vehicle should contact the Chief Bush Fire Control Officer / Chief Executive Officer to advise of the details and reason for the burn.

**10.1.12 Fire Control Point**

The Control Point established by a Bushfire Control Officer in charge of a fire is to be identified wherever possible by means of amber flashing lights.

**10.1.13 Insurance**

The Shire of Murchison will obtain and keep current relevant insurance policies for fire fighters and equipment pursuant to the Bush Fires Act.

**10.1.14 Fire Channel**

Channel 7 on the UHF CB two-way radios shall be the Shire of Murchison fire channel. Fire Control Officers only are authorised to change the channel when required for fire control purposes.

**10.2 Fire fighting Vehicles and Equipment****10.2.1 Provision of Vehicles and Equipment**

The Shire of Murchison shall provide and maintain fire fighting appliances and equipment pursuant to its powers under the Bush Fires Act and budgetary allowances.

**10.2.2 Housing of Fire Fighting Vehicles**

Shire fire fighting appliances will be stationed at the Murchison Settlement. No appliance shall have its location changed from one station to another without the specific authorisation of the Chief Executive Officer of the Shire and any request for change must be submitted in writing clearly stating the reason for the change. The Chief Executive Officer will either approve or decline the request in writing to the applicant.

**10.2.3 Maintenance of Vehicles and Equipment**

Maintenance and repair of all Shire owned appliances and equipment will be the responsibility of the Works Foreman. All repairs and maintenance will be carried out either under his direct supervision or with his knowledge and consent. All replacement parts or equipment will be purchased on official Shire Order forms.

Ensure that Brigade appliances are checked on a regular basis and maintained.

Ensure that the battery, tyres, water, oil and fuel are checked regularly.

**10.2.4 Drivers of Shire Fire fighting Vehicles**

The driver of any shire fire fighting appliance must hold a current licence of the class appropriate for the appliance being driven and be either:-

- a) A Council employee,
- b) A registered member of a Bushfire Brigade, or
- c) Any person authorised by the Bushfire Advisory Committee or a Fire Control Officer to do so.

The driver is responsible to observe the provisions of the Road Traffic Code, in particular those rules applying to emergency vehicles.

**10.2.5 Use of Fire fighting Vehicles and Appliances**

Shire fire fighting appliances and vehicles shall only be used for fire fighting and Shire purposes only.

**10.2.6 Tools and Equipment**

Standard equipment for Shire fire fighting appliances shall be two rake hoes and two shovels.



**10.2.7 Communications**

An efficient two-way radio network will be established for fire fighting communications. Any vehicle used for fire fighting purposes (either council or privately owned) must have a fully functional UHF two way radio fitted.

**10.3 Training of Fire fighters****10.3.1 Recognition of Training**

Council recognises:-

- ▶ That fire fighters must be properly trained to perform their tasks in a safe and efficient manner,
- ▶ That responsibilities differ at various levels in the fire organisation and accordingly the level of skills required varies also, and
- ▶ That a basic level of skill is required for all fire fighters.

**10.3.2 Training Programmes**

Council will encourage officers and members of Brigades to participate in the training programs offered by the relevant authorities.

**10.3.3 Insurance**

Council will ensure that appropriate insurance policies/relevant extensions are held to cover volunteers whilst training.

**10.3.4 Minimum Training Requirements**

Council expects its Bushfire Officers and Brigade Members to be trained at a level consistent with rank and role within the bushfire organisation. Training minimum standards for fire fighters are Modules 1 to 5 of the current fire fighters course.

**10.4 Safety and Health for Volunteer Fire fighters****10.4.1 Safety and Health**

Council recognises the extremely valuable contribution to the community by bushfire volunteers. It is the policy of Council to ensure that bushfire volunteers are provided with safe working equipment, the safest works system practical and to minimise the frequency of accidents and injury. Council recognises that both the Shire and Bushfire volunteers have a responsibility for safety and health. Council acknowledges that the occupational risks relevant in fire fighting and emergency duties undertaken by bushfire volunteers are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to bushfire volunteers, both on the fire ground and in the performance of all other duties.

**Council responsibilities:-**

All practical efforts will be made to:-

- ▶ Instruct bushfire volunteers in safe working practices,
- ▶ Ensure that brigade equipment is in safe working order,
- ▶ Encourage the use of proper protective clothing and equipment appropriate to the task,
- ▶ Ensure that volunteers have ready access to first aid facilities,
- ▶ Investigate accidents and possible safety and health risks and take appropriate remedial action,

- ▶ Provide a mechanism for joint shire/Bush Fire Board/Volunteer consultation on safety matters, and
- ▶ Review the effectiveness of bushfire volunteer training, safety and health policies as necessary.

**Volunteer Responsibilities:**

- ▶ To maintain a reasonable standard of physical fitness,
- ▶ To acquaint themselves with safe working procedures,
- ▶ To identify safety and health hazards and report these for remedial action,
- ▶ To observe safe working practises and avoid unnecessary risks, and to accept responsibility for their own safety,
- ▶ To ensure that at all times they dress appropriately for fire fighting and make proper use of personal protective equipment wherever necessary or required to do so.

**10.4.2 Safety Clothing and Footwear**

The Chief Bushfire control Officer will not allow volunteers who they believe are not suitably clothed to assist with the fighting of a fire. Volunteers must have a long sleeve shirt and trousers (Fire Fighting Uniform if available) enclosed footwear (boots) and a hat.



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## DIVISION 11 – GENERAL

### 11.1 Elections

#### 11.1.1 Signs for Election Advertising

Candidates for Federal, State and Local Government Elections are not permitted to display election signs in the Shire of Murchison.

### 11.2 Australian Citizenship Receptions

Arrangements for the presentation of Australian Citizenship Certificates shall be at the discretion of the Shire President.

### 11.3 Permits and Licenses

#### 11.3.1 Explosive Licenses

The Chief Executive Officer is authorised to issue approvals for the use of explosives within the district without reference to Council.

### 11.4 Council Crest

The Council Crest may be used on letterheads, envelopes and other Council material as and when it is considered appropriate by the Chief Executive Officer.

Use by shire community groups is approved subject to:-

- The group being a non profit organisation based within the Shire of Murchison,
- Subject to written application to the Chief Executive Officer,
- The removal of the word “Shire” from the logo.

### 11.5 Council Property

#### 11.5.1 Short Term Accommodation

The Council property at 4A is provided by council for short time accommodation. Permission to stay at the residence must be obtained from the Chief Executive Officer.

The unit is to be equipped with the following

- Washing Machine
- Colour TV
- 1 x fold out sofa
- 1 x double bed
- Kitchen table and four chairs
- Microwave Oven
- A suitable number of knives, forks, spoons, plates, bowls etc
- Pots, Pans and cooking utensils.
- Electric Kettle
- Mugs and Glasses
- Sheets, Pillows and blankets
- Fridge and Freezer
- Gas Stove
- Suitable cleaning items such as mop, buckets, broom etc

### 11.5.2 Murchison Sports Club

- a) The contract of usage is through the Shire of Murchison and is subject to the approval from the Chief Executive Officer.
- b) If liquor is being made available at a function in the hall the hirer must present the relevant licence required and obtain written approval from the Chief Executive Officer for the consumption of liquor.
- c) When different users use different parts of the hall at the same time, co-operation in the use of the kitchen is required.
- d) Hirers are required to have the hall vacated and locked within two hour of the conclusion of the function.
- e) The meeting room and kitchen are available to the Geraldton Aboriginal Medical Service on the First Monday of every month and the Royal Flying Doctor service as required.

### 11.5.3 Sports Club Public Toilets

On the understanding that the toilets at the north of the Murchison Sports Club will be available for public use Council will accept responsibility for the costs of maintenance and cleanliness of this facility.

### 11.5.4 Roadhouse Public Toilets

On the understanding that the toilets at the north of the Roadhouse will be available for public use Council will accept responsibility for the costs of maintenance and supply of cleaning material and toilet tissue. The proprietors of the Roadhouse are responsible for the daily cleaning of this building or more frequently if required to ensure it is kept at a high standard of cleanliness.

### 11.5.5 Smoking in Council Buildings

Smoking is not permitted in confined spaces within Council Buildings with the exception of staff housing.

### 11.5.6 Consumption of Liquor

Application is to be made in writing for approval to consume liquor in Council buildings (with the exception of staff housing) and approval shall be at the discretion of the Chief Executive Officer. Where a Council building is managed by a local community organisation the application will be subject to approval of that Committee for determination.

### 11.6 Council Well Wishes / Public Notices

Council staff are to arrange flowers, cards or small gifts and insert suitable notices in the paper to recognise personal events in the lives of previous Murchison Residence, staff members, councillors, past councillors, close affiliates of Council or their families or any other person as requested by the Shire President. In the event the Shire President is not available to make the request the Deputy President has delegated authority to do so.

In making the decision due regard is to be had for things as length of service (staff or Councillors), time spent in the Murchison Region and community involvement etc.

*Adopted 20<sup>th</sup> October 2006; Item Number 0607.53*



## DIVISION 12 - CODE OF CONDUCT

*Note Code of Conduct Amended 16<sup>th</sup> May 2008; Item Number 0708.134  
Each Member was provided then with an updated version which was amended to reflect recent amendments to the  
Local Government Act 1995 and Regulations  
This replaced Division 12 – Code of Conduct as shown below*

### **PREAMBLE**

The Code of Conduct provides elected members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the Local Government Act and Regulations which incorporates four fundamental aims to result in:-

- a) Better decision making by Local Governments;
- b) Greater community participation in the decisions and affairs of Local Governments;
- c) Greater accountability of Local Governments to their communities; and
- d) More efficient and effective Local Government.

The Code provides a guide and a basis of expectations for elected members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

### **ROLE OF ELECTED MEMBER**

A Councillors primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Councillors public life.

A Councillor is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected members' activities will focus on:

- Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- Achieving sound financial management and accountability in relation to the Local Government's finances;
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- Working with other Governments and organizations to achieve benefits for the community at both a local and regional level;
- Having an awareness of the statutory obligations imposed on Councillors and on Local Governments.

## **ROLE OF STAFF MEMBERS**

The primary role of members of staff is to support the collective decision of the Council in achieving the role of Councillors as previously stated through the direction of the Chief Executive Officer.

A staff member's secondary role is to be aware of the statutory requirements of the Local Government Act and Regulations, and to provide timely and proper advice and assistance to the Councillors in the performance of their duties.

The following specific behaviour is expected of Council staff.

- While on duty staff will give their best attention to the Local Government business to ensure that the work is carried out efficiently, economically, and effectively.
- Staff are expected to conform to neat dress standards, and are encouraged to use corporate clothing as provided by the Council.
- Communication with the community should be friendly, polite, accurate and professional, and reflect the status of the Council.

## **ROLE OF THE CHAIR**

A chairperson is required to remain Fair, Firm and Focussed.

Above all else however, the role of the chair is to be impartial. The person chairing the meeting has a different role to that of the participants. They are not involved so much in the content of the meeting as they are in the process of the meeting.

The chair must ensure:

- That the processes are followed in accordance with adopted standing orders;
- That everyone present receives an equal chance to address the meeting according to the rules;
- That the discussion is conducted fairly and without bias and according to the processes of the Shire;
- That a quorum is present at all times;
- That minutes are taken accurately;
- That motions are made clearly and accurately before voting;
- That the principles of free speech and natural justice are upheld at all times;
- That guests or visitors are made to feel welcome and understand their rights or roles.

## **CONFLICT AND DISCLOSURE OF INTEREST**

### **1.1 Conflict of Interest**

- a) Members and Staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).



- d) Members and Staff who exercise a recruitment or other discretionary function will make disclosure before dealing with close friends or relatives and will disqualify themselves from dealing with those persons.
- e) Staff will refrain from partisan political activities, which could cast doubt on their neutrality and impartiality in acting in their professional capacity.
- f) An individuals rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions can not be a basis for discrimination and this is supported by anti-discriminatory legislation.

## 1.2 Financial Interest

Members and Staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

## 1.3 Disclosure of Interest

- a) In addition to disclosure of financial interests members and staff, including persons under a contract for services:
  - Attending a Council or Committee meeting; or
  - Giving advice to a Council or Committee meeting.
 are required to disclose any interest they have in a matter to be discussed at that meeting that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.
- b) Where an interest must be disclosed under (a) above, the disclosure is to be made at the meeting immediately before the matter is discussed or at the time the advice is given and is to be recorded in the minutes of the meeting.

## 1.4 Disclosure of Interest Affecting Impartiality

For the purpose of requiring disclosure an interest affecting impartiality is defined in the Regulations as:-

- a) An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

### Impact

In the disclosure of impartiality interest the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest effecting impartiality the members involvement in the meeting continues as if no interest existed.

### What to disclose

Employees or elected members may use the following declaration when considered necessary to disclose an interest affecting impartiality.

“With regard to (the relevant matter) I disclose that I have an association with the applicant (disclose nature of association) or person seeking a decision. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote (or advise) accordingly”.

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## PERSONAL BENEFIT

### 2.1 Use of Confidential Information

Members of staff will not use confidential information to gain improper advantage for themselves or for any other person or body in ways which are inconsistent with their obligations to act impartially or to improperly cause harm or detriment to any person or organisation.

### 2.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

### 2.3 i) Improper or Undue Influence

- a) Members and Staff will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

### 2.4 i) Gifts and Bribery

- a) Members and Staff are not to accept a gift, other than a gift of or below \$200 from a person who is undertaking, or is likely to undertake business:-
- That requires a person to obtain any authorisation from the Local Government;
  - By way of contract between the person and the Local Government; or
  - By way of providing any service to the Local Government.
- b) Members and Staff who accept a gift of or below \$200 from a person referred to in (a) above are to record in a register of token gifts:
- The names of the persons who gave and received the gift;
  - The date of receipt of the gift; and
  - A description, and estimated value of the gift;

unless the gift is a token gift given by way of hospitality, being of or below \$75 in value and belonging to the following class of things:

- Gifts of an insignificant nature, for example, pens, diaries, coasters etc;
  - Minor items of apparel eg ties, hats, T shirts etc;
  - Minor items of a promotional nature eg mugs, golf balls etc;
  - Food and refreshments;
  - Attendance or participation at sporting, cultural or recreational events;
  - Gifts of a seasonal or personal nature.
- c) This clause does not apply to gifts received from a relative (as defined in Section 5.74(i) of the Local Government Act) or an electoral gift (to which other disclosure conditions apply)

## **CONDUCT OF MEMBERS AND STAFF**

The effective management of the Councils affairs depends on mutual respect and co-operation between Councillors and Staff.

### **3.1 Personal Behaviour**

Councillors and staff will:

- Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- Perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- Act in good faith (ie honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- Make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- Always act in accordance with their obligation of fidelity to the Local Government.

Members will represent and promote the interests of the Local Government while recognising their special duty to their own constituents.

### **3.2 Honesty and Integrity**

Members and staff will:

- Observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
- Bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer;
- Be frank and honest in their official dealing with each other.

### **3.3 Performance Duties**

- While on duty, staff will give their whole time and attention to the Local Governments business and ensure that their work is carried out efficiently, economically and effectively and that their standard of work reflects favourably both on them and on the Local Government;
- Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

### **3.4 Compliance with Lawful Orders**

- a) Members and staff will comply with any lawful order given by any person having authority to make or give such an order with any doubts to the proprietary of any such order being taken up with the supervisor of the person who gave the order and if resolution cannot be achieved, with the Chief Executive Officer.
- b) Members and Staff will give effect to the lawful orders or policies of the Local Government whether or not they agree with or approve of them.

**3.5 Administrative and Management Practices**

Members and staff will ensure compliance with property and reasonable administrative practices and conduct and professional and responsible management practices.

**3.6 Communications and Public Relations**

All aspects of communication by staff (including verbal, written or personal) involving Local Governments activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.

As a representative of the community Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that:

- ~ As a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- ~ Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- ~ Information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- ~ Information concernment adopted policies, procedures and decisions of the Council is conveyed accurately.

**3.7 Relationships between Members and Staff**

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position members need to:

- Accept that their role is a leadership, not a management or administrative one;
- Acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- Refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

**3.8 Appointments to Committees**

As part of their representative role Members are often asked to represent the Council or external organisations. It is important that Members:

Clearly understand the basis of their appointment; and  
Provide regular reports on the activities of the organisation.

**DEALING WITH COUNCIL PROPERTY****4.1 Use of Local Government Resources**

Members and Staff will:

- a) be scrupulously honest in their use of the Local Government resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- c) not use the Local Government resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless

properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

#### **4.2 Travelling and Sustenance Expenses**

Members and Staff will only claim or accept travelling or sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with the Local Government policy and the provision of the Local Government Act.

#### **4.3 Access to Information**

- i) Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.
- ii) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

### **GRATUITIES AND REDUNDANCY PAYMENTS**

#### **5.1 Gratuities**

A gratuity may be paid to an employee at the sole discretion of the Council upon the employee's retirement or the employee's beneficiaries following the employee's death.

The gratuity may be paid in accordance with the following conditions:-

- i) After a minimum of ten years service;
- ii) An amount maximum equivalent to one months salary at the level of salary applicable to the employee at the date of retirement for each year of service;
- iii) The Council may, in special circumstances at their discretion determine that benefits additional to those prescribed in this Policy may be paid however details of those additional benefits and/or payments shall be published in accordance with Section 5.50 (2) of the Local Government Act 1995.

#### **5.2 Redundancies**

- i) In respect to redundancies resulting from internal restructuring, external restructuring e.g. amalgamations, boundary changes etc;
- ii) Negotiations and Payments shall be in accordance with the Redundancy Payments, Severance Payments, introduction of change or any other provisions of the relevant award or if Schedule 2.1 Clause 11 (4) of the Local Government Act applies in accordance with that Section;
- iii) In recognition of the provisions of the above schedule no payment or benefit made to an employee under any provision shall exceed the equivalent of 2 years salary at the time of completion of negotiations.

#### **5.3 Gifts**

- i) A Council may present a gift to an employee whose service with the Council is finalising;
- ii) The value of the gift shall not exceed \$1,500;
- iii) The Council may determine that a gift of greater value is to be made, however in those circumstances the Council shall publish the intent in accordance with Section 5.50 (2) of the Local Government Act 1995;
- iv) A gift can include a gift of money, a gift which is non-monetary but of value, a gift in kind, the payment of an inadequate financial consideration or the receipt of a discount, financial or other contribution to travel, the provision of a service for no consideration or a firm promise or agreement to give a gift at some future time.

#### 5.4 General

- i) No severance or redundancy payments shall be less than payments or benefits provided for in accordance with;
  - a) Any Federal or State Award or industrial agreement application to the employee
  - b) Any applicable provisions with the employee contract or employment
  - c) Any applicable award or order made by a Federal or State industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal.
  - d) Where the Council so agrees, any recommendation made by Federal or State Industrial Commissions arising from the circumstances of that employee being specifically brought before that Commission.

**DIVISION 13 – OTHER POLICIES NOT INCLUDED IN MANUAL**

**Purchasing Policy**

Separate Document

*Adopted 25<sup>th</sup> October 2011 V1; Item No 22.1.321011*

*Revised 15<sup>th</sup> March 2015 V2; Item No 17.1*

*Revised 20<sup>th</sup> May 2016 V3; Item No 18.2*

*Revised 22<sup>nd</sup> February 2017 V4; Item No 18.4*

*Revised 27<sup>th</sup> February 2020 V5; Item No 18.5*

**Asset Management**

Separate Document

*Adopted 21<sup>st</sup> June 2013; Item Number 17.2*

**Risk Management**

Separate Document

*Adopted 18<sup>th</sup> December 2014; Item Number 15.1*

**Grievances Investigations and Resolution**

Separate Document

*Adopted 28<sup>th</sup> June 2018; Item Number 18.1*

**Performance Management**

Separate Document

*Adopted 28<sup>th</sup> June 2018; Item Number 18.1*

**COVID-19 Financial Hardship**

Separate Document

*Adopted 26<sup>th</sup> August 2020; Item Number 18.1*

**Shire of Murchison**

**2005 Policy Manual**

**Update Information**

**18 November 2020**



ITEM NUMBER: 0506.67  
 SUBJECT: Policy Manual Amendment  
 FILE REFERENCE: N/A  
 NAME OF APPLICANT: N/A  
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer  
 DISCLOSURE OF INTEREST: Nil

### Report Purpose

For council to consider an amendment to the Policy Manual adopted by council on 21<sup>st</sup> October 2005.

### Background

Council adopted an entirely new Policy Manual on 21<sup>st</sup> October 2005 and the CEO has recently been advised by several councillors of an addition to the Policy Manual, which they believe should be included.

The CEO has also included an amendment to item 2.3.2 regarding the Maintenance of Aircraft Landing Strips which makes the item easier to understand.

### Comments/ Option Discussions

That council make the following amendments to the Council Policy Manual.

Amend the Following:

As per Adopted Policy Manual

#### 1.3.2 – Aircraft Landing Strips

Grading of aircraft landing strips will be carried out as required by the Maintenance Crew or upon request from the landowner or manger, which is to be directed to the Chief Executive Officer.

#### Proposed change:

Grading of aircraft landing strips will be carried out as required by the Maintenance Crew upon request from the landowner or manger to the CEO. *Grading of the Landing Strip will be carried out at no cost and all requests for grading must be directed to and approved by the CEO prior to commencement of the works.*

#### Add new item as 2.3.4

#### Maintenance of Station Shearing Shed Roads

Grading of Station access roads from the nearest Council road to the main station-shearing shed will be carried out as required by the Maintenance Crew upon request from the landowner or manger to the CEO. *Grading of the Shearing Shed access roads will be carried out at no cost and all requests for grading must be directed to and approved by the CEO prior to commencement of the works.*

Statutory Implications / Requirements	Nil
Policy Implications	Nil
Financial Implications	Nil
Voting Requirements	Absolute



## OFFICERS RECOMMENDATION/COUNCIL DECISION

Moved Cr Keynes Seconded Cr Walsh

That the Policy Manual as adopted by Council on 21<sup>st</sup> October 2005 be amended as follows:

**2.3.2 – Aircraft Landing Strips to read.**

Grading of aircraft landing strips will be carried out as required by the Maintenance Crew upon request from the landowner or manger to the Chief Executive Officer. Grading of the Landing Strip will be carried out at no cost and all requests for grading must be directed to and approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

*That the new policy be added as item 2.3.4 as follows:*

**2.3.4 - Maintenance of Station Shearing Shed Roads**

Grading of Station access roads from the nearest Council road to the nominated station-shearing shed or Cattle yard will be carried out as required by the Maintenance Crew while the machines are in the vicinity and upon request from the landowner or manger to the Chief Executive Officer. Grading of the Shearing Shed or Cattle Yard access roads will be carried out at no cost and all requests for grading must be directed to and approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

Record of Vote 7-0



ITEM NUMBER: 0607.53  
 SUBJECT: Policy Manual Amendment – Council Well Wishes / Public Notices.  
 FILE REFERENCE: Policy Manual  
 NAME OF APPLICANT: N/A  
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer  
 DISCLOSURE OF INTEREST: Nil

**Report Purpose**

For Council to consider the creation of a new Policy Manual regarding the purchase of flowers and the publishing of death notices.

**Background**

Council has in the past sent well wishes when a past or current Murchison resident gives birth, becomes seriously ill or passes away. It is difficult for Council staff to determine when or if flowers should be sent in each instance and for this reason the CEO believes a new Policy should be created which takes the guesswork out of what type of well wishes (if any) are appropriate.

**Comments/Options/Discussions**

The CEO believes that the decision to send well wishes in the form of flowers, cards or public notices should be a decision of Council whom will have generally spent far longer in the Shire and region then Council staff.

**Statutory Implications/Requirements** Nil

**Policy Implications** Nil

**Financial Implications** Nil

**Voting Requirements** Simple

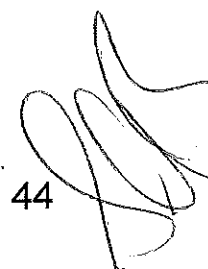
**OFFICER'S RECOMMENDATION / COUNCIL DECISION**

Moved Cr Jeffries, seconded Cr Walsh  
That Council adopt a new Policy as follows:

Council staff are to arrange flowers, cards or small gifts and insert suitable notices in the paper to recognise personal events in the lives of previous Murchison residence, staff members, Councillors, past Councillors, close affiliates of Council or their families or any other person as requested by the Shire President. In the event the Shire President is not available to make the request the Deputy President has delegated authority to do so.

In making the decision due regard is to be had for things as length of service (staff or Councillors), time spent in the Murchison Region and community involvement etc.

CARRIED  
RECORD OF VOTE 7-0

44 

ITEM NUMBER: 0607.54  
 SUBJECT: Policy Manual Amendment –Conference attendance.  
 FILE REFERENCE: Policy Manual  
 NAME OF APPLICANT: N/A  
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer  
 DISCLOSURE OF INTEREST: Nil

### Report Purpose

For Council to consider the creation of a new Policy Manual regarding the attendance to various Local Government conferences.

### Background

Councillors are encouraged to attend various conferences to develop their Local Government knowledge and network with other fellow Councillors and CEO's to discuss common problems, issues and experiences of various Councils throughout Western Australia.

### Comments/Options/Discussions

When a Councillor attends a Local Government conference the circumstances from Conference to Conference varies in timeframe, venue and location. The CEO believes that a Policy regarding the attendance to a conference will clearly outline what is and is not acceptable with regards to costs associated with attending a conference.

**Statutory Implications/Requirements** Nil

**Policy Implications** Nil

### Financial Implications

The new Policy will help avoid any confusion and potential additional costs to council when elected members and staff attend a Local Government Conference.

**Voting Requirements** Simple

### OFFICER'S RECOMMENDATION / COUNCIL DECISION

**Moved Cr Foulkes-Taylor, seconded Cr Walsh**  
**That Council adopt a new Policy as follows with regards to Conference attendance:**

**Prior to any Councillor attending a conference the matter is to be discussed at the Council meeting prior to the conference and a motion put and carried supporting which councillors are to attend the conference and in what capacity.**

**When attending a conference, where the CEO is attending the same one an attempt should be made to travel to and from the conference with the CEO in council's vehicle.**

**When attending a conference in the capacity of a councillor, Council agree to pay the following charges where applicable:**

**Accommodation – On an as required basis and is dependant of the distance required to travel. For example a three day conference in Perth commencing on Friday morning and finishing late on a Sunday afternoon council would agree to pay for**

accommodation on the Thursday, Friday, Saturday and Sunday evenings as an allowance needs to be made to travel between Perth and Murchison.

A half day conference held in Geraldton between 10.00am and 3.00pm it would be fair to suggest that travel to and from Geraldton would be possible in the same day and accommodation would not be required in this instance.

If any doubt exists regarding the need for council to provide for accommodation for any councillor or staff member the final determination shall be at the discretion of the CEO.

Parking – Council will meet all valet parking charges while attending a conference where applicable.

Meals General – Council will meet meal charges while attending a conference for the person attending the meeting or conference only. No additional meal charges for spouses or partners will be paid by Council with the exception of Local Government Week (see below).

Meals - Local Government Week – Council will meet meal charges for the councillor or staff member attending Local Government week AND meal charges for their spouse or partner who may also attend this conference. Any additional meal charges for friends, family and children etc are to be paid for in full by the Councillor or Staff member prior to checkout.

That the Policy be included in each new councillor induction manual.

That the Policy be brought to the attention of each new councillor prior to attending their first Local Government Conference.

CARRIED  
RECORD OF VOTE 7-0

ITEM NUMBER: 0708.90  
SUBJECT: Policy Manual Amendment  
FILE REFERENCE: Policy / Superannuation  
NAME OF APPLICANT: N/A  
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer  
DISCLOSURE OF INTEREST: Nil

### Report Purpose

To allow council to consider an amendment to its Employee Superannuation Policy included in council's policy manual as item 8.1.10.

### Background

Council adopted a new Policy Manual in October 2005 and this manual has been subject to several minor changes as "fine tuning" since adoption on an as required basis.

### Comments/Options/Discussions

A situation recently eventuated when a casual employee chose to make a contribution towards superannuation. Council's policy states that up to 5% additional superannuation will be paid by Council subject to the employee contributing the same percentage (up to 5% maximum)

Current Policy as follows:

#### 8.1.10 Superannuation

Council contribution to staff Superannuation including the Superannuation Guarantee (9%) shall be at a total of 14% of salary. The voluntary contribution shall be subject to a minimum contribution of 5% by the employee. Variation to this policy shall be considered during review of conditions of employment.

Most Local and State Government organisations offer a similar policy to that of Murchison by way of additional superannuation as a method of attracting and retaining staff as well as offering an incentive for employees by increasing ones superannuation at retirement.

The current policy does not stipulate whether it is limited to permanent employees only or should include casual employees also. Irrespective of the decision of council the CEO believes the policy should be amended to clarify this matter to avoid any future confusion.

**Statutory Implications/Requirements** Nil

### Policy Implications

Amendment to Councils adopted Policy 8.1.10 which reads as included in the comments section of this item.

### Financial Implications

Over a long period an additional 5% superannuation payable has potential to be significant. For a casual employee earning \$20,000.00pa this would equate to an additional cost to council of \$1,000.00pa.

**Voting Requirements** Absolute

### OFFICERS RECOMMENDATION / COUNCIL DECISION

**Moved Cr Foulkes-Taylor Seconded Cr Halleen**

**That Council amend Policy 8.1.10 which currently reads as follows:**

#### **8.1.10 Superannuation**

**Council contribution to staff Superannuation including the Superannuation Guarantee (9%) shall be at a total of 14% of salary. The voluntary contribution shall**

CONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 18<sup>th</sup> April 2008.

be subject to a minimum contribution of 5% by the employee. Variation to this policy shall be considered during review of conditions of employment.

To

**8.1.10 Superannuation**

Council contribution to staff Superannuation including the Superannuation Guarantee (9%) shall be at a total of 14% of salary. The voluntary contribution shall be subject to a minimum contribution of 5% by the employee (permanent staff only). Variation to this policy shall be considered during review of conditions of employment.

Casual staff are not eligible for any additional Council Superannuation contributions and therefore only the compulsory Superannuation Guarantee of 9% will be paid.

**CARRIED**  
Record of Vote 5-0

**13.4.3 Policy Manual Review**

File:  
Author: Ron Adams, Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 8 September 2008  
Attachments: Draft Policy Manual

**MATTER FOR CONSIDERATION**  
To review the Policy Manual

**BACKGROUND**

The policy Manual has been prepared to complement the Delegations Register. Its last publication was in 2005.

Should a discrepancy exist between Delegation and Policy, the Delegation is to be followed.

Policy is considered to be subordinate to Delegations, which have a statutory context in which they are made, whereas Policy does not.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to various officers.

Delegation gives authority or instructs a particular action to be carried out. Generally, policy details how a particular function is to be carried out, or the standards to be met, where the action is considered to be normal duties of a position.

The LG Act has not defined the term “delegation” or “delegated power”, however:

- s.5.16 refers to “... the exercise of any of its powers and duties ...”
- s.5.42 refers to “... the exercise of any of its powers or the discharge of any of its duties ...”

The term “policy” is not defined anywhere in the LG Act.

Accordingly, throughout this document, the following terms apply, insofar as they are consistent with all enabling legislation referred to within each of the specific delegations.

“Authority” means the permission or requirement for a Committee or an officer to act in accordance with:

- the Local Government Act or other legislation or regulation,
- a delegation made by Council,
- a policy made by Council, or
- a specific decision by Council.

“Delegation” means the authority for a Committee or the CEO to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational responsibility.

“Policy”, as the context requires, means either:

- a procedural direction to officers to implement Council’s wishes or instructions in a particular way; or
- the authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.

“Instruction” means the requirement for a staff member to act in accordance with a direction given by a senior officer of Council.

**STATUTORY ENVIRONMENT**

Nil

**STRATEGIC IMPLICATIONS**

None at this stage



Ordinary Council Meeting Agenda – August 2008

POLICY IMPLICATIONS

None at this stage

FINANCIAL IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

**OC08015 Policy Manual Review**

**Moved Cr M W Halleen Seconded Cr R E Foulkes-Taylor**

Council discuss and make changes to the delegations as/lf required.

*The councillors and CEO worked through the Policy Manual and reviewed each policy for drafting*

**Motion put and carried 7/0**

ITEM NUMBER: 0708.134  
SUBJECT: Code of Conduct - Review  
FILE REFERENCE: Elected Members  
NAME OF APPLICANT: N/A  
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer  
DISCLOSURE OF INTEREST: Nil

### Report Purpose

Raises for Council's attention the requirement to review the Code of Conduct (COC) within 12 months of a Local Government Election.

### Background

The Local Government is required to prepare or adopt a Code of Conduct to be observed by Council members, committee members and staff, within 12 months immediately following each ordinary election day, the Local Government is required to review its Code of Conduct and make changes to the code as considered necessary.

### Comments/Options/Discussions

Each member of Council has been provided with an updated version of the Shire of Murchison Code of Conduct. The new document has been amended to reflect recent amendments to the Local Government Act 1995 and Regulations.

Council's new Code of Conduct, which is heavily based on the new WALGA model has been modified to suit Murchison and been provided to each member of Council as a separate document, titled "Shire of Murchison, Code of Conduct"

### Statutory Implications/Requirements

Section 5.103 (2) Local Government Act 1995 as amended.

**Policy Implications** Nil  
**Financial Implications** Nil  
**Voting Requirements** Simple

### OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Mitchell Seconded Cr Pollock

That council adopt the amended Code of Conduct as presented.

**CARRIED**  
Record of vote 6-0

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## **8.1 Councilors' Expenses**

Introduction

Objective

Statutory Context

Formal Record

History Adopted October 2005  
Reviewed November 2008

Policy Statement

### **8.1.1 Members Meeting Expenses**

Councillors shall be paid for travel, meeting expenses and communication allowance at a rate set by Council annually. Travel Payments will be paid in arrears on an as required basis but are not to remain outstanding for more than six months. Meeting attendances will be made on a bi-annual basis, usually in December and June or each year. Councillors are required to complete a travel claim form to receive refunds.

### **8.1.2 Conference, Seminar and Training Course Attendance**

Prior to any Councillor attending a conference the matter is to be discussed at the Council meeting prior to the conference and a motion put and carried supporting which councillors are to attend the conference and in what capacity.

When attending a conference, where the CEO is attending the same one, an attempt should be made to travel to and from the conference with the CEO in Council's vehicle.

When attending a conference in the capacity of a councillor, Council agree to pay the following charges where applicable:

### **8.1.3 *Accommodation***

On an as required basis and is dependant of the distance required to travel. For example a three day conference in Perth commencing on Friday morning and finishing late on a Sunday afternoon council would agree to pay for accommodation on the Thursday, Friday, Saturday and Sunday evenings as an allowance needs to be made to travel between Perth and Murchison.

A half day conference in Geraldton between 10.00am and 3.00pm it would be fair to suggest that travel to and from Geraldton would be possible in the same day and accommodation would not be required in this instance.

If any doubt exists regarding the need for council to provide for accommodation for any councillor or staff member the final determination shall be at the discretion of the CEO.

### **8.1.4 *Parking***

Council will meet all valet parking charges while attending a conference where applicable.

### **8.1.5 *Meals General***

Council will meet meal charges while attending a conference for the person attending the meeting or conference only. No additional meal charges for spouses or partners will be paid by Council with the exception of Local Government Week (See item 11.6.4).

### **8.1.6 *Meals Local Government Week***

Council will meet meal charges for the councillor or staff member attending Local Government Week AND meal charges for their spouse or partner who may also be attending this conference. Any additional meal charges for friends, family and children etc are to be paid for in full by the Councillor or staff member prior to checkout.

STATUTORY ENVIRONMENT

Local Government Act 1995

- S5.100 Payments for certain committee members
- (1) A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting.
  - (2) Where-
    - (a) A local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and
    - (b) A maximum amount for reimbursement of expenses has been prescribed for the purposes of section 5.98(3)(b)

The local government must ensure that the amount reimbursed to that person does not exceed that maximum.

- S5.101 Payments for employee committee members
- (1) A committee member who is an employee is not paid a fee for attending any committee meeting.
  - (2) Nothing in this section prevents a local government from reimbursing an employee for an expense incurred by the employee in relation to a matter affecting the local government.

STRATEGIC IMPLICATIONS

None at this stage

POLICY IMPLICATIONS

None

FINANCIAL IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

Nil

VOTING REQUIREMENTS

Absolute majority

## COUNCIL DECISION/OFFICER RECOMMENDATION

### OC100223 Policy 1.4 Committee Payments

Moved Cr BM Seaman, Seconded Cr RE Foulkes-Taylor

That Council;

Adopt the following Policy

#### 1.4 Committee Payments.

##### **Introduction**

The Local Government Act 1995 provides two different classifications of expenses that can be reimbursed to members. They are those that "shall" be paid and those that "may" be paid. This policy is to deal directly with committee members that are not either an elected member or an employee of the local government.

##### **Objective**

To establish the basis upon which Council will reimburse travel and other expenses pursuant to section 5.98 of the Local Government Act 1995 (Discretionary Expenses)

##### **Statutory Context**

Local Government Act 1995

S5.100 Payments for certain committee members

- (1) A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting
- (2) Where-
  - (a) A local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and
  - (b) A maximum amount for reimbursement of expenses has been prescribed for the purpose of section 5.98(3)(b)

S5.98 (3)(b) where a local government has set the extent to which the expense can be reimbursed and that the extent is within the prescribed range (if any) of reimbursement, to that extent

##### **History**

##### **Policy Statement**

Council will reimburse expenses as set out in Policy 8.1 Councillor Expenses to members of committees who are not elected members or employees of the Shire of Murchison.

**Motion put and carried by Absolute Majority 5/0**

- 4.40 Cr Broad declared an interest in item 18.8, the nature of interest being an indirect financial interest
- 4.40 Cr Halleen assumed the chair
- 4.42 Cr Broad entered the meeting
- 4.42 Cr Broad resumed in the chair

**22.1.321011 Purchasing Policy**

File:  
Author: Mike Sully, Chief Executive Officer  
Interest Declared: Nil  
Date: 27 September 2011  
Attachments:

**Matter for Consideration:**

This report recommends that Council endorse the draft Purchasing Policy to comply with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

**Background:**

A review of Council's policies has revealed that Council does not have a policy to cover purchasing and tendering. Council does have a policy for Local Preference when purchasing goods and services, being:

**1.7 Local Preference Policy**

*All purchases of goods and sale of material and services will be made locally "i.e. within the Shire of Murchison" if possible when making minor purchases i.e. "up to \$2,000 in value" and if the price differential above the best price obtainable outside the district does not exceed 15%*

*On major contracts i.e. above \$2,000 in value "Council is to clearly indicate its preference to use local contractors and sub-contractors will accept a price of not more than 5% above the best price obtainable outside the district and subject to issues of availability, expertise and equipment availability and other relevant issues being considered."*

**Comment:**

While there are regulatory requirements for having a Purchasing policy, it is also a requirement to have the policy prior to entering into a purchasing agreement for fuel and oils without the necessity for tendering if the agreement would be worth \$100,000 or more in a twelve month period.

The draft Purchasing and Tendering Policy outlined in this report has been provided by the West Australian Local Government Association (WALGA) and is considered suitable for this Shire.

**Consultation:**

Mr Tony Brown, Executive Manager–Governance and Strategy, West Australian Local Government Association

**Statutory Environment:**

The Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007) requires that Local governments must have a purchasing policy:

**Part 4 — Provision of goods and services****Division 1 — Purchasing policies****11A. Purchasing policies**

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.

- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of —
  - (a) the form of quotations acceptable; and
  - (b) the recording and retention of written information, or documents, in respect of —
    - (i) all quotations received; and
    - (ii) all purchases made.
- (4) Different requirements may be imposed under a purchasing policy in respect of different classes, or types, of any of the following —
  - (a) goods and services;
  - (b) suppliers;
  - (c) contracts;
  - (d) any other thing that the local government considers appropriate.

**Strategic Implications:**

Nil.

**Policy Implications:**

A Purchasing policy will ensure that the Shire follows the legislative requirements when undertaking transactions to purchase goods and services.

**Financial Implications:**

Following the policy requirements will ensure that the Shire obtains the best quality goods and services at a fair price

**Voting Requirements:**

Simple Majority.

<b>COUNCIL DECISION/OFFICER'S RECOMMENDATION:</b>
---

**Moved: Councillor Foulkes-Taylor****Seconded: Councillor McTaggart**

That Council endorse the following Purchasing Policy

**CARRIED 5/1***Against: Councillor Halleen*



# Draft 1

## Shire of Murchison

### Purchasing Policy

#### OBJECTIVES

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

#### 1.1 WHY DO WE NEED A PURCHASING POLICY?

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

- Provides the Shire of Murchison with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Murchison receives value for money in its purchasing.
- Ensures that the Shire of Murchison considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Murchison is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Murchison's purchasing practices that withstands probity.

#### 1.2 ETHICS & INTEGRITY

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

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 Shire of Murchison Policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and

- any information provided to the Shire of Murchison by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

### 1.3 VALUE FOR MONEY

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

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

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

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

### 1.4 SUSTAINABLE PROCUREMENT

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

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

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

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

## 1.5 PURCHASING THRESHOLDS

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

<b>Amount of Purchase</b>	<b>Model Policy</b>
1. Up to \$1,000	Direct purchase from suppliers requiring only two verbal quotations.
2. \$1,001 - \$19,999	Obtain at least three verbal or written quotations.
3. \$20,000 - \$39,999	Obtain at least three written quotations
4. \$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
5. \$100,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

### 1.6.1 Up to \$1,000

Where the value of procurement of goods or services does not exceed \$1,000, purchase on the basis of at least two verbal quotations is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

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

Record keeping requirements must be maintained in accordance with record keeping policies. The Shire of Murchison Purchasing and Tender Guide contains a sample form for recording verbal quotations.

### 1.6.2 \$1,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999.

At least three verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

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

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains sample forms for recording verbal and written quotations.

**1.6.3 \$20,000 to \$39,999**

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

**NOTES:** The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
  - Written Specification
  - Selection Criteria to be applied
  - Price Schedule
  - Conditions of responding
  - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.

**1.6.4 \$40,000 to \$99,999**

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

The Shire of Murchison Purchasing and Tender Guide has a series of forms including a Request for Quotation Template which can assist with recording details. Record keeping requirements must be maintained in accordance with record keeping policies.

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

**1.7 REGULATORY COMPLIANCE****1.7.1 Tender Exemption**

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

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

- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

### 1.7.1 Sole Source of Supply (Monopoly Suppliers)

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

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

### 1.7.2 Anti-Avoidance

The Shire of Murchison shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

### 1.7.3 Tender Criteria

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

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For Requests with a total estimated (Ex GST) price of:

- Between \$40,000 and \$99,999, the panel must contain a minimum of 2 members; and
- \$100,000 and above, the panel must contain a minimum of 3 members.

### 1.7.4 Advertising Tenders

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

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

The notice must include;

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

### 1.7.5 Issuing Tender Documentation

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

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

### 1.7.6 Tender Deadline

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

### 1.7.7 Opening of Tenders

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

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

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

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

### 1.7.8 No Tenders Received

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

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$99,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

### 1.7.9 Tender Evaluation

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

### 1.7.10 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Murchison may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

**1.7.11 Minor Variation**

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

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

**1.7.12 Notification of Outcome**

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

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

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

**1.7.13 Records Management**

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

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

For a direct purchasing process this includes:

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

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

\*\*\*\*\*

*Note:  
Indications of support for flying minute 6  
Indications of non support for flying minute 0*

**Statutory Environment:**

The Local Government Act, Part 7 deals with the audit of Councils. Section 7.3 requires Councils to appoint an auditor and requires the Audit Committee to make a recommendation to Council on who the auditor or auditors should be. The Audit Committee can also make recommendations to Council as to the terms of the appointment of the auditor (s).

Council could, if it wished to, delegate the task of the appointment of an auditor(s) for the three year period to 30<sup>th</sup> June 2015 to the Audit Committee.

**Financial Implications:**

The cost of which ever tender is accepted will be reflected in the 2012/13 budget and the next two budgets following. Council need to be mindful of accepting the best value for money principle in this consideration.

**Voting Requirement:**

Absolute majority

**COUNCIL DECISION/OFFICER'S RECOMMENDATION:**

**Moved: Councillor Foulkes-Taylor**

**Seconded: Councillor Seaman**

That the tenders received for appointment of Audit(s) for the three year period to 30<sup>th</sup> June 2015 be referred to Council's Audit Committee for consideration.

**CARRIED BY ABSOLUTE MAJORITY 6-0**

**18.3 Chairperson of the Local Emergency Management Committee****Background:**

The Local Emergency Management Plan is progressing well. The next meeting to consider the plan so far is Tuesday 7<sup>th</sup> August, 2012 in the Council Chambers, Murchison.

For the LEMC Committee to function properly it is necessary to have a Chairperson. This position is reserved for the Shire President should the President wish to assume that role. Should the President not wish to be Chairman of the Committee Council should appoint a Chairman who is prepared to assume that role.

**Interest Declared:**

None

**Statutory Environment:**

The preparation of an Emergency Management Plan is a requirement of State Government legislation

**Financial Implications:**

Whoever is Chairman there will be some minor additional costs.

**Voting requirements:**

Simple majority

*Councillor Halleen nominated the Shire President as Chairman of the Murchison LEMC*

The Shire President declined the nomination.

*Councillor Foulkes-Taylor nominated Councillor Seaman.*

Councillor Seaman accepted the nomination.

*No other nominations were forthcoming.*

**COUNCIL DECISION/OFFICER'S RECOMMENDATION:**

**Moved: Councillor Foulkes-Taylor**

**Seconded: Councillor Halleen**

That Councillor Seaman be appointed Chairperson of the Murchison Emergency Management Committee for an initial period of two years.

**CARRIED 6-0**

**18.4 Policy Relating to the Purchase of Capital Items**



**Background:**

At the June meeting Council asked that a policy be developed for consideration in relation to the purchase of Capital Items.

**Interest declared:**

None

**Statutory Environment:**

No legislative requirement. It is normal for council to have such policies.

**Financial Implications:**

The purpose of the policy is aimed at adhering to the budget and to increase control over the purchase of capital items. This will result in improved financial management.

**Voting requirements:**

Simple majority

**COUNCIL DECISION/OFFICER'S RECOMMENDATION:**

**Moved: Councillor McTaggart**

That council add the following policy to its Policy Manual -

**Seconded: Councillor Halleen**

*That the purchase of capital items be those items for which provision is made for in the current budget unless prior approval passed by an absolute majority of Council, has been given.*

*A capital item is a separate item for which the value exceeds \$2000.*

*Where items are expected to exceed \$100,000 in value tenders must be called in accordance with the Local Government Tender Regulations. Where considered prudent, for instance where a range of options or suppliers may be available tenders should also be called although the expected value is less than \$100,000.*

*Where quotes are obtained (tenders not required or deemed unnecessary) the process already detailed in the Purchase Policy should be strictly adhered to.*

*Council Orders issued for purchases should be consistent with the tender or quote accepted to confirm the price for the purchase about to be made.*

**CARRIED 6-0**

**18.5 Letter from City of Greater Geraldton - Square Kilometre Array**

Reply from His Worship the Mayor of the City of Greater Geraldton. Copy of the letter contained in the attachments to the agenda.

**COUNCIL DECISION:**

**Moved: Councillor Foulkes-Taylor**

That the letter from his worship the Mayor of the City of Greater Geraldton in relation to that city's statements about the location of the SKA facility be received.

**Seconded: Councillor Seaman**

**CARRIED 6-0**

**19. NOTICE OF MOTIONS****19.1 Councillor Halleen has advised that it is his intention to move the following motions at this meeting.****Background to both:**

The staff understand the intention is simply to get these two items, which result from two recent incidents 'on the table' while the need to consider them further is not forgotten or overlooked.

**1. Provision of fires in certain times of the year at the Caravan Park.**

**Financial Implications:**

The matter could have major implications on the Long Term Financial Planning process of the shire.

**Consultation:**

Tim Glenister – MWA

Penny Griffin – Department of Commerce

**Recommendation:**

TBA

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor Foulkes-Taylor**

**Seconded: Councillor Seaman**

In response to the letter received from Mr Bernie Miller of Main Roads WA dated 12<sup>th</sup> November 2012, Council provide a copy of the Road Upgrade Report prepared in 2011. The route and standard of the access road has been specified as part of the SKA bid and has therefore been set. The Shire of Murchison is unable to progress the seal any further than the Ballinyoo Bridge and does not have the capacity to undertake the proposed works.

**Carried**

**For: 6**

**Against: 0**

**10.3 Review of Fuel Pricing Policy and Roadhouse Arrangements**

File:	13.11
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	5 <sup>th</sup> December 2012
Attachments:	

**Matter for Consideration:**

Re-visit the Fuel Pricing Policy adopted by council at the August 2012 meeting and discussion on arrangements for the lease of the Murchison Oasis Roadhouse.

**Background:**

Following discussion council adopted a Fuel Pricing Policy at the August meeting that was based on setting a pump price to recover costs. Council looked at the expenditure for 2011/2012 and the % that would be required to build cost recovery into the cost of the fuel. The costs included were the commission paid to the roadhouse operators (.05cpl), the maintenance costs of the OPT and pumps and the depreciation on the bowsers. This equated to approx 15.5% and this was the policy set:-

**Policy Statement:**

*The price of fuel be set at 15.5% above the highest of the purchase price (including freight) of newly delivered ULP or diesel which provides for provision for the payment of five cents/litre to the Murchison Road House lessee for all fuel dispensed through the road house bowsers as from 1<sup>st</sup> September, 2012.*

This has resulted in a current pump price of \$1.70. Some councillors have expressed concern as they had not realised the full impact on the price that this policy would have.

**Comment:**

Council can amend the policy to a lower % if they wish to maintain the fuel at a lower retail price to be competitive or lower than surrounding fuel suppliers but must understand that they are then actually subsidising the fuel as an incentive to come to Murchison and as part of a promotion of the area.

The fuel price as of Monday 3<sup>rd</sup> December was:-

Diesel 128.2cpl + 5.5cpl surcharge + 10% GST =147.07

Petrol 126.7cpl + 5.5cpl surcharge+10% GST = 145.42

Under the current policy this would mean a pump price here of 169.86. The current price for diesel in Mullewa is 163 or 166 depending on which service station you go to. In Geraldton it is around 156 -159 and in Meekatharra is around 167.

If council were to set the policy to be 10% above the highest of the purchase price (including freight) of newly delivered ULP or diesel this would result in a current pump price of 161.77 which is slightly under Mullewa and competitive with Geraldton considering our remote location, however it would not fully recoup all expenditure associated with provision of the fuel.

Another thing which council needs to consider is the 5cpl paid to the roadhouse operators for all fuel sold. This was set up as an additional incentive as previously it was only on fuel that was dispensed by the roadhouse operators. In the whole course of things this only amounts to approx \$6,000 per annum based on current turnover and is not a great deal of money.

In the recent advertising for new operators the biggest problem has been the lack of an assured income during the warmer months of November – March. This has limited the number of people who are able to apply as many have existing monthly commitments they have to meet. Various packages have been offered to the road house operators over the past years and it might be time to offer a ‘retainer’ of a weekly payment during say the months of November to March. As we are just in the process of negotiating a new lease this would be an ideal opportunity to discuss options and decide how we wish to proceed.

Options would be to:-

1. Leave things as they are – no retainer and .05cpl on fuel (Approx cost \$6,000pa)
2. Pay a retainer November to March of say \$500 per week and commission of .05cpl on fuel (Approx cost \$16,500pa)
3. Pay a higher retainer November to March of say \$650 per week and no commission on fuel (Approx cost \$13,650pa)

These figures are only suggestions and council could of course look at any combination it wished.

Personally I think that option 2 is the best, whilst it might cost council more it gives a guaranteed income during the hotter months and an incentive to sell fuel throughout the whole year. As with most caravan parks and tourist operations in remote shires there is little chance that the businesses will ever fully cover the operating costs to the shire or turn a profit. We have to look at the broader aspect of attracting people to the area and increasing the viability of the region by providing the basic services that are expected.

*Council discussed the item. Cr Seaman felt that as we had only recently asked the DCEO to calculate the % to provide for cost recovery the price should be left as it is. Cr Foulkes-Taylor said that the shire is providing a service and that it was better to keep the fuel price lower to encourage people to use it. Cr Squires said that 10% should cover costs. It does cover the fuel, delivery and the 5c per litre commission but does not cover all costs for pump maintenance and depreciation. In the usual course of a roadhouse business these additional costs would be part of the operational costs and off set against profits from other aspects of the business, however as the shire leases the business out, it does not get this opportunity.*

*Regarding the payment of a retainer Cr Halleen asked if this was to come from the Community Fund as it had once before. It was decided that the money would come directly out of the shires operating budget and an adjustment be made at the budget review.*

*Cr McTaggart asked how much it was costing the shire to staff the roadhouse currently with direct employees. Based on the opening hours of 7am – 6pm Monday to Friday and 9am – 5pm Saturday the weekly wages are in the region of \$2,000.*

### **Statutory Environment:**

S6.16 of the Local Government Act 1995 – Allows a local government to impose and recover a fee or charge for any services it provides or proposes to provide. Fees and charges are to be imposed when adopting the annual budget, but may be imposed during the financial year and amended from time to time by giving public notice.

### **Strategic Implications:**

Operation of the Murchison Oasis Roadhouse and Caravan Park, including the provision of fuel forms an integral part of the strategic operation of the shire.

### **Policy Implications:**

Amended policy as below.

**Financial Implications:**

Adjustment of operating costs for the roadhouse can be included as part of the budget review to be carried out in January.

**Consultation:**

Dianne Daniels – Deputy CEO

**Recommendation:**

- That Council amend its' fuel pricing policy to be - The price of fuel be set at 10% above the highest of the purchase price (including freight) of newly delivered ULP or diesel which provides for provision for the payment of five cents/litre to the Murchison Road House lessee for all fuel dispensed through the road house bowsers.
- That Council pay a retainer from November to March of \$500 per week to the lessee of the Murchison Oasis Roadhouse.

**Voting Requirements:**

Absolute Majority

**Councillor Seaman Foreshadowed a Motion:**

*That point 1 of the motion be:-*

*That the fuel pricing policy be left at 15.5% above the highest of the purchase price (including freight) of newly delivered ULP or diesel which provides for provision of five cents/litre to the Murchison Roadhouse lessees for all fuel dispensed through the roadhouse bowsers.*

**Council Decision:**

**Moved: Councillor Foulkes-Taylor**

**Seconded: Councillor Squires**

- 1) That council amend its' fuel pricing policy to be: – The price of fuel be set at 10% above the highest of the purchase price (including freight) of newly delivered ULP or diesel which provides for provision for payment of five cents/litre to the Murchison Roadhouse lessee for all fuel dispensed through the Roadhouse bowsers.
- 2) That Council pay a retainer from November to March of \$500 per week to the lessee of the Murchison Oasis Roadhouse

**Carried by Absolute Majority**

**For: 5**

**Against: 1**

**11. URGENT BUSINESS**

Nil

**12. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

Nil

**13. MEETING CLOSURE**

There being no further business the President declared the meeting closed at 5.21 pm

These Minutes were confirmed at the Council meeting held on 20<sup>th</sup> December 2012.

Signed.....Presiding Officer

In 2014-2015 we could start just north of the Settlement and look at doing full gravel sheeting up to the Butchers Track turn off. This would form the basis of our Regional Road Group submission if Council is happy with the proposal.

**Statutory Environment:**

Nil

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

These works would form part of the 2014-2015 Annual Budget.

**Consultation:**

Nil

**Recommendation:**

That Council approve the 2014-2015 Regional Road Group funding submission being based on gravel sheeting the Carnarvon-Mullewa Road north of the Settlement.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor Halleen**

**Seconded: Councillor Foulkes-Taylor**

That Council approve the 2014-2015 Regional Road Group funding submission being based on gravel sheeting the Carnarvon-Mullewa Road north of the Settlement.

**Carried**

**For: 5**

**Against: 0**

**17.2 Consideration of the Asset Management Policy, Improvement Strategy and Plan**

File:	4.39
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 <sup>th</sup> May 2013
Attachments:	Asset Management Policy, Improvement Strategy & Plan

**Matter for Consideration:**

Consideration of the Asset Management Policy, Improvement Strategy & Plan

**Background:**

As part of the Integrated Planning Process council engaged RSM Bird Cameron to prepare our Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan and other required reports.

**Comment:**

The Draft Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan have been developed and are now presented for council's comments and/or adoption. The plan is being developed in conjunction with the Strategic community Plan, Long Term Financial Plan, Workforce Plan and Corporate Business Plan and forms part of the required Integrated Planning and Reporting Framework introduced by the Department of Local Government.

This framework has to be developed by 30<sup>th</sup> June 2013 as budget preparations and annual reports have to reflect the new criteria with effect from 1<sup>st</sup> July 2013.

*Phone call to Travis Bate, Consultant, for a summary of Asset Management Policy, Strategy and Plan at 2.11 pm.*

CEO and President welcomed Travis to the meeting.

Travis ran through the three documents that are required as part of the Integrated Planning Framework, The policy is basically an overview of over-arching policy to ensure the Shire of Murchison has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

The Strategy sets out how Council has managed in the past and what changes they need to make in the future to abide by legislation and how the asset management plan will achieve this.

The asset management Plan sets out details of how the assets will be maintained and improved and how this will be funded.

This process would normally take about 12 months but following the decision to no longer have the Regional Collaborative Agreement with the Shire of Upper Gascoyne the shire was left without this time as the reports have to be in place before the adoption of the 2013/2014 budget.

Asset Management Plan looks at infrastructure assets, over the five broad categories. Roads information provided by Greenfields from ROMAN, but the data needs to be brought up to date as it currently doesn't have all the information such as grids, floodways etc. The forecast is that renewal of assets in the future will be higher than shown because of this.

Greenfields are currently working with the shire to get the ROMAN database up to date so that the next review will be more accurate.

Cr Foulkes-Taylor felt the roads are very undervalued, but time will tell when the full data becomes available. The CEO is worried as it shows us that in 10 years time we will be unsustainable, and this result is coming up in many of the shires in the region.

Travis advised that the Long Term Financial plan is not yet available as he is still working on it as he had to complete the Asset Management plan first, which was held up waiting for valuations. He has a working document ready and will review with the CEO when she is in Geraldton next week.

The CEO advised that the plans were meant to be adopted/grants acquitted by 30 June 2013, but the main issue is that they need to be adopted before adopting the budget for 13-14, so we may need a special meeting, depending on feed-back from Department.

**Statutory Environment:**

Integrated Planning and Reporting Standards as set by the Department of Local Government.

**Strategic Implications:**

The Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan are an integral part of the Integrated Planning Process which has to be developed by all local governments within WA.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Consultation:**

Nil

**Recommendation:**

That the shire adopts the Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan.

**Voting Requirements:**

Absolute Majority

**Council Decision:**

**Moved: Councillor Foulkes-Taylor**

**Seconded: Councillor Squires**

That the shire adopts the Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan.

**Carried by absolute majority**

**For: 5**

**Against: 0**

**Financial Implications:**

Nil

**Recommendation:**

That council amends the budget to remove the \$3,000 for the rola-chem and allow \$2,000 for the purchase of a robotic cleaner. That council amends the \$2,000 for the installation of a shed to the installation of a shade roof over the pump and filtration equipment.

**Voting Requirements:**

Absolute Majority

**Council Decision:****Moved: Councillor Foulkes-Taylor****Seconded: Councillor Whitmarsh**

That council amends the budget to remove the \$3,000 for the rola-chem and allow \$2,000 for the purchase of a robotic cleaner. That council amends the \$2,000 for the installation of a shed to the installation of a shade roof over the pump and filtration equipment.

**Carried by Absolute Majority****For: 5****Against: 0****18.4 Records Management Policy**

File:	4.41
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	10 December 2013
Attachments:	Draft Records Management Policy

**Matter for Consideration:**

Council to consider the adoption of the draft Records Management Policy for inclusion in the Policy Manual at Administration 1.10.

**Background:**

The State Records Act 2000 governs recordkeeping within State and Local government organisations in Western Australia. Under the Act, every elected member, employee (including temporary staff) and contractor of a government organisation will have some responsibility for creating and keeping records relating to their work.

A record can be defined as any record of information, in any medium, including letters, files, emails including metadata, word processed documents, databases, photographs and Twitter messages. Government records are those records created or received by a government organisation, or by an elected member, employee or contractor in the course of their work for that organisation.

A Policy Statement is necessary in order to establish a framework for the Shire of Murchison to fulfil its statutory obligations in relation to the control of recorded information from the time of creation to the final disposition. This ensures that the Shire's activities are transparent and accountable, that the organisation is operating in an environment consistent with any written law to which it is subject when performing its functions and that the State's historical records of government are captured and kept.

**Statutory Environment:**

Local Government Act 6.6.5 Accounts and Records  
 State Records Act 2000  
 State Records Principles and Standards 2002  
 General Disposal Authority for Local Government

**Strategic Implications:**

Establishes a sound framework to meet Objective 4 of the Shire of Murchison Strategic Community Plan – To Provide Good Governance to the Murchison Shire.

**Policy Implications:**

To be included in the Policy Manual at Administration 1.10.

**Financial Implications:**

N/A

**Consultation:**

Jenny Goodbourn – CEO Shire of Murchison

**Recommendation:**

That Council adopt the draft Records Management Policy for inclusion in the Policy Manual at 1.10 Administration.

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor Broad****Seconded: Councillor Whitmarsh**

That Council adopt the draft Records Management Policy for inclusion in the Policy Manual at 1.10 Administration.

**Carried****For: 5****Against: 0****18.5 Record Keeping Plan**

File:	4.41
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	11 December 2013
Attachments:	Record Keeping Plan and Appendices 1-8

**Matter for Consideration:**

Council to consider the adoption of the Shire of Murchison Record Keeping Plan Revision 3.0.

**Background:**

The State Records Act 2000 governs recordkeeping within State and Local government organisations in Western Australia. Under the Act, every elected member, employee (including temporary staff) and contractor of a government organisation will have some responsibility for creating and keeping records relating to their work.

The State Records Act 2000 requires that each State organisation have an approved Record Keeping Plan (RKP) and the RKP must be reviewed every five years. The 2008 review, which includes a self-evaluation checklist, noted that an amended RKP was required in order to comply with SRC Standard 2: Record Keeping Plans and a time-frame of 5 March 2010 was set by the State Records Commission. Documentation was sent to the State Records Commission and received by them on the 24 August 2010 in support of the Shire's reviewed RKP, but the documentation did not constitute an amended RKP. The commission notified the Shire that the fully amended RKP was expected no later than 5 December 2013.

Over the last 18 months, the administration has been working towards the development of better recordkeeping systems for the shire. A Records Management Consultant was engaged during 2012-13 to commence the task of bringing order into the capture, storage and destruction of records at the Shire and to undertake some on-site training with the Customer Service Officer. In June, the Administration Officer and the Deputy Chief Executive officer attended a training day conducted by the State Records Office and this has given us an invaluable insight into our responsibilities under the Act.

As required by the State Records Commission, the RKP has been reviewed and amended, a Records Management Policy has been developed and Record Management procedures have been included in the (revised) Procedure Manual. The amended plan and self-assessment checklist were forwarded to the Commission prior to the 5 December 2013 deadline.

The self-assessment checklist has highlighted that we need to make improvements in the following areas:

- Capturing elected members records



## 1.10 Records Management

Introduction	State Records Commission (SRC) Standard 1 – <i>Government Recordkeeping</i> requires that government organisations ensure that records are created, managed and maintained over time and disposed of in accordance with principles and standards issued by the SRC.
Objective	To establish a framework for the Shire of Murchison to fulfil its obligations in relation to the control of recorded information in any format from the time of creation to the final disposition, according to the State Records Act 2000. This ensures that the Shire's activities are transparent and accountable, that the organisation is operating in an environment consistent with any written law to which it is subject when performing its functions; and that the State's historical records of government are captured and kept.
Statutory Context	State Records Act 2000; State Records Principles and Standards 2002; General Disposal Authority for Local Government
Formal Record	Shire of Murchison Record Keeping Plan
History	Adopted xx/xx/xxxx
Policy Statement	<p>All elected members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire of Murchison's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.</p> <p>All records created and received in the course of the Shire of Murchison's business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate recordkeeping and business systems, that are managed in accordance with sound recordkeeping principles.</p> <p>Ownership of any record received or created by elected members, staff, contractors and consultants, acting on behalf of the Shire of Murchison in the course of their work, resides with the Council and not the individual.</p> <p>All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.</p> <p>Access to the Shire of Murchison's records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire of Murchison's records by the general public will be in accordance with the Freedom of Information Act 1992. Access to the Shire of Murchison's records by elected members will be via the Chief Executive Officer in accordance with the Local Government Act 1995.</p> <p>All records kept by the Shire of Murchison will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA, on an annual review cycle.</p>

Cr Foulkes-Taylor asked about funds (\$45K) in the account that was for WONS (Weeds of Natural Significance) and whether some of it could be used for road works to improve erosion by water shadow on the down-stream side. This could be done in conjunction with council to work together on the issue. Andrew said that spraying under WONS is currently being done on Billabalong and he had checked and the money could not be used for roads only for WONS.

Cr Broad said he thought it would be a good idea to send out another reminder to stations re bunding of old roads. The CEO said this would be done.

President Halleen thanked Andrew for arranging for the concessional loan information session to be held at Murchison. Cr Foulkes-Taylor also thanked Andrew for organising the day.

Cr Squires said that the concessional loans were frustrating. Not many people taking it up as too hard to qualify.

Cr Williams said that he read the 5 eligibility criteria and failed on three: - first you have to have debt on the property, then you cannot have off farm assets over \$600k and you have to be in a BOM drought declared area. The loans sound good but are almost impossible to obtain.

Cr Broad – attended WALGA zone meeting (Cue Parliament) on the 28<sup>th</sup> November. The usual politicians were there and also Mr Troy Pickard now WALGA/ALGA President. First ALGA presidential report at Cue parliament.

Vince Catania stood with Minister Baston and said that we're all in this together and when country reform comes we will cross the floor to vote with the opposition against it.

Murray Criddle spoke on the Mid-West Blue Print and the vermin fence cell. He is convinced the vermin cell will go ahead as it has been one of the flagship projects of the MWDC.

Sandstone had proposed that the May meeting be held at their new administration centre in Sandstone but the vote was defeated. Jenny Hayley who has been the executive officer for the past few years is leaving and the President, Deputy President and CEO will be organising a replacement.

Cr Broad has also attended the WALGA state council meeting on the 3<sup>rd</sup> December. The meeting had started with a strategic planning meeting which had been very good. One of the emerging issues was the fact that Mayor Pickard was now mayor of Joondalup, President of WALGA and President of ALGA. There was pressure being put on him to stand down from WALGA. This led to a long discussion on the motion lasting some 1 ¾ hours. In the end there was a division called after the motion, the first section congratulating him on being appointed ALGA president was passed but the second part – asking him to stand down as WALGA president was defeated, with those voting in favour being on record as such. The motion was never going to get up and Cr Broad is sure that Mayor Pickard is more than capable of handling all 3 jobs. The meeting was followed by the end of year dinner which incorporated the send-off for Nick Wood.

Cr Foulkes-Taylor said that he was staggered the motion had taken so long. He also asked why the request to hold the WALGA zone meeting (Cue Parliament) at Sandstone had failed.

*Cr Squires left the meeting at 10:20am*

*Cr Squires returned to the meeting at 10:21am*

Cr Broad said that whilst they could understand Sandstone wanting to showcase their new facilities they didn't want to set a precedent as tradition has always seen the meetings held in Cue.

President Halleen also said there were concerns that there might not be enough accommodation and the additional travel could put off some of the Geraldton people who attend.

Cr Broad then moved onto roadworks and commented that the works from Nookawarra south – Boolardy and around Milly Milly and touch ups at creeks done by Mahony grading had been well done and finished off the year well.

## **15. REPORTS OF COMMITTEES & WORKING GROUPS**

### **15.1 Audit Committee – Risk Management Report by CEO**

The audit committee met earlier today to discuss the audit management letter and to receive a risk management report as required under regulation 17 of the Local Government (Audit) Regulations 1996. As part of that process the audit committee is to report to the council the results of that review and give a copy of the CEO's report to council.

Committee Resolution:

**Committee Decision:****Moved: Councillor Whitmarsh****Seconded: Councillor Foulkes-Taylor**

That the audit committee accept the Risk Dashboard report as presented and present the report to council.  
That the audit committee recommend to council that the Risk Management Policy as outlined within the Risk Management Framework be adopted by council

**Carried****For: 6****Against: 0****Recommendation:**

That Council accept the report from the audit committee.  
That Council adopt the Risk Management Policy as outlined within the Risk Management Framework document.

**Voting Requirements:**

Simple majority.

**Council Decision:****Moved: Councillor Whitmarsh****Seconded: Councillor Foulkes-Taylor**

That Council accept the report from the audit committee.  
That Council adopt the Risk Management Policy as outlined within the Risk Management Framework document.

**Carried****For: 6****Against: 0***Council broke for morning tea at 10:25am**Council returned from morning tea at 10:40am**Cr Squires did not return at 10:40am.*

*In view of the fact that Cr Squires was not available the president suggested a change to the order of the items to allow Cr Squires to be here for the finance items. There was general consensus on this and council moved to item 17.1*

**16. FINANCE****16.1 Financial Activity Statements to 30<sup>th</sup> November 2014**

Please see page 17

**16.2 Accounts Paid during November 2014**

Please see page 18

**17. DEVELOPMENT****17.1 Regional Tourism Strategy**

File:	13.10
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 <sup>th</sup> December 2014
Attachments:	Shire of Murchison Tourism Development Plan Murchison MOU

**Matter for Consideration:**

To adopt the Upper Gascoyne Murchison Regional Tourism Plan.

**17. DEVELOPMENT**

12:16 pm Councillors Squires and Foulkes-Taylor declared an interest and left the meeting.

**17.1 Buy Local – Regional Price Preference Policy**

File:	4.40
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	13 <sup>th</sup> April 2015
Attachments:	Nil

**Matter for Consideration:**

Amend the Policy Manual by removing the current Local Preference Policy adopted October 2005 and replace it with the Buy Local – Regional Price Preference Policy

**Background:**

As per the March 2015 Agenda, it has become apparent that there is a problem with the Local Preference Policy which is item 1.8 in the Shire of Murchison Policies and Procedures Manual.

The latest version of the Policy Manual shows the policy as being deleted in February 2010, but there is nothing regarding amending the Policy Manual to delete the Local Preference Policy in the February 2010 Minutes and so it would appear that this was never actually a decision of council.

Consideration was given to this by Council at the March 2015 meeting and a decision was made as follows:

**Council Decision:****Moved Councillor Squires****Seconded: Councillor Broad**

That Council:

- Resolves that it wishes to adopt a Buy Local – Regional Price Preference Policy
- Gives Statewide notice of the intention to have a regional price preference policy and include in that notice:
  - (i) the region to which the policy is to relate; and
  - (ii) details of where complete copy of the proposed policy may be obtained; and
  - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks of those submissions;

**Carried by Absolute Majority**

**For: 6**

**Against: 0**

**Comment:**

According to the Council decision at the March 2015 Meeting, State-wide public notice of the intention to adopt a Regional Price Preference Policy was given on the Wednesday 1 April 2015. As the regulation 4 weeks has passed and no submissions were received, Council is free to adopt the Policy.

Once the Policy has been adopted it cannot be applied until State-wide notice has been given that it has adopted that policy.

**Statutory Environment:**

Local Government (Functions and General) Regulations 1996 – s.24A through 24G.

**24E. Regional price preference policies for local governments**

(4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

**24F. Adoption and notice of regional price preference policy**

(1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.

(3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.

**Strategic Implications:**

Nil

**Sustainability Implications**

- **Environmental**  
There are no known significant environmental implications
- **Economic**  
There are no known significant economic implications
- **Social**  
There are no known significant social considerations.

**Policy Implications:**

Development of a Buy Local- Regional Price Preference policy will formalise the tender and decision making process when considering quotes and tenders from local suppliers.

**Financial Implications:**

Nil.

**Consultation:**

Shire of Murchison Minutes 20 March 2015

**Recommendation:**

That Council:-

- Resolves to adopt the Buy Local – Regional Price Preference Policy as detailed below; and
- Gives State-wide public notice that it has adopted the Buy Local – Regional Price Preference Policy

**1.8 Buy Local – Regional Price Preference Policy****1. OBJECTIVE**

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

**1.1 Definitions**

In this policy the following words have the following meanings:

- For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- Regional Tenderer is defined as a business/organisation/supplier that has been trading from a premises within the Shire of Murchison for at least six (6) months.

**2. POLICY**

A price preference will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this policy does not apply to a particular tender or quotation.

**2.1 Levels of Preference to be applied under this policy**

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

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

**2.2 Local Regional Content**

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

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

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

### **2.3 Competitive Purchasing**

Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.

The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.

For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.

### **Voting Requirements:**

Absolute Majority

#### ***Council Decision:***

**Moved: Councillor Whitmarsh**

**Seconded: Councillor Broad**

*That Council:-*

- Resolves to adopt the Buy Local – Regional Price Preference Policy as detailed below; and
- Gives State-wide public notice that it has adopted the Buy Local – Regional Price Preference Policy.

### **1.8 Buy Local – Regional Price Preference Policy**

#### **1. Objective**

*To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.*

#### **1.1 Definitions**

*In this Policy the following words have the following meanings:*

- For the purpose of this Policy, the 'Region' is specified as the geographical area which comprises the whole of the Shire of Murchison.
- Regional Tenderer is defined as a business/organisation/supplier that has been trading from a premises within the Shire of Murchison for at least (6) months.

#### **2. Policy**

*A price preference will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this policy does not apply to a particular tender or quotation.*

#### **2.1 Levels of Preference to be applied under this policy**

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

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000;
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of these goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

**2.2 Local Regional Content**

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

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

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

**2.3 Competitive Purchasing**

*Whilst price is a consideration in the provision of goods and and/or services it is only one aspect of the tender evaluation process. Value for money principals, as described in Section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.*

*The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.*

*For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.*

**Carried by Absolute majority**

**For: 4**

**Against: 0**

12:22pm Councillors Squires and Foulkes-Taylor returned to the meeting.

**17.2 Proposal for Historical Bridge Marker**

File:	
Author:	Dianne Daniels –Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	10 May 2015
Attachments:	N/A

**Matter for Consideration:**

Council to consider the style of and location for the Ballinyoo Bridge Historic Marker.

**Background:**

The Ballinyoo Bridge, the oldest concrete structure in WA, has reached the end of its useful life. Unfortunately, it has aged beyond repair and so replacement is the only option. Funding has been sourced from Mid West Investment Plan, Country Local Government Fund and Roads to Recovery to replace it with a new bridge to span the Murchison River. This will vastly improve the key Carnarvon-Mullewa Road access route, fostering economic development and promoting tourism.

**Comment:**

In recognition of the historical value of the old Ballinyoo Bridge, sections of the old bridge may be preserved and developed by into an interpretive site. A tender was recently called for the demolition of the old bridge and construction of a new bridge. The successful tenderer, Bocol Pty Ltd, will commence works between 1 August and 1 September 2015, depending on river flows and so it is important to get plans underway for the historic marker.

Council will need to consider:

- a) What part of the bridge to conserve – it will be necessary to consult with the engineers and contractor to determine what sections of the bridge are more likely to survive the demolition phase;
- b) An interpretive site will need to be selected;
- c) The site will need to be prepared prior to demolition;
- d) Council may wish to hire a specialist consultant to prepare an interpretive design brief.

**Statutory Environment:**

s.3.53 of the Local Government Act 1995 and s.55(2) of the Land Administration Act 1997. The local government within the district of which a road is situated has the care, control and management of the road.

**Strategic Implications:**

The replacement of the Ballinyoo Bridge is one of the important actions noted in the Shire of Murchison's Strategic Community Plan. The replacement aligns with the strategy of maintaining and improving an efficient road network which in turn aids in the development of the region's economic potential, encouraging families and businesses to stay in the area.

Promoting and supporting a sustainable tourism industry is another key objective of the Strategic Community Plan including showcasing the natural and built attractions and history of the Shire.

**Sustainability Implications**

- **Environmental**  
There are no known significant environmental considerations
- **Economic**  
An historic marker will aid in the economic development of the region through improved tourist numbers
- **Social**  
There are no known significant social considerations

**Policy Implications:**

N/A

**Financial Implications:**

Council may need to re-direct funds from another program for an interpretive design brief.

**Consultation:**

N/A

**Recommendation:**

That council:

- a) Direct the CEO to liaise with the engineers and contractor to determine what part of the bridge is most likely to be salvaged, so that a decision can be made at the June meeting;
- b) Direct the CEO to seek quotes from interpretive design consultants to bring to the June meeting;
- c) Determine to select the interpretive site during the road inspection on the 25<sup>th</sup> and 26<sup>th</sup> May.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor Broad**

**Seconded: Councillor Foulkes-Taylor**

*That Council:*

- a) *Direct the CEO to liaise with the engineers and contractor to determine what part of the bridge is most likely to be salvaged, so that a decision can be made at the June meeting;*
- b) *Direct the CEO to seek quotes from interpretive design consultants to bring to the June meeting;*
- c) *Determine to assess potential interpretive sites during the road inspection on the 25<sup>th</sup> and 26<sup>th</sup> May*

**Carried**

**For: 6**

**Against: 0**

**17.3 Amending Rules for Wild Dog Bounty**

File:	13.2
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	11 <sup>th</sup> May 2015
Attachments:	N/A

**Matter for Consideration:**

Council to consider the recommendations of the Wild Dog Control Working Group in regard to amending the rules for the payment of the Wild Dog Bounty.



**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor Squires**Seconded: **Councillor Broad**

*That Councillors Halleen and Foulkes-Taylor be appointed Murchison Shire delegates to the WALGA 2015 Annual General Meeting to be held on the 5<sup>th</sup> August 2015.*

**Carried****For: 6****Against: 0****18.4 Public Question Time Policy**

File:	4.40
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 <sup>th</sup> June 2015
Attachments:	Nil

**Matter for Consideration:**

Council to consider adopting the Public Question Time Policy for inclusion in the Shire of Murchison Policy Manual.

**Background:**

According to the Local Government Act 1995, time must be made available at every Council meeting (whether ordinary or special) and every meeting of a committee with delegated powers or duties, for members of the public to ask questions.

**Comment:**

The Policy is intended to set the overarching rules to assist in the proper management and operation of public question time and to promote efficient and effective use of time.

**Statutory Environment:**

Local Government Act 1995 section 5.24;  
Local Government (Administration) Act 1996 Part 2 nos 5, 6 and 7;  
Shire of Murchison Standing Orders 5.1 and 5.2.

**Sustainability Implications**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Strategic Implications:**

Nil

**Policy Implications:**

The Shire of Murchison Policy Manual will be amended.

**Financial Implications:**

Nil

**Consultation:**

Nil

**Recommendation:**

That the Shire of Murchison Policy Manual be amended to include the below Policy 1.10 Managing Public Question time, with 'History' amended to include the date of the Council Meeting at which the Policy was adopted.

**POLICY****1.10 Managing Public Question Time**

Introduction	Public Question Time is a means by which the public can seek responses from their local council about issues affecting the local government that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in their community.
Objective	To ensure that available time is used efficiently and effectively and that members of the public are given a fair and equal opportunity to participate.
Statutory Context	Local Government Act 1995 section 5.24; the Local Government (Administration) Act 1996 Part 2 nos 5, 6 and 7; Shire of Murchison Standing Orders 5.1 and 5.2.
Formal Record	Policies & Procedures Manual
History	Adopted at the Ordinary Meeting of Council on (insert date)
Policy Statement	Council is to manage Public Question Time at ordinary meetings of Council and prescribed meetings in a proper and efficient manner according to statutory provisions and the Shire of Murchison Public Question Time Procedures as adopted and amended from time to time.

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor Williams****Seconded: Councillor Whitmarsh**

That the Shire of Murchison Policy Manual be amended to include the below Policy 1.10 Managing Public Question time, with 'History' amended to include the date of the Council Meeting at which the Policy was adopted.

**POLICY****1.10 Managing Public Question Time**

Introduction	Public Question Time is a means by which the public can seek responses from their local council about issues affecting the local government that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in their community.
Objective	To ensure that available time is used efficiently and effectively and that members of the public are given a fair and equal opportunity to participate.
Statutory Context	Local Government Act 1995 section 5.24; the Local Government (Administration) Act 1996 Part 2 nos 5, 6 and 7; Shire of Murchison Standing Orders 5.1 and 5.2.
Formal Record	Policies & Procedures Manual
History	Adopted at the Ordinary Meeting of Council on 19/06/2015.
Policy Statement	Council is to manage Public Question Time at ordinary meetings of Council and prescribed meetings in a proper and efficient manner according to statutory provisions and the Shire of Murchison Public Question Time Procedures as adopted and amended from time to time.

**Carried****For: 6****Against: 0**

**21.1 Shire of Murchison Public Question Time Policy**

File:	
Author:	Cr Rossco Foulkes-Taylor
Interest Declared:	No interest to disclose
Date:	1/11/2015
Attachments:	21.1.1 Attachment - Public Question Time Policy 21.1.2 Attachment - Public Question Time Procedure

**Notice of Motion:**

MOTION That the following adjustments be made to the Shire of Murchison Public Question Time Policy:

In the section "Prior to the meeting" point one which reads - "All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form." to be removed, and only " A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names." to remain.

In the section "During the meeting" point one which reads "Questions will be taken in the order of registration." the words "of names" to be added, so it would read "Questions will be taken in order of registration of names."

In the "During the meeting" section I would like Point four section d which reads "that questions the competency of staff or council members" to be removed.

**Background:**

The current Public question time policy was introduced at the June 19<sup>th</sup> Ordinary Council Meeting following a period of particularly disruptive and unproductive public question sessions at Council meetings.

I feel the policy has served its purpose in getting things back on track and allowed for a more constructive use of councils time in answering questions where possible and taking others on notice in a respectful and cohesive manner on meeting days.

**Comment:**

While I accept there is room within the current policy for the presiding member to accept spontaneous questions from members of the public who may be around the Shire on meeting days and wish to raise something, I think most people are somewhat put off from doing this by the first Prior to the meeting point which states 48 hours' notice in writing is required. I suspect most potential questioners don't read further down to notice they are free to request a hearing on the day.

I would like the prohibition of questions regarding the competency of staff or council members removed because if someone has a concern on this subject I feel to be able to raise such issues rather than just bottle up ones feelings creates a stronger and healthier community. Personally I would have no problems with my conduct being called into question (as long as it is done in a rational and sensible manner) and then given a chance to state my response to such a question. Given what I have seen of how the shire crew --both administratively and outside works-- conduct themselves, I would have no problem responding to questions along those lines either.

Point twelve of our policy states that the presiding member has ultimate control over all proceedings during Public Question Time, and I think it is vital this point remains.

I feel the changes requested in my motion will be a step in the right direction towards returning public question time to a constructive section of Council meetings, and reduce the "them and us" feeling restrictive regulations can create

**Statutory Environment:**

LGA s.5.24 and Local Government (Administration) Regulations 1996

Question time for public, meetings that require prescribed

(Act s. 5.24)

For the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are —

(a) every special meeting of a council;

(b) every meeting of a committee to which the local government has delegated a power or duty.

6. Question time for public, minimum time for (Act s. 5.24(2))

- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.
- Local Government (Administration) Regulations 1996  
7. Question time for public, procedure for (Act s. 5.24(2))
- (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined —
- (a) by the person presiding at the meeting; or
- (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members, having regard to the requirements of subregulations (2), (3) and (5).
- (2) The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in subregulation (3) requires —
- (a) a council to answer a question that does not relate to a matter affecting the local government; or
- (b) a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
- (c) a committee to answer a question that does not relate to a function of the committee.
- (5) If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60, is directed to the relevant person, the relevant person is to —
- (a) declare that he or she has an interest in the matter; and
- (b) allow another person to respond to the question.

**Strategic Implications:**

Nil

**Policy Implications:**

The Motion if adopted will mean changes to the Public Question Time Policy

**Financial Implications:**

N/A

**Consultation:**

Nil

**Recommendation:**

MOTION That the following adjustments be made to the Shire of Murchison Public Question Time Policy:

In the section "Prior to the meeting" point one which reads - "All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form." to be removed, and only " A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names." to remain.

In the section "During the meeting" point one which reads "Questions will be taken in the order of registration." the words "of names" to be added, so it would read "Questions will be taken in order of registration of names."

In the "During the meeting" section I would like Point four section d which reads "that questions the competency of staff or council members" to be removed.

*Cr R Foulkes-Taylor explained his motion saying that he liked the Council to operate casually so that if a community member happened to be around then they can pop in at public question time.*

*Cr Williams doesn't think it is an onerous procedure, as it ensures that people get the answer on the day.*

*Cr Broad spoke in favour of Part A – nothing wrong with taking a question on notice if it can't be answered on the day.*

*Cr E Foulkes-Taylor was for the motion as it stands.*

*Cr Whitmarsh was for the motion as it stands.*

*Cr Williams suggested a compromise, recommending that detailed questions may be sent in prior so there is a better chance of being answered on the day.*

*Cr Foulkes-Taylor said that should a member of the public hope for an answer on the day, then they would have a better chance if they send it in early*

*There was a discussion regarding voting 'en bloc' or as three motions. Voting was undertaken in three parts.*

*There was no seconder for Part C of the Motion (In the "During the meeting" section I would like Point four section d which reads "that questions the competency of staff or council members" to be removed) and so it did not go to vote.*

*The CEO noted that as Council were amending a decision that had already been made at a prior meeting, that voting need to be by Absolute Majority, not Simple Majority as stated in the Agenda.*

### **Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor Foulkes-Taylor</b>	<b>Seconded: Councillor Broad</b>	
That the following adjustment be made to the Shire of Murchison Public Question Time Policy:		
In the section "Prior to the meeting" point one which reads - "All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form." to be removed, and only " A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names." to remain.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 1</b>

<b>Council Decision:</b>		
<b>Moved: Councillor Foulkes-Taylor</b>	<b>Seconded: Councillor Williams</b>	
That the following adjustment be made to the Shire of Murchison Public Question Time Policy:		
In the section "During the meeting" point one which reads "Questions will be taken in the order of registration." the words "of names" to be added, so it would read "Questions will be taken in order of registration of names."		
<b>Carried</b>	<b>For: 6</b>	<b>Against: 0</b>

## **22. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
16/10/2015	Ordinary Meeting of Council
16/10/2015	Dogging Control Working Group Meeting – refer today's agenda item.
19/10/2015	Admin Meeting
19/10/2015	Meeting with Works Supervisor
19/10/2015	Phone call from Ian Comben of DFES re the Fire Danger Rating (FDR). There are changes to the regs imminent so that when the FDR is above 82 there will be an automatic Total Fire Ban. No hot works; mining companies can seek a 22c exemption - clear the work area; have fire tender on hand with 400 l water.
22/10/2015	Department of Housing – Warren Camarri – visited Settlement to audit shared housing. Inspected 6 and 12B Kurara. Contract Review Questionnaire completed. Very happy with the maintenance that the Shire are doing on the houses and the garden settings.

**POLICY****1.10 Managing Public Question Time**

Introduction	Public Question Time is a means by which the public can seek responses from their local council about issues affecting the local government that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in their community.
Objective	To ensure that available time is used efficiently and effectively and that members of the public are given a fair and equal opportunity to participate.
Statutory Context	Local Government Act 1995 section 5.24; the Local Government (Administration) Act 1996 Part 2 nos 5, 6 and 7; Shire of Murchison Standing Orders 5.1 and 5.2.
Formal Record	Policies & Procedures Manual
History	Adopted at the Ordinary Meeting of Council 19 June 2015
Policy Statement	Council is to manage Public Question Time at ordinary meetings of Council and prescribed meetings in a proper and efficient manner according to statutory provisions and the Shire of Murchison Public Question Time Procedures as adopted and amended from time to time.

## THE SHIRE OF MURCHISON PUBLIC QUESTION TIME PROCEDURES:

### Objective

To ensure that available time is used efficiently and effectively and that members of the public are given a fair and equal opportunity to participate.

### Prior to the Meeting

1. All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form.
2. A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names.

### During the Meeting

1. Questions will be taken in the order of registration.
2. If a member of the public is in chambers at the time of public question time and if the presiding person allows, a question may be asked without notice.
3. A member of the Public who raises a question during question time must –
  - (a) first state his or her name;
  - (b) direct the question to the presiding member;
  - (c) ask the question briefly and concisely, without preamble
  - (d) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment;
4. If any question being asked by any member of the public is deemed inappropriate, then the presiding person may interject and ask the person to rephrase their question, or the presiding member may rule the question as inappropriate, in which case the question will not be considered. An inappropriate question is one:
  - a. that does not relate to local government matters;
  - b. that is offensive or defamatory;
  - c. that contains offensive language;
  - d. that questions the competency of staff or council members;
5. If a question is asked that has been asked at a previous meeting and a response has been provided, then the presiding person should advise the questioner accordingly and refer him or her to the minutes of the meeting at which the response was provided;
6. The presiding person will answer the question, nominate who will answer the question or take the question on notice if more time is required to research the question in order to provide an appropriate answer.
7. Once a question has been answered there will be no debate deriving from any question.
8. Public question time will be 15 minutes total time before moving on to the main council agenda, unless the presiding person allows an extension of question time.
9. Any person asking questions to council has a limit of 5 minutes in which to ask their questions, unless the presiding person allows an extension of time.
10. Once public question time is over and the council meeting resumes, no member of the public may interject at any time.
11. The public is admitted to Council meetings on the basis that no expression of dissent or approval, conversation or interruption to the proceedings of the Council shall take place. In the event of any such interruption, the President may use discretion and without a vote of the Council, require those interrupting to withdraw. The person or persons concerned shall immediately withdraw from the meeting. (Standing Orders 5.1.1).
12. Any person, not being a member of Council who interrupts the orderly conduct of the Council who does not withdraw immediately upon being called by the presiding person to withdraw from the meeting, may, by order of the President, be removed from the meeting. (Standing Orders 5.1.2)

### Following the meeting

1. Minutes of the meeting are to contain a summary of each question asked and the response given.
2. Questions taken on notice should be researched and a written response provided to the questioner in a timely manner, assuming they have provided a name and contact details.
3. Response to questions taken on notice must be included in the minutes of the following meeting.

**17.2 Buy Local Regional Price Preference Policy**

File:	12.21
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	11 <sup>th</sup> April 2016
Attachments:	Buy Local Regional Price Preference policy

**Matter for Consideration:**

Council to consider adopting the revised Buy Local Regional price Preference Policy.

**Background:**

At the Ordinary council Meeting in February 2016, Council made the following resolution:

**Council Decision:**

**Moved: Councillor Whitmarsh**

**Seconded: Councillor R Foulkes-Taylor**

Council:-

- Resolves that it intends to amend its Buy Local – Regional Price Preference Policy and
- Resolves to give Statewide public notice of the intention to amend its Regional Price Preference Policy and include in that notice:
  - (i) the region to which the policy is to relate; and
  - (ii) details of where a complete copy of the proposed policy may be obtained; and
  - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions.

**1.8 Buy Local – Regional Price Preference Policy v2****1. OBJECTIVE**

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

**1.1 Definitions**

In this policy the following words have the following meanings:

- (1) For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
  - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2b) may be —

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

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

**2. POLICY**

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.



**2.1 Levels of Preference to be applied under this policy**

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

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

**2.2 Competitive Purchasing**

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- b) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- c) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.

**Carried****For: 5****Against: 0****Comment:**

Statewide public notice of the intention to amend its Regional Price Preference Policy was advertised in the Western Australian on Wednesday 24<sup>th</sup> February 2016. The notice included:

- (i) the region to which the policy is to relate; and
- (ii) details of where a complete copy of the proposed policy may be obtained; and
- (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions.

The closing date for submissions was 24<sup>th</sup> March 2016.

No submissions were received.

If council decides to adopt the Buy Local Regional Price Preference Policy v2, it must give Statewide notice of its adoption before the adopted policy can be applied.

**Statutory Environment:**

Local Government (Functions and General) Regulations 1996 – s.24A through 24F.

Part 4A — Regional price preference**24A. Application of this Part**

The provisions of Part 4 may be varied in accordance with this Part, if the local government is located outside the metropolitan area and intends to give a regional price preference in accordance with this Part.

**24B. Terms used**

- (1) In this Part —

**regional price preference**, in relation to a tender submitted by a regional tenderer, involves assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D;

**regional tenderer** means a supplier of goods or services who satisfies the criteria in subregulation (2).

- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —
- (a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

**24C. Regional price preference may be given**

A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part.

**24D. Discounts permitted for regional price preferences**

- (1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —
- (a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or
  - (b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or
  - (c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.
- (2) Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —
- (a) wholly supplied from regional sources; or
  - (b) partly supplied from regional sources, and partly supplied from non-regional sources, only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.
- (3) Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).

**24E. Regional price preference policies for local governments**

- (1) Where a local government intends to give a regional price preference in relation to a process, the local government is to —
- (a) prepare a proposed regional price preference policy (if no policy has yet been adopted for that kind of contract); and
  - (b) give Statewide public notice of the intention to have a regional price preference policy and include in that notice —
    - (i) the region to which the policy is to relate; and
    - (ii) details of where a complete copy of the proposed policy may be obtained; and
    - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions;
 and
  - (c) make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice.
- (2) A regional price preference policy may be expressed to be —
- (a) for different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;
  - (b) for different goods or services within a single contract or various contracts;
  - (c) for different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders (subject to the limits imposed by regulation 24D),
- or for any combination of those factors.

- (3) A region specified under this Part —
  - (a) must be (or include) the entire district of the local government; and
  - (b) cannot include a part of the metropolitan area.
- (4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

**24F. Adoption and notice of regional price preference policy**

- (1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.
- (2) An adopted policy must state —
  - (a) the region or regions within which each aspect of it is to be applied; and
  - (b) the types and nature of businesses that may be considered for each type of preference; and
  - (c) whether the policy applies to —
    - (i) different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;
    - (ii) different goods or services within a single contract or various contracts;
    - (iii) different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders, or to any combination of those factors.
- (3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.
- (4) The local government is to ensure that a copy of an adopted regional price preference policy is —
  - (a) included with any specifications for tenders to which the policy applies; and
  - (b) made available in accordance with regulation 29 of the *Local Government (Administration) Regulations 1996*.

**24G. Adopted regional price preference policy, effect of**

A local government that has adopted a regional price preference policy in relation to a certain type of contract may choose not to apply that policy to a particular tender in the future for a contract of that type but, unless it does so, the policy is to apply to all like tenders.

**Strategic Implications:**

Nil

**Policy Implications:**

The amendment to the Policy will better reflect the intent of the Local Government (Functions & General) Regulations 1996.

**Financial Implications:**

Nil.

**Sustainability Implications**

- **Environmental**  
There are no known significant environmental implications
- **Economic**  
There are no known significant economic implications
- **Social**  
There are no known significant social considerations.

**Consultation:**

The Department of Local Government

**Recommendation:**

That Council adopt the Buy Local – Regional Price Preference Policy v2 as shown below and according to s.24F of the Local Government (Functions and General) Regulations 1996, gives Statewide Public notice that the amended policy has been adopted.

## **1.8 Buy Local – Regional Price Preference Policy v2**

### **1. OBJECTIVE**

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

#### **1.1 Definitions**

In this policy the following words have the following meanings:

- (1) For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
  - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2b) may be —

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

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

### **2. POLICY**

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.

#### **2.1 Levels of Preference to be applied under this policy**

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

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

#### **2.2 Competitive Purchasing**

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- b) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- c) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.

**Voting Requirements:**

Absolute majority

**Council Decision:**

**Moved: Councillor Williams**

**Seconded: Councillor E Foulkes-Taylor**

That Council adopt the Buy Local – Regional Price Preference Policy v2 as shown below and according to s.24F of the Local Government (Functions and General) Regulations 1996, gives Statewide Public notice that the amended policy has been adopted.

**1.8 Buy Local – Regional Price Preference Policy v2**

**1. OBJECTIVE**

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

**1.1 Definitions**

In this policy the following words have the following meanings:

- (1) For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
  - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2b) may be —

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

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

**2. POLICY**

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.

**2.2 Levels of Preference to be applied under this policy**

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

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

**2.3 Competitive Purchasing**

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- b) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- c) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.

**Carried:****For: 6****Against: 0****17.3 Bund Wings**

File:	12.9
Author:	Dianne Daniels
Interest Declared:	N/A
Date:	12 April 2016
Attachments:	Nil

**Matters for Consideration:**

Council to consider Councillor Broads recommendation from the March 2016 OCM 'That the Shire of Murchison has a policy on the building of bunds that would include the using of a bulldozer when making the bund wings', in the light of advice from WALGA.

**Background:**

At the March 2016 OCM, Council considered Councillor Broads recommendation, taking into account the background and comments in his Item and also taking into account the alternative recommendation of the CEO.

Councillor Broads Item included the following:

**Background:**

*Council has for the last 30 years been building the bund wings with a bull dozer. The last round of heavy maintenance work carried out by a Shire Contractor saw the bund wings built by carting dirt with side tippers.*

**Comment:**

*Council has for many years continued to endorse the decision made to build its bund wings using a bulldozer – this method has been highly successful when they have been built correctly. By this, I mean correct spacings along the road, (not too far apart) placing them in the right spot and in more recent times, say the last 10 years, the adding of a tail at the end of the wings that stops the water from coming around behind the end of the bank. This system is a very simple operation and by this I mean a plant operator can be sent out with a dozer on the low loader and systematically start building bund wings – unload the dozer at the marked spot, build the wings, load up and move to the next spot and so on – that person can also push up at gravel pits on the way past – If council was to go down the path of building its wings with side tippers, then we must be reminded of how that process takes place. First the bulldozer arrives to clear an area where the wings are to be built, they would also push up gravel in the gravel pit, then we need a grader to grade that area so the trucks can get clear access – and then of course the trucks have to cart gravel using a single trailer because you can't back a road train into those tight areas....I'm sure council doesn't need to be reminded that we have just recently spent \$426,000 rebuilding the Komatsu Dozer and I think it would be fair to say that had council known that the dozer was not going to be fully utilized – it's rebuild may not have happened.*

**2.3 Competitive Purchasing**

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- b) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- c) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council's desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer's judgement, ensuring that the Shire's policies and guidelines are observed.

**Carried:****For: 6****Against: 0****17.3 Bund Wings**

File:	12.9
Author:	Dianne Daniels
Interest Declared:	N/A
Date:	12 April 2016
Attachments:	Nil

**Matters for Consideration:**

Council to consider Councillor Broads recommendation from the March 2016 OCM 'That the Shire of Murchison has a policy on the building of bunds that would include the using of a bulldozer when making the bund wings', in the light of advice from WALGA.

**Background:**

At the March 2016 OCM, Council considered Councillor Broads recommendation, taking into account the background and comments in his Item and also taking into account the alternative recommendation of the CEO.

Councillor Broads Item included the following:

**Background:**

*Council has for the last 30 years been building the bund wings with a bull dozer. The last round of heavy maintenance work carried out by a Shire Contractor saw the bund wings built by carting dirt with side tippers.*

**Comment:**

*Council has for many years continued to endorse the decision made to build its bund wings using a bulldozer – this method has been highly successful when they have been built correctly. By this, I mean correct spacings along the road, (not too far apart) placing them in the right spot and in more recent times, say the last 10 years, the adding of a tail at the end of the wings that stops the water from coming around behind the end of the bank. This system is a very simple operation and by this I mean a plant operator can be sent out with a dozer on the low loader and systematically start building bund wings – unload the dozer at the marked spot, build the wings, load up and move to the next spot and so on – that person can also push up at gravel pits on the way past – If council was to go down the path of building its wings with side tippers, then we must be reminded of how that process takes place. First the bulldozer arrives to clear an area where the wings are to be built, they would also push up gravel in the gravel pit, then we need a grader to grade that area so the trucks can get clear access – and then of course the trucks have to cart gravel using a single trailer because you can't back a road train into those tight areas....I'm sure council doesn't need to be reminded that we have just recently spent \$426,000 rebuilding the Komatsu Dozer and I think it would be fair to say that had council known that the dozer was not going to be fully utilized – it's rebuild may not have happened.*

In the light of some disagreement around the process of building bunds, the CEO put forward an alternative motion:

**Administration Alternative Recommendation:**

*That council:*

1. *through the CEO, refer the matter to the WALGA Infrastructure team for advice on best practice construction of bunds; and*
1. *consider Councillor Broad's recommendation in the light of WALGA advice at the next meeting following the receipt of that advice.*

**Comment:**

The following is the email that I sent to James McGovern of WALGA, seeking advice on best practice method of bund construction.

*Good Afternoon James*

*Further to our conversation a short while ago, I would appreciate it if you could give us some advice on the best practice method of constructing bunds on the side of roads – we have Councillors on the one side who want the bunds pushed up with a dozer and our Works Supervisor on the other who wants to dump the bunds with side-tippers.*

*To date in the Shire of Murchison, bunds have been built by pushing up the earth with a bulldozer – so they push and compact as they run up the side of the bund.*

*The works supervisor was concerned about this method for the following reasons:*

- *A deep indent is left in ground (see sketch) which fills with water during rain and may take up to weeks to drain, depending on ground composition. Animals then water from the indentation, which is right on the side of the road, creating a traffic hazard;*
- *More ground needs to be cleared as the bulldozer has to back up many metres to get enough dirt to push up for the bund;*
- *More earth is disturbed, creating erosion issues over time.*

*Some Councillors feel that pushing with a bulldozer is more beneficial because:*

- *It is a cheaper method – not as much plant required;*
- *The earth can be compacted as the bulldozer runs up the side of the bund, so there is less chance of the bund being washed away in a deluge;*
- *Tried method which has been successfully used by the Shire for 30 years.*

*Some independent advice from your infrastructure team would be appreciated.*

The following advice came back from Mark Bondietti, Policy Manager Transport and Roads:

- *Bund formation should be site specific and fit for purpose, based on associated factors such as efficiency and effectiveness, longevity, cost and road traffic safety.*
- *Having established road traffic safety as a significant determining factor in developing the alternate style of bund formation, there is risk associated with Council seeking to develop an instructing policy that would contradict the road traffic safety element and this may ultimately leave Council open to future action in the event of a road incident resulting in injury or property damage.*

**Statutory Environment:**

**Local Government Act 1995**

s.2.7. Role of council

(1) The council —

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

s5.41 Functions of the CEO

- (d) managing day to day operations of the Local Government



**Policy Implications:**

A new Policy prescribing the method for constructing bunds may be developed.

**Budget/Financial Implications:**

A cost comparison has been done for the construction of the bunds. The cost to push a bund 70 metres long x 2.5 metres wide x 1.5 metres high (262.5 m<sup>3</sup>) with the dozer works out at approx. \$1,400 and the cost to cart the bund in with a truck and side tipper is approx. \$1,900.

With each method, four items of plant are required – dozer, loader, truck/side tipper and grader and so mobe/de-mobe hasn't been costed into the construction costs.

The non-productive time of the bulldozer (when not constructing bunds) hasn't been costed into this.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant considerations

**Consultation:**

N/A

**Councillor Broad's Recommendation**

That the Shire of Murchison has a policy on the building of bunds that would include the using of a bulldozer when making the bund wings.

**Administration Alternative Recommendation:**

That the Shire of Murchison adopt the following Policy for the construction of bunds and include it in the Policy Manual:

**2.2.1 Works General**

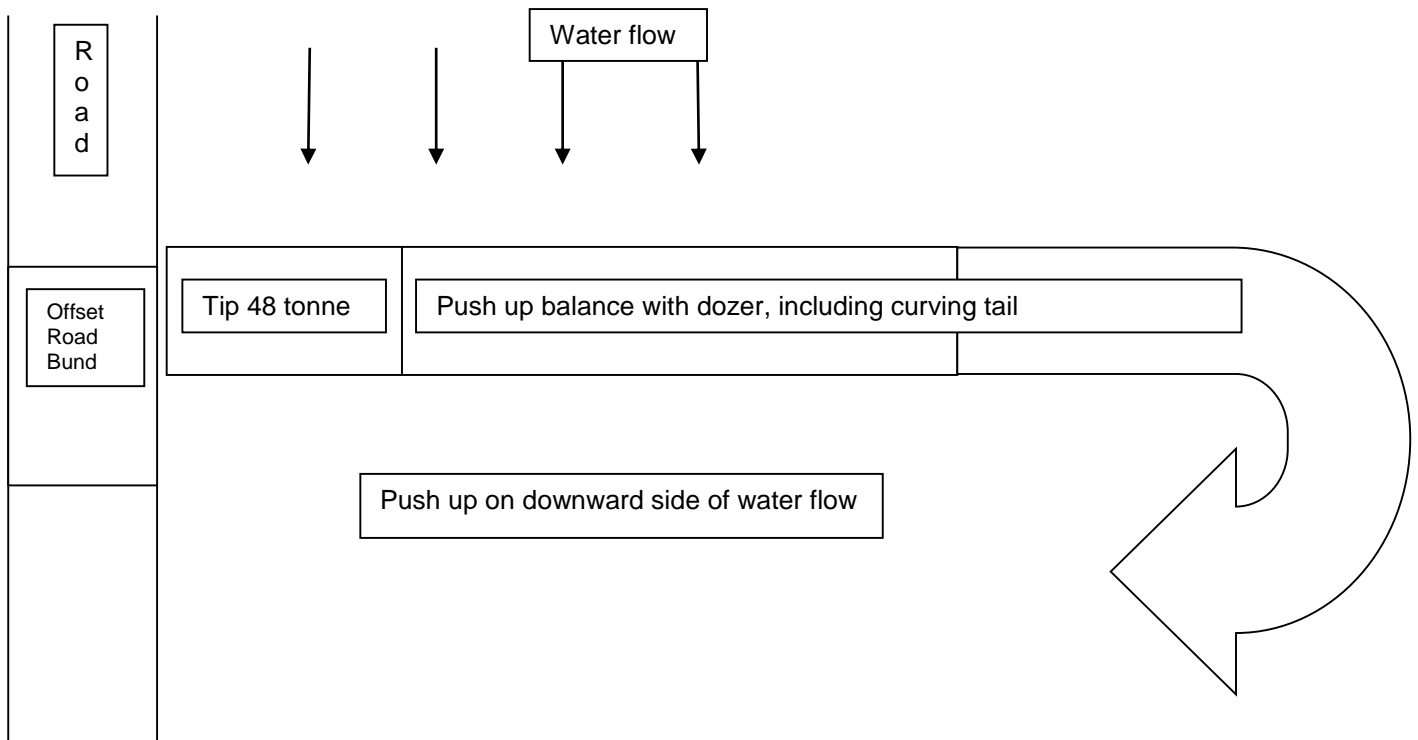
## 2.4.4 Bund Construction

Drainage bunds are to be constructed by tipping two 24 tonne side-tipper loads of gravel adjacent to the road. These gravel heaps can be compacted with the blade of the dozer and then the remainder of the bund is to be pushed up using a bulldozer. The bund is to be pushed up on the downward side of the water flow and is to include a long curving tail, constructed in such a manner as to sheet the water away from the road.

This method of construction will eliminate the potential traffic hazard created by the bulldozer pushing up adjacent to the road and leaving depressions which may fill up with water, attracting animals to drink.

The road bund is to be offset from the drainage bund, on the downward side of water flow.

The bund angle from the road will be site specific and dependant on water flows – the diagram is an example only.



Cr Broad noted that he had intended to rescind the motion but the CEO had asked him to look at an alternative recommendation and agreed that he could work with that – it was a happy balance. Cr R Foulkes-Taylor thought it was a worthwhile exercise to formalise the method and Cr Williams thought that there was now a superior method that satisfies criteria not thought of before.

The CEO asked the Councillors to consider the wording of the proposed Policy, especially the second sentence and it was agreed to remove ‘These gravel heaps can be compacted with the blade of the dozer’ and include as a final operation ‘Finally, the entire length of the bank, commencing from the end of the tail needs to be track rolled and lightly bladed to a level finish.’

**Voting Requirements:**

Absolute Majority

**Council Decision:**

**Moved: Councillor Broad**

**Seconded: Councillor R Foulkes-Taylor**

That the Shire of Murchison adopt the following Policy for the construction of bunds and include it in the Policy Manual:

**2.2.1 Works General**

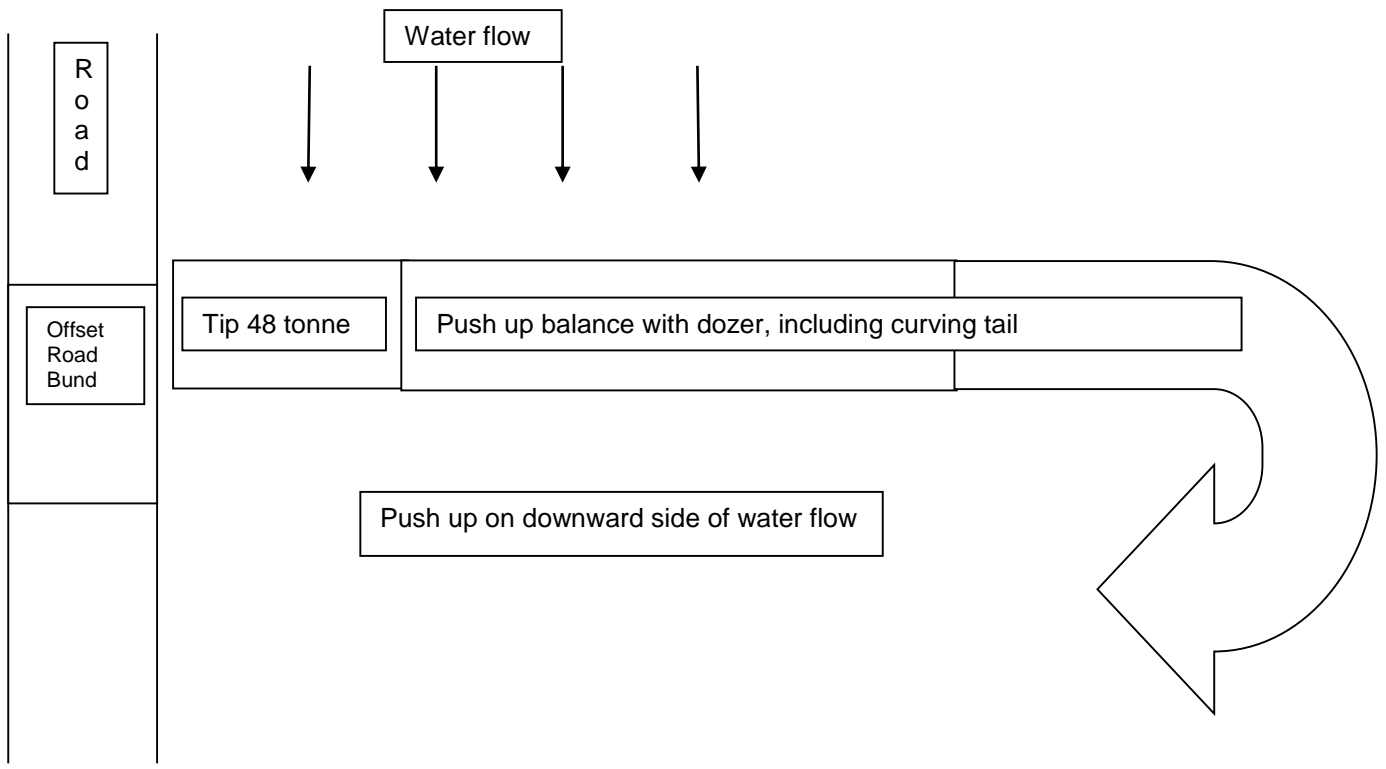
**2.4.4 Bund Construction**

Drainage bunds are to be constructed by tipping two 24 tonne side-tipper loads of gravel adjacent to the road and then the remainder of the bund is to be pushed up using a bulldozer. The bund is to be pushed up on the downward side of the water flow and is to include a long curving tail, constructed in such a manner as to sheet the water away from the road. Finally, the entire length of the bank, commencing from the end of the tail, is to be track rolled and lightly bladed to a level finish.

This method of construction will eliminate the potential traffic hazard created by the bulldozer pushing up adjacent to the road and leaving depressions which may fill up with water, attracting animals to drink.

The road bund is to be offset from the drainage bund, on the downward side of water flow.

The bund angle from the road will be site specific and dependant on water flows – the diagram is an example only.



<b>Carried:</b>	<b>For: 6</b>	<b>Against: 0</b>
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**18. ADMINISTRATION**

**18.1 Proposed Change to Opening Date of Ballinyoo Bridge**

File:	12.6
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	9 <sup>th</sup> April 2016
Attachments:	Nil

**Matter for Consideration:**

Council to consider changing the date of the Ballinyoo Bridge Opening from a date in May 2016, as generally agreed at the December 2015 Ordinary Council Meeting, to September 10 2016.

**Background:**

At the December 2015 Ordinary Council Meeting, there was a general consensus of Council that the best date for the opening of the Ballinyoo Bridge would be in May, when the weather was cooler and to give a committee (yet formed) time to plan and coordinate the opening.

**Comment:**

At the inaugural March 11 2016 meeting of the Ballinyoo Bridge Opening Committee, the committee decided that, due to the large amount of organising to be done, that it would be beneficial to delay the opening of the Ballinyoo Bridge until September 10 2016:

<b>Committee Decision:</b>	
<b>Moved: Councillor Emma Foulkes-Taylor</b>	<b>Seconded: Jo Squires</b>
That the date for the Opening of the Ballinyoo Bridge be moved from May to September 10 2016.	
<b>Carried</b>	<b>For: 6                      Against: 0</b>

**Consultation:**

Nil

**Recommendation:**

That Council reviews the Register of Delegations and adopts it as presented and attached.

*The Meeting closely studied the Register of Delegations, and appreciation was expressed of the work that had been done by the CEO to update the document.*

**Voting Requirements:**

Absolute Majority

**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor R Foulkes-Taylor**

That Council adopts the reviewed Delegations Register as presented and attached.

**Carried:****For: 6****Against: Nil****18.2 Review of Shire of Murchison Purchasing Policy**

File:	4.40
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Shire of Murchison Purchasing Policy Revision 3 (Draft)

**Matter for Consideration:**

Council to consider adopting Revision 3 of the Shire of Murchison Purchasing Policy.

**Background:**

In March 2015, Council adopted the Shire of Murchison Purchasing Policy (Revision 2). The objective of the policy is to provide compliance with the Local Government Act 1995 (LGA) and the Local Government (Functions and General) Regulations 1996 (LGR F&G) and to deliver a best practice approach and procedures to purchasing for the Local Government.

Revision 2 incorporated changes to the LGR F&G since it was first adopted in 2011:

Ethics and Integrity- Purchasing Principles – 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.

Public Tenders –The details of all Tender responses received and opened must be recorded in the Tenders Register.... There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government.

However, the details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process and this information is to be made known to all tenderers when the tender has been awarded.

**Comment:**

Further amendments to the LGR F&G were published in the Government Gazette on 18 September 2015 and took effect on 1 October 2015. The Shire of Murchison Purchasing Policy needs to be updated to reflect those amendments.

The amendments were a result of recommendations made by the Local Government Steering Committee and the Corruption and Crime Commission (CCC), with the aim of improving the purchase and tendering practices of local government. In addition to increasing the tender threshold, the amendments provide for local governments to appoint a panel of pre-qualified suppliers.

A summary of the key amendments are provided below:

**AMENDMENTS TO THE LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996****Tender Threshold**

The tender threshold has been increased from \$100,000 to \$150,000.

For the purchase of goods and services under this threshold, the amendments have introduced the requirement for the purchasing policy to include the minimum number of oral and written quotes that must be received. If the contract for goods or services is expected to be more than \$150,000 a public tender process is required.

Amendments have been made to Regulation 11 (2) which relates to circumstances when tenders do not need to be publically invited. This includes when goods or services are obtained through:

- the WA Local Government Association preferred supplier program
- a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less, or
- an Australian Disability Enterprise.

It is also not necessary to invite public submissions if the term of the original contract is being renewed or extended where -

- (i) the original contract was entered into after a public submission period
- (ii) the invitation to tender included the option for a renewal or extension
- (iii) the original contract contained an option to renew or extend, and
- (iv) the supplier's tender included a requirement for such an option.

**Anti-avoidance provisions**

Reports prepared by the CCC made recommendations that the anti-avoidance provisions be strengthened to ensure that contracts were not split for the purposes of avoiding the tender threshold. Regulation 12 has been amended to clarify this. It is expected that if a local government reasonably believes that the purchase of a good or service from one supplier will exceed the tender threshold of \$150,000 they should publically invite tenders.

No timeframe for the tender threshold has been included in the regulations. However, local governments should consider the importance of testing the market through a public tender process for low value, repetitive contracts. A best practice suggestion is that if the tender threshold is reached within three years, then a public tender is invited for that good or service.

**Receiving and opening tenders**

Regulation 16 has been amended to require that when tenders are opened there must be at least two employees of the local government present, or one local government employee and at least one person authorised by the Chief Executive Officer. If tenders are received by email, it is suggested that a separate email inbox is created and no tenders are opened until the application period has closed.

**Varying a contract**

Regulation 21A is a new regulation that provides that a contract cannot be varied once a local government has entered into a contract for the supply of goods or services unless:

- the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or
- the variation is a renewal or extension of the original term of the contract (in accordance with regulation 11 (2)U)).

**Panels of pre-qualified suppliers**

Part 4 Division 3 has been inserted into the regulations to introduce the ability for local governments to create a panel of pre-qualified suppliers. There are some conditions on developing a panel including: the need for a local government to develop a written policy outlining how the panel will operate; how each supplier will be invited to quote; consistent communication with the panel; and, the recording and retention of quotes and purchases from suppliers.

In establishing a panel, persons are to be publicly invited to apply. State-wide public notice is required and it must be open for at least 14 days following the first notice (not including the advertisement's publishing date). There is a range of detailed information that needs to be made available about the proposed panel including: the written policy; details of how the panel will operate; the period for which the panel will be established; and, the number of suppliers the local government intends to appoint to the panel. Once a panel has been established, local governments may enter into a contract (or contracts) with any of the pre-qualified suppliers. However, the contract(s) cannot exceed 12 months and cannot contain an option to renew or extend its term. If it is expected that a contract is to exceed 12 months the particular good or service should be put to tender.

Regulation 13 of the *Local Government (Audit) Regulations 1996* has been amended to require local governments to carry out an audit of compliance for panels of tenders in accordance with section 7.13(1)(i) of the *Local Government Act 1995*.

### Statutory Environment:

Local Government Act 1995 s 3.57

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods & Services  
Local Government (Rules of Conduct) Regulations 2007

### Strategic Implications:

This Policy sits under Civic Leadership in The Strategic Community Plan – high levels of accountability; compliance with statutory compliance; openness and transparency; provision of good financial management.

### Sustainability Implications

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant social considerations

### Policy Implications:

Amendment of the Shire of Murchison Purchasing Policy if changes are adopted.

### Financial Implications:

Nil

### Consultation:

DLGC

### Recommendation:

That Council adopt the Shire of Murchison Purchasing Policy (Revision 3) as presented and attached.

*The CEO spoke about the amended policy noting that it incorporated changes since 2011, and the considerable changes made recently. For example, the Shire has to notify the unsuccessful tender applicants of the successful applicant and the winning amount and the threshold for calling tenders had risen to contracts in excess of \$150,000.*

*Consideration needs to be made of purchases under \$1,000 as this is an area the auditors noticed when they were here. The CEO brought this area to the Meeting's notice by reading from the section. Her comment was that she has tried to clarify the tender process so that it is sensible and follows the regulations. There was some concern that the value for the tendering process has now been raised to \$150,000.*

*There was some discussion about the definition of a building but this was clarified.*

*The President asked for any further comment, and there was nil response.*

### Voting Requirements:

Simple Majority

### Council Decision

Moved: Councillor Broad

Seconded: Councillor R Foulkes-Taylor

That Council adopt the Shire of Murchison Purchasing Policy (Revision 3) as presented and attached.

Carried:

For: 6

Against: Nil

**18.2 Policy Manual Amendments – Planning and Building Controls**

File:	4.40
Author:	Philip Swain – Health/Building Officer
Interest Declared:	No interest to disclose
Date:	19 August 2016
Attachments:	Draft Policy 3.1 – Building Controls

**Matter for Consideration:**

The Council is requested to replace existing policy 3.1 Building Controls, in relation to development and building regulation within the Shire of Murchison.

**Background:**

On 21st October 2015 the Shire of Murchison Local Planning Scheme 1 was adopted. The Scheme establishes, for the first time, planning requirements within the Shire, including the Murchison Settlement, Pia Wadjari Settlement and the Pastoral Zone. Special consideration exists within the Scheme for the Australian Radio Quiet Zone. As a result, many future activities within the settlement and any activities on pastoral leases, (other than pastoral activities, mining and ancillary uses and radio astronomy and ancillary uses) will require the issue of a Development Approval by the Shire. The scheme also imposes bushfire management provisions on future development within areas covered by the scheme.

The Building Act 2011 became the basis for building control in Western Australia in 2012 with the adoption of the Building Regulations 2012. The Act and Regulations control all aspects of building control including building permits (formerly licences), demolition permits and the management and control of illegal building work and unsafe buildings.

Most of the former exemptions for the issuing of Building Permits have been retained under the new legislation. These are generally in relation to non-habitable buildings (Class 10a) in areas outside town-sites, which apply in many Shire's throughout the state. Under the Act exemptions, for issuing building permits, the Shire of Murchison has no current obligation to issue the same for any building work undertaken within the Shire.

**Comment:**

With the adoption of the local planning scheme the Shire is now obligated to issue development approvals for various activities on land throughout the Shire. The Shire can also adopt planning policy where appropriate to further clarify conditions and acceptable development activity. The process for developing planning policy is outlined in the scheme text. It is proposed that any policy developed in the future be included in the policy manual.

The Building Act and Regulations exemption means that that the Shire is under no obligation to issue Building Permits pursuant to the Act and Regulations. Additionally, it does not have to issue Occupancy Permits for those buildings that would normally require them (Class 2-9 under the National Construction Code (NCC) but is required to issue demolition permits where these are required. As most regional local governments issue building permits only within town-sites, this is not unusual in that the Shire owns all buildings within Murchison Settlement. The Shire could seek to have the Regulations amended to require permits in some circumstances, such as buildings within Murchison Settlement and buildings requiring development approval, such as tourist facilities within the Pastoral Zone. Requiring permits would also enable the Shire to collect fees for building permits to offset some costs associated with the preparation of the same. However, in line with recent Administration discussions the Shire can continue with the current framework of not requiring building permits. In doing so, the Shire does need to be cognisant of minimum construction standards, generally regarded as compliance with the National Construction Code (NCC), formerly the Building Code (BCA), Australia wide. The Shire also needs to be aware of its own potential liability if substandard construction were to take place within the Shire and safety of persons are put at risk, or civil matters are raised, in the future.

In the interest of responsibly managing any building activity within the Shire it is proposed that the Shire obtain Certificates of Design Compliance (CDC's) for all buildings constructed within the Settlement, as a due diligence measure. CDC's are approved by a registered Building Surveyor and are a certification that the relevant building, if constructed in accordance with the approved plans, complies with the NCC and includes any certifications and documentation in relation to a proposed building. A draft policy to replace Policy 3.1 is outlined in **Attachment A**. The policy also proposes that the Shire recommends that proponents also obtain CDC's for any other construction within the Shire and that the Shire offer to retain a copy of any such documents on its records at the discretion of the proponent.

By requiring CDC's for any Shire Buildings the Shire will ensure that insurance for building is obtainable and that the Shire's interests are protected. Similarly, by recommending and offering to retain documents for other building activity within the Shire, the Council will be providing similar protection to proponents without actually issuing building permits.

Other provisions of the Building Code may require the services of a suitably qualified Building Surveyor such as inspections relating to notices and orders if a building was potentially dangerous. It is however possible for most matters to be dealt with, such as issuing demolition permits, with a delegation to the CEO. Any certifications required for future Shire Buildings, such as CDC's can be obtained from a private certifying Building Surveyor.

### **Statutory Environment:**

The following legislation impacts upon this decision;

Shire of Murchison Local Planning Scheme No.1

Building Act 2011

Building Regulations 2012

Local Government Act 1995

### **Strategic Implications:**

The Shire of Murchison Strategic Community Plan 2012/13 – 2022/23 includes the following strategy;

Civic Leadership Objective 4:

To provide Good Governance to the Murchison Shire through:

- Regional collaboration where possible;
- Detailed and professional administration;
- High levels of accountability;
- Compliance with statutory requirements;
- High-quality forward planning, particularly for assets and finances;
- Openness and transparency and enhanced consultation and public participation;
- Provision of quality customer services, good financial management and the pursuit of excellence in professional administration and communication.

The provision of an effective policy framework assists the Shire's objective of good governance

### **Sustainability Implications**

- **Environmental** – Impacts will exist but will be managed within the individual development area.
- **Economic** - The proposal will have no significant economic impacts but will protect the Shire's interests with respect to building compliance in accordance with the Building Code.
- **Social** - There are no known significant social considerations that need to be addressed as a result of this decision.

### **Policy Implications:**

The current Building policy states;

*"Policy 3.1- Building Control*

*The Shire of Murchison has an Interim Development Order in place in the whole of the shire.*

*A Local Planning Policy is not part of the Interim Development Order and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.*

*All building applications to be approved by Council*

It is proposed that this policy be repealed and be replaced with the draft policy **Attachment A**.

### **Financial Implications:**

There are no current fees for this purpose and the Shire is not required to issue building permits under current legislation. The issue of Certificates of Design Compliance will add to the overall costs of building projects but will be less than typical building fees paid in other municipalities.

All development is required to comply with the Building & Construction Industry Training Fund legislation but this is undertaken independent of the Shire.



**Consultation:**

Once adopted the policy will be subject to regular review in accordance with the requirements of the Local Government Act 1995

**Recommendation:**

That Council repeals the existing Policy 3.1 Building Controls and adopts the draft policy 3.1 Building Controls as per Attachment A to this report;

**Voting Requirements**

Absolute Majority

*The Chief Executive Officer discussed the Agenda item and Attachment A with the meeting, and highlighted that the incentive for such a policy even in a Remote Settlement was due to concerns about insurance. There was a discussion about the need to register with the Shire and the need to get a Certificate of Compliance. It was requested that the wording in Attachment A be changed as the matter relates to the Shire and the following sentence be removed; "The Shire recommends that all construction of buildings within the Shire that would normally require a building permit, be subject to the issue of a CDC."*

*In addition, it was agreed that the sentence, "Where any owner or occupier wishes to lodge a CDC for any construction undertaken within the Shire" should have an additional few words added to avoid confusion, namely that this would be "within the shire, but outside of the Murchison Settlement".*

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor R Foulkes-Taylor**

That Council repeals the existing Policy 3.1 Building Controls and adopts the draft policy 3.1 Building Controls as per Attachment A to this report; with the deletion of the sentence "The shire recommends that all construction of buildings within the Shire that would normally require a building permit, be subject to the issue of a CDC."

In addition, that the words "but outside of the Murchison Settlement" be added to the sentence "Where any owner or occupier wishes to lodge a CDC for any construction undertaken within the Shire, but outside of the Murchison Settlement."

**Carried/Lost**

**For: 6**

**Against: 0**

*The meeting adjourned for lunch at 1.00 pm to attend the CSIRO BBQ and presentation on the Murchison Radio-Astronomy Observatory.*

*The Meeting recommenced at 3.15 pm*

*The Shire President welcomed Steve Douglas, Assistant Director – Infrastructure and Digital, and Adam Murszewski, Manager – Project Development and Evaluation, from the Mid-West Development Commission. Steve spoke briefly to the meeting about the CSIRO talk, and Adam gave a quick outline of the new Regional Grant Scheme and Community Chest grant that is open currently.*

*Cr E Foulkes-Taylor spoke about the lack of medical and health programmes in the Murchison Shire and asked if there were any opportunities to get these type of programmes into our district.*

*Steve was surprised and said he would look in to it*

*The President asked whether there would be any finance to do a donkey and camel shooting programme with funding from all the southern rangelands Development Commissions.*

*Steve was going to take it back to the Commission and Cr Whitmarsh is going to talk to Bill Currans CEO CRBA in regards to this same issue.*

**19. NOTICE OF MOTION**

Nil

## **Attachment A**

### **3.1 – Building Controls**

The Shire of Murchison has no current obligation to issue building permits for any building work undertaken within the Shire. In the interest of due diligence, the Shire will require certification in relation to compliance with the National Construction Code (NCC) for any buildings that the Shire itself contracts the construction of.

Where a new building would normally require the issuing of a Certificate of Design Compliance (CDC) pursuant to the NCC, the Building Act and the Building Regulations, the Shire will require the submission of the same by a suitably qualified person (Building Surveyor) for all construction within the Murchison Settlement. Copies of CDC's for all Council Projects are to be retained on site at the Shire Administration Centre, Murchison Settlement

The Shire recommends that all construction of buildings within the Shire that would normally require a building permit, be subject to the issue of a CDC. Where any owner or occupier wishes to lodge a CDC for any construction undertaken within the Shire, a copy will be retained on the Shire records free of charge. Proponents of any construction project within the Shire are to be advised of this Council Policy with respect to Building Controls and that fees such as the Building and Construction Industry Training Fund (BCITF) may still require payment. All enquiries and payments to the BCITF and/or the Building Commission should be directed to those authorities.

**Recommendation:**

That Council makes a donation of:

1. \$150 towards the sponsorship of the Carnarvon School of the Air End of Year Student Awards; and
2. \$150 towards the sponsorship of the Meekatharra School of the Air End of Year Student Awards

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor R Foulkes-Taylor**

**Seconded: Councillor S Broad**

That Council makes a donation of:

1. \$150 towards the sponsorship of the Carnarvon School of the Air End of Year Student Awards; and
2. \$150 towards the sponsorship of the Meekatharra School of the Air End of Year Student Awards

**Carried**

**For: 5**

**Against: 0**

**18.3 Review Policy 2.1.1 Use of Heavy Vehicle Combinations on Local Roads**

File:	8.2
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	14 October 2016
Attachments:	Guidelines for Approving RAV Access Application to Add or Amend a Road on a RAV network HVS Update 122-2016 Change in Assessment Process for Adding a Road

**Matter for Consideration:**

Council to consider reviewing the current Policy for the Use of Heavy Vehicle combinations on local roads to clarify that Main Roads is the authority empowered to issue permits for heavy vehicle combinations 19 metres and over.

**Background:**

Main Roads Heavy Vehicle Services (HVS) is responsible for administering road access for Restricted Access Vehicles (RAVs).

RAVs are vehicles that exceed any of the following:

- a width of 2.5 metres;
- a height of 4.3 metres;
- a length of 19 metres for a vehicle combination;
- a length of 12.5 metres for a rigid vehicle;
- a gross mass of 42.5 tonnes;
- any other mass or dimension limit prescribed in the Road Traffic (Vehicles) Regulations 2014.

RAVs must only operate on roads approved by Main Roads, under either an order (notice) or a permit. There are many types of RAVs and each of them has different performance characteristics, require a different amount of road space when operating and have a different impact on the road infrastructure. For this reason, it is necessary to assess the roads these RAVs operate on to ensure the road is suitable for the particular type of vehicle and the safety of other road users is not compromised.

Main Roads HVS works collaboratively with the relevant road asset owner to ensure roads are suitable for RAV access. RAV Networks are maintained for the various types of RAVs and are published in the form of Road Tables and a RAV Mapping Tool.

The Commissioner of Main Roads is empowered under the Road Traffic (Vehicles) Act 2012 to approve RAV access on the public road network. The Commissioner has delegated these powers to the HVS.

HVS is responsible for reviewing all route assessments to decide if RAV access will be approved and what conditions, if any, will be applied. HVS will issue the approvals via either a RAV Notice or a RAV Permit.

The Main Roads Regional Offices conduct route assessments on behalf of HVS and provide recommendations to HVS on the level of access that should be approved and if conditions should be applied.

When an application is made to HVS by an operator to add a road to the RAV network, HVS will liaise with the road owner (usually the local government) to ensure that there are no objections.

On the 25 August 2016, changes were made to the assessment process for approving a road to be added or amended to a RAV Network. The new process allows for access to be approved through issue of a 'Restricted Local Access' Period Permit. This permit can be issued in cases where network access would ordinarily be declined eg when the road does not meet all relevant Route Assessment Guidelines and applying reasonable conditions is unlikely to mitigate the assessed risk. The Permit provides access to the final destination of a particular journey. This may include access to a farm gate or local business. The permit may be issued to a particular vehicle combination and/or length, with particular conditions (eg traffic management, speed restrictions etc) relevant to the specific transport task.

### **Comment:**

Our current policy 2.1.1, referenced below, does not make it clear that Main Roads is the authority empowered to issue permits to Restricted Access Vehicles (RAV).

#### **2.1.1 Use of Heavy Vehicle Combinations on Local Roads**

The Chief Executive Officer is authorised to give Councils agreement to applications to operate applicable heavy vehicle combinations on local roads subject to:

##### Vehicles Permitted:

Road Trains (Class 11) vehicles to 53 metres

Long Vehicles to 27.5 metres

B Doubles to 27.5 metres

Rigid Trucks and Dog Trailers to 25 metres

##### Special Conditions:

Through traffic passing through the Shire of Murchison of the vehicle categories described are permitted to utilize all roads in the Shire:

Main Roads as per conditions allowed by the Commissioner of Main Roads being:

When traffic of the vehicle categories as described above are utilized for the servicing of primary producers or businesses within the Shire of Murchison approval is granted for the use of all local roads within the Shire subject to those vehicles involved taking the shortest possible route to and from the properties involved in utilising the roads as described under Condition (1).

Any operators using the vehicle categories as described travelling on roads other than those roads described in Condition (1) in accordance with Condition (2) must be able to provide proof of purpose for utilising the said road and substantiate that the shortest possible route has been taken to reach the destination from the designated routes if challenged by and authorised person.

Use of town streets other than through roads in towns of the Shire of Murchison will not be permitted unless for access to Industrial Areas or Wheat Bins unless specific approval is obtained from the Shire of Murchison.

##### General Conditions:

Operators wishing to vary the conditions as detailed in this policy must contact the local authority for written agreement and forward agreement if granted to Main Roads for approval and endorsement on their permit.

Local Government conditions will vary according to the road network topography and traffic.

##### Other:

Gravel roads affected by rain may be closed forthwith. Operators must contact the Local Authority for advice if heavy rains have fallen in the area.

Speed limits for permit vehicles are:

Unsealed open road 100 km / hour

Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser.

Council may review its policy and add or remove roads from the approved roads as they see fit subject to endorsement by the Commissioner of Main Roads.

I suggest that the policy be simplified to read:

### **2.1.1 Use of Heavy Vehicle Combinations on Local Roads**

The Chief Executive Officer is authorised by Council to consider and approve requests from operators:

- a) to add or amend a road on a Restricted Access Vehicle Network, or
- b) for a Restricted Local Access Period Permit,

on the condition that the application has been made in the prescribed manner to Main Roads Heavy Vehicle Services, in the first instance.

The CEO is to give due consideration to the condition of the road and other assets, such as grids and culverts, prior to forwarding approval to HVS, especially if the application is for a Restricted Local Access Period Permit, where Route Assessment Guidelines are not met.

The following conditions are to be included in all approvals:

1. Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations;
2. In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Murchison;
3. CA07 – All operators must carry the written approval from the LG authority permitting use of the road;
4. The following speed limits will generally apply  
Unsealed open road 100 km / hour  
Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser

### **Statutory Environment:**

Road Traffic (Administration Act) 2008

Road Traffic Vehicles Act 2012

### **Strategic Implications:**

Nil

### **Sustainability Implications**

- **Environmental**  
There are no known significant environmental implications
- **Economic**  
There are no known significant economic implications
- **Social**  
There are no known significant social considerations.

### **Policy Implications:**

Amend Policy 2.1.1

### **Financial Implications:**

Nil

**Consultation:**

Main Roads WA

**Recommendation:**

That Council amend Policy 2.1.1 to read:

The Chief Executive Officer is authorised by Council to consider and approve requests from operators:

- a) to add or amend a road on a Restricted Access Vehicle Network, or
- b) for a Restricted Local Access Period Permit,

on the condition that the application has been made in the prescribed manner to Main Roads Heavy Vehicle Services, in the first instance.

The CEO is to give due consideration to the condition of the road and other assets, such as grids and culverts, prior to forwarding approval to HVS, especially if the application is for a Restricted Local Access Period Permit, where Route Assessment Guidelines are not met.

The following conditions are to be included in all approvals:

1. Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations;
2. In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Murchison;
3. CA07 – All operators must carry the written approval from the LG authority permitting use of the road;
4. The following speed limits will generally apply  
Unsealed open road 100 km / hour  
Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser

*The CEO explained the process of RAV rating, the changes in the assessment process, and changing the policy.*

*President M Halleen, Cr R Foulkes-Taylor, and Cr M Williams suggested that the speed limit on unsealed open road be reduced to 80km/h.*

*Cr S Broad felt that the speed limit was generic and that triples travelled slower than that anyway. Not against reducing the limit to 80km/h*

**Voting Requirements:**

Absolute majority

**Council Decision:****Moved: Councillor R Foulkes-Taylor****Seconded: Councillor M Williams**

That Council amend Policy 2.1.1 to read:

The Chief Executive Officer is authorised by Council to consider and approve requests from operators:

- a) to add or amend a road on a Restricted Access Vehicle Network, or
- b) for a Restricted Local Access Period Permit,

on the condition that the application has been made in the prescribed manner to Main Roads Heavy Vehicle Services, in the first instance.

The CEO is to give due consideration to the condition of the road and other assets, such as grids and culverts, prior to forwarding approval to HVS, especially if the application is for a Restricted Local Access Period Permit, where Route Assessment Guidelines are not met.

The following conditions are to be included in all approvals:

1. Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations;
2. In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Murchison;
3. CA07 – All operators must carry the written approval from the LG authority permitting use of the road;
4. The following speed limits will generally apply  
Unsealed open road 80 km / hour  
Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser

**Carried**

**For: 5**

**Against: 0**

*Cr S Broad left the meeting at 12:55 pm*

## **20. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
13/09/2016	Telephone discussion with Tony Brown WALGA and Andrew Borat at DLGC re holding a Council meeting by teleconference – can a station be regarded as a residential area for the purpose of s5.25 of the LG Act and 14A of the LG Admin regs? The response was that if council wants to resolve that it is a suitable location, then it is a suitable location as long as the other criteria within the sections are met.
16/09/2016	Council meeting
19/09/2016	Toolbox meeting
19/09/2016	LEMC meeting
19/09/2016	Bridge Opening Committee de-brief
19— 23/09/2016	Advance scanning in Settlement to detect power, water, telephone. A detailed digital report has been provided, which is of great benefit to us all.
20/09/2016	Admin meeting
21/09/2016	Telephone discussion with Rebecca Redshaw, Main Roads Project Design Engineer for the access Road to SKA. Rebecca asked if there was any feedback on the report as yet – I suggested we need more time to review.
22/09/2016	Telephone discussion with Rebecca Redshaw re the seal south of the Bridge. She suggested that Main Roads undertake a pavement dip on the relevant section. This has been done and we are awaiting the results.
22/09/2016	Photo Gallery established on website and Ballinyoo Bridge opening photos uploaded
23/09/2016	Request for Quote 2.2016-17 for consultant to manage tender and superintend for 'various bitumen works', prepared and posted to WALGA EQuotes
27/09/2016	Admin meeting
27-28/06/2016	Auditors on site for 15-16 final audit
28/09/2016	Commenced sourcing quotes for the preparation of the full review of the Shire's Strategic Community Plan, including facilitation of community survey and meeting.
30/09/2016- 4/10/2016	Crew off for Landor
30/09/2016	RFQ 2.2016-17 Consultant to manage various bitumen works closed 5:00 pm
3/10/2016	Admin meeting
3/10/2016	RFQ 2.2016-17 – quotes assessed; work awarded to WML Consultants, who will now prepare the tender documents for RFT 3.2016-17 Various Bitumen Works and RFT 4.2016-17 Bitumen Patching Beringarra Cue Road, manage the tender process and superintend both parcels of work.
5/10/2016	Meeting with Works Supervisor
5/10/2016	Prepare advertisement and scope/selection criteria for roadhouse lease opportunity – advertised in the Geraldton Guardian 7/10/2016 and West 8/10/2016 (closes 21/10/2016)

**18.4 Drug & Alcohol Policy**

File:	4.16
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 November 2016
Attachments:	Drug & Alcohol Policy

**Matter for Consideration:**

Council to consider adopting the draft Drug & Alcohol Policy for inclusion in the Policy Manual under 7.1 Staff Matters at 7.1.22

**Background:**

The preparation of a Drug & Alcohol Policy has been on the CEO's Action list for too long. WALGA Employee Relations have provided a proforma D&A policy, which has been streamlined to suit the Shire of Murchison.

**Comment:**

I met with Katherine Kempin, Senior OSH Consultant and Stuart McMahon, Strategic OSH Consultant from LGIS Workforce Risk Services during the WALGA Local Government Convention to discuss what the Shire of Murchison required from a Drug & Alcohol Policy and to get some direction on how we could develop a functional policy in our remote location.

The objectives for introducing a Drug & Alcohol Policy into the workplace include:

1. meeting general 'duty of care' obligations;
2. to eliminate hazards and risks that could arise from the use of alcohol and other drugs. A range of factors, both at the workplace and in people's personal lives, impact on their ability to work safely. The use of alcohol and drugs may be one of them and in some cases, this may lead to injury, damage to plant and equipment or worse, loss of life;
3. preventing uncertainty when situations arise – without a clear policy and supporting procedures in place it may be difficult to deal with certain situations when they arise, for example dealing with a worker impaired by drugs and/or alcohol at the workplace;
4. demonstrating management commitment to a safe workplace;

The attached Drug & Alcohol Policy has been reviewed by the workforce, with one only comment being returned and that was a concern that after work drinks would be banned on the premises. It was suggested that the paragraph on page 3 headed 'Consumption of Alcohol on the Premises' be amended to read:

'Except in situations where the Shire of Murchison holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace, during working hours.'

No allowance has been made for random drug and alcohol testing, except if management suspects an employee is under the influence of drugs and/or alcohol – refer page 4 'Identification of Impairment & Testing'. Council may wish to consider including random drug and alcohol testing in the policy.

**Statutory Environment:**

Occupational Safety & Health Act – responsibilities for safety & health in the workplace are placed on all parties at the workplace.

Misuse of Drugs Act 1981 – identifies offences concerned with prohibited drugs and plants in relation to premises

Road Traffic Act 1974 – identifies offences relating to driving a vehicle while under the influence of drugs and/or alcohol

Liquor Licensing Act 1988 – this deals with the sale, supply, possession and consumption of liquor on prescribed land

Workers Compensation and Injury Management Act 1981- disallows compensation for an employee if alcohol and/or drugs are involved in the employee's disablement

**Strategic Implications:**

N/A

**Policy Implications:**

The Policy Manual may be amended with the inclusion of a Drug & Alcohol Policy at 7.1.22



**Budget/ Financial Implications:**

Costs of medical assessments and random drug and alcohol tests have not been included in the budget and will need to be considered at Budget review time.

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

WALGA Employee Relations  
LGIS Workforce Risk Services  
Workforce

**Recommendation:**

That Council adopt the Drug & Alcohol Policy as presented and attached.

*The CEO spent some time working through the Drug & Alcohol with Council. Staff had been given the opportunity to comment on it and the only concern was that they would like the words 'during working hours' added to the clause on page 3, which would then read "Employees must not consume alcohol in the workplace during working hours"*

*Discussion*

*Cr R Foulkes –Taylor is fine with adding "during working hours" to page 3.*

*Discussion followed in relation to self-testing. Cr R Foulkes-Taylor felt there was no incentive to self test. The CEO explained that someone may come to work and might think they are over the 0.00 limit but are not sure. Being able to self-test will encourage them to be self reliant. If employees self-test, they get two chances without facing disciplinary action.*

*The policy is to be amended at page 4 to include "The advantages to self-testing is that the employee has two chances to take responsibility for their own fitness for work without ending up in breach of this policy."*

*Cr E Foulkes-Taylor left the meeting at 4:02pm and returned at 4:04pm*

*Discussion in relation to Identification of Impairment and Testing. Cr R Foulkes-Taylor feels it is beneficial for management to have different options for action, as presented in the policy, if they are of the opinion that a staff member is impaired by drugs or alcohol.*

*The location of the breathalyser it to be determined in consultation with the crew.*

*Disciplinary Procedure. President M Halleen thinks it is unfair that the shire should pay for ongoing testing.*

*Cr M Williams suggested that page 2 Drug Use on the Premises be amended to include "Such behaviour will be subject to Disciplinary Procedure." and that page 5 Consequences of Breaching this Policy be amended to include '.....will be subject to the Disciplinary Procedure'.*

**Voting Requirements:****Council Decision:****Moved: Councillor R Foulkes-Taylor****Seconded: Councillor E Foulkes-Taylor**

That Council adopt the Drug & Alcohol Policy attached with the following amendments:

1. On Page 2, under the heading Drug Use on the Premises, replace the sentence: 'Such behaviour will result in disciplinary action which may result in termination of employment' with 'Such behaviour will result in the employee being subject to the Disciplinary Procedure in Relation to Drug & Alcohol Use.'
2. On page 3, under the heading Consumption of Alcohol in the Workplace, amend the sentence to read: 'Except in situations where the **Shire of Murchison** holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace during working hours.'
3. On page 4, under the heading Self-Testing, add the sentence: 'The advantage to self-testing is that the employee has two chances to take responsibility for their own fitness for work without ending up with a breach.'
4. On page 5, under the heading Consequences of Breaching this Policy, amend the sentence to read: 'An employee engaged by the **Shire of Murchison** who breaches the provisions of this policy will be subject to the Disciplinary Procedure in Relation to Drug & Alcohol Use.'

**Carried****For: 5****Against: 0****18.5 Amendment to Delegations**

File:	4.16
Author:	Peter Dittrich – deputy chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 November 2016
Attachments:	Extract of Delegated Authority Register - 16. Signing of Requisitions and Purchase Orders

**Matter for Consideration:**

Council to consider adopting the revised Register of Delegations - 16. Signing of Requisitions and Purchase Orders.

**Background:**

Local government can delegate certain authorities to the CEO pursuant to s.5.42 and s. 5.43 of the Local Government Act. The delegations must be in writing and a register of delegations must be kept and reviewed at least once every financial year. The Delegations were last reviewed at the Ordinary Meeting of Council on the 20<sup>th</sup> May 2016.

If a person is exercising a power or duty which they have been delegated, the Act requires them to keep records relating to the exercise of the power or discharge of the duty. The records are to include:

- (a) how the person exercised the power or discharged the duty; and
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

**Comment:**

The amendment to the Delegated Authority Register - 16. Signing of Requisitions and Purchase Orders that Council is requested to consider is the addition of a sub-delegation to the Customer Services Officer of \$500. The Customer Service Officer is involved in the obtaining of quotes and the arranging of ordering of items on behalf of other officers. The requested delegation will enable the role to be completed more efficiently.

**Statutory Environment:**

The Delegations of Authority are made to the Chief Executive Officer pursuant to section 5.42 and 5.43 of the *Local Government Act 1995* (the Act) and to Committees pursuant to section 5.16, 5.17 and 5.18. Where listed, some of these functions are delegated by the Chief Executive Officer to Shire of Murchison employees pursuant to section 5.44 of the Act.

*\*Absolute Majority*

**Financial Implications:**

The cost of the consultant falls within the budgeted parameters for that cost centre for 2016-17.

**Consultation:**

Travis Bate

**Recommendation:**

N/A – for Council information only

**Voting Requirements:**

N/A

**18. ADMINISTRATION****18.1 Amend Policy 4.1 Health Controls**

File:	7.1
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	Nil
Date:	13 December 2016
Attachments:	Nil

**Matter for Consideration:**

Council to consider amending Policy 4.1 Health Controls

**Background:**

The Shire of Murchison's contract Environmental Health Officer, Phil Swain, has suggested that the Policy on Health needs to be updated, removing the reference to Delegations.

Currently the Policy on Health Controls reads:

**4.1 Health Controls**

Introduction

Objective

Statutory Context

Formal Record

History  
Adopted October 2005  
Reviewed November 2008  
[Reviewed February 2010](#)

Policy Statement:

***4.1.1 Delegations to Councils Health Surveyor***

The Chief Executive Officer delegates the authority and power to the Environmental Health Officer to:

- Issue certificates of approval relating to the maximum number of people permitted in a public building.
- To issue any notice or direction pursuant to the Health Act when it is considered that the urgency of the issue involved requires immediate action.

***4.1.2 Parties, Concerts and Large Public Events***

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community.

**Comment:**

The suggested amendment is shown below:

**4.1 Health Controls**

**Introduction:** The Shire administers, via a contract with an Environmental Health Officer, the various legislation and programmes necessary to maintain public health standards.

**Objective:** The programme ensures statutory compliance with various Health legislation and Ensures that essential Public Health standards are maintained within the Shire.

**Statutory Context:** Health Act 1911, the Health Act 2016, the Environmental Protection Act 1986, the Food Act 2008, Liquor Control Act 1988 and various Regulations.

**Formal Record:**

**History:** Adopted October 2005  
Reviewed November 2008  
Reviewed February 2010  
Reviewed December 2016

**Policy Statement:**

***4.1.1 Parties, Concerts and Large Public Events***

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community. Events are to be assessed and approved in accordance with the Health Act 1911 and the Health (Public Buildings) Regulations 1992.

**Statutory Environment:**

Health Act 1911, the Health Act 2016, the Environmental Protection Act 1986, the Food Act 2008, Liquor Control Act 1988 and various Regulations.

**Strategic Implications:**

The provision of Health Controls through sound Policy provides for compliance with statutory requirements and high levels of accountability.

**Policy Implications:**

Amend Policy 4.1

**Budget/ Financial Implications:**

Nil

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

Phil Swain – Environmental Health Officer

**Recommendation:**

That Policy 4.1 Health Controls is deleted and replaced with:

**4.1 Health Controls**

**Introduction:** The Shire administers, via a contract with an Environmental Health Officer, the various legislation and programmes necessary to maintain public health standards.

Objective: The programme ensures statutory compliance with various Health legislation and Ensures that essential Public Health standards are maintained within the Shire.

Statutory Context: Health Act 1911, the Health Act 2016, the Environmental Protection Act 1986, the Food Act 2008, Liquor Control Act 1988 and various Regulations.

Formal Record:

History: Adopted October 2005  
Reviewed November 2008  
Reviewed February 2010  
Reviewed December 2016

Policy Statement:

#### **4.1.1 Parties, Concerts and Large Public Events**

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community. Events are to be assessed and approved in accordance with the Health Act 1911 and the Health (Public Buildings) Regulations 1992.

#### **Voting Requirements:**

Absolute Majority

#### **Council Decision:**

**Moved: Councillor R Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That Policy 4.1 Health Controls is deleted and replaced with:

#### **4.1 Health Controls**

Introduction: The Shire administers, via a contract with an Environmental Health Officer, the various legislation and programmes necessary to maintain public health standards.

Objective: The programme ensures statutory compliance with various Health legislation and ensures that essential Public Health standards are maintained within the Shire.

Statutory Context: Health Act 1911, the Health Act 2016, the Environmental Protection Act 1986, the Food Act 2008, Liquor Control Act 1988 and various Regulations.

Formal Record:

History: Adopted October 2005  
Reviewed November 2008  
Reviewed February 2010  
Reviewed December 2016

Policy Statement:

#### **4.1.1 Parties, Concerts and Large Public Events**

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community. Events are to be assessed and approved in accordance with the Health Act 1911 and the Health (Public Buildings) Regulations 1992.

**Carried:**

**For: 6**

**Against: 0**

**18.2 Amend Policy 5.5.1 Operation of Bank Account**

File:	2.7
Author:	Dianne Daniels -Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 December 2016
Attachments:	Nil

**Matter for Consideration:**

Council to consider updating Policy 5.5.1 Operation of Bank Accounts

**Background:**

The current Policy in regard to the operation of bank accounts is:

Policy Statement

**5.5.1 Operation of Bank Account**

Three signatories to be required for the operation of Council's bank accounts from the following:

- a) All Councillors and Chief Executive Officer
- b) All payments whether made prior to the meeting or not shall be presented to Council for endorsement or approval of payment.
- c) The Chief Executive Officer is the sole signatory for all payroll transactions as well as other payments deemed 'urgent' between Council meetings.

**Comment:**

The current policy is reflective of an era gone by when there was no electronic banking. The CEO suggests that the policy be updated to recognise that payments are now generally paid electronically using 'tokens', with 'two to sign' authorities resting with the bank, rather than 'three to sign'.

Suggested Policy:

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

**Statutory Environment:**

Local Government (Financial Management) Regulations 1996  
Payments, procedures for making etc.

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
  - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - (b) petty cash systems.
- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
  - (a) subject to subregulation (4), are not to be made in cash; and
  - (b) are to be made in a manner which allows identification of —
    - (i) the method of payment; and
    - (ii) the authority for the payment; and
    - (iii) the identity of the person who authorised the payment.
- (4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

**Strategic Implications:**

None

**Policy Implications:**

Proposed amendment of Policy 5.5.1

**Budget/Financial Implications:**

Nil

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant considerations

**Consultation:**

Nil

**Recommendation:**

That Council amends Policy 5.5.1 Operation of Bank Account

from:

**5.5.1 Operation of Bank Account**

Three signatories to be required for the operation of Council's bank accounts from the following:

- a) All Councillors and Chief Executive Officer
- b) All payments whether made prior to the meeting or not shall be presented to Council for endorsement or approval of payment.
- c) The Chief Executive Officer is the sole signatory for all payroll transactions as well as other payments deemed 'urgent' between Council meetings.

to:

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

**Voting Requirements:**

Absolute majority

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor S Broad**

That Council amends Policy 5.5.1 Operation of Bank Account

from:

**5.5.1 Operation of Bank Account**

Three signatories to be required for the operation of Council's bank accounts from the following:

- a) All Councillors and Chief Executive Officer
- b) All payments whether made prior to the meeting or not shall be presented to Council for endorsement or approval of payment.
- c) The Chief Executive Officer is the sole signatory for all payroll transactions as well as other payments deemed 'urgent' between Council meetings.

to:

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

**Carried:****For: 6****Against: 0****19. NOTICE OF MOTION**

Nil

*Cr S Broad left the meeting at 11:47am***20. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
16/11/2016	Inspect re-seal works with Acting Works Supervisor
18/11/2016	Meeting Tender Assessment Panel
18/11/2016	Meeting Audit Committee
18/11/2016	Ordinary Council Meeting
21/11/2016	Meeting Murchison Executive Group in Settlement and end of year dinner at Wooleen with Murchison CEO's.
22/11/2016	Regular weekly meeting with Admin team
22/11/2016	Meeting with Kim Ingle, Rebecca Renshaw, Henty Hall of Main Roads re preferred route to SKA.
23/11/2016	Meeting with Roadhouse Lessees and President Halleen
22/11/2016	Meeting with Acting Works Supervisor re the Sealing Contractor not being able to start until the 14 <sup>th</sup> December ie two week delay
23/11/2016	Meeting with Andrew Klein, WA Health and DCEO Peter Dittrich, the outcome of which was that there is no funding available for a health service to the Shire of Murchison; the Shire would need to fund such a service.
23/11/2016	Audit Plant & Equipment at Roadhouse for new lease
24/11/2016	Regular weekly meeting with DCEO
25/11/2016	Community Strategic Planning Workshop and BBQ
25/11/2016	Volunteer Bushfire Brigade meeting
28/11/2016	Outside staff member Performance Review
28/11/2016	Regular weekly meeting with Admin Crew
1/12/2016	Regular weekly meeting with DCEO
2/12/2016	Inspected bitumen seal preparation works with Acting Works Supervisor
2/12/2016	Phone conversation with Scott Wyeth of DFES. In October, DFES put out a call for CEO's and senior Shire Employees to volunteer for incident management teams – State Bushfire Pre-formed Level 3 teams. Nine positions across planning, logistics, facilities, ground support, operations. Murchison as well as Scott's four other Shire's don't have capacity this year. Advantageous as staff get exposure to different emergency situations. On another matter, it was good to hear that the Shire of Murchison is the most prepared from a training point of view in his area – willing to do more training – will look at radio training for May 2017.
2/12/2016	Meeting with Peter Benjamin of Kalamazoo, Dean Vale of Minja Gold, Anthony Bakranich of Patience Transport and DCEO Peter Dittrich re prospective 12 month ore haul from Snake Pit, 18 km from Yuin.
5/12/2016	Toolbox Meeting
5/12/2016	Regular weekly meeting with Admin crew



**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant considerations

**Consultation:**

Nil

**Recommendation:**

That council change the date for the May 2017 Ordinary Meeting of Council from Friday 19 May 2017 to (TBC)

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor A Whitmarsh**

That council change the date for the May 2017 Ordinary Meeting of Council from Friday 19 May 2017 to Thursday 25<sup>th</sup> May 2017.

**Carried:****For: 5****Against: 0****18.4 Review of Shire of Murchison Purchasing Policy**

File:	4.40
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 February 2017
Attachments:	Shire of Murchison Purchasing Policy Revision 4 (Draft)

**Matter for Consideration:**

Council to consider adopting Revision 4 of the Shire of Murchison Purchasing Policy.

**Background:**

In May 2016, Council adopted the Shire of Murchison Purchasing Policy (Revision 3). The objective of the policy is to provide compliance with the Local Government Act 1995 (LGA) and the Local Government (Functions and General) Regulations 1996 (LGR F&G) and to deliver a best practice approach and procedures to purchasing for the Local Government.

Revision 2 incorporated changes to the LGR F&G since it was first adopted in 2011:

Ethics and Integrity- Purchasing Principles – 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.

Public Tenders –The details of all Tender responses received and opened must be recorded in the Tenders Register. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government.

However, the details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process and this information is to be made known to all tenderers when the tender has been awarded.

Further amendments to the LGR F&G were published in the Government Gazette on 18 September 2015 and took effect on 1 October 2015. The Shire of Murchison Purchasing Policy was updated to reflect those amendments (Policy Revision 3).

The amendments were a result of recommendations made by the Local Government Steering Committee and the Corruption and Crime Commission (CCC), with the aim of improving the purchase and tendering practices of local government. In addition to increasing the tender threshold, the amendments provide for local governments to appoint a panel of pre-qualified suppliers.

### Comment:

The administration has been working with Revision 3 of the Policy since its adoption in May 2016, but The Shire is losing credibility requesting quotes for the lower end of the \$1,000 to \$19,999 range and I would consider that a change to the thresholds as shown below, would be more reasonable to manage:

### Current Shire of Murchison Purchasing Policy Revision 3

Purchasing Thresholds (ex GST)	Purchasing Requirements
Up to and including \$999	Goods and services valued (in total) up to \$999 do not require the conduct of a competitive process. At least one verbal price should be obtained and the purchase should represent value for money. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services. Details of the price obtained must be kept for record keeping purposes. Goods & Services purchased in this category should be market tested on an annual basis.
\$1,000 - \$19,999	Obtain at least three (3) verbal or written quotations (eg email, fax or original copy). Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process. Written notes detailing each verbal quotation must be recorded. OR Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services.

### Proposed Shire of Murchison Purchasing Policy Revision 4:

Purchasing Thresholds (ex GST)	Purchasing Requirements
Up to and including \$4,999	Goods and services valued (in total) up to \$4,999 do not require the conduct of a competitive process. At least one verbal price should be obtained and the purchase should represent value for money. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services. Details of the price obtained must be kept for record keeping purposes. <b>Goods &amp; Services purchased in this category should be market tested on an annual basis.</b>
\$5,000 - \$19,999	Obtain at least three (3) verbal or written quotations (eg email, fax or original copy). Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process. Written notes detailing each verbal quotation must be recorded. OR Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services.

**Statutory Environment:**

Local Government Act 1995 s 3.57

Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods & Services

Local Government (Rules of Conduct) Regulations 2007

**Strategic Implications:**

This Policy sits under Civic Leadership in The Strategic Community Plan – high levels of accountability; compliance with statutory compliance; openness and transparency; provision of good financial management.

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant social considerations

**Policy Implications:**

Amendment of the Shire of Murchison Purchasing Policy if proposed changes are adopted.

**Financial Implications:**

Nil

**Consultation:**

Nil

**Recommendation:**

That Council adopt the Shire of Murchison Purchasing Policy (Revision 4) as presented and attached.

*Discussion*

*The CEO explained that the review stemmed from the annual audit and explained the reasons for the change. Items falling below \$5,000 would be market tested at least annually.*

*Councillor M Williams agreed with the market testing. He felt that purchase orders should also be used for purchases made by credit card. The CEO explained that the purchase order was an authority to issue an invoice and therefore was not required with credit card purchases. All credit card purchases are reviewed by the President and presented to council in the list of payments. Councillor Williams felt that if more than one credit card was used by the shire, the purchase order system would need to be implemented.*

*Councillor R Foulkes-Taylor asked at what point (value) did budgeted purchases need to come to council for approval. General discussion followed and it was felt that capital items valued at more than \$20,000 should be brought to council prior to their purchase. The CEO would amend the policy and bring an item to the next council meeting to reflect the change.*

**Voting Requirements:**

Simple Majority

**Council Decision**

**Moved: Councillor R Foulkes Taylor**

**Seconded: Councillor A Whitmarsh**

That Council adopts the Shire of Murchison Purchasing Policy (Revision 4) as presented and attached.

**Carried:**

**For: 5**

**Against: 0**

**19. NOTICE OF MOTION**

Nil

**Comment:**

The commemorative boards and branding iron are held in storage in the Administration Office.

During informal discussions it was suggested that the commemorative boards be donated to the Murchison Museum for retention or sale. It was also suggested that the branding iron be donated to the Murchison Museum for their retention and use.

**Statutory Environment:**

Assistance to community groups and clubs is well within Councils' legislative boundaries

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Strategic Implications:**

To develop, coordinate, provide and support services and facilities which enhance the quality of community life in the Shire is a Social Objective within the Strategic Community Plan.

**Policy Implications:**

Nil

**Financial Implications:**

The value of the donation is \$1,262.40. There will be no effect on the shire's current year surplus position.

**Consultation:**

Nil

**Recommendation:**

That Council donate the remaining 17 commemorative boards to the Murchison Museum for retention or sale and Council donate associated branding iron to the Murchison Museum for their retention and use.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor Quentin Fowler**

**Seconded: Councillor Miles Williams**

That Council donate the remaining 17 commemorative boards to the Murchison Museum for retention or sale and Council donate associated branding iron to the Murchison Museum for their retention and use.

**Carried**

**For: 5**

**Against: 0**

**18.3 Proposed Stock Grids Policy**

File:	4.40
Author:	Dianne Daniels
Interest Declared:	Nil
Date:	19 June 2017
Attachments:	Cattle Grid Policy Shire of Wyndham/East Kimberley

**Matter for Consideration:**

Council to consider adopting a policy on the maintenance and retention of stock grids.

**Background:**

Historically, the Shire of Murchison has repaired or replaced existing stock grids as required to ensure safety for road users.

**Comment:**

To ensure that Council funds are expended in a responsible manner, I suggest that grids that are in need of repair or replacement but are not bordered by stock-proof fences, should be removed rather than repaired or replaced, after consultation with the lessee/landowner.

This removal would be undertaken in accordance with the proposed Stock Grid Policy, below.

In the event that a lessee/landowner requests that a grid be reinstated, then Council may wish to consider a contribution from the lessee/landowner. Please refer to the Shire of Wyndham/East Kimberley Policy attached as an example.

**Statutory Environment:**

Local Government Act 1995 Section 3.1  
Main Roads Act 1930 Section 24

**Strategic Implications:**

The Shire of Murchison's Strategic Community Plan calls for Asset Management that meets the required level of service in the most cost effective manner for present and future residents.

**Policy Implications:**

Inclusion of new policy 2.1.3 Stock Grids in the Policy Manual.

**Budget/ Financial Implications:**

This policy should ensure that funds allowed for grids maintenance each financial year is spent in the most cost effective manner possible.

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

Shire of Upper Gascoyne  
Shire of Wyndham/East Kimberley

**Recommendation:**

That Council adopts the following policy and includes it in the Shire of Murchison Policy Manual:

*Discussion*

*Extended discussion on policy it was noted word Council change to CEO.*

*Boundary grids will not be removed but they are to be maintained. And Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location*

## 2.1.3 Stock Grids

Introduction	Stock grids take the place of gates on public roads in the care and control of the Murchison Shire Council. They provide an effective barrier to stock without impeding wheeled vehicles, as the animals are reluctant to walk on the grates. Cattle Grids may present a safety risk to road users if not properly constructed or maintained.
Objective	This policy provides guidelines for the retention of grids on Council roads.
Statutory Context	Local Government Act 1995 Section 3.1 Main Roads Act 1930 Section 24
Formal Record	12.10
History	Proposed

Policy Statement:

1. Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, Council may commence the process to remove the grid;
2. The process is that the CEO will notify the lessee/landowner of Council's intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
3. After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
4. If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed (*Author comment – Council may wish to consider a contribution from the lessee/landowner*);
5. This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is no longer required.

*Discussion:*

*The policy was discussed. Councillors stated that boundary grids were to be maintained. Council identified changes to the wording in the policy and moved the amended policy.*

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor M Williams**

**Seconded: Councillor E Foulkes-Taylor**

That Council adopts the following policy and includes it in the Shire of Murchison Policy Manual:

## 2.1.3 Stock Grids

**Introduction** Stock grids take the place of gates on public roads in the care and control of the Murchison Shire Council. They provide an effective barrier to stock without impeding wheeled vehicles, as the animals are reluctant to walk on the grates. Cattle Grids may present a safety risk to road users if not properly constructed or maintained.

**Objective** This policy provides guidelines for the retention of grids on Council roads.

**Statutory Context** Local Government Act 1995 Section 3.1  
Main Roads Act 1930 Section 24

**Formal Record** 12.10

**History** Proposed

**Policy Statement:**

1. Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, the CEO may commence the process to remove the grid;
2. The process is that the CEO will notify the lessee/landowner of Council's intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
3. After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
4. If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed
5. This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is no longer required. Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location.
6. Boundary grids will be maintained.

**Carried**

**For: 5**

**Against: 0**

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor Q Fowler****Seconded by: Councillor A Whitmarsh**

- 1 That the following Councillors will be attending the Local Government Convention for 2018:  
R Foulkes-Taylor (President), Cr E Foulkes-Taylor, Cr P Squires and Cr G Mead
- 2 That Councillors and the CEO be accommodated at Parmelia Hilton for the duration of their attendance
- 3 That the Councillors and the CEO will nominate their attendance for the sessions as per the attached Local Government Week 2018 Registration Forms
- 4 That the Councillors R Foulkes-Taylor and E Foulkes –Taylor are the nominated delegates to the WALGA AGM 2018.
- 5 That the total cost of the attendance at the Local Government Week 2018 Convention be provided for in the 2018-19 Budget

**Carried:****For: 6****Against: 0****18.2 Policy Manual Review**

File:	4.16
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 May 2018
Attachments:	Councillors Expenses Policy Donations and Grants Policy

**Matter for Consideration:**

Council to consider adopting the following policies:

- Councillors Expenses Policy (Amended)
- Donations and Grants Policy (Amended)

**Background:**

The Shire Policy Manual is currently undergoing a review. As policies are reviewed they will be presented to Council for consideration.

**Comment:**

The Councillors Expenses Policy has been amended to reflect the current practice of paying allowances quarterly instead of every six months. The policy has further been amended to clarify the attendance of the President and Councillors at WALGA Local Government Week and the payment of meal and accommodation expenses.

The Donations Policy has been amended to clarify that donations authorised in the budget are able to be paid without first referring them to Council. The amended policy lays out the procedure relating to applications for donations not otherwise included in the annual budget.

**Statutory Environment:**

Nil

**Strategic Implications:**

Nil

**Policy Implications:**

The Policy Manual may be amended to reflect the above changes.

**Budget/ Financial Implications:**

Nil

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

Review of policies of other shires.

**Recommendation:**

That Council adopt the Councillors Expenses Policy and Donations and Grants Policy as presented and attached.

*Discussion: CEO confirmed that regular recipients of Council donations are to be nominated as part of the budget deliberations.*

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor G Mead</b>	<b>Seconded: R Foulkes-Taylor (President)</b>	
That Council adopt the Councillors Expenses Policy and Donations and Grants Policy as presented and attached.		
<b>Carried</b>	<b>For: 6</b>	<b>Against: 0</b>

**18.3 Community Recognition**

File:	4.6
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 <sup>th</sup> May 2018
Attachments:	Biographical Details – Donald Alexander McTaggart

**Matter for Consideration:**

Council to consider holding a dinner to recognise the contribution that Sandy and Carol McTaggart have made to the Shire of Murchison Community.

**Background:**

Following the 2018 ANZAC Day celebrations Cr P Squires suggested that Sandy and Carol McTaggart be recognised for their contribution to the community.

Cr P Squires provided the following information in support of this recognition:

Sandy:

- Always willing to put up his hand to help locally
- Ready to accept Chairmanship responsibilities
- Very quick to offer help especially with emergencies and with assistance required by neighbours (Fire, Flood, mustering, local events)
- Chaired both Local and State PGA groups
- Local Fire Response group
- Local Dogging and whole area
- Keen participant in the community events



### 5.3 Donations and Grants

Introduction	Community Groups often rely on donations in order to provide the services for which they were formed.
Objective	The Shire of Murchison Strategic Community Plan Objective No 3 allows for Council to provide support and services which enhance the quality of community life.
Statutory Context	
Formal Record	
History	Adopted October 2005 Reviewed November 2008 Reviewed February 2010 <a href="#">Reviewed May 2018</a>
Policy Statement	

Council will include an amount in the budget each year for the purpose of donation to relevant charities or appeals and other bodies. Each application shall be presented to Council for consideration during budget deliberations and preference will be given to local organisations that are operating within the Shire of Murchison.

Donations of \$100 or less may be made at the discretion of the Chief Executive Officer.

Donations of \$500 or less may be made at the joint discretion of the Chief Executive Officer and Shire President.

Applications for donations of over \$500 which have not been included in the budget will be presented to Council for consideration.

## 8.1 Councillors Expenses

Introduction

Objective

Statutory Context

Formal Record

History  
Adopted October 2005  
Amended OCM 20 October 2006 Item 0607.54  
Reviewed November 2008  
Reviewed February 2010  
Amended OCM 19 December 2013 Item 18.6  
[Reviewed May 2018](#)

Policy Statement

### 8.1.1 Members Meeting Expenses

Councillors shall be paid for travel, meeting expenses and communication allowance at a rate set by Council annually. Travel Payments will be paid in arrears on an as required basis but are not to remain outstanding for more than six months. Meeting attendances will be made on a ~~bi-annual~~quarterly basis, usually in ~~December and June~~October, January, April, and July of each year. Councillors are required to complete a travel claim form to receive refunds.

### 8.1.2 Conference, Seminar and Training Course Attendance

Prior to any Councillor attending a conference the matter is to be discussed at the Council meeting prior to the conference and a motion put and carried supporting which councillors are to attend the conference and in what capacity.

There will be no restriction on the number of elected members attending Local Government Convention. The number and the names of the elected members however, will be determined annually by Council. Council will ensure adequate funds are allocated in its annual budget to cover delegate expenses each year.

The Shire President will have automatic rights to attend Local Government Convention each year.

When attending a conference, where the CEO is attending the same one, an attempt should be made to travel to and from the conference with the CEO in Council's vehicle. If this is not possible or the CEO is not attending, then the Councillor will be entitled to claim travel at the rate set under Section 8.1.1 – Members Meeting Expenses.

When attending a conference in the capacity of a councillor, Council agree to pay the following charges where applicable:

### **8.1.3 Accommodation**

On an as required basis and is dependant of the distance required to travel. For example a three day conference in Perth commencing on Friday morning and finishing late on a Sunday afternoon council would agree to pay for accommodation on the Thursday, Friday, Saturday and Sunday evenings as an allowance needs to be made to travel between Perth and Murchison.

A half day conference in Geraldton between 10.00am and 3.00pm it would be fair to suggest that travel to and from Geraldton would be possible in the same day and accommodation would not be required in this instance.

If any doubt exists regarding the need for council to provide for accommodation for any councillor or staff member the final determination shall be at the discretion of the CEO.

### **8.1.4 Parking**

Council will meet all valet parking charges while attending a conference where applicable.

### **8.1.5 Meals General**

Council will meet meal charges while attending a conference for the person attending the meeting or conference only. ~~No additional meal charges for spouses or partners will be paid by Council with the exception of Local Government Week (See item 11.6.4).~~

Any Councillor or staff member attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (ie; not in motel/hotel accommodation), be paid an amount as set out for the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission.

### **8.1.6 Meals Local Government Week**

Council will meet meal charges for the councillor or staff member attending Local Government Week AND meal charges for their spouse or partner who may also be attending this conference. Any additional meal charges for friends, family and children etc are to be paid for in full by the Councillor or staff member prior to checkout.

~~Amended 20<sup>th</sup> October 2006; Item Number 0607.54~~

**Comment:**

The letter was forwarded to Philip Swain Consulting for review and comment. It notes that hydrocarbons are present in shallow soils at locations associated with fuel storage and vehicle maintenance. Mr Swain advised that there was no action required by Council other than to note the advice from DWER.

**Statutory Environment:**

Nil

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Budget/ Financial Implications:**

Nil

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

Philip Swain

**Recommendation:**

That Council note the advice from the Department of Water and Environmental Regulation, dated 8<sup>th</sup> June 2018, in relation to the Boolardy Homestead.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor G Mead**

**Seconded: Councillor E Foulkes-Taylor**

That Council notes the advice from the Department of Water and Environmental Regulation, dated 8th June 2018, in relation to the Boolardy Homestead.

**Carried**

**For: 6**

**Against: 0**

**18. ADMINISTRATION****18.1 Policy Manual Review**

File:	4.16
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 June 2018
Attachments:	Grievances Investigations and Resolution Policy Performance Management Policy

**Matter for Consideration:**

Council to consider adopting the following policies:

- Grievances Investigations and Resolution Policy
- Performance Management Policy

**Background:**

The Shire Policy Manual is currently undergoing a review. As policies are reviewed they will be presented to Council for consideration.

**Comment:**

During the review of the Drug and Alcohol policy it was noted that the Shire did not have a defined policy in relation to Grievances Investigations and Resolution and Performance Management.

In consultation with the WALGA Employee Relations staff, who are assisting with the review of the Drug and Alcohol Policy, draft policies have been developed for Councils consideration.

**Statutory Environment:**

Nil

**Strategic Implications:**

Nil

**Policy Implications:**

The Policy Manual may be amended to reflect the above changes.

**Budget/ Financial Implications:**

Nil

**Sustainability Implications:**

- **Environmental**  
There are no known significant environmental implications associated with this decision
- **Economic**  
There are no known significant economic implications associated with this decision
- **Social**  
There are no known significant social considerations associated with this decision

**Consultation:**

WALGA Employee Relations.

**Recommendation:**

That Council adopt the Grievances Investigations and Resolution Policy and the Performance Management Policy as presented and attached.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor P Squires**

That Council adopt the Grievances Investigations and Resolution Policy and the Performance Management Policy as presented and attached.

**Carried**

**For: 6**

**Against: 0**

**18.2 Appointment of Acting CEO during Annual Leave**

File:	4.20
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 June 2018
Attachments:	N/A

**Matter for Consideration:**

Council to consider:

The appointment of Deputy Chief Executive Officer, Rose Jones, as Acting Chief Executive Officer for the period 4<sup>th</sup> August 2018 to 19<sup>th</sup> August 2018.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Consultation:**

Acting Works Supervisor  
DCEO

**Recommendation:**

That the arrangements made by the CEO regarding the annual shutdown period be endorsed.

*Some discussion took place around the possibility of the CEO extending the office shutdown to 14 January 2109. CEO expressed his willingness to research the matter and report to the October Council meeting.*

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor P Squires**

**Seconded: Councillor A Whitmarsh**

That the arrangements made by the CEO regarding the annual shutdown period be endorsed with the opening date for the Administration Centre to be advised between 7 January and 14 January 2019.

**Carried**

**For: 6**

**Against: 0**

Note – the motion was amended to allow time for the CEO to research the operational implications of closing the Administration Centre until 14 January 2019.

**18.4 Amend Policy 5.5.1 Operation of Bank Account**

File:	2.7
Author:	Peter Dittrich -Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 September 2018
Attachments:	Nil

**Matter for Consideration:**

Council to consider updating Policy 5.5.1 Operation of Bank Accounts

**Background:**

The current Policy in regard to the operation of bank accounts is:

Policy Statement

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

**Comment:**

The CEO suggests that the policy be updated to enable the efficient management of Term Deposits.

Suggested Policy:

#### 5.5.1 Operation of Bank Accounts

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire's Municipal Funds) are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire's investments by way of Term Deposit held at the same bank that holds the Shire's Municipal Funds. This includes the opening and closing of term deposit accounts.

#### Statutory Environment:

Local Government (Financial Management) Regulations 1996

Payments, procedures for making etc.

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
  - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - (b) petty cash systems.
- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
  - (a) subject to sub regulation (4), are not to be made in cash; and
  - (b) are to be made in a manner which allows identification of —
    - (i) the method of payment; and
    - (ii) the authority for the payment; and
    - (iii) the identity of the person who authorised the payment.
- (4) Nothing in sub regulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

#### Strategic Implications:

None

#### Policy Implications:

Proposed amendment of Policy 5.5.1

#### Budget/Financial Implications:

Nil

#### Sustainability Implications:

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
There are no known significant economic considerations
- **Social:**  
There are no known significant considerations

#### Consultation:

Nil

**Recommendation:**

That Council amends Policy 5.5.1 Operation of Bank Account

*In discussion the CEO assured Councillors that the change to the policy would only permit internal transfer of funds between accounts and Term Deposits and did not change the arrangements in place for payments to third parties*

from:

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

to:

**5.5.1 Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire's Municipal Fuds) are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire's investments by way of Term Deposit held at the same bank that holds the Shire's Municipal Fuds. This includes the opening and closing of term deposit accounts.

**Voting Requirements:**

Absolute majority

**Council Decision:**

**Moved: Councillor P Squires**

**Seconded: Councillor A Whitmarsh**

**Operation of Bank Accounts**

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire's Municipal Fuds) are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire's investments by way of Term Deposit held at the same bank that holds the Shire's Municipal Fuds. This includes the opening and closing of term deposit accounts.

**Carried by Absolute Majority**

**For: 6**

**Against: 0**

Cr P Squires left meeting at 2.31pm



**19.5 Murchison Oasis Roadhouse – Fuel Policy**

File:

Author: Bill Boehm – Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 19 October 2019  
Attachments: 19.5.1 Extract Council Minutes Special Meeting 7 December 2012

Matter for Consideration

Currently the fees and charges for the pricing of fuel (Diesel and ULP) is detailed in Councils Schedule of Fee and Charges which was set in accordance with a policy adopted at the 7 December 2012 Special Meeting. Following review of the situation likely medium to long term costs and considering the time that has elapsed since this aspect was reviewed, this policy is considered worthy of review.

Background

As per Attachment 9.5.1 for 2019-20 fuel has been set according to a policy adopted at the 7 December 2012 Special Meeting as follows:

*“That council amend its’ fuel pricing policy to be: – The price of fuel be set at 10% above the highest of the purchase price (including freight) of newly delivered ULP or diesel which provides for provision for payment of five cents/litre to the Murchison Roadhouse lessee for all fuel dispensed through the Roadhouse bowsers.”*

Upon review of the commentary surrounding the previous decision it seems that a decision was then taken to reduce the price of fuel from a 15.5% mark-up to 10%. At the time it was pointed out that in effect the Council would be subsidising the cost of fuel as costs of fuel purchases, maintenance costs for pumps and bowsers, roadhouse commission and depreciation were not being covered.

As foreshadowed at the August Council Meeting the costs of fuel at the roadhouse appeared to be an issue with the Council operating at not an insignificant loss.eg

Budget Income	\$250,000
Budget Expense	\$268,000

Recently Council had a \$10k expense (unbudgeted) to replace the card reader at the bowsers. The need to move to a new fuel retail system whereby when the Roadhouse is open all fuel transactions are controlled and conducted from within the roadhouse with all after hours transactions using the existing Card Reader will also need to be funded in part from the Roadhouse fuel budget and part from the Roadhouse Budget.

Comments

In reviewing the rationale for the policy, it seems in effect the pricing merely puts into practice a desired approach which in 2012 was implicit in the decision but not explicit in its articulation.

It is therefore considered that the approach should be

- (a) Establish the rationale (policy) and
- (b) Set the price as a fee in accordance with his policy

In relation to point (a) it is considered that given the nature of fuel prices and variability capital expenses a medium to long term view should be taken. In there are really three (3) options / approaches with the Council aiming to either:

- 1 make a commercial return over the medium to long term
- 2 neither operate at a profit nor loss over the medium to long term
- 3 subsidise the cost of fuel by a set % over the medium to long term

In relation to point (b) for practicable purposes setting the price *above the highest of the purchase price (including freight)* is reasonable as it provides the CEO with the guidelines in which to operate.

A small point to also consider is that Council, as a not for profit organisation in a remote area who purchases more fuel for its own needs than it sells, the normal commercial holding costs of keeping the fuel do not apply so that in effect the customer derives some flow on benefit.

From my viewpoint option 2 is the more in keeping with approach and consistent with Council's raison d'être. However this is a matter for Council.

For illustrative purposes in the financial Budget/Financial Implications section below three options are presented; which although not definitive, could reasonably represent of the above approaches.

Obviously from a public perception perspective the price at the bowser also has potentially some impact.

#### Budget/Financial Implications

Using 2018/19 figures the effects on the operating result for various options is shown below

<b>MODELLING</b>	<b>Council Policy 2012</b>	<b>Council Policy Pre 2012</b>	<b>Other Option</b>
Mark Up %	10.0%	15.0%	20.0%
Diesel 145,478 litres pa ULP 37,325 litres pa			
Average Diesel Purchase Price	\$1.34	\$1.34	\$1.34
Average ULP Purchase Price	\$1.29	\$1.29	\$1.29
Average Diesel Retail Price	\$1.62	\$1.69	\$1.76
Average ULP Retail Price	\$1.57	\$1.64	\$1.71
Retail Sales	\$293,454	\$306,793	\$320,132
GST	\$26,678	\$27,890	\$29,103
Commission	\$9,140	\$9,140	\$9,140
Net Sales	\$257,637	\$269,763	\$281,889
Cost of Fuel	\$242,524	\$242,524	\$242,524
<b>Net Profit</b>	<b>\$15,112</b>	<b>\$27,238</b>	<b>\$39,365</b>

#### Strategic Implications

Nil

#### Policy Implications

As outlined

#### Sustainability Implications

Environmental There are no known significant environmental considerations

Economic There are no known significant economic considerations

Social There are no known significant social considerations

#### **Recommendation**

- 1 That in relation to the operating of fuel facilities at the Murchison Oasis Roadhouse that Council's policy is to aim to operate these facilities at neither a profit nor loss over the medium to long term.
- 2 That in relation to Council's policy of operating of fuel facilities at the Murchison Oasis Roadhouse, that the price of fuel be set at 15% above the highest of the purchase price (including freight) of newly delivered ULP or diesel.

Voting Requirements

Recommendation 1 (Policy)	Simple Majority
Recommendation 2 (Price)	Absolute Majority

**Council Decision**

**Moved: Cr** E Foulkes-Taylor **Seconded: Cr** G Mead

1. That in relation to the operating of fuel facilities at the Murchison Oasis Roadhouse that Council's policy is to aim to operate these facilities at neither a profit nor loss over the medium to long term.
2. That in relation to Council's policy of operating of fuel facilities at the Murchison Oasis Roadhouse, that the price of fuel be set at 15% above the highest of the purchase price (including freight) of newly delivered ULP or diesel.

<b>Carried/Lost</b>	<b>For</b>	<b>5</b>	<b>Against</b>	<b>0</b>
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**19.6 Local Government Reforms – Elected Member Training**

File:

Author: Bill Boehm – Chief Executive Officer  
 Interest Declared: No interest to disclose  
 Date: 19 October 2019  
 Attachments: 19.6.1 Priority Reforms Local Government  
 19.6.2 Council Member Training Requirements  
 19.6.3 WALGA Training Options

Matter for Consideration

Provision of legislated elected member training

Background

On 27 June 2019, the Local Government Legislation Amendment Act 2019 was passed by Parliament. This Act addresses key areas of Elected member training, the treatment of gifts, a new code of conduct, changes to the Standards Panel, best practice standards for CEO recruitment, performance review and early termination; and greater transparency as more information will be made more easily accessible online. Summary of advice is shown on Attachment 19.6.1.

The reforms that commence immediately include Introduction of universal training for candidates and council members; and greater access to information held by a local government.

The immediate issue associated with this item is Introduction of universal training for candidates and council members and to this end Attachment 19.6.2 outlines the legislated training requirements which are mandatory and must be undertaken within the first 12 months of being elected.

The training course, Council Member Essentials, has been developed to provide council members with the skills and knowledge to perform their role as leaders in their district. The Council Member Essentials course has five foundational units. Ie Understanding local government, Serving on council, Meeting procedures, Conflicts of interest and Understanding of financial reports and budgets.

All council members will have to complete the Council Member Essentials course unless, in the previous five years, they have passed the Diploma of Local Government 52756WA (Elected Member) or the course titled LGASS00002 Elected Member Skill Set.

The changes have been introduced in recognition of the unique and challenging role that council members have.

Training Options

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## 17 DEVELOPMENT

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### 17.1 COVID-19 Coronavirus Update

File: 4.77  
Author: Bill Boehm – Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 20 August 2020  
Attachments: 17.1.1 Previous COVID-19 Update Reports

#### For Information Only

Refer to considerations under Item 16.2 (2020-2021 Budget Adoption) which outlines council responses and to the attached previous COVID-19 update reports.

*Meeting convened for lunch at 1.00pm and resumed at 2.00pm.*

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## 18 ADMINISTRATION

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### 18.1 Financial Hardship Policy

File: 2.4  
Author: Bill Boehm - Chief Executive Officer  
Tatjana Erak – Acting Deputy Chief Executive Officer  
Interest Declared: Nil  
Date: 20 August 2020  
Attachments: 18.1.1 COVID-19 Financial Hardship Policy

#### Matter for Consideration

Consideration of new policy to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges.

#### Comment

Given that Council currently has no Financial Hardship Policy in place then it is considered appropriate to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges

Council currently has no policy in place to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges.

In the light of the current COVID-19 pandemic which highlights the potential need for such a policy, it is considered appropriate to address this matter

The Minister for Local Government made the *Local Government (COVID-19 Response) Order 2020*

The Order relates to the following sections of the Local Government Act 1995:

- ~ 5.27 & 5.28 - Electors General and Special Meetings
- ~ 5.94 - Inspection of local government information
- ~ 6.2 – Local government to prepare budget

- ~ 6.13 – Interest on money owing to local governments
- ~ 6.33 – Differential general rates
- ~ 6.34 – Limit on revenue or income from general rates
- ~ 6.35 – Minimum payment
- ~ 6.36 – Local government to give notice of certain rates
- ~ 6.45 – Options for payment of rates or service charges
- ~ 6.51 – Accrual of interest on overdue rates or service charges
- ~ 9.51 – Giving documents to local governments

The Minister is encouraging all local governments to adopt a financial hardship policy. The Western Australian Local Government Association has released a template Financial Hardship Policy. The attached draft Policy Financial Hardship is based on this template.

#### Statutory Environment

Local Government Act 1995 (as amended)

- ~ 6.45 – *Options for payment of rates or service charges*
- ~ 6.51 – *Accrual of interest on overdue rates or service charges*
- ~ 6.13 – *Interest on money owing to local governments*

#### Policy Implications

There are no other policy implications

#### Strategic Implications

There are no strategic implications

#### Risk Implications:

There are no risk implications

#### Financial Implications

The Order made by the Minister means that the Shire will forgo interest income from ratepayers who successfully apply for financial hardship under the policy. The draft budget for 2020/2021 may result in some minor reduction in income from instalment and penalty interest.

#### **Recommendation**

That the attached Financial Hardship Policy be adopted and advertised accordingly.

#### Voting Requirements

Simple Majority

*Note that following discussion, Council decided to have the policy apply to the COVID-19 period only and be amended and renamed accordingly.*

#### **Council Decision**

**Moved: Cr** G Mead

**Seconded: Cr** A Whitmarsh

That the attached COVID-19 Financial Hardship Policy as amended to apply to the COVID-19 period only be adopted and advertised accordingly.

**Carried**

**For** 5

**Against** 0

Cr G Mead declared an interest in relation to potential clause 2.2 (Aboriginal Enterprises) of the proposed Murchison Shire Purchasing Policy (Revision 5) (Draft) and left the room at 2:20pm

## 18.5 Purchasing Policy

File:	4.40
Author:	Bill Boehm – Chief Executive Officer
Interest Declared:	No interest to disclose
Date	21 February 2020
Attachments:	18.5.1 Proposed Murchison Shire Purchasing Policy (Revision 5) (Draft) 18.5.2 Existing Murchison Shire Purchasing Policy (Revision 4)

### Matter for Consideration

Council to consider adopting Revision 5 of the Murchison Shire's Purchasing Policy.

### Background

In May 2016, Council adopted the Shire of Murchison Purchasing Policy (Revision 3). The objective of the policy is to provide compliance with the *Local Government Act 1995* (LGA) and the *Local Government (Functions and General) Regulations 1996 (Regulations)* and to deliver a best practice approach and procedures to purchasing for the Local Government. This followed on Revision 2 of the Policy which then incorporated changes to the *Regulations* since it was first adopted in 2011:

In February 2017 the Policy was reviewed and changes made, predominately at the lower end of the Purchasing Thresholds as per the following summary; mainly on the basis that the Shire was losing credibility requesting quotes for the lower end of the \$1,000 to \$19,999 range and that a change to the thresholds as shown below, would be more reasonable to manage:

Purchasing Thresholds (ex GST)		Purchasing Requirements (Summary)
Revision 3	Revision 4	
Up to and incl \$999	Up to and incl \$4,999	At least one verbal price should be obtained and the purchase should represent value for money. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services. Details of the price obtained must be kept for record keeping purposes. Goods & Services purchased in this category should be market tested on an annual basis.
\$1,000 to \$19,999	\$5,000 to \$19,999	Obtain at least three (3) verbal or written quotations (eg email, fax or original copy). Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process. Written notes detailing each verbal quotation must be recorded. OR Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing. An official Purchase Order should be raised for all such purchases, unless a credit card has been used to pay for the goods or services.

### Comments

At the time of the review, other than at the bottom end of purchases no material change occurred.

Since this time there has been significant more experience and learnings gained with respect to the use of WALGA's Preferred Supply Contracts, and the creation of three Local Panels through a formal tender process. (Roadworks, Concrete and Trades).

Upon reflection it is arguable that for the expenses concerned in putting the Concrete and Trades Panels out to tender through WALGA were justified given the responses which are perhaps reflective of our remote circumstances.

The Council uses a large number of trades, services, goods and merchandise. Prior to this exercise Council would have used a quotation system and likely had a similar response rate as most suppliers are sourced from Geraldton or Perth. The expansion of WALGA's Preferred Supply Contract Panel has also improved the situation; such that it is on reflection likely that the Roads Panel and the associated expenses to Council and tenderers and may have been avoided.

This past experience reinforces the logical view that the remote nature of our location means that invariably we will always have minimal choice, especially at the lower end of the purchasing scale and unless the potential contract value is significant most suppliers at a small scale will not respond; meaning it is and will be in the future difficult to comply with the current minimum requirement to obtain 3 quotations despite best endeavours. This also adds administrative costs that could be avoided, especially for a small Shire such as ours.

As a general view, apart from an ethical approach which will always be taken the current policy and that contained within a WALGA Template established on the subject is geared to "seeking" not "obtaining" 3 quotes to demonstrate value for money. An alternative approach would be to benchmark prices, especially at the lower end of the scale, noting that at any time full quotations could be undertaken if required.

To balance the "pragmatic" based on our circumstances with the desire for "accountability and transparency," attached is Proposed Murchison Shire Purchasing Policy (Revision 5) and for comparative purposes the existing Murchison Shire Purchasing Policy (Revision 4) is also attached.

Major points to note in the revised policy include the following:

- The revised document has been based on the latest WALGA Purchasing Policy Template which is up to date in governance terms but also provides a raft of options and choices. In this it is required to "seek" not "obtain" a certain number of quotations.
- In various sections formal recognition of our remote location is addressed
- At the lower and higher end of the Table of Purchasing Thresholds and Practices (1.4.3) there has been minimal change from the WALGA template which is similar to our current policy.
- Under 1.4.1 (Policy Purchasing Value Definition) where there is no existing contract arrangement, the Purchasing Value will be the estimated total expenditure for a category of goods, services or works over
  - ~ a one (1) year period for situations such as the normal adhoc subcontract engagement that currently occurs with no guarantee of ongoing work from one year to year
  - ~ a five (5) year period where the supply a high risk of change to technology specification, availability or the Shire's requirements such as rare cases like the maintenance and support of a Local Government Specialised IT system.
- Rather than seeking 3 quotes between purchases of \$5,000 and \$150,000 respectively, as per WALGA template or obtaining 3 quotes as per our current policy, the Table has been amended, with appropriate recording requirements, to at a minimum seek 2 verbal or written quotations up to \$50,000 value and thereafter 2 written quotations to the \$150,000 threshold. This is a direct result of our remote location; hence the references included in sections of the policy.
- WALGA's template provides for potential variations (subject to Council discretion and decision) when Purchasing from Disability Enterprises (2.1), Aboriginal Businesses (2.2) and from Environmentally Sustainable Businesses (2.3). This inclusion is optional and can be left or removed.

Notwithstanding the above it will be essential to maintain appropriate records to demonstrate that every endeavour was made to achieve best value.

#### Statutory Environment

*Local Government Act 1995 s 3.57*

*Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods & Services*

*Local Government (Rules of Conduct) Regulations 2007*

Strategic Implications

Shire of Murchison Council Community Strategic Plan

Civic Leadership Objective 4

*To provide Good Governance to the Murchison Shire through:*

- ~ *High levels of accountability*
- ~ *Compliance with statutory requirements*

Strategies - Financial Planning and Management

*To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.*

Sustainability Implications

Environmental      There are no known significant environmental considerations

Economic            There are no known significant economic considerations

Social                There are no known significant social considerations

Policy Implications

Amendment of the Shire of Murchison Purchasing Policy if proposed changes are adopted.

Financial Implications

Nil

Consultation

Nil

**Recommendation**

*Note Council needs to determine whether to include or exclude clause 2.1 (Purchasing from Disability Enterprises), clause 2.2 (Aboriginal Businesses) and / or clause 2.3 (Environmentally Sustainable Businesses) prior considering the following recommendation.*

*General feeling from councillors is not to have exceptions to the policy as outlined*

*General discussion on tender panels were discussed as was the benefit (or not) of building on trade panels and if quotes can go lower*

That Council adopt the Shire of Murchison Purchasing Policy (Revision 5) as attached.

Voting Requirements

Simple Majority

Note

**Council Decision**

**Moved: Cr**      Q Fowler

**Seconded: Cr**      A Whitmarsh

That Council adopts the Shire of Murchison Purchasing Policy (Revision 5) as attached without clause 2.1 (Purchasing from Disability Enterprises), clause 2.2 (Aboriginal Businesses) and clause 2.3 (Environmentally Sustainable Businesses)

**Carried/Lost**

**For**

**5**

**Against**

**0**

*Cr G Mead returned to the room at 2:30pm*



murchisonshire Transitional Policy and Procedures Register					Updated 25/11/2020	
Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
			<b>DIVISION 1 - ADMINISTRATION</b>			
		1.1	Council Meetings	Legislative requirement covered under legislation	25/10/2005	Remove
1.3	Committees and Working Groups	1.2	Committees	Legislative requirement and strictly speaking not required. However it considered prudent and strategically worthwhile to broadening the scope to include Working Groups as currently operates well and seems a sound way of continuing. Ammedment will effectively endorse current practice. Also incorporate 1.4 Committee Payments with a view that that most operational requirements for Committees are co-located .	25/10/2005	Modify
		1.3	Committee Functions	Legislative requirement covered under legislation	25/10/2005	Remove
1.3	Committees and Working Groups	1.4	Committee Payments	Legislative requirement and arguably no policy is required. However it considered prudent incorporate into a revised format	19/02/2010	Modify
		1.5	Agendas	Legislative requirement covered under legislation	25/10/2005	Remove
		1.6	Minutes	Legislative requirement covered under legislation	25/10/2005	Remove
1.7	Freeman of the Shire	1.7	Freeman of the Shire	Reformat but <b>no</b> changes required to the actual details.	25/10/2005	Retain
4.4	Regional Price Preference	1.8	Local Preference Policy	At this stage Retain. Review later with the existing intent to be retained. Poossible modification to perhaps better reflect the intent for tenders in excess of \$500,000 value. Equally given our circumstances it may be appropriate to review whether any local preference is still required. Suggest that this item be considered separately at later by a Working Group.	19/02/2016	Retain
2.1	Councillors	1.9	Media Releases	Reformat but <b>no</b> changes required to the actual details.	25/10/2005	Retain
1.9	Records Management	1.10	Records Management	Reformat but <b>no</b> changes required to the actual details.	19/12/2013	Retain
1.2	Public Question Time	1.11	Managing Public Question Time	Reformat but <b>no</b> changes required to the actual details.	20/11/2015	Retain
			<b>DIVISION 2 - WORKS AND PLANT</b>			

## 17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
		2.1	Roads and Reserves for Roads	Heading		
6.1	Road Operations	2.1.1	Use of Heavy Vehicle Combinations on Local	Retain	21/10/2016	Retain
		2.1.2	Traffic Signs	An administrative action / delegation not a policy	25/10/2005	Remove
6.1	Road Operations	2.1.3	Stock Grids	Retain	22/06/2017	Retain
		2.2	Works and Plant	Heading	25/10/2005	Remove
		2.2.1	Plant Repairs	We now now have our own staff. Balance covered under Purchasing and Regional Price Preference Polices	25/10/2005	Remove
3.1	Staff Matters	2.2.2	Use of Equipment by Employees	Retain	25/10/2005	Retain
		2.2.3	Garaging of Council Plant	Desirable but an operational matter not a policy	25/10/2005	Remove
		2.2.4	Fire Extinguishers on Council Plant	Essential but an operational matter not a policy	25/10/2005	Remove
		2.2.5	Used Grader Blades	Currently addressed under delegated authority.	25/10/2005	Remove
3.1	Staff Matters	2.2.6	Smoking in Council Plant and Vehicles	Retain	25/10/2005	Retain
		2.2.7	Vehicle Replacement Programme	Operational matter not a policy now covered separately with separate reports to Council with Plant Working Group	21/10/2005	Remove
		2.3	Private Works	Heading		
3.1	Staff Matters	2.3.1	Restrictions on use of plant for private	Retain	21/10/2005	Retain
6.3	Private Works	2.3.2	Aircraft Landing Strips	Retain	17/02/2006	Retain
6.3	Private Works	2.3.3	Private Works for Non Profit Community	Retain	21/10/2005	Retain
6.3	Private Works	2.3.4	Maintenance of Station Shearing Shed	Retain	17/02/2006	Retain
		2.4	Works General	Heading		
6.1	Road Operations	2.4.1	Gravel Supply Agreements	Retain and expand	21/10/2005	Modify
		2.4.2	Sale of Surplus Materials	Currently addressed under delegated authority.	21/10/2005	Remove
6.1	Road Operations	2.4.3	Council Road Hierarchy	A key strategic approach which is regularly updated through reports to Council and which forms part of the Asset Management. Retain but generalise the wording	21/10/2005	Modify

17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
6.1	Road Operations	2.4.4	Bund Construction	Very specific and not a policy as worded. Incorporate objectives into an overall general wider more nuanced environmental approach to roads design maintenance and construction	15/04/2016	Remove & Update
			<b>DIVISION 3 - BUILDING CONTROLS</b>			
7.1	Building Planning and Health	3.1	Building Control	Retain	19/08/2016	Retain
			<b>DIVISION 4 - HEALTH</b>			
		4.1	Health Controls	Heading		
		4.1.1	Delegations to Council's Health Surveyor	Deleted 16/12/2006		
7.1	Building Planning and Health	4.1.1	Parties, Concerts and Large Public Events	Retain	16/12/2016	Retain
7.1	Building Planning and Health		<b>DIVISION 5 - PLANNING</b>	Heading only Incorporate information going forward	21/10/2005	Modify
			<b>DIVISION 6 - FINANCE</b>			
		6.1	Budgets and Rating	Heading		
		6.1.1	Budget Preparation	Legislative requirement covered under legislation	21/10/2005	Remove
		6.1.2	Budget Submissions	Legislative requirement covered under legislation	21/10/2005	Remove
		6.1.3	Budget Adherence	Legislative requirement covered under legislation	21/10/2005	Remove
4.1	Finance Operations	6.1.4	Unpaid Rates – Procedure for Collection	Retain	21/10/2005	Retain
		6.1.5	Discount on Rates	Many Councils are moving away from Rates discounts as its not cost effective. You also need to budget extra for the discount. Currently we do not offer this option	21/10/2005	Remove
		6.2	Investments and Borrowing	Heading		
		6.2.1	Investment of Surplus Funds	Legislative requirement covered under legislation	21/10/2005	Remove
		6.2.2	Borrowings			

## 17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action	
4.2	Donations and Grants	6.2.3	Self-Supporting Loans	If retained suggest that Council have the provisions more generalised.	21/10/2005	Review & Decide	
		6.3	Reserve Accounts	Heading			
4.1	Finance Operations	6.3.1	Staff Leave Reserve	All Reserves are operated in accordance with the <i>Local Government</i>	21/10/2005	Modify	
4.1	Finance Operations	6.3.2	Plant Reserve	All Reserves are operated in accordance with the <i>Local Government</i>	21/10/2005	Modify	
4.1	Finance Operations	6.3.3	Interest on Reserve Accounts	Good practice. Retain		Retain	
		6.4	Financial Reporting	Heading			
		6.4.1	Responsible Employee	There does not appear to be such a definition in the Local Government (Financial Management) Regulations	21/10/2005	Remove	
		6.5	General	Heading			
4.1	Finance Operations	6.5.1	Operation of Bank Account	Retain	15/09/2018	Retain	
4.2	Donations and Grants	6.5.2	Donations and Grants	Retain	24/05/2018	Retain	
		6.5.3	Purchase of Property, Plant and Equipment	An operational matter now covered separately with separate reports to Council including regular updates through the Plant Replacement Program, budget reviews etc	21/10/2005	Remove	
		6.5.4	Purchase of Capital Items	Operationally covered through regular budget reviews. Also now addressed under Purchasing Policy	17/07/2012	Remove	
9.2	Roadhouse Fuel	6.6	Fuel Price	Retain	24/10/2019	Retain	
			<b>DIVISION 7 - LEGAL</b>				
1.6	Legal	7.1	Legal Advice	Retain	21/10/2005	Retain	
1.6	Legal	7.2	Legal Proceedings and Prosecutions	Retain	21/10/2005	Retain	
1.6	Legal	7.3	Valuation of Property	Slight rewording suggested	21/10/2005	Modify	
1.6	Legal	7.4	Legal Representation Costs Indemnification	Retain	21/10/2005	Retain	
			<b>DIVISION 8 - STAFF</b>				
		8.1	Staff Matters	Heading			
3.1	Staff Matters	8.1.1	Senior Staff	Retain	21/10/2005	Modify	
		8.1.2	Appointment of Staff	Legislative requirement covered under legislation	21/10/2005	Remove	

17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
		8.1.3	New Positions	Operational matter with flexibility key given remote location, and difficulties attracting staff, need to adapt to resources that are present and the unlike hood of changes at a senior level. Overall budget amount is set by Council and regular updates are always provided as matter of course	21/10/2005	Remove
3.1	Staff Matters	8.1.4	Relocation Expenses	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.5	Interview Expenses	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.6	Long Service Leave	Modify by exclusion of (b) as its potentially too restrictive	21/10/2005	Modify
3.1	Staff Matters	8.1.7	Annual Leave	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.8	Rostered Days Off	Suggest remove the limit for accruing as on occasions this could reduce the ability to adapt to a persons personal circumstances or adversely affect operations with Works Crews. Remaining provision will provide adequate control	21/10/2005	Modify
3.1	Staff Matters	8.1.9	Conditions of Employment	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.10	Superannuation	Remove the (9%) reference as its currently (9.5%) so as to adapt to legislative changes that may arise in the future. As it stand now casuals are potentially included and this should also be addressed	18/04/2008	Modify
3.1	Staff Matters	8.1.11	Staff – Other Employment	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.12	Uniforms/Protective Clothing	Retain but modify expenditure limits given passage of time since this was	21/10/2005	Modify
3.6	Equal Opportunity	8.1.13	Equal Opportunity Policy Statement	Retain	21/10/2005	Retain
3.7	Sexual Harassment	8.1.14	Sexual Harassment Policy	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.15	Medical Examinations	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.16	Probationary Period	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.17	Paid Leave for Voluntary Service	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.18	Smoking in the Workplace	Retain and expand	21/10/2005	Modify
3.1	Staff Matters	8.1.19	Conference and Seminar Attendance	Retain	21/10/2005	Retain
3.1	Staff Matters	8.1.20	Staff Training – Costs applicable	Retain	21/10/2005	Retain

## 17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
3.3	Staff Health and Safety	8.1.21	Staff Safety and Health Policy	Retain	21/10/2005	Retain
3.8	Drug and Alcohol	8.1.22	Drug and Alcohol Policy	Retain	18/11/2016	Retain
		8.2	Staff Housing	Heading		
3.2	Staff Housing	8.2.1	Standards	Current provisions are outdated and in any event direct reports and updates are provided to Council. Modify to a more general statement	21/10/2005	Modify
3.2	Staff Housing	8.2.2	Conditions of Tenancy - Staff Housing – Availability	Retain	21/10/2005	Retain
3.2	Staff Housing	8.2.3	Electricity Accounts	Retain	21/10/2005	Retain
3.2	Staff Housing	8.2.4	Maintenance of Staff Housing	A budget consideration. Direct reports and updates are provided to Council. However slight refocus in order	21/10/2005	Modify
3.2	Staff Housing	8.2.5	Housing Bonds and Tenancy Agreements	Retain	21/10/2005	Retain
3.2	Staff Housing	8.2.6	Rental Charges	Retain	21/10/2005	Retain
			<b>DIVISION 9 - MEMBERS</b>			
		9.1	Councillors Expenses	Heading		
2.2	Councillor Expenses	9.1.1	Members Meeting Expenses	Retain	24/05/2018	Retain
2.2	Councillor Expenses	9.1.2	Conference, Seminar and Training Course	Retain	24/05/2018	Retain
2.2	Councillor Expenses	9.1.3	Accommodation	Retain	21/10/2005	Retain
2.2	Councillor Expenses	9.1.4	Parking	Retain	21/10/2005	Retain
2.2	Councillor Expenses	9.1.5	Meals General	Retain	24/05/2018	Retain
2.2	Councillor Expenses	9.1.6	Meals Local Government Week	Retain	20/10/2006	Retain
		9.2	Meetings of Council	Heading		
2.1	Councillors	9.2.1	Questions - Notice	Retain	21/10/2005	Retain
		9.2.2	Motions to be written	Standing Orders Local Law 2001 and Act covers off Notcie of Motions. Operationally this seems in conflict with current general Council practice.	21/10/2005	Remove
2.1	Councillors	9.2.3	Council Meetings	Retain	21/10/2005	Retain
		9.3	Members - Other	Heading		

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Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
2.1	Councillors	9.3.1	Title of Councilor or President	Retain	21/10/2005	Retain
2.1	Councillors	9.3.2	Councilors Induction Material	Retain	21/10/2005	Retain
2.1	Councillors	9.3.3	Council Representatives	Retain	21/10/2005	Retain
1.4	Council Administration	9.3.4	Council Chamber	Retain	21/10/2005	Retain
		9.3.5	Executive Function Tests	Operational action that does not seem have implications under Section 3.18(3) as suggested. In any event Council has budget oversight and makes decisions on all services whether new or not. It already has strong public consultation practices	21/10/2005	Remove
1.4	Council Administration	9.3.6	Instrument of Delegation	Retain	21/10/2005	Retain
1.4	Council Administration	9.3.7	Local Laws	Retain	21/10/2005	Retain
			<b>DIVISION 10 - FIRE CONTROL</b>			
		10.1	Fire Organisations	Heading		
8.1	Fire Organisations	10.1.1	Establishment of Bushfire Brigades	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.2	Bushfire Advisory Committee	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.3	Bushfire Control Officers	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.4	Clearing Fires	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.5	Protected Burning Fires – Suspension of	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.6	Hazard Reduction Operations	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.7	Use of Shire Plant and Equipment	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.8	Infringement Notices and Legal Action	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.9	Fire Reports	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.10	Prohibited and Restricted Burning Times	Update Restricted and Prohibited Burning Times to that currently applied in practice	21/10/2005	Modify
8.1	Fire Organisations	10.1.11	Advise of Intention to Burn	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.12	Fire Control Point	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.13	Insurance	Retain	21/10/2005	Retain
8.1	Fire Organisations	10.1.14	Fire Channel	Retain	21/10/2005	Retain

## 17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
8.2	Fire Operations	10.2.1	Provision of Vehicles and Equipment	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.1	Provision of Vehicles and Equipment	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.2	Housing of Fire Fighting Vehicles	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.3	Maintenance of Vehicles and Equipment	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.4	Drivers of Shire Fire fighting Vehicles	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.5	Use of Fire fighting Vehicles and Appliances	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.6	Tools and Equipment	Retain	21/10/2005	Retain
8.2	Fire Operations	10.2.7	Communications	Retain	21/10/2005	Retain
		10.3	Training of Fire fighters	Heading		
8.2	Fire Operations	10.3.1	Recognition of Training	Retain	21/10/2005	Retain
8.2	Fire Operations	10.3.2	Training Programmes	Retain	21/10/2005	Retain
8.2	Fire Operations	10.3.3	Insurance	Retain	21/10/2005	Retain
8.2	Fire Operations	10.3.4	Minimum Training Requirements	Retain	21/10/2005	Retain
		10.4	Safety and Health for Volunteer Fire fighters	Heading		
8.2	Fire Operations	10.4.1	Safety and Health	Retain	21/10/2005	Retain
8.2	Fire Operations	10.4.2	Safety Clothing and Footwear	Retain	21/10/2005	Retain
			<b>DIVISION 11 - GENERAL</b>			
		11.1	Elections	Heading		
1.4	Council Administration	11.1.1	Signs for Election Advertising	Slight rewording suggested due to clarification of legal position	21/10/2005	Modify
1.8	Australian Citizenship	11.2	Australian Citizenship Receptions	Adapt by including dress code	21/10/2005	Modify
		11.3	Permits and Licenses	Heading		
1.4	Council Administration	11.3.1	Explosive Licenses	Retain	21/10/2005	Retain
1.4	Council Administration	11.4	Council Crest	Modified to suit new logo. If this is still desired a new version will be required to be developed.	21/10/2005	Review & Decide
		11.5	Council Property	Heading		
1.4	Council Administration	11.5.1	Short Term Accommodation	Current provision outdated but we currently endeavour to utilise any	21/10/2005	Modify



## 17.4.1 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action	
5.1	Community Use of Facilities	11.5.2	Murchison Sports Club	Retain but modify to suit changes in delivery of Health Services.	21/10/2005	Review & Modify	
5.1	Community Use of Facilities	11.5.3	Sports Club Public Toilets	Retain	21/10/2005	Retain	
5.1	Community Use of Facilities	11.5.4	Roadhouse Public Toilets	Retain	21/10/2005	Retain	
5.1	Community Use of Facilities	11.5.5	Smoking in Council Buildings	Retain	21/10/2005	Retain	
5.1	Community Use of Facilities	11.5.6	Consumption of Liquor	Retain	21/10/2005	Retain	
1.4	Council Administration	11.6	Council Well Wishes / Public Notices	Slight rewording suggested	20/10/2006	Modify	
1.5	Code of Conduct		<b>DIVISION 12 - CODE OF CONDUCT</b>	Retain for now but note that the <i>Local Government Legislation Amendment Act 2019</i> will eventually have a Model Code of Conduct. This is being drafted and is out for public consultation until 6 December 2020.	16/05/2008	Retain	
			<b>DIVISION 13 - OTHER POLICIES NOT INCLUDED IN MANUAL</b>				
4.3	Purchasing		Purchasing Policy	Retain	27/02/2020	Retain	
4.6	Asset Management		Asset Management	Retain	21/06/2013	Retain	
1.10	Risk Management		Risk Management	Retain	18/12/2014	Retain	
3.4	Grievances Investigations		Grievances Investigations and Resolution	Retain	28/06/2018	Retain	
3.5	Performance		Performance Management	Retain	28/06/2014	Retain	
4.5	Financial Hardship			Intentionally left blank. Provision for a new addition when the COVID-19 Financial Hardship Policy ceases to operate. Not mandatory to take up		Include Later	
4.5	Financial Hardship		COVID-19 Financial Hardship	Retain but note that this element only applies during the current COVID-19 Period	26/08/2020	Retain	

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Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
1.1	Sustainable Decisions			New overarching policy which links all policies to the Community Strategic Plan. Each Policy also has a Strategic Theme referenced		Include Later
4.7	Fraud Control			New Policy		Include
1.4	Council Administration			New Communications addition that restates part of the existing Media Release clause		Include Later
2.1	Councillors			Recognition of Councillors. Found this from previous internal working documents		Include Later
5.1	Community Use of Facilities			New aspect to be discussed		Include Later
9.1	Roadhouse Operations			New Policy to be developed later		Include Later

murchisonshire Proposed Policy Listing and Grouping					25/11/2020
Heading Ref	Proposed Heading	Policy Ref	Proposed Policy	Proposed Element Description	
1	Governance	1.1	Sustainable Decisions		
1	Governance	1.2	Public Question Time		
1	Governance	1.3	Committees and Working Groups		
1	Governance	1.3	Committees and Working Groups		
1	Governance	1.4	Council Administration		Instrument of Delegation
1	Governance	1.4	Council Administration		Local Laws
1	Governance	1.4	Council Administration		Council Logo
1	Governance	1.4	Council Administration		Council Well Wishes
1	Governance	1.4	Council Administration		Signs for Election Advertising
1	Governance	1.4	Council Administration		Communications
1	Governance	1.4	Council Administration		Short Term Accommodation
1	Governance	1.4	Council Administration		Council Chamber
1	Governance	1.4	Council Administration		Explosive Licenses
1	Governance	1.5	Code of Conduct		
1	Governance	1.6	Legal		Legal Advice
1	Governance	1.6	Legal		Legal Proceedings and Prosecutions
1	Governance	1.6	Legal		Valuation of Property
1	Governance	1.6	Legal		Legal Representation Costs Indemnification
1	Governance	1.7	Freeman of the Shire		
1	Governance	1.8	Australian Citizenship Receptions		
1	Governance	1.9	Records Management		
1	Governance	1.10	Risk Management		Risk Management
2	Councillors	2.1	Councillor Requirements		Questions - Notice
2	Councillors	2.1	Councillor Requirements		Standing Orders
2	Councillors	2.1	Councillor Requirements		Title of Councillor or President
2	Councillors	2.1	Councillor Requirements		Council Representatives
2	Councillors	2.1	Councillor Requirements		Media Releases and discussions with media
2	Councillors	2.1	Councillor Requirements		Councillors Induction Material
2	Councillors	2.1	Councillor Requirements		Recognition of Councillors
2	Councillors	2.2	Councillor Expenses		Members Meeting Expenses
2	Councillors	2.2	Councillor Expenses		Conference, Seminar and Training Course
2	Councillors	2.2	Councillor Expenses		Accommodation
2	Councillors	2.2	Councillor Expenses		Parking
2	Councillors	2.2	Councillor Expenses		Meals General
2	Councillors	2.2	Councillor Expenses		Meals Local Government Week
3	Human Resources	3.1	Staff Matters		Senior Staff
3	Human Resources	3.1	Staff Matters		Relocation Expenses
3	Human Resources	3.1	Staff Matters		Interview Expenses
3	Human Resources	3.1	Staff Matters		Long Service Leave
3	Human Resources	3.1	Staff Matters		Annual Leave
3	Human Resources	3.1	Staff Matters		Rostered Days Off
3	Human Resources	3.1	Staff Matters		Conditions of Employment
3	Human Resources	3.1	Staff Matters		Council Superannuation Co-contribution
3	Human Resources	3.1	Staff Matters		Staff Other Employment
3	Human Resources	3.1	Staff Matters		Uniforms/Protective Clothing
3	Human Resources	3.1	Staff Matters		Medical Examinations
3	Human Resources	3.1	Staff Matters		Probationary Period
3	Human Resources	3.1	Staff Matters		Paid Leave for Voluntary Service
3	Human Resources	3.1	Staff Matters		Staff Training – Costs applicable
3	Human Resources	3.1	Staff Matters		Smoking in the Workplace
3	Human Resources	3.1	Staff Matters		Conference and Seminar Attendance
3	Human Resources	3.1	Staff Matters		Use of Equipment by Employees
3	Human Resources	3.1	Staff Matters		Smoking in Council Plant and Vehicles
3	Human Resources	3.1	Staff Matters		Restrictions on use of plant for private works
3	Human Resources	3.2	Staff Housing		Conditions of Tenancy - Staff Housing – Availability
3	Human Resources	3.2	Staff Housing		Standards
3	Human Resources	3.2	Staff Housing		Maintenance and Refurishment
3	Human Resources	3.2	Staff Housing		Electricity Accounts
3	Human Resources	3.2	Staff Housing		Housing Bonds and Tenancy Agreements
3	Human Resources	3.2	Staff Housing		Rental Charges
3	Human Resources	3.3	Staff Health and Safety		Staff Health and Safety
3	Human Resources	3.4	Grievances Investigations and Resolution		
3	Human Resources	3.5	Performance Management		
3	Human Resources	3.6	Equal Opportunity		
3	Human Resources	3.7	Sexual Harassment		
3	Human Resources	3.8	Drug and Alcohol		
4	Financial Management	4.1	Finance Operations		Staff Leave Reserve
4	Financial Management	4.1	Finance Operations		Plant Reserve
4	Financial Management	4.1	Finance Operations		Interest on Reserve Accounts

Heading Ref	Proposed Heading	Policy Ref	Proposed Policy	Proposed Element Description
4	Financial Management	4.1	Finance Operations	Operation of Bank Account
4	Financial Management	4.1	Finance Operations	Unpaid Rates – Procedure for Collection
4	Financial Management	4.2	Donations and Grants	Donations and Grants
4	Financial Management	4.2	Donations and Grants	Self-Supporting Loans
4	Financial Management	4.3	Purchasing	Purchasing
4	Financial Management	4.4	Regional Price Preference	Regional Price Preference
4	Financial Management	4.5	Financial Hardship	General Financial Hardship
4	Financial Management	4.5	Financial Hardship	COVID-19 Financial Hardship
4	Financial Management	4.6	Asset Management	Asset Management
9	Financial Management	4.7	Fraud Control	Fraud Control
10	Community Economic & Recreation	5.1	Community Use of Facilities	Murchison Sports Club General Use
10	Community Economic & Recreation	5.1	Community Use of Facilities	Murchison Sports Club Occassional Use
10	Community Economic & Recreation	5.1	Community Use of Facilities	Sports Club Public Toilets
10	Community Economic & Recreation	5.1	Community Use of Facilities	Roadhouse Public Toilets
10	Community Economic & Recreation	5.1	Community Use of Facilities	Smoking in Council Buildings
10	Community Economic & Recreation	5.1	Community Use of Facilities	Consumption of Liquor
6	Works	6.1	Road Operations	Use of Heavy Vehicle Combinations on Local Roads
6	Works	6.1	Road Operations	Stock Grids
6	Works	6.1	Road Operations	Gravel Supply Agreements
6	Works	6.1	Road Operations	Council Road Hierarchy
6	Works	6.1	Road Operations	Roads Environmental
6	Works	6.2	Private Works	Aircraft Landing Strips
6	Works	6.2	Private Works	Maintenance of Station Shearing Shed Roads
6	Works	6.2	Private Works	Private Works for Non Profit Community and
7	Building Planning and Health	7.1	Building Planning and Health	Building Control
7	Building Planning and Health	7.1	Building Planning and Health	General
7	Building Planning and Health	7.1	Building Planning and Health	Parties, Concerts and Large Public Events
8	Fire Management	8.1	Fire Organisations	Establishment of Bushfire Brigades
8	Fire Management	8.1	Fire Organisations	Bushfire Advisory Committee
8	Fire Management	8.1	Fire Organisations	Bushfire Control Officers
8	Fire Management	8.1	Fire Organisations	Clearing Fires
8	Fire Management	8.1	Fire Organisations	Protected Burning Fires – Suspension of
8	Fire Management	8.1	Fire Organisations	Hazard Reduction Operations
8	Fire Management	8.1	Fire Organisations	Use of Shire Plant and Equipment
8	Fire Management	8.1	Fire Organisations	Infringement Notices and Legal Action
8	Fire Management	8.1	Fire Organisations	Fire Reports
8	Fire Management	8.1	Fire Organisations	Prohibited and Restricted Burning Times
8	Fire Management	8.1	Fire Organisations	Advise of Intention to Burn
8	Fire Management	8.1	Fire Organisations	Fire Control Point
8	Fire Management	8.1	Fire Organisations	Insurance
8	Fire Management	8.1	Fire Organisations	Fire Channel
8	Fire Management	8.2	Fire Operations	Provision of Vehicles and Equipment
8	Fire Management	8.2	Fire Operations	Housing of Fire Fighting Vehicles
8	Fire Management	8.2	Fire Operations	Maintenance of Vehicles and Equipment
8	Fire Management	8.2	Fire Operations	Drivers of Shire Fire fighting Vehicles
8	Fire Management	8.2	Fire Operations	Use of Fire fighting Vehicles and Appliances
8	Fire Management	8.2	Fire Operations	Tools and Equipment
8	Fire Management	8.2	Fire Operations	Communications
8	Fire Management	8.2	Fire Operations	Recognition of Training
8	Fire Management	8.2	Fire Operations	Training Programmes
8	Fire Management	8.2	Fire Operations	Insurance
8	Fire Management	8.2	Fire Operations	Minimum Training Requirements
8	Fire Management	8.2	Fire Operations	Safety and Health
8	Fire Management	8.2	Fire Operations	Safety Clothing and Footwear
9	Roadhouse & Caravan Park	9.1	Roadhouse Operations	
9	Roadhouse & Caravan Park	9.2	Roadhouse Fuel	



**murchisonshire**

*Ancient land under brilliant skies*

**DRAFT**

**Policy and Procedures Manual**

*Council Meeting  
25 November 2020*

## Introduction

Amongst other things the *Local Government Act 1995* empowers Council in the determination of policy under section 2.7 Role of Council - "(2)(b) determine the local government's policies."

In simple terms policy provides what can be done, management practices provide how it is done and delegation provides who can do it.

This document was updated in its entirety in 2020 and followed on from a previous 2005 amended version.

## Council Policies and Procedures

Council policies set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic, external focus and align with the mission, vision and strategic direction of the Shire.

Council Policies are developed to further the achievement of the Shires strategic goals or contribute to outcomes relating to mandatory obligations. They are defined courses of action related to particular circumstances which guide staff in what is permissible when dealing with related matters.

The structure of the Policy manual will align Council policies within the framework of Councils Community Strategic Plan as a means to deliver the Shires Vision of

*Working together to preserve the unique character of the Shire, supporting diverse and sustainable lifestyle and economic opportunities*

Each policy, procedure or other type of document related is segmented into the following specific areas that broadly describe our operations

- Governance
- Councillors
- Human Resources
- Financial Management
- Community Economic and Recreation
- Works
- Building Planning and Health
- Fire Management
- Roadhouse and Caravan Park

Each is also specifically linked to our Community Strategic Plan under the following four well-being priorities.

- Economic
- Environmental
- Social
- Civic Leadership

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## Policy

# 1.1 Sustainable Decisions

### well-being

Social

#### Overview

The purpose of this policy is to establish an understanding of the four dimensions of well-being (*Economic, Environmental, Social and Civic Leadership*) when developing and making sustainable decisions as part of Council's Strategic Community Plan.

#### Objectives

To keep at front of mind a consideration of all four the four dimensions of the Shires well-being when making decisions and determining policies

#### Details

##### **Definition and Vision**

The Shire recognises that development can compromise the ability of future generations to meet their needs. Sustainability is the ability of our Economic, Environmental, Social and Civic Leadership systems to maintain their health and resilience in perpetuity.

The Shires Strategic Community Plan is committed to the vision of

*"Working together to preserve the unique character of the Shire, supporting diverse and sustainable lifestyle and economic opportunities".*

##### **Well-being Objectives**

This vision is to be achieved through actions that attempt to meet the following objectives:

##### *Economic*

To develop the regions economic potential to encourage families and businesses to stay in the area.

##### *Environmental*

To improve the sustainability of land use and improve the condition of the environment



*Social*

To develop, coordinate, provide and support services and facilities which enhance the quality of community life in the Shire by:

- ~ Supporting and assisting in coordinating projects and events as required.
- ~ Providing information on services (funding opportunities, Grant processes etc.).
- ~ Supporting community groups.
- ~ Supporting and maintaining social infrastructure (i.e. Parks, Gardens, Cemetery) and support those groups who use them.

*Civic Leadership*

To provide good governance to the Murchison Shire through

- ~ Regional collaboration where possible;
- ~ Detailed and professional administration;
- ~ High levels of accountability;
- ~ Compliance with statutory requirements;
- ~ High-quality forward planning, particularly for assets and finances;
- ~ Openness and transparency and enhanced consultation and public participation;
- ~ Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.

**Decision Questions**

When each policy is developed, or decision made it is expected that implicit questions will be asked as whether or how each of the above aspects of the community's well-being will be affected.

To demonstrate this the key well-being themes is to be referenced in each policy document

**Administration**

Summary	Name	Version	Review Dates
Current			



## Policy and Procedures

# 1.2 Public Question Time

### Well-being

Civic Leadership

### Objectives

To ensure that available time is used efficiently and effectively and that members of the public are given a fair and equal opportunity to participate in Public Question Time.

### Details

#### ***Managing Public Question Time***

Council is to manage Public Question Time at ordinary meetings of Council and prescribed meetings in a proper and efficient manner according to statutory provisions and the Shire of Murchison Public Question Time Procedures as adopted and amended from time to time

#### ***Public Question Time Procedures***

##### *Prior to the Meeting*

- 1 All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form.
- 2 A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names.

##### *During the Meeting*

- 1 Questions will be taken in the order of registration.
- 2 If a member of the public is in chambers at the time of public question time and if the presiding person allows, a question may be asked without notice.
- 3 A member of the Public who raises a question during question time must –
  - (a) first state his or her name;
  - (b) direct the question to the presiding member;
  - (c) ask the question briefly and concisely, without preamble
  - (d) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment;
- 4 If any question being asked by any member of the public is deemed inappropriate, then the presiding person may interject and ask the person to rephrase their question, or the presiding member may rule the question as inappropriate, in which case the question will not be considered. An inappropriate question is one:
- 5 If a question is asked that has been asked at a previous meeting and a response has been provided, then the presiding person should advise the questioner accordingly and refer him or her to the minutes of the meeting at which the response was provided;

- 6 The presiding person will answer the question, nominate who will answer the question or take the question on notice if more time is required to research the question in order to provide an appropriate answer.
- 7 Once a question has been answered there will be no debate deriving from any question.
- 8 Public question time will be 15 minutes total time before moving on to the main council agenda, unless the presiding person allows an extension of question time.
- 9 Any person asking questions to council has a limit of 5 minutes in which to ask their questions, unless the presiding person allows an extension of time.
- 10 Once public question time is over and the council meeting resumes, no member of the public may interject at any time.
- 11 The public is admitted to Council meetings on the basis that no expression of dissent or approval, conversation or interruption to the proceedings of the Council shall take place. In the event of any such interruption, the President may use discretion and without a vote of the Council, require those interrupting to withdraw. The person or persons concerned shall immediately withdraw from the meeting. (Standing Orders 5.1.1).
- 12 Any person, not being a member of Council who interrupts the orderly conduct of the Council who does not withdraw immediately upon being called by the presiding person to withdraw from the meeting, may, by order of the President, be removed from the meeting. (Standing Orders 5.1.2)

*Following the Meeting*

- 1 Minutes of the meeting are to contain a summary of each question asked and the response given.
- 2 Questions taken on notice should be researched and a written response provided to the questioner in a timely manner, assuming they have provided a name and contact details.
- 3 Response to questions taken on notice must be included in the minutes of the following meeting.

**Administration**

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Previous	2005 Policy Manual 18 November 2020 Update
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## Policy

# 1.3 Committees and Working Groups

### Well-being

Civic Leadership

### Objectives

To provide formal opportunities for individual persons to assist Council in performance of its functions and to widen the scope of input in doing so through the establishment and operation of appropriate operating structures for Committees and Working Groups.

### Details

#### **Formal Committees**

##### *Operation*

S5.8 of the *Local Government Act 1995* provides the opportunity establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

When establishing a Formal Committee Council shall first establish the Committee is the best option or form of assistance and whether other less formal means are more applicable.

When establishing and from time to time reviewing the operation of a Committee, appropriate terms of reference are required to be established. Matters to be considered for inclusion in the relevant Terms of Reference include but are not limited to the following:

- ~ Role, functions and objectives
- ~ Powers and any Delegated Authority if applicable
- ~ Duties and responsibilities.
- ~ Membership, meeting requirements and reporting functions

Without in any way limiting the number of Formal Committees that may be established the following are recognised:

- ~ Audit Committee
- ~ Community Fund Management Committee

#### **Payments and Reimbursements**

The *Local Government Act 1995* provides two different classifications of expenses that can be reimbursed to members. They are those that “shall” be paid and those that “may” be paid.

Council will reimburse expenses as set out in Council’s Councillor Expenses Policy to members of committees who are not elected members or employees of the Murchison Shire.

**Working Groups**

*Operation*

Council may from time to time establish a less formal form of structured consultation and decision making through the establishment of Working Groups.

Any Working Group so established has the role to assist the Chief Executive Officer in a consultative manner in the performance of his or her duties. The Working Group has no formal powers to act but can make recommendations and provide assistance that may

- ~ be included as background information in relevant council meeting agenda items as presented by the Chief Executive Officer
- ~ be used to assist the Chief Executive Officer in making a decision through action through his or hers delegated authority.

When establishing a Working Group, the form of structure should be tailor made to suit the specific circumstances. Regular ongoing Working Groups should have formal Terms of Reference established whilst others with specific short-term objectives may be less formal in nature.

Matters to be considered for inclusion in the relevant Terms of Reference include but are not limited to the groups purpose, membership, scope, structure and meeting expectations.

Without in any way limiting the number of Working Groups that may be established the following regular ongoing Working Groups are recognised:

- ~ Community Development Working Group
- ~ Economic Development Working Group
- ~ Plant Working Group
- ~ Settlement Drinking Water Working Group
- ~ Settlement Power Supply Working Group
- ~ Wild Dog Control Working Group

*Payments and Reimbursements*

The *Local Government Act 1995* provides two different classifications of expenses that can be reimbursed to members. They are those that “shall” be paid and those that “may” be paid.

Council may at its absolute discretion reimburse expenses as set out in Council’s Councillor Expenses Policy to members of working groups who are not elected members or employees of the Shire of Murchison.

**Administration**

Summary	Name Version Review Dates
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## Policy and Procedures

# 1.4 Council Administration

### Well-being

Civic Leadership

### Objectives

To assist the administration of the Shire through guidance in relation to various aspects of administration and public relations.

### Details

#### **Administrative**

##### *Instrument of Delegation*

When powers and duties are delegated by the Council to a committee in accordance with the requirements of the Local Government Act an instrument of delegation be executed by the President and Chief Executive Officer.

When powers and duties are delegated by the Council to the Chief Executive Officer the instrument of delegation shall be signed by the President and the Deputy President.

##### *Local Laws*

The Council shall make, publicise and review its Local laws according to the guidelines below.

- 1 That Local Law making powers be used sparingly and after applying the following tests:-
  - ~ Can Council achieve the objectives without making a law,
  - ~ Has Council the will and resources to enforce the law,
  - ~ Will practical benefits result from the law.
- 2 That Local Laws be worded as simply as possible.
- 3 That where Local laws are site specific e.g. laws relating to a town hall, a copy of the laws be posted at the site concerned or an abbreviated version of same stating:-

Offences and penalties.

That a full copy of the law can be inspected at the Shire Office.

That where regulation or licensing of an activity, premise or animal is required the opportunity be taken to issue a leaflet advising of the Local Law.

That the President consider making the exercise of legislative powers by the Local Government a component of the President's annual report as a means of identifying distinct problems and steps Council has taken to combat them.

### *Signs for Election Advertising*

Candidates for Federal, State and Local Government Elections are not permitted to display election signs in the Shire of Murchison on land under Councils care and control.

### *Explosive Licenses*

The Chief Executive Officer is authorised to issue approvals for the use of explosives within the district without reference to Council.

## **Public Relations**

### *Council Logo*

The Council Logo may be used on letterheads, envelopes and other Council material as and when it is considered appropriate by the Chief Executive Officer.

Use by shire community groups is approved subject to:-

- ~ The group being a non-profit organisation based within the Shire of Murchison,
- ~ Subject to written application to the Chief Executive Officer,
- ~ The removal of the word "Shire" from the logo.

### *Council Well Wishes*

Council Well Wishes are aimed to recognise personal events in the lives of previous Murchison Residence, staff members, councillors, past councillors, close affiliates of Council or their families or any other person who has made a contribution to the development of the Shire.

Council staff are to arrange flowers, cards or small gifts and insert suitable notices in the paper to recognise personal events in the lives of previous Murchison Residence, staff members, councillors, past councillors, close affiliates of Council or their families or any other person as requested by the Shire President. In the event the Shire President is not available to make the request the Deputy President has delegated authority to do so.

In making the decision due regard is to be had for things as length of service (staff or Councillors), time spent in the Murchison Region and community involvement etc.

### *Communications*

All discussions with media and any media *releases are only to be undertaken by persons authorised under the Local Government Act 1995.*

If a Councillor or member of staff is approached by the press to answer questions or make a comment on Council business, that, unless specifically authorised by the President or Chief Executive Officer, that member of the press be referred to the authorised spokespersons of the Council for response.

Council staff are to keep ratepayers informed of Council activities via a range of sources including the regular publication of Council's Murchison Monologue Newsletter.

Councils Community email contact list shall be managed under the authority of by the Chief Executive Officer.

## **Council Buildings**

### *Short Term Accommodation*

Depending on the circumstances and availability Council properties may be made available and provided by council for short time accommodation. Permission to stay at the residence must be obtained from the Chief Executive Officer.

### *Council Chamber*

The Council Chambers shall not be used as a venue for meetings for other groups unless approved by the President as exempt from this provision or unless specifically authorised by the President. In the absence of suitable meeting venues for staff meetings, or public meetings with staff, staff are entitled to use the Council Chambers with approval of the Chief Executive Officer.

## **Administration**

<b>Summary</b>	<b>Name Version Review Dates</b>
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## Code

# 1.5 Code of Conduct

## Well-being

Civic Leadership

## Overview

The Code of Conduct provides elected members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

## Objectives

The Code is complementary to the principles adopted in the Local Government Act and Regulations which incorporates four fundamental aims to result in:-

- (a) Better decision making by Local Governments;
- (b) Greater community participation in the decisions and affairs of Local Governments;
- (c) Greater accountability of Local Governments to their communities; and
- (d) More efficient and effective Local Government.

The Code provides a guide and a basis of expectations for elected members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

## Details

### 1 General

#### *Role of Elected Member*

A Councillors primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Councillors public life.

A Councillor is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected members' activities will focus on:

- ~ Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;

- ~ Achieving sound financial management and accountability in relation to the Local Government's finances;
- ~ Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- ~ Working with other Governments and organizations to achieve benefits for the community at both a local and regional level;
- ~ Having an awareness of the statutory obligations imposed on Councillors and on Local Governments.

#### *Role of Staff Members*

The primary role of members of staff is to support the collective decision of the Council in achieving the role of Councillors as previously stated through the direction of the Chief Executive Officer.

A staff member's secondary role is to be aware of the statutory requirements of the Local Government Act and Regulations, and to provide timely and proper advice and assistance to the Councillors in the performance of their duties.

The following specific behaviour is expected of Council staff.

- ~ While on duty staff will give their best attention to the Local Government business to ensure that the work is carried out efficiently, economically, and effectively.
- ~ Staff are expected to conform to neat dress standards, and are encouraged to use corporate clothing as provided by the Council.
- ~ Communication with the community should be friendly, polite, accurate and professional, and reflect the status of the Council.

#### *Role of The Chair*

A chairperson is required to remain Fair, Firm and Focussed.

Above all else however, the role of the chair is to be impartial. The person chairing the meeting has a different role to that of the participants. They are not involved so much in the content of the meeting as they are in the process of the meeting.

The chair must ensure:

- ~ That the processes are followed in accordance with adopted standing orders;
- ~ That everyone present receives an equal chance to address the meeting according to the rules;
- ~ That the discussion is conducted fairly and without bias and according to the processes of the Shire
- ~ That a quorum is present at all times
- ~ That minutes are taken accurately;
- ~ That motions are made clearly and accurately before voting;
- ~ That the principles of free speech and natural justice are upheld at all times;
- ~ That guests or visitors are made to feel welcome and understand their rights or roles.

## **2 Conflict and Disclosure of Interest**

Members and Staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).

Members and Staff who exercise a recruitment or other discretionary function will make disclosure before dealing with close friends or relatives and will disqualify themselves from dealing with those persons.

Staff will refrain from partisan political activities, which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

#### *Financial Interest*

Members and Staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

#### *Disclosure of Interest*

In addition to disclosure of financial interests, members and staff, including persons under a contract for services, when attending a Council or Committee meeting; or giving advice to a Council or Committee meeting are required to disclose any interest they have in a matter to be discussed at that meeting that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

Where an interest must be disclosed under the above, the disclosure is to be made at the meeting immediately before the matter is discussed or at the time the advice is given and is to be recorded in the minutes of the meeting.

#### *Disclosure of Interest Affecting Impartiality*

For the purpose of requiring disclosure an interest affecting impartiality is defined in the Regulations as:-

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

#### *Impact*

In the disclosure of impartiality interest the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest effecting impartiality the members involvement in the meeting continues as if no interest existed.

#### *What to disclose*

Employees or elected members may use the following declaration when considered necessary to disclose an interest affecting impartiality.

"With regard to (the relevant matter) I disclose that I have an association with the applicant (disclose nature of association) or person seeking a decision. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote (or advise) accordingly".

### **3 Personal Benefit**

#### *Use of Confidential Information*

Members of staff will not use confidential information to gain improper advantage for themselves or for any other person or body in ways which are inconsistent with their obligations to act impartially or to improperly cause harm or detriment to any person or organisation.

#### *Intellectual Property*

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

#### *Improper or Undue Influence*

Members and Staff will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

#### *Gifts and Bribery*

Members and Staff are not to accept a gift, other than a gift of or below \$200 from a person who is undertaking, or is likely to undertake business:-

- ~ That requires a person to obtain any authorisation from the Local Government;
- ~ By way of contract between the person and the Local Government; or
- ~ By way of providing any service to the Local Government.

Members and Staff who accept a gift of or below \$200 from a person referred to in (a) above are to record in a register of token gifts:

- ~ The names of the persons who gave and received the gift;
- ~ The date of receipt of the gift; and
- ~ A description, and estimated value of the gift;

Unless the gift is a token gift given by way of hospitality, being of or below \$75 in value and belonging to the following class of things:

- ~ Gifts of an insignificant nature, for example, pens, diaries, coasters etc;
- ~ Minor items of apparel eg ties, hats, T shirts etc;
- ~ Minor items of a promotional nature eg mugs, golf balls etc;
- ~ Food and refreshments;
- ~ Attendance or participation at sporting, cultural or recreational events;
- ~ Gifts of a seasonal or personal nature.

This clause does not apply to gifts received from a relative (as defined in Section 5.74(i) of *the Local Government Act 1995*) or an electoral gift (to which other disclosure conditions apply)

#### **4 Conduct of Members and Staff**

##### *Personal Behaviour*

Councillors and staff will:

- ~ Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- ~ Perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- ~ Act in good faith (ie honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- ~ Make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- ~ Always act in accordance with their obligation of fidelity to the Local Government.
- ~ Members will represent and promote the interests of the Local Government while recognising their special duty to their own constituents.

##### *Honesty and Integrity*

Members and staff will:

- ~ Observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
- ~ Bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer;
- ~ Be frank and honest in their official dealing with each other.

##### *Performance Duties*

While on duty, staff will give their whole time and attention to the Local Governments business and ensure that their work is carried out efficiently, economically and effectively and that their standard of work reflects favourably both on them and on the Local Government;

Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

##### *Compliance with Lawful Orders*

Members and staff will comply with any lawful order given by any person having authority to make or give such an order with any doubts to the proprietary of any such order being taken up with the supervisor of the person who gave the order and if resolution cannot be achieved, with the Chief Executive Officer.

Members and Staff will give effect to the lawful orders or policies of the Local Government whether or not they agree with or approve of them.

##### *Administrative and Management Practices*

Members and staff will ensure compliance with property and reasonable administrative practices and conduct and professional and responsible management practices.

##### *Communications and Public Relations*

All aspects of communication by members and staff (including verbal, written or personal) involving Local Governments activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.

As a representative of the community members and staff rs need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that:

- ~ As a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- ~ Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- ~ Information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- ~ Information concernment adopted policies, procedures and decisions of the Council is conveyed accurately.

#### *Relationships between Members and Staff*

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position members need to:

- ~ Accept that their role is a leadership, not a management or administrative one;
- ~ Acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- ~ Refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

#### *Appointments to Committees*

As part of their representative role Members are often asked to represent the Council or external organisations. It is important that Members:

- ~ Clearly understand the basis of their appointment; and
- ~ Provide regular reports on the activities of the organisation.

### **5 Dealing with Council Property**

#### *Use of Local Government Resources*

Members and Staff will:

- ~ Be scrupulously honest in their use of the Local Government resources and shall not
- ~ Misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- ~ Use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- ~ Not use the Local Government resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

#### *Travelling and Sustenance Expenses*

Members and Staff will only claim or accept travelling or sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with the Local Government policy and the provision of the Local Government Act.

*Access to Information*

- ~ Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.
- ~ Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

**6 Transition**

*This code is effectively a transitional document pending the introduction of a Model Code of Conduct that is being prepared in accordance with the Local Government Legislation Amendment Act 2019*

**Policy Administration**

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## Policy and Procedures

### 1.6 Legal

#### Well-being

Civic Leadership

#### Objectives

- ~ To provide guidance to the Chief Executive Officer, Councillors and Staff in the expected approach in relation to obtaining advice in relation to legal and valuation type
- ~ To outline the scope of Council assistance for Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions.

#### Details

##### **Legal Advice**

The Chief Executive Officer is authorised to obtain from Councils Solicitors, such legal advice and opinion as is deemed by the Chief Executive Officer to be necessary to enable to proper legal administration of Councils business.

##### **Legal Proceedings and Prosecutions**

No action shall be taken to institute legal proceedings or prosecution unless by specific resolution of Council or by specific delegation.

*NOTE: For the purpose of paragraph (1) the issue of a modified penalty under a local law or Regulation or where uniform guidelines are already in place shall not be deemed to be legal proceedings.*

Where in the opinion of the relevant officer it will not be in the interest of the Council to include the names and personal details of persons who are subject to recommendation for prosecution such details may be omitted other than necessary to describe the place and nature of the offence.

##### **Valuation of Property**

The Chief Executive Officer is required to obtain from the Valuer Generals Office or a sworn valuer duly appointed by notice in the Government Gazette, the value of any land or property being the subject of a report or submission to Council involving negotiations for the purchase or sale thereof for Local Government Purposes.



## ***Legal Representation Costs Indemnification***

### *Introduction*

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

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

### *General Principles*

- (a) The Local Government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the Local Government or otherwise in bad faith.
- (b) The Local Government may provide such assistance in the following types of legal proceedings-
  - i. proceedings brought by members and employees to enable them to carry out their Local Government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour),
  - ii. (proceedings brought against members or employees (this could be in relation to a decision of Council or an employee which aggrieved another person (eg refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions), and
  - iii. Statutory or other inquiries of members or employees is justified.
- (c) The Local Government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms leveled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the Local Government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- (d) The legal services the subject of assistance under this policy will usually be provided by the Local Government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Local Government.

### *Applications for Financial Assistance*

- (a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- (b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- (c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer.
- (d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest provisions of the Local Government Act 1995.
- (e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the Chief Executive Officer in writing under Section 5.42 of the Local Government Act.
- (f) Where it is the Chief Executive Officer who is seeking urgent financial support for legal services the Council shall deal with the application.

*Repayment of Assistance*

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

**Administration**

<b>Summary</b>	<b>Name Version Review Dates</b>
Previous	2005 Policy Manual 18 November 2020 Update
Current	



## Policy

# 1.7 Freeman of the Shire

## Well-being

Civic Leadership

## Overview

The Murchison Shire's "Freeman of the Shire" Award is recognised as the highest honour that Council can confer on one of its citizens. As such Council will only confer the Award following considered assessment of the following criteria

## Details

### *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 Murchison
- ~ The award would not usually be presented for excellence of service in only one activity
- ~ The award of Freeman is to be seen as independent of any other award.
- ~ The award is to be recognised as the highest honour that the Local Community, through its Council can confer on one of its citizens. The award will therefore be conferred sparingly and should only be conferred where there is a great assurance of public approval.

## Administration

Summary	Name	Version	Review Dates
Previous	2005 Policy Manual		18 November 2020 Update
Current			



## Protocols

# 1.8 Australian Citizenships Receptions

## Well-being

Civic Leadership

## Overview

In its capacity under the *Australian Citizenship Act 2007* Murchison Shire is authorised to hold Citizenship Ceremonies in accordance with the *Australian Citizenship Ceremonies Code*. This protocol outlines requirements particular to the Murchison Shire.

## Arrangements

Arrangements for the presentation of Australian Citizenship Certificates shall be at the discretion of the Shire President.

## Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

Those receiving Australian Citizenships shall also dress appropriately in keeping with the significance of the occasion by adhering to the dress code of Smart casual, national/cultural dress welcomed

## Administration

Summary	Name	Version	Review Dates
Previous	2005 Policy Manual		18 November 2020 Update
Current			



## Policy

# 1.9 Records Management

### Well-being

Civic Leadership

### Overview

State Records Commission (SRC) Standard 1 – *Government Recordkeeping* requires that government organisations ensure that records are created, managed and maintained over time and disposed of in accordance with principles and standards issued by the SRC. Council has also adopted a record keeping plan.

### Requirements

All elected members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire of Murchison's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

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

Ownership of any record received or created by elected members, staff, contractors and consultants, acting on behalf of the Shire of Murchison in the course of their work, resides with the Council and not the individual.

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

Access to the Shire of Murchison's records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire of Murchison's records by the general public will be in accordance with the Freedom of Information Act 1992. Access to the Shire of Murchison's records by elected members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

All records kept by the Shire of Murchison will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA, on an annual review cycle.

### Record Keeping

A separate Record Keeping Plan will be required

## Administration

Summary	Name Version Review Dates
Previous	2005 Policy Manual 18 November 2020 Update
Current	



**Policy Procedures and Framework**

**1.10 Risk Management**

**Well-being**

Civic Leadership

**Statement**

As per the attached Risk Management Governance Framework.

**Objectives**

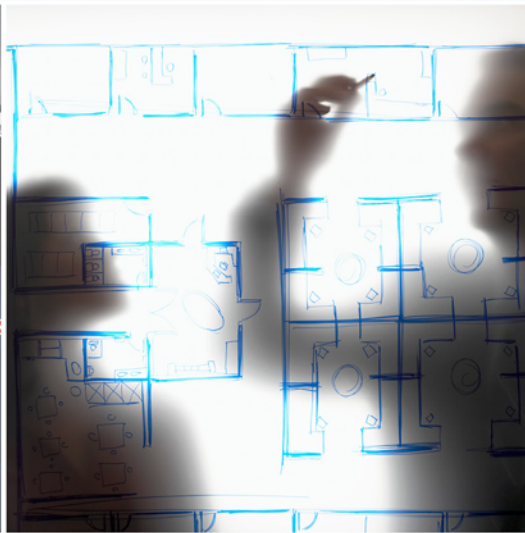
As per the attached Risk Management Governance Framework.

**Details**

As per the attached Risk Management Governance Framework.

**Policy Administration**

<b>Summary</b>	<b>Name Version Review Dates</b>
Previous	2005 Policy Manual 18 November 2020 Update
Current	



## Risk Management Governance Framework

- Risk Management Policy
- Risk Management Procedures

Last Updated: November 2014

Version: 1.00

# Shire of Murchison

Prepared by: LGIS Risk Management



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# Introduction

The Policy and Procedures form the Risk Management Framework for the Shire of Murchison (the “Shire”). It sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on AS/NZS ISO 31000:2009 Risk Management.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

Further information or guidance on risk management procedures is available from LGIS Risk Management.

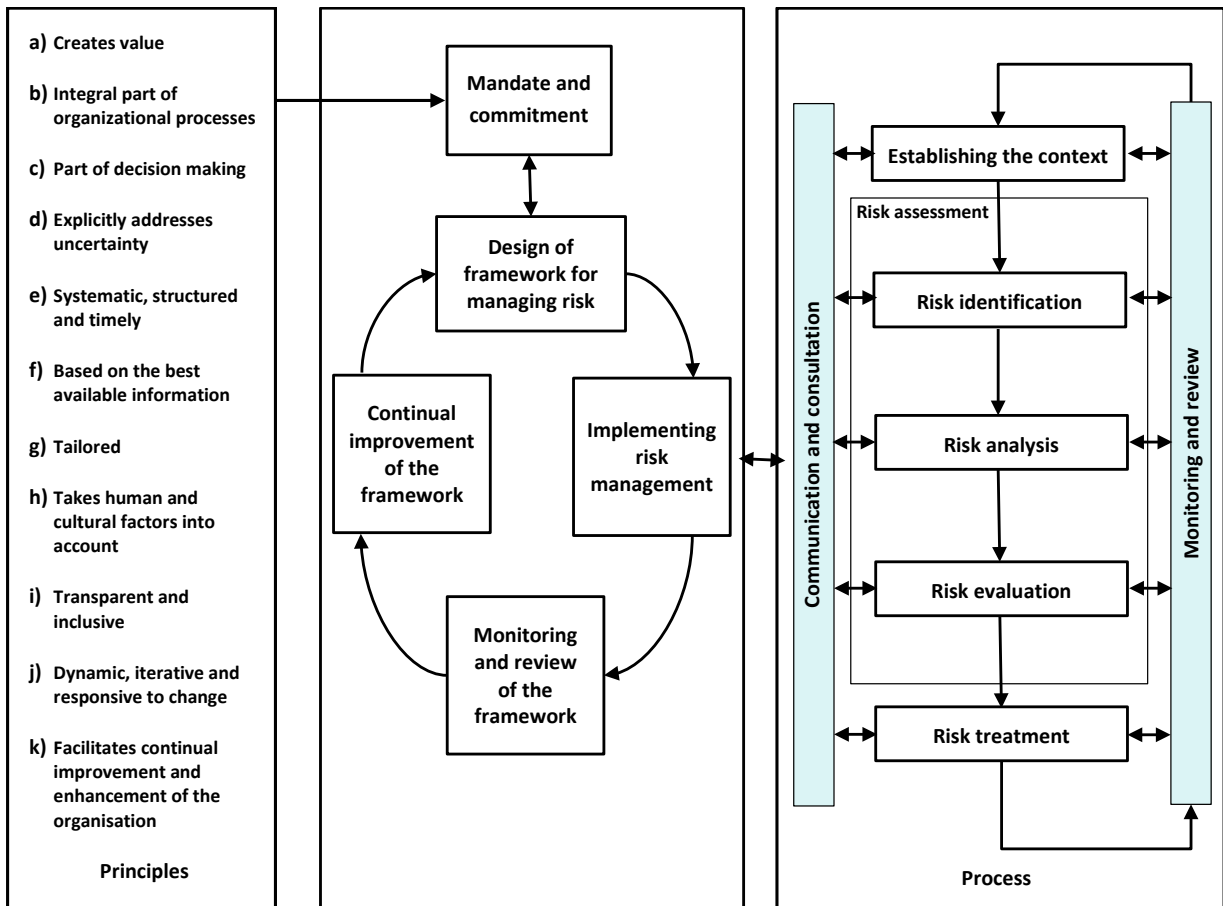


Figure 1: Risk Management Process (Source: AS/NZS 31000:2009)

# Risk Management Policy

## Shire Requirement

*Insert policy administration details/requirements where applicable e.g. Policy name, Implementation date, Revision date, Policy owner and delegations, Referenced legislation and standards.*

## Purpose

The Shire of Murchison (the “Shire”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

## Policy

It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire’s Integrated Planning Framework.

The CEO will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.

Every employee within the Shire is recognised as having a role in risk management from the identification of risks to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

## Definitions (from AS/NZS ISO 31000:2009)

**Risk:** Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

## Risk Management Objectives

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations

## Risk Appetite

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

## Roles, Responsibilities & Accountabilities

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

## Monitor & Review

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed every two – four years.

Signed: .....

Chief Executive Officer

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

# Risk Management Procedures

## Governance

Appropriate governance of risk management within the Shire of Murchison (the “Shire”) provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk framework.

## Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness at least every four years.

## Operating Model

The Shire has adopted a “Three Lines of Defence” model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

## First Line of Defence

All operational areas of the Shire are considered ‘1<sup>st</sup> Line’. They are responsible for ensuring that risks (within their scope of operations) are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decisioning of risk matters.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

## Second Line of Defence

The Risk Framework Owner (RFO) - CEO acts as the primary ‘2<sup>nd</sup> Line’. This position owns and manages the framework for risk management. They draft and implement the governance procedures and provide the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1<sup>st</sup> & 3<sup>rd</sup> lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1<sup>st</sup> Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Shire’s risk reporting for the CEO & Management Team and the Audit Committee.

**Third Line of Defence**

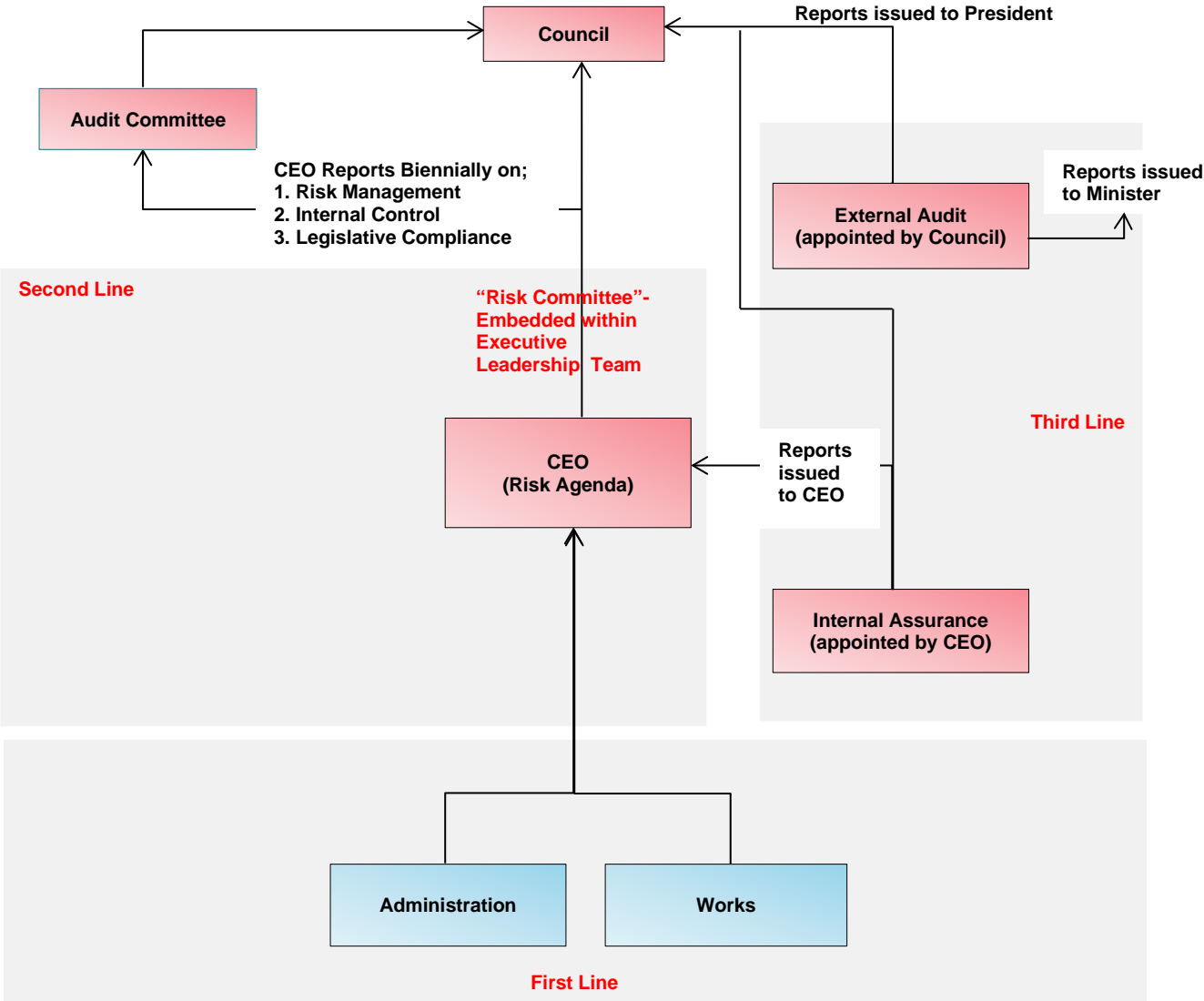
Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1<sup>st</sup> & 2<sup>nd</sup> Line).

Internal Assurance – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO with input from the Audit Committee.

External Audit – Appointed by the Council on the recommendation of the Audit Committee to report independently to the President and CEO on the annual financial statements only.

**Governance Structure**

The following diagram depicts the current operating structure for risk management within the Shire.



## Roles & Responsibilities

### Council

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

### Audit Committee

- Support Council to provide effective corporate governance.
- Oversight of all matters that relate to the conduct of External Audits.
- Must be independent, objective and autonomous in deliberations.
- Make recommendations to Council on External Auditor appointments.

### CEO / Works Supervisor

- Appoint Internal Auditors as required under Local Government (Audit) regulations.
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from 'risk matters'.
- Own and manage the Risk Profiles at Shire Level.

### Risk Framework Owner - CEO

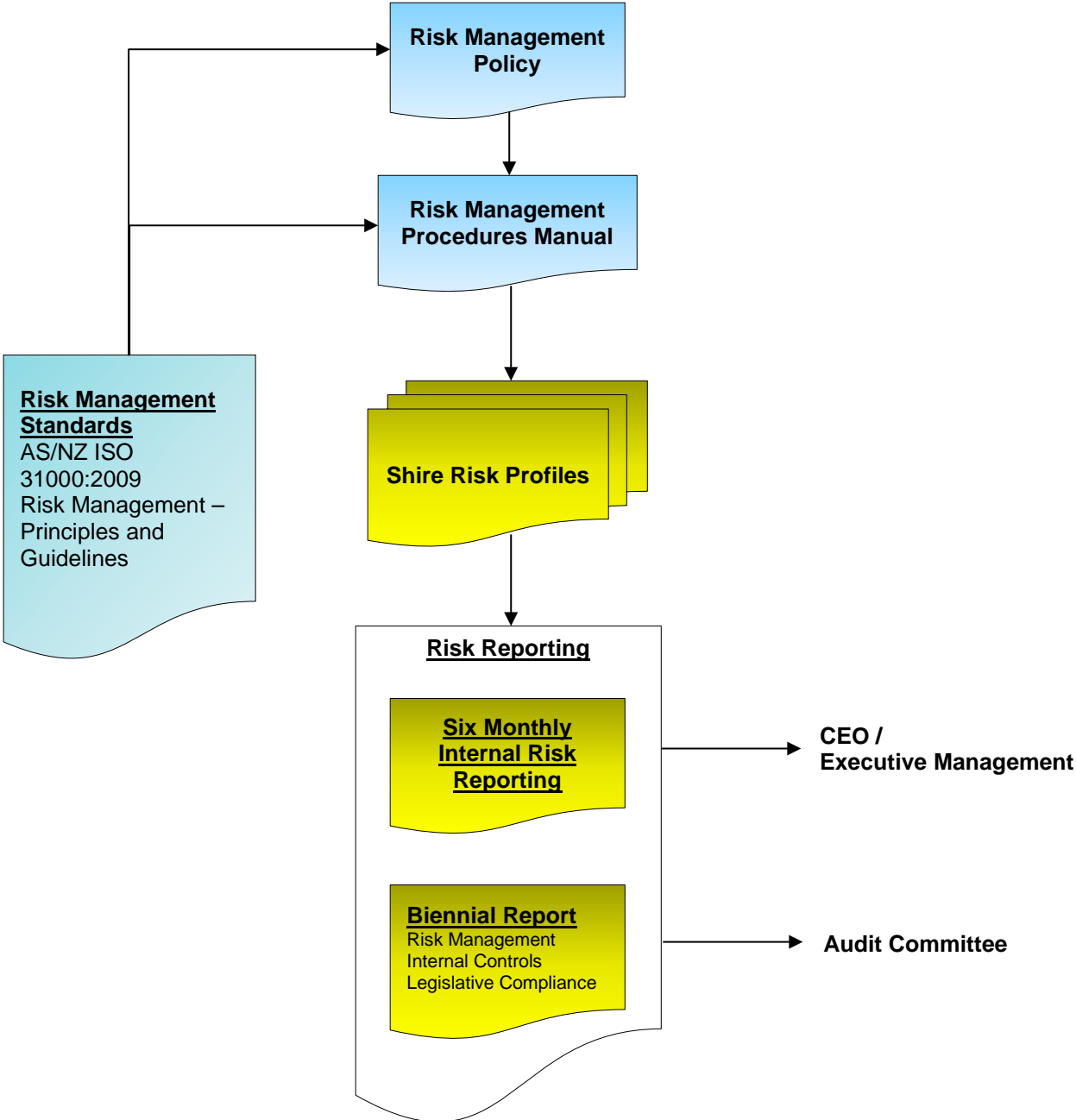
- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for Risk matters.

### Work Areas

- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;
  - New or emerging risks.
  - Review existing risks.
  - Control adequacy.
  - Outstanding issues and actions.

**Document Structure (Framework)**

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.





## Risk & Control Management

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis.

The Risk Framework Owner (RFO) is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a six monthly basis, unless there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of key data inputs, workshops and ongoing business engagement.

### Risk & Control Assessment

To ensure alignment with ISO 31000:2009 Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective.

#### Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

#### **Organisational Context**

The Shire's Risk Management Procedures provides the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the Risk Framework Owner (RFO) and CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

#### **Specific Risk Assessment Context**

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process. For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

#### Strategic Context

The Shire's external environment and high level direction. Inputs to establishing the strategic risk assessment context may include;

- Organisations Vision / Mission
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Existing Strategies / Objectives / Goals

#### Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

### Project Context

Project Risk has two main components:

- **Risk in Projects** refers to the risks that may arise as a result of project activity (i.e. impacting on process, resources or IT systems) which may prevent the Shire from meeting its objectives
- **Project Risk** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

### Risk Identification

Using the specific risk assessment context as the foundation and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How may this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating?

### Risk Analysis

To analyse the risks the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

### Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating
- Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and those risks that are acceptable are then subject to the monitor and review process.

Note: Individual Risks or Issues may need to be escalated due to its urgency, level of risk or systemic nature.

### Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the Risk Framework Owner (RFO) is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

### **Monitoring & Review**

The Shire is to review all Risk Profiles at least on a six monthly basis or if triggered by one of the following;

- changes to context,
- a treatment is implemented,
- an incident occurs or due to audit/regulator findings.

The Risk Framework Owner (RFO) is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Management Team will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Catastrophic
- Risks with Likelihood Rating of Almost Certain

The design and focus of Risk Summary report will be determined from time to time on the direction of the CEO & Management Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

### **Communication & Consultation**

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

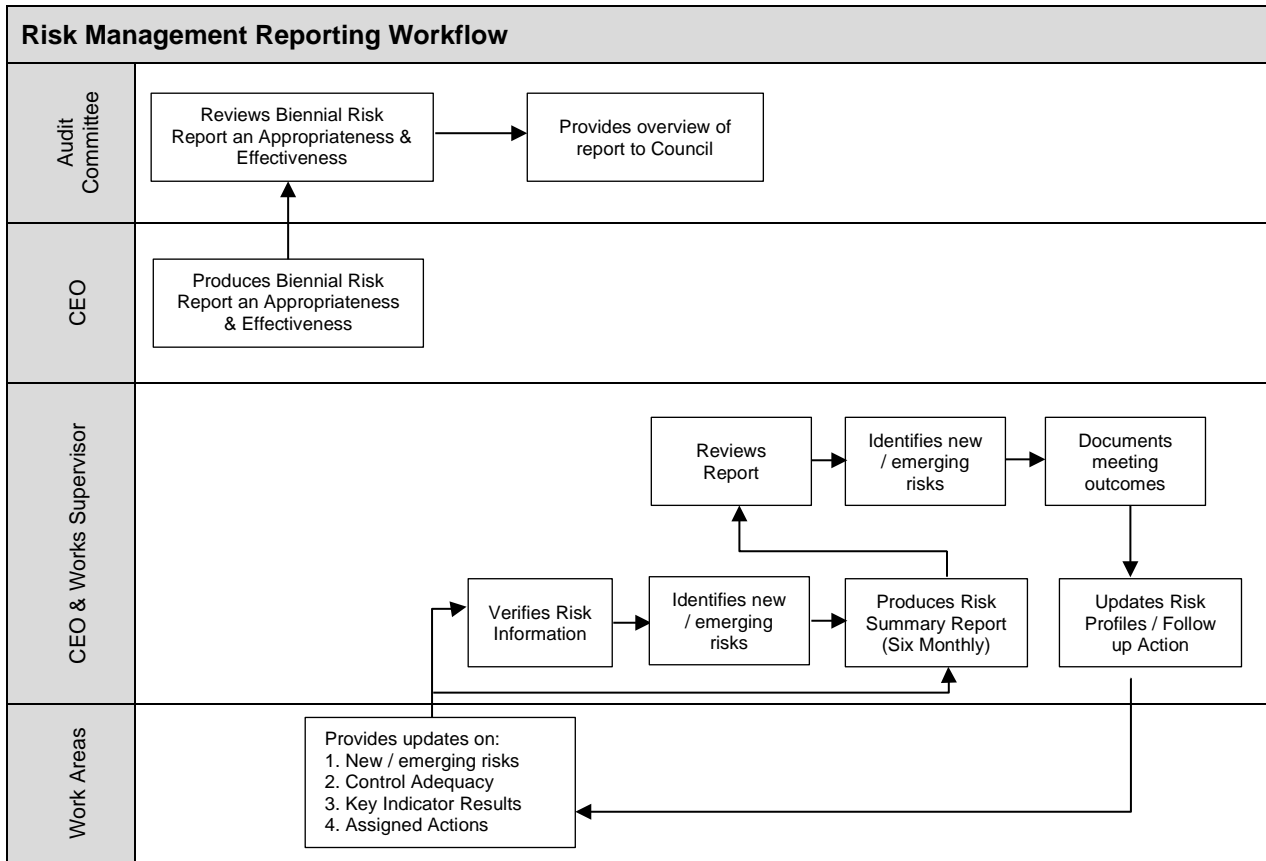
Risk management awareness and training will be provided to all staff.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

## Reporting Requirements

### Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new, emerging risks, control effectiveness and key indicator performance to the Risk Framework Owner (RFO).
- Work through assigned actions and provide relevant updates to the Risk Framework Owner (RFO).
- Risks / Issues reported to the CEO are reflective of the current risk and control environment.

The Risk Framework Owner (RFO) is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a six monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Six Monthly Risk Reporting– Contains an overview of the Risk Summary for the Shire.
- Annual Compliance Audit Return completion and lodgement.

## Key Indicators

Key Indicators (KI's) may be used for monitoring and validating key risks and controls. The following describes the process for the creation and reporting of KIs:

- Identification
- Validity of Source
- Tolerances
- Monitor & Review

### Identification

The following represent the minimum standards when identifying appropriate KI's key risks and controls:

- The risk description and casual factors are fully understood
- The KI is fully relevant to the risk or control
- Predictive KI's are adopted wherever possible
- KI's provide adequate coverage over monitoring key risks and controls

### Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the KI data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping KI's can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the KI, the data is required to be revalidated to ensure reporting of the KI against a consistent baseline.

### Tolerances

Tolerances are set based on the Shire's Risk Appetite. They are set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the KI must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the KI must be escalated to the CEO & Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

### Monitor & Review

All active KI's are updated as per their stated frequency of the data source.

When monitoring and reviewing KI's, the overall trend must be considered over a longer timeframe instead of individual data movements. The trend of the KI is specifically used as an input to the risk and control assessment.

## Risk Acceptance

Day to day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (eg. Impact consequence, materiality, likelihood, working assumptions etc)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

A lack of budget / funding to remediate a material risk outside appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (ie. Management Team)

## Annual Assurance Plan

The annual assurance plan is a monitoring schedule prepared by the Risk Framework Owner (RFO) that sets out the control assurance activities to be conducted over the next 12 months. This plan needs to consider the following components.

- Existing control adequacy ratings across the Shire's Risk Profiles.
- Consider control coverage across a range of risk themes (where commonality exists).
- Building profiles around material controls to assist in design and operating effectiveness reviews.
- Consideration to significant incidents.
- Nature of operations
- Additional or existing 2<sup>nd</sup> line assurance information / reviews (eg. HR, Financial Services, IT)
- Frequency of monitoring / checks being performed
- Review and development of Key Indicators
- Timetable for assurance activities
- Reporting requirements

Whilst this document and subsequent actions are owned by the Risk Framework Owner (RFO), input and consultation will be sought from individual Directorates.

## Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
<b>Insignificant (1)</b>	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
<b>Minor (2)</b>	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
<b>Moderate (3)</b>	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
<b>Major (4)</b>	Lost time injury	\$50,001 - \$250,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
<b>Catastrophic (5)</b>	Fatality, permanent disability	More than \$250,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

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

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)



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

Existing Controls Ratings		
Rating	Foreseeable	Description
<b>Effective</b>	There is <u>little</u> scope for improvement.	<ol style="list-style-type: none"> <li>Processes (Controls) operating as intended and aligned to Policies / Procedures.</li> <li>Subject to ongoing monitoring.</li> <li>Reviewed and tested regularly.</li> </ol>
<b>Adequate</b>	There is <u>some</u> scope for improvement.	<ol style="list-style-type: none"> <li>Processes (Controls) generally operating as intended, however inadequacies exist.</li> <li>Nil or limited monitoring.</li> <li>Reviewed and tested, but not regularly.</li> </ol>
<b>Inadequate</b>	There is a <u>need</u> for improvement or action.	<ol style="list-style-type: none"> <li>Processes (Controls) not operating as intended.</li> <li>Processes (Controls) do not exist, or are not being complied with.</li> <li>Have not been reviewed or tested for some time.</li> </ol>



# Appendix B – Risk Profile Template

Risk Theme	Date		
<p><b><u>This Risk Theme is defined as;</u></b>  <i>Definition of Theme</i></p>			
<p><b><u>Potential causes include;</u></b>  <i>List of potential causes</i></p>			
<b>Key Controls</b>	<b>Type</b>	<b>Date</b>	<b>Shire Rating</b>
<i>List of Key Controls</i>			
<b>Overall Control Ratings:</b>			
<b>Risk Ratings</b>			<b>Shire Rating</b>
<b>Consequence:</b>			
<b>Likelihood:</b>			
<b>Overall Risk Ratings:</b>			
<b>Key Indicators</b>	<b>Tolerance</b>	<b>Date</b>	<b>Overall Shire Result</b>
<i>List of Key Indicators</i>			
<p><b><u>Comments</u></b>  <i>Rationale for all above ratings</i></p>			
<b>Current Issues / Actions / Treatments</b>		<b>Due Date</b>	<b>Responsibility</b>
<i>List current issues / actions / treatments</i>			

## Appendix C – Risk Theme Definitions

### Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.

### External theft & fraud (inc. Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

### Business & community disruption

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Shire business activities. The event may result in damage to buildings, property, plant & equipment (all assets). This could be a natural disaster, weather event, or an act carried out by an external party (inc. vandalism). This includes;

- Lack of (or inadequate) emergency response / business continuity plans.
- Lack of training to specific individuals or availability of appropriate emergency response.
- Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.
- Inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc

This does not include disruptions due to IT Systems or infrastructure related failures - refer "Failure of IT & communication systems and infrastructure".

### Errors, omissions, delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data.
- Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

- Inaccurate data being used for management decision making and reporting.
- Delays in service to customers
- Inaccurate data provided to customers

This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

### **Failure of IT &/or Communications Systems and Infrastructure**

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Project / Change Management".

### **Failure to fulfil statutory, regulatory or compliance requirements**

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include Occupational Safety & Health Act (refer "Inadequate safety and security practices") or any Employment Practices based legislation (refer "Ineffective Employment practices")

It does include the Local Government Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

### **Providing inaccurate advice / information (Combined with Errors, Omissions and Delays)**

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff. This could be caused by using unqualified staff, however it does not include instances relating Breach of Authority.

### **Inadequate project / change Management**

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.
- Failure to implement new systems
- Failures of IT Project Vendors/Contractors

### **Inadequate Document Management Processes**

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists.
- Procedural documents.
- 'Application' proposals/documents.
- Contracts.
- Forms, requests or other documents.

### **Inadequate safety and security practices**

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants.
- Inadequate Organisational Emergency Management requirements (evacuation diagrams, drills, wardens etc).
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.
- Inadequate or unsafe modifications to plant & equipment.

### **Inadequate engagement practices**

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues.
- Infrastructure Projects.
- Regional or District Committee attendance.
- Local Planning initiatives.
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

### **Inadequate asset sustainability practices**

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets and their associated lifecycle from procurement to maintenance and ultimate disposal. Areas included in the scope are;

- Inadequate design (not fit for purpose)
- Ineffective usage (down time)
- Outputs not meeting expectations
- Inadequate maintenance activities.
- Inadequate financial management and planning.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

### **Inadequate Supplier / Contract Management**

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

### Ineffective employment practices

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having an effective Human Resources Framework in addition to not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. Other areas in this risk theme to consider are;

- Breaching employee regulations (excluding OH&S)
- Discrimination, Harassment & Bullying in the workplace
- Poor employee wellbeing (causing stress)
- Key person dependencies without effective succession planning in place
- Induction issues
- Terminations (including any tribunal issues)
- Industrial activity

Care should be taken when considering insufficient staff numbers as the underlying issue could be process inefficiencies.

### Ineffective management of facilities / venues / events

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

### Inadequate environmental management.

Inadequate prevention, identification, enforcement and management of environmental issues. The scope includes;

- Lack of adequate planning and management of coastal erosion issues.
- Failure to identify and effectively manage contaminated sites (including groundwater usage).
- Waste facilities (landfill / transfer stations).
- Weed control.
- Ineffective management of water sources (reclaimed, potable)
- Illegal dumping.
- Illegal clearing / land use.

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## Policy and Procedures

# 2.1 Councillor Requirements

### Well-being

Civic Leadership

### Objectives

- ~ To provide guidance to Councillors in how they should conduct themselves in various additional aspects to the role not included in Councils Code of Conduct
- ~ To outline the requirements for formal Council recognition of a Councillors service as an elected member.

### Details

#### **Questions - Notice**

To allow staff to adequately research queries, Councillors should give twenty four hours clear notice of questions which require research and to which they require answers at a particular meeting.

#### **Standing Orders**

Councillors shall have regard to “Standing Orders” applicable to Council meetings and the adopted “Code of Conduct” in their behaviour at Council meetings.

#### **Title of Councillor or President**

No Councillor is to use their title to in any way imply Councils support, approval, opposition or any other opinion or point of view.

#### **Council Representatives**

All Council representatives wherever possible shall be serving members of Council.

Upon ceasing to be a member of Council the representative shall immediately cease to be a member of the relevant committee unless specifically requested to continue as a Council representative.

#### **Media Releases and discussions with media**

All discussions with media and any media releases are only to be undertaken by persons authorised under the Local Government Act 1995.

If a Councillor or member of staff is approached by the press to answer questions or make a comment on Council business, that, unless specifically authorised by the President or Chief Executive Officer, that member of the press be referred to the authorised spokespersons of the Council for response.

Nothing in this policy shall prevent a Councillor expressing his/her personal opinion to the media. However, as general principle, Councillors having dealings with the media when approached by it to make a statement or private comment on a matter of Council business, should have regard to any resolutions of the Council affecting the matter in question.

Individual Councillors, with the authority of the President, are authorised to make press releases or act as spokesperson on behalf of Council.

**Councillors Induction Material**

All Councillors are to be issued with a Councillors Handbook and other information relevant to the position at induction. On retirement all information received is to be returned to the Chief Executive Officer.

**Recognition of Councillors**

Council will recognise the service of Councillors upon their retirement from Council in the following way:

- ~ Service less than five years in office, Certificate of Service, Council Plaque and a gift up to the value of \$150.
- ~ Service greater than 5 years and up to 12 years in office, Certificate of Service, Council Plaque and a gift to the value of \$300.
- ~ The presentation to occur at the first available Council or community function.
- ~ Service in excess of 12 years in office, Certificate of Service, Council Plaque and gift to a maximum value of \$700.
- ~ The presentation will occur at a special celebratory functions with the recipient entitled to invite up to 6 guests.

Notwithstanding points above, Council may, at their discretion, by resolution, present a member with a gift greater than that contained in the policy, if Council is of the opinion that such action is warranted having regard to the member’s service to the community and/or Council. In the event that a retiring Councillor has performed an extensive range of functions on behalf of the municipality which are beyond that normally associated with a Councillor’s day to day duties, the Council may, at its discretion, by resolution nominate the Councillor for any awards (where applicable) associated with:-

- ~ Queen’s Birthday Honours
- ~ Australia Day honours
- ~ Local Government Association Honours

In the event that a retiring Councillor has performed exceptional service on behalf of the Shire which is significantly beyond that normally associated with a Council’s day to day duties, the Council may, at its discretion, by resolution, grant the title of “Honorary Freeman of the Municipality”.

**Administration**

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## Policy and Procedure

# 2.2 Councillors Expenses

### Well-being Priorities

Civic Leadership

### Objectives

To provide guidelines for the approval and procedures in relation Councillors expenses.

### Details

#### ***Members Meeting Expenses***

Councillors shall be paid for travel, meeting expenses and communication allowance at a rate set by Council annually. Travel Payments will be paid in arrears on an as required basis but are not to remain outstanding for more than six months. Meeting attendances will be made on a quarterly basis, usually in October, January, April, and July of each year. Councillors are required to complete a travel claim form to receive refunds

#### ***Conference, Seminar and Training Course Attendance***

Prior to any Councillor attending a conference the matter is to be discussed at the Council meeting prior to the conference and a motion put and carried supporting which councillors are to attend the conference and in what capacity.

There will be no restriction on the number of elected members attending Local Government Convention. The number and the names of the elected members however, will be determined annually by Council. Council will ensure adequate funds are allocated in its annual budget to cover delegate expenses each year.

The Shire President will have automatic rights to attend Local Government Convention each year.

When attending a conference, where the CEO is attending the same one, an attempt should be made to travel to and from the conference with the CEO in Council's vehicle. If this is not possible or the CEO is not attending, then the Councillor will be entitled to claim travel at the rate set under Members Meeting Expenses.

When attending a conference in the capacity of a councillor, Council agree to pay the following charges where applicable:

#### ***Accommodation***

On an as required basis and is dependant of the distance required to travel. For example a three day conference in Perth commencing on Friday morning and finishing late on a Sunday afternoon council

would agree to pay for accommodation on the Thursday, Friday, Saturday and Sunday evenings as an allowance needs to be made to travel between Perth and Murchison.

A half day conference in Geraldton between 10.00am and 3.00pm it would be fair to suggest that travel to and from Geraldton would be possible in the same day and accommodation would not be required in this instance.

If any doubt exists regarding the need for council to provide for accommodation for any councillor or staff member the final determination shall be at the discretion of the CEO.

#### *Parking*

Council will meet all valet parking charges while attending a conference where applicable.

#### *Meals General*

Council will meet meal charges while attending a conference for the person attending the meeting or conference only

Any Councillor or staff member attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (ie; not in motel/hotel accommodation), be paid an amount as set out for the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission.

#### *Meals Local Government Week*

Council will meet meal charges for the councillor or staff member attending Local Government Week AND meal charges for their spouse or partner who may also be attending this conference. Any additional meal charges for friends, family and children etc are to be paid for in full by the Councillor or staff member prior to checkout.

## **Administration**

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## Policy

### 3.1 Staff Matters

#### Well-being

Civic Leadership

#### Objectives

To ensure staff are engaged and managed in a manner appropriate to the local environment and remote location in which the Murchison Shire operates through employment arrangements.

#### Details

##### **Senior Staff**

In accordance with Section 5.37(1) of the *Local Government Act 1995* Senior Employee shall be the Chief Executive Officer.

##### **Recruitment**

##### *Relocation Expenses*

Each case will be individually assessed by the Chief Executive Officer and an arrangement between the Chief Executive Officer and the employee arranged and confirmed in writing with the total value of the contribution towards relocation costs not exceeding \$1,000.

*Note* Council reserves the right to make alternative arrangements for contracted employees.

##### *Interview Expenses*

Council will reimburse travel costs for applicants attending interviews subject to prior agreement with candidates and on the following basis:-

- ~ If the applicant is traveling by car, the vehicle to be fueled at the Murchison Roadhouse and charged to the Shire.
- ~ If air travel is appropriate and available an amount equal to a single economy return class airfare from the current place of residence of the applicant to Perth.
- ~ If any other form of travel is appropriate the actual costs to and from the place of residence of the applicant to the place of interview.

## ***Employment Matters***

### *Long Service Leave*

The Chief Executive Officer may authorise the taking of long service leave by employees is not more than three consecutive periods subject to the leave being taken in full by a period of two (2) years from the due date of leave falling due.

As a general rule however, leave is to be taken as soon as practicable after it falls due.

### *Annual Leave*

Annual Leave is to be taken in the year in which it becomes due unless approval is granted by the Chief Executive Officer for deferral.

As a general rule, employees shall not be permitted to accrue more than eight (8) weeks annual leave.

### *Rostered Days Off*

Where employees are accruing Rostered Days Off they shall be taken at a time suitable to the Supervising Officer and the Staff Member as soon as practicable after they fall due.

### *Conditions of Employment*

Apart from contract staff, all staff are employed under an individual contract governed by the relevant award.

A staff performance appraisal and review of conditions of employment shall be carried out at least annually or at other times associated with changes in a person's job and person specification. Any applicable changes to conditions shall apply from either the anniversary date or at the date of change in a person's job and person specification.

### *Council Superannuation Co-contribution*

Council will contribute the statutory Superannuation Guarantee amount to a fund of the employee's choice and will match any voluntary contribution by the employee up to a maximum of 5% of their gross wage or salary. Variation to this policy shall be considered during review of conditions of employment

### *Staff - Other Employment*

Approval for staff to engage in remunerated positions outside of normal working hours is subject to there being no conflict of duties and approval by the Chief Executive Officer.

### *Medical Examinations*

All permanent employees are required to agree to a medical examination by a Medical Practitioner whose appointment, which will be paid for by the Shire of Murchison. Results will be confidential to the immediate Supervisor and the Chief Executive Officer. A copy will be retained in the employee's personal file.

### *Probationary Period*

All positions within the Shires permanent workforce will be subject to a probationary period of six (6) months.

### *Paid Leave for Voluntary Service*

All staff who are bona fide members of volunteer emergency service groups, such as Fire Brigade, State Emergency Services, Ambulance etc who are required for emergency service to those groups

during working hours shall be released and paid for time absent by Council up to the total of ordinary time usually worked during that day or the period of the emergency but will not include time in excess of ordinary working hours, weekend or public holidays.

For the purpose of this policy ordinary time shall be the time ordinarily worked on the days the employee may be absent including any standard overtime arrangements.

### ***Uniforms/Protective Clothing***

#### ***Works Staff***

To be issued with one (1) winter issue of clothing per year. The issue shall consist of five pairs of trousers and five hi visibility cotton drill long sleeve shirts.

All other necessary safety and protective gear is to be supplied as needed e.g. boots, safety glasses, vests, hats, water bottles, sun screen etc. Windcheaters and jackets will be provided every two (2) years or (4) years respectively. Fair wear and tear replacement of all items will be made.

#### ***Office Staff***

Office Staff will be issued with their choice of corporate uniforms as follows:-

On completion of a probationary period – subsidy to the value of \$250 per person.

Subsequent Issues - \$500 per year.

Permanent Part-time staff shall be subsidized on a pro-rata basis applicable to the amount of hours worked. Casual staff shall not be subsidized.

As part of the Shires customer service focus, employees are required to wear the corporate uniforms at all times and to provide an image suitable to the Shire.

### ***Smoking in the Workplace***

To protect the health of work colleagues the council has a smoking policy that limits smoking in enclosed areas such as vehicles, buildings and workshops when other persons who do not smoke are present. Smoking is prohibited where explosives and flammables are stored, handled or disposed of.

### ***Staff Training***

#### ***Conference and Seminar Attendance***

Requests for authority for the Chief Executive Officer to attend Conferences and Seminars outside of that classified as Staff Training shall wherever practicable be brought before Council for consideration.

Council shall by resolution authorise the attendance of these Conferences and Seminars as considered appropriate.

Where authority is granted under this clause for the attendance of Staff or staff contracts include authorisation for attendance under certain contracts conditions, all reasonable expenses relating to accommodation, nomination, meals and other reasonable expenses incurred will be met by Council subject to presentation of documented evidence for the expense.

Where it is considered appropriate for a staff member to be accompanied by another person when attending any function where attendance has been authorised by Council, Council will meet the expenses applicable to that person with approval of full Council.



**Staff Training - Costs applicable**

Where staff request authority to attend staff training approval may be granted by the Chief Executive Officer having regard to the following:-

- The relevance of the training to the staff member,
- The cost of the training,
- Budget allocation for training provided,
- Obligations of performance appraisals completed,
- Any other relevant factors

Where training is approved Council will pay all reasonable expenses relating to costs of the training, accommodation, travel, meals and other reasonable expenses incurred subject to presentation of documentary evidence of the expense.

Whilst Council accepts its obligations to train its staff to satisfactory levels to enhance their performance it shall be incumbent on the staff to recognize that training provides personal rewards and they should accept that overtime will not be paid for out of hours training attendance and travel and every effort shall be made to reduce costs associated with training in all areas of expense if possible.

**Plant & Equipment**

*Use of Equipment by Employees*

Plant Equipment is not to be made available for use by employees for works on Council properties without the written consent of the Chief Executive Officer. Minor items such as lawn mowers, edger's, cement mixers etc may be used with approval of the Chief Executive Officer subject to the use being to maintain Council properties.

*Smoking in Council Plant and Vehicles*

To protect the health of work colleagues the council has a smoking policy that limits smoking in enclosed areas such as vehicles, buildings and workshops when other persons who do not smoke are present. Smoking is prohibited where explosives and flammables are stored, handled or disposed of.

**Administration**

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## Policy and Procedures

### 3.2 Staff Housing

#### Well-being

Civic Leadership

#### Objectives

To ensure staff are engaged and managed in a manner appropriate to the local environment and remote location in which the Murchison Shire operates through the provision of staff housing.

#### Details

##### ***Availability Conditions of Tenancy***

Staff Housing will be provided for all members of council staff. The allocation shall be at the sole discretion of the Chief Executive Officer.

##### ***Standards***

Council Housing will be built to service and maintained to a standard to meet Council's existing and where applicable Council's future needs. Recognition of the remote location and need to attract and retain staff are key aspects that will determine the overall quality of this accommodation. Provision for contractors and consultants will also come into the assessment.

From time to time the Chief Executive Officer will prepare update reports to Council outlining the overall standards required.

##### ***Maintenance and Renovations***

The opportunity will be given for staff occupying Council housing to provide a list of needs associated with housing during and will be responded to within the normal budget processes.

From time to time major renovations may be required. Council will work with respective tenants in an endeavour to minimise any disruption.

##### ***Electricity Accounts***

All electricity is to be provided to council employees and employee's families within the Murchison settlement at no charge. Staff is to be made aware of the importance of using power wisely upon commencement.

**Housing Bonds and Tenancy Agreements**

All staff occupying Council housing shall be required to provide a bond of \$500.00 (five hundred dollars). In the event of payment of the bond creating financial hardship for the Tenant, arrangements may be made for payroll deduction at an amount not less than \$50.00 per fortnight.

**Rental Charges**

Council will provide housing to employees free of rental charge.

**Administration**

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## Policy

### 3.3 Staff Health and Safety

#### Well-being

Civic Leadership

#### Objectives

To provide a safe and healthy environment for staff employed by .

#### Details

##### ***Staff Safety and Health***

This policy recognises that the safety and health of all employees within the Shire of Murchison is the responsibility of Council management. In fulfilling this responsibility, management has a duty to provide and maintain, so far as is practicable, a working environment in which employees are not exposed to hazards:

- ~ Providing and maintaining safe plant and systems of work;
- ~ Making and monitoring arrangements for the safe use, handling, storage, disposal and transport of plant and substances;
- ~ Maintaining the workplace in a safe and healthy condition;
- ~ Providing information, training and supervision for all employees enabling them to work in a safe and healthy manner.

The Chief Executive Officer is responsible for the implementation and monitoring of this policy.

The safety and health duties of management at all levels will be detailed and council procedures for training and back-up support should be followed. In fulfilling the objectives of this policy, management is committed to regular consultation with employees to ensure that the policy operates effectively and that safety and health issues are regularly reviewed.

##### ***Duties***

Recognising the potential risks associated with hazards that may be present, this Council will take very practicable steps to provide and maintain a safe and healthy work environment for all employees.

*Management*

Is responsible for the effective implementation of the Council safety and health policy;

- ~ Must observe, implement and fulfill its responsibilities under the Acts and Regulations which apply to Local Government;
- ~ Must ensure that the agreed procedures for regular consultation between management and those who designated and elected safety and health responsibilities are followed;
- ~ Must make regular assessments of safety and health performance and resources in co-operation with those with designated and elected safety and health functions;
- ~ Must ensure that all specific policies operating within the Council e.g. fire and evacuation, purchasing, training, first aid and systems of work, are periodically revised and consistent with Council safety and health objectives;
- ~ Must provide information, training and supervision for all employees in the correct use of plant, equipment and substances used throughout the Council;
- ~ Must be informed of incidents and accidents occurring on Council premises or to Council employees so that safety and health performance can be accurately gauged.

*Employees*

- ~ Have a duty to take the care of which they are capable for their own safety and health and of others affected by their actions at work;
- ~ Must comply with the safety procedures and directions agreed between management and employees with nominated or elected safety and health functions;
- ~ Must not willfully interfere with or misuse items or facilities provided in the interests of safety, health and welfare of Council employees;
- ~ Must, in accordance with Council procedures for accident and incident reporting, report potential and actual hazards and accidents/incidents to their elected safety and health representatives.

This policy will be regularly reviewed in the light of legislation and Council changes. Management seeks co-operation from all employees in realizing our safety and health objectives and creating a safe work environment. All employees will be advised, in writing, or agreed changes and arrangements for their implementation.

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## Policy and Procedures

### 3.4 Grievances Investigation and Resolution

#### Well-being

Civic Leadership

#### Policy Statement

All employees have a right to express any genuine grievances or complaints via an impartial internal process. All employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the **Shire of Murchison** in any capacity.

#### Details

##### Roles

<i>Complainant</i>	A employee who raises a complaint about a matter regarding the workplace.
<i>Respondent</i>	An employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.
<i>Support Person</i>	A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.
<i>Witness</i>	A person (including an employee) who is requested by the Local Government to assist the process by providing relevant information regarding the complaint

#### **What to do if you have a Complaint?**

If an employee (Complainant) is the victim of behaviour of another employee (Respondent) which is inconsistent with the Local Government’s policies, procedures or guidelines (Policies), the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the complainant should contact their Manager or the CEO directly.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their direct manager. If the direct manager is the Respondent in the matter or if the employee feels uncomfortable approaching their manager, the Complainant should approach the CEO.

The employee who receives the complaint must contact the CEO and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

### ***Key Principles in the Complaint Resolution Process***

The following principles are necessary for the fair investigation and resolution of a complaint:

#### *Confidential*

Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The **Shire of Murchison** may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Information will only be placed on an employee's personal file if they are disciplined as a result of the complaint;

#### *Impartial (fair/unbiased)*

Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until available and relevant information has been collected and considered;

#### *Sensitive*

The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation;

#### *Timely*

The **Shire of Murchison** aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;

#### *Documented*

All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient;

#### *Natural Justice*

The principles of natural justice provide that:

- ~ A Respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
- ~ A Respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
- ~ anyone involved in the investigation should be unbiased and declare any conflict of interest;
- ~ decisions must be based on objective considerations and substantiated facts; and
- ~ the Complainant and the Respondent have the right to have a support person present at any meetings where practicable.

#### *Procedural Fairness*

The principles of procedural fairness provide that:

- ~ the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
- ~ A Respondent is entitled to receive verbal or written communication from the **Shire of Murchison** of the potential consequences of given forms of conduct, as applicable to the situation;
- ~ The Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
- ~ Any mitigating circumstances presented to the **Shire of Murchison** through the grievance process are investigated and considered;

- ~ the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
- ~ any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and
- ~ All interviews of witnesses are conducted separately and confidentially.

***Outcome of Making a Complaint***

If a complaint is substantiated, there are a number of possible outcomes. If the complaint involves a performance issue, the manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the Disciplinary Policy.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the manager of the Respondent, in consultation with CEO, may elect to discipline the Respondent in accordance with the Disciplinary Policy.

***Vexatious or Malicious Complaints***

Where a Complainant has deliberately made a vexatious or malicious complaint that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

***Victimisation of Complainant***

A Complainant must not be victimised by the Respondent or any other employee of the **Shire of Murchison** for making a complaint. Anyone responsible for victimising a Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

***Variation to This Policy***

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

***Related Corporate Documents***

Code of Conduct

**Administration**

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## Policy and Procedures

# 3.5 Performance Management

### Well-being

Civic Leadership

### Objectives

To provide Council's management, supervisors and staff with a fair process to manage situations where unsatisfactory performance is identified.

### Details

#### **Scope**

This policy applies to all employees at the **Shire of Murchison**, where unsatisfactory performance is identified.

This policy applies outside of the annual performance review process and can be introduced at any time when unsatisfactory performance is identified.

#### **Definitions**

*Key Performance Indicators* The parties acknowledge key performance indicators as a means of measuring what has been achieved and the need for any further improvements.

*Performance Management* Performance management is a cyclical process that aims to: achieve a shared understanding of organisational and job goals; and demonstrate how clear objectives and standards of behaviour enable the achievement of such goals.

This policy has been designed to ensure that supervisors and employees are supported by a clear framework for identifying, managing and documenting instances of unsatisfactory performance, in a manner that is consistent with the principles of natural justice and procedural fairness.

#### **Identification of Unsatisfactory Performance**

In considering whether an employee's performance is unsatisfactory, supervisors should ensure the expectations of performance are reasonable and are consistent with the:

- ~ Position Description for the role;
- ~ employee's key performance indicators;

- ~ requirements of the relevant classification under the **Local Government Industry Award 2010**; and
- ~ **Shire of Murchison's** required standards.

### **Responsibilities**

It is agreed that as part of any performance management process, the responsibilities of those involved will be as outlined below:

#### *Employee*

- ~ Actively participate in the performance management process.
- ~ Meet the performance expectations outlined by the **Shire of Murchison**.
- ~ Report immediately to the line manager any circumstances that may impact on the employee's ability to meet the performance expectations.
- ~ Contribute to the development of the Performance Improvement Plan and actively participate in the review meetings.

#### *Line Manager/Supervisor*

- ~ Actively participate in the performance management process.
- ~ Conduct regular review meetings for the duration of the performance management process.
- ~ Document progress in a Performance Improvement Plan.
- ~ Provide honest, constructive, timely feedback and reasonable support on an ongoing basis.
- ~ Identify and provide reasonable support to the employee to achieve the performance expectations.
- ~ Ensure the process identified in this document is adhered to in accordance with the principles of natural justice.
- ~ Address any issues that arise through this process with the relevant employee.

#### *Employee Relations Consultant*

Provide support and guidance on the policy.

### **Process**

It is the responsibility of line managers to provide continual feedback on an employee's performance and any unsatisfactory performance. This should be done so informally on a continual basis. Should the informal process not sufficiently address the unsatisfactory performance the following process will apply:

- 1 Where unsatisfactory performance is identified, the line manager will identify and document what specific performance is unsatisfactory. The line manager will then discuss the unsatisfactory performance with the CEO to determine whether it warrants formal action.
- 2 The line manager will invite the employee to a meeting to outline the specific performance concerns and give the employee an opportunity to respond. If the employee can provide an explanation or reasonable mitigating circumstances for the unsatisfactory performance, this may end the performance management process. If not, the process will continue.
- 3 The line manager will confirm in writing to the employee that they are under formal performance management.
- 4 The line manager will meet again with the employee to determine a written Performance Improvement Plan. The Plan will provide an opportunity for the employee to address their unsatisfactory performance and allow the parties to plan how to bring the performance of the employee up to the required level. In creating the Plan, consideration should be given to what support mechanisms are required for the employee to improve their performance to the required level. Examples of support mechanisms include, but are not limited to:
  - (a) coaching and mentoring;
  - (b) attendance at a training course or workshop; or

- (c) an arrangement for time off work and/or the provision of the details of the Employee Assistance Provider where the employee advises that personal events/issues are affecting their performance.
- 5 The line manager will establish reasonable timeframes, which generally would not exceed six months from the date of the performance management commences, for the employee to achieve the required levels of performance.
- 6 The line manager and employee will meet on a regular basis to review the Performance Improvement Plan and assess if the employee is meeting the required performance standards.
- 7 At the expiration of the timeframes set by the line manager, a review meeting will be held with the employee to assess whether the employee has achieved the required levels of performance.
- 8 If the employee has achieved the required levels of performance, the performance management process will cease.
- 9 If the performance of the employee is still unsatisfactory, then disciplinary action may be taken. This disciplinary action may include termination of employment.
- 10 At any stage of the performance management process, should the actions or unsatisfactory performance of the employee be considered sufficiently serious, disciplinary action may be taken without completing the entire Performance Improvement Plan.

***Disciplinary Action***

At any stage of the performance management process, disciplinary action may be taken.

***Confidentiality***

The parties to the performance management process will:

- ~ maintain confidentiality throughout the performance management process; and
- ~ keep documentation produced during the performance and unsatisfactory performance process secure as part of official **Shire of Murchison** records.

***Variation to this Policy***

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

***Related Corporate Documents***

**Administration**

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## Statement

### 3.6 Equal Opportunity

#### Well-being

Civic Leadership

#### Objectives

To outline Council's commitments to Equal Opportunity.

#### Details

##### ***Equal Opportunity Policy Statement***

The Shire of Murchison recognizes its legal obligations under the Equal Opportunity Act 1984 and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.

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

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

All offers of employment within the Council will be directed towards providing equal opportunity to all employees providing their relevant experience, skills and ability meet the minimum requirements for such engagement.

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

The equal opportunity goals of this Council are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

#### Administration

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## Statement

### 3.7 Sexual Harassment

#### Well-being

Civic Leadership

#### Objectives

To outline Councils commitment for an environment which is free from sexual harassment.

#### Statement

Council strongly supports the concept that every employee, Councillor and member of the public employed or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

Council considers sexual harassment to be an unacceptable form of behaviour, which will not be tolerated and recognizes that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual nature and/or sexist nature (whether physical, verbal or non-verbal) which is unwelcome and unsolicited and rejection of which may disadvantage a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee Councillor or member of the general public.

- Deliberate and unnecessary physical conduct such as patting, pinching, fondling, kissing, brushing against, touching;
- Subtle or explicit demands for sexual activities or molestation;
- Intrusive enquiries into a persons private life;
- Uninvited and unwelcome jokes that have a sexual and/or sexist undertone;
- Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

Council recognizes that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including training of the workforce and specific training for officers identified to deal with complaints. Appropriate discipline will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.

Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face to face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without prior consent of both parties.

An employee whose health or work performance has been proven to be affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

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## Policy and Procedures

### 3.8 Drugs and Alcohol

#### Well-being

Civic Leadership

#### Introduction

The Occupational Safety & Health Act 1984 places the responsibility for safety and health in the workplace on all parties. A range of factors, both at the workplace and in people's personal lives, impact on their ability to work safely. The use of alcohol and/or other drugs may be one of them. In some cases, their use may lead to increased risks in the workplace, including injury, damage to plant & equipment, or worse, to loss of life.

#### Objective

The elimination of hazards and risks in the workplace that could arise from the use of alcohol and other drugs.

#### Statutory Context

Occupational Safety & Health Act 1984; Misuse of Drugs Act 1981; Road Traffic Act 1974; Workers Compensation and Injury Management Act 1981

#### Details

##### ***The Shire of Murchison's Commitment***

The ***Shire of Murchison*** has a general 'duty of care' under the Occupational Safety and Health Act 1984 which includes:

- ~ Providing a workplace and safe system of work so employees are not exposed to hazards;
- ~ Providing employees with information, instruction, training and supervision to enable them to work in a safe manner;
- ~ Consulting and cooperating with employees and safety and health representatives in matters related to safety and health at work.

Alcohol and other drug usage becomes an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired.

The ***Shire of Murchison*** is committed to protecting its employees from the risks associated with drug and alcohol use in the workplace.

For the purposes of this policy, the term "employee/s" shall extend to cover contractors, volunteers and any person performing work for or with the ***Shire of Murchison*** in any capacity.

### ***The Individual's Responsibility***

Under the *Occupational Safety and Health Act 1984* (the OSH Act), workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence of alcohol and/or drugs at the workplace, or is impaired, will face disciplinary action which may result in termination of employment.

### ***Reporting Requirements***

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

### ***Drug Use on the Premises***

The buying, taking, or selling of illegal drugs on **Shire of Murchison** premises is regarded as serious misconduct. Such behaviour will result in the employee being subject to the Disciplinary Procedure in Relation to Drug & Alcohol Use.

Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their manager or Human Resources and disclose any side effects that these medication/drugs may cause. In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the **Shire of Murchison** may request further information from the medical practitioner about the effects and proper usage of the prescription or pharmacy drugs being taken. The **Shire of Murchison** may direct the employee to stand down from their duties on full pay until it can be established that they are fit to undertake their duties.

### ***Consumption of Alcohol on the Premises***

Except in situations where the **Shire of Murchison** holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace during working hours.

### ***Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions***

Team managers shall:

- ~ encourage their people to make alternative arrangements for transport to and from work prior to the function;
- ~ ensure that the following is made available - low alcohol beer, soft drinks, water, tea, coffee and food;
- ~ if the manager believes a person may be over the blood alcohol concentration 0.05 limit, assist the person with safe transport home (including contacting a family member); and
- ~ if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

### ***Pre-Employment Medical Tests***

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

Individuals who refuse to take the test or who do not satisfy the requirements of the test will not be offered employment.



### **Threshold Levels for Alcohol & Drugs**

A 0.00mg/ml blood alcohol level is expected of employees presenting for work at the Shire of Murchison. The threshold for drugs is in accordance with the Australian Standard AS/NZS 4308:2008 - Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine, with 'not detected' being the standard required.

### **Self-Testing**

An employee may self-test for blood alcohol concentration (BAC). A breathalyser is available in the workplace for this purpose. An employee who identifies that she or he has a BAC over 0.00 mg/ml can voluntarily take personal leave or unpaid leave. An employee will have this opportunity twice only and if a third self-test shows a BAC over 0.00 mg/ml, then they will be disciplined in accordance with the **Shire of Murchison** Disciplinary Procedure Relating to Drug & Alcohol Use (attached).

The advantage to self-testing is that the employee has two chances to take responsibility for their own fitness for work without ending up with a breach

### **Identification of Impairment & Testing**

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

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

If the **Shire of Murchison** suspects that an employee is under the influence of drugs and/or alcohol it may pursue any or all of the following actions:

- ~ direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties. (Due to the remote location of the workplace, this may require that assistance is given to the employee to attend the medical practitioner);
- ~ direct the employee to undergo on-the-spot drug and alcohol testing administered by a suitably qualified external party;
- ~ direct the employee to use the breathalyser in the presence of their Supervisor;
- ~ direct the employee to go home. The employee can take personal or unpaid leave in this instance.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 - Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, or refuses to use the breathalyser, then the employee will be immediately suspended from duty without pay. Refusal to follow these directions constitutes a breach of this policy and will be regarded as a First Breach (refer attached Disciplinary Procedure).

An employee who returns a positive test for alcohol or drugs will be in breach of this policy. The following steps are to be taken:

- ~ The employee so tested and the supervisor will be informed of the result;
- ~ A disciplinary discussion will take place in accordance with the Disciplinary Procedure of the **Shire of Murchison**.

### ***Education, Training & Awareness***

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

The **Shire of Murchison** engages the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling.

### ***Drug/Alcohol Treatment Programs***

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

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

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the line manager or members of senior management will review the full circumstances and agree on a course of action to be taken. This may include re-deployment to suitable alternative employment, or possible termination from employment if the treatment program has not been successful and the employee is unable to safely carry out the requirements of their role.

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

An employee engaged by the **Shire of Murchison** who breaches the provisions of this policy will be subject to the Disciplinary Procedure in Relation to Drug & Alcohol Use.

### ***Variation to this Policy***

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

### ***Confidentiality***

All issues pertaining to these matters shall be kept strictly confidential.

### ***Related Corporate Documents***

Disciplinary Procedure in Relation to Alcohol and Drug Use (attached)

## Disciplinary Procedure in Relation to Alcohol & Drug Use

The following procedure will apply to any employee who tests positive to an alcohol or drug screening or has a BAC of more than 0.00 mg/ml on their third self-test:

### **First Breach:**

- (i) The employee will be immediately suspended from duty without pay, for a minimum of one day.
- (ii) The employee will not be permitted to return to work until they have provided a satisfactory drug and alcohol test. This test will be at the expense of the employee.
- (iii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (iv) The employee will be counselled by their supervisor that will focus on;
  - (a) the risk that such behaviour creates for the safety of the individual and other employees or members of the public
  - (b) the employee's responsibility to demonstrate that the problem is being effectively addressed;
  - (c) that any future breach of the policy will result in instant dismissal.
  - (d) A first and final written warning will be given.
- (v) The employee will be formally offered the opportunity to contact the **Shire of Murchison's** Employee Assistance Provider who provide free counselling or, alternatively, their own professional counsellor at their own expense.
- (vi) The employee will be submitted [fortnightly or randomly] for alcohol and / or drug screening for the period of [two months] paid for by the Shire of Murchison. If any test confirms positive, instant dismissal will follow. If the employee refuses to comply, instant dismissal will follow.

### **Second Breach:**

- (i) The employee will be immediately terminated without notice.

### **Instant Termination:**

The following are guidelines to circumstances that will result in termination without notice:

- (i) Any attempt to falsify the drug and alcohol screen
- (ii) Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period.
- (iii) Unlawful behaviour.

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## Policy Procedure and Authorisation

### 4.1 Finance Operations

#### Well-being

Civic Leadership

#### Objectives

To institute appropriate administrative arrangements for the overall financial management of the Shire.

#### Details

##### **Reserve Accounts**

All of Council's Financial Reserves are operated in accordance with *the Local Government (Financial Management) Regulations 1996*, which amongst other things requires Council to identify the reserve with clear purpose, report on the financial activities of each reserve through Annual Financial Report and also publicly advertise any intention to change or modified the purpose of any reserve. Council makes regular transfers of funds as part of its budget process.

Within the current operating environment current specific policy considerations under include the following

##### *Staff Leave Reserve*

A Staff leave Reserve shall be maintained. The purpose of the account is to pay Staff Leave entitlements to Councils current employees and for claims of past employees (Long service leave only) who have transferred to other Councils with the to hold sufficient funds in the account to meet Councils Annual and Long Service Leave Liability at any given time.

##### *Plant Reserve*

A Plant Reserve Account shall be maintained. Monies held in the account are to be used to assist in funding the replacement or major repair of plant items.

##### *Interest on Reserve Accounts*

Interest earned on reserve funds shall be applied to the reserve from where the interest was earned.

**Operation of Bank Account**

- (a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- (b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- (c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire’s Municipal Fuds) are to be authorised by the Chief Executive Officer and the President.
- (d) For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- (e) The CEO and DCEO may manage the Shire’s investments by way of Term Deposit held at the same bank that holds the Shire’s Municipal Fuds. This includes the opening and closing of term deposit accounts.

**Unpaid Rates – Procedure for Collection**

The following procedure shall apply for the collection of unpaid rates:

- ~ Final notices to be issued within six (6) month of the expiration of the discount period.
- ~ Advice of legal action to be taken for recovery will be forwarded to outstanding debtors for rates once rates have been outstanding for more than 12 months.
- ~ Legal action to be commenced following the imposition of penalties for outstanding rates.

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## Policy

### 4.2 Donations and Grants

#### Well-being

Civic Leadership

#### Objectives

To provide guidance to the Community on Councils potential financial support by way of Donations Grants or Self Supporting Loans.

#### Details

##### **Donations and Grants**

Council will include an amount in the budget each year for the purpose of donation to relevant charities or appeals and other bodies. Each application shall be presented to Council for consideration during budget deliberations and preference will be given to local organisations that are operating within the Shire of Murchison.

- ~ Donations of \$100 or less may be made at the discretion of the Chief Executive Officer.
- ~ Donations of \$500 or less may be made at the joint discretion of the Chief Executive Officer and Shire President.
- ~ Applications for donations of over \$500 which have not been included in the budget will be presented to Council for consideration

##### **Self-Supporting Loans**

Council may at its discretion, agree to raise self-supporting loans on behalf of Incorporation Local Organisations. Such agreement will be subject to a range of considerations as determine on an individual case by case basis. This may require the applicant to include meeting

- ~ costs relevant to the raising of the loan with the exception of administrative charges.
- ~ any costs involved in preparing agreements, lease or other documents required.

Prior to Council granting approval the applicant will be required to provide suitable details of current and future financial viability.

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## Policy

# 4.3 Purchasing

## Well-being

Civic Leadership

### 1 Purchasing

The Shire of Murchison is committed to delivering the objectives, principles and practices outlined in this Policy, when purchasing goods, services or works to achieve the Shire's strategic and operational objectives.

This policy complies with the *Local Government (Functions and General) Regulations 1996 (The Regulations)*.

#### 1.1 Objectives

The Shire's purchasing activities will achieve:

- ~ The attainment of best value for money;
- ~ Sustainable benefits, such as environmental, social, local economic and locational factors including the remote nature of the Shire in relation to potential suppliers being considered in the overall value for money assessment;
- ~ Consistent, efficient and accountable processes and decision-making;
- ~ Fair and equitable competitive processes that engage potential suppliers impartially, honestly and consistently;
- ~ Probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- ~ Compliance with *the Local Government Act 1995, Local Government (Functions and General) Regulations 1996*, as well as any relevant legislation, Codes of Practice, Standards and the Shire/Town/City's Policies and procedures;
- ~ Risks identified and managed within the Shire's Risk Management framework;
- ~ Records created and maintained to evidence purchasing activities in accordance with the State Records Act and the Shire's Record Keeping Plan;
- ~ Confidentiality protocols that protect commercial-in-confidence information and only release information where appropriately approved.

#### 1.2 Ethics & Integrity

The Shire's Code of Conduct applies when undertaking purchasing activities and decision making. Elected Members and employees must observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

#### 1.3 Value for Money

Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative and locational factors including the remote nature of the Shire in

relation to potential suppliers to determine the most advantageous supply outcome that contributes to the Shire achieving its strategic and operational objectives.

The Shire will apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

### **1.3.1 Assessing Value for Money**

Assessment of value for money will consider:

- ~ All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, training, maintenance and disposal;
- ~ The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, tenderers resources available, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- ~ Financial viability and capacity to supply without the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance and where applicable performance history);
- ~ The element of competition by obtaining a sufficient number of competitive quotations wherever practicable and in context of the remote nature of the Shire in relation to potential suppliers consistent with this Policy;
- ~ 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;
- ~ 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; and
- ~ Providing opportunities for businesses within the Shire's boundaries to quote wherever possible.

## **1.4 Purchasing Thresholds and Practices**

The Shire must comply with all requirements, including purchasing thresholds and processes, as prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire.

### **1.4.1 Policy Purchasing Value Definition**

Purchasing value for a specified category of goods, services or works is to be determined upon the following considerations:

- ~ Exclusive of Goods and Services Tax (GST); and
- ~ Where a contract is in place or proposed, the actual or expected value of expenditure over the full contract period, including all options to extend specific to a particular category of goods, services or works. OR
- ~ Where there is no existing contract arrangement, the Purchasing Value will be the estimated total expenditure for a category of goods, services or works over a one (1) year period. Where the supply category has a high risk of change i.e. to technology, specification, availability or the Shire's requirements (Regulation 12) the period may be extended to a maximum of 5 years.

The calculated estimated Purchasing Value will be used to determine the applicable threshold and purchasing practice to be undertaken.

### **1.4.2 Purchasing from Existing Contracts**

The Shire will ensure that any goods, services or works required that are within the scope of an existing contract will be purchased under that contract.



**1.4.3 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:

<b>Purchase Value Threshold</b> (excl GST)	<b>Purchasing Practice Required</b>
Up to \$5,000	<ol style="list-style-type: none"> <li>1 Purchase directly from a supplier using a Purchasing or Corporate Credit Card issued by the Shire, OR</li> <li>2 Purchase from a WALGA Preferred Supplier Arrangement; OR</li> <li>3 Seek at least one (1) verbal or written quotation from a suitable supplier; OR</li> <li>4 Purchase from a Panel of Pre-Qualified Suppliers relevant to the required purchasing category.</li> </ol> <p>The rationale for the procurement decision should be documented and recorded in accordance with the Shire Records Management Policy.</p> <p>An official purchase order should be raised for all such purchases, unless a credit card has been used to pay for the goods and services.</p>
From \$5,001 and up to \$20,000	<ol style="list-style-type: none"> <li>1 Seek at least (2) verbal or written quotations from a WALGA Preferred Supplier Arrangement; OR</li> <li>2 Seek at least two (2) verbal or written quotations from a suitable supplier; OR</li> <li>3 Purchase from a Panel of Pre-Qualified Suppliers relevant to the required purchasing category.</li> </ol> <p>The rationale for the procurement decision and price benchmarking activities undertaken for each procurement transaction should be documented and recorded in accordance with the Shire Records Management Policy.</p> <p>An official purchase order should be raised for all such purchases, unless a credit card has been used to pay for the goods and services.</p>
From \$20,001 and up to \$50,000	<ol style="list-style-type: none"> <li>1 Seek at least (2) verbal or written quotations from a WALGA Preferred Supplier Arrangement; OR</li> <li>2 Seek at least two (2) written quotation from a suitable supplier; OR</li> <li>3 Purchase from a Panel of Pre-Qualified Suppliers relevant to the required purchasing category.</li> </ol> <p>The rationale for the procurement decision and price benchmarking activities undertaken for each procurement transaction should be documented and recorded in accordance with the Shire Records Management Policy.</p> <p>An official purchase order should be raised for all such purchases, unless a credit card has been used to pay for the goods and services.</p>
\$50,001 and up to \$150,000	<ol style="list-style-type: none"> <li>1 Seek at least two (2) written quotations from a WALGA Preferred Supplier Arrangement; OR</li> <li>2 Seek at least three (3) written quotations from a suitable supplier OR</li> <li>3 Seek at least two (2) written quotations from a Panel of Pre-Qualified Suppliers relevant to the required purchasing category.</li> </ol> <p>The purchasing decision is to be based upon assessment of the supplier’s 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 quote.</li> </ul> <p>The procurement decision is to be represented using a Brief Evaluation Report.</p> <p>An official purchase order or contract should be raised for all such purchases.</p>
Over \$150,000	<ol style="list-style-type: none"> <li>1 Seek at least three (3) written quotations from a WALGA Preferred Supplier Arrangement and / or and / or another tender exempt arrangement; OR</li> <li>2 Seek at least three (3) written quotations from a Panel of Pre-Qualified Suppliers relevant to the required purchasing category; OR</li> </ol>

Purchase Value Threshold (excl GST)	Purchasing Practice Required
	<p>3 Conduct a Public Request for Tender process in accordance with the Local Government Act 1995 and relevant Shire Policy requirements.</p> <p>The purchasing decision is to be based upon the supplier's response to:</p> <ul style="list-style-type: none"> <li>~ a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and</li> <li>~ pre-determined evaluation criteria that assesses all best and sustainable value considerations.</li> </ul> <p>An official purchase order or contract should be raised for all such purchases.</p>
Emergency Purchases (Within Budget)	Must be approved by the President or by the Chief Executive Officer under delegation and reported to the next available Council Meeting.
Emergency Purchases (Not Included in Budget)	<p>Only applicable where, authorised in advance by the President in accordance with s.6.8 of the <i>Local Government Act 1995</i> and reported to the next available Council Meeting.</p> <p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, the emergency supply must be obtained from the Panel suppliers.</p> <p>If however, no member of the Panel of Pre-qualified Suppliers or a suitable supplier from WALGA Preferred Supplier Arrangement is available, then the supply may be obtained from any supplier capable of providing the emergency purchasing requirement, and to the extent that it is reasonable in context of the emergency requirements, with due consideration of best and sustainable consideration.</p>
WALGA Services (excluding Preferred Supplier Program)	For the purchasing of WALGA Services, a minimum of one (1) written quotation is to be sought and appropriately recorded. Recording is to be in accordance with the threshold levels outlined above. Confirmed via Purchase Order or Contract/Agreement.
Insurance Services	<p>LGIS Services are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining insurance services from LGIS is not a procurement activity and is not subject to this Policy.</p> <p>The Council may however resolve to seek quotations from other insurance suppliers and this activity will be subject to the above listed Purchase Value Thresholds.</p>

### 1.4.4 Exemptions

An exemption from the requirement to publicly invite tenders may apply when the purchase is:

- ~ obtained from a pre-qualified supplier under the WALGA Preferred Supplier Arrangement or other suppliers that are accessible under another tender exempt arrangement.
- ~ from a pre-qualified supplier under a Panel established by the Shire;
- ~ from a Regional Local Government or another Local Government;
- ~ acquired from a person/organisation registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less (exc GST) and represents value for money;
- ~ acquired from an Australian Disability Enterprise and represents value for money;
- ~ the purchase is authorised under action by Council under delegated authority;
- ~ within 6 months of no tender being accepted;
- ~ where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- ~ the purchase is covered by any of the other exclusions under Regulation 11 of the *Regulations*.

### **1.4.5 Inviting Tenders Under the Tender Threshold**

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$150,000 threshold.

This decision will be made after considering:

- ~ Whether the purchasing requirement can be met through the WALGA Preferred Supplier Program or any other tender exemption arrangement; and
- ~ Any value for money benefits, timeliness, risks; and
- ~ Compliance requirements.

A decision to invite Tenders, though not required to do so, may occur where an assessment has been undertaken and it is considered that there is benefit from conducting a publicly accountable and more rigorous process. In such cases, the Shire's tendering procedures must be followed in full.

### **1.4.6 Other Procurement Processes**

#### **1.4.6.1 Expressions of Interest**

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value or contains significant complexity of project delivery that may solicit responses from a considerable range of industry providers.

In these cases, the Shire may consider conducting an EOI process, preliminary to any Request for Tender process, where the purchasing requirement is:

- ~ Unable to be sufficiently scoped or specified;
- ~ Open to multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- ~ Subject to a creative element; or
- ~ To establish a procurement methodology that allows for an assessment of a significant number of tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes are conducted as a public process and similar rules to a Request for Tender apply. However, the EOI should not seek price information from respondents, seeking qualitative and other non-price information only. All EOI processes should be subsequently followed by a Request for Tender through an invited process of those shortlisted under the EOI.

#### **1.4.6.2 Request for Proposal**

As an alternative to a Request for Tender, the Shire may consider conducting a Request for Proposal where the requirements are less known, or less prescriptive and detailed. In this situation, the Request For Proposal would still be conducted under the same rules as for a Request For Tender but would seek responses from the market that are outcomes based or that outline solutions to meet the requirements of the Shire.

### **1.4.7 Emergency Purchases**

An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

### **1.4.8 Sole Source of Supply**

A sole source of supply arrangement may only be approved where the:

- ~ Purchasing value is estimated to be over \$5,000; and
- ~ purchasing requirement has been documented in a detailed specification; and

- ~ specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- ~ market testing process and outcomes of supplier assessments have been documented, inclusive of a rationale for why the supply is determined as unique and cannot be sourced through more than one supplier.
- ~ A sole source of supply arrangement will only be approved for a period not exceeding three (3) years. For any continuing purchasing requirement, the approval must be re-assessed before expiry to evidence that a Sole Source of Supply still genuinely exists.

#### 1.4.9 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, avoiding a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

Utilising rolling contract extensions at the end of a contract term without properly testing the market or using a Tender exempt arrangement, will not be adopted as this would place this Local Government in breach of the Regulations (Regulation 12).

The Shire will conduct regular periodic analysis of purchasing activities within supply categories and aggregating expenditure values in order to identify purchasing activities which can be more appropriately undertaken within the Purchasing Threshold practices detailed in clause 1.4.3 above.

## 2 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 embrace Sustainable Procurement by applying 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 information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

### 2.1. Local Economic Benefit

The Shire encourages the development of competitive local businesses within its boundary first, and second within its broader region. As much as practicable, the Shire will:

- ~ where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- ~ consider the local economic factors including the remote nature of the Shire in relation to potential purchasers;
- ~ consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ~ ensure that procurement plans address local business capability and local content;
- ~ 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;
- ~ avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- ~ provide adequate and consistent information to local suppliers.

To this extent, a qualitative weighting will be included in the evaluation criteria for quotes and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy or meeting the ongoing needs of the Shire. These criteria will relate to local economic benefits that result from Tender processes.

The Shire has adopted a Regional Price Preference Policy, which will be applied when undertaking all purchasing activities.

### **3 Panels of Pre-qualified Suppliers**

#### **3.1. 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:

- ~ there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- ~ the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- ~ the Panel will streamline and will improve procurement processes; and
- ~ 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.

#### **3.2. 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.

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.

### 3.3. *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:

- ~ obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- ~ purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- ~ 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:

- ~ 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
- ~ work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under 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 section 5.5 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.

### 3.4. *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.

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 made through eQuotes (or other nominated electronic quotation facility).

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.

## 4 **Purchasing Policy Non-Compliance**

Purchasing Activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire's policies and procedures.

A failure to comply with the requirements of this policy will 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:

- ~ an opportunity for additional training to be provided;
- ~ a disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994;
- ~ misconduct in accordance with the Corruption, Crime and Misconduct Act 2003.

## 5 Record Keeping

All 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/Town/City's Record Keeping Plan. This includes those with organisations involved in a tender or quotation process, including suppliers.

## 6 Administration

Summary	Name Version Review Dates
Type	Policy & Procedures
Previous	2005 Policy Manual 18 November 2020 Update
Current	



## Policy

# 4.4 Regional Price Preference

### Well-being

Social

### Previous Policy Title

Buy Local – Regional Price Preference Policy v2

### Objective

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

### Details

#### **Definitions**

In this policy the following words have the following meanings:

- 1 For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- 2 A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
  - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2(b)) may be —

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

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.



**Policy Application**

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.

*Levels of Preference to be Applied Under This Policy*

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

- (a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- (b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- (c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

*Competitive Purchasing*

Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.

The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.

For the purchase of goods and/or services outside of the tender process, consideration should be given to Council’s desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer’s judgement, ensuring that the Shire’s policies and guidelines are observed.

**Administration**

Summary	Name Version Review Dates
Previous	2005 Policy Manual 18 November 2020 Update
Current	



## Policy

# 4.5 Financial Hardship

### Well-being

Civic Leadership

### General Financial Hardship

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### COVID-19 Financial Hardship

#### 1 Objective

To put as process in place a means to support persons who from time to time face financial hardship during the COVID-19 Period where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

#### 2 Background

This policy arose from the need to give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic.

#### 3 Application

This policy applies to outstanding rates and service charges as at the date of adoption of this policy; and for rates and service charges levied by Council

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* (Act) and *Local Government (Financial Management) Regulations 1996* will apply.

#### 4 Guidelines

##### 4.1 Payment difficulties, hardship and vulnerability

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. Council recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

## 4.2 Anticipated Financial Hardship

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

## 4.3 Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

## 4.4 Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Council of any change in circumstance that jeopardises the agreed payment schedule.

## 4.5 Interest Charges

### *COVID-19 Period*

A ratepayer that meets the Financial Hardship Criteria will not attract interest or penalty charges on rates / service charge debt in 2020/21, subject to the period of time that the *Local Government (COVID-19 Response) Ministerial Order 2020* remains effective

In the case of severe financial hardship, Council may consider writing off interest applicable to the Emergency Services Levy and/or interest previously accrued on rates and service charge debts.

#### 4.6 Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

#### 4.7 Debt Recovery

##### COVID-19 Period

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

#### 4.8 Review

We will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

#### 4.9 Communication and Confidentiality

We will maintain confidential communications at all times, and we undertake to communicate with a nominated support person or other third party at your request.

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

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

## 5 Administration

Summary	Name Version Review Dates
Previous	2005 Policy Manual 18 November 2020 Update
Current	



## Policy

### 4.6 Asset Management

#### Well-being

Civic Leadership

#### Overview

This policy covers all service delivery of the Shire and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services or the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party.

Service delivery may be via the provision of Shire owned Infrastructure Assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.

Alternatively service delivery may be via third party, in which case the Shire has a role in ensuring third party Infrastructure Assets are optimally provided and managed to achieve financially sustainable service delivery outcomes without the need to draw on Shire resources.

The policy also assists the Shire in compliance with the provisions of the State Government's Integrated Planning and Reporting Framework by having an integrated approach to Planning for the Future.

#### Objectives

The objective of this policy is to ensure that the Shire of Murchison has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

#### Details

##### **Scope and Limitations**

This policy covers all service delivery of the Shire and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services or the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party. This may include but is not limited to:

- ~ Government Agencies;
- ~ Private Enterprise; and
- ~ Contractors.

## **Background**

The community relies on the Shire to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery. The Shire must ensure that service delivery is well targeted and aligns with the Community's aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire also needs to continuously consider whether it needs to provide and / or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party, i.e. non asset ownership service delivery.

To assist with making informed decisions in relation to this issue, the Shire will put in place the following:

- ~ A Strategic Asset Management Framework that is consistent with National Standards in Asset Management and Long Term Financial Planning (Nationally Consistent Approach);
- ~ Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy);
- ~ Develop, maintain and regularly review an Asset Management Improvement Strategy that clearly articulates a sustainable path for continuous improvement and identifies resources to implement via the budget process;
- ~ Develop, maintain and regularly review Asset Management Plans that cover all key Infrastructure Asset Classes;
- ~ Asset Management Plans will document the Council adopted level of service that applies to Infrastructure Assets which will be derived from Service Level Plans and the community engagement processes used to develop the Strategic Community Plan; and
- ~ Ensure processes are in place to train Councillors and Officers in key aspects of asset management and long term financial planning.

## **Guiding Statement**

### **Key Commitments**

Prior to making a decision to either:

- ~ Deliver a new service;
- ~ Vary the current level of service (up or down); or
- ~ Cease the delivery of a service;

The following key commitments are to be adhered to:

- ~ The need for the service will be reviewed;
- ~ The service must align with the Strategic Community Plan and fit within the Corporate Business Plan (A Capital evaluation process is to be developed and utilised to assess this);
- ~ Options for the Shire to facilitate delivery of the service by a third party are to be identified and considered;
- ~ If the service is needed and a third party cannot deliver the service, infrastructure assets that are required to deliver the service will be identified along with:
  - o The whole of life cost of delivering the service; and
  - o The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery.
- ~ The service delivery and asset whole of life costs must fit within the 10 Year Long Term

Financial Plan;

- ~ Options to renew infrastructure assets before acquiring a new infrastructure asset are to be considered;
- ~ Options to rationalise assets will be considered; and
- ~ The CEO will be responsible for the development of the systems and processes to comply with the above key commitments.

#### *Linkage to Integrated Planning and Reporting Framework (IPR)*

The Shire has a corporate business plan linking to long term financial planning that integrates asset management and specific Council plans with the IPR Framework.

#### *Linkage to Other Council Policy*

Nil.

#### *Responsibility and Reporting*

##### *Council*

Council is responsible for approving (including amendments to) the following documents:

- ~ Asset Management Policy (AM Policy);
- ~ Asset Management Improvement Strategy (AM Improvement Strategy); and
- ~ Asset Management Plans (AM Plans).

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also to determine the Level of Service for each asset class.

##### *Chief Executive Officer (CEO)*

The Chief Executive Officer is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's AM Policy, AM Improvement Strategy and AM Plans. The CEO reports to Council on all matters relating to Asset Management.

The CEO is also responsible for monitoring the implementation of Asset Management across the organisation. The CEO will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management.

Furthermore, the CEO is responsible for ensuring that Council's AM Improvement Strategy is achieved and that AM plans are prepared and maintained in line with Council's Policy on Asset Management. Where aspects of Council's AM Policy, AM Improvement Strategy or AM Plans are not being achieved or adhered to, the CEO is responsible for taking corrective action.

The CEO is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy.

*Policy Definitions*

<i>“Asset”</i>	means a physical item that is owned or controlled by the Shire and provides or contributes to the provision of services to the community (in this context, excluding financial, intellectual and intangible assets).
<i>“Asset Management”</i>	means the process applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.
<i>“Asset Management Plan”</i>	means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.
<i>“Council”</i>	means the elected council (comprising Councillors) of the Shire of Murchison.
<i>“Infrastructure Assets”</i>	are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Buildings, Airports, Parks & Gardens and Sporting Facilities and Other Improvements.
<i>“Level of Service”</i>	means the combination of Function, Design and Presentation of an asset. The higher the Level of Service, the greater the cost to deliver the service. The aim of Asset Management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.
<i>“Life Cycle”</i>	means the cycle of activities that an asset goes through while it retains an identity as a particular asset.
<i>“Whole of Life Cost(s)”</i>	means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal costs.
<i>“Maintenance”</i>	means regular ongoing day-to-day work necessary to keep an asset operating and to achieve its optimum life expectancy.
<i>“Operations”</i>	means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting etc.
<i>“New”</i>	means creation of a new asset to meet additional service level requirements.
<i>“Resources”</i>	means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).
<i>“Renewal”</i>	means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.
<i>“Risk”</i>	means the probability and consequences of an event that could impact on the Shire’s ability to meet its Corporate Objectives.
<i>“Shire”</i>	means the collective Shire of Murchison organisation. The Chief Executive Officer of the Shire is responsible for ensuring the Shire’s obligations and commitments are met.
<i>“Stakeholders”</i>	are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.
<i>“Upgrade”</i>	means enhances an existing asset to provide higher level of service.



**Outcomes**

Adherence to this policy will ensure that the Shire will continue to deliver (or facilitate the delivery) of financially sustainable services aligned with the aspirations of the community.

**Compliance**

*Statutory Compliance*

Local Government (Administration) Regulations 1996

*Industry Compliance*

Western Australian Asset Management Improvement Program (WAAMI)

National Asset Management and Financial Planning Assessment Framework (NAMAF)

*Organisational Compliance*

Integrated Planning Strategy

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## Policy

# 4.7 Fraud Control

### Well-being

Civic Leadership

### Objectives

The purpose of this policy is to demonstrate and communicate the Council's commitment to the prevention, deterrence, detection and investigation of all forms of fraud and to establish guidelines for the writing off of debts and waiving of fees and charges.

### Details

#### ***Fraud Control***

As fraud constitutes a significant risk to any organisation, it is appropriate that a culture of ethical conduct be developed to recognise and avoid fraud and to deal appropriately with any cases of fraud.

Fraud can lead to financial loss, bad publicity for the Shire and loss of public confidence in the way that public money and other resources are being used. It is therefore important that the Shire has robust systems and procedures in place to ensure that the risk of impropriety is minimised, as far as possible, that there is a process in place to enable fraud to be adequately reported and that where instances of fraud do occur, there is a prompt and effective response to them.

#### ***Fraud***

*Fraud* is defined as “wrongful or criminal deception intended to result in financial or personal gain”. Fraud is a deliberate act by an individual or group of individuals and is therefore always intentional and dishonest.

*Internal Fraud* refers to fraudulent acts undertaken by Councillors and employees. Examples of such fraud would include: falsification of expenses and wages claims, theft of cash and alteration of records to conceal the deficiency, falsification of invoices for payment, failure to account for monies collected, falsification of timesheets and time cards, dealing inappropriately with benefits claims of friends or relatives.

It is also worth noting that there may, in some instances, be potential for those in positions of trust within the Shire to perpetrate frauds against third parties. The Shire has the responsibility for the integrity of staff employed in such positions of trust.

*External Fraud* is defined as fraud committed against the Shire by persons outside of the organisation. Examples include false statements in applications for Shire programs and applications for grants or false invoices for goods or services.

Fraud and other similar irregularities includes, but is not limited to:

- ~ Forgery or alteration of cheques, invoices, computer records and other documents;
- ~ Any misappropriation of funds, securities, supplies or any other asset;
- ~ Any irregularity in the handling or reporting of money transactions;
- ~ Misappropriation of furniture, fixtures and equipment;
- ~ Seeking or accepting anything of material value from vendors, consultants or contractors doing business with the Shire;
- ~ Unauthorised use or misuse of Shire property, equipment, materials or records;
- ~ Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software;
- ~ Any claim for reimbursement of expenses that are not made for the exclusive benefit of Shire;
- ~ The intentional distortion of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain;
- ~ Providing false or misleading information related to financial interests and disclosure statements;
- ~ Any similar or related irregularity.

### ***Roles and Responsibilities***

#### *Councillors*

Councillors have a duty to ensure that Shire assets are safeguarded from fraud and abuse and to ensure that Council's powers, duties and responsibilities are exercised in an open, fair and proper manner to the highest standards of probity.

These issues need to be borne in mind when considering reports, making decisions and scrutinising Council's activities.

Councillors should endorse and support all policies and measures taken to prevent, deter, detect and resolve instances, or suspected instances, of fraud throughout the Shire.

#### *Chief Executive Officer*

The Chief Executive Officer has primary responsibility for the proper management of the Shire's resources and the development and implementation of systems and practices to minimise the risk of fraud.

The Chief Executive Officer, under the Corruption, Crime and Misconduct Act 2003 must notify the Corruption and Crime Commission or the Public Sector commission if misconduct is suspected.

#### *Deputy Chief Executive Officer and Works Supervisor*

The Deputy Chief Executive Officer and Works Supervisor are responsible for implementing fraud control initiatives and in particular:

- ~ Provide leadership, guidance, training and support to employees in preventing fraud and corruption;
- ~ Identify high fraud risk areas;
- ~ Participate in fraud and corruption risk assessment reviews which are presented to the Audit Committee to assess and provide assurance that the entity has appropriate processes and systems in place;
- ~ Monitor the continued operation of controls;
- ~ Conducting or coordinating investigations into allegations of fraud;

- ~ Complying with legislation and Shire policies and practices;
- ~ Ensuring staff understand their responsibilities through adequate communication, supervision, written procedures and job descriptions;
- ~ Responding positively to matters raised and advice given by internal and external audit.

Management need to be vigilant in guarding against fraud, be aware of any circumstances which may indicate that there may be a problem and report any such suspicions to the Chief Executive Officer or Deputy Chief Executive Officer for an independent investigation or advice.

In carrying out their responsibilities, all managers (and staff) should be conscious of the fact that they are spending public money collected through rates and taxes. This provides an extra responsibility not only to spend it economically and effectively but also fairly.

### *Staff*

Staff are responsible for acting with honesty and integrity in all council activities and must:

- ~ Not use their position with the Council to gain personal advantage or to confer undue advantage, or disadvantage, on any other person or entity.
- ~ Safeguard Council assets against theft, waste or improper use.
- ~ Understand what behaviour constitutes fraud and / or corruption.
- ~ Familiarise themselves with and adhere to Council's policies and procedures.

Staff have a duty to make management aware of any concerns they have about the conduct of the Shire's affairs or the use of Shire assets and resources. Any matters raised by them should be taken seriously and properly investigated. Staff who suspect that fraud has occurred should advise their Line Supervisor, Manager or Director as soon as possible.

### *Internal Audit*

Internal Audit has an important role in assisting management in the prevention and detection of fraud by:

- ~ Independently reviewing systems, procedures and controls to ensure that there are adequate safeguards to prevent, deter and detect fraud with particular attention being paid to the review of contracts and computer systems where there is potentially a significant risk;
- ~ Through specific audits and testing of systems, identifying areas of concern;
- ~ Responding to requests for advice from managers on controls to put in systems;
- ~ Independently investigating suspected frauds and irregularities and reporting conclusions to the Audit Committee, management and, where necessary, the Police;
- ~ Producing, and advising on the production, of rules, regulations and policies which deter fraud.

It is acknowledged that given limited staff numbers that this action may present some challenges

### *External Audit*

External Auditors certify that the Shire's accounts represent a true and fair view of the Shire's financial position. In reaching this conclusion, they must satisfy themselves that control systems are sound and that measures are being taken to minimise the chances of fraud.

### **Induction Process**

The elements of fraud and the responsibility of all staff to not participate in and report fraudulent activity will form part of Council's induction process.

### ***Development of Fraud Control Plan***

Council shall examine its exposure to fraud biennially and shall develop a fraud control plan which will be implemented over the following years.

### ***Response to Allegations and Concerns***

Allegations and concerns about fraudulent or corrupt activity may come from different sources e.g.

- ~ Members of the public, sometimes anonymously
- ~ Other local authorities
- ~ Councillors
- ~ Council managers or staff
- ~ Internal or external audit reviews

Allegations and concerns about fraudulent activity can be reported to the Chief Executive Officer, Directors, Managers and Line Supervisors and those persons making and/or raising allegations and concerns must be either willing to put this in writing and/or have supported evidence to avoid those persons who maliciously and knowingly create a false allegation.

Wherever these concerns come from they must be treated seriously and confidentiality will be respected as far as possible. A thorough investigation will be made of all concerns but the level of resources applied to this will be dependent on the nature of the concern e.g. sums or resources involved, sensitivity of the area, source of concern, evidence provided or available, risk inherent in that area.

For cases of internal fraud, investigations should be closely managed and documented in accordance with Shire procedures.

At all times confidentiality must be maintained and information disclosed only to those who need to know it, in order not to prejudice any disciplinary or criminal action.

### ***Actions to be taken when Fraud is Uncovered or Suspected***

Investigations into suspected fraudulent activity will be comprehensive and will be based on the principles of independence, objectivity and the rules of natural justice.

Investigations will be conducted by an appropriately skilled and experienced person who is independent of the area in which the alleged fraudulent conduct occurred.

Where there is sufficient evidence of fraud, or there is strong suspicion but internal investigations are unable to obtain further evidence required, the Police should be involved where it is considered in the "Council or public interest".

Determination of the "Council or public interest" will include factors such as the sums or resources involved, the strength of the evidence obtained or available, the potential cost to the Council of pursuing the matter, the sensitivity of the area concerned. Referral to the Police will be the normal course of action unless there is a strong case not to do so.

Where involvement of the Police is not appropriate, the strongest action possible should be taken. This may involve disciplinary action including dismissal and the recovery of any sums of money or resources misappropriated.

At the conclusion of any fraud investigation, systems and procedures will be reviewed and any remedial actions implemented, whether or not there was sufficient evidence to prove any wrongdoing.

Any remedial actions identified from this process shall be recorded in the Shire's Risk Register and allocated to the relevant manager through his/her Risk Plan.

Monitoring of remedial actions will be undertaken by the Shire's Internal Auditors on an annual basis.

A fraud, integrity and conduct register will be maintained by the Deputy Chief Executive Officer

**Training**

Training will be given to all staff in the principles of fraud, the reporting of fraud and the process involved in investigating suspected fraud.

**Insurance**

The Shire shall maintain a fidelity guarantee insurance policy that provides insurance against the risk of loss arising from internal fraudulent conduct.

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## Policy

# 5.1 Community Use of Facilities

### Well-being

Social

### Overview

Murchison Shire is responsible for managing a small array of community buildings located in the Murchison Settlement. This Policy provides guidance to staff and the community in relation to various issues that warrant specific operational consideration

### Objectives

To efficiently and effectively manage the use of Councils community buildings and facilities in an appropriate manner.

### Details

#### ***Murchison Sports Club***

##### *General Use*

- (a) The contract of usage is through the Shire of Murchison and is subject to the approval from the Chief Executive Officer.
- (b) If liquor is being made available at a function in the hall the hirer must present the relevant licence required and obtain written approval from the Chief Executive Officer for the consumption of liquor.
- (c) When different users use different parts of the hall at the same time, co-operation in the use of the kitchen is required.
- (d) Hirers are required to have the hall vacated and locked within two hour of the conclusion of the function.
- (e) The meeting room and kitchen are available to the visiting health services as required.

##### *Occasional Accommodation*

*This space intentionally left blank*

#### ***Sports Club Public Toilets***

On the understanding that the toilets at the north of the Murchison Sports Club will be available for public use Council will accept responsibility for the costs of maintenance and cleanliness of this facility.

**Roadhouse Public Toilets**

On the understanding that the toilets at the north of the Roadhouse will be available for public use Council will accept responsibility for the costs of maintenance and supply of cleaning material and toilet tissue. The proprietors of the Roadhouse are responsible for the daily cleaning of this building or more frequently if required to ensure it is kept at a high standard of cleanliness.

**Smoking in Council Buildings**

Smoking is not permitted in confined spaces within Council Buildings with the exception of staff housing.

**Consumption of Liquor**

Application is to be made in writing for approval to consume liquor in Council buildings (with the exception of staff housing) and approval shall be at the discretion of the Chief Executive Officer. Where a Council building is managed by a local community organisation the application will be subject to approval of that Committee for determination.

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## Policy and Principles

# 6.1 Road Operations

### Well-being

Economic and Environmental

### Objectives

Murchison Shire is responsible for managing a large road network within the Shire and recognises that it needs to ensure a safe road network that is sustainably managed from a financial, environmental and cultural perspective.

### Details

#### **Technical Responsibility**

Technical responsibility for road design, construction and maintenance rests with the Chief Executive Officer and Works Supervisor.

#### **Use of Heavy Vehicle Combinations on Local Roads**

The Chief Executive Officer is authorised by Council to consider and approve requests from operators:

- (a) to add or amend a road on a Restricted Access Vehicle Network, or
- (b) or a Restricted Local Access Period Permit,

on the condition that the application has been made in the prescribed manner to Main Roads Heavy Vehicle Services, in the first instance.

The CEO is to give due consideration to the condition of the road and other assets, such as grids and culverts, prior to forwarding approval to HVS, especially if the application is for a Restricted Local Access Period Permit, where Route Assessment Guidelines are not met.

The following conditions are to be included in all approvals:

- 1 Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations;
- 2 In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Murchison;
- 3 CA07 – All operators must carry the written approval from the LG authority permitting use of the road;
- 4 The following speed limits will generally apply
  - Unsealed open road 80 km / hour
  - Built up areas 50 km / hour or 10 km below the designated speed limit whichever is the lesser

### **Stock Grids**

- 1 Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, the CEO may commence the process to remove the grid;
- 2 The process is that the CEO will notify the lessee/landowner of Council's intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
- 3 After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
- 4 If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed
- 5 This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is no longer required. Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location.
- 6 Boundary grids will be maintained.

### **Gravel Supply Agreements**

Where gravel is negotiated with land holders from pastoral property either a written or verbal agreement is to be entered into with the landholder as required. The agreement is to clearly identify estimated area required and the amount of gravel to be extracted. Gravel pits are to be levelled and reinstated by council staff at the end of their useful life as determined by the Works Supervisor or Chief Executive Officer.

Where gravel or other road building material use is negotiated with land holders from pastoral properties, a written agreement is to be entered into with the landholder, clearly identifying the boundaries of the extraction area and the amount of material to be extracted.

If the proposed pit requires clearing, then a clearing permit is to be obtained from the Department of Environment Regulation prior to extraction of the gravel. The landholders' permission will be required for the application to progress.

Once a clearing permit has been obtained, the boundaries for vegetation clearing should be clearly defined prior to the commencement of works to avoid accidental clearing or inadvertent vegetation damage and removal. No clearing, vehicle and machinery access or parking will occur outside this boundary. All vegetation is to be cleared with suitable land-clearing machinery in such a manner as to minimise disturbance to adjacent vegetation. Non-weed infested vegetation is to be stockpiled in weed free or low weed areas to be reused for rehabilitation or soil stabilisation later in the Project.

Once the pit is depleted gravel pits are to be levelled and reinstated by council staff at the end of their useful life as determined by the Works Supervisor or Chief Executive Officer. Matters to be considered include the following:

- ~ Where additional soil material is required for pit rehabilitation, previously removed overburden material is to be spread over the area and re-contoured consistent with the natural contours of the uncleared land in the immediate vicinity.
- ~ Stockpiled vegetation will then be re-spread as evenly as possible on top of the topsoil. Large logs from cleared vegetation, especially those with hollows, will be spread around the cleared area to create habitat for fauna.
- ~ Redundant access tracks will be graded or otherwise levelled, and ripped. This will remove any dips or channels that may promote erosion or ponding and will provide a land surface that is suitable for seedling establishment.

*Note: Council reserves the right to enforce its rights to extract gravel by legal means if arrangements cannot be made with landholders.*

**Roads Hierarchy**

Council has an adopted and from time to time will amend a Road Hierarchy for all of roads throughout the Shire of Murchison. This hierarchy is used as a means of defining the function of the road, categorising its importance, prioritising works, determining asset management strategies as well as maintenance levels throughout the Shire. The Road hierarchy will be consistent with Main Roads WA road classification system.

**Environmental Principles**

On a situation by situation basis roads need to be constructed and maintained with adaptive overall road design and construction practices.

In undertaking these functions the following principles are to be applied wherever practical and appropriate.

- ~ to be sympathetic with environment
- ~ to cater for variable rainfall frequencies and intensities events that
- ~ to minimise or prevent rain shadow effects

These principles also apply in situations where Council chooses to undertake works when Bunding Old Roads

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## Policy

### 6.2 Private Works

#### Well-being

Economic

#### Objectives

To provide clarity on requirements for Council Staff and the community when undertaking Private Works.

#### Policy Details

##### ***Restrictions on use of Plant for Private Works***

Council will refrain from hiring out small equipment such as small petrol Generators Welders, Jackhammers, Concrete mixer, Chainsaws, Whipper Snippers etc.

Council's plant shall not be used for any purpose either the Chief Executive Officer or the Works Foreman believe is potentially dangerous or not the intended use of the particular machine.

Council plant shall be available for private works hire subject to the operation of the machine being by Council operators.

##### ***Aircraft Landing Strips***

Grading of aircraft landing strips will be carried out as required by the Maintenance Crew or upon request from the landowner or manager to the Chief Executive Officer. Grading of the Landing Strip will be carried out at no cost and all requests for grading must be directed to and be approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

##### ***Private Works for Non-Profit Community and Sporting Groups***

Council plant will be made available for non-profit community and sporting groups when such a usage does not interfere with Council programs and subject to approval by the Chief Executive Officer under the following conditions: -

- ~ Council machines are only to be operated by suitably experienced council employees.

##### ***Maintenance of Station Shearing Sheds Roads***

Grading of Station access roads from the nearest Council road to the nominated station shearing shed or cattle yard will be carried out as required by the Maintenance Crew while the machines are in the vicinity and upon request from the landowner or manager to the Chief Executive Officer. Grading of the shearing shed or cattle yard access roads will be carried out at no cost and all requests for grading

must be directed to and approved by the Chief Executive Officer prior to commencement of the works when the machinery is in the vicinity.

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## Policy

# 7.1 Building Planning and Health

### Well-being

Economic and Environmental

### Objectives

To ensure compliance with relevant Building Planning and Health Acts and Regulations within the Shire

### Details

#### **Building**

##### *Building Controls*

The Shire of Murchison has no current obligation to issue building permits for any building work undertaken within the Shire. In the interest of due diligence, the Shire will require certification in relation to compliance with the National Construction Code (NCC) for any buildings that the Shire itself contracts the construction of.

Where a new building would normally require the issuing of a Certificate of Design Compliance (CDC) pursuant to the NCC, the Building Act and the Building Regulations, the Shire will require the submission of the same by a suitably qualified person (Building Surveyor) for all construction within the Murchison Settlement. Copies of CDC's for all Council Projects are to be retained on site at the Shire Administration Centre, Murchison Settlement

Where any owner or occupier wishes to lodge a CDC for any construction undertaken within the Shire but outside of the Murchison Settlement, a copy will be retained on the Shire records free of charge. Proponents of any construction project within the Shire are to be advised of this Council Policy with respect to Building Controls and that fees such as the Building and Construction Industry Training Fund (BCITF) may still require payment. All enquiries and payments to the BCITF and/or the Building Commission should be directed to those authorities

#### **Planning**

##### *Planning Controls*

The Murchison Shire currently has no adopted Town Planning Scheme.

Planning information and advice can be obtained from the Shire Office.

**Health**

*Health Matters*

*Intentionally left blank*

*Parties, Concerts and Large Public Events*

Prior to consideration of any application for large or unusual events proposed to be held in the Shire, Council may require that public submissions be invited on the proposal and that organizers of the event be available to hold a public briefing meeting for the community. Events are to be assessed and approved in accordance with the Health Act 1911 and the Health (Public Buildings) Regulations 1992.

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## Policy and Procedures

# 8.1 Fire Organisations

### Well-being

Civic Leadership

### Objectives

To minimise and mitigate the impact on Fires within the Murchison Shire as part of Council's legislative Fire Control responsibilities

### Details

#### ***Establishment of Bushfire Brigades***

Council shall establish and maintain Bushfire Brigades in accordance with the Bush Fire Act in order to provide adequate protection of those areas of the Municipality within the Bushfire district.

#### ***Bushfire Advisory Committee***

Council will form a Bushfire Advisory Committee to administer Council's policies on matters relating to bushfire prevention, control and extinguishment as provided for by the Bush Fires Act.

The Committee shall have powers to advise Council by providing recommendations in respect to the powers above. The Bushfire Advisory Committee shall consist of:-

- The Chief Bushfire Control Officer (who shall be chairman of the Committee),
- The Deputy Chief Bushfire Control Officer (who shall be Deputy Chairman of the committee)
- Two representatives from each of the Bushfire Brigades of the Shire of Murchison,
- A Councillor as a shire representative and,
- The Chief Executive Officer or their nominee who shall act as the administration/secretary to the committee.

The Annual General Meeting of the Bushfire Advisory Committee will be held at the completion of the Ordinary Council Annual General Meeting where all appointments will be confirmed and Station plant inventory checked and updated.

A quorum for meetings shall comprise one more than half of the designated Committee. Minutes of the Bushfire Advisory Committee meetings shall be presented to the next meeting of the Council held after the Bushfire Advisory Committee Meeting. Meetings will be held in the first week of September and March in each year.



### ***Bushfire Control Officers***

A Bushfire Control Officer is a person who has been appointed to that position by the Council, usually the Chief Executive Officer. Such appointment is to be advertised at least once in a newspaper circulating in the district. They are voluntary officers who give their time in furthering the aims of fire prevention and control within the Shire of Murchison.

Bushfire control Officers have powers as prescribed by the Bush Fires Act and are not liable for any damage, loss or injury caused as a result of the exercise in good faith of their powers.

#### ***Outline of Duties:-***

- ~ Attend Bush Fire Advisory Committee Meetings and participate in the formulation of Control Policies as required.
- ~ Inspect firebreaks and ensure standards set are met by the various landholders in the relevant Brigade area.
- ~ Issue permits as required for the burning of bush.
- ~ Issue permits for other fires such as clover burning permits and ensure any special conditions are met.
- ~ Issue permits for protective burning during prohibited burning times and ensure special conditions are met and permits endorsed as required.
- ~ Prevent bushfires and protect life and property in the outbreak of fire.
- ~ Take steps for legal action against any person committing an offence under the Act by report to the Chief Executive Officer of the Council.

### ***Clearing Fires***

It is the responsibility of the person lighting a clearing fire to ensure that adequate equipment is available for the protection of their property and neighbouring property. Shire Fire Units should remain at their normal station and must be well maintained and ready for use at short notice.

### ***Protected Burning Fires – Suspension of Requirements***

The suspension of the need for permits during the restricted burning times does not alter the requirement of advice to neighbours of intention to burn.

### ***Hazard Reduction Operations***

All hazard reduction operations undertaken by Bushfire Brigades shall be authorised by the Shire of Murchison.

### ***Use of Shire Plant and Equipment***

The Shire President, Deputy Shire President, Chief Executive Officer or the Works Forman are authorised upon request by an authorised Bushfire Control Officer in charge of a fire, to call out and authorise the use of Shire Plant and Equipment other than plant used exclusively for fire fighting or local control. If authorised the operators of that equipment have discretion as to the extent of that use with particular regard to safety and machine capabilities. The use of Shire Plant and Equipment outside of the district for fire fighting purposes is subject to the conditions of the preceding paragraph.

### ***Infringement Notices and Legal Action***

Only persons authorised by the Shire of Murchison are authorised to take legal action against offenders under the Bush Fires Act.

**Fire Reports**

Bushfire Control Officers who have been in control of a fire outbreak shall submit fire reports on the forms provided by the Shire within 48 hours of the fire being controlled to the Chief Executive Officer.

The report shall include recommendations relating to investigation and or prosecution.

**Restricted Burning Times**

The Restricted Burning Times within the Shire of Murchison are:-

1 October to 30 April

Burning is prohibited on days of VERY HIGH or EXTREME Fire Danger. Permits are required during the restricted burning period. A permit can be gained from the Shire Office. A permit is invalid on days of very high or above. fire danger

Variations to the prohibited and restricted burning times can only be authorised by the Chief Bushfire Control Officer and the Shire President. Such variations are to be advertised.

**Advise of Intention to Burn**

Any person intending to carry out a large burn which may be seen from either a neighbour or a passing vehicle should contact the Chief Bush Fire Control Officer / Chief Executive Officer to advise of the details and reason for the burn.

**Fire Control Point**

The Control Point established by a Bushfire Control Officer in charge of a fire is to be identified wherever possible by means of amber flashing lights.

**Insurance**

The Shire of Murchison will obtain and keep current relevant insurance policies for fire fighters and equipment pursuant to the Bush Fires Act.

**Fire Channel**

Channel 7 on the UHF CB two-way radios shall be the Shire of Murchison fire channel. Fire Control Officers only are authorised to change the channel when required for fire control purposes.

**Administration**

Summary	Name	Version	Review Dates
Previous	2005 Policy Manual		18 November 2020 Update
Current			



## Policy and Procedures

# 8.2 Fire Operations

### Well-being

Civic Leadership

### Objectives

To outline the types of operational support mechanisms that Council will provide to assist Voluntary Firefighters.

### Details

#### ***Fire Fighting Vehicles and Equipment***

##### *Provision of Vehicles and Equipment*

The Shire of Murchison shall provide and maintain fire fighting appliances and equipment pursuant to its powers under the Bush Fires Act and budgetary allowances.

##### *Housing of Fire Fighting Vehicles*

Shire firefighting appliances will be stationed at the Murchison Settlement. No appliance shall have its location changed from one station to another without the specific authorisation of the Chief Executive Officer of the Shire and any request for change must be submitted in writing clearly stating the reason for the change. The Chief Executive Officer will either approve or decline the request in writing to the applicant.

##### *Maintenance of Vehicles and Equipment*

Maintenance and repair of all Shire owned appliances and equipment will be the responsibility of the Works Foreman. All repairs and maintenance will be carried out either under his direct supervision or with his knowledge and consent. All replacement parts or equipment will be purchased on official Shire Order forms. Ensure that Brigade appliances are checked on a regular basis and maintained. Ensure that the battery, tyres, water, oil and fuel are checked regularly.

##### *Drivers of Shire Firefighting Vehicles*

The driver of any shire fire fighting appliance must hold a current licence of the class appropriate for the appliance being driven and be either:-

- ~ A Council employee,
- ~ A registered member of a Bushfire Brigade, or
- ~ Any person authorised by the Bushfire Advisory Committee or a Fire Control Officer to do so.

The driver is responsible to observe the provisions of the Road Traffic Code, in particular those rules applying to emergency vehicles.

### *Use of Firefighting Vehicles and Appliances*

Shire firefighting appliances and vehicles shall only be used for firefighting and Shire purposes only.

### *Tools and Equipment*

Standard equipment for Shire firefighting appliances shall be two rake hoes and two shovels.

### *Communications*

An efficient two-way radio network will be established for firefighting communications. Any vehicle used for firefighting purposes (either council or privately owned) must have a fully functional UHF two-way radio fitted.

## **Training of Fire Fighters**

### *Recognition of Training*

Council recognises:-

- ~ That fire fighters must be properly trained to perform their tasks in a safe and efficient manner,
- ~ That responsibilities differ at various levels in the fire organisation and accordingly the level of skills required varies also, and
- ~ That a basic level of skill is required for all fire fighters.

### *Training Programmes*

Council will encourage officers and members of Brigades to participate in the training programs offered by the relevant authorities.

### *Insurance*

Council will ensure that appropriate insurance policies/relevant extensions are held to cover volunteers whilst training.

### *Minimum Training Requirements*

Council expects its Bushfire Officers and Brigade Members to be trained at a level consistent with rank and role within the bushfire organisation. Training minimum standards for fire fighters are Modules 1 to 5 of the current firefighter's course.

## **Safety and Health of Volunteer Firefighters**

### *Safety and Health*

Council recognises the extremely valuable contribution to the community by bushfire volunteers. It is the policy of Council to ensure that bushfire volunteers are provided with safe working equipment, the safest works system practical and to minimise the frequency of accidents and injury. Council recognises that both the Shire and Bushfire volunteers have a responsibility for safety and health. Council acknowledges that the occupational risks relevant in fire fighting and emergency duties undertaken by bushfire volunteers are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to bushfire volunteers, both on the fire ground and in the performance of all other duties.

### *Council responsibilities:-*

All practical efforts will be made to:-

- ~ Instruct bushfire volunteers in safe working practices,
- ~ Ensure that brigade equipment is in safe working order,
- ~ Encourage the use of proper protective clothing and equipment appropriate to the task,
- ~ Ensure that volunteers have ready access to first aid facilities,
- ~ Investigate accidents and possible safety and health risks and take appropriate remedial action,
- ~ Provide a mechanism for joint shire/Bush Fire Board/Volunteer consultation on safety matters, and

- ~ Review the effectiveness of bushfire volunteer training, safety and health policies as necessary.

*Volunteer Responsibilities:*

- ~ To maintain a reasonable standard of physical fitness,
- ~ To acquaint themselves with safe working procedures,
- ~ To identify safety and health hazards and report these for remedial action,
- ~ To observe safe working practises and avoid unnecessary risks, and to accept responsibility for their own safety,
- ~ To ensure that at all times they dress appropriately for fire fighting and make proper use of personal protective equipment wherever necessary or required to do so.

*Safety Clothing and Footwear*

The Chief Bushfire Control Officer will not allow volunteers who they believe are not suitably clothed to assist with the fighting of a fire. Volunteers must have a long sleeve shirt and trousers (Fire Fighting Uniform if available) enclosed footwear (boots) and a hat.

**Administration**

Summary	Name	Version	Review Dates
Previous	2005 Policy Manual		18 November 2020 Update
Current			



Policy

# 9.1 Roadhouse Operations

## Well-being

Economic

## Objectives

*Intentionally left blank*

## Details

## Administration

Summary	Name	Version	Review Dates
Current			



## Policy

### 9.2 Roadhouse Fuel

#### Well-being

Economic

#### Objectives

As a not for profit organisation in a remote area Council, in owning and operating fuel facilities at the Murchison Oasis Roadhouse is committed to balancing the desires to make a commercial return with the need to provide local benefit when determining the price of fuel sold at the roadhouse.

Council aims to operate these facilities at neither a profit nor loss over the medium to long term.

#### Application

Applies to the retail price for fuel sold at the Murchison Oasis Roadhouse

#### Details

Council will set the price of fuel facilities sold at the Murchison Oasis Roadhouse so that the price of fuel is set at a level on a % basis above the highest of the purchase price (including freight) of newly delivered ULP or diesel so that the Policy Objectives are met.

This will be achieved through periodic reviews of operating and capital costs of the facilities with the % variation then reviewed and adjusted.

#### Administration

Summary	Name Version Review Dates
Previous	2005 Policy Manual 18 November 2020 Update
Current	

murchisonshire Transitional Policy and Procedures Register		Existing Policy Elements to be Recinded			25/11/2020	
Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
		1.1	Council Meetings	Legislative requirement covered under legislation	21/10/2005	Remove
		1.3	Committee Functions	Legislative requirement covered under legislation	21/10/2005	Remove
		1.5	Agendas	Legislative requirement covered under legislation	21/10/2005	Remove
		1.6	Minutes	Legislative requirement covered under legislation	21/10/2005	Remove
		2.1.2	Traffic Signs	An administrative action / delegation not a policy	21/10/2005	Remove
		2.2.1	Plant Repairs	We now now have our own staff. Balance covered under Purchasing and Regional Price Preference Polices	21/10/2005	Remove
		2.2.3	Garaging of Council Plant	Desirable but an operational matter not a policy	21/10/2005	Remove
		2.2.4	Fire Extinguishers on Council Plant	Essential but an operational matter not a policy	21/10/2005	Remove
		2.2.5	Used Grader Blades	Currently addressed under delegated authority.	21/10/2005	Remove
		2.2.7	Vehicle Replacement Programme	Operational matter not a policy now covered separately with separate reports to Council with Plant Working Group	21/10/2005	Remove
		2.4.2	Sale of Surplus Materials	Currently addressed under delegated authority.	21/10/2005	Remove
6.1	Road Operations	2.4.4	Bund Construction	Very specific and not a policy as worded. Incorporate objectives into an overall general wider more nuanced environmental approach to roads design maintenance and construction	15/04/2016	Remove & Update
		6.1.1	Budget Preparation	Legislative requirement covered under legislation	21/10/2005	Remove
		6.1.2	Budget Submissions	Legislative requirement covered under legislation	21/10/2005	Remove
		6.1.3	Budget Adherence	Legislative requirement covered under legislation	21/10/2005	Remove
		6.1.5	Discount on Rates	Many Councils are moving away from Rates discounts as its not cost effective. You also need to budget extra for the discount. Currently we do not offer this option	21/10/2005	Remove
		6.2.1	Investment of Surplus Funds	Legislative requirement covered under legislation	21/10/2005	Remove
		6.4.1	Responsible Employee	There does not appear to be such a definition in the Local Government (Financial Management) Regulations	21/10/2005	Remove



17.4.4 - November 2020

Prop Ref	Proposed Policy	Existing Ref	Existing Description	Comments	Latest Operational Date	Proposed Action
		6.5.3	Purchase of Property, Plant and Equipment	An operational matter now covered separately with separate reports to Council including regular updates through the Plant Replacement Program, budget reviews etc	21/10/2005	Remove
		6.5.4	Purchase of Capital Items	Operationally covered through regular budget reviews. Also now addressed under Purchasing Policy	17/07/2012	Remove
		8.1.2	Appointment of Staff	Legislative requirement covered under legislation	21/10/2005	Remove
		8.1.3	New Positions	Operational matter with flexibility key given remote location, and difficulties attracting staff, need to adapt to resources that are present and the unlike hood of changes at a senior level. Overall budget amount is set by Council and regular updates are always provided as matter of course	21/10/2005	Remove
		9.2.2	Motions to be written	Standing Orders Local Law 2001 and Act covers off Notcie of Motions. Operationally this seems in conflict with current general Council practice.	21/10/2005	Remove
		9.3.5	Executive Function Tests	Operational action that does not seem have implications under Section 3.18(3) as suggested. In any event Council has budget oversight and makes decisions on all services whether new or not. It already has strong public consultation practices	21/10/2005	Remove