Shire of West Arthur

Policy Manual

Forest to Wheatbelt

PREFACE

The Policy Manual is the compiled decisions of Council to the Chief Executive Officer (CEO), employees and other officers, detailing how specific matters are to be administered, the standards to apply etc. Council Policy is over-ridden by:

- Commonwealth and State legislation and regulations,
- the Local Planning Schemes
- Local Laws
- Council resolutions
- Delegations

Council Policy overrides:

- Executive Instructions
- Local Government Guidelines
    - although are not decisions of Council, close observance is strongly recommended
- administrative directions/instructions

The decisions can be made at any time and may be varied at Council's discretion. Council Policy is not binding on the Council, but is binding on employees and officers, unless discretion is stated. Council Policy is to be considered as Council's standing or permanent instructions.

The Local Government Act requires the development of only a few policies, otherwise all policies are at Council's sole discretion.

Policies, Codes or Standards of a local government required by the Local Government Act 1995 include:

- Adoption of an Attendance at Events Policy (S5.90A)
- Adoption of a Council Members, committee members and candidates Code of Conduct (S5.104)
- Adoption of an Employees Code of Conduct (S5.51A), to be made by the CEO
- Adoption of Continuing Professional Development Policy for Elected Members (S5.128)
- Adoption of a Policy relating to employing a CEO or Acting CEO (S5.39A and B and C)
- Adoption of Regional Price Preference Policy (R24C Local Government (Functions and General)
- Regulations 1996)
- Adoption of a Policy that pays employees more than required by their contract or award (recognition
- of service / gratuity) (S5.50); and
- Adoption of a Standard for CEO recruitment, performance and termination (based on model)
- (S5.39B).

Other than the above, policies are generally not required to be based on or in legislation but can be a standalone instruction of Council. However, it cannot be inconsistent with legislation.

Within the Policy Manual is a detailed outline of –

- how actions and administrative decisions are to be made,
- when they are to be implemented or made,
- limitations and restrictions etc.

The Policy Statement is resolved by Council. All procedural or reference information, formatting and spelling errors may be amended or updated by the CEO.

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INTRODUCTION

Statutory and Corporate context

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 employees and officers, and to stipulate conditions, standards or methods of control and management.
This Council Policy Manual has been prepared to complement a range of obligations imposed by legislation including local laws, and various document adopted by Council.
The order of priority for compliance is:

1. Federal and State legislation and regulations,
2. the Local Planning Scheme,
3. a specific resolution of Council,
4. Delegations Register – being specific authorisations resolved by Council, and having a statutory context under the Local Government Act,
5. Local Planning Policy – as it is made under the authority of the Local Planning Scheme, by resolution of Council,
6. Council Policy – being instructions resolved by Council on how particular matters are to be dealt with,
7. Executive Instruction – standing instructions or procedures issued by the CEO,
8. Administrative directions or instructions.

Although not decisions of Council, and therefore not a requirement of staff, consideration should be given to the following as being best practice:

- DLGRD Guidelines
- WALGA Councillors Manual, Practice Notes etc.

Unless specifically resolved that the instruction is to be included in the Policy Manual, it is considered that it is for a specific matter and is not a general or on-going instruction.
There are some policies that have specific legislative provision, and these are noted in the individual policy.

IMPORTANT – Consequences of Breaching Council Policy

Where there is a breach of Council Policy:

a) it may result in disciplinary action up to and including termination of employment,
b) the Shire may also be obligated to refer a breach to an external agency where an employee may be held personally liable for their actions;
c) the employee in breach may also be personally liable for their actions, such costs charged to the Shire or to repair as a result of the private/personal or unauthorised use.

Application – is to staff, not to community.

Policy generally cannot be used to control or manage the general community – it is essentially an instruction to staff that in particular circumstances, a specific action or process is to be followed, for instance:

- Hire of facilities – if there is damage, then staff are to invoice the hirer or cancel their booking etc.
- Caravan Park Rules – if a patron does not comply with these, staff are to take action.
- HR / Personnel policies – outlines the circumstances in which actions are to be taken.
- Crossovers – staff may approve if an application complies with requirements or take action if a crossover does not comply.

AMENDMENT RECORD

REVIEW NO.	DATE	COUNCIL RESOLUTION	AMENDMENT DETAILS
	22/06/23	CO-2023-058	Adoption of C29 - Electronic Attendance Policy
1	22/06/23	CO-2023-063	F2 – Corporate Transaction Card – amend limit
	22/06/23	CO-2023-059	Adoption of F26 – ICT Disaster Recovery Plan
	22/06/23	CO-2023-060	Adoption of F27 – ICT Incident Management Procedures
1	22/06/23	CO-2023-069	LP1 – minor editing clarifications
	22/06/23	CO-2023-061	Adoption of PC5 – Betty Brown Historical Centre Management and Collection
	22/06/23	CO-2023-062	Adoption of PC6 – Community Archives
1	24/08/23	CO-2023-092	C19 – amended
1	24/08/23	CO-2023-093	F9 – amended for selection panel to be community members
	28/09/23	CO-2023-105	Adoption of LP4 – Wellington Catchment
	26/10/23	CO-2023-115	Adoption of EH1 – Healthy Eating Policy
	23/11/23	CO-2023-130	Adoption of EH2 – Active West Arthur Policy
1	23/11/23	CO-2023-131	F13 – Debt Collection – Rescinded Adoption of F28 – Revenue Collection Policy
1	23/11/23	CO-2023-132	F20- Purchasing and Tenders – Rescinded Adoption of F29 – Purchasing Policy
	23/11/23	CO-2023-133	Adoption of F30 – Darkan Primary School Support Policy

	23/11/23	CO-2023-134	Adoption of PC7 – Discrimination, Harassment and Bullying Policy
	23/11/23	CO-2023-135	Adoption of PC8 – Grievance, Investigation and Resolution Policy
	23/11/23	CO-2023-136	Adoption of PC9 – Disciplinary Policy
	23/11/23	CO-2023-137	Adoption of PC10 – Fitness for Work Policy
	21/12/2023	CO-2023-165	Adoption of PC12 – Employees Code of Conduct
1	22/02/2024	CO-2024-005	C4 - amended
1	22/02/2024	CO-2024-007	W4 – amended to include non-commercial pickers
	22/02/2024	CO-2024-018	Adoption of LP6 – Outbuildings
1	21/03/2024	CO-2024-030	Amendment of LP6 – Outbuildings
	21/03/2024	CO-2024-035	Adoption of EH3 – Drug and Alcohol Policy
	21/03/2024	CO-2024-036	Adoption of EH4 – Environmental Health Policy
	23/05/2024	CO-2024-063	Adoption of F31 – Information and Communication Technology Asset Disposal Policy
1	27/06/2024	CO-2024-07	Amendment of C26 – Related Party Disclosures
1	27/03/2025	CO-2025-020	Adoption of W7 – Gravel and Sand Acquisition as replacement of previous W7 – Roadmaking Materials
	24/04/2025	CO-2025-027	Adoption of PC11 – Health and Wellbeing
	24/04/2025	CO-2025-028	Adoption of F32 – Renewable Energy Community Benefit Fund
	24/04/2025	CO-2025-032	Adoption of LP5 – Wind Farms

1	22/05/2025	CO-2025-035	Adoption of Policy Manual Review • Amend – C3 Audit, Risk and Improvement Committee – Terms of Reference • Amend – F9 Australia Day Citizen of the Year Awards Policy • Adopted – F33 Community Organisation Support Policy • Adopted – F34 Digitisation Policy • Adopted – F35 Source Records Policy • Adopted – LS1 Emergency Management Policy
1	26/06/2025	CO-2025-048	Amendment of F29 – Purchasing Policy
	26/06/2025	CO-2025-057	Adoption of PC13 – Elected Member and Employee Superannuation
1	24/07/2025	CO-2025-076	Amendment of PC2 – Human Resources
1	23/09/2025	CO-2025-099	Amendment of F32 - Renewable Energy Community Benefit Fund
	23/10/2025	CO-2025-108	Adoption of PC14 – Lake Towerrinning Strategic Plan Management Group – Terms of Reference
2	27/11/2025	CO-2025-128	Amendment of W4 – Wildflower, Leaves and Branches, and Seed Harvesting from Reserves
1	27/11/2025	CO-2025-131	Review of C7 – Code of Conduct for Council Members, Committee Members, and Candidates
	27/11/2025	CO-2025-132	Adoption of PC15 – Council Housing Prioritisation
2	18/12/2025	OCM-2025-150	Amendment of F29 – Purchasing Policy
3	26/02/2026	OCM-2026-012	Amendment of F29 – Purchasing Policy
	26/03/2026	OCM-2026-021	Adoption of PC16- Employment Milestones

			Recognition
2	23/05/2026	OCM-2026-038	Adoption of Policy Manual Review • Adopted C30 – Communications Agreement – Council and CEO
1	8/06/2026		Amendment of LP5 – Wind Farms
2	25/06/2026	OCM-2026-067	Amendment of C3 – Audit, Risk and Improvement Committee – Terms of Reference
1	25/06/2026	OCM-2026-068	Amendment of C8 – Council Member Entitlements
2	25/06/2026	OCM-2026-069	Amendment of C19 – Execution of Documents and Use of Common Seal
	25/06/2026	OCM-2026-076	Adoption of F36 – Privacy and Responsible Information Sharing (PRIS) Policy
1	25/06/2026	OCM-2026-077	Amendment of F5 – Investment of Surplus Funds
	23/07/2026	OCM-2026-089	Adoption of F37 – Information Breach
	23/07/2026	OCM-2026-090	Adoption of W10 – Road Hierarchy and Construction Standards

GOVERNANCE

Policy Title	**C1 - Attendance at Events by Council Members and CEO**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the Chief Executive Officer (CEO).

Scope

This Policy only applies to the Council members and CEO of the Shire, not employees. The CEO will determine and apply a Policy regarding such matters, as they apply to all employees (other than CEO).

The Policy provides guidance to Council members and employees when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered free of charge. It does not provide guidance on the acceptance of a tangible gift or travel contribution.

Definitions

Local Government Act 1995 s5.90A (1) event includes the following—

a concert;

a conference;

a function;

a sporting event;

an occasion of a kind prescribed for the purposes of this definition.

Policy Statement

This Policy only applies in regard to tickets provided to the Council, or the local government, not to individual, specified Council members or the CEO. Where invitations to such events are provided to individual, specified Council members or the CEO, such invitations are to be assessed and determined as though they were gifts, pursuant to the Local Government Act 1995, any Regulations made under the Act, and the Shire's Code of Conduct, where relevant.

Assessing Invitations to Council Members and the CEO

Given that this Policy applies only to Council members and the CEO, and only in relation to tickets to events given to the Council or the local government, rather than specified, individual Council members, or the CEO, the CEO and Shire President will liaise to determine on what basis, if at all such tickets (formerly described) will be provided to Council members or the CEO.

In doing so the Shire President and CEO may consult with other Council members about the merits of accepting an invitation, and in doing so may take account of a range of factors, including, but not limited to:

1. Whether given the nature of the Shire's relationship with the donor of the tickets, or the event, it would be preferable for the Shire to pay for tickets to the event, rather than accept the gift (of free or discounted tickets). As a general rule, Council members and the CEO will not accept tickets to events worth more than $1,000 per ticket, unless both the Shire President and CEO agree that it is in the Shire's interests to do so.
2. Whether the nature of the event is such that the attendance by a representative of the Shire is warranted.
3. Applying the 6 P's developed by the WA Integrity Coordinating Group:

Public duty versus private interests - Do I have personal or private interests that may conflict, or be perceived to conflict with my public duty?

Potentialities - Could there be benefits for me now, or in the future, that could cast doubt on my objectivity?

Perception - Remember, perception is important. How will my involvement in the decision/action be viewed by others?

Proportionality - Does my involvement in the decision appear fair and reasonable in all the circumstances?

Presence of mind - What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?

Promises - Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/ decision?

4. How many representatives the Shire should have at the event?
5. Whether given the nature of the event, the number of Council members (and potentially other employees) invited is reasonable, or excessive.
6. Who is the donor, the body or person who is offering or giving the benefit? Do they have matters before, or likely to come before Council for consideration, or by the CEO under delegated authority?
7. What is the value of the benefit? Different views might be formed in relation to differing values - a ticket to an event worth $20 might be viewed differently to a ticket to an event worth $250, from the same donor.
8. Does the Council member or CEO offered the tickets contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards? If so, the value of the contribution may outweigh the value of the benefit?

In the event that the Shire President, relevant Council members and the CEO determine that it is appropriate that the Shire pays for tickets to an event, then any such decision shall be subject to budget funds being available.

Council members and the CEO may decline an invitation to an event, even if approved by the Shire President or CEO.

Assessing Invitations to specific Council Members or the CEO

Deciding whether an invitation to an event has been made to a Council member or the CEO in an official capacity may be made by applying a range of criteria applied, including, but not limited to:

1. Prior to being a Council member, or the CEO, did the donor provide such invitations? If so, then it would seem that the invitations have not been in the role as Council member, or CEO and should be assessed as a gift.

2. When the Council member or CEO are no longer holding this office, will the donor still provide the same or similar gifts? If so, then it would seem that the invitations have not been in the role as Council member, or CEO and should be assessed as a gift.
3. If a Council member or the CEO forms the opinion that the tickets offered have been offered specifically, then such invitations should be treated as a gift, and disclosed (or not) accordingly.
4. Accepting a ticket to an event – exemptions, declarations and consequential outcomes
5. Attendance at an event, whether as a representative of the local government or otherwise as a Council member or CEO, where the Council member or CEO has not paid for the ticket or hospitality is a gift and must be disclosed.
6. The following organisations are specifically excluded where the ticket to an event is received from:
    a. WALGA (but not LGIS)
    b. Local Government Professionals Australia (WA)
    c. Australian Local Government Association
    d. A department of the public service
    e. A government department of another State, a Territory or the Commonwealth
    f. A local government or regional local government
7. The gift of tickets must be declared to the CEO (or by the CEO, to the Shire President) within 10 business day and recorded on the gift register within another 10 business days.
8. Unless attendance has been paid for in full by the Council member, they must disclose the value of the tickets or hospitality to the CEO within ten days of receipt.
9. The Council member will also have an interest in any matter involving the donor that comes before Council.
10. Event attendance may create a perceived or actual conflict, which may preclude Council members participating or the CEO from providing advice at a future meeting.
11. If the amount of an event ticket (gift) is less than $1,000, and relates to a matter before Council, under s5.68 of the Act, Council may allow the disclosing Council member to participate on the condition that the interest, the council's decision and the reasons for that decision are recorded in the minutes.
12. If the amount gift is above $1,000 the council or CEO must apply to the Minister for approval to allow the Council member or CEO to participate.

Application of other Shire Policies

Where a Council member or the CEO has accepted tickets pursuant to this policy, and made any necessary declarations, all relevant Shire Policies apply in relation to incidental expenses incurred in attending the event.

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above $300 and the donor has a matter before Council. Any gift received that is less than $300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	(New) WALGA AGM & Local Government Convention
Relevant Legislation	*Local Government Act 1995 s5.90A*
Related Documentation	

Policy Title	**C2 - Audio Recordings of Council Meetings**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire has resolved to record Council Meetings to assist in the preparation of the minutes of the meeting and to ensure that an audio-recorded account of meetings is available. The purpose of this policy is to guide the implementation of that decision and to describe how the recordings will be used and made available.

Scope

This Policy applies to all officers involved with Council Meetings.

Definitions

Shire means Shire of West Arthur.

Policy Statement

All Ordinary and Special Meetings of Council shall be digitally recorded, consistent with the objectives of the *Local Government Act 1995,* section 1.3 (2)(c), which promotes greater accountability of local governments to their communities. This includes where Council has resolved to close the meeting to members of the public in accordance with section 5.23 of the Local Government Act 1995.

Purpose

The primary purpose of recording is to ensure that a true and accurate account of debate and discussions at all meetings is available and to assist in the preparation of the minutes of Council meetings. The minutes will continue to be prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996.*

Access

Governance Officers shall have access to the recordings to assist in the preparation of the minutes. Audio recordings may be made available on the Shire's website. Members of the public are not entitled to receive a digital copy of that part of the meeting that was declared confidential and closed to the public

Transcription

Recordings will not be transcribed unless the CEO or Council by resolution determines otherwise. Where transcription of Council minutes is provided, it is conditional upon the full cost being met by the applicant. External resourcing may be utilised to prepare the transcription. Where transcription is approved members of the public are not entitled to a transcription of that part of the meeting declared confidential

and closed to the public.

Storage

Recordings must be stored in accordance with the State Records Act 2000.

Signage

Clear signage must be placed in the Council chamber advising members of the public that the meeting may be recorded.

Public notice

At the commencement of each council meeting, the Presiding Member will publicly announce if the meeting will be audio recorded

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	Shire of West Arthur Standing Orders Local Law 2002

Policy Title	**C3 – Audit, Risk & Improvement Committee – Terms of Reference**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure the Audit, Risk & Improvement Committee plays a key role in assisting the Council to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and internal and external audit functions.

Scope

This policy applies to the Audit, Risk & Improvement Committee and outlines its role, responsibilities, authority, membership, meeting requirements and reporting obligations. It covers the committee's oversight of financial management and reporting, risk management, legislative compliance, internal and external audit matters, and the review of actions arising from audit findings, recommendations and related improvement activities.

Definitions

Nil

Policy Statement

Establishment of the Audit, Risk & Improvement Committee

In accordance with s5.8 and Part 7, Division1A of the LGA by Absolute Majority, the committee itself is a formally established committee of 3 or more persons to assist council, by the Council and it is responsible to that body.

Powers of the Audit, Risk & Improvement Committee

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

Membership

The committee shall consist of a Presiding Member (not an Elected Member or Employee), an Alternative Presiding Member (not an Elected Member or Employee) and Elected Members in accordance with the *Local Government Act 1995*. All members shall have full voting rights.

External persons appointed to the committee will have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.

Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to council's elected representatives.

Reimbursement of actual expenses incurred in relation to attendance at a meeting of the ARIC will be paid to each Independent Member of the committee upon submission of an Independent Member Claim Form. See also Policy C8 – Council Member Entitlements.

Required staff in attendance to provide administrative support (non-voting) are the Chief Executive Officer, Deputy Chief Executive Officer, and Manager Financial Reporting.

Quorum

The quorum at any meeting shall be half plus one of the number of members.

Meetings

The committee shall meet at least four times annually to align with the scheduled requirements of Audit Reg 16. Additional meetings may be convened at the discretion of the presiding person. The Audit Entrance and Exit meetings, although still required, are not formal meetings of the committee.

A decision of the Audit, Risk and Improvement Committee is to be made by a simple majority.

Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

Functions of an Audit, Risk and Improvement Committee

Legislative functions of an Audit, Risk and Improvement Committee are outlined in regulation 16 of the Local Government (Audit) Regulations 1996 as follows;

a. To receive and review reports on, and recommend to the council, actions to be taken in relation to –
    i. Audits under Part 7 of the Act; and
    ii. compliance audits; and
    iii. reviews under Local Government (Audit) Regulations 1996 regulation 17;
        1) The CEO must review the appropriateness and effectiveness of the local government's systems and procedures in relation to the following matters –
            (a) Financial management;
            (b) Legislative compliance;
            (c) risk management
        2) Under subregulation (1), the CEO may review any or all of the matters referred to in subregulation (1)(a) to (c) at any time but must review each of the matters not less than once in every 4 financial years.
        3) The CEO must report to the audit, risk and improvement committee the results of each review carried out under subregulation (1).
b. To otherwise receive and review reports on the appropriateness and effectiveness of, and recommend to the council improvements to, the local government's system and procedures in relation to –
    i. Financial management; and
    ii. Legislative compliance; and
    iii. risk management;

c. to receive and review reports on, and recommend to the council improvements to, the implementation of any actions that the local government –
    i. is required to take under section 7.12A(3);
    ii. has stated it has taken or intends to take in a report prepared under section7.12A(4)(a); and
    iii. has otherwise decided to take in response to a report or recommendation referred to in paragraph (a) or (b); and
    iv. has stated it has done or proposes to do in written advice prepared under section 8.6(1)(a) or 8.23(4)(a);
d. any other functions conferred on the audit, risk and improvement committee under these regulations or another written law.

Other functions include:

- Meet with the auditor on completion of the annual audit (audit exit meeting) and provide a report to Council, with recommendations on the matters discussed and the outcome of those discussions.
- Liaise with the CEO to ensure that the local government does everything in its power to –
    - Assist the auditor to conduct the audit and carry out their duties under the Local Government Act 1995; and
    - ensure that audits are conducted successfully and expeditiously.
- Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- Review at the entrance meeting to the interim and annual audit, the scope of the audit plan and program and its effectiveness.
- Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.
- Review the Compliance Audit Return and make a recommendation on its adoption to Council.
- Recommend to Council, the adoption of the half-yearly budget review.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Part 5 – Division 2 - Committees and their meetings* *Part 7 – Audit* *Local Government (Audit) Regulations 1996* *r.16 – Functions of Audit, Risk and Improvement Committee* *Local Government Amendment Regulations 2024*
Related Documentation	C7 – Code of Conduct for Council Members, Committee Members & Candidates C8 – Council Member Entitlements

Policy Title	**C4 - Behaviour Complaints Committee Terms of Reference**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish Terms of Reference for the Behaviour Complaints Committee of the Shire of West Arthur.

Scope

This Policy applies exclusively to the Shire's Behaviour Complaints Committee.

Definitions

Act means the Local Government Act 1995.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

Behaviour Complaints Officer means a person authorised in writing [by Council resolution or by the CEO exercising delegated authority] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints.

Breach means a breach of Division 3 of the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

Code of Conduct means the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Policy Statement

Committee Function

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the *Local Government Act 1995* (the Act) for the purpose of dealing with Behaviour Complaints made under Division 3 of the Shire of West Arthur's Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

The extent of authority provided to the Behaviour Complaints Committee is specified in the relevant Delegated Authority, and includes:

- Dismissing a behaviour complaint in accordance with clause 13 of the Code of Conduct and

providing reasons for any such dismissal.

- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur *[clause 12(3) of the Code of Conduct].*
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
    - To take no further action; or
    - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

The extent of authority of the Behaviour Complaints Committee is limited by Condition of the Delegated Authority.

Membership

The Complaints Committee is a Committee of Council Members only in accordance with s.5.9(2)(a) of the Act.

Membership of the Behaviour Complaints Committee will comprise of seven (7) Council Members, appointed by Council in accordance with s.5.10 of the Act.

The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology.

Meeting Schedule

Meetings are to be scheduled as required by the CEO in consultation with the Committee Presiding Member.

Committee Governance

Complaints Behaviour Committee meetings are required to:

- be called and convened by the CEO, as required, in consultation with the Committee's Presiding Member;
- make the Committee Notice Papers and Agenda publicly available *[s.5.94(p), s.5.96A(f)],* with the exception of agenda content that relates to that part of the meeting which will be closed to members of the public under s.5.23(2) *[Admin.r.14*]; and
- make Committee minutes publicly available *[s.5.94(n), s.5.96A(h)],* with the exception of Minutes content that relates to that part of the meeting which was closed to the public or was determined as confidential under s.5.23(2).

NOTE 1: Notice paper and agenda are required, just not required to be published on the website and made available for public inspection – see Admin r.14. Admin r.13 also applies, so that conversion of the agenda to unconfirmed minutes is capable of being published in accordance with Admin r.13 with minutes including the detail prescribed in Admin r.11.

NOTE 2: See Admin r.13 and Admin r.11. The confidential content must be captured in confidential attachments to the minutes, with only the public minutes published that contain the details prescribed in Admin r.11. The official minute book / archival record, signed at confirmation of the minutes, includes both the public minutes and the confidential attachments.

History	25/05/2023 Adopted 22/02/2024 Amended 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Refer to Policy
Relevant Legislation	*Local Government Act 1995* *Local Government (Model Code of Conduct) Regulations 2021*
Related Documentation	Policy – Code of Conduct Complaint Handling

Policy Title	**C5 - CCTV & Data Management**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish functional categorisation of CCTV and protocols for the management of recorded data, relating to the release and viewing of recorded footage.

Scope

This policy applies to all Council owned and managed CCTV systems in the Shire of West Arthur.

Definitions

CCTV System - Is a system that comprises of Closed-Circuit Television (CCTV) cameras, information stores, connections and applications for storage, retrieval and viewing of information.

Policy Statement

Surveillance Purpose

There are five categories of CCTV cameras that the Shire of West Arthur implements.

- Public Area Permanent (Fixed)
- Public Area Portable (Temporary)
- Vehicle-based (Mobile)
- Buildings and Assets Permanent (Fixed)
- Service/Employee Areas Permanent (Fixed)

Release or Viewing of Recorded Footage and Still Photographs to WA Police

The release or viewing of recorded footage and still photographs to the WA Police is permitted subject to agreement between the Shire and the WA Police.

It is also a requirement for the Chief Executive Officer to be informed whenever footage is released.

Release or Viewing of Recorded Footage and Still Photographs to employees and the public.

The release or viewing of recorded footage and still photographs other than to the WA Police will only be permitted under exceptional circumstances and with explicit written approval from the Chief Executive Officer.

Where Shire employee time is required to view, download, or otherwise investigate a request or issue caused by a member of the public, charges will be applied as per the Fees and Charges schedule.

Partnership with WA Police

The Shire of West Arthur will make available any footage and provide access to the members of the WA Police Service for the purposes of investigation of a crime or other circumstances provided by law.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Surveillance Devices Act 1998 WA*
Related Documentation	

Policy Title	**C6 - Code of Conduct Complaint Handling**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and Shire of West Arthur's Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

To give effect to the Shire's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Scope

This Policy applies to complaints made in accordance with Clause 11 of the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

Definitions

Act means the Local Government Act 1995.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

Behaviour Complaints Officer means a person authorised in writing *[by Council resolution or by the CEO exercising delegated authority]* under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.

Breach means a breach of Division 3 of the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Code of Conduct means the Shire of West Arthur Code of Conduct for Council Members, Committee Members and Candidates.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member means a Council Member, employee of the Shire of West Arthur or other person

who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

Complaint Assessor means a person appointed by the Behaviour Complaints Officer in accordance with Part 2.2 and Part 3.8 of this Policy.

Complaint Documents means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form means the form approved under clause 11(2)(a) of the Code of Conduct [by Council resolution or by the CEO exercising delegated authority].

Council means the Council of the Shire of West Arthur.

Council or Committee Meeting means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Policy Statement

1. Principles

1.1. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

1.2. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

1.3. Confidentiality

The Shire of West Arthur will take all reasonable steps to maintain confidentiality when dealing with the

Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

1.4. Accessibility

The Shire of West Arthur will ensure that information on how to make a complaint, including this Policy, is available at the Shire's Administration Building and on the Shire's website. The Shire will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

2. Roles

2.1. Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

2.2. Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 3.8 of this Policy.

The Complaint Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

2.3. Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in Council Policy - Behaviour Complaints Committee Terms of Reference.

3. Procedure

3.1. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has

behaved in a way that constitutes a breach of Division 3 of the Code of Conduct *[clause 11(1) of the Code of Conduct].*

A Complaint must be made within one (1) month after the alleged Breach [clause 11(2)(c) of the Code of Conduct].

A Complaint must be made by completing the Behaviour Complaint Form in full and providing the completed forms to the Behaviour Complaints Officer.

A Complaint must be made in accordance with the Behaviour Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made [clause 11(2)(c) of the Code of Conduct].

3.2. Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with [clause 15(1) of the Code of Conduct].

3.3. Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint [clause 14 of the Code of Conduct].

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

3.4. Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5. Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6. Alternative Dispute Resolution

The Shire of West Arthur recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required

under this Policy.

3.7. Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

3.8. Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a suitably qualified and experience Complaint Assessor, in accordance with the Shire's Purchasing and Tender Policy.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

3.9. Search of Local Government Records

The Complaint Assessor may request the Behaviour Complaints Officer to search for any relevant records in the Shire's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the Shire of West Arthur Standing Orders Local Law.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10. Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

3.11. Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause

12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to include the Complaint Report in the Agenda for a meeting of the Complaints Committee. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

3.12. Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the Local Government (Administration) Regulations 1996, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach did not occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach did occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5)* of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

3.13. Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

4.1. Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2. Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

a. the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and

either —

i. the behaviour was dealt with by the person presiding at the meeting; or

ii. the Respondent has taken remedial action in accordance with the Shire of West Arthur Standing Orders Local Law.

4.3. Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [clause 12(3) of the Code of Conduct].

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4. Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5. Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Local Government (Model Code of Conduct) Regulations 2021*
Related Documentation	

Policy Title	**C7 - Code of Conduct for Council Members, Committee Members & Candidates**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Scope

1. Citation

This is the *Shire of West Arthur* Code of Conduct for Council Members, Committee Members and Candidates.

Definitions

2. Terms used

In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Policy Statement

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

1. A council member, committee member or candidate should:
    a. act with reasonable care and diligence; and

act with honesty and integrity; and

act lawfully; and

identify and appropriately manage any conflict of interest; and

avoid damage to the reputation of the local government.

2. A council member or committee member should:
    a. act in accordance with the trust placed in council members and committee members; and

participate in decision making in an honest, fair, impartial and timely manner; and

actively seek out and engage in training and development opportunities to improve the performance of their role; and

attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

1. A council member, committee member or candidate should:
    a. treat others with respect, courtesy and fairness; and

respect and value diversity in the community.

2. A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should:

a. base decisions on relevant and factually correct information; and

b. make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and

c. read all agenda papers given to them in relation to council or committee meetings; and

d. be open and accountable to, and represent, the community in the district.

Behaviour

7. Overview of Division

This Division sets out:

a. requirements relating to the behaviour of council members, committee members and candidates; and

the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

1. A council member, committee member or candidate:
    a. must ensure that their use of social media and other forms of communication complies with this code; and

must only publish material that is factually correct.

2. A council member or committee member:
    a. must not be impaired by alcohol or drugs in the performance of their official duties; and

must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate:

a. must not bully or harass another person in any way; and

must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and

must not use offensive or derogatory language when referring to another person; and

must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and

must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate:

a. must not act in an abusive or threatening manner towards another person; and

b. must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and

c. must not repeatedly disrupt the meeting; and

d. must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and

e. must comply with any direction given by the person presiding at the meeting; and

f. must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

1. A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
2. A complaint must be made:
   a. in writing in the form approved by the local government; and

to a person authorised under subclause (3); and

within 1 month after the occurrence of the alleged breach.

3. The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

1. After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
2. Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
3. A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
4. If the local government makes a finding that the alleged breach has occurred, the local government may:
   a. take no further action; or

prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

5. When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
6. A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following:

a. engage in mediation;

undertake counselling;

undertake training;

take other action the local government considers appropriate.

7. If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of:

   a. its finding and the reasons for its finding; and

if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

1. The local government must dismiss a complaint if it is satisfied that:

   a. the behaviour to which the complaint relates occurred at a council or committee meeting; and

   b. either:
      (i) the behaviour was dealt with by the person presiding at the meeting; or
      (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.

2. If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

1. A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.

2. The withdrawal of a complaint must be:

   a. in writing; and

   b. given to a person authorised under clause 11(3).

15. Other provisions about complaints

1. A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.

2. The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.

2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

1. This Division sets out rules of conduct for council members and candidates.

2. A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

1. In this clause:

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;
resources of a local government includes:

a. local government property; and

services provided, or paid for, by a local government.

2. A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

1. A council member must not make improper use of their office:

a. to gain, directly or indirectly, an advantage for the council member or any other person; or

to cause detriment to the local government or any other person.

2. Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

1. A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
2. Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

1. In this clause:

local government employee means a person:

a. employed by a local government under section 5.36(1) of the Act; or

engaged by a local government under a contract for services.

2. A council member or candidate must not:

a. direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or

attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or

act in an abusive or threatening manner towards a local government employee.

3. Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
4. If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

a. make a statement that a local government employee is incompetent or dishonest; or

use an offensive or objectionable expression when referring to a local government employee.

5. Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

1. In this clause:

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
document includes a part of a document;
non confidential document means a document that is not a confidential document.

2. A council member must not disclose information that the council member:

a. derived from a confidential document; or

acquired at a closed meeting other than information derived from a non confidential document.

3. Subclause (2) does not prevent a council member from disclosing information:

a. at a closed meeting; or

to the extent specified by the council and subject to such other conditions as the council determines; or

that is already in the public domain; or

to an officer of the Department; or

to the Minister; or

to a legal practitioner for the purpose of obtaining legal advice; or

if the disclosure is required or permitted by law.

22. Disclosure of interests

1. In this clause:

Interest:

a. means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

includes an interest arising from kinship, friendship or membership of an association.

2. A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest:

a. in a written notice given to the CEO before the meeting; or

at the meeting immediately before the matter is discussed.

3. Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

4. Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know:

a. that they had an interest in the matter; or

that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.

5. If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then:

a. before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and

at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.

6. Subclause (7) applies in relation to an interest if:

   a. under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or

under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

7. The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

History	25/05/2023 Adopted 22/05/2025 Reviewed 27/11/2025 Amended 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Local Government (Model Code of Conduct) Regulations 2021*
Related Documentation	Alleged Complaint Form

Policy Title	**C8 - Council Member Entitlements**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To outline the support that will be provided to Council members through the payment of allowances, reimbursement of reasonable expenses incurred, insurance cover and supplies provided in accordance with the *Local Government Act 1995, Local Government (Administration) Regulations 1996 and the current year Salaries and Allowance Tribunal determination,* while performing the official duties of office.

Scope

This policy covers entitlements and allowances for Council members and independent members of Committees of Council.

Definitions

ICT means, Information and Communications Technology

LGA means, Local Government Act 1995

the Determination means, of the Salaries and Allowances Tribunal's Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2026

Regs means, Local Government (Administration) Regulations 1996

Tribunal means, Salaries and Allowances Tribunal

Policy Statement

The *Local Government Act 1995, s5.98,* along with the *Local Government (Administration) Regulations 1996,* as determined by the *Salaries and Allowances Act 1975,* section7B, sets out the fees, reimbursements and allowances structure for Council Members. The *Local Government Officers' (Western Australia) Award 2021 and Public Service Award 1992* are also referenced in the Determination.

Council will decide each year prior to the adoption of each budget, the rates for allowances, meeting attendance fees and entitlements for the following financial year.

ALLOWANCES

PRESIDENT'S ALLOWANCE

The President is entitled, in accordance with s.5.98(5) of the LGA, in addition to any fees or reimbursement of expenses payable under s.5.98(1) or (2), to be paid an annual allowance set by the local government within the range determined in Section 7.2 of the Determination.

DEPUTY PRESIDENT'S ALLOWANCE

The Deputy President is entitled, in accordance with s.5.98A(1) of the LGA, in addition to any fees or reimbursement of expenses payable, to be paid an allowance set by the local government, up to the percentage determined by the Tribunal in Section 7.3 of the Determination, of the annual allowance to which the President of the local government, is entitled under Section 5.98(5) of the LGA.

The decision to pay the Deputy President an Allowance requires an Absolute Majority in accordance with s.5.99A of the LGA

COMMUNICATIONS / ICT ALLOWANCE

The Shire of West Arthur pays elected members an annual ICT allowance to help cover reasonable communication and technology costs incurred in performing official duties, in accordance with the s.5.99A of the LGA, the *Local Government (Administration) Regulations 1996* (including r 34A) and the current Salaries and Allowances Tribunal (SAT) determination. The ICT allowance contributes to costs such as mobile / telephone service, data and internet access, and other ICT running costs used for Shire business.

MEETING ATTENDANCE

MEETING ATTENDANCE FEES

Council Meetings

Under s5.98(1)(b) of the LGA, an elected council member is entitled to a local government-set attendance fee for council meetings, within the range of in s6.2 of the Determination.

Committee Meetings

Under s.5.98(2)(b) and (2A)(b) of the LGA, an elected council member is entitled to a local government-set attendance fee, within the range in s 6.3 of the Determination, for attending a meeting of a Council committee, or a meeting prescribed in r 30(3A) of the Regs.

Independent Committee Member

Under s 5.100(2)(b) and s 5.100(3)(b) of the LGA, a committee member who is not an elected council member or an employee of the local government, is entitled to a local government-set attendance fee, within the range specified in section 6.3 of the Determination, for attending a committee meeting or (at the local government's request) a meeting prescribed in regulation 30(3A) of the Regs.

Independent ARIC Member

Under s 5.100(2)(b) of the LGA, an Independent Audit, Risk and Improvement Committee (ARIC) Member (whether Presiding Member, Deputy Presiding Member, Deputy to the Presiding Member or Member), is entitled to a local government-set fee for attendance at an ARIC meeting. The fee must be set within the range provided in section 6.5 of the Determination. The fees are exclusive of superannuation. Superannuation payable is chosen by the individual as per Council Policy PC13.

*Note – Annual/Special Electors Meetings, Briefing Sessions and the Audit Entrance/Exit meetings are not considered eligible to claim sitting fees.

PRESCRIBED MEETING TYPES

Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the Regs:

a. WALGA Zone, where the council member is an elected or appointed delegate.
b. Regional Road Group established by Main Roads Western Australia, where the council member is an elected or appointed delegate.
c. Council meeting of a regional local government council where the council member is the deputy of a member of the regional local government council and is attending in the place of the member of the regional local government council. An example of this would be a Council meeting of the Municipal Waste Advisory Council.
d. A meeting where the council member is attending at the request of a Minister of the Crown who is also attending the meeting.

e. A meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government. Examples are DAP and 4WDL.

REIMBURSABLE EXPENSES

APPROVAL PROCESS FOR EXPENSE CLAIMS

Reimbursement of reasonable expenses met by Council are to be approved by the CEO and President, or if relating to the President, then secondary approval by the Deputy President is required. If a Member wishes to attend an event or function, the member must seek approval prior to registration. This is to allow officers to consider budget limitations that will ensure that funds are available to cover the reimbursement of costs incurred.

ACCOMMODATION

Limited to accommodation in a single/twin or double room, an elected council member may be reimbursed for the actual incurred cost/s of intrastate or interstate travel and accommodation expenses in accordance with Reg 32(1), upon presentation of sufficient evidence, submitted and supported by with the completed and signed Claimed Form. Claims for accommodation must be in association with attendance at a pre-approved event under the express authority of the local government or in performing a function in his/her capacity as a Council Member.

ACCOMPANYING PERSONS

Reasonable additional costs incurred by a partner accompanying an elected member, only at the WALGA Annual Convention, or similar event where the elected member's partner is reasonably expected to attend, such as breakfasts, attending the official conference dinner, official sundowners, or Shire President or CEO convened dinners, will be met by the Shire. All other partner costs, such as lunches, partner tours or evening meals not convened with the Shire President or CEO will be met or reimbursed by the elected member.

CHILDCARE

Council Members must be reimbursed in accordance with s5.98 of the LGA and as prescribed under Reg 31(1), for actual childcare costs, incurred by a council member because of the member's attendance at a council meeting or a meeting of a Council committee on which the are a member or, in completing the training required by s5.126(1).

Independent Members must be reimbursed in accordance with s5.100 of the LGA and as prescribed under Reg 34ACA(2), for actual childcare costs, incurred by a member because of the member's attendance at a meeting of a committee on which they are a member.

The extend of childcare claims is up to the rate as determined in Section 8.2 of the Determination. For all childcare claims, sufficient evidence in the form of a receipt must be submitted and supported with the completed and signed Claim Form.

MEALS

As per the claim for accommodation expenses, reimbursement of meals associated with attendance at a registered event in accordance with r32(1) of the Regs, is the actual cost upon presentation of sufficient evidence of the cost incurred, submitted and supported with the completed and signed Claim Form.

PARKING FEES

Parking fees incurred as a result of travel to any occasion referred to in "Travelling Expenses" of this policy shall be reimbursed upon lodgement of receipts accompanying the associated claim form. The cost of "valet" parking, however, will not be reimbursed.

REGISTRATION FEES

Where possible, registration at events is to be conducted by the Administration Officer under the instruction of the CEO after approval has been received for the Member to attend.

TRAVEL

Reimbursement of Member travelling expenses incurred while using their own private motor vehicle in the performance of the official duties of their office, subject to claims being related to travel to a destination from their normal place of residence or work and return in respect to the occasions listed below:

Council Members must be reimbursed in accordance with r5.98 of the LGA and as prescribed under Reg 31(1), for actual travel costs, incurred by a council member because of the member's attendance at a council meeting or a meeting of a Council committee on which they are a member or, in completing the training required by s5.126(1).

Independent Members must be reimbursed in accordance with s5.100 of the LGA and as prescribed under Reg 34ACA(2), for actual travel costs, incurred by a member because of the member's attendance at a meeting of a committee on which they are a member.

Reasonable travel costs referred to in regulation 31(1)(b), incurred by a Council Member while driving a privately owned or leased vehicle (rather than a commercially hired vehicle), to attend a council meeting or meeting of a committee of which he or she is also a member, are to be calculated at the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Award 2021* as at the date of the Determination. For elected council members with Electric Vehicles, the 1600cc Motor Vehicle Allowance rate should be applied. For clarity, this applies only to Council Meetings and Meetings of the Audit, Risk and Improvement Committee or Behaviour Complaints Committee.

Council members in accordance with s5.98(2)(b) of the LGA, and as prescribed under Regulation 32910, may be reimbursed for travelling expenses incurred while using their own private motor vehicle in performing under the express authority of the of the local government or in performing a function in his/her capacity as a Council Member and are to be calculated at the same rate contained in Schedule F of the *Public Service Award 1992.*

Some circumstances are as follows:

- Prescribed meetings of appointed delegates in accordance with r30(3A).
- Community/civic functions where the member is formally representing the Shire and the attendance is approved/authorised.
- Site inspections or project meetings undertaken as an authorised Council function.
- Conferences, seminars and professional development approved as Council business.
- Stakeholder, agency or Ministerial meetings where the member is representing the Shire under authority.

Any other occasion in the performance of an act, including air travel (limited to economy), must be under the express authority of Council in accordance with the conditions in Council's Policy C25 – Professional Development of Council Members.

In submitting claims for reimbursement, Council members shall provide sufficient evidence in the form of payments receipts and detail in a completed and signed quarterly Claim Form.

COUNCIL PROVISIONS

ADMINISTRATIVE

Council members are entitled to be supplied with the following items to be used only in fulfilling the role of the office of Council member.

- An Annual Diary will be supplied to each Council member at the commencement of each calendar year. Council members should note that any diary used by a Council member to record the scheduling or occurrence of activities related to the fulfillment of the office of Council member are subject to the *State Records Act 2000* and the *Freedom of Information Act 1992*.

- Name badges will be issued to each Council member. The Shire will replace on request any name badge which is lost or irreparably damaged.

INFORMATION AND COMMUNICATIONS TECHNOLOGY

All Council members shall be issued with an IT Device, either a Tablet or Laptop, whichever the individual prefers, up to the value determined by the *Salaries and Allowances Tribunal* each year, for managing documentation related to their role. Such devices remain the property of the Shire until the time of disposal.

- Replacement devices will be issued every 4 years, which is considered to be the maximum reliable life span. If a Council member retires or is not re-elected within the 4-year period then they will hand back the IT device for it to be reissued to the incoming Council member.
- At the time of replacement, the Council member who is in possession of a device will be given the option to purchase that device. Any devices not purchased by the respective Council member will be retained for Shire purposes.
- All software and applications installed on the devices are to be approved before installation, by the Shire's IT Support provider.
- The device should be used for Shire purposes only, and not in any way that may reflect badly on the Council or the Shire.
- All maintenance on the devices shall be the responsibility of the Shire. Council members are to report maintenance and technical issues to the CEO who will then refer the matter for resolution.
- It is a requirement that devices be password protected in an attempt to prevent unauthorised access. Council members are not to make their device available to anyone else to use and shall not divulge their password to anyone. Forwarding, sharing, or allowing viewing of any confidential material contained on the devices is not permitted.
- Council members acknowledge that all information and documents contained at any time on the devices remains the property of the Shire, and at any time may be the subject of a Freedom of Information (FOI), Police, Crime and Corruption Commission or other competent authority inquiry, and as such may be made available to any of these investigating bodies. In addition, all documents, images, sound recordings, and emails are subject to the *State Records Act 2000* and as such form part of the official record of the Shire and therefore must be maintained in accordance with the Act.
- Council members are wholly responsible for the security of their Shire issued device and must make every effort to keep their device secure at all times. In the event that a device is misplaced, lost, or stolen, the Council Member must advise the CEO immediately, so that appropriate steps can be taken.

INSURANCE

The Shire's insurer, LGIS, will provide insurance cover to all elected members for:

- **Councillor's liability** – Provides indemnity for any alleged wrongful acts arising out of your official duties. This includes a complimentary legal helpline for related matters before a claim arises.
- **Liability protection** – Responds to legal liability arising from injury to a third party or damage to third party property caused in the course of performing duties as a councillor.
- **Motor vehicle** – Where you are using your private vehicle for the benefit of the council, you will be fully covered by LGIS Motor and Fleet protection for damage and your liability.
- **Personal injury** – Provides cover for lump sum payment for permanent injury, weekly wage replacement for temporary disablement, non-Medicare medical expenses, and some out of pocket following an accidental bodily injury.
- **Personal property** – Extends cover for loss of, or damage to, personal property while undertaking official duties.

- **Travel** – Provides cover for travel during your time as a councillor on council business trips, including for expenses for overseas medical treatment, emergency medical evacuation, flight cancellation, baggage and personal effects.

UNIFORM

Council members will be provided with an embroidered Polo Shirt of the Shire of West Arthur for attendance at events such as the Australia Day Breakfast and the like.

SUPERANNUATION

Please see Policy PC13 – Elected Member and Employee Superannuation for information on the eligibility and provisions of the Superannuation Guarantee.

PAYMENT PROCESS

Council members are required to certify the accuracy of the information they provide with their claim forms. All expense claims must be accompanied by supporting documentation such as invitations or approvals where applicable and receipts.

a. All allowances and fees shall be paid automatically into a nominated bank account unless an Elected Member has advised the Chief Executive Officer (CEO), in writing, that they do not want to claim any or part of those fees and allowances.

b. If an Elected Member advises that they do not want all or part of the fees and allowances to which they are entitled, any subsequent request for full or additional payment will not be back paid but accrued from the date of the CEO receiving such a request.

Payments will be made on a per quarter basis upon the receival of a completed Claim Form. Claim Forms must be completed, signed by all parties and submitted a week before the end of each quarter.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed 25/06/2026 Amended
Delegation	Disposing of Property (relating to iPad if relevant)
Relevant Legislation	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government Officers' (Western Australia) Award 2021* *Public Service Award 1992* *Salaries and Allowances Act 1975 Determination 2022* *Policy C1 – Attendance at Events by Council Members and CEO* *Policy C25 – Professional Development of Council Members* *Policy PC13 – Elected Member and Employee Superannuation*
Related Documentation	Council member expense claim form. LGIS Information for Elected Members Brochure

Policy Title	**C9 - Internal Control**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that appropriate internal controls are implemented in order to:

1. Fulfil the statutory obligations under the Local Government (Financial Management) Regulations 1996 and Local Government (Audit) Regulations 1996; and
2. Ensure that the Shire's assets are safe from loss due to fraud and mismanagement.

Scope

This Policy is applicable to all Shire employees.

The purpose of internal control and this Policy is to provide assurance that:

- The internal risks faced by the Shire are contained to acceptable levels;
- The Shire is effectively managed;
- The Shire's resources are not misused or misappropriated; and
- Effective risk management is integrated into Shire operations.

Definitions

Internal Controls are generally classified as:

- preventative – prevent errors and irregularities from happening in the first place
- detective – detect errors and irregularities that may have occurred or be occurring now
- corrective – correct errors and irregularities already detected.

Examples are codes of conduct; employment and contractor screening and vetting processes; integrity training and awareness raising activities; segregation of duties; supervision; detection programs; and audit and investigations.

Integrity policies and procedures (and audit) are a fundamental part of any integrity framework. Policies and procedures:

- set and communicate expectations;
- explain how integrity risks are managed;
- encourage consistency and proportionality in decision making;
- provide information to stakeholders about how decisions are made; and

foster stability and business continuity even during periods of change.

Policy Statement

The Council will, through the Chief Executive Officer, ensure that appropriate and efficient internal controls are in place covering.

1. Staffing and segregation of duties;
2. Information technology;
3. Documented procedures and processes covering the recording reporting and authorisation of transactions; and
4. Monitoring performance and adherence.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government (Financial Management) Regulations 1996* *Local Government (Audit) Regulations 1996;*
Related Documentation	Policy – Risk Management

Policy Title	**C10 - Legal Representation for Council Members and Employees**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To describe the arrangements for legal representation for Council members and employees.

Scope

This Policy applies to Council members and employees.

Definitions

Approved Lawyer is to be –

a. A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;

From a law firm on the WALGA's panel of legal service providers, if relevant, unless Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and

Approved by resolution of Council or in writing by the CEO under delegated authority.

Council member – means a current or former person elected to the Council of the Shire of West Arthur in a local government election.

Committee Member – means a person who is a member of a committee appointed by Council who is not a Council member.

Employee – means a person who at the relevant time is or was an employee of the Shire of West Arthur pursuant to s5.41(g) of the *Local Government Act 1995,* or, if the CEO, under s5.36(1)(a).

Legal proceedings – may be civil, criminal or investigative.

Legal representation – is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of:

a. A matter or matters arising from the performance of the functions of the relevant person; and

Legal proceedings involving the relevant person that have been, or may be, commenced.

Legal representation costs – are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services – include advice, representation or documentation that is provided by an approved lawyer.

Payments – by the Shire of legal representation costs may be either by –

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

A reimbursement to the relevant person.

Shire means the Shire of West Arthur.

Policy Statement

Payment Criteria

There are five (5) major criteria for determining whether the Shire will pay the legal representation costs of a relevant person. These are:

The legal representation costs must relate to a matter that arises from the performance, by the relevant person, of his or her functions;

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

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

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

The legal representation costs do not relate to a situation where the shire of West Arthur is the defendant.

Examples of Legal Representation

Examples of legal representation costs that may be approved are:

a. If the criteria of this policy are satisfied, the Shire may approve the payment of legal representation costs:

- Where proceedings are brought against a relevant person in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
- To enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions – for example where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
- Where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about a relevant person.

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

Application for Payment

A relevant person who seeks assistance under this policy is to make an application(s), in writing, to the CEO, or the Council if the relevant person is the CEO.

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

a. The matter for which legal representation is sought;

How the matter relates to the functions of the relevant person making the application;

The proposed lawyer (or law firm) who is to be asked to provide the legal representation;

The nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc);

An estimated cost of the legal representation; and

Why it is in the interest of the shire for payment to be made.

The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

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

The application is to be accompanied by a signed written statement by the applicant that he or she:

a. Has read and understand, the terms or this policy;

Acknowledges that any approval of legal representation costs is conditional on the repayment provisions of this policy and any other conditions to which the approval is subject; and

Undertakes to repay the shire any legal representation costs in accordance with the provisions of this Policy.

When a person is to be in receipt of monies under this Policy, the person shall sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the policy.

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

Legal Representation Cost Cap

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

A relevant person may make a further application to Council in respect of the same matter.

Council's Powers

Council may:

a. Refuse an application for payment of legal representation costs;

Grant an application for payment of legal representation costs; or

Grant subject to conditions, an application for payment of legal representation costs

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

In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Council members and Officers liability policy or its equivalent.

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

Council may determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

a. Not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or

Given false or misleading information in respect of the application.

A determination may be made by Council only based on, and consistent with, the findings of a court, tribunal or inquiry.

Council may decide the legal representation costs paid by the Shire are to be repaid by the relevant person in accordance with this Policy.

Repayment of Legal Representation Costs

A relevant person whose legal representation costs have been paid by the Shire is to repay the Shire:

a. All or part of those costs – in accordance with a determination by Council under this policy;

As much of those costs as are available to be paid by way of set-off – where the relevant person receives monies paid for costs, damages or settlement, in respect of the matter for which the Shire paid the legal representation costs.

The Shire may act in a court of competent jurisdiction to recover any monies due to it under this Policy.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Legal Representation for Council Members & Employees
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Nil

Policy Title	**C11 - Legislative Compliance**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that the Shire of West Arthur complies with legislative requirements.

Scope

- A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.
- The Shire of West Arthur has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Council will comply with applicable legislation and the Council should take all appropriate measures to ensure that that expectation is met.
- Regulation 14 of the *Local Government (Audit) Regulations 1996* requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The compliance audit is structured by the Department of Local Government, Sport and Cultural Industries and relates to key provisions of the Local Government Act 1995.
- Regulation 17 of the *Local Government (Audit) Regulations 1996* also requires a review of the appropriateness and effectiveness of systems and procedures in relation to legislative compliance at least once every two calendar years and a report to the Audit Committee on the results of that review.

Definitions

CEO means Chief Executive Officer of the Shire of West Arthur

Senior Management means employees who are designated as “Manager” of their area of responsibility.

Policy Statement

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

These processes and structures will aim to:-

a. Develop and maintain a system for identifying the legislation that applies to the Shire’s activities.

Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented.

Provide training for relevant employees, Council members, volunteers and other relevant people in the legislative requirements that affect them.

Provide people with the resources to identify and remain up to date with new legislation.

Establish a mechanism for reporting non-compliance.

Review accidents, incidents and other situations where there may have been non-compliance.

Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

Roles and Responsibilities

Council and Committee Members

Council and Committee members have a responsibility to be aware and abide by legislation applicable to their role.

Senior Management

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

Employees

Employees have a duty to seek information on legislative requirements applicable to their area of work, and to comply with the legislation.

Employees shall report through their supervisors to Senior Management any areas of non-compliance that they become aware of.

Implementation of Legislation

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

Identifying Current Legislation

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

Identifying New or Amended Legislation

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

Department of Planning, Lands and Heritage

Planning Bulletins are received from the Department of Planning, Lands and Heritage on any new or amended legislation. Such advice is received through the Shire's Records section and is distributed to the relevant employees for implementation.

Western Australian Local Government Association (WALGA)

Regular circulars are received from WALGA, and these circulars highlight changes in legislation applicable to local governments.

Informing Council of Legislative Change

If appropriate the CEO will, on receipt of advice of legislative amendments, advise the Council on new or

amended legislation.

The format for all reports to Council meetings provides that all reports shall have a section headed 'Legislative implications' which shall detail the sections of any Act, Regulation or other legislation that is relevant.

Review of Incidents and Complaints of Non-compliance

All incidents and complaints of non-compliance are to be reviewed. Such reviews will assess compliance with legislation, standards, policies and procedures that are applicable.

Reporting of Non-compliance

All instances of non-compliance shall be reported immediately to the supervising manager. The supervising manager shall determine the appropriate response and then report the matter to the relevant senior manager.

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

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**C12 - Acknowledgement of Wilman Noongar People**
Policy type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure appropriate recognition of local indigenous peoples at Shire meetings, functions, and forums.

Scope

Applicable to welcome and housekeeping at Shire meetings, events and publications.

Definitions

Nil

Policy Statement

A Welcome to Country is to be arranged with a local Wilman Noongar Elder to recognise the traditional custodians of the area, for official major Shire of West Arthur events, including but not limited to:

a. Events celebrating Aboriginal and Torres Strait Islander people and culture such as the official opening of NAIDOC Week,

Australia Day Citizenship Ceremonies.

An Acknowledgement of the Wilman Noongar people is to be read aloud at these events by the official representative of the Shire, and at other events where appropriate.

An Acknowledgment of the Wilman Noongar people is to be placed by the Shire of West Arthur in appropriate written forms, including but not limited to:

a. Strategic Community Plan,

Corporate Business Plan,

Shire of West Arthur website.

The following statement is the official Acknowledgement of Wilman Noongar people by the Shire of West Arthur–

"The Shire of West Arthur respectfully acknowledges that the land upon which we work and live, is the traditional land of the Wilman Noongar people. We recognise their cultural heritage, beliefs and continuing relationship with the land. We honour Elders past, present and emerging and we support the principles of a reconciled Australia for all its people."

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	
Related Documentation	

Policy Title	**C13 - Caretaker Policy in Lead to Elections**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To describe the practices and decision making of the Shire in the lead to the local government elections.

Scope

This Caretaker Policy applies to Council members, electoral candidates and employees of the Shire of West Arthur.

Definitions

Caretaker Period means the period when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations being 37 days prior to the Election Day in accordance with s4.49(a) of the *Local Government Act 1995*, until 6pm on Election Day.

Election Day means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election.

Electoral Material means any digital communications, advertisement, handbill, pamphlet, notice, letter, or article that is intended or calculated to affect the result in an election but does not include:

a. An advertisement in a newspaper announcing the holding of a meeting in accordance with s4.87(3) of the *Local Government Act 1995*.

Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*.

Any materials produced by the Shire relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Events and Functions means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the Shire and stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions.

Extraordinary Circumstances means a situation that requires a major policy decision of the Council during a local government caretaker period if:

a. In the Chief Executive Officer's opinion, the urgency of the issue is such that it cannot wait until after the local government election;

There is a possibility of legal and/or financial repercussions if a decision is deferred; or

In the Chief Executive Officer's opinion, it is in the best interest of the Council and/or Shire for the decision to be made as soon as possible.

Local Government Election means all ordinary and extraordinary Council member elections.

Major Policy Decision means any:

a. Decisions relating to the employment, termination or remuneration of the Chief Executive Officer or any other designated senior employee, other than a decision to suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election.

Decisions relating to the Shire entering into a sponsorship arrangement with a total Shire contribution value exceeding $10,000 (excluding GST).

Decisions that commit the Shire to substantial expenditure or significant actions, such as that which might be brought about through a Notice of Motion by a Council member.

Irrevocable decisions that will have a significant impact on the Shire of West Arthur or the community.

Reports requested or initiated by an Council member, candidate or member of the public that, in the Chief Executive Officer's opinion, may be perceived within the general community as an electoral issue that reflects upon the Council's decision making process, and has the potential to call into question whether decisions are soundly based and in the best interests of the community.

Pre-Selected Candidate means the process by which a candidate is selected by a political party to contest an election for political office.

Public Consultation means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

Substantial Expenditure means expenditure that exceeds 0.01% of the Shire annual budgeted revenue (inclusive of GST) in the relevant financial year.

Policy Statement

The Shire of West Arthur has determined that there is a need for a policy is to avoid the making of any major decisions by the Council, prior to an election, that would bind an incoming Council, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting Council members who are seeking re-election, or new candidates, and ensuring the Shire of West Arthur's administration acts impartially in relation to candidates.

This policy also prohibits a Council member from using a wide range of Council resources during their candidacy for Council, State or Federal election.

Scheduling Consideration of Major Policy Decisions

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling major policy decisions for consideration during a Caretaker Period, and instead ensure that such decisions are either:

- Considered by the Council prior to the Caretaker Period; or
- Scheduled for determination by the incoming Council.

Decision Made Prior to a Caretaker Period

This Policy only applies to actual decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst announcement of earlier decisions may be made during a Caretaker Period, as far as practicable any such announcements should be made before the Caretaker Period begins.

Role of the Chief Executive Officer in Implementing Caretaker Practices

The role of the Chief Executive Officer in implementing the caretaker practices outlined in this policy is as follows:

- The Chief Executive Officer will ensure as far as possible, that all Council members and employees are aware of the Caretaker Policy and practices 30 days prior to the start of the Caretaker Period.

- The Chief Executive Officer will ensure, as far as possible, that any major policy or significant decisions required by the Council are scheduled for Council resolution prior to the Caretaker Period or deferred where appropriate for determination by the incoming Council.
- The Chief Executive Officer will endeavour to make sure all announcements regarding decisions made by the Council, prior to the Caretaker Period, are publicised prior to the Caretaker Period.

Extraordinary Circumstances Requiring Exemption

The Chief Executive Officer may, where extraordinary circumstances prevail, permit a matter defined as a 'major policy decision' to be submitted to the Council. The Chief Executive Officer is to have regard to a range of circumstances, including but not limited to:

a. Whether the decision is 'significant';

The urgency of the issue (that is - can it wait until after the election);

The possibility of legal and/or financial repercussions if it is deferred;

Whether the decision is likely to be controversial; and

The best interests of the Shire of West Arthur

Appointment or Removal of the Chief Executive Officer

Whilst the definitions of this policy establishes that a Chief Executive Officer may not be appointed or dismissed during a Caretaker Period, in the case of an emergency, the Council may act to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of the contract), pending the election, after which date a permanent decision can be made.

Caretaker Statement

To ensure the Council complies with the commitment to appropriate decision making during the Caretaker Period a Caretaker Statement will be included in every report submitted to the Council for a decision.

The Caretaker Statement will specify one of the following:

a. "The recommended decision is not a 'Major Policy Decision' within the context of the Elections – Caretaker Period Policy."

"The recommended decision is a 'Major Policy Decision' within the context of the Elections – Caretaker Period Policy however; an exemption should be made due to extraordinary circumstances (insert the circumstances for making the exemption)".

Prohibition on Publishing Local Government Electoral Material

The Shire shall not print, publish or distribute, or cause, permit or authorise others to print, publish or distribute on behalf of the Shire any advertisement, handbill, pamphlet or notice that contains 'electoral material' during the Caretaker Period.

Electoral Material Relevant to Prohibition

Without limiting the generality of the definition of 'electoral material', material will be intended or likely to affect voting in the election if it contains an express or implicit reference to, or comment on:

a. The election; or

A candidate in the election; or

An issue submitted to, or otherwise before, the voters in connection with the election.

Candidate and/or Council Member Publications

Candidates and/or Council members are permitted to publish campaign material on their own behalf but cannot claim for that material to be originating from or authorised by the Shire. For example, use of the Shire of West Arthur logo is prohibited as is use of any of the Shire's photographs or images.

Election Announcements

This policy does not prevent publications by the Shire which merely announce the holding of the election or relate only to the election process itself.

Shire of West Arthur Publications

Any reference to Council members in the Shire's publications printed, published or distributed during the Caretaker Period must not include promotional text. Any of the Shire's publications that are potentially affected by this policy will be reviewed by the Chief Executive Officer to ensure that any circulated, displayed or otherwise publicly available material during the Caretaker Period does not contain material that may be construed as 'electoral material'.

Shire of West Arthur Website

During the Caretaker Period the Shire's website will not contain any material which is precluded by this policy. Any references to the election will only relate to the election process. Information about Council members will be restricted to names, contact details, titles, membership of special committees and other bodies to which they have been appointed to by the Council. Information about candidates on the Shire's website will be restricted to their candidate profiles only.

Public Consultation during the Caretaker Period

It is prohibited under this policy for public consultation to be undertaken during the Caretaker Period (either new consultation or existing) on an issue which is contentious unless the consultation is a mandatory statutory process or prior approval is given by the Chief Executive Officer.

Public Events Hosted by External Bodies

Council members may continue to attend events and functions hosted by external bodies during the Caretaker Period.

Shire of West Arthur Civic Events/Functions

Civic events/functions organised by the Shire and held during the Caretaker Period will be reduced to only those essential to the operation of the Shire and should not in any way be associated with any issues considered topical and relevant to the election. All known candidates are to be invited to civic events/functions organised by the Shire during the Caretaker Period, however, only sitting Council members will be formally acknowledged at such events/functions.

Addresses by Council Members

Council members that are also candidates should not, where possible, be permitted to make speeches or addresses at events/functions organised or sponsored by the Shire during the Caretaker Period. Council members may make short welcome speeches at events and functions organised or sponsored by the Shire during the Caretaker Period subject to prior approval of the Chief Executive Officer.

Delegates to Community and Advisory Groups

Council members appointed to community groups, advisory groups and other external organisations as representatives of the Shire shall not use their attendance at meetings of such groups to either recruit assistance with electoral campaigning or to promote their personal or other candidates' electoral campaigns.

Questions and Statements at Council or Committee Meetings

All candidates, whether current Council members or not, are required to declare that they are a candidate for the upcoming election prior to asking questions or making a statement at Council or Committee Meetings.

Use of Shire Resources

The Code of Conduct for Council Members, Committee Members & Candidates provide that the Shire's resources are only to be utilised for authorised activities (for example – prohibits the use of employees for personal tasks and prohibits the use of equipment, stationery, or hospitality for non-Council business). This includes the use of resources for electoral purposes. It should be noted that the prohibition on the use of the Shire's resources for electoral purposes is not restricted to the Caretaker Period.

The Shire's employees must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Council members in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Shire resources might be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.

Council Members Access to Information

During a Caretaker Period, Council members can access Council information relevant to the performance of their functions as a Council member. However, this access to information should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this policy. Any Council information so accessed must not be used for election purposes.

Electoral Information and Assistance

All candidates will have equal rights to access public information, such as the electoral rolls and information relevant to their election campaigns from the Shire administration.

Information, briefing material and advice prepared or secured by employees for an Council member must be necessary to the carrying out of the Council member's role and must not be related to election issues that might be perceived to be of an electoral nature (refer to Part 8 of this policy).

Any assistance and advice provided to candidates as part of the conduct of the local government election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to candidates in advance. Types of assistance may include advice on manipulation of electoral roll data and interpretation of legislative requirements, amongst other matters.

Information Request Register

An Information Request Register will be maintained by the Chief Executive Officer during the Caretaker Period. This Register will be a public document that records all requests for information made by Council members and candidates, and the response given to those requests, during the Caretaker Period. Employees will be required to provide details of requests to the Chief Executive Officer for inclusion in the Register.

Any requests for media advice or assistance from Council members during the Caretaker Period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or regarding publicity that involves specific Council members. If satisfied that advice sought by a Council member during the Caretaker Period does not relate to the election or publicity involving any specific Council member(s), the Chief Executive Officer may authorise the provision of a response to such a request.

Publicity Campaigns

During the Caretaker Period, publicity campaigns, other than for the purpose of conducting (and promoting) the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Shire activity, it must be approved by the Chief Executive Officer. In any event, the Shire's publicity during the Caretaker Period will be restricted to communicating normal Shire activities and initiatives.

Media Attention

Council members will not use their position as an elected representative or their access to Shire employees or resources to gain media attention in support of their or any other candidate's election campaign.

Shire of West Arthur Employees

During the Caretaker Period no Shire employees may make any public statement that relates to an election issue unless the statements have been approved by the Chief Executive Officer.

Election Process Enquiries

All election process enquiries from candidates, whether current Council members or not, will be directed to the Returning Officer or, where the matter is outside of the responsibilities of the Returning Officer, to the Western Australian Electoral Commission.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Code of Conduct for Council Members, Committee Members & Candidates*
Related Documentation	

Policy Title	**C14 - Citizenship Ceremonies Dress Code**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure compliance with the requirements of the Federal Government in relation to the standard of dress to be work by participants during citizen ship ceremonies conducted by the Shire of West Arthur.

Scope

This Policy applies to the officials conducting citizenship ceremonies and everyone receiving Australian Citizenship at a formal ceremony conducted by the Shire of West Arthur.

Definitions

Nil

Policy Statement

The attire worn by the officials conducting citizenship ceremonies and the recipients of citizenship at the ceremony should be in accordance with this Policy and reflect the significance of the occasion.

Officials conducting the ceremony are to wear their official uniform or business attire.

People receiving citizenship at the ceremony should wear smart casual attire or their own national/traditional/cultural dress.

The following attire is not permitted:

- Beach wear
- Thongs or bare feet, unless part of national/traditional/cultural attire
- Slippers
- Sleep wear
- Clothing showing offensive slogans or pictures
- Sports apparel
- Fancy Dress costumes

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Australian Government – Australian Citizenship Ceremonies Code

Policy Title	**C15 - Civic Functions and Hospitality**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that all civic functions and hospitality are provided in an appropriate and consistent manner.

Scope

Definitions

NAIDOC means National Aborigines and Islanders Day Observance Committee

ANZAC means Australian and New Zealand Army Corps

Policy Statement

Introduction

From time to time there will be circumstances where the Council wishes to provide hospitality or hold a function, for example, it may relate to the conferring of the Freeman of the Shire, meeting a delegation to the Shire, or hosting a State or Federal Minister.

It is a formal event and as such is intended to convey the significance of the matter at hand. It is important that such hospitality is undertaken to a consistent standard and follows a clear process.

Principles

A civic event or function is a mechanism available to the Council to convey the importance and significance of a matter to the community.

Funding and resources used to support an event should be effectively used and appropriate to purpose.

General Provisions

The Shire President, in discussion with the Council Members and in conjunction with the Chief Executive Officer (CEO) shall have discretion to identify whether a civic reception is to be held, when it will be held and who shall be invited.

The Shire President may host functions and receptions with light refreshments for visiting dignitaries, residents who are recipients of awards or prizes from the Shire, exchange students, visitors, and delegations from other local authorities from Australia and overseas.

The invitation list shall be at their discretion.

The Chief Executive Officer is authorised to approve civic functions, ceremonies, receptions, provision of hospitality and the use of the Administration and Town Hall, subject to compliance with this Policy.

Catering will be procured from local suppliers and a contestable process shall be undertaken to select preferred providers.

Specific Civic Functions and Events

The Council will hold or formally support the following Civic events:

a. Support the West Arthur Lions Club in its holding of the Australia Day event. The event will be funded via a specific provision in the Annual Budget.

Support the RSL in its holding of the ANZAC Day event. The support will be funded via a specific provision in the Annual Budget.

Support NAIDOC week, with specific provision in the Annual Budget.

Note

This policy does not relate to events supported by the Council through its funding of community group activities.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	
Related Documentation	

Policy Title	**C16 - Commencing Legal Action**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure effective controls over the commencement of legal action, for and on behalf of the Shire of West Arthur.

Scope

This Policy is applicable to all Shire of West Arthur employees and relates to the approval of commencement and cessation of legal proceedings in a judicial court whereby Council is the body prosecuting the legal action.

Definitions

Nil

Policy Statement

To ensure proper and effective controls, only the Chief Executive Officer, or an employee, or person properly authorised by the Chief Executive Officer may commence legal action for and on behalf of the Shire of West Arthur

This approach ensures that monitoring can occur of legal costs accruing and that such costs are incurred in accordance with the Shire's purchasing and procurement policy, especially in relation to tender thresholds.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	
Related Documentation	

Policy Title	**C17 - Council Member Recognition**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To officially recognise the dedication, service and commitment of Council members following their retirement.

Scope

This Policy applies to Council members.

Definitions

Service means any term of office served by an individual Council member with the Shire of West Arthur commencing from the date first elected to office as a result of an election outcome and concluding with the departure from office.

Policy Statement

Gifts

That an appropriate gift, not cash, with a value of up to $150 may be purchased for retiring Council members who have completed a four year term or up to $300 if they have completed two or more four year terms on Council, along with a framed certificate of service.

Name Plate

Upon retirement all Council members shall be presented with their name plate.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Council Member Recognition
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Nil

Policy Title	**C18 - Equal Opportunity, Harassment and Bullying**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that all persons employed or engaged by the Shire understand the commitment to equal employment opportunities.

To provide guidelines to ensure the principles of equal employment opportunity are adhered to

Scope

This policy applies to all persons employed or engaged by the Shire.

Definitions

Harassment - as determined under the *Equal Opportunity Act 1984*;

Discrimination - as determined under the *Equal Opportunity Act 1984* and the Commonwealth *Sex Discrimination Act 1984;*

Bullying means when a person or group of people repeatedly behave unreasonably towards another worker or group of workers and the behaviour creates a risk to health and safety.

Policy Statement

The Shire of West Arthur Council recognises its legal obligations under the *Equal Opportunity Act 1984* (as amended) and will actively promote the principles of equity and diversity in the workplace. This means that the Shire aims to provide a work environment that fosters good working relationships where employees, contractors and volunteers are fairly and equally, and that unlawful discrimination does not take place.

The Shire aims to be respected for its commitment to equal opportunity as an employer and as a service provider to the community by adopting the following practices;

Appointments, Promotion and Training

Access to employment, contracts, promotion, and training is to be fair and equitable. Decisions on matters affecting (prospective and current) employees, contractors and volunteers will be made on merit and are based on relevant experience, skills and ability required for the role.

No decisions will be made on the basis of nepotism or patronage.

Diversity

The Shire recognises, values, and respects social, cultural and linguistic diversity. Where it can reasonably be achieved, assistance will be provided to employees and volunteers with special needs in order to assist them in undertaking their roles effectively.

Discrimination and Harassment Free Environment

The Shire promotes an environment where people can work effectively without the fear of unlawful discrimination or harassment. Discrimination is treating one person less favourably than another because of a personal attribute which is covered by equal opportunity laws, and includes gender, marital status, pregnancy, family responsibilities or status, race, religious and/or political conviction, impairment, age, gender history, and sexual orientation.

Discrimination is unlawful. Harassment is also not tolerated. Harassment is defined as any unwelcome, offensive action or remark concerning a person's gender, race, age, impairment or one of the other attributes as covered in the Equal Opportunity legislation.

Good Working Relationships

The Shire aims to provide an enjoyable, challenging, and harmonious work environment. Workplace bullying is one activity that detracts from this environment. It can create a risk to health and safety and will not be tolerated. Workplace bullying is defined as repeated, unreasonable behaviour directed towards a person or a group of persons at a workplace.

Responsibilities

All employees, volunteers and contractors have a shared responsibility to apply and promote the equal opportunity principles.

Grievances

Grievances in relation to discrimination, harassment, and bullying will be dealt with fairly, quickly and confidentially by the Equal Opportunity Coordinator in accordance with grievance procedures.

The Equal Opportunity Coordinator will receive appropriate training to undertake this role. The Chief Executive Officer is the Equal Opportunity Co-ordinator for the Shire of West Arthur.

Reporting

Every allegation of discrimination, harassment and bullying made against an employee will be investigated by the Shire of West Arthur. If after the investigation it is found that an employee has breached this policy then appropriate disciplinary action will be taken up to and including dismissal. Prior to lodging a complaint an employee may seek the support of an appropriate person to talk through the situation. An appropriate person could be internal to Shire of West Arthur such as a Supervisor or external to Shire of West Arthur such as the

Shire's counselling service (LGIS Counselling Service 0456 914 733).

At any stage in the process an employee may choose to make a complaint external to the Shire of West Arthur and can lodge a complaint with the Equal Opportunity Commission, Australian Human Rights Commission, WorkSafe and/or the Fair Work Commission.

Complaints regarding Elected Members will be dealt with in accordance with the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021*.

Breaches

A person will be deemed to be in breach of this Policy when they:

Display any behaviour or series of behaviours (directly or indirectly) that unfairly or unreasonably offends, humiliates, belittles, undermines, frightens, excludes without justification or embarrasses anyone it is directed at or anyone who sees or overhears it; and

Exhibits behaviour of a sexual nature which is unwanted and unwelcome, may be regarded as offensive, and or place the victim in a vulnerable position or make them feel that they may be disadvantaged if they

object to the advances; and

Show any form of behaviour or series of behaviours which may constitute any form of discrimination.

This policy does not address -

(a) Mutually agreed personal relationships / friendships.
(b) Reasonable and appropriate performance management processes which are intended to manage an employee's poor performance.
(c) Enforcement of lawful instructions issued by any person authorised.

Consequences

Engaging in harassing, discriminating or bullying conduct in the workplace constitutes a breach of this policy, the Code of Conduct and the Act, and may result in disciplinary action up to and including termination being taken against the offending employee or contractor.

Victimisation by an employee or a Council member against a complainant or person supporting the complainant in alleged misconduct of harassment, discrimination or bullying may also result in disciplinary action being taken against that person, including termination of employment.

Breaches which constitute a criminal offence will be reported to the Police.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	*Local Government Act 1995* *Local Government (Model Code of Conduct) Regulations 2021.* *Work Health and Safety Act 2020* *Equal Opportunity Act 1984*
Related Documentation	

Policy Title	**C19 - Execution of Documents and Use of Common Seal**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

The purpose of this Policy is to provide clear guidance as to the execution of documents on behalf of the Shire in accordance with the provisions of the Act.

Scope

This Policy applies to Shire of West Arthur employees preparing documents for execution and/or who have been authorised through the provisions of this Policy to execute documents on behalf of the Shire.

Definitions

Act means Local Government Act 1995 (WA)

Authorised person means a person authorised under s.9.49A(4) (or other lawful authority) to sign on behalf of the Shire.

Common Seal - is the company signature that the Shire can use in certain circumstances to execute documents.

Document means contracts, agreements, deeds, instruments, transfers, forms and Landgate dealings.

Execute includes signing, sealing, witnessing/attesting, and any other step required to make a document effective.

Landgate dealings includes forms/instruments lodged with Landgate.

Legislative and Governance Framework

Local Government Act 1995 (WA) – s.9.94A

- *s.9.94A(2):* The common seal must not be affixed unless Council has authorised its use by resolution.
- *s.9.94A(3):* When the seals is affixed it is to be attested by the Shire President and the CEO (or persons acting in those positions).
- *s.9.94A(4):* Council may, by resolution, authorise the CEO, another employee or an agent to sign documents on behalf of the local government, either generally or subject to conditions/restrictions.

This Policy is intended to operate consistently with Council resolutions, the Shire's Delegation Register, procurement and financial policies, and recordkeeping requirements.

Policy Statement

For the purposes of this Policy, Documents commonly executed by the Shire are grouped into three categories. The way in which a document is to be executed and who has the authority to execute a

Document is based upon its category.

This policy defines those categories and the Shire employees who are authorised to execute listed documents. Employees who sign documents are also restricted to any applicable delegations of authority as listed in the Shire's Delegation Register.

An employee authorised through this Policy to execute documents is to ensure that they have a full understanding of the document.

Category 1 – Common Seal and a Specific Council Decision Required

Category 1 documents are those that require the Shire's Common Seal to be validly affixed in accordance with section 9.49A(2) – (3) of the Act, and requires that Council has specifically authorised by resolution:

i. to enter into the transaction; and
ii. the execution of the document by the Shire; and
iii. the affixing of the Common Seal to the document in accordance with section9.94A(2); and
iv. attested by the Shire President and CEO (or acting in those roles) s.949A(3)

Description
Local Laws – Made and Amended
Local Planning Scheme and Amendments
Landgate documents: i. Restrictive Covenants under s129B pf the *Transfer of Land Act 1893* ii. Transfer of land documents where the Shire is transferring land (including for sale of property for non-payment of rates) iii. Strata Tile
Documents required by another party to be duly exercised by Common Seal
Mortgages, Loans and Debentures
Documents of a Ceremonial Nature of Council's choice
Any other documents where the law requires the Common Seal to be affixed

Where possible, Documents requiring the Common Seal, must be duly executed by the other counterparties prior to being submitted to the Shire for execution.

Category 2 Documents

Category 2 documents are documents that do not require the affixing of the Shire's Common Seal.

Standing authorisation to sign section 9.49A(4):

By adopting this Policy, in accordance with section9.49A(4) of the Act, Council authorises the Chief Executive Officer to sign any documents that are necessary or appropriate to enable them to carry out their functions under any written law.

Further, the Officers additionally listed in the table below are also authorised to sign documents on behalf of the Shire of West Arthur subject to limits imposed by the Delegations Register and internal instruments such as procurement and financial controls, policies and Council decisions.

Description	Authority to Execute	Example of Documents
Offer and Acceptance forms and associated documents required to enact a decision of Council to purchase or sell land	• Chief Executive Officer • Responsible Manager	➢ Standard REIWA terms ➢ Special conditions of offer ➢ Contracts of sale
Documents required to enact a decision to award a tender	• Chief Executive Officer • Responsible Manager	➢ Contractual documents resulting from a tender process
General deeds, legal agreement (not otherwise listed)	• Chief Executive Officer • Responsible Manager	➢ Settlements and/or releases ➢ Confidentially and non-disclosure
Memorandums of understanding and other statements of intent and terms and conditions	• Chief Executive Officer • Responsible Manager	
Grant Funding and Sponsorship Agreements	• Chief Executive Officer • Responsible Manager	
Leases, licences and associated documents	• Chief Executive Officer • Responsible Manager	➢ Agreements ➢ Variations
Documents required when the Shire owns land or manages land under a management order	• Chief Executive Officer • Responsible Manager	➢ Subdivision applications ➢ Development applications ➢ Building applications ➢ Agreement for access and indemnity
Documents prepared for registration at Landgate (other than those specified in Category 1 of this Policy)	• Chief Executive Officer • Responsible Manager	➢ Restrictive covenants ➢ Caveats ➢ Memorials ➢ Covenants ➢ Easements ➢ Rights of carriageway ➢ Notification on title as required by a condition of approval, etc
Other documents required to enact a decision of Council	• Chief Executive Officer • Responsible Manager	

Category 3 – No Common Seal – Officers defined in Policy

Category 3 documents are documents that are created in the normal course of business to discharge the duties of an Officer's position in a manner consistent with Shire policies and procedures. These documents are to be executed by the Chief Executive Officer, a Manager, or a Shire officer where the authority and accountability has been extended through an authorisation, policy, procedure, or a position description.

Category 3 documents include but are not limited to the following:

Description
Agreements in the normal course of business for the purchase of goods or services identified within the service unit's budget (other than for tenders) and conforming to the requirements of the Shire's Purchasing Policy and other relevant policies.
General correspondence required to discharge the duties of the position.
Regular hire arrangements.

Common Seal Register

A Common Seal Register must be maintained to record:

- Date of sealing
- Document title/description;
- Counterparty;
- Authority (Council resolution reference, or Category 1(B) standing authorisation under this Policy);
- Attesting officers (President/CEO or acting); and
- Storage location in the Shire's records system.

A scanned copy of the executed document and supporting authority must be captured into the Shire's official recordkeeping system.

Controls and Escalation

If a document is unusual/high risk, involves disposal/acquisition of land, departs from standard conditions, or a counterparty insists on a particular execution form, the CEO must determine whether legal advice and/or Council decision is required prior to execution.

History	25/05/2023 Adopted 24/08/2023 Amended 22/05/2025 Reviewed 23/05/2026 Reviewed 25/06/2026 Amended
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**C20 - Guidelines for Plantation Fire Protection**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To provide consistency for landholder's developing plantations.

Scope

This policy applies to all existing and new plantations.

Definitions

Plantation means any area of planted trees for the purpose of future harvest, other than a windbreak, within gazetted town sites exceeding 1ha and elsewhere exceeding 40 hectares.

Policy Statement

The Shire of West Arthur adopts the Department of Fire and Emergency Services "Guidelines for Plantation Fire Protection" and applies the definition shown above.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	
Related Documentation	Guidelines for Plantation Fire Protection

Policy Title	**C21 - Media & Communications**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish protocols for the release of public statements issued by the Shire of West Arthur (including to the media and on Social Media) to ensure the Shire is professionally and accurately represented, and to maximise a positive public perception of the Shire.

Scope

This Policy is applicable to public statements initiated by Council members and the CEO (or delegated employees) which pertain to the business of the Shire of West Arthur; made orally, in writing, or electronically, in either their Shire role or in a personal capacity.

Definitions

Social Media is web-based technology which facilitates the communication and sharing of text, photographs, audio, video, and information in general.

Policy Statement

1. Media and public statements will be issued by the Shire for the purposes of:
    a. sharing information required by law to be publicly available;

sharing information that is of interest and benefit to the Community;

promoting Shire of West Arthur events and services;

promoting public notices and community consultation / engagement opportunities;

answering questions and responding to requests for information relevant to the role of the Shire; and

receiving and responding to community feedback, ideas, comments, compliments and complaints.

2. Official statements will be consistent with policies, standards and the positions adopted by the Council.
3. The Shire uses a combination of different communication modes to relay public statements including but not limited to:
    a. Shire websites;

advertising and promotional materials;

media releases and media statements promoting specific Shire positions prepared for or provided by the President, the CEO (or delegated Officer);

Social Media platforms; and

Community newsletters and communiques.

Speaking on behalf of the Shire of West Arthur

1. Section 2.8 (1) (d) of the Act provides that the President is the official spokesperson for the Shire of West Arthur and may represent the Shire in official communications.
2. Section 5.34 of the Act provides that the Deputy President may perform the functions of the President if:
    a. the office of President is vacant; or

the President is not available, or is unable or unwilling to perform the functions of President.

3. Section 2.10 of the Act sets out the role of a Council member. There is no provision for a Council member to speak on behalf of the local government.
4. The President may include commentary from other Council members in media and public statements where:
    a. a Council member has specific expertise or knowledge of a specific area of Council business;

a comment from a Council member other than or as well as the President would generally be expected by the community;

a comment from a Council member, other than or as well as the President, maximises the positive perception of the Shire of West Arthur Council.

5. The CEO or a CEO approved officer may speak to the media or otherwise in public as to the Shire's affairs in performance of the CEO's functions under S.5.41 of the Act, including that of managing the day-to- day operations of the Shire.
6. Statements made by Council members and Shire employees whether undertaken in an authorised official capacity or as a personal communication, must not:
    a. bring the Shire of West Arthur into disrepute;

compromise the person's effectiveness in their role with the Shire of West Arthur;

imply the Shire's endorsement of personal views;

imply the Council member or employee is speaking on behalf of the Shire, unless authorised to do so; or

disclose, without authorisation, confidential information.

Council Member Statements on Shire Matters

1. Council members may speak in public to the extent that doing so does not conflict with roles or obligations outlined in the Shire's Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007.
2. Any public statement made by a Council member, whether made in a personal capacity or in their capacity as a Councillor, should:
    a. clearly state that the comment or content is a personal view only which does not necessarily represent the views of the Shire of West Arthur;

be made with reasonable care and diligence;

be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;

be factually correct;

avoid damage to the reputation of the local government; not reflect adversely on a decision of the Council;

not reflect adversely on the character or actions of another Council member or employee; and

maintain a respectful tone and not use offensive or objectionable expressions in reference to any Council member, employee or community member.

Media Enquiries

All media enquiries must be directed to the Chief Executive Officer in the first instance whereby information will be coordinated to support the release of an official response on behalf of the Shire. The media may, however, approach the President directly for comment in his/her capacity as official spokesperson for the Shire.

Social Media

1. The Shire uses Social Media and maintains Social Media accounts to facilitate information sharing and to provide feedback to our community. Social Media will not be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.
2. The Shire may post and contribute to Social Media hosted by others to ensure that the Shire's strategic objectives are appropriately represented and promoted.
3. The Shire will, at its discretion, moderate its Social Media accounts to address, and where necessary delete, content deemed to be:
    a. offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;

soliciting or commercial in nature;

unlawful or which may incite others to break the law;

information which may compromise individual or community safety or security;

repetitive material copied and pasted or duplicated;

electioneering for Council, appointment to official Office, or any ballot;

in violation of intellectual property rights or the legal ownership of interests or another party; and

inappropriate in any other way.

4. Where a third party contributor to a Shire's Social Media account is identified as posting content which is deleted in accordance with the above, the Shire may, at its discretion, hide that contributor's comment and / or block that contributor for a specific period of time or permanently.
5. The Shire of West Arthur will, in conjunction with other communication modes, use Social Media to communicate and advise the community regarding Emergency Management

Professional Use of Social Media

- Before engaging in social media as a representative of the Shire, the individual must first be authorised to do so.
- Only the Shire of West Arthur Council members and employees may be authorised to use the Shire's social media platforms, either on the Shire's premises or mobile devices.
- The Shire of West Arthur will moderate and remove any posts or comments that do not comply with the relevant principles stipulated above.

Personal Use of Social Media

- The Shire of West Arthur is not responsible for any content published in a personal capacity on any form of social media platform.

Breaching of the Policy

- All Council members and employees are expected to comply with this policy at all times to protect the privacy, confidentiality and interests of the Shire, Council members, employees, volunteers, users, partners and the community.
- Employees found breaching this policy will be responsible for any loss suffered by the Shire of West Arthur as a result.
- Any alleged breach of this policy will be dealt with according to the relevant Code of Conduct.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**C22 - Public Interest Disclosure**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To affirm the support of the Shire of West Arthur for public interest disclosures.

Scope

This Policy applies to all employees of the Shire.

Definitions

Public interest information means information that tends to show that, in relation to its performance of a public function (either before or after the commencement of this Act), a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in —

a. improper conduct; or

an act or omission that constitutes an offence under a written law; or

a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or

an act done or omission that involves a substantial and specific risk of —

- injury to public health; or Public Interest Disclosure Act 2003
- prejudice to public safety; or
- harm to the environment; or

a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971;

Policy Statement

The Shire of West Arthur does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of West Arthur and its employees and contractors.

The Shire of West Arthur is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

As a proper authority, the Shire of West Arthur is responsible for:

a. Receiving disclosures;

Investigating disclosures;

Taking appropriate action; and

Reporting.

The Shire of West Arthur will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure. The Shire of West Arthur does not tolerate any of its employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

The following Code uses as its ethical base the principles of personal integrity, relationships with others and accountability as referred to in the Western Australian Public Sector Code of Ethics.

Consistent with those principles, to meet the minimum standards of conduct and integrity, persons receiving disclosures, must comply with the following Code.

The Code

a. Be professional and courteous to those involved in a disclosure, and give prompt attention to all their lawful requirements

Not use any circumstance or information connected to a disclosure for personal profit or gain

Take all reasonable steps to seek to ensure informants who make a public interest disclosure are protected in accordance with the provisions specified in the PID Act

Take all reasonable steps to seek to ensure that persons who are the subject of a disclosure are also provided with appropriate safeguards and protections as specified in the PID Act

Maintain records that ensure all action taken about the receipt and processing of a disclosure is reviewable

Declare to an appropriate person, in writing, any interests that may conflict with their obligations to impartially receive and process disclosures

Immediately report corrupt behaviour that has been, or may be occurring, to an appropriate authority

Provide information to the informant about their rights and responsibilities and the possible implications of lodging a public interest disclosure.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Public Interest Disclosure Act 2003*
Related Documentation	

Policy Title	**C23 - Public Questioning Time, Presentations, Deputations & Petitions**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer.**

Purpose

In accordance with the *Local Government Act* s.5.24, *Local Government (Administration) Regulations* and the Shire of West Arthur Standing Orders Local Law Sections 3.3 and 3.4, the procedure for the Presiding Officer of a Council or Committee Meeting dealing with Public Questions or Presentations, Deputations and Petitions shall be in accordance with this Policy.

Scope

Nil

Definitions

Nil

Policy Statement

Presentations and Deputations

a. Where the subject matter is one of general information for all Council members, Council supports the scheduling of guest speakers, deputations and presentations based on the following guide;

   i. Where it is likely, or intended to take longer than 15 minutes (inclusive of question time) the presentation or deputation will be scheduled prior to a Council meeting on a scheduled Council meeting day, whether relevant to the agenda on that day or not.

   ii. Where it is likely, or intended to take less than 15 minutes (inclusive of question time), and subject to the proponent noting it is likely that it will be conducted with members of the public present, the presentation or deputation will be scheduled during a Council or Committee Meeting, but only if relevant to the particular agenda on that day.

The Shire President, or Chief Executive Officer in conjunction with the Shire President, is authorised to approve or disapprove requests to address Council.

The Presiding Officer, or Chief Executive Officer in conjunction with the Presiding Officer, is authorised to approve or disapprove requests to address a Council Committee.

A deputation invited to attend a Council or Committee meeting –

i. In the case of a Council Meeting

- is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from the members; and

- is not to address the Council for a period exceeding 10 minutes, plus 5 minutes for question time without the agreement of the Council.

ii. In the case of a Committee Meeting

- is not to exceed five persons, only two of whom may address the Committee, although others may respond to specific questions from the members; and
- is not to address the Committee for a period exceeding 30 minutes, plus 5 minutes for question time without the agreement of the Committee.

Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or that committee until the deputation has completed its presentation.

Petitions

Petitions shall be dealt with in accordance with Section 3.4 of the Council's Standing Orders Local law and be referred to the first available Council meeting after which it is received.

Public Question Time

The procedure for public question time is as follows:

a. A minimum time of 15 minutes is allocated for public question time. Council does not set a maximum time, however to enable all speakers to address Council or ask questions Council may restrict each speaker to 5 minutes.

A member of the public who raises a question or wishes to address Council is to state his/her name and address.

A question may be taken on notice for a later response.

When a question is taken on notice a response is to be given to the member of the public in writing by the Chief Executive Officer and a copy or summary of the question and response is to be included in the agenda for the information of the public and Council members (as to the response) for the next ordinary meeting of the Council or Committee.

Every question or address shall relate to the business of Council (or relevant Committee), but need not be restricted to items on the relevant agenda, but must be submitted as briefly and concisely as possible. If more than one question/issue is to be raised by a member of the public, the questions/issues are to be asked individually to allow the presiding person to respond.

In responding to issues/questions raised the presiding person may invite other Council members and/or the Chief Executive Officer or relevant staff member to make comment.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*s5.24, 5.23(2). Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Shire of West Arthur Standing Orders Local Law*
Related Documentation	

Policy Title	**C24 - Use of Shire Emblem/Logo**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish guidelines for use of the emblem so as to ensure it is used in an appropriate manner.

Scope

The application of this Policy is to be observed by all Council members and employees.

Definitions

Emblem – means the Shire of West Arthur's Logo and associated artwork.

Policy Statement

All applications to use the Shire of West Arthur emblem must be made in writing to the CEO and include details of the purpose, form and extent of the proposed use and the reason for such use.

Approval may be granted providing the group:

- Is based in the area and provides a service to Shire of West Arthur residents; and
- Has a direct relationship with the Shire, either through funding or operational arrangements.

Eligible groups will be advised in writing that approval has been granted to use the emblem, outlining the conditions that apply to the approval.

Ineligible groups will be advised in writing that approval has not been granted to use the emblem and provided with an explanation under the guidelines of this policy.

No fees will be charged for the use of the Shire of West Arthur's emblem, but eligible groups will be responsible for any costs associated with artwork, design and production.

The Shire of West Arthur may exercise its right to withdraw any authorisation at any time if the approved user is deemed to be not complying with the conditions as set out in this policy or any approval.

Prohibited use of Emblem

The emblem shall not:

- Be computer enhanced (e.g. represented in 3D perspective)
- Be used in a visually congested or confined manner (e.g. surrounded by a border or tightly positioned with other material.
- Be used for any purpose during a Local Government election that seeks to promote an individual candidate over another candidate. This inappropriate use includes candidate based promotional ballot papers, fliers, advertising, posters, letters or any other form of electoral material. A breach of this section will be considered a breach of copyright as outlined in this Policy.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Use of Shire Emblem
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**C25 - Professional Development of Council Members**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy describes the Shire of West Arthur's approach to enable Council members to meet their statutory obligations in relation to Council member training and gives effect to the requirement to adopt a continuing professional development policy.

Part 5, Division 10 of the *Local Government Act 1995* (the Act) describes provisions related to the universal training of Council members:

- under section 5.126 of the Act, each Council member must complete training in accordance with the Regulations;
- under section 5.127 of the Act, the CEO must publish a report on the local government's website within 1 month of the end of the financial year detailing the training completed by Council members';
- under section 5.128 of the Act, a local government must prepare and adopt a policy in relation to the continuing professional development of Council members.

Scope

This Policy applies to the Council members of the Shire of West Arthur (the Shire).

Definitions

CEO is the Chief Executive Officer of the Shire of West Arthur

The Act means the Local Government At 1995

Policy Statement

Introduction

Council members have a unique and challenging role performing their functions under the Act. The Shire recognises the value of training and continuing professional development to build and supplement Council member skills and experience.

Training can take several forms including formal qualifications, short-courses, seminars and conferences. Training paid for in accordance with this policy must have benefit to Council, the Shire and the community. Training must relate to the professional development of Council members in their role as an elected representative of the Shire.

Examples of organisations that provide training relating to the professional development of Council members, includes, but is not restricted to:

- Western Australian Local Government Association (WALGA)
- Australian Local Government Association
- Australian Institute of Management
- Australian Institute of Company Directors
- Institute of Public Administration Australia.

Training related to public sector management leadership; town planning; strategic planning; financial management; corporate governance; risk management; conflict resolution; and emergency management is also considered to be relevant.

In considering training, Council members should complete training, where possible, through a Registered Training Organisation.

Prescribed Training Requirements

The *Local Government (Administration) Regulations 1996* (the Regulations) requires Council members to complete a *Council Member Essentials* course consisting of five modules. Certain exemptions, specified in the Regulations, apply.

Training must be completed by all Council members following their election within 12 months of taking office and is valid for five years. The Regulations require that the course is completed through either North Metropolitan TAFE, South Metropolitan TAFE, or WALGA.

Council members have a responsibility to complete training in accordance with legislation. Following each ordinary election, Council members will be provided with relevant information on training options from the approved training providers. Council members will be able to select a training option to meet their learning style and availability.

Training that a Council member is required to complete under section 5.126 of the Act will be paid for by the Shire.

It is the preference of the Shire of West Arthur that the mandatory training is undertaken through WALGA, by virtual learning, but the option remains for a Council member to attend sessions in person.

Continuing Professional Development

The Shire is committed to supporting continuing professional development of Council members to the benefit of Council, the Shire and the community. Continuing professional development can include training and attendance at conferences in accordance with this policy.

Council members are encouraged to nominate to attend other conferences or training opportunities to enhance and broaden their knowledge of local government issues to support the community.

In requesting attendance to a training course, seminar or conference, the Council member is required to provide written advice of the expected benefit to the Shire of them attending. The CEO in consultation with the Shire President will then determine all requests from Council members.

1. Priority will be given to the attendance of any new Council members at any induction or training course specifically organised for the benefit of new Council members.
2. Priority will be given to any course or seminar that is specifically relevant to a Council member's responsibilities as a member of a committee or other group.
3. Conferences, seminars or training courses hosted by an organisation of which the Shire of West Arthur is a member or has an interest, would usually be attended by Council's appointed representatives to that organisation.
4. In deciding who should attend a conference, seminar or training course, a Council member's length of service and remaining term of office on Council may be considered.

5. When determining the cost of a conference, seminar or training course, all costs including travel, accommodation, meals, telephone and other expenses incurred by the Council member will be in accordance with Council's "Council member Entitlements" Policy.
6. Reports detailing the proceedings, knowledge gained and outcomes (for the Shire of West Arthur) are to be prepared by each attendee and tabled at the subsequent meeting of Council.

Reporting on Training

In accordance with section 5.127 of the Act, the Shire will publish a report on the local government's website within one month of the end of the financial year detailing the training completed by Council members.

In order to complete the register, Council members shall, following completion of the training, provide evidence of completion of the training to the Executive Assistant to the CEO. Council members will be asked to confirm their completion or attendance as applicable prior to the publication of the register. The register will state:

- Council member's name;
- Each training course or module completed;
- The training provider or conference name; and
- The date attended or completed

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Local Government (Administration) Regulations 1996*
Related Documentation	Code of Conduct for Council Members, Committee Members & Candidates Attendance at Events by Council Members and CEO

Policy Title	**C26 - Related Party Disclosures**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

- The objective of this Policy is to provide guidance on the application of AASB 124 to the Shire of West Arthur's financial statements.
- The objective of AASB 124 is to ensure that a Local Government's financial statements contain the disclosures necessary to help ascertain whether its financial position and financial performance may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments with such parties.
- The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.
- This Policy stipulates the information requested from related parties to enable an informed judgement to be made.

Scope

The Related Party Disclosures Policy aims to assist the Shire in complying with disclosure requirements concerning Key Management Personnel (KMP), their close family members and entities controlled or jointly controlled by any of them stipulated under the Australian Accounting Standard AASB 124 – Related Party Disclosures.

Definitions

AASB 124 - the Australian Accounting Standards Board - Related Party Disclosures Standard under Section 334 of the Corporations Act 2001

The Act - the Local Government Act 1995

Key Management Personnel (KMP) see AASB 124. Are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity, as outlined in Policy – Designated Senior Employees.

Material (materiality) - means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements.

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

Related Party –. see AASB 124.

Related Party Transaction – see AASB 124.

Significant (significance) - means likely to influence the decisions that users of the Shire's financial

statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Shire and related party outside a public service provider/taxpayer relationship.

Remuneration - means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a Related Party Transaction.

Policy Statement

Council recognises the requirement to comply with AASB 124 and thus disclose Related Party Disclosures in each Annual Financial Report commencing from 1 July 2016.

The Shire of West Arthur is committed to producing financial information with high standards; in delivering high-standard financial information, the Shire is committed to comply with the principles of transparency and good governance and compliance with the Accounting Standards prescribed by the Australia Accounting Standards Board (AASB), *Local Government Act 1995*, and *Local Government (Financial Management) Regulations 1996.*

Principles

The scope of AASB 124 Related Party Disclosures was extended in March 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017.

This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the standard is to ensure that an entity's financial statements contain the disclosures necessary to help ascertain whether its financial position and financial performance may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments with/to such parties.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

Identification of Related Parties

AASB 124 provides that the Shire will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties include a person who has significant influence over the reporting entity, a member of the KMP of the entity, or a close family member of that person who may be expected to influence that person.

For the purposes of determining the application of the standard, the Shire has identified the following persons as meeting the definition of Related Party:

- A council member
- KMP being a person employed under s5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Designated Senior Employee
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family

members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Shire will therefore be required to assess all transactions made with these persons or entities.

Identification of Related Party Transactions

A related party transaction is a transfer of resources, services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criterion:

- Paying rates
- Fines
- Use of Shire owned facilities such as [West Arthur Community Centre and Sporting Grounds, West Arthur Community Resource Centre, Library, West Arthur Fuel Facility, parks, ovals and other public open spaces (whether charged a fee or not)]
- Attending Council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire for licences, approvals or permits
- Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement)
- Sale or purchase of any property owned by the Shire, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with the Shire and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Disclosure Requirements

For the purposes of determining relevant transactions above, Council members and KMP as identified above, will be required to complete a Related Party Disclosure declaration form on appointment of their position with the Shire.

Ordinary Citizen Transactions (OCTS)

The following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Shire's financial statements make. As such no disclosure in the yearly Related Party Disclosures - Declaration form will be required.

- Paying rates
- Fines
- Use of Shire owned facilities such as [West Arthur Community Centre and Sporting Grounds, West Arthur Community Resource Centre, Library, West Arthur Fuel Facility, parks, ovals and other public open spaces (whether charged a fee or not)]
- Attending Council functions that are open to the public

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

All Other Transactions

For all other transactions listed in point (All Other Transactions) above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form.

Frequency of Disclosures

KMP and Council members will be required to complete a Related Party Disclosure - Declaration form each year.

Confidentiality

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified.

Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

History	25/05/2023 Adopted 27/06/2024 Amended 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*The Australian Accounting Standard AASB 124 – Related Party Disclosures*
Related Documentation	

ATTACHMENT 1

RELATED PARTY DISCLOSURES - DECLARATION

As per requirements of AASB 124 Related Party Disclosures, and Business Operating Procedure – Related Party Disclosures. For additional information to assist you in making a declaration, please refer to the

Appendices to this form.

The following declaration must be completed by all Council members, the Chief Executive Officer, and KMP of the Shire of West Arthur who were elected or employed at any time during the financial year.

Related Party Declaration by Key Management Personnel

AASB 124

Shire of West Arthur
PO Box 112
31 Burrowes Street
Darkan WA 6392
T: (08) 9736 2400
E: shire@westarthur.wa.gov.au

PRIVATE AND CONFIDENTIAL

This form is to be completed by Council members, the CEO and Key Management Personnel of the Shire of West Arthur who were elected or employed at any time during the financial year.

Name of Key Management Person (KMP): _____

Position of Key Management Person (KMP): _____

Disclosure Period: 1 July 20 to 30 June 20

1. List details of known close family members, entities that are controlled/jointly controlled by KMP and entities that are controlled/jointly controlled by close family members of KMP.

Name of Person or Entity	Relationship

2. In the table below, list any related party transactions with the Shire of West Arthur between you or any of the above related parties, previously entered into during the 20 /20 financial year and which may/may not continue in previous years.

If there are no related party transactions, please insert Nil.

ORDINARY CITIZEN TRANSACTIONS – NOT PROVIDED AT ARMS LENGTH

Did you or any member of your close family use facilities provided at Recreation Centre, attend any event at the Civic Centre, or use any other Shire provided facility AND you received a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person using the facility	Service/Facility used	Nature of transaction	Nature of discount or special conditions received.

LEASING AGREEMENTS - DOMESTIC RESIDENTIAL

Did you, a close family member or related entity, enter into a lease agreement with the Shire (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Shire and privately owned properties sub-leased through the Shire from a real estate agent)? Did you receive or provide a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

LEASING AGREEMENTS - COMMERCIAL

Did you, a close family member or related entity, enter into a commercial leasing agreement with the Shire for the provision of a commercial property? Did you receive a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

TRADING ARRANGEMENTS

Were you or a close family member (as defined above) the owner of any business (or in a position to substantially control the business) that provided goods or services to the Shire? Were those goods or services provided on the same terms and conditions as those available to any other customer? If not, please provide details of the specific

Business name	Goods or services provided	Approximate value for the reporting period	Terms & conditions

OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)

Did you, a close family member or related entity, enter into any other agreements/arrangements with the Shire (whether or not a price was charged)?

This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).

For e.g. a company that a close family member controls, was awarded a contract with the Shire for building a new

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

PURCHASE OF PROPERTY

Did you, a close family member or related entity, purchase any property or other assets from the Shire? (This may include vehicles or other plant items, land or buildings).

Was the purchase made at arm's length (for e.g. at public auction), and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided to you.

Name of person or entity name	Property purchased	Value of the purchase	Terms & conditions

SALE OF PROPERTY

Did you, a close family member or related entity, sell any property or other assets to the Shire? (This may include vehicles or other plant items, land or buildings).

Was the sale made at arm's length, and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided.

Name of person or entity name	Property Sold	Value of the Sale	Terms & conditions

FEES & CHARGES FOR APPLICATIONS

Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?

Name of person or entity name	Application type	Application and/or receipt number

SELF SUPPORTING LOANS

Did you, a close family member or related entity, enter into a loan agreement with the Shire

For e.g. a club for which you have control (See Appendix 1 of the Related Party Disclosures Policy for an example)

Name of person or entity name	Loan details	Value of the loan	Terms & conditions

OTHER AGREEMENTS

Please list any other agreement or arrangement you believe is a related party transaction and should be declared.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

I have made inquiries of my close family members and to the best of my knowledge the information provided in this declaration is a complete and accurate record of the matters set out in it for the period 1 July 20xx to 30 June 20xx.

I understand this information is collected for the purpose of preparing note disclosures for inclusion in the financial statements of the Shire of West Arthur.

I authorise the Shire of West Arthur to provide personal information about me or my close family members in respect of transactions between me or my close family members, or entities controlled or jointly controlled by me or my close family members, and the Shire of West Arthur.

I consent to the Shire of West Arthur collecting, using and disclosing my personal information for the purposes of meeting its financial reporting obligations.

Name: _____

Position: _____

Signature: _____

Date Declared: _____

Appendix 1

Close Family Members

Close family members include:

- a child, spouse or domestic partner;
- children of your spouse or domestic partner;
- dependents of you or your spouse or domestic partner;
- any other close family member;

who may be expected to influence, or be influenced by, your dealings with the Council or the Shire.

The following table may assist you in identifying your close family members:

A close family member	**May be a close family member**
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with Council or the Shire.
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with Council or the Shire.
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with Council or the Shire.
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with Council or the Shire.
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with Council or the Shire.

There may be relationships which are not identified in this appendix but still meet the definition of a related party.

Example: Cousin of Council member

A Council member for the Shire has lived in the Shire her whole life. In fact, her family has been in the area for generations.

The Council member's cousin, owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Council member and her cousin have always been close and regularly socialise together.

From these facts it would appear that the Council member's cousin is a close family member of the Council member because she would be expected to influence, or be influenced by, that person in her dealings with Council or the Shire..

Both the cousin and the company she controls, ABC Pty Ltd would therefore be related parties of Council.

Any transactions that the Shire makes with the newsagent would need to be separately identified and may need to be disclosed.

Control in entities

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have

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

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Chief Executive Officer for a confidential discussion.

Example: Clubs or other incorporated bodies

(A Shire Council member is the President of a local football club)

A Shire Council member is the President of West Arthur Football Club Inc, the local football club. This club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts the Council member does not control or jointly control the football club so it **will not** be a related

Other examples

Example 1 (Audit committee member)

Shire of West Arthur audit committee comprises two Council members and a local retired accountant, Fred. Fred has no other connection with the council.

The audit committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of the council but simply provides reports, with recommendations, for the Shire President and council members to consider.

Based on the facts outlined Fred **would not** be a KMP of the Shire.

Example 2 (Son of EMPD employed by Shire)

Shire of West Arthur has recently employed Paul's son (George) in the Shire's parks and garden's area. Paul is the Executive Manager Planning & Development but was not involved in hiring George. This process was managed by the Manager Works & Services and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of the Shire, which makes him a related party.

George will also be a related party because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

Example 3 (Cousin of President - related party commonly known but omitted from declaration)

Shelley, the President of Shire of West Arthur forgets to include her cousin Mavis, and Mavis' company, when she completes her KMP declaration.

It is commonly known in the community that Shelley and Mavis are close, and that Shelley would be expected to influence, or be influenced by, Mavis in her dealings with Council or the Shire. and vice versa.

Mavis and her company are related parties, even though Shelley omitted them from her declaration.

Example 4 (Example of control)

Fred is the President of Shire of West Arthur and owns 100% of the ordinary shares in West Arthur's Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred **will** need to include the company on his related party declaration.

Example 5 (Example of joint control)

Fred is the President of Shire of West Arthur and owns 50% of the ordinary shares in West Arthur's Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred **will** need to include the company on his related party declaration

Appendix 2

Frequently Asked Questions

1: Is a senior officer who is not part of the executive team considered a KMP?

If the officer has the authority and responsibility to plan, direct and control the activities of the local government, then the officer is a KMP. This could include officers acting in a position, even if for a short period of time.

2: Is the payment of rates by a KMP a related party transaction?

It is a related party transaction; however, the payment of rates would not require disclosure if the KMP is paying the same rates as every other rate payer, this would represent an 'ordinary or minor transaction'. However, the local government would need to disclose the transaction if the KMP is not paying rates while they are a KMP of the local government.

3: If a KMP's child applied to do school-based work experience with the local government, does this need to be disclosed?

Answer: This does not need to be disclosed if the terms and conditions of the work experience are the same as what is available to any other person. However, if the local government made a decision to pay the child for the work experience when others had not been paid for the same work experience, then this may require disclosure.

4: Would a local government officer with purchasing delegation be a KMP?

No, if the officer can exercise a financial delegation to purchase goods and services on behalf of the local government it does not make them a KMP as they do not have the responsibility to plan and direct or control the activities of the local government.

5: What about transactions with previous KMPs (ex-elected members, CEO, council staff)?

From 1 July 2016, all local governments are required to capture related party transactions with KMP, this includes all elected members /staff members deemed as KMPs during the reporting period.

6: Do services have to be provided by the related party directly or is it enough that the related party is employed by the consultancy firm providing the services?

It depends on how much influence the related party has on the consultancy firm. For example, if KMP is a cleaner of a consultancy firm, there is unlikely to be any influence. If the KMP is a managing partner, director or senior employee, they would have some influence and would need to be considered.

If the consultancy firm is controlled by either KMP, then the firm will be a related party of the local government.

Question 7: Does the disclosure of KMP compensation include remuneration paid during the year or accrued during the year?

Disclosure includes the total amount of KMP compensation included as part of the Income Statement, for example, employee expenses and elected member's remuneration recognised in the annual financial statements.

Question 8: Should annual leave and long service leave balances be disclosed?

The amount charged for annual leave and long service leave as an expense under AASB 119 should be disclosed for KMPs. Leave balances do not need to be disclosed.

Question 9: Is the use of local government assets also included in related party transactions?

Yes. Just because it is not a financial transaction does not mean it does not need to be disclosed. For example, if a council member used shire equipment for personal purposes, this would be considered a transaction, even though it is not a financial transaction.

Question 10: Who is responsible for identifying and reporting related party transactions?

The finance officer responsible for financial reporting is responsible for identifying local government related parties from the local government's reporting system, for example, in the form of a related entities register.

They are also responsible for assessing which transactions require disclosure, along with the CEO and council.

The CEO is responsible for finalising annual financial reports, which include the related party transactions disclosures for consideration by the council.

The council is responsible for noting and/or approving the reports by the CEO, as appropriate.

Policy Title	**C27 - Standards for CEO Recruitment, Performance & Termination**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Scope

These are the Shire of West Arthur Standards for CEO Recruitment, Performance and Termination.

Definitions

(1) In these standards —
Act means the Local Government Act 1995;
additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);
applicant means a person who submits an application to the local government for the position of CEO;
contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;
contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;
job description form means the job description form for the position of CEO approved by the local government under clause 5(2);
local government means the Shire of West Arthur;
selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;
selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.
(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

1. Policy Statement

2. Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

1. Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

2. This Division does not apply —

    a. if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

    b. in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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

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

    a. the duties and responsibilities of the position; and
    b. the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

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

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

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

    a. inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or

if the person advises the local government that the person is unable to access that website address —

    i. email a copy of the job description form to an email address provided by the person; or

    ii. mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

1. In this clause —

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

    a. a council member;

an employee of the local government;

a human resources consultant engaged by the local government.

2. The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
3. The selection panel must comprise —

    a. council members (the number of which must be determined by the local government); and

at least 1 independent person.

9. Recommendation by selection panel

1. Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
2. Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
    a. a summary of the selection panel's assessment of each applicant; and
    b. unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
3. If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
    a. that a new recruitment and selection process for the position be carried out in accordance with these standards; and

the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

4. The selection panel must act under subclauses (1), (2) and (3) —
    a. in an impartial and transparent manner; and

in accordance with the principles set out in section 5.40 of the Act.

5. The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
    a. assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

6. The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

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

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

the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

    a. the making of the offer of employment to the applicant; and

the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

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

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

1. In this clause —

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

2. This clause applies if —

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

   iii. the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and

   iv. a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

   and

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

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

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

1. The local government and the CEO must agree on —

a. the process by which the CEO's performance will be reviewed; and

any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

2. Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
3. The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

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

a. collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

a. the results of the review; and

if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

1. The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
2. The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —

a. informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and

notifying the CEO of any allegations against the CEO; and

giving the CEO a reasonable opportunity to respond to the allegations; and

genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

1. This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
2. The local government must not terminate the CEO's employment unless the local government has —
    a. in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and

informed the CEO of the performance issues; and

given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and

determined that the CEO has not remedied the performance issues to the satisfaction of the local government.

3. The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

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

24. Notice of termination of employment

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

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government (Administration) Amendment Regulations 2021*
Related Documentation	DLGSC – Guidelines for Local Government CEO Recruitment & Selection, Performance Review & Termination

Policy Title	**C28 -Temporary Employment or Appointment of Acting CEO**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish a Policy, in accordance with Section 5.39C of the *Local Government Act 1995* ('the Act'), that details the Shire of West Arthur's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or a temporary vacancy in the substantive office.

Scope

This Policy applies to the statutory position of Chief Executive Officer (CEO) of the Shire of West Arthur.

Definitions

Acting CEO means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.

Temporary CEO means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

Policy Statement

1. Acting and Temporary CEO Requirements and Qualification

1. When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in *s5.41* of the *Local Government Act 1995*, and other duties as set out in the *Act* and associated *Regulations*.
2. Through this policy and in accordance with *section 5.36(2)(a)* of the *Act*, the Council determines that a person appointed to the substantive position of Deputy Chief Executive Officer and/or Manager Works & Services are considered suitably qualified to perform the role of Acting or Temporary CEO.
3. A person appointed to act in the position of Deputy Chief Executive Officer or Manager Works & Services are not included in the determination set out in Clause 3 (2).

2. Appoint Acting CEO – Planned and unplanned leave for periods up to four (4)) weeks

1. The CEO is authorised to appoint the Deputy Chief Executive Officer or Manager Works & Services in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding four (4) weeks, subject to the CEO's consideration of the Managers' performance, availability, operational requirements and where appropriate, the equitable access to the

professional development opportunity.

2. The CEO must appoint an Acting CEO for any leave periods greater than 48 hours and less than 4 weeks.
3. The CEO is to immediately advise all Council members when and for what period of time the Deputy Chief Executive Officer is appointed as Acting CEO.
4. If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (2), then the following line of succession shall apply:
    a. The Deputy Chief Executive Officer will be appointed as Acting CEO; or

Conduct an external recruitment process in accordance with clause 4(1)(c).

5. Council may, by resolution, extend an Acting CEO period under subclause (4) beyond 4 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties.

3. Appoint Acting CEO for extended leave periods greater than four (4) weeks but less than 12 months.

1. This clause applies to the following periods of extended leave:

- Substantive CEO's extended planned leave which may include accumulated annual leave, long service leave or personal leave; and
- Substantive CEO's extended unplanned leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.

2. The Council will, by resolution, appoint an Acting CEO for periods greater than four (4) weeks but less than 12 months, as follows:
    a. Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or

Conduct an external recruitment process in accordance with clause 4(1)(c).

3. The President will liaise with the CEO, or in their unplanned absence the Deputy Chief Executive Officer to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
4. Subject to Council's resolution, the President will execute in writing the Acting CEO appointment with administrative assistance from the Deputy Chief Executive Officer.

4. Appoint Temporary CEO – Substantive Vacancy

1. In the event that the substantive CEO's employment with the Shire of West Arthur is ending, the Council when determining to appoint a Temporary CEO may either:
    a. by resolution, appoint Deputy Chief Executive Officer as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or

by resolution, appoint Deputy Chief Executive Officer as the Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or

following an external recruitment process in accordance with the principles of merit and equity prescribed in *s5.40* of the *Act,* appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.

2. The President will liaise with the Deputy Chief Executive Officer to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
3. The President is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the Deputy Chief

Executive Officer.

5. Remuneration and conditions of Acting or Temporary CEO

1. An employee appointed as Acting shall be remunerated at 100 % of the cash component only of the substantive CEO's total reward package.
2. Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of *s5.39(1)* and *(2)(a)* of the *Act*.
3. Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*s.5.39 Contracts for CEO and senior employees Local Government Act 1995* *s.5.39C Policy for temporary employment or appointment of CEO* *s.5.40 Principles affecting employment by Local Governments*
Related Documentation	Nil

Policy Title	**C29 – Electronic Attendance Policy**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy establishes parameters for requests for electronic attendance at meetings and the expectations of Council and Committee members attending meetings electronically in relation to equipment and location.

Scope

This Policy applies to electronic attendance at Ordinary Council Meetings, Special Council Meetings and Committee Meetings for Elected Members, Independent Members of Committees and Shire Officers who are members of Committees.

This policy also applies to Elected Member attendance at Agenda Briefing Forums, Council Briefing Sessions, and Council Workshops

Definitions

For the purpose of this policy —

Briefing means a briefing session of Council as listed in the Shire of West Arthur Notice of Meetings or an Agenda Briefing Forum for an Ordinary Council Meeting.

Meeting means an Ordinary Council Meeting, Special Council Meeting, or Committee Meeting (including the Audit and Risk Management Committee) of the Shire of West Arthur.

Natural Disaster includes fire, flood, lightning, movement of land and storm.

Relevant period means the period of 12 months ending on the day on which the proposed meeting is to be held.

Regulation means a regulation from the Local Government (Administration) Regulations 1996.

Regulations means the Local Government (Administration) Regulations 1996.

Workshop means an informal workshop of Council as listed in the Shire of West Arthur Notice of Meetings

Policy Statement

Meetings Held by Electronic Means

1. Meetings may be held by electronic means in accordance with Regulation 14D(2).

- *"(2) A meeting may be held by electronic means –*
    a) *If –*
        i. *A public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and*
        ii. *The mayor, president or council considers it appropriate for the meeting to be held by electronic means because of the public health emergency or state of emergency and*

having regard to the matters in subregulation (2B);

- or

b) *If –*

i. *A direction is issued under the Public Health Act 2016 or the Emergency Management Act 2005 that prevents the meeting from being held in person; and*

ii. *The mayor, president or council authorises the meeting to be held by electronic means;*

- or

c) *It the council otherwise authorises the meeting to be held by electronic means."*

2. Under the Regulations, Council cannot authorise a meeting to be held under subregulation (2)(c) if holding the proposed meeting under that authorisation would result in more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, being held under an authorisation under subregulation (2)(c).

3. Council must have regard to whether the location from which each member attends the meeting via electronic means and the equipment the member intends to use to attend the meeting are deemed suitable for the member to be able to effectively engage in deliberations and communications during the meeting. Suitable locations and equipment are designated by the provisions of this Policy.

Requests for Electronic Attendance at Meetings

4. Requests for electronic attendance at meetings must be made in accordance with Regulation 14C(2):

"(2) A member of a council or committee may attend a meeting by electronic means —

a) if —

i. a public health emergency or state of emergency exists or a natural disaster has occurred; and

ii. because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and

iii. the member is authorised to attend the meeting by electronic means by the mayor, president or council;

- or

b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.

5. Requests for electronic attendance at briefings and workshops are not legislated, however are covered by this Policy. If a member intends to attend an unlegislated meeting such as a briefing or workshop electronically, they do not need to ask for permission, but should advise ceo@westarthur.wa.gov.au at their earliest convenience to ensure the appropriate video conferencing equipment is made available and tested prior to the meeting.

6. Requests for electronic attendance should be made preferably two business days prior to the meeting, briefing or workshop for which electronic attendance is being requested.

7. All requests for electronic attendance should specify the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting.

8. Requests for electronic attendance at Ordinary Council Meetings are to be made by email to the President and copied in to the CEO.

9. Requests for electronic attendance at Committee Meetings are to be made by email to the President and copied in to the Committee Chairperson and the CEO.
10. Approval to attend a meeting electronically will be provided via return email from the President, with a copy sent to all parties included on the original email request.
11. Should the application for electronic attendance at a meeting meet the requirements for approval as specified in this policy, and approval for electronic attendance is denied by the President, the member may seek approval of the Council.
12. All requests for approval of electronic attendance by Council must be submitted to the Chief Executive Officer, preferably 10 clear business days ahead of the meeting at which the request is to be made.
13. A matrix can be found at Appendix 1 to this Policy, to assist with making requests for electronic attendance at meetings.

Requirements for Approval

14. There is no limit to the number of meetings that can be attended electronically due to a public health emergency, state of emergency, or a natural disaster (regulation 14(2)(a)).
15. For Ordinary Council Meetings, Special Council Meetings and Committee Meetings, the member's electronic attendance at the proposed meeting under r14(2)(b) of the Regulations must not result in the member attending more than half of the meetings (including the proposed meeting) of the Council or Committee in the relevant period under an authorisation under r14(2)(b) of the Regulations. This cap does not apply to a member who is a person with a disability as defined in s3 of the *Disability Services Act 1993*.
16. There is no cap on electronic attendance for Agenda Briefing Forums, briefings and workshops, however physical presence is encouraged, particularly for meetings that require a high level of collaboration and involvement.
17. The Shire's Governance team will record electronic attendance on the Attendance Register and will advise the President or Council if the requester is eligible for electronic attendance based on the percentage of meetings the person has attended electronically under Regulation 14C(2)(b.
18. In approving the request, the President or Council must have regard to whether the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting are deemed suitable for the member to be able to effectively engage in deliberations and communications during the meeting, in line with the provisions of this Policy.

Suitable Locations

19. Locations within Australia and its Territories are considered to be suitable for electronic attendance.
20. Due to increased cyber security risks with overseas communications networks, attendance from international locations will not be approved.
21. The location from which the member attends must be indoors, quiet, and private.
22. If other people are present at the location at the time of the meeting, the member must be able to close a door in order or take other measures required to minimise noise and maintain privacy.

Electronic Means

23. The electronic means for all electronic meetings will be set up by Shire officers using a software or web-based application approved for use by the Shire.
24. Shire officers will include the details of how to connect to all meetings electronically on the Outlook calendar invite for that meeting.

Suitable Networks and Equipment

25. Members attending meetings electronically must connect through a suitable network and using suitable equipment.
26. Suitable networks include private home internet and WIFI, or a mobile hotspot from a trusted personal mobile device.
27. Due to increased cyber security risks, public WIFI is not considered to be a suitable connection for electronic attendance (this includes connections at cafes, airports, hotels and restaurants).
28. Suitable equipment for attending electronic meetings includes Shire provided devices (e.g. tablet or laptop) or a personal devices such as tablets or desktop/laptop computers. Any of these devices used must have a video camera installed of attached. Mobile phones are not considered to be suitable for attending meetings electronically.
29. It is recommended that remote participants use fully charged headphones with at least six hours of talk-time during the meeting.

Maintaining Confidentiality During the Meeting

30. If the meeting or part of the meeting for which a member is attending electronically is to be closed to the public, the member must make a declaration that they can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires).
31. This declaration must be recorded in the minutes of the meeting and should be worded as follows: *"I [Member Name], declare that I am able to maintain confidentiality during the closed part of this meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting."*
32. Should the member make the above declaration and subsequently cannot maintain confidentiality, they must leave the meeting or the closed part of the meeting.
33. The declaration is to be made before the meeting goes behind closed doors.
34. Clauses 30 to 33 of this Policy apply to all attendees of meetings where the entire meeting is held by electronic means.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Disability Services Act 1993, s3.* *Local Government Act 1995* *Local Government (Administration) Regulations 1996, r.14C-r14E.*
Related Documentation	Nil

Appendix 1

Matrix for Making Requests to Attend Meetings Electronically

No request is required to attend Agenda Briefing Forums, Council Briefings and Council Workshops electronically, however please advise the CEO at your earliest convenience if you intend to attend electronically.

The request for electronic attendance is due to a Public Health Emergency, State of Emergency or Natural Disaster				
Circumstance	Type of Meeting	Request Approval From	Copy In	50% Cap Applies?
Initial Request	Ordinary Council Meeting, Special Council Meeting	President	CEO	No
Initial Request	Committee Meeting	President	CEO	No
Application for electronic attendance has been denied by President but meets the requirements for approval as specified in this Policy.	Ordinary Council Meeting, Special Council Meeting	Council. Send request to CEO at least 10 business days clear of the Council meeting at which the request is to be made.	CEO	No

The request for electronic attendance is NOT due to a Public Health Emergency, State of Emergency or Natural Disaster				
Circumstance	Type of Meeting	Request Approval From	Copy In	50% Cap Applies?
Initial Request	Ordinary Council Meeting, Special Council Meeting	President	CEO	Yes
Initial Request	Committee Meeting	President	CEO	Yes
Application for electronic attendance has been denied by President but meets the requirements for approval as specified in this Policy.	Ordinary Council Meeting, Special Council Meeting	Council. Send request to CEO at least 10 business days clear of the Council meeting at which the request is to be made.	CEO	Yes

Request to Attend Meeting by Electronic Means

Local Government Act 1995 – Section 5.25
Local Government (Administration) Regulations 1996 – 14C

Shire of West Arthur
31 Burrowes Street
Darkan WA 6392
T: (08) 9736 2400
E: shire@westarthur.wa.gov.au

Surname _____ **Other Names** _____

Date of Meeting _____

Type of Meeting
(Please tick one)

- ☐ Ordinary Council Meeting
- ☐ Committee Meeting
- ☐ Special Council Meeting

Consideration of Location and Equipment Available	
Regulation 14C(5) – In deciding whether to authorise a member to attend a meeting by electronic means, the Shire President or Council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.	
Location Proposed	
Equipment Available	

IMPORTANT NOTE
The Shire President or Council cannot authorise a member to attend a meeting if the member's attendance at the proposed meeting would result in the member attending more than half of the meeting type in the 12 months prior to the requested meeting date by electronic means. (*Regulation 14C(3)*).

Signature Date

Please send this form to the Chief Executive Officer who will complete the member's attendance section and forward to the Shire President or the Council for consideration.

OFFICE USE ONLY

MEMBERS ATTENDANCE

Number of Meetings Attended by Electronic Means in the 12 Months Prior to the Meeting Date

Ordinary Council Meeting	
Special Council Meeting	
Committee Meeting	

Number of Meetings Scheduled in the 12 Months Prior to the Meeting Date

Ordinary Council Meeting	
Special Council Meeting	
Committee Meeting	

Would Attending the Proposed Meeting Electronically Result in the Member Exceeding The 50% Requirement?

☐ Yes ☐ No

Council/Shire President's Consideration

The Shire President or Council should consider the following factors in determining whether the location and equipment is deemed suitable.

LOCATION

The location must be quiet and private. If there are other people at the location at the time of the meeting, you may require the person to be in a room that has a door that can be closed during the meeting, and request that the person wear headphones if appropriate.

EQUIPMENT AND ELECTRONIC MEANS

The equipment must support Council's preferred electronic means for remote attendance, being Microsoft Teams.

Is the Location and Equipment Deemed Suitable?

☐ Yes ☐ No

Is the Request to Attend the Proposed Meeting by Electronic Means Approved?

☐ Yes ☐ No

Signature _____ Date _____

Policy Title	**C30 – Communications Agreement Policy - Council and CEO**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To provide clear, fair, and timely processes for Council and Committee Members to access information and administrative assistance, and to regulate dealings/communications with employees in a way that supports good governance, roles clarity, and efficient service delivery.

Scope

Parties
This applies to the agreement between the Council of the Shire of West Arthur ("Council") and the Chief Executive Officer ("CEO"). It applies to all Council Members, Committee Members, and employees when acting in those capacities.

Legal basis
This agreement is adopted pursuant to s.5.92A–C of the Local Government Act 1995 (WA). If the Shire does not have its own agreement in effect, the Minister's default communications agreement would otherwise apply.

Application
This agreement applies to Council Members, Committee Members and employees when acting in their official capacities. It does not apply to:
(a) deliberations at Council or Committee meetings; or
(b) recruiting, reviewing the performance of, or terminating the employment of the CEO under the adopted standards.

Definitions

Nil.

Policy Statement

Division 2 — Principles and General Provisions

4. General principles
(a) The CEO will support members to perform their functions under the Act and other written law.
(b) Members and employees will deal and communicate with each other in accordance with this agreement.
(c) Mutual respect for the separate roles and responsibilities of Council, Council Members and the CEO is essential.

5. Correspondence sent by the Shire President on behalf of the Shire
Except where particular circumstances make it inappropriate, correspondence sent by the President on behalf of the local government will be provided to all Council Members. The CEO will establish practical filters (e.g., subject relevance) to avoid unnecessary volume.

6. Social or incidental interactions
Members must not make requests for information or administrative assistance during social or incidental dealings or communications with employees. Incidental or social interactions are otherwise permitted.

7. CEO discretion on responder
The CEO may direct which employee is to respond to a particular request for information or administrative assistance.

8. Out-of-hours
Nothing in this agreement requires the CEO or any employee to respond to a request outside office hours.

Division 3 — Nominated Employees and Contact Channels

9. Nominated employees
The CEO may nominate employees to receive and manage requests under this agreement and will publish the nominated employees (and any changes) via an internal notice or other appropriate method. Nominated employees may be nominated for: information requests, media enquiries (for President discussions), and/or administrative assistance.

10. Approved channels
Requests must be made in writing by email to ceo@westarthur.wa.gov.au (or such address the CEO publishes) or via an approved electronic channel.

Division 4 — Requests for Information (general)

11. Who may request
A Council Member or Committee Member may request access to information held by the local government or other advice/information relevant to their functions.

12. What may be requested
Information may be requested on, for example: services, projects or initiatives; usual management approaches on an issue; budgeting/financial information; issues of broad public concern; preparing motions; correspondence received by the member; and administrative matters. This list does not limit scope.

13. Requirements for requests
A request must: (a) be relevant to the requesting member's functions under the Act or another written law; (b) be limited in scope to the specific information required; and (c) include supporting context that may assist a timely response (e.g., relevance to functions, and for correspondence, a copy of the correspondence).

14. Information not required to be provided
Information is not required to be provided if: (a) the request was not made in accordance with this agreement; (b) the information is excluded under s.5.92(4); (c) the information is not held by the local government and cannot reasonably be obtained; or (d) preparing/providing it would divert a substantial and unreasonable portion of resources.

15. Acknowledgement and timeframes
Receipt will be acknowledged within 2 working days. The CEO will provide a final written response as soon as practicable and will use best endeavours to respond before any relevant meeting if the matter is on an upcoming agenda. Within 10 working days, the member will receive either the final response or an estimated timeframe. Any refusal (in whole or part) will include reasons.

16. Sharing responses

A copy of the final response will be provided to all Council Members, and to non-Councillor committee members where relevant—unless it concerns certain Presidential matters, is advice on correspondence already shared appropriately, or the CEO and requesting member agree it should be confidential or not broadly circulated due to particular circumstances.

17. Follow-up discussions and briefings
The requesting member may discuss the final response with the CEO or a nominated employee; the CEO may arrange briefings/meetings for some or all members if useful to clarify or address queries arising from a response.

Division 5 — Administrative Requests (information or assistance)

18. Definition
An administrative matter means support or assistance provided to an individual Council or Committee Member to facilitate an administrative process related to that member (e.g., meeting scheduling and attendance; drafting notices of motion; training/events logistics; fees/allowances/reimbursements; compliance obligations; ICT support).

19. Who and how
Members may make a request for administrative assistance or an administrative request for information to the CEO or a nominated employee via the approved channels.

20. Timeframes (administrative requests)
Acknowledgement within 2 working days; response within 5 working days where practicable, or provide an estimated timeframe.

Division 6 — Media enquiries (President)

21. Discussing media without a formal request
The Shire President may discuss media enquiries with the CEO or a nominated employee (verbally or in writing) without making a formal information request. This does not prevent a later formal request if needed.

Division 7 — Dispute Resolution

22. Raising a dispute
If a final response includes refusal (in whole/part), the requesting member may notify the CEO in writing that there is a dispute regarding the response.

23. First-stage meeting
A dispute will be discussed at a meeting between the President, CEO and the requesting member (or if the requesting member is the President, with the Deputy President).

24. If unresolved
If unresolved: (a) the requesting member may bring a notice of motion for Council's consideration; and/or (b) the parties may seek an impartial third-party option (e.g., Inspector) where appropriate.

Division 8 — Commissioners (only if appointed)

25. Requests by a Commissioner
If a Commissioner is appointed, requests may be made to the CEO or another employee in the manner determined by the Commissioner; the CEO must ensure a response as soon as practicable and in the manner requested (e.g., in writing or briefing).

Division 9 — Compliance, Conduct and Governance

26. Codes of conduct
The employee Code of Conduct must require compliance with this communications agreement. Council/Committee Members must comply with the Act, including any provisions relating to

communications agreements.

27. CEO's notice of nominated employees
The CEO will keep members informed of the current nominated employees and the matters they handle, in an up-to-date manner (e.g., internal portal or email).

28. Privacy and confidentiality
All parties must handle information in accordance with applicable legislation, Shire policies and any lawful directions determining confidentiality or redactions.

29. Recordkeeping
Requests and responses will be managed under the Shire's recordkeeping plan and relevant laws.

Division 10 — Making and Managing Requests (Practicalities)

30. Templates and clarity
The CEO may provide optional email templates and short guidance to help members lodge clear, scoped requests (e.g., subject conventions, context notes), which assists timely responses.

31. Priority requests
Where a request relates to a current agenda item for an upcoming meeting, it will be treated as priority (best endeavours to provide the final response before the meeting).

32. Consolidation
If multiple members make substantially similar requests, the CEO may respond via a single consolidated response and provide it to all relevant members.

Division 11 — Adoption, Term and Review

33. Adoption
This agreement takes effect when adopted by Council and agreed by the CEO.

34. Expiry and review triggers
This agreement expires at the end of each caretaker period and upon the end of the CEO's employment at the Shire; it should be reviewed and re-adopted (with CEO agreement) at those times.

Schedules

Schedule A — Nominated Employees

To be completed by the CEO. Add or remove rows as needed.

Role/Area	Name	Position Title	Email	Phone	Coverage (Information / Admin / Media)
Financial Reporting	Melinda King	Manager Financial Reporting	mfr	9736 2400	Information
Corporate Services	Raj Sunner	Deputy Chief Executive Officer	mcs	9736 2400	Information / Administration
Works and Services	Gary Rasmussen	Manager Works and Services	worksmanager	9736 2400	Information
Governance and Council Support	Renee Schinzig	Administration Officer	admin2	9736 2400	Administration

Schedule B — Request Templates

B1. Information Request (non-administrative)

Requesting Member Name	Click or type to enter text…
Role (Councillor/Committee Member)	Click or type to enter text…
Committee (if applicable)	Click or type to enter text…
Date	Click or type to enter text…
Subject	Click or type to enter text…
Context / Relevance to functions under the Act	Click or type to enter text… Click or type to enter text… Click or type to enter text…
Specific information required (scoped)	Click or type to enter text… Click or type to enter text… Click or type to enter text…
Related agenda item / meeting date (if applicable)	Click or type to enter text…
Desired timeframe (if any)	Click or type to enter text…
Attachments (e.g., correspondence)	Click or type to enter text…
Confidential? (Y/N and rationale)	Click or type to enter text…

B2. Administrative Request (assistance/information)

Requesting Member Name	Click or type to enter text…
Role (Councillor/Committee Member)	Click or type to enter text…
Date	Click or type to enter text…
Type of assistance (e.g., scheduling, training logistics, ICT support, reimbursement)	Click or type to enter text…
Details of assistance required	Click or type to enter text… Click or type to enter text… Click or type to enter text…
Relevant dates/times	Click or type to enter text…
Attachments / references	Click or type to enter text…

History	23/05/2026 Adopted
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Communications Agreement Adopted 26 March 2026

CORPORATE AND COMMUNITY SERVICES

Policy Title	**FI - Community Organisation Assistance Program**
Policy Type	**Community & Economic Development**
Responsible Officer	**Community Development Officer**

Purpose

- To provide financial assistance for organisations and/or projects, which benefit the community.
- To provide guidelines for the consideration and approval, or otherwise, of financial assistance applications.
- To provide financial support for local events which involve people coming together in the celebration and enjoyment of their culture or a common interest.
- To provide financial support for the development and maintenance of community facilities that are situated on land owned or managed by the Shire of West Arthur and used by the community.
- To positively contribute to the well-being of the community.

Scope

Community groups, organisations, and sporting groups are encouraged to apply for assistance under the Community Organisation Assistance Program for projects in the following areas:

- Culture, arts and events
- Reimbursement or waiver of Council fees & charges
- Equipment and minor projects
- Community Facilities

Definitions

Community Organisation means any organisation which has as its members, members of the Shire of West Arthur community and which operates on a "not for profit" basis.

Not for Profit means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

Community Organisation Assistance Program means financial assistance to not-for-profit bodies to deliver projects and programs which deliver benefit to the local community and local economy to build an engaged, vibrant, inclusive and healthy community.

GST means the Federal Government's Goods and Services Tax. Provision of grant funds will be exclusive of GST unless the recipient organisation is registered for GST, in which case the grant amount will be grossed up by 10%.

Community means the people that live, work or recreate within the Shire of West Arthur;

Eligible Organisations – Incorporated associations (or auspiced through an incorporated association with

written acknowledgement) and that do not have outstanding grant acquittals;

Application Form means the Community Organisation Assistance Program Application form and all of its attachments. It also includes the option to provide a separate Income and Expenditure statement relevant to the project.

Policy Statement

To provide financial assistance to not-for-profit or incorporated bodies to deliver projects and programs which deliver benefit to the local community and local economy to build an engaged, vibrant, inclusive and healthy community.

Financial support of up to 50% of total project costs may be granted In-kind services and volunteer labour are eligible components of the total project costs, subject to a maximum grant of $5,000 in any single financial year.

Funding Rounds:

Applications for assistance from the Community Organisation Assistance Program will be available once per financial year.

Assessment:

To fairly assess applications a selection criteria and project evaluation rating will be used to assess eligibility.

Applications seeking less than $150 can be determined by the CEO. Applications greater than $150 are to be determined by Council.

Assessment Criteria:

Groups, individuals, organisations or clubs are not to expect, as of right, any financial assistance from the Council. Requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.

a. The level of community benefit;

The level to which it addresses an evidenced need;

Long term sustainability;

Appropriateness of the project financial statement;

Partnerships, collaborations, community engagement and involvement or other funding sources that have been secured; and

Capacity to deliver the project.

What is funded:

- Building the capacity and sustainability of community groups;
- Supporting young people;
- Supporting older people;
- Providing opportunity to be healthy and promote wellbeing;
- Supporting and encouraging cultural diversity and inclusion;
- Developing and attracting events and increasing participation;

- Supporting and encouraging activation of places and facilities; and/or
- Generally building strength, engagement and cohesion of the community.

What is not funded:

- Projects that have already commenced;
- Recurrent maintenance or operating costs;
- Projects that are considered to be private, commercial, individual or Government core responsibility;
- Elements that may be considered offensive;
- Fundraising, political or loan repayments

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	
Related Documentation	

Policy Title	**F2 - Corporate Transaction Cards**
Policy Type	**Corporate Services**
Responsible Officer	**Chief Executive Officer**

Purpose

- To provide a clear framework to enable the use of corporate transaction cards.
- To provide employees issued with a corporate transaction card clear and concise guidelines outlining its use.
- To reduce the risk of fraud and misuse of the corporate transaction card.

Scope

The application of this Policy is to be in conjunction with the Shire of West Arthur's Code of Conduct Policy and any legislative requirements of the *Local Government Act 1995* that may be enforced.

Definitions

Cardholder means an employee who has been authorised by the Chief Executive Officer to incur expenditure by means of a transaction card.

Transaction Card means a card facility (which may include; credit, debit, store, parking, cab-charge and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of West Arthur business activities only in accordance with relevant Shire policies.

Policy Statement

The Shire of West Arthur recognises the value of corporate transaction cards and supports their use, within appropriate controls and limits.

The CEO is authorised to obtain a corporate transaction card/s with a maximum monthly credit limit of $15,000. This limit can only be adjusted with the express approval of the Council.

The Chief Executive Officer is the primary cardholder for the Shire and may authorise additional cardholders within the Shire's approved total credit limit.

Individual transaction card limits are as approved by Council (in relation to the CEO) or the CEO (in relation to other employees, but within the limits determined by Council).

Determining When Transaction Card Facilities Are Appropriate

Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of West Arthur operations by ensuring:

a. Goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire;

Financial management and accounting standards are met; and

Purchasing and payment functions are secure, efficient and effective.

Transaction card facility providers will only be acceptable where, in the opinion of the Chief Executive Officer, they:

a. Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire to sufficiently administer the facility; and

Provide the Shire with protection and indemnification from fraudulent unauthorised transactions.

Management Oversight

The Chief Executive Officer shall determine and implement systems and procedures that are adequate to ensure:

a. Assessment and selection of transaction card facilities suitable to the efficient and effective operations of the Shire;

Authorisation and appointment of suitably eligible cardholders;

Cardholder duties and responsibilities are documented; and

Cardholders provided with training; and

Monitoring and auditing of transactional card activities is planned and reported.

Reporting

The Chief Executive Officer will ensure that acquitted transaction statements for each transaction card facility are provided to Council as part of the monthly financial reporting regime.

Misuse, Misconduct and Fraudulent Use

a. Any alleged misuse of transaction cards will be investigated and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from transaction card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the Public Sector Management Act 1994 and the Corruption, Crime and Misconduct Act 2003.

Principles for Usage – Allowable Transactions

Transaction card facilities may only be used where:

a. The expenditure is directly arising from a Shire operational business activity for which there is an Annual Budget provision;

The expenditure is in accordance with legislation, the Shire Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.

The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a transaction card;

Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.

Hospitality expenditure may only occur when it is undertaken with the express permission of the Chief Executive Officer.

Official travel, accommodation and related expenses may only occur in accordance with Shire policies and procedures;

A sufficient record of each transaction is obtained and retained in the local government record.

Allowable transaction modes include:

a. In-person and over the counter retail purchases;

Telephone or facsimile purchasing;

Mail order purchasing and subscriptions;

Internet purchasing

Prohibited Transactions

The Shire prohibits the use of transaction card facilities for:

a. Cash advances;

Incurring expenses which are personal or private (i.e. any expenditure which is not an approved local government activity);

Making deposits onto the card, whether to offset misuse or otherwise;

Incurring capital expenditure;

Incurring expenditure for goods or services which are subject to a current supplier contract;

Incurring expenses which are not in accordance with legislation, the Shire's Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual cardholder;

Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and

Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).

For clarity, council members are prohibited from using Shire transaction cards as the Local Government Act 1995 does not provide authority for a council member to incur liabilities on behalf of the local government. The Act limits local governments to only paying council member allowances and reimbursing council member expenses.

Cardholder Duty of Care and Responsible Use Obligations

A cardholder is required to:

a. Keep the transaction card and access information in a safe manner; protected from improper use or loss.

Only use the transaction card for allowable purposes and not for prohibited purposes.

Obtain, create and retain local government records that evidence transactions.

Acquit the reconciliation of transaction card usage in the required format and within required timeframes. The onus is on the cardholder to provide enough detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.

Return the transaction card to the Shire before termination of employment, inclusive of reconciliation records.

Reimburse the Shire the full value of any unauthorised, prohibited or insufficiently reconciled expenditure. vii) Comply with all cardholder responsibilities as outlined by the card provider.

Benefits obtained through use of a transaction card (i.e. membership or loyalty rewards) are the property of the Shire and may only be used for Shire business purposes. Such benefits must be relinquished by the cardholder to the Shire. Under no circumstances may such benefits be retained as a personal benefit.

Transaction Evidence

An adequate transaction record must include the following minimum information:

a. Invoice and / or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;

Where an invoice and / or receipt cannot be obtained, the cardholder must provide a signed statement, detailing the nature of the expense and enough information to satisfy the requirements above.

Approval of the expense above is to be referred to the Chief Executive Officer for a decision.

Where a transaction card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity

The number of persons entertained; ii) the names of any employees in that number; and

The purpose of providing the entertainment or hospitality

Card Reconciliation Procedures

a. Card statement accounts will be issued to the relevant cardholder who will, within 7 days, acquit the transactions on the account.

Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased, and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.

Transactions shall be accompanied by a job number for costing purposes.

Should approval of expenses be refused by the Chief Executive Officer recovery of the expense shall be met by the cardholder?

The cardholder shall sign and date the card statement with supporting documentation attached stating all expenditure is of a business nature

Disputed Transactions

The Shire is responsible for paying all accounts on the monthly card statement and the bank processes a direct debit from Council's operating bank account for such.

When a Cardholder believes that charges are incorrect, they should first contact the supplier to determine the causes of the discrepancy and if necessary, the Finance Officer will notify the bank in writing.

Any amounts in dispute must be highlighted on the copy of the Cardholders statement and a copy of the written notification to the bank attached.

Cancelled Cards

Cancellation of a Card may be necessary where the:

a. cardholder changes job function within the local government;

cardholder terminates employment with local government;

the employment of the Cardholder is terminated;

card is no longer required;

cardholder has not adhered to set procedures;

misuse of the Card; or

CEO determines it is appropriate to do so

Review of Card Use

All receipts and documentation will be reviewed and any expenses that do not appear to represent fair and reasonable business expenses shall be referred to the Chief Executive Officer for a decision.

Procedures for Lost, Stolen and Damaged Cards

The cardholder must formally advise the CEO of the loss or theft without delay.

The loss or theft of a transaction card must be reported to the card provider as a matter of priority.

Advice of a damaged card is to be provided to the CEO who will arrange a replacement.

Cardholder Agreement

The Cardholder Agreement is shown at **Attachment 1.**

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of West Arthur Card Policy any liability arising may be passed on to the cardholder.

Consequences of Non-Compliance

Failure to comply with the Delegations, Policy or Executive Instructions may result in disciplinary action up to and including termination of employment.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Payments from the Municipal or Trust Fund
Relevant Legislation	*Local Government (Function and General) Regulations 1996*
Related Documentation	Corporate Transaction Card Agreement

ATTACHMENT 1 - Corporate Transaction Cardholder Agreement

I (insert cardholder name) acknowledge and accept the conditions listed below which govern the use of the Shire of West Arthur Corporate Transaction Card:

Conditions of Use

- Ensure the corporate transaction card is maintained in a secure manner and guarded against improper use.
- The corporate transaction card is to be used only for Shire of West Arthur official activities, there is no approval given for any private use whatsoever.
- All documentation regarding a corporate transaction card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
- Credit limits may only be exceeded under exceptional circumstances, and with the approval of the Shire President.
- The use of the transaction card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Observe all cardholder responsibilities as outlined by the card provider.
- Purchases on the corporate transaction card are to be made in accordance with Shire of West Arthur's Purchasing and Tender Policy.
- Monthly reconciliation of transaction card purchases is to be completed on the supplied template within seven (7) days of the date of the transaction card statement being issued.
- Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
- Transactions shall be accompanied by an authorised purchase order.
- Should approval of expenses be denied by the Chief Executive Officer or Shire President, recovery of the expense shall be met by the cardholder.
- The cardholder shall sign and date the corporate transaction card statement with supporting documentation attached stating 'all expenditure is of a business nature'.
- Lost or stolen cards shall be reported immediately to the card provider, the Chief Executive Officer or Shire President.
- The corporate transaction card is to be returned to the Chief Executive Officer or Shire President. on or before the employee's termination date with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of West Arthur Corporate Transaction Card Policy any liability arising from the use of the card may be passed to the cardholder.

The use of a Shire of West Arthur Corporate Transaction Card is subject to the provisions of the Code of Conduct of Shire of West Arthur. Serious transgression of the above listed responsibilities or the Code of Conduct may result in an appropriate referral under the Corruption and Crime Commission Act 2003 and/or termination of employment.

Name:

Position:

Signed: _____ Date: _____

Policy Title	**F3 - Financial Hardship**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To give effect to the Shire's commitment to support the whole community to meet the challenges arising from situations that may result in financial hardship for ratepayers or debtors of the Shire.

This Policy is intended to ensure that the Shire offers fair, equitable, consistent and dignified support to ratepayers or debtors suffering hardship, while treating all members of the community with respect and understanding at these difficult times.

Scope

This Policy applies to outstanding rates, debtors and service charges as at the date of adoption of this policy.

It is a reasonable community expectation that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide relief to ratepayers or debtors who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

Definitions

The Act – Local Government Act 1995

Policy Statement

Payment difficulties, hardship and vulnerability

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. This policy is intended to apply to all ratepayers or debtors experiencing financial hardship.

Financial Hardship Criteria

While evidence of hardship is required, the Shire recognises that not all circumstances are alike, and 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
- Loss of primary source of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers or debtors are encouraged to provide as much information as possible to support their

individual circumstances, which will be taken into consideration during the assessment process. Preference will be for ratepayers or debtors to enter into a reasonable payment proposal. The Shire will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying statutory responsibilities.

Payment Arrangements

Payment arrangements facilitated in accordance with this Policy, and s6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer or debtor 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 or debtor will be responsible for informing the Shire of West Arthur of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, the Shire reserves the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

Interest Charges

A ratepayer or debtor that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

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 concession card holder, or if the property is sold or if the concession card holder 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.

Debt recovery

Debt recovery processes will be suspended whilst negotiating a suitable payment arrangement with a ratepayer or debtor. Where a ratepayer or debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Shire, and makes an alternative plan before defaulting on the 3rd due payment, then the Shire will continue to suspend debt recovery processes.

Where a ratepayer or debtor has not reasonably adhered to an agreed payment plan, then for any Rates, debtors and Service Charges that remain outstanding on 1 July of any financial year, the Shire will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of that financial year.

Rates, debtors and service charges that remain outstanding at the end of the said financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*, and related Council Policy.

Review

The Shire will advise affected ratepayers or debtors of all decisions made under this policy, and advise them of their right to seek a review by the full Council.

Communication and Confidentiality

The Shire will maintain confidential communications at all times and undertakes to communicate with a nominated support person or other third party at the ratepayer's or debtor's request.

The Shire recognises that applicants experiencing financial hardship are also experiencing additional stressors, and may have complex needs, and will provide additional time to respond to communication and will communicate in alternative formats where appropriate. All communication with applicants is to be clear and respectful.

Conflict of Interest

Where the ratepayer or debtor has a close relationship with any Council member or employee, that Council member or employee must remove themselves from any decision-making process.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Financial Hardship
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Financial Hardship Application Form Financial Hardship Assessment Template

Policy Title	**F4 - Habitual or Vexatious Complainants**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To prescribe a framework for identifying and dealing with habitual or vexatious complainants.

Scope

This Policy is intended to assist in identifying and managing persons who seek to be disruptive to the Shire through pursing an unreasonable course of conduct.

Definitions

Habitual means "done repeatedly or as a habit". The term vexatious is recognised in law and means "denoting an action or the bringer of an action".

For the purpose of this policy, the following definition of habitual or vexatious complainants will be used:

- The repeated and/or obsessive pursuit of:
    - Unreasonable complaints and/or unrealistic outcomes; and/or
    - Reasonable complaints in an unreasonable manner.

Policy Statement

The Shire of West Arthur acknowledges that habitual or vexatious complaints can be a problem for employees and Council members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of officer and/or member time and displace scarce human resources that could otherwise be spent on Council priorities. Whilst the Shire endeavours to respond with patience and sympathy to all needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

- To identify situations where a complainant, either individually or as part of a group, or a group of complainants, might be "habitual or vexatious" and ways of responding to these situations.
- This policy is intended to assist in identifying and managing persons who seek to be disruptive to the Shire through pursing an unreasonable course of conduct.

Schedule A – Criteria for Determining Habitual or Vexatious Complaints

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

Where complainants:

- Persist in pursuing a complaint where the Shire's complaints process has been fully and properly implemented and exhausted.

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

Schedule B – Options for Dealing with Habitual or Vexatious Complainants

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

- A letter to the complainant setting out responsibilities for the parties involved if the Shire is to

continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.

- Decline contact with the complainant, either in person, be telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of this in person.
- Notify the complainant, in writing, that the Shire has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Shire does not intend to engage in further correspondence dealing with the complaint.
- Inform the complainant that in extreme circumstances the Shire will seek legal advice on habitual or vexatious complaints.
- Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking legal advice or guidance from its solicitor or other relevant agencies.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Customer Service Charter

Policy Title	**F5 - Investment of Surplus Funds**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To adopt a prudent approach to investments, in full compliance with all statutory requirements.

Scope

This Policy applies to funds surplus to cash flow requirements, including operating accounts, investment accounts and funds managed under a trust.

Definitions

Authorised institution:

a. an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or

The Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986.

Policy Statement

The Shire of West Arthur's investment management strategy is to invest funds surplus to immediate requirements to be deposited into an authorised institution.

Investments shall be restricted to term deposits or commercial bills offered by Authorised Deposit Taking Institutions.

Investments shall be spread across at least two institutions.

1. Consideration

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

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

d. The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolios to safeguard the funds in accordance with the spirit of this Investment Policy, and not for speculative purposes.
e. Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This Policy requires officers to disclose any conflict of interest to the CEO.

2. Approved Investments

Investments are limited to:

a. State/Commonwealth Government Bonds with a term of maturity not exceeding three years;

Fixed term deposits placed with an authorised institution for a term not exceeding 12 months;

Interest bearing deposits placed with an authorised institution.

3. Prohibited Investments

This Policy prohibits any investment carried out for speculative purposes including the following:

a. Derivative based instruments;

Principle only investments or securities that provide potentially nil or negative cash flow;

Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

The use of leverage (borrowing to invest) of any investment.

Investment in a foreign currency.

3. Risk Management Guidelines

Investments are restricted to authorised institution investments only. The term of the investment is based on forward cash flow requirements to ensure investment return on available surplus funds.

4. Report and Review Compliance Requirements

a. A summary of investments, including amount, maturity date and interest rate is contained within the Monthly Financial Statement presented at the Ordinary Meetings of Council.

Documentary evidence is held for each investment and details thereof maintained in the Investment Register.

Certificates are obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed 25/06/2026 Amended
Delegation	1.1.20 Power to Invest and Manage Investments
Relevant Legislation	*Local Government Act 1996 – Section 6.14* *The Trustees Act 1962 – Part III - Investments* *Local Government (Financial Management) Regulations 1996 – Reg 19, Reg 19C* *Australian Accounting Standards*
Related Documentation	Nil

Policy Title	**F6 - Access and Inclusion**
Policy Type	**Corporate Services**
Responsible Officer	**Community Development Officer**

Purpose

To meet the requirements of the *Disability Discrimination Act 1992* and *Disability Services Act 1993* and to state the Shire of West Arthur's position regarding providing an accessible, inclusive community for everyone.

Scope

The Shire of West Arthur is committed to ensuring that the community is accessible for all community member, their families and carers.

Definitions

AIP means Access and Inclusion Plan

Policy Statement

The Shire of West Arthur interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to everyone.

The Shire of West Arthur:

a. Recognises that all residents are valued members of the community who make a variety of contributions to local social, economic and cultural life;

Believes that a community that recognises its diversity and supports the participation and inclusion of all its members makes for a richer community life;

Believes that all residents, , their families and carers should be supported to remain in the community;

Is committed to consulting with all residents, their families and carers and relevant organisations and service providers in addressing barriers to access and inclusion;

Will ensure its agents and contractors work towards the desired outcomes in the Access and Inclusion Plan (AIP);

Is committed to supporting local community groups and businesses to provide access and inclusion for everyone; and

Is committed to achieving the eight desired outcomes of its AIP.

Outcomes

All residents:

a. Have the same opportunities to access the services of, and any events organised by, the Shire of West Arthur.

Have the same opportunities to access the buildings and other facilities of the Shire of West Arthur.

Receive information from the Shire of West Arthur in a format that will enable them to access the information.

Receive the same level and quality of service from the employees of the Shire of West Arthur.

Have the same opportunities to make complaints to the Shire of West Arthur.

Have the same opportunities to participate in any public consultation by the Shire of West Arthur.

Have the same opportunities regarding employment practices (recruitment and retention) with the Shire of West Arthur.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	*Disability Discrimination Act 1992* *Disability Services Act 1993* *Equal Opportunity Act 1984.* *Commonwealth Disability Discrimination Act 1992*
Related Documentation	*Shire of West Arthur Access and Inclusion Plan*

Policy Title	**F7 - ANZAC Day Services**
Policy Type	**Community & Economic Development**
Responsible Officer	**Community Development Officer**

Purpose

To participate in the ANZAC Day commemorations held each year in the Shire of West Arthur.

Scope

Council acknowledges the importance of ANZAC Day commemorative activities each year, and by laying of a wreath, recognises the local service men and women who lost their lives in a conflict when serving their country in the Defence Forces.

Definitions

ANZAC Day is held on 25 April each year, and takes the form of a formal ceremony at the Cenotaph or Driveway Service.

Senior employees are identified in the Policy – Senior Employees

Policy Statement

The Shire of West Arthur will be represented at ANZAC Day commemorations by the Shire President and Deputy Shire President, or two Council members, or senior employees if no Councillors are available.

The Shire will provide a wreath to be laid at the Cenotaph by its representatives on the day.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Returned Services League WA (RSLWA)

Policy Title	**F8 - Asset Management**
Policy Type	**Works & Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

Asset Management is viewed as an important corporate function of the Shire of West Arthur and Council are committed to supporting the function. The purpose of this policy is to initiate Asset Management Principles/Framework to achieve the following objectives and outcomes:

a. The Shire's services and facilities are provided reliably, with the appropriate level of service to residents, visitors and the environment within the Shire;

Safeguarding the Shire's assets including physical assets and employees by implementing appropriate asset management strategies, practices and financial treatment of the assets;

Establish an environment where all Shire employees will assist in the overall management of the Shire assets.

Meet all legislative compliance for Asset Management;

Scope

The adoption of an effective asset management approach will provide the following benefits:

a. More sustainable decisions by ensuring all lifecycle costs are included in decision processes, so that the emphasis is on sustainable efficiencies not unsustainable short-term gains;

Enhance customer service through improved understanding of service requirements and options;

Improved financial efficiency by recognition of all costs of owning/operating assets over the lifecycle of the assets.

Definitions

Asset - a physical item that is owned or controlled by the Shire and provides or contributes to the provision of service to the community.

Asset Register - a record of asset information considered worthy of separate identification including inventory, historical condition, construction, technical, and financial.

Asset Management - the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal to ensure that the assets meet Council's priorities for service delivery.

Asset Management Plan - 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. The Asset Management Plan establishes, for each Asset Category:

a. Levels of Service (performance, construction, maintenance, and operational standards);

Future Demand (rational basis for demand forecasting and selection of options for proposed new assets);

Life Cycle Management Plan (including Operations and Maintenance, Renewals and Replacements, and Expansions and Upgrades);

Financial Projections;

Asset Management Practices; and

Performance Monitoring and Improvement.

Council - the Council of the Shire of West Arthur

Fair Value is defined as:

"... the amount for which an asset could be exchanged, or a liability settled between knowledgeable, willing parties in an arm's length transaction."

And, as:

"... the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date."

Infrastructure Assets – includes roads, bridges, footpaths, recreation, drainage and other.

Level of Service - meeting community expectations in relation to the quality and quantity of services delivered by the Shire.

Life Costing - the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and disposal and rehabilitation costs.

Policy Statement

This Asset Management approach will be supported and achieved through the implementation of Asset Management Plans for Infrastructure Assets within the Shire of West Arthur.

The implementation of this Asset Management Policy will assist the Shire to meet community expectations by providing services in a sustainable manner.

1. Principles

Asset Management encompasses all the various actions that the Shire must take to ensure that its assets are planned, delivered, managed, renewed and retired to serve both present and future communities.

1.1 Managing Shire Assets

Shire assets will be managed by:

a. Council allocating enough financial resources (integrated with the Long-Term Financial Plan) to ensure effective asset management practices, timely maintenance and renewal of assets so that community services are sustained in the long term.

Asset information will be accurate and up to date allowing for appropriate asset planning, both in the short and long term, and for informed decision making to occur.

1.2 New Assets & Renewal or Upgrade / Expansion of Assets

Prior to consideration of new infrastructure works, renewals or an expansion/upgrade:

a. A strategic review of the need for, and the life cycle cost of that asset (including capital, maintenance, operating and renewal costs) will be carried out.

Asset Renewal Plans will be implemented progressively based on priority (condition), the level of service required, and the effectiveness of the current performance of the asset.

Plans to upgrade existing infrastructure will be considered and evaluated according to the need to increase the asset's Level of Service.

The Shire will continually seek opportunities for multiple uses of assets as well as strategic community partnerships and for economic extensions to infrastructure life.

1.3 Asset Management Plans

In consultation with key stakeholders, Council will determine the Level of Service expected for each asset class to deliver economic, environmental and social values for the benefit of the community. These service levels will be adopted and reflected in the Asset Management Plans for each asset class.

The development of Asset Management Plans will also identify:

a. The strategic goals;

The level of service and performance standards;

The full cost of providing the service.

The future demand; and

Monitoring and improvement strategies.

1.4 Fair Value Groupings and Frequency

The Shire of West Arthur, for the purposes of fair value reporting, have adopted the following two groupings:

a. Infrastructure; and

Land and Buildings

Further to this, the Shire also has adopted the frequency of revaluations for fair value for each grouping to be five (5) years.

1.5 Low Value Assets

All items of capital nature will be capitalised based on the threshold as determined in the Council's "Significant Accounting Policies".

Items that are not capitalised will be recorded in a separate Low Value Asset Register.

2. Roles and Responsibilities

In order to support this policy, the following key roles and responsibilities have been identified:

2.1 Council

a. To act as custodians for Shire assets;

To adopt an Asset Management Policy linking to the Shire of West Arthur's Strategic Community Plan;

To provide an advocacy role with State and Federal Governments and the community;

Demonstrate the organisations commitment to the Council's vision and strategic objectives through an integrated and resourced asset management system to build and maintain intergenerational equity;

Make informed decisions supported by asset management processes and costs;

To comply with Integrated Planning Framework and Fair Value Legislation.

2.2 Chief Executive Officer

a. Reporting on the status and effectiveness of asset management within the Shire;

Continually promote asset management across the organisation;

To validate and challenge proposals to ensure they meet the Shire of West Arthur's Strategic Community Plan objectives and community needs;

To ensure community and key stakeholder's inputs are integrated into Asset Management Plans;

To ensure employee are appropriately trained and skilled to perform the required Asset Management functions;

To provide effective communication between Council, employees, and the Community;

Responsible for implementing asset management systems, policies and procedures;

Delegate specific assets to responsible project officers;

Promote networks between the community, key stakeholders, and Shire's asset managers to involve and consult with on the management of the Shire's assets.

Develop and implement a framework for the evaluation and prioritisation of corporate project proposals incorporating whole of life costing;

Develop and implement asset management processes and procedures;

Implementation of Fair Value

Develop framework, guidelines and processes to deal with Fair Value reporting.

The Level of Service for each asset class will drive the desired funding and when assessed against the Shire's current budget, this will represent the funding gap. The Shire will work to minimise this gap by renewing its assets at the most optimum time. The budgetary requirements will inform the Shire's Long-Term Financial Plan.

3. Strategic Implications

This Asset Management Policy has also been developed to support the vision, goals and objectives in the Shire of West Arthur's Strategic Community Plan 2013-2022: Vision and Values.

VISION

To be a safe, friendly welcoming community with a dynamic and expanding local economy.

The Shire of West Arthur's Strategic Community Plan outlines the following goals and objectives relevant to Asset Management:

GOAL – Built Environment – well maintained roads and infrastructure which reflects our identity

To achieve these goals, the Council must allocate appropriate resources to asset management through its financial plan, define its service level expectations through service delivery plans, and ensure effective risk management.

- Outcome 4.1 – Our road network is well maintained
    - Regularly review and update our long-term road construction and maintenance program
    - Collaborate with surrounding Shires and State government to ensure sound planning and resource utilization
    - Enhance road safety strategies for road users
- Outcome 4.2 – Our built infrastructure is well maintained, attractive and inviting
    - Our parks and gardens are well maintained and attractive.
    - Community facilities are continually reviewed and upgraded as required through asset management plans.
    - Our townscapes are attractive and well developed with consideration for current and future usage.
- Outcome 4.3 – Our cultural heritage is preserved and promoted.

- Maintain the integrity of our heritage buildings.
- Investigate opportunities to develop our historical assets.
- Planning and development take into consideration heritage value.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Related Documentation	Shire of West Arthur's Strategic Community Plan Department of Local Government Asset Management Framework (WA Government, 2011) International Infrastructure Management Manual (IPWEA, 2006) Department of Local Government Integrated Planning and Reporting Framework and Guidelines (WA Government, 2010) Australian Accounting Standards AASB13 - Fair Value Measurement

Policy Title	**F9 - Australia Day Citizen of the year Awards.**
Policy Type	**Corporate Services**
Responsible Officer	**Community Development Officer**

Purpose

To acknowledge the contribution of dedicated community members and celebrate their achievements with the entire community of the Shire of West Arthur.

Scope

The Awards recognise individuals and organisations that have made a notable contribution during the current year and/or those that have given outstanding service over a number of years.

In particular, the Shire encourages people from diverse backgrounds to consider nominating, including Aboriginal and Torres Strait Islander people, women, young people, those living with disabilities and people from culturally diverse backgrounds.

Definitions

Recipients of awards will have been judged to have:

- Made a significant contribution to the local community over and above what is normally expected from their paid employment/business;
- Demonstrated leadership on a community issue resulting in the enhancement of community life;
- Instigated a significant initiative which has brought about positive change and added value to community life; or
- Inspiring qualities as a role model for the community.

Eligibility Criteria:

- Nominees should reside or work principally within the Shire of West Arthur;
- Groups of people or couples will not normally be eligible except when meeting the criteria for a community group, although a couple or pair working together on a joint initiative may be considered in an individual category at the discretion of the local selection committee;
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative;
- Unsuccessful nominees may be nominated in future years;
- Nominations must be apolitical in their nature and should not in any way bring the awards program or local government area into disrepute; and
- Sitting members of State, Federal and Local Government are not eligible.

Policy Statement

The Shire of West Arthur will maintain a membership with Auspire, which will provide the Shire with:

- Online nominations;
- Medallions;
- Certificates; and
- Advertising resources.

In line with the Community Citizen of the Year Awards from the Australia Day Council of Western Australia, nominations are to be sought from organisations and individuals for:

- Community Citizen of the Year;
- Community Citizen of the Year (Youth);
- Community Citizen of the Year (Senior); and
- Active Citizenship (group or event).

Nominations are to be in accordance with the official Australia Day Community Citizen of the Year Awards.

- Nominations will be invited from the beginning of February to the end of November of each year; and
- Individuals and organisations may submit nominations using the Community Citizen of the Year Awards website https://www.citizenshipawards.com.au/

Judging

- One winner is to be selected for each category by a panel of three community members;
- Community members shall be nominated by Council prior to the August Ordinary Council Meeting;
- A confidential vote shall be held to select the new panel member prior to the September Ordinary Council Meeting;
- Each panel member shall serve a term of 3 years on a rotational basis;
- Each panel member shall sign a confidentiality agreement;
- The Community Development Officer will provide support to the panel members by:
    - Receiving and filing nominations;
    - Organising the replacement panel members;
    - Organising the meeting of panel members to assess the nominations; and
    - Organising the certificates, medallions and frames for the Award Ceremony.
- Judging will be in accordance with the criteria published in the Australia Day WA Citizen of the Year Award Guidelines;
- No Award is to be presented when the judges believe the nominees are not of a sufficiently high standard to receive the award; and
- Judges will apply the Assessment Matrix to determine the successful nominees.

CITIZEN OF THE YEAR ASSESSMENT MATRIX

Extent to which nominee has contributed to community service i.e. youth, aged, emergency services, charitable purposes	30	
Extent to which nominee has held office for community service organisations	10	
Extent to which nominee has contributed to recreational-based organisations i.e. sporting clubs, drama, arts	25	

Extent to which nominee has held office for a recreational-based organisation	5	
Extent to which nominee's contribution covers a range of activities i.e. sport, art, aged care, youth, emergency services	15	
Extent to which the nominee's contribution has been made over the previous 12 months	15	
Total	100	

The Shire President, or his/her nominee, shall present the awards at the Australia Day Ceremony held annually.

History	25/05/2023 Adopted 24/08/2023 Amended 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Auspire – Australia Day Council of WA

Policy Title	**F10 - Community Engagement**
Policy Type	**Community & Economic Development**
Responsible Officer	**Community Development Officer**

Purpose

To provide guidance to the Shire and community on when community engagement activities should be undertaken and the level of engagement to be carried out, other than notification and consultation conducted in accordance with statutory requirements.

Scope

This Policy applies to all Shire employees who deliver services or undertake projects that impact the community. The Shire will engage with a variety of community members and stakeholders using a number of different methods appropriate to the level of engagement.

This Policy does not apply to advocacy campaigns or negate the need to adhere to statutory and legal obligations.

Definitions

Community Engagement is the process of working collaboratively with and through groups of people affiliated by geographic proximity, special interest, or similar situations to address issues affecting the wellbeing of those people. It often involves partnerships and coalitions that help mobilise resources and influence systems, change relationships among partners, and serve as catalysts for changing policies, programs, and practices.

Policy Statement

The Shire of West Arthur recognises that community engagement and the opportunity for the community to participate in planning for the future are vital.

Community Engagement is about involving the community in decisions which affect them, and to be responsive to the needs of the community. Community is defined in the broadest possible sense to include Shire of West Arthur residents, ratepayers (owners and occupiers), business proprietors, community groups, and visitors.

Community engagement does not mean achieving consensus. However, it does involve seeking broad, informed agreement and the best possible solution for Council and the community.

At times it may also include other spheres of government, neighbouring local governments, and other stakeholders with an interest in the Shire of West Arthur. In effectively engaging the community, many diverse and different views and opinions may be conveyed to Council. Council may not always be able to reconcile these differences, nor make decisions or take actions that align with everyone's viewpoint.

Framework

The Shire's approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation. The five levels of participation are:

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL				
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/ or solutions	To obtain public feedback on analysis, alternatives and/ or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	We will endeavour to implement what you decide.
ASSURANCE TO THE PUBLIC				
We endeavour to keep you informed	We endeavour to keep you informed, listen to and acknowledge concerns and aspirations.	We endeavour to work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed.	We endeavour to look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will endeavour to implement what you decide.

It should be noted that the 'empower' level on the spectrum has limited application in Local Government as the Council are the decision-making body.

When Engagement is to be Undertaken

The Shire of West Arthur endeavours to undertake community engagement when:

a. A decision is likely to have significant impact on an individual or group in the community

There is, or likely to be, strong community concern or interest in the issue;

The proposal before the Council is anticipated to have significant impact on the economy, lifestyle and/or environment of the Shire and/or its residents;

Significant changes to the current or future use of land or infrastructure within the Shire is being considered;

Information is needed by Council about community needs, priorities or values to ensure planning is appropriate and responsive;

The Council wishes to ensure all groups, including minority or disadvantaged groups have information about an opportunity to contribute to the operations and/or the planning for the Council's services, facilities and programmes.

There are 4 impact levels to measure the need for Community Engagement, where impact relates to the 'effect of an action or change on the Community.' The impact levels are as follows:

LEVEL OF IMPACT	BRIEF DESCRIPTION
Level 1	High level of impact overall or a large part of West Arthur.
Level 2	High level impact of a local nature, eg a local area, specific community or user group

Level 3	Lower level of impact overall or a large part of West Arthur.
Level 4	Lower level of impact of a nature, eg a local area, specific community or user group

The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy.

In some cases, it may not be practicable when:

a. The Council is to decide quickly in the interest of the Shire (e.g. Public Safety);

The advice or decision is to another tier of Government about matters of broad interest (in common) to constituents of the State;

The decision concerns day to day administrative matters

Roles and Responsibilities

Council

The Council is elected to make decisions on behalf of the people of the Shire of West Arthur. To do so effectively, the Council may have a need to inform themselves of current community attitudes and opinions on various issue(s).

All community engagement is undertaken in a manner that is consistent with legal obligations under;

a. The Commonwealth Disability Discrimination Act 1992 (that is, open and accessible to all members of the community);

The Information Privacy Act 2000 (regarding the handling of all personal information); and

Any other relevant legislation which may relate to an issue

Community

The Community is expected to:

a. Inform themselves about Council functions, initiatives, activities and objectives and participate in civic affairs;

Acknowledge that the Council is made up of duly elected representatives of the community and it is their role to make decisions on behalf of the community; and

Acknowledge that submissions addressing matters that are objective are generally considered more highly than those that demonstrate bias, or are subjective, or hypothetical.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Shire of West Arthur Community Strategic Plan: Shire of West Arthur Disability Access and Inclusion Plan:

Policy Title	**F11 - Contiguous Land Valuations - Rates**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide guidance and clarity on the treatment of contiguous valuation of land requests for Unimproved Valuations (UV) and Gross Rental Valuations (GRV) of properties made to the Valuer Generals Office.

Scope

This policy shall apply when considering applications for group rating.

Definitions

"Contiguous" means

a. Where survey boundaries abut or adjoin

Where locations or lots are separated by a road, drain or watercourse reserve, they may be deemed contiguous

In exceptional circumstances, some properties may be deemed by the Valuer General to be contiguous, even though their boundaries do not strictly adjoin. In such cases the matter should be referred to the Valuer General or appropriate Chief Valuer, who may be guided by advice provided by the local government.

"Same Ownership" means

a. Same names as per Certificate of Title

Ratepayers name for recording on the Valuation Rolls, advised by the local government authority.

GRV means Gross Rental Value

UV means Unimproved Value

Policy Statement

GRV Valuations

With regard to Gross Rental Value (GRV), applications for group values will be assessed only if they meet all of the following criteria:

a. Actual occupation (primary place of residence); and

Are contiguous; and

Are held in the same ownership; and

Are used for the same purpose.

UV Valuations

With regard to Unimproved Value (UV), applications for group values will be assessed only if they meet all of the following criteria:

Are contiguous, and

Are held in the same ownership, and

Are used for the same purpose

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Contiguous Land Valuations - Rates
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**F12 - Customer Service**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide service standards in the area of customer service.

Scope

This Policy applies to all levels of customer service throughout the Shire.

Definitions

Customer Service is the assistance and advice provided by a company to those people who buy or use its products or services.

Policy Statement

The Shire of West Arthur is committed to providing high quality customer service through access to consistent, accurate and relevant advice and information.

The Shire is committed to ensuring you experience a positive and fair outcome whenever you contact us, and we always welcome feedback on how our services can be improved and what is important to you.

We will:

- Progressively review and improve forms, systems and procedures from a customer's perspective;
- Conduct regular customer service employee training programs;
- Incorporate customer service improvements into all business plans;
- Progressively improve access to our services to all community members;
- Make information available in alternative formats for people with specific requirements; and
- Improve access to information by utilising a wide range of media types.

You can:

- Provide accurate and complete details when contacting us with any queries or requests for assistance;
- Contact us to make an appointment if you have a complex enquiry or need to see a specific officer;
- Treat employees with the same courtesy and respect given to you; and
- Acknowledge that the Shire may not have the authority to deal with your request/complaint and that you may need to refer it to another agency/organisation.

SERVICE STANDARDS – In Person

We will:

- Promptly attend to you at all times in a professional, polite and attentive manner;
- Listen attentively in order to understand your needs;
- Attempt to resolve your query or request at the time of your visit; or refer your query or request to an appropriate employee, who will keep you informed at all times
- Ensure all employees who have face-to-face contact with customers wear a name badge for ease of communication.

You can:

- Treat our employees with courtesy and respect;
- Be open and honest in your dealings with us;
- Let us know when things change such as your address or contact details;
- Respect the rights of other customers;
- Make an appointment if you wish to speak with a specific officer; and
- Refer enquiries through the correct channels

SERVICE STANDARDS – Telephone

We will:

- Promptly answer all telephone calls during working hours;
- Introduce ourselves over the phone by name;
- Aim to attend to, and complete your request at the time of your contact;
- Attempt to resolve your query or request at the time of your contact; or refer your query or request to an appropriate employee, who will keep you informed at all times;
- Take personal responsibility for your enquiry to reduce the transfer of calls and inform you of any delays if you are 'on hold'; and
- Be committed to ensuring all messages for employees are passed on immediately.

You can:

- Help us by providing us with sufficient detail to ensure you query is responded to in a timely manner;
- Treat our employees with courtesy and respect;
- Be open and honest in your dealings with us; and
- Refer enquiries through the correct channels.

SERVICE STANDARDS – Writing, emails and webforms

We will:

- Acknowledge your contact within five (5) working days of receipt;
- Whenever possible provide a completion date when requests require in-depth research which will take longer than ten (10) working days;
- Write to you in clear, concise language that is easily understood; and
- Send out standard information within 24 working hours of the request being received.

You can:

- Let us know when things change such as your address or contact details;
- Help us by providing us with sufficient detail to ensure your query is responded to in a timely manner; and
- Refer enquiries through the correct channels.

HOW WE COMMUNICATE WITH YOU:

We are committed to communicating with you in a timely and responsive manner in order to keep you up to date on relevant issues.

The Shire recognises that it is here to serve the short and long-term needs of its community and to uphold the community's vision and values, and we will strive to meet these goals at all times.

Communication channels may include some or all of the following:

- Providing information on activities through a variety of means, including the West Arthur Echo, Shire website and Facebook page, noticeboards, SMS, and mail-outs;
- Ordinary Council Meetings which are open to the public;
- Public meetings on issues of major community concerns;
- Direct contact to request community input on various issues; and
- An open invitation to send ideas, suggestions or feedback in writing.

WEBSITE DATA

The Shire website provides a number of webforms on its website, including facility booking forms, feedback forms, equipment hire, change of details, application for planning approval and SMS updates. We aim to ensure all information is up to date at all times, but welcome feedback should you find that we fail to meet your expectations.

The Shire website also contains useful information including agendas and minutes of Council meetings, bush fire information, Community Resource Centre information, news and events, animals and much more. All of this information is accessible by visiting www.WestArthur.wa.gov.au.

After hours emergency numbers are available on our website www.WestArthur.wa.gov.au or on our Facebook page www.facebook.com/ShireofWestArthur.

CONTACTING COUNCIL MEMBERS

The role of a Council member is to:

- Represent the interests of electors, ratepayers and residents;
- Provide leadership and guidance to the community;
- Facilitate two-way communication between the community and the Council; and
- Participate in decision making processes at meetings.

Council members can keep in touch with electors in a variety of ways including:

- Attending meetings of local organisations;
- Being available and responding to residents who wish to raise issues or concerns;
- Attending events arranged by the local government;
- Participating in functions held in the local area; and
- Communicating with the community via a newsletter, email or website.

You may contact any Council member by email or telephone. Council members' details are available on our website www.WestArthur.wa.gov.au or by contacting the Shire Office on (08) 9884 1056.

COMPLAINTS

A complaint is a statement that something is unsatisfactory or unacceptable. This includes decisions, a level or quality of service, or behaviour of an employee or agent, which can be investigated and acted upon where no right of appeal or review is available under any other legislation.

A complaint is not:

- A request for service;
- A request for information or an explanation of a policy or procedure;
- Disagreement with a policy of the Council;
- An appeal or request for an internal or external review of a decision for which a structured process applies, other than that made as the result of a complaint; and
- An expression concerning the general direction and performance of Council or its Council members.

We will:

- Ensure all complaints are dealt with fairly, quickly and equitably;
- Record your complaint and acknowledge it;
- Direct your complaint to the most appropriate person within the Shire of West Arthur who will be responsible for keeping you up to date;
- After investigation, respond outlining the outcome; and
- Seek further information if required, and keep you informed of our progress.

You can:

- Help us by providing us with sufficient detail to ensure your complaint is responded to in a timely manner; and
- Refer enquiries through the correct channels.

CUSTOMER FEEDBACK

To gauge our performance in relation to our service commitments, we encourage feedback from our customers.

This Customer Service Policy is intended as collaboration between the Council and the community it serves. Therefore, if there is something that you feel unhappy about, please utilise our simple feedback process.

Please give us the opportunity to improve our service to you. Comments, suggestions and compliments all provide an effective means by which to assess the existing service you receive.

Copies of our Complaints and Compliments Form can be downloaded from our website www.WestArthur.wa.gov.au, or obtained from one of our Customer Service Officers.

CUSTOMER SATISFACTION SURVEY

Date of contact with the Shire of West Arthur:						
How did you contact the Shire:	☐ Email	☐ Mail	☐ In Person	☐ Telephone		
	☐ Facebook	☐ Other:				
When was your contact with the Shire:	☐ During business hours (Monday – Friday 9am – 4:30pm)					
	☐ After business hours (all other times including Saturdays, Sundays and Public Holidays)					
Which customer service area did you have contact with:	☐ Customer Services	☐ Australia Post	☐ Community Resource Centre			
	☐ Technical & Environmental Services					
Please rate each of the following aspects of your recent customer service experience:	Promptness of service	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Willingness to help	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Level of knowledge	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Professionalism of employees	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Friendliness of employees	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Information clear & easy to understand	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
Do you have any suggestions on how the Shire can improve interactions with its customers?						
Your Details (Optional)						
Name:						
Residential Address:						
Postal Address:						
Mobile Number:		Home Number:				
Email Address:						
Further Information						
If you wish to be contacted regarding other surveys the Shire may conduct: ☐ Yes ☐ No						

Office Use Only	
Central Records Ref:	☐ N&A Updated
Name:	Date:

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Customer Satisfaction Survey

~~Policy Title~~	~~F13 - Debt Collection~~
~~Policy Type~~	Corporate Services
~~Responsible Officer~~	Deputy Chief Executive Officer

History	25/05/2023 - Adopted 23/11/2023 - Rescinded
Delegation	Defer, Grant Discounts, Waive or Write off Debts. Property & Rates - Recovery of Rates or Service Charges
Relevant Legislation	*Local Government Act 1995 s6.56*
Related Documentation	Nil

Policy Title	**F14 - Harvest & Vehicle Movement Ban – Christmas Day, Boxing Day & New Year's Day**
Policy Type	**Corporate Services**
Responsible Officer	**Chief Executive Officer**

Purpose

To comply with the *Bush Fires Regulations 1954* regarding the imposition of harvest and vehicle movement bans on public holidays.

Scope

This Policy applies in the whole of the Shire of West Arthur.

Definitions

A **Harvest and Vehicle Movement Ban** is a ban that individual local governments are responsible for issuing under the *Bush Fires Regulations 1954* - r38A – 38D, and/or r24C.

Policy Statement

The following public holidays apply for the purposes of r38C of the *Bush Fires Regulations 1954:*

- Christmas Day
- Boxing Day
- New Year's Day

A Harvest and Vehicle Movement ban shall apply in the world of the district of the Shire of West Arthur on the abovementioned days.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Bush Fires Regulations 1954 r38C*
Related Documentation	Nil

Policy Title	**F15 - Integrated Planning & Reporting**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure the Shire recognises that for sustainability, good governance and the provision of effective services and facilities for the community, an integrated approach is needed to all planning and resourcing activities. The objective of this policy is to provide guidance and mandate activities to ensure compliance with the *Local Government Act 1995.*

Scope

This Policy applies to all employees having involvement with the Shire's Integrated Planning & Reporting processes.

Definitions

In essence, **Integrated Planning and Reporting** is a process designed to:

- Articulate the community's vision, outcomes and priorities.
- Allocate resources to achieve the vision, striking a considered balance between aspirations and affordability.
- Monitor and report progress.

Policy Statement

The Council members and employees will follow the Local Government Department's Integrated Planning Framework that provides the process to:

a. Ensure community input is explicitly and reliably generated.

Provide capacity for location specific planning were appropriate.

Inform long-term objectives of the Shire with these inputs.

Identify the resourcing requirements to deliver against the long-term objectives.

Clearly articulate long-term financial interchange implications and strategies.

The Council will ensure that there are adequate resources provided in both the integrated planning development and delivery phases to ensure timelines and legislative requirement are met and that the community expectations are addressed in a sustainable manner.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	West Arthur Strategic Community Plan: Corporate Business Plan: Integrated Planning and Reporting – Department of Local Government and Communities Framework and Guidelines: September 2016

Policy Title	**F16 - Person Deemed in Authority of Shire Property and Facilities**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To confirm the authority of the Chief Executive officer in relation to all Shire of West Arthur property and facilities.

Scope

This Policy applies to all Shire property and facilities.

Definitions

Nil

Policy Statement

The Chief Executive Officer is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*s70A Criminal Code 2013*
Related Documentation	

Policy Title	**F17 - Record Keeping**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide guidance to Council members and employees regarding their record keeping responsibilities in line with current legislative requirements

Scope

This Policy applies to all Shire employees, Shire engaged contractors, and Council members.

Definitions

Record means any record of information however recorded and includes —

a. anything on which there is writing or Braille; and

a map, plan, diagram or graph; and

a drawing, pictorial or graphic work, or photograph; and

anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them; and

anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and

anything on which information has been stored or recorded, either mechanically, magnetically, or electronically;.

Policy Statement

The Shire of West Arthur is committed to making and keeping full and accurate records of its business transactions and its official activities.

Records created and received by Shire personnel and contractors, irrespective of format, are to be managed in accordance are to be managed in accordance with the Shire's Record Keeping Plan and this Records Management Policy.

Records will not be destroyed except by reference to the General Disposal Authority for Local Government Records.

Records Creation

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

Records Capture and Control

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

Security and Protection of Records

The Shire of West Arthur is responsible for the security and protection of all records created or captured as part of the Shire's day to day operations. All Shire employee and contractors have a responsibility to apply the following security and protection measures to all records created or received when carrying out the Shire's business.

Access to Records

Access to the Shire's records by employee and contractors will be in accordance with designated access and security classifications.

Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992.*

Access to the Shire's records by Council members will be through the Chief Executive Officer in accordance with the *Local Government Act 1995.*

Local Government Council Members

In relation to the recordkeeping requirements of Council members, records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision-making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council, and other communications and transactions of Council members which constitute evidence affecting the accountability of the Council and the discharge of its business.

The Shire must ensure that appropriate practises are established to facilitate the ease of capture and management of Council members' records up to and including the decision-making processes of Council.

Appraisal, Retention and Disposal of Records

Records will only be destroyed or otherwise disposed of by reference to the General Disposal Authority for Local Government Records issued by the State Records Office and following authorisation from the responsible Officer and the Chief Executive Officer. Records identified as a State Archive should be transferred to the State Records Office in accordance with the requirements of the General Disposal Authority for Local Government Records.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*State Records Act 2000* *s2.7 - Local Government Act 1995* *Freedom of Information Act 1992*
Related Documentation	

Policy Title	**F18 - Senior Employees**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To establish which positions are regarded by Council as Senior Employee positions for the purposes of S5.37 of the *Local Government Act 1995*, requiring referral to Council by the CEO, prior to any move to employ or dismiss a person in such a position.

Scope

This Policy applies to the employees as outlined below.

Definitions

Local Government Act 1995 – s5.37(1) – A local government may designate employees or persons belonging to a class of employee to be senior employees.

This policy also identifies "Key Management Personnel" as outlined in Policy – Related Party Disclosures.

Policy Statement

That the Designated Senior Employee positions as per S5.37 of the *Local Government Act 1995* are:

- Deputy Chief Executive Officer
- Manager of Works & Services

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995 s5.37*
Related Documentation	Policy – Related Party Disclosures

Policy Title	**F19 - Workforce Planning**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that strategic, operational and legislative objectives are met through efficient and effective management of its workforce for the delivery of service to the community in a timely and cost-effective manner.

Scope

Workforce Planning is a continuous process of shaping the workforce to ensure it can achieve the Shire of West Arthur's objectives into the future. It provides the framework for assessing the demand and supply of the workforce and aims to have the right people in the right place at the right time to ensure the delivery of organisational goals resourced through effective long-term financial and business plans.

The Shire is committed to resourcing workforce requirements through its integrated planning processes as outlined in this diagram below. It recognises the responsibility for managing people lies with the person who has the executive responsibility for the objectives of the service / activity / function of their division.

Definitions

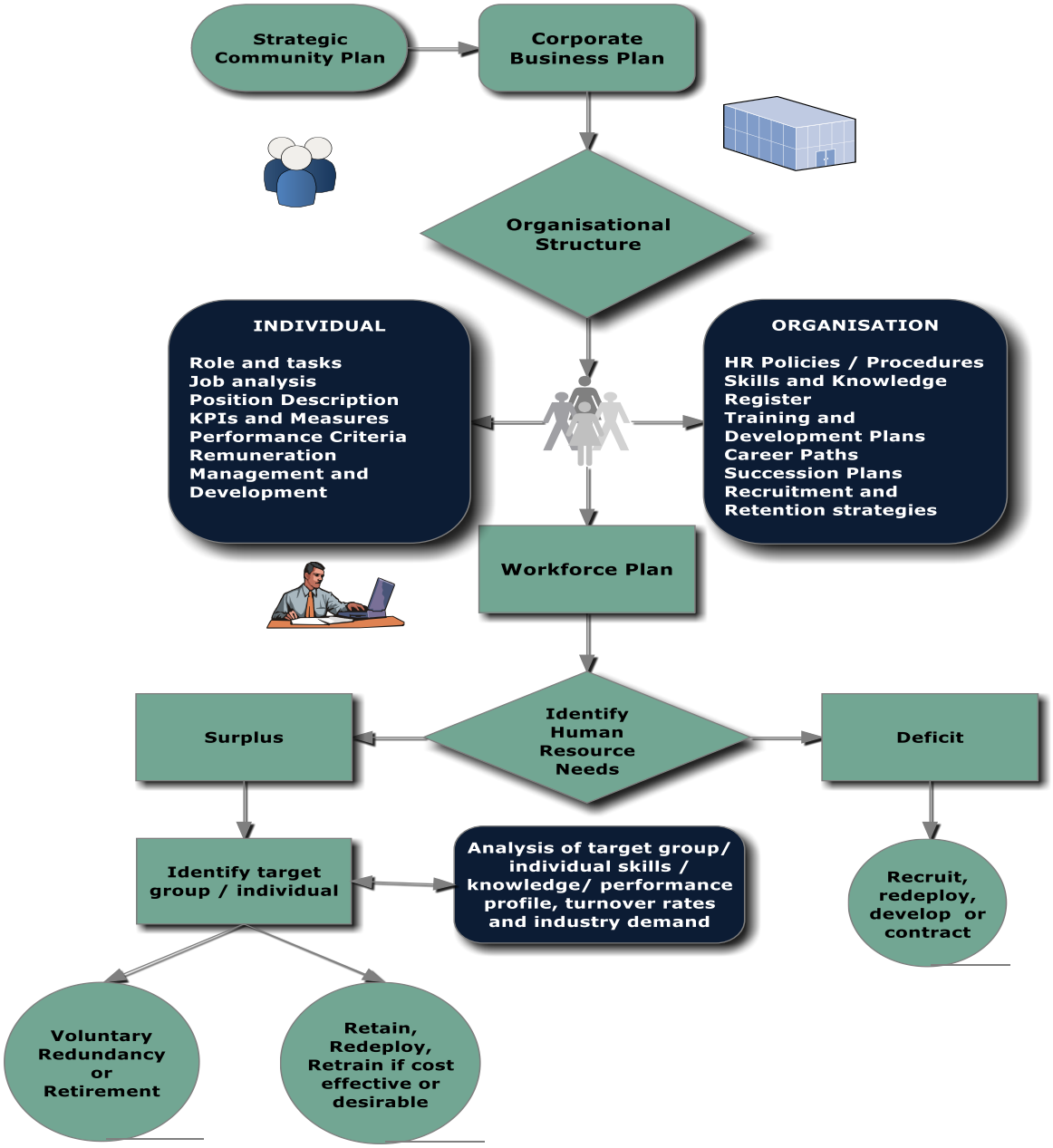
KPI means "Key Performance Indicator".

Policy Statement

The Shire of West Arthur is committed to Workforce Planning, identifying that it is an essential management function in its operations.

The Shire of West Arthur recognises that the achievement of all goals and objectives are reliant on the skills and knowledge of its workforce and their individual resilience, perseverance and unique capacity to fit the environment.

Workforce Planning Diagram:



Roles and Responsibilities

Chief Executive Officer and Managers

CEO and Managers of employees have the responsibility and accountability for ensuring that all employees are managed appropriately within their own work areas. In each of these areas, current and future demand and supply should be assessed as part of the annual and strategic planning cycles.

All Managers will ensure effective setting of KPIs and performance criteria for their employee that will meet relevant organisational objectives. Employee appraisals will incorporate training and development plans to ensure the current and future skills and knowledge needs are met wherever practicable, with gaps and omissions reported to the CEO for inclusion in the Workforce Plan.

The CEO will research, collect and monitor relevant workforce data and statistics including demographics and trends as part of the integrated planning cycle.

Employees

All employees involved in organisational, operational or project planning will ensure that workforce implications are considered and included in all strategic or operational plans.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995 – s5.56(2)*
Related Documentation	

~~Policy Title~~	~~F20 - Purchasing and Tenders~~
~~Policy Type~~	Corporate Services
~~Responsible Officer~~	Deputy Chief Executive Officer

History	25/05/2023 – Adopted 23/11/2023 - Rescinded
Delegation	Expression of Interest for Goods and Services Tenders for Goods and Services – Call Tenders Tenders for Goods and Services – Accepting and rejecting tenders, varying contracts, exercising contract extension options Tenders for Goods and Services – Exempt Procurement
Relevant Legislation	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
Related Documentation	

Policy Title	**F21 - Recognition and Depreciation of Assets**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

The Shire owns, creates, purchases and manages assets and must ensure that effective and accountable systems are in place to safeguard the Shire's resources. This includes the development of appropriate systems to record the location and value of fixed assets acquired or constructed by the Shire.

Scope

This policy applies to all fixed assets owned, purchased, created, leased and managed by the Shire.

Definitions

"Carrying amount" is defined in Australian Accounting Standards Board (AASB) 116 as the amount at which a non - financial asset is recognised after deducting any accumulated depreciation and accumulated impairment losses.

"Contributed Asset" is an asset acquired by the Shire at nominal or no cost, usually by way of agreement with property developers, through State Government arrangements or bequeathed to the Shire.

"Cost" is defined in AASB 116 as the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire an asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised.

"Depreciable amount" is defined in AASB 116 as the cost of an asset, or other amount substituted for cost, less its residual value.

"Depreciation" is defined in AASB 116 as the systematic allocation of the depreciable amount of an asset over its useful life.

"Fair value" is defined in AASB 13 as the price that would be received to sell a non- financial asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

"Leases" is defined in AASB 16 stating that a contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

"Intangible Asset" is defined in AASB 138 as an identifiable, non-monetary asset without physical substance.

"Right of use (RoU) Asset" is defined in *Local Government Financial Management Regulations 1996* 17A (FMR17A) as an asset that is controlled but not owned by the Local Government entity and includes the local government's right to use –

a. Crown land; or

Other land that is not owned by the local government,

that is vested in the local government at nil or nominal cost for an indefinite period for the purpose of roads or any other purpose.

"Vested improvement" is defined in FMR17A as a pre-existing improvement on land of which the care,

control or management is vested in the local government at nil or nominal cost for an indefinite period.

"Property, plant and equipment" is defined in AASB 116 as tangible items that:

a. are held for use in the production or supply of goods or services, for rental to others, or for administrative purposes; and

are expected to be used during more than one period.

"Residual value of an asset" is defined in AASB 116 as the estimated amount that an entity would currently obtain from disposal of the asset, after deducting the estimated costs of disposal, if the asset were already of the age and in the condition expected at the end of its useful life.

"Useful life of an asset" is defined in AASB 116 as:

a. the period over which an asset is expected to be available for use by an entity; or

the number of production or similar units expected to be obtained from the asset by an entity.

Policy Statement

With the exception of plant and equipment and other 'right of use' assets, the Shire values its assets using the fair value model in accordance with Australian Accounting Standards.

Fair value is considered to be the best estimate of the price reasonably obtainable in the market at the date of the valuation. It is the most advantageous price reasonably obtainable by the seller and by the buyer.

In determining fair value, there is a presumption that the entity disposing of the asset is a going concern and has no aim to liquidate assets or materially alter the scale of its operations. It is also assumed that the asset is exchanged after an adequate period of marketing to obtain its most advantageous price.

A principal test in determining fair value is whether there is an active and liquid market for the asset. Where a quoted market price in such a market is available, that price represents the best evidence of the asset's fair value.

Fair value is also determined in reference to an asset's highest and best use, which results in the highest value.

AASB 116 provides that the fair value of land and buildings is usually determined from market-based evidence and appraisal by professionally qualified valuers, however there is no statutory requirement to use valuers. Where there is no market-based evidence of fair value because of the specialised nature of the asset (and the item is rarely sold), fair value may need to be estimated using an income or a depreciated replacement cost approach. AASB 13 notes that fair value is a market-based measurement and not an entity-specific measurement. While market information might

be available for some assets and liabilities, market information may not be available for others. Hence another valuation technique may be required. The valuation techniques are:

1. Market approach - uses prices and other relevant information generated by market transactions involving identical or comparable (similar) assets, liabilities or group of assets and liabilities.
2. Cost approach - the amount that would be required currently to replace the service capaShire of an asset (also referred to as 'current replacement cost').
3. Income approach - involves converting future amounts (cash flows or income and expense) to a single current (discounted) amount.
4. Depreciated replacement cost - the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset.

All new assets are measured initially at their cost of acquisition. In accordance with the AASB, where an asset is acquired at no cost, the cost of the acquisition is deemed to be the asset's fair value (see Contributed assets).

The cost of acquisition is defined as including the initial estimate of the costs of dismantling and removing the asset and restoring the site on which it is located. When an asset is valued at fair value all assets of that class must be valued using the same method.

There are some assets that are "specialised" in nature, which is where the market evidence might not be available to guide fair value measurement. Such specialised assets may include infrastructure, land under infrastructure, sewerage plants, and historical or cultural assets. AASB 116 recognises the specialised nature of some assets and, as previously mentioned, provides for an income or depreciated replacement cost approach to be used to determine fair value. Note: Land and buildings are separate classes of assets and need to be valued separately.

Recognition

As part of preparing the statutory financial statements, expenditures incurred by the Shire must be classified as either being 'operational in nature' or being such that they result in the creation of a 'fixed asset' (capital in nature). The manner in which expenditure is classified has a major impact on results disclosed in the Operating Statement and on the financial position disclosed in the Shire's Statement of Financial Position. Those items which are 'capitalised' must be depreciated over their useful life, which is determined according to the particular asset class to which that item belongs. Items that are 'expensed' rather than capitalised are to be included as operating expenditure at the time of incurring the cost.

The nature of the expenditure must be carefully considered to determine whether it creates a new fixed asset or whether it constitutes a repair or maintenance. Reference to relevant professional accounting standards and practice statements provide guidance in this regard.

To effectively balance the administrative workload of recording and maintaining a reliable Asset Register with the risk and compliance issues attaching to the proper classification of capital expenditure, regulation 17A(5) of the *Local Government (Financial Management) Regulations 1996* states:

"A non-financial asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under $5 000."

To permit this and to ensure compliance with the regulations, expenditure to acquire or enhance an asset should be capitalised if the expenditure is above the following thresholds and meets the definition of an asset:

Capitalisation of Thresholds for Non-Current Assets are:

- Land $5,000
- Buildings $5,000
- Plant and Equipment $5,000
- Furniture and Equipment $5,000
- Infrastructure (all classes) $5,000
- Bridges $5,000

Depreciation

Depreciation will commence from the date of acquisition or in respect of internally constructed assets, when the asset is first brought into use or held ready for use. Depreciation is recognised on a straight-line basis.

An addition or extension, which becomes an integral part of an existing asset, should be depreciated over the remaining useful life of that asset. An addition or extension, which remains a separate identity and will be capable of being used after the existing asset is disposed of, should be capitalised and depreciated

independently.

Assets will be depreciated with regards to the following schedule of useful lives:

Asset Class	Useful Life
Buildings	**30 to 50 years**
Furniture and Equipment	**4 to 10 years**
Plant and Equipment	**5 to 15 years**
Sealed roads and streets	
formation	**not depreciated**
pavement	**70 years**
Seal	
bituminous seals	**15-25 years**
asphalt surfaces	**15-25 years**
Gravel roads	
formation	**not depreciated**
Pavement	**50 years**
Gravel sheeting	**10-15 years**
Formed Roads	
formation	**Not depreciated**
pavement	**50 years**
Foot paths – slab	**20 years**
Sewerage piping	**100 years**
Water supply piping & drainage systems	**75 years**
Bridges	**60 to 90 years**

Right of Use (RoU) Assets / Leased Assets

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for considerations.

AASB 116 *Leases* removes the distinction between operating and finance leases for lessees and requires

the recognition of a RoU asset and lease liability on the Statement of Financial Position, with the exception of short-term leases and low value leases.

All contracts that are classified as short-term leases (a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease. The Shire deems leases for an underlying asset valued less than $5,000 to be a 'low value' lease.

At the commencement date, a right of use asset and a corresponding lease liability are recognised at the present value of all future lease payments (cost). The lease payments are discounted using the interest rate implicit in the lease. If the rate cannot be readily determined within the lease agreement, the Shire uses its incremental borrowing rate as published by the Western Australian Treasury Corporation (WATC).

Regulation 17A of the *Local Government Act (Financial Management) Regulations 1996* specifically requires right of use assets to be valued at cost. Concessionary leases ('peppercorn leases') such as vested crown land and other land, which is not owned by the LG entity, but which is under its control or management, is a concessionary lease right of use asset and should be reported at zero cost. This includes land that was previously classed as having state or regional significance such as golf courses, showgrounds, or race courses.

As an exception to this, vested improvements, in accordance with FMR 17A and 17A(2c), are to be recorded as a right of use asset at fair value rather than cost.

Subsequent improvements on concessionary land leases such as roads, buildings or other infrastructure constructed by the Shire are to be disclosed within their relevant asset class at fair value.

Depreciation of Leased Assets

Right of use assets are depreciated over the lease term or useful life of the underlying asset, whichever is the lesser. Where a lease transfers ownership of the underlying asset, or the cost of the right of use asset reflects that the Shire anticipates to exercise a purchase option, the specific asset is amortised over the useful life of the underlying asset.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	Local Government Act 1995 Local Government (Financial Management) Regulations1996 Australian Accounting Standards
Related Documentation	

Policy Title	**F22 – Fraud and Control**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To protect resources, including information, and safeguard the integrity and reputation of the Shire. This policy sets out the arrangements for the overall management of the risks and any instances of fraud and/or corruption.
The Shire does not tolerate fraud and corruption. Control of fraud and corruption is the responsibility of everyone in, or associated with, the Shire.
It is recognised that fraudulent activity and corruption are illegal and contrary to the Shire's organisational values and Codes of Conduct.

Scope

This policy ensures Employees, Elected Members, Committee Members, contractors, and volunteers are aware of their responsibilities in relation to fraud and corruption prevention and control, the identification, treatment and recording of fraud or corruption risks, fraud or corruption auditing and detection processes, reporting responsibilities and obligations and investigation procedures.

Definitions

Fraud – is defined as dishonest activity causing actual or potential financial loss to the organisation including theft of money or other property whether or not deception is used at the time, before or after the activity. It also includes deliberate falsification, concealment, destruction, or falsification of documentation used for a normal business purpose as well as improper use of corporate information or position.
Corruption - is defined as an act done with intent to give or receive some advantage or benefit inconsistent with official duty and the rights of others.

Policy Statement

Responsibilities

All Elected Members, employees, contractors, and volunteers of the Shire are required to observe the highest standards of ethics and integrity in undertaking their roles as custodians of the Shire's assets, financial resources, and information. They are also expected to act in an open, honest, and professional manner that reflects the high standing of the Shire.

It is recognised that fraudulent activity and corruption are illegal and contrary to the Shire's organisational values.

The Shire will take a proactive stance to ensure that incidences of fraudulent or corrupt activities or behaviours do not occur. Whilst the Shire endeavours to foster a culture which upholds trust (openness, honesty, and integrity), it must be recognised that not everyone within an organisation may share those values. In responding to this, the Shire will ensure the creation of an effective internal control environment, supported by a positive organisational culture and effective leadership aimed at preventing

fraud and corruption from occurring.

As such all Elected Members, employees, contractors and volunteers of the Shire are to report actual or suspected fraud and corruption and report potential sources of fraud and corruption.

- Reporting Fraud and Corruption:
  A Public Officer or any other person may report to the Corruption and Crime Commission (CCC) or the Public Sector Commission (PSC) any matter which that person suspect on reasonable grounds concerns or may concern serious or minor misconduct.

  Corruption and Crime Commission

  Public Sector Commission

- Audit and Risk Committee:
  Will be notified of instances of alleged fraud and corruption through risk reporting.

Prevention

The Shire proactively engages in preventative measures designed to help reduce the risk of fraud and corruption from occurring. These include:

Leadership	Setting and demonstrating the standards for ethical behaviours for the Shire
Risk Assessment	Identifying, Monitoring, Mitigating or Eliminating Fraud Hazards
Processes and Systems	Information Technology System controls Transparent, robust policies and processes - Code of Conduct - Procurement - User access policies - Contracts - Audit
Education and Awareness	Initial and ongoing training and communication and consultation with Elected Members, employees, volunteers, and contractors engaged.
Public Interest Disclosures	Public Information

Detecting

Early detection is an essential element of fraud and corruption control. Although notifications of fraud and corruption from internal and external sources are the most common method of detection, other detection measures include monitoring high-risk areas, internal reviews and audits, intrusion detection systems, conducting reviews focused on risk, or data mining and data matching.

Fraudulent and corrupt conduct is able to be detected through the Shire ’s robust internal control systems and mechanisms. These include:

Audit Plan
Procurement - Purchasing and Tenders Policy
Audit and Risk Committee
Public Interest Disclosures

Responding

When the Shire becomes aware of incidents of fraud and corruption the Shire will act promptly and decisively.

Responses include:

- internal investigations;
- referrals to external investigators where appropriate;
- referrals to the police and/or the Corruption and Crime Commission;
- remedies for dealing with misconduct, such as disciplinary action up to and including termination of employment;
- active recovery of proceeds of fraud or corruption where appropriate;
- internal reporting on fraud and corruption instances to the Audit and Risk Committee;
- review of internal controls by the Executive Management Team.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	People and Culture
Relevant Legislation	Local Government Act 1995 (WA) Local Government (Functions & General) Regulations 1996 Public Sector Management Act 1994 Corruption, Crime & Misconduct Act 2003 Public Interest Disclosure Act 2003
Related Documentation	Purchasing and Tender Policy Code of Conduct for Employees Code of Conduct for Elected Members Contracts of Employment

Policy Title	**F23 – Acceptable Use**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

This policy document provides all staff with the information and guidelines required to ensure that our systems, networks, application, and data are used and accessed in an acceptable way. This policy is part of our IT security and governance framework and should be reviewed alongside our other complimentary policies and procedures.

The Acceptable Use Policy relates to the rules applied by owners, creators or administrators of the Shire's computer network, website or service and defines what users are allowed to do with corporate IT systems and resources.

Scope

This policy applies to all staff.

Definitions

In this document, the terms "we", "us", "our" and "the Shire" refers to Shire of West Arthur.

Policy Statement

This Acceptable Use policy is essential to protect our networks and systems. This requires due diligence in relation to the security of our IT network and the protection of sensitive data from accidents and illegal actions.

Responsibilities

As a Shire of West Arthur employee, contractor or consultant, you have a personal responsibility to ensure all IT assets are appropriately used and safeguarded. This applies to corporate IT equipment, systems and work infrastructure as well as all personal devices used for business purposes.

You must:

- Ensure the use of our business systems, networks and the internet are lawful and does not adversely affect other employees or stakeholders.
- Take appropriate steps to maintain security on applicable devices and report anything that is potentially damaging to the Shire.
- Follow all relevant legislation regarding IT use.
- Follow this Acceptable Use Policy regarding IT use.
- Respect your fellow staff members and the wider public by ensuring all communications (email and social media) are appropriate, considerate, and relevant.

As an employee, contractor or consultant of the Shire of West Arthur, you acknowledge and accept that we may use tools and technologies to review access logs, files and your internet browsing history which may be stored on any machine or device used in conjunction with your employment or engagement.

Requirements

Passwords

Strong passwords are useful in defeating certain types of Cyber Attacks. Make sure that your passwords are easy to remember but not easy to guess (e.g.! Password1 is not acceptable).
Your password must:

- Contain 12 characters.
- Include 1 special character.
- Include 1 number.
- Include 1 capital letter.
- Is changed every 90 days.
- Be different to the other passwords used for personal email accounts or websites.

You must not:

- Share your password with others.
- Record passwords on paper or in documents.
- Enter passwords while overlooked and do not overlook others as they enter passwords.

Personal Use

Limited personal use of the Shire's IT property and devices is permitted, provided it is not excessive and does not breach the following guidelines:
You must:

- Only use social media for legitimate and relevant business purposes during work hours.

You must not:

- Use the Shire's property to conduct political activity or share political content.
- Use the Shire's IT property or device to post or share defamatory content.
- Use corporate email accounts for personal reasons or to register to sites for personal use.
- Defame the Shire or any colleague on any social media or online platform.
- Post or share any personal opinions, materials or content that could be mistaken for being shared on behalf of the Shire.

Internet

The use of the Internet should be predominantly for business purposes; however, appropriate, limited personal use is allowed. By using our network and IT services you are accepting that your use of the internet, websites and downloads may be monitored and/or blocked by us if they are deemed to be harmful and/or not productive to business.
You must not:

- Visit inappropriate sites (e.g., adult sites, hacking sites, chatrooms, torrent sites, or online games).
- Access, store, send, download or distribute offensive, pornographic, defamatory, threatening, discriminatory, bullying, inappropriate, false, sexist, derogatory or malicious comments, or images, or materials that violate the privacy of, or incites violence or hatred against, any person or class of persons, or which could give rise to civil or criminal proceedings.
- Engage in any abusive or explicit online behaviour (e.g. trolling, defaming, bullying, extortion).
- Post any content - anywhere - that defames us or could damage our reputation. Nor are you allowed to post any information that is considered internal or confidential.
- Download any content or documents from untrusted sites.
- Download or install any unauthorised software.
- Open any files containing macros (e.g., XLSM or VBA files) – unless you know them to be safe.
- Attempt to hack or gain unauthorised access to networks or websites.
- Authorise, aid, abet, encourage or incite any other person to do or attempt to do any of the above acts.

- Transfer confidential data via public/open WIFI. Confidential data should only be transferred using your corporate email address or user profile and that this transfer must be performed on our network or on an equivalently secured network.

Social Media

Employees are free to use social media subject to the following guidelines:
You must not:

- Defame the Shire or bring the company name into disrepute.
- Provide opinions or purport to represent the Shire on any social media channel without prior authorisation.

Email

If you are issued a corporate email address, or if you use your personal email at work there are guidelines you must follow to help ensure our networks and systems are not compromised.
You must:

- Check that the name or title of the link matches the destination which appears in the bottom of your email client before clicking a link.
- Be on the lookout for "phishing" emails where emails attempt to gather your personal information fraudulently. Remember, legitimate businesses NEVER request you to confirm information such as your password or credit card information in an email, or link provided in an email.
- Delete or send emails that you know to be Spam to your junk filter.
- Check you are emailing the correct person/people before you hit send.

You must not:

- Click on the links within emails unless you know them to be safe.
- Open email attachments from senders you don't recognise.
- Open attachments that contain macros (e.g., Microsoft Excel .xlsm files) - unless you know them to be safe.
- Use your business email address to register to non-business-related sites.

Network and Printer Usage

If you are provided with access to our network, drives, files and printers, you must take personal responsibility to maintain the confidentiality, security and integrity of our data and documents.
You must:

- Be mindful of resource usage and only print when necessary.
- Limit printing for personal use to within reasonable levels.
- Collect printed documents from the printer as soon as they are printed.

You must not:

- Share or facilitate others to access our network digitally or physically, drives or documents.
- Download or install software on your machine or on the network without express permission to do so.

Bring your own device (BYOD)

Depending on your role and operational needs you may be permitted to use your own device for business use. Personal devices, used for business purposes are subject to the same rules as defined within this policy. Permission to allow personal devices to be used for business purposes may be revoked if any of the above guidelines in this document are broken.
You must:

- Register personal mobile devices with IT.
- Enable a PIN-or-Enable-Biometric-Security (e.g., your fingerprint).
- Ensure personal devices are password protected in accordance with password criteria above.

- Ensure the operating systems on your BYOD devices are kept up to date.
- Use your BYOD device ethically in accordance with the other requirements of this policy.
- Notify your line manager if your personal device that is used for business purposes, has been lost or stolen.
- Install latest versions of all software and applications necessary to perform your role.

You must not:

- Use 'Jailbroken' or 'rooted' devices; these are strictly prohibited.
- Store Confidential or restricted data on any personal devices.
- Use compromised devices that may contain insecure software, apps or malware or are used to visit sites that are likely to cause potential security risk.

If you use your own personal devices (laptops, desktops, and mobile devices) to access our systems or data you acknowledge and accept that we have the right to:

- Ask you to remove all applications containing our data; and
- Enforce the use of specific software for accessing emails, documents and for automatically and remotely clearing our company data from your device.

Cyber Awareness

Security is everybody's business.
You must:

- Take reasonable measures to protect sensitive information you have been granted access to.
- Inform your Manager and/or the Deputy Chief Executive Officer if you suspect that your user account or credentials have been compromised.
- Attend Cyber Awareness training as provided by the Shire.

Removable Media

Removable media, including but not limited to; USB drives, external hard drives and external solid-state drives may be used subject to the following conditions.
Removable media must:

- Be scanned prior to use to ensure it is free from viruses and malware.

Removable media must not:

- Be used on endpoints that have administrative access to systems or data.

Compliance

We will verify compliance to this policy through various methods, including but not limited to, business tools, reports, internal and external audits, and feedback to the policy owner.
Any employee found to have violated this policy may be subject to disciplinary action, suspension, up to and including termination.

Acknowledgement

I confirm that I have read, understood, and agree to adhere to this policy:

Full name: ……..
Position: ……..
Organisation: ……..
(Only applicable if external organisation)

Signature: ……..
Date: ……..

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	Incident Management Policy; Risk Management Policy; Disaster Recovery Plan

Glossary – Useful Terms

Term	Meaning
BYOD	An acronym for the term "Bring Your Own Device" which relates to the policy of enabling users to connect to corporate systems with their personal devices.
Cyber Attack	An attempt to damage, disrupt, or gain unauthorized access to a computer, computer system, or electronic communications network.
Cyber Security	The combination of technologies, processes and practices used to defend against cyber-attacks.
Cyber Security Posture	An organisation's overall cyber security strength.
Data Breach	The intentional or unintentional unauthorised access, loss or disclosure of personal, private or sensitive information
Jailbreak	To remove software restrictions on a device. This can result in weakening security controls as implemented by the manufacturer. The term typically refers to an Apple device.
Macros	A macro is a piece of code that can replicate the actions of keystrokes or mouse-clicks. While very useful, they can also be used to breach security controls and perform cyber-attacks.
Malware	Malware is the general term for any software that is intentionally designed to cause damage to any computer, server or network. Examples of malware include Spyware, Adware, Trojan horses, Viruses and Worms.
Personal Information	Information that can be used to identify a person. This may include someone's name, address, age, bank account details, date of birth and signature.

Term	Meaning
Phishing	Phishing is the fraudulent attempt to obtain sensitive information, data by tricking the recipient into believing the email has originated from a genuine source.
Rooted	Rooting is the process of gaining privileged access to the subsystems of Android devices creating potential for security issues.
Sensitive Information	A type of Personal Information, that if disclosed, could cause harm. This may include information or opinions about a person's: religion, disability, race, ethnic origin, sexual preferences, criminal record, mental illness, state of vulnerability, political or philosophical opinions and whether under investigation.
Subnet	A subnet is a logical subdivision of an IP network into groups of IP addresses.
Spam	Spam are unsolicited email messages delivered to your inbox.
Trolling	The deliberate act of making random, unsolicited and/or or controversial comments on the Internet.
USB drives	A small storage device that plugs into the USB port on your computer and is used to store or transfer files.
WIFI	A family of Wireless network protocols used for connecting local area networking devices and to access the internet.
XLSM	An excel file format containing macros - pieces of Visual Basic Code that, if activated, can automatically run on your machine.
XML	Stands for eXtensible Markup Language and is a text format used to transport data between software programs.

Policy Title	**F24 – ICT Risk Management**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

This document outlines the approaches and activities required for effective ICT Risk Management within the Shire. This forms part of the Shire's ICT Governance Framework and is important in ensuring alignment with industry best practices and statutory compliance.
A risk is an event that may occur which may prevent us from reaching our strategic goals or delivering business services and completing projects.

Scope

This policy applies to IT and the Executive.

Definitions

In this document, the terms "we", "us", "our" and "the Shire" refers to Shire of West Arthur.

Policy Statement

ICT Risk Management is the process of identifying, assessing, and responding to technology related risks that may impact the security, maintenance or use of the Shire networks, systems, or data.
ICT Risk Management is important as it helps define priorities, plan activities, and allocate appropriate funding to ensure the smooth running of technology related business services.

Responsibilities

All staff are responsible for assisting in effective ICT Risk Management by proactively identifying and raising potential risks to senior management and to explain the potential impact of the risk should it occur.
The CEO and Managers are responsible for allocating sufficient time, ensuring resources are applied in identifying, assessing, and mitigating risks as well as ensuring the Risk Management Process and associated activities are effectively managed.

The Shire's Managed ICT Support Service should be engaged in the Risk Management Process to help identify, assess, and potentially help resolve technology risks. Management should be provided with monthly reports highlighting key technology metrics, including but not limited to:

- Network usage versus bandwidth
- Connectivity issues
- User machines (operating system issues, patches, memory, storage versus capacity)
- User lockouts
- Onboarding / Offboarding
- Ticketing stats (new tickets / resolved tickets)

- Strategic Issues - Management Overview and Stats
- Problem Management - Overview and details

Risk Management System

All risks will be entered into a Risk Management system. The system will be used to track:

- Risk Details: Unique Risk ID, Description, Date identified, Raised By.
- Assessment: Likelihood, Impact, Frequency, Cost to remediate.
- Response: Mitigate, Accept, Transfer.
- Controls: Whether existing controls are in place to reduce the probability of the risk occurring.
- Actions: Owner, Due Date, Details.

How to rate the probability of a risk occurring

The probability of a risk can be determined as follows:

Probability Rating	Probability Description
1	• Very likely that the risk will not occur.
2	• Small chance of the risk happening.
3	• 50/50 chance of the risk occurring.
4	• More likely to occur than not.
5	• Very likely to occur. • Business Services may be slightly delayed or interrupted. External stakeholder communication required.

How to rate the impact of a risk

A risk is rated by considering its impact should it occur. The table below should be used to rate ICT risks.

Impact Level	Impact Description
1. Low	• Little to no impact to business services
2. Minor	• Business Services may be slightly delayed or interrupted. • Normal services to be resumed within 24 hours. • Wider stakeholder communication not required.
3. Moderate	• Business services expected to be interrupted for more than 24 hours. • External stakeholder communication potentially required.
4. High	• Business services likely to be interrupted for up to 72 hours. • External stakeholder communication required.
5. Major	• Interruptions or delays that halt the delivery of business services for more than 72 hours. • External stakeholder communication required.

How to rate risk frequency

A risk may be prone to re-occurring. Depending on its nature (probability and impact) re-occurring risks can quickly escalate into incidents and/or problems. It is therefore important to rate how often the risk is likely to manifest itself using the table below:

Frequency Level	Frequency Description
Low	Only expected to occur once.
Moderate	• Expected to re-occur more than once. • Business Services may be slightly delayed or interrupted. • Likely to annoy users or impact business services.
High	• Will repeatedly re-occur. • May result in system or connectivity outages.

Risk management process

The Shire will follow the following Risk Management Process:

Identify

The Shire's management team will meet quarterly to identify and capture new risks within a formal Risk management System. Risk identification requires knowledge of:

- What might go wrong?
- What is / would be the cause?

Assess

The Risk Management team will review and update the Risk Log for each risk by determining:

- What are the chances of it happening?

- What would the impact be?
- How often is it likely to occur?
- What can be done about it?
- What if we don't do anything about it?

Respond

The Risk Management Team will review each risk and apply one of the following responses:

- Mitigate: plan activities and allocate funding to resolve the risk.
- Accept: agree to deal with the impact of the risk if it occurs.
- Transfer: obtain insurance to cover the impact of the risk should it occur.

Monitoring

The Risk Review Team will schedule regular reviews and the generation of risk reports to:

- Capture new risks that may have occurred.
- Validate whether previous risks assessments are still accurate or need revisiting.
- Monitor and potentially re-prioritise existing risk management activities.

Reporting

The Risk Review Team will create and review risk log reports to evaluate the effectiveness of:

- ICT Risk Management expenditure.
- Existing and new controls.
- Communicate the ICT Risk Plan to stakeholders.

Compliance

We will verify compliance with this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.
Any employee found to have violated this policy may be subject to disciplinary action, suspension, up to and including termination.

Acknowledgement

I confirm that I have read, understood, and agree to adhere to this policy:

Full name: ……..
Position: ……..
Signature: ……..
Date: ……..

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	Acceptable Use Policy, Incident Management Policy; Disaster Recovery Plan

Glossary – Useful Terms

Term	Meaning
Cyber Security	The combination of technologies, processes and practices used to defend against cyber-attacks.
Cyber Security Posture	An organisation's overall cyber security strength.
Data Breach	The intentional or unintentional unauthorised access, loss or disclosure of personal, private or sensitive information.
Data Breach Notification	The act of notifying the appropriate authorities that a Data Breach has occurred.
Data Breach Response Team (DBRT)	The group of people responsible for responding to a breach.
Defame	To damage the reputation of someone: e.g., libel or slander.
EU	European Union - a political and economic union of member states.
GDPR	The General Protection Data Regulation is a regulation introduced by the EU to strengthen and unify Privacy legislation across member states.
NDA	A Non-Disclosure Agreement is a legally binding agreement between two or more Parties which sets out which Confidential Information will not be shared with any other external 3rd parties.
Notifiable Data Breach	A type or severity of data breach requiring us to notify the appropriate authorities.
MAC number / MAC address	A unique ID number given to every piece of hardware.
Personal Information	Information that can be used to identify a person. This may include someone's name, address, age, bank account details, date of birth and signature.
Sensitive Information	A type of Personal Information, that if disclosed, could cause harm. This may include information or opinions about a person's: religion, disability, race, ethnic origin, sexual preferences, criminal record, mental illness,

	state of vulnerability, political or philosophical opinions and whether under investigation.
Trolling	The deliberate act of making random, unsolicited and/or controversial comments on the Internet.
USB drives	A small storage device that plugs into the USB port on your computer and is used to store or transfer files.
XLSM	An excel file format containing macros - pieces of Visual Basic Code that, if activated, can automatically run on your machine.
XML	Stands for eXtensible Markup Language and is a text format used to transport data between software programs.

Policy Title	**F25 – Risk Management**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur's Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

Scope

It is the Shire's Policy to achieve best practice, (aligned with AS ISO 31000:2018 Risk management - Guidelines), 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 Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every worker 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

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive, negative or both – and can address, create or result in opportunities and threats.

Note 2: Objectives can have different aspects and categories (such as financial, health and safety and environmental goals) and can be applied at different levels (such as strategic, organisation-wide, project, product or process).

Note 3: Risk is usually expressed in terms of risk sources, potential events, their consequences and their likelihood.

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 the Risk Management Policy.

All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For instances with specific requirements such as special 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 Chief Executive Officer (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 workers. It will be formally reviewed triennially.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*AS/NZS ISO 31000:2018 Risk Management Guidelines*
Related Documentation	Acceptable Use Policy, Incident Management Policy; Risk Management Policy

Policy Title	**F26 – ICT Disaster Recovery Plan**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

This document provides the Shire of West Arthur with an overview of its current Disaster Recovery capabilities and the steps it can take to recover from a variety of disaster situations.

Scope

This policy applies to IT and the Executive.

Definitions

In this document, the terms “we”, “us”, “our” and “the Shire” refers to Shire of West Arthur.

Glossary

BCP: Business Continuity Planning; **DR:** Disaster Recovery; **MTPO:** Maximum Tolerable Period of Disruption.

Overview

The Relationship Between BCP and DR

The Shire’s BCP Lifecycle is shown below and provides an overview as to the phases for responding to a disruption to normal service levels. It demonstrates the importance of having effective Preparation, enabling prompt Responses to acceptable service levels until the Recovery has been completed.

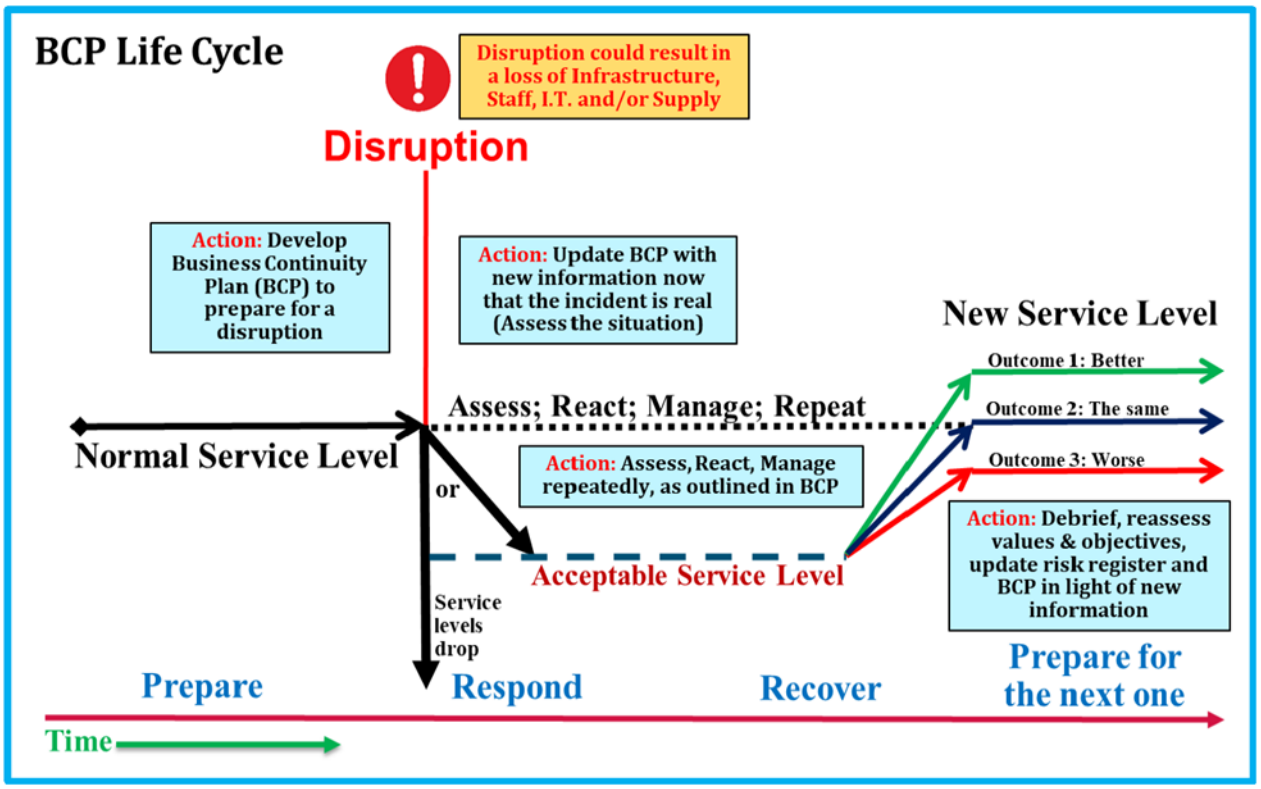


Diagram 1 - BCP Life Cycle

Business Continuity Planning has wider implications than ICT Disaster Recovery Planning but in organisations such as the Shire, which are highly dependent on ICT systems and networks for service delivery, there is a very high correlation.

Where operational services are reliant on IT systems and networks, their loss presents a business continuity event. Applications, systems and networks usually have resilience enabling business operations to continue at reduced levels but a disaster situation may involve significant technical outages and loss of business operations.

This document details the steps the Shire should take to 'Respond' and 'Recover' in a variety of the most likely 'disaster' situations.

The Governance Framework for ICT BCP and DRP

The Governance Framework for ICT BCP/DRP is described by the relationship between data and infrastructure backups, time to recover and catastrophic consequences. The relationship assists in determining the investment required to support the BCP/DRP.

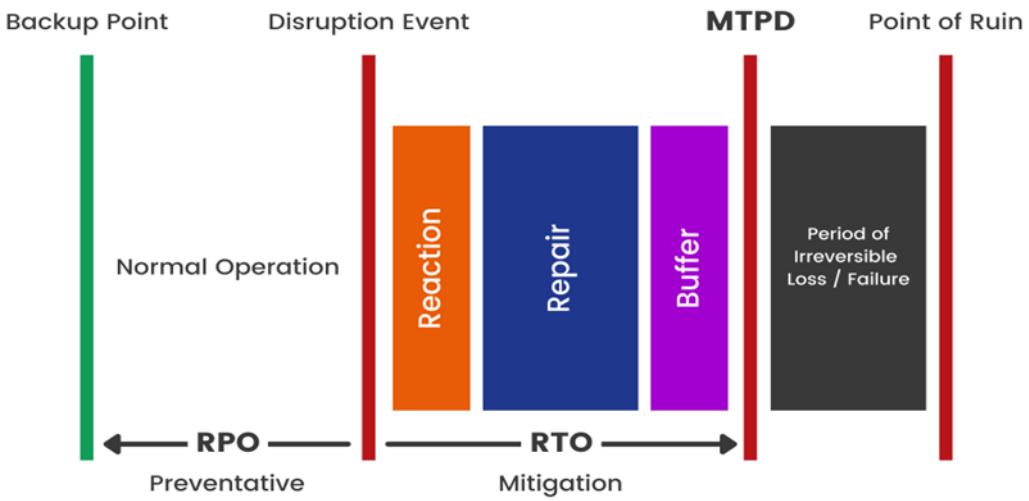


Diagram 2 - RPO-RTO-MTPD Relationship

Data backups (Recovery Point Objective) - a Recovery Point Objective (RPO) is defined as the maximum amount of data – as measured by time – that can be lost after a recovery from a disaster, failure, or comparable event before data loss will exceed what is acceptable to an organisation. For example, an RPO of 60 minutes requires a system backup every 60 minutes. The RPO is usually prescribed for SaaS and hosted systems in the contractual relationship between the supplier and the customer. For on-premise systems, the backup frequency initiated on-site determines the RPO.

Time to recovery (Recovery Time Objective) - a Recovery Time Objective (RTO) is the duration of time and a service level within which a business process must be restored after a disaster to avoid unacceptable consequences associated with a break in continuity. The RTO is usually prescribed for SaaS and hosted systems in the contractual relationship between the supplier and the customer. For on-premise systems, the backup frequency initiated on-site determines the RTO.

Catastrophic consequence (Maximum Tolerable Period of Disruption) – a Maximum Tolerable Period of Disruption (MTPD) is the maximum allowable time that an organisation's key IT-dependent products or services are made unavailable or cannot be delivered before the impact is deemed as unacceptable. The MTPD is peculiar to the customer regardless of SaaS, hosted or on-premise systems. The MTPD for a customer cannot be less than the sum of the RPO and RTO as provided by the Shire, a SaaS or hosted provider.

Key Risk Situations and Mitigations

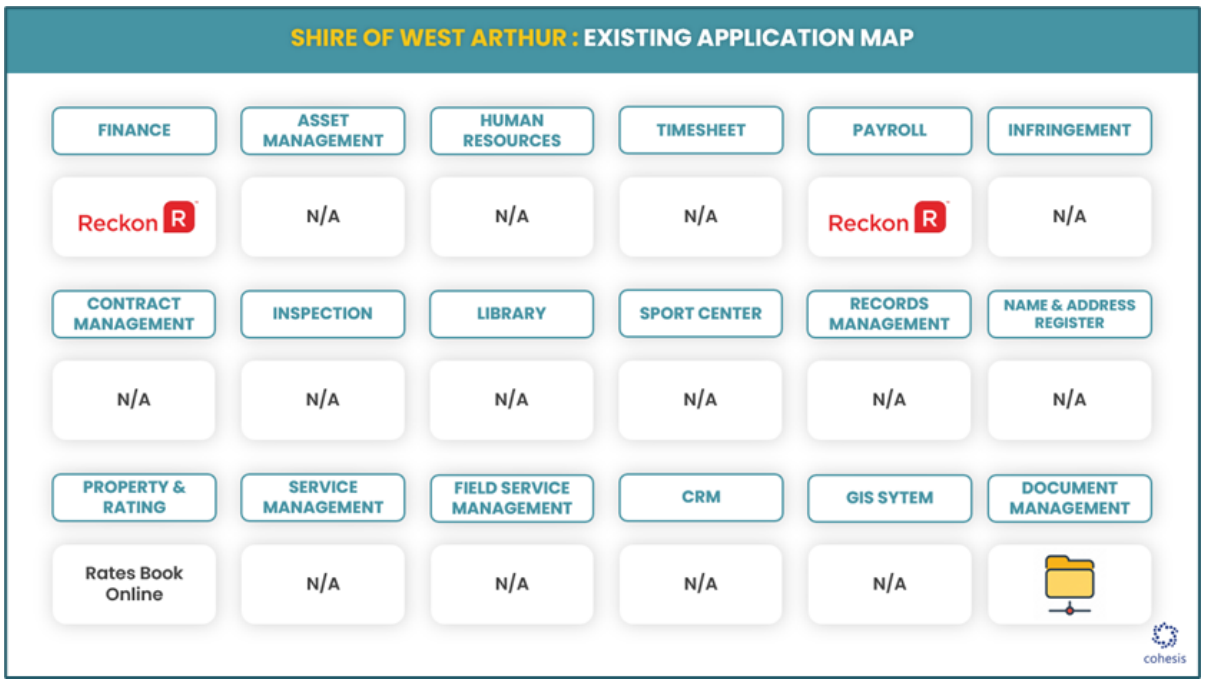
Loss of Data

The Shire currently has a limited backup strategy which is as follows:

- Nightly backups are taken and stored onsite.
- There is no redundancy – backups are not replicated.
- ICT Support asserts that backups are seldom tested.

Loss of an Application

The diagram below shows the applications currently in use by the Shire:



Notes:

- Reckon, RatesBook Online & Fixed Assets Online are 3rd party SaaS solutions.
- Microsoft 365 (not shown) is used for business applications.
- The Document Management system (File server) is hosted on premise on the Shire's virtual server.

Files, folders, and server configuration can be recovered easily (assuming the server does not fail). However, if the server were to fail then restoration could take between 24 hours and 6 weeks depending on the cause.

Loss of ICT Infrastructure

The Shire's core ICT infrastructure required to deliver business services is as follows:

Element	Description
Server Cabinet	The server cabinet contains: • 1 Dell Tower Server running 2 VMs (File server & Domain Controller) • 1 FortiGate Firewall Appliance • 1 Unifi Switch for Connectivity
Server Security	Servers are domain joined. FortiGate and Unifi Switch configured with complex local passwords.
Server Patching	The Shire has an existing formal process for server patching.
Network and Infrastructure Architecture Diagram	The Shire maintains network and infrastructure diagrams.
Network, Server and Storage Capacity Management	Usage is monitored via RMM system for Server / Storage capacity issues. Networking onsite is reviewed periodically and is currently being refreshed.
Primary internet connection	Telstra Fibre

Internet connection speed	Download: 94 MB / sec Upload: 83 MB / sec

Until recently, the Shire relied upon a slow and intermittent ADSL connection which resulted in limited options for offsite backup and redundancy. Telstra Fibre has now been connected providing the Shire with the opportunity to greatly enhance its backup and resilience capabilities.

The Shire's Managed ICT support service has stated that should the server fail, recovery could take between 24 hours and 6 weeks, depending on the cause.

The Shire should consider migrating its documents to SharePoint 365.

Loss of Business Location

The Shire's on-premise infrastructure is hosted in the Shire's Administration building. Given the current lack of offsite backups or resilient cloud-based infrastructure, the loss of the Admin building would result in catastrophic disruption to the delivery of business services.

To mitigate this risk the Shire needs to enhance its backup capabilities.

Learn and Improve

Continuous Improvement is a key element of improving our Information Security posture and as such it is important we seek to learn from Information Security Incidents as they occur.
Following the closure of an incident a Post Incident Review should be held to discuss:

- What happened, when and why?
- What activities were performed to contain, resolve and restore systems, services and data?
    - How successful were they?
        - What worked?
        - What didn't?
        - And Why?
- What information was needed sooner?
- What could / should be done differently next time?
- How could internal / external communications be improved?
- What additional tools / processes / training are needed to improve detection, analysis and mitigation of future incidents?
- What corrective actions can be taken to prevent reoccurrence of this and other similar threats?
- What key warning signs or indicators should be monitored or used to detect similar incidents?

Update Incident Response Plan

This plan should be continually updated to reflect the insights gained from the Shire's incident response activities.

Key Systems and Recoverability Requirements

The table below shows the key systems and the priority order in which they should be recovered in the event of a disaster.

Restore Priority	System	Target RPO	Target RTO	Restore / Recovery Steps known (doc link)	Comments
1	Firewall, Switches, Routers	Last Known Good Configuration or State.	24 Hrs		Fortigate Firewall Appliance
2	Network, Internet	Last Known Good Configuration or State.	24 Hrs		Telstra Fibre
3	Server & Backup Infrastructure	Last Known Good Configuration or State.	24 Hrs		Subject to available server hardware, power supplies at the time of disaster.
4	Email System	1 hour	1 Hour		M365
5	ERP Business Systems (Finance, Payroll)	2 Hours	TBC		Reckon Online
6	File & Print Services	2 Hours	TBC		Infinitum Technologies
7	Phone Systems	N/A	TBC		Infinitum Technologies / Telstra
8	Rates Book Online & Fixed Assets Online	2 Hours	TBC		Provided and managed by Moore
9	Website & Social Channels	5 Business Days – requires internal confirmation	5 Business Days – requires internal confirmation		Website hosted by Market Creations (Council Connect)

Policy Compliance

We will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.
Any employee found to have violated this policy may be subject to disciplinary action, suspension, up to and including termination.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	Acceptable Use Policy, Incident Management Policy; Risk Management Policy

Policy Title	**F27 – ICT Incident Management Procedures**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

This document enables the Shire of West Arthur to effectively respond and resolve a probable or actual information Technology incident or event. It outlines instructions to help detect, react, and limit effects of such incidents. It ensures a consistent and effective approach to the management of incidents including the identification and communication of security events and weaknesses. This policy is part of our IT security and governance framework and should be reviewed alongside our other complimentary policies and procedures.

Scope

This policy applies to IT and the Executive.

Definitions

In this document, the terms “we”, “us”, “our” and “the Shire” refers to Shire of West Arthur.

Policy Statement

An incident is an unplanned interruption to or quality reduction of an IT service. It may be caused due to an asset that is not functioning properly or network failure. Examples of IT asset incidents include printer issue, WIFI connectivity issue, application lock issue, email service issue, laptop crash, file sharing issue, etc. Incident Management describes the activities required to identify, analyse, and correct hazards or threats to prevent a future re-occurrence. All incidents must be notified to the Deputy Chief Executive Officer and to the ICT Support Team. Where the incident is assessed to have a high impact, the Deputy Chief Executive Officer must activate the Incident Management Response Team (IMRT).

Without effective incident management, an incident can disrupt business operations, information security, IT systems, employees, customers, or other vital business functions.

Responsibilities

The Incident Management Response Team (IMRT) will provide oversight, direction, and support in managing the incident response. Its primary focus is on strategic issues identification and management, stakeholder engagement and communications and ensuring appropriate resources are allocated to the response.

The table matrix below describes the initial roles of the IMRT. These may need to evolve depending on the nature and severity of the incident.

Title	Included	Role
CEO	Mandatory	Ultimate responsibility for the Shire's response; IMRT Chair.
Deputy Chief Executive Officer	Mandatory	Strategic issues identification and management.
Managed IT Support Provider	Mandatory	Responsible for providing insight into the cause of the incident and implementing the agreed technical responses.
Manager Financial Reporting	Optional	Providing Financial Insights and ensuring core finance processes continue to run (e.g., payroll).

The following shows the initial RACI matrix for incident resolution within the IMRT – assumes "Optional" members are not initially needed to attend IMRT meetings.

Role	Responsible	Accountable	Consulted	Informed
CEO		ü		
Deputy Chief Executive Officer	ü			
Managed ICT Support Provider	ü		ü	
Manager Financial Reporting			ü	
Staff				ü
External Stakeholders				ü

Note: should "Optional" IMRT members be required to attend meetings, their status will change to "Consulted" as they will be acting in an advisory capacity.

Policy Requirements

The Deputy Chief Executive Officer will follow the following incident response process as shown in the diagram below:

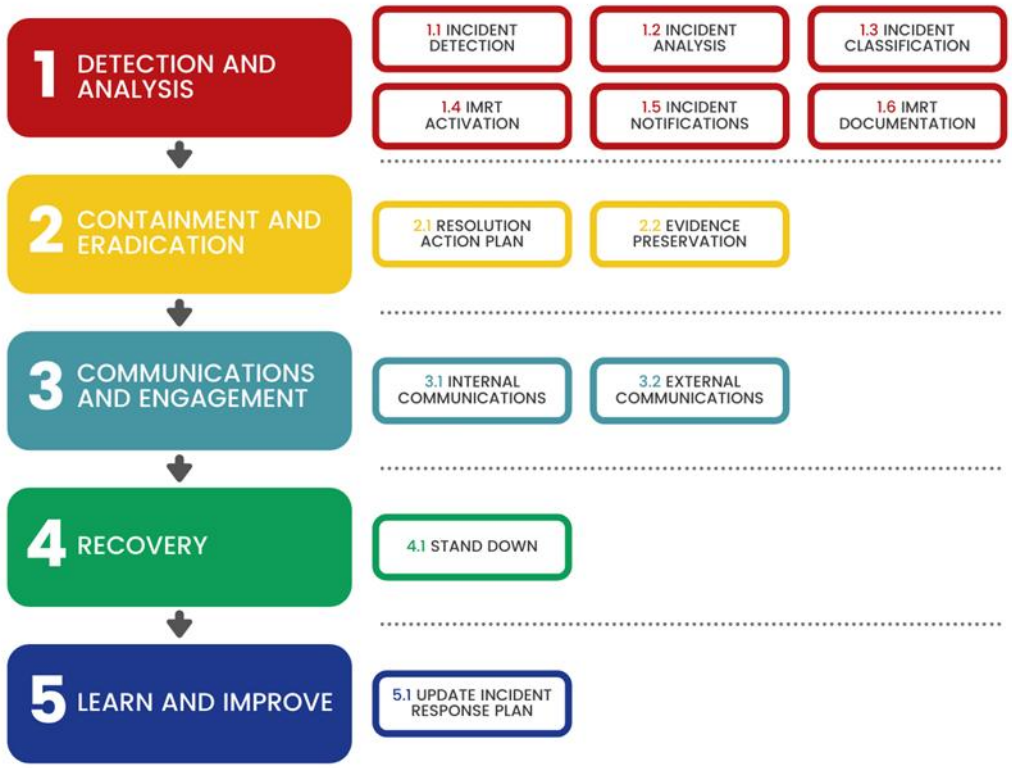


Image 1. Incident Response Process

Detection and Analysis

Incident Detection

If the Shire is already dealing with a suspected incident, then initial detection is likely to have already occurred. However, further detection activities may be required to better understand the extent and size of the incident or the likelihood that it will reoccur. It is important to understand the nature of the incident: Is it the result of a malfunction or an IT asset breakdown?

Incident Analysis

The table below identifies some useful steps to help identify whether the incident continues to occur. It is generally recommended to only allocate a maximum of 4 hours for initial incident analysis so as not to delay the overall response process.

Incident Classification

Action	Description
Updated Resources	Ensure you have access to the latest: Computer peripherals Printers and scanners ISP service Software licenses Documentation that may include system designs/architecture, security plans, GPO configuration, etc.
Reviewing log entries and security alerts	Are there any unusual entries or signs of suspicious behaviour on the network or applications?
Have Standard Operating Procedures (SOPs) for different operating systems	For Windows workstations, follow an SOP on what to look for or review (i.e. specific event log sources, the types of events to search for, etc.). The same applies for Linux and Unix Operating Systems.
Consult with network and application experts	Is there a legitimate explanation for the network failure that has been experienced?
Conduct IT asset check-up and maintenance	Check what caused the IT asset to break down or stop working. Were maintenance activities done to ensure IT assets are working properly?
Watch list / monitor list	Develop a list of IT assets with suspected issues and possible need for maintenance, repair, or replacement.

The table below provides a quick guide for classifying the category of a cyber incident. It also provides indicators to determine whether the incident is escalating.

Impact Levels	Information Security	Triggers for escalating to a higher category
Zero (Event)	A suspected (or unconfirmed) Incident with no impact to security of internal systems or data.	Substantial increase in the number or continued Information Security alerts with potential to breach security controls.
Minor (Incident)	Successful compromise of security controls but Minor impact to security of internal systems or data. No loss of data or data breach. (e.g., security of systems or data temporarily affected but no breach or data loss has occurred.)	Actual or high likelihood: of substantial or major impact to services; or IT asset not functioning properly
Moderate (Significant Incident)	Moderate impact to security of internal systems or data. Limited or major impact to systems, information, or data. May have caused temporary loss of service or data breach. Issue is believed to be contained or recoverable without impact to external stakeholders (e.g., email containing private, personal, or sensitive information sent to unintended recipient which has since been deleted).	A situation where: An incident is found to not be contained or containable; or ongoing or prolonged impact to systems or services like network failure.
High (Emergency)	Serious breach of internal security controls resulting in: a possible statutory breach; or the loss of personal and/or sensitive data which may cause injury, harm, distress, or loss of life; or some embarrassment or reputational damage for the Shire; or impact to the environment or the wider community.	A situation where: Wider consequences for the community have been identified; or Large-scale reputational damage for the Shire is likely.

IMRT Activation

The Deputy Chief Executive Officer is responsible for notifying and activating the IMRT which will occur in the following circumstances.

Impact Level	Information Security Category	Notify	Activate IMRT	Notification Method
Zero	Event	No	No	N/A

Impact Level	Information Security Category	Notify	Activate IMRT	Notification Method
Minor	Incident	No	No	Email Deputy Chief Executive Officer
Moderate	Significant Incident	Yes	Maybe – depends on incident	Email IMRT
High	Emergency	Yes	Yes	Meeting(s)

The responsibilities as defined in the RACI table above may need to evolve as circumstances dictate.

If an incident is classified as HIGH, the IMRT must be activated as a team will be required to manage the response effort. Note: if lower classified incidents require a team to manage the response, the IMRT can be activated. Advice should be sought from the Deputy Chief Executive Officer.

Depending on the nature and severity of the incident the Chief Executive Officer may activate the Business Continuity and Crisis Management Plan.

Notifications

Only relevant stakeholders must be notified that an incident has occurred. Note: in the event of an Information Security Emergency, it may be necessary for us to cease electronic communications and go 'off the grid'.

External Notifications

Depending on the nature and severity of the incident, we may need to notify appropriate external agencies. These may include:

External Organisation	Account Manager	Email	Phone
Telstra	Roddy Macaulay	roddy.macaulay@tbtcregionalwa.com.au	08 9722 7311 0419 429 633
LGIS	David Wood	david.wood@lgiswa.com.au	08 9483 8828 0409 024 457
Managed Support Provider - Infinitum Technologies	Lachlan Britt	lachlan@infinitum.net.au	08 9943 8343
Western Power			13 13 51
Website Management Agency Market Creations	Sharon Watson	sharon.watson@marketcreations.com.au	08 6158 1000 08 9920 8500
Legal – McLeods Lawyers	Neil Douglas	ndouglas@mcleods.com.au.	08 9424 6210 0411 115 146

IMRT Documentation

Upon establishment, the IMRT should immediately begin documenting information about the incident. The documentation should include 'Incident log' and an 'IMRT decisions log'.

Incident Logs should include the following:

- Incident date and time
- Incident status – New / In Progress / Resolved
- Incident Type and Classification – Ransomware, Malware, DDos
- Scope – details of affected networks, systems, applications or impacted information assets
- External Impact – details of entities affected by the incident and how they are affected (or likely to be affected)
- Internal Impact – what services or systems are impacted and how are they affected
- Initial responses – what initial measures, if any, have been taken to respond to the incident.

The IMRT Decisions log should be maintained by the Deputy Chief Executive Officer or a delegate and should include:

- Minutes from all IMRT meetings
- Details of all critical decisions (including the rationale for each decision)
- Operational actions taken
- Action items and owners
- Future meeting dates and times

Containment and Eradication

Resolution Action Plan

For all Information Technology Asset Incidents, a Resolution Action Plan should be created to determine current and future actions to remediate current threats and prevent them reoccurring. This may also include activities to upgrade, restore or repair IT Assets, systems, services, or data.

The key elements of a Resolution Action Plan are:

Step	Category	Considerations
1	Containment	• What is being done to contain the threat? • What is the level of confidence it will work? • Why?
2	Remediation	• What is being done to remove the threat? • What is the level of confidence it will work? • Why?
3	Requirements	• What resources (e.g. people, rooms, systems, external providers) do you need to successfully complete the activities? • Are they available to you? • If not, how can you get them?
4	Communications	• What messages need to be communicated and to whom? • When should we communicate? • How often should we communicate? • Who is responsible for communicating?

The details of the Resolution Action Plan will vary depending on the nature of the incident. In all cases it is important to consider:

- The time believed to be required to contain or remediate the threat.
- The resources required to resolve the incident and potentially to replace, repair or restore systems, services, data or IT assets.
- The services and systems affected during the resolution process.

Evidence Preservation

In responding to an incident, the Deputy Chief Executive Officer is responsible for nominating someone to ensure all relevant evidence relating to the threat is captured. This will assist any forensic investigation and help inform future risk mitigation activities.

Examples of the type of information that should be recorded are:

- IP Addresses.
- RAM Images.
- Hard drive images and raw images.
- CCTV, video, and audio recordings.
- Databases and files.
- System logs and configuration files.
- Network logs and configuration files.
- Network diagrams.
- Network packet captures and flows.
- Social media posts.
- Emails.

When preserving evidence, the nominated person needs to:

- Create a log of all evidence captured including the date and time collected.
- Ensure it is secure with access limited to only key individuals (e.g., the nominated person and the Deputy Chief Executive Officer.

Communications and Engagement

Internal Communications

Depending on the nature of the incident, it may be necessary for the organisation to alert its employees and key service contractors. This is important if IT networks, systems or applications are affected impacting service delivery – which may generate negative publicity.

Key messages to consider when communicating to employees include:

- What has happened and why (if known)?
- What will happen next?
- What are employees / contractors expected to do?
- Who employees can contact if they have questions?
- How community-facing employees should respond to questions?

All internal communications should be reviewed and approved by the Deputy Chief Executive Officer.

External Communications

Depending on the nature of the incident, it may be necessary for us to communicate with external stakeholders. This is important if the incident is likely to disrupt business operations or result in widespread disruption to public facing websites or services.

Key messages to consider when communicating to external stakeholders include:

- What has happened and why (if known)?
- What IT Assets are affected?
- What steps are being taken to resolve the situation?
- Whether a timeline for resolution can be communicated?
- What external stakeholders are expected to do?
- Who can external stakeholders contact if they have questions / concerns?

All external communications should be reviewed and approved by the Deputy Chief Executive Officer.

Recovery

An incident recovery plan should be developed detailing the approach to recovering IT networks, systems and data once containment and eradication is complete. The Recovery Plan should include steps to:

- Restore networks, systems, and data to their 'normal' state.
- Ensure the vulnerabilities enabling the incident have been remediated.
- Monitor affected systems to validate they are functioning normally.

Depending on the nature of the incident, the Recovery Plan may need to be developed in conjunction with business continuity, IT service advisors and any other forensic or law enforcement bodies.

Stand Down

Once the Recovery Plan has been successfully implemented, the Deputy Chief Executive Officer will advise the IMRT that it is now acceptable to 'Stand Down'.

However, the decision to 'Stand Down' can only be taken by the IMRT Chair.

Learn and Improve

Continuous Improvement is a key element of improving our Information Security posture and as such it is important we seek to learn from Information Security Incidents as they occur. Following the closure of an incident a Post Incident Review should be held to discuss:

- What happened, when and why?
- What activities were performed to contain, resolve, and restore systems, services and data?
    - How successful were they?
        - What worked?
        - What didn't?
        - And Why?
- What information was needed sooner?
- What could / should be done differently next time?
- How could internal / external communications be improved?
- What additional tools / processes / training are needed to improve detection, analysis and mitigation of future incidents?
- What corrective actions can be taken to prevent reoccurrence of this and other similar threats?
- What key warning signs or indicators should be monitored or used to detect similar incidents?

Update Incident Response Plan

This plan should be continually updated to reflect the insights gained from the Shire's incident response activities.

Policy Compliance

We will verify compliance with this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

Any employee found to have violated this policy may be subject to disciplinary action, suspension, up to

and including termination.

Acknowledgement

I confirm that I have read, understood, and agree to adhere to this policy:

Full name: ……..

Position: ……..

Signature: ……..

Date: ……..

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	Acceptable Use Policy, Risk Management Policy; Disaster Recovery Plan

Policy Title	**F28 – Revenue Collection**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide guidance in the collection of all outstanding revenues owed to the Shire to ensure timely cash flow and to minimise bad debts.

Scope

Nil

Definitions

Nil

Policy Statement

This policy covers the recovery of all revenues owed to the Shire, including outstanding rates, service charges and all other general debts. It also covers a rate incentive scheme to encourage the early payments of rates in full.

Introduction

The Shire requires reliable revenue streams to meet the service provisions of the organisation. A significant proportion of revenue generated by the Shire is from property rates and charges and general fees and charges. To enable the Shire to meet its service obligations, it must ensure that revenues are received in a timely manner. It must also ensure that where revenue is not received in a timely manner, that appropriate measures are undertaken to recover outstanding amounts.

Principles

(a) The Shire's cash flow is optimised, and bad debts minimised by ensuring timely collection of all revenue owing to the Shire.

(b) The recovery of the Shire's revenue is clear, equitable, consistent, and transparent.

(c) That account is taken of the circumstances of people with debt owing to the Shire.

(d) All reasonable action be undertaken to recover revenue before the debt is written off.

(e) Debt collection actions are in accordance with relevant legislation and standards and credit controls are monitored to minimise potential financial loss.

Provisions

Recovery of Rates and Service Charges

In accordance with Delegation 2.2.2 the Chief Executive Officer is given delegated authority to determine the date on which rates or service charges become due and payable to the Shire. The following payment options and due dates are preferred.

Rates and other charges are due and payable within 35 days of the issue of a notice. Payment may be made either in full by the due date or in four instalments, the first of which is payable by the initial due date.

The Shire provides the following rates and charges payment options.

Option 1(Full Payment, less any entitled discount)

- Full amount, less any entitled discount, of rates and charges including arrears to be paid on or before 21 days after the date of notice appearing on the rate Notice.

Option 2(Full Payment)

- Full amount, of rates and charges including arrears to be paid on or before 35 days after the date of notice appearing on the rate Notice.

Option 3 (4 instalments)

- The first instalment can be received on or before 35 days after the date of notice appearing on the rate notice. This option is only allowed if all arrears (including accrued interest) are included in the first instalment.

- The Second instalment to be made on or before 95 days after the date of notice appearing on the rate notice.

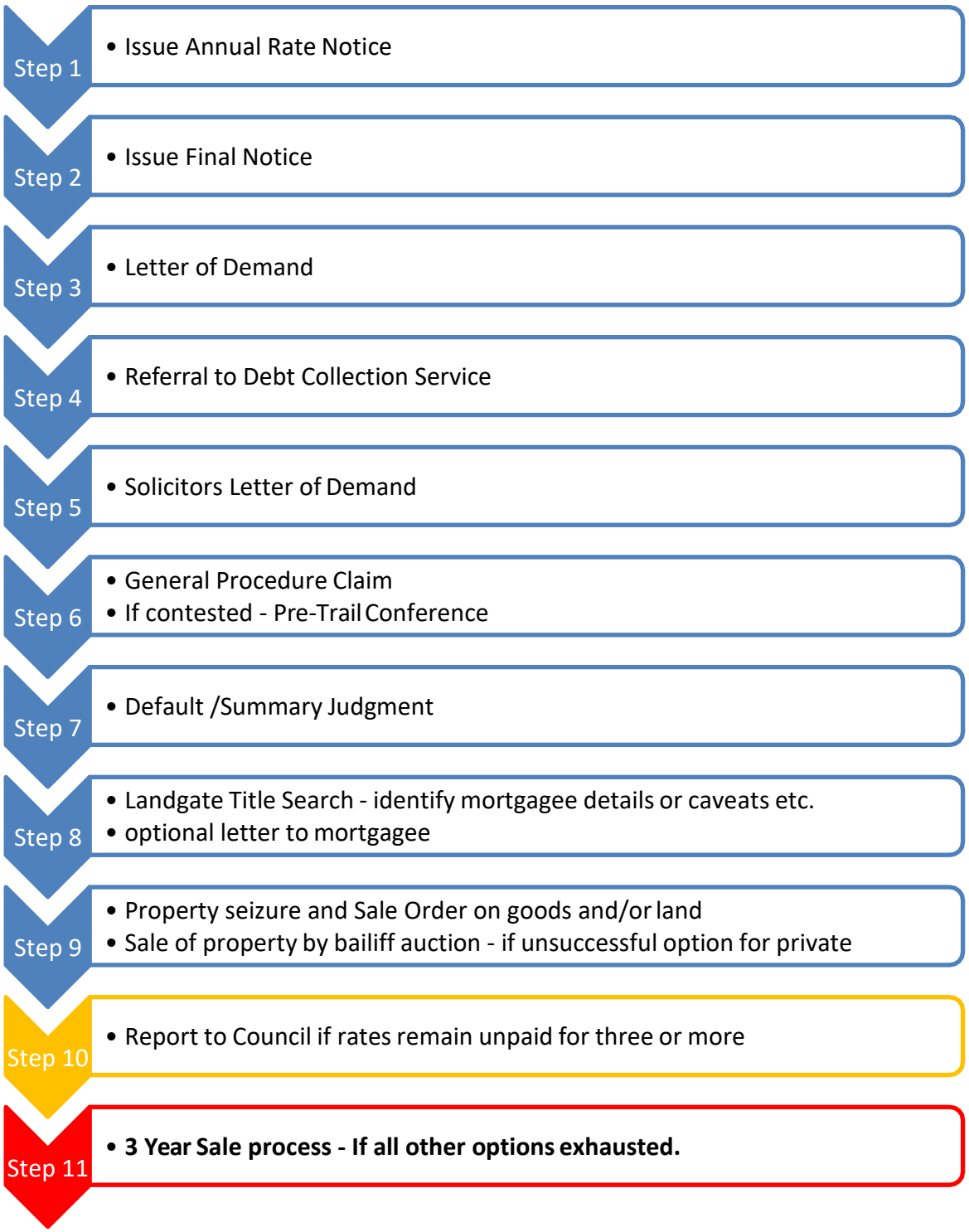
- The Third instalment to be made on or before 155 days after the date of notice appearing on the rate notice.

- The Fourth instalment to be made on or before 217 days after the date of notice appearing on the rate notice.

Where required, the number of days for the instalments, other than the first instalment may be amended slightly to avoid due dates falling due on weekend or public holidays.

Amounts that remain outstanding after the due date will be followed up within 30 days of a final notice requiring the ratepayer to pay their balance in full within fourteen days or contact the Shire to arrange to pay.

The Shire will take the following steps when attempting to recover outstanding rates and service charges.



Payment Agreements

1.1. A ratepayer is eligible to make application for a payment arrangement for the current year's rates only, provided all arrears are paid in full prior to the arrangements taking effect.

1.2. Requests for payment agreements must be lodged in writing and contain the following.

a) Brief explanation of the circumstances on why a payment agreement is being requested.

b) Detailed payment plan, outlining date of payment/s and amount/s.

1.3. The Chief Executive Officer has Delegated Authority to accept agreements for outstanding rates and services charges (DELEGATION NO. 2.2.1), it is preferable that debts are cleared prior to 30 June of the relevant financial year.

2. Unpaid Rates and Charges in Excess of $500

2.1. The Chief Executive Officer is authorised to recover rates and charges by engaging the service of a debt collection firm.

2.2. If no response or payment is received, a letter of demand will be issued on behalf of the Shire of West Arthur by its appointed debt collection agent.

2.3. As part of the debt collection process, once referred, telephone calls and/or emails will be made to contact the ratepayer to seek payment or enter a payment arrangement.

2.4. If a property is leased, under the provisions of Section 6.60 of the *Local Government Act 1995* the Shire may recover outstanding rates and charges by collecting rent payments from the lessee. Notices must be given to the lessee and lessor. Under Delegation (DELEGATION NO.2.2.4) the Chief Executive Officer is authorised to give notice to a lessee in accordance with Section 6.60(2) of the *Local Government Act 1995*, requiring the lessee to pay any rent when due to the Shire to satisfy the outstanding rates and charges.

2.5. If all action is unsuccessful, and in accordance with Section 5.56 of the *Local Government Act 1995*, the Chief Executive Officer is authorised to recover rates and service charges in a court of competent jurisdiction.

2.6. Under the provisions of Section 6.64(3) of the *Local Government Act 1995,* the Chief Executive Officer is authorised to lodge caveats on land where Rates and Service charges are in arrears, and it is considered appropriate that the interest of the Council should be protected.

2.7. The Chief Executive Officer be authorised to withdraw caveats lodged on land where the owner has met his/her obligation in full in relation to the rates and charges outstanding.

3. Rates and Charges that Remain Unpaid for three years or more.

3.1. If all reasonable attempts outlined in Section 2 results in no successful recovery and the rates and charges remain unpaid for three years or more the Chief Executive Officer is authorised to take possession of the land in accordance with Section 6.64(1) of the *Local Government Act 1995.*

3.2. A report is to be presented to Council detailing the amount of rates and charges outstanding, the attempts to recover the debt and the recommended action.

3.3. The Chief Executive Officer be authorised to engage a debt collection agency to assist in the administering the process and the Council approved action.

Recovery of Firebreaks Contractor Costs

Under the *Bush Fire Act 1954*, the Shire of West Arthur required the owner or occupier of land to install a firebreak. If they fail to comply, Section 33(4) of the *Bush Fire Act 1954* provides for the Shire of West Arthur to enter the property and employ a contractor to install a firebreak. The costs of which are payable by the owner or occupier of the land (Section 33(5)).

Section 33(8) of the *Bush Fires Act 1954* specifies that any charge made under Section 33 is a charge against the land with the same consequence as if it were a charge under the *Local Government Act 1995* for unpaid rates and is a debt due from the owner or occupier of the land.

On this basis, the costs incurred by the Shire of West Arthur to install a fire break on a noncompliant property are to be levies against the property and if unpaid, are recoverable through the rates debt recovery process.

Recovery of Non-Rates Charges

Sundry debtor charges include all other services not specifically identified elsewhere in this policy. Invoices are payable within 14 days of the issue date of the invoice.

4. Debt Management

If the invoice is not paid by the due date, then the following procedure will take place:

4.1. A reminder notice will be issued in the first instance.

4.2. If no payment has been received within 14 days of the issue of the reminder notice, a final notice will be issued advising the debtor that payment is expected within seven (7) days of the issue date of the notice or legal action may be taken.

4.3. If no response is received from the debtor, then following a review of the circumstances with the relevant staff members involved, a demand letter may be sent to the debtor advising them of what action is to be taken if payment is not made or an agreement to pay is not entered. The debtor will be advised that any fees incurred in recovering the debt will be passed on to the debtor.

4.4. The Chief Executive Officer be authorised to recover fees and charges obtained by engaging the services of a debt collection agency firm.

4.5. The debt collection agent will advise the Shire regarding the best course of action to ensure efficient and realistic collection of the amount owing.

4.6. Once all reasonable attempts to either locate the debtor or to obtain payment have failed. The Finance & Administration officer, responsible for debt collection, will submit a written request for the invoice to be considered for write off.

4.7. Depending on the value of the Debt, approval will be sought from the Chief Executive Officer, under Delegated Authority 2.2 or presented to Council for the debt to be written off. Once approval has been received, the appropriate entries will be made in the Accounts Receivable and written off debt ledger.

5. Debts Raised in Error or Debt Adjustment

If a debt has been raised in error or requires an adjustment, then an explanation will be sought from relevant staff members. Once this has been received a credit note request will be raised which is to be authorised by both the staff member who raised the initial invoice and the Corporate Services Manager or Chief Executive Officer.

6. Interest on Overdue Accounts

The council may elect to impose interest on outstanding debts. The rate of interest imposed is to be determined by the Council in accordance with Section 6.13 of the *Local Government Act 1995.*

8. Debt Management

8.1. Where a payment is not received within twenty-eight (28) days from the date of the infringement, a Final Demand Notice will be issued, with an applicable fee. The final Demand Notice gives the customer a further twenty-eight (28) days to pay the infringement.

8.2. Where the customer fails to pay the infringement by the expiry of the period defined above, the infringement may be referred for further action to Fines Enforcement Registry (FER).

History	23 November 2023 F13 Debt Collection adopted OCM 25 May 2023 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	2.2 Defer, Grant Discounts, Waive or Write off Debts. 2.13 Property & Rates - Recovery of Rates or Service Charges
Relevant Legislation	*Local Government Act 1995 s6.56* *Bush Fire Act 1954*
Related Documentation	Nil

Policy Title	**F29 – Purchasing Policy**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

The Shire of West Arthur (the "Shire") is committed to purchasing Goods and/or Services, and/or Works in compliance with this Policy.

Scope

In carrying out its purchasing activities, the Shire will:

i. ensure compliance with the *Local Government Act 1995* (the "Act");
ii. deliver best Value for Money outcomes;
iii. ensure sustainable benefits, such as environmental, social and local economic factors (including maximising participation of local businesses) are considered in the overall Value for Money assessment;
iv. ensure the use of equitable competitive processes and the engagement of potential suppliers impartially, honestly and consistently;
v. ensure probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
vi. ensure that risks are identified and managed as outlined in the Shire's Risk Management Policy and related documents;
vii. ensure that records are created and maintained to evidence purchasing activities in accordance with the State Records Act and the Shire's internal Record Keeping Policy; and
viii. ensure that confidentiality protocols are established and adhered to so as to protect commercial-in-confidence information with the release of information where appropriately approved.

Definitions

Nil

Policy Statement

The Shire is committed to establishing efficient, effective, economical, and sustainable procedures in all

purchasing activities. This Policy must be read/adopted in accordance with the requirements of the Procurement Procedures Manual, which will cover further and comprehensive details, practices, and the operational requirements for the relevant Policy item.

Ethics and Integrity

The Shire's Code of Conduct applies when undertaking purchasing activities and decision making.

Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the Act & Regulations and non-compliance therefore represents a breach of the Act & Regulations.

Threshold Levels and Requirements

The adoption of these threshold levels shall be carried out in conjunction with the supply order of priority requirements outlined in the Procurement Procedures Manual.

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

Threshold Level (ex GST)	Requirements
Up to $5,000 (Deputy CEO, Manager Works and Services, Manager Financial Reporting, Community Development Officer, Project Officer, or CEO approval) Coordinator Town and Public Facilities – up to $500 Community Emergency Services Manager – to $1,000	Goods and services of a low risk, consumable item and occasional nature may be purchased without the need for a quotation. These goods or services must be ad hoc and not of a repetitive nature.
$5,001 to $10,000 (Deputy CEO, Manager Works and Services or CEO approval)	Seek at least one verbal or written quotations from a suitable supplier.
$10,001 to $50,000 (Deputy CEO, Manager Works and Services or CEO approval)	Seek at least two written quotations from a suitable supplier.
$50,001 to $249,999 (CEO approval)	Seek at least three written quotations from suitable suppliers.

$250,000 and Above (CEO approval)	Conduct a public tender or other public procurement process. or Seek at least three (3) quotations from an appropriate exempt arrangement. (When procuring through a WALGA preferred panel, and the CEO and Shire President determine that it is in the Shire's best interest to do so, only one (1) acceptable quotation is required.)

* The "contract period" can mean "a one-off purchase" or "a pre-defined period".

A similar process must be followed for other public procurement processes such as Expressions of Interests or Request for Proposal.

Exempt Provisions

The most common exempt provision from a public procurement process are:

1. WALGA Preferred Supply Arrangements;
2. Goods and services or works obtained through State, Commonwealth or other Local Government arrangement;
3. Goods and services or works as a result of an emergency provision;
4. Where there is a genuine sole source of supply;
5. Where the goods to be supplied are petrol or oil (lubricant); or any other liquid, or gas, used for internal combustion engines;
6. Goods, services or works supplied through an Australian Disability Enterprise;
7. The contract is for a renewal or extension of an existing contract; or
8. For LGIS services.

6.2 Sole Source Supply

The procurement of Goods and/or Services, and/or works 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.

Emergency Provision

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.

6.4 Obtaining Quotations

Written quotations will be obtained in accordance with the steps outlined in the Procurement Procedures Manual.

6.5 Selection Criteria and Weightings

Sustainability (as defined in Section 9.0 of this policy) will be included as a qualitative assessment element for all purchases above $25,000 (ex GST).

Price consideration will not be weighed as part of the evaluation process. Price will be considered separate to non-price selection criteria and a Value for Money assessment will take a balanced view between price and non-price considerations.

6.6 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.

6.7 Probity Experts

Probity experts ensure a transparent and fair procurement process and to achieve the best Value for Money. An independent person may be appointed to act as a probity expert as outlined in the Procurement Procedures Manual.

The decision to appoint a probity expert will be at the complete discretion of the Chief Executive Officer.

6.8 Contract Management

All Shire Contracts will be managed during their lifecycle by the responsible officer in accordance with good contract management practices and consistent with the procedures outlined in the Procurement Procedures Manual.

6.9 Notification of Outcome

Each tenderer or respondent to a public procurement process shall be notified in accordance with the procedures outlined in the Procurement Procedures Manual.

Each unsuccessful respondent shall be offered a debrief on their response to the procurement process.

Engaging Contracted Suppliers

A properly completed “Purchase Order” must be issued to the contracted supplier as part of the engagement process.

Sponsorship and Trials

Sponsorship for events and trials by current and prospective suppliers must undergo a similar process to that required for sourcing of goods and services, and/or works. Threshold levels as outlined in Section 6.0 would apply as would other elements of this Policy.

7.0 Other Procurement Processes

Other procurement processes include Expressions of Interest and Request for Proposal. In both cases, similar rules to a Request for Tender and quotation apply, and they should be conducted in accordance with the requirements outlined in the Procurement Procedures Manual.

8.0 Value for Money Consideration

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. The Value for Money consideration will be applied to all threshold levels of purchase.

Sustainable Procurement

Sustainable procurement is defined as the procurement of goods and services, and/or works that has the most positive environmental, social, and local economic impacts possible over the entire life cycle of a product or services.

The Shire is committed to implementing sustainable procurement where appropriate, by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection, local economic benefits, and good governance).

Regional Price Preference

The Shire encourages the development of competitive local businesses within its boundary first and second within its broader region i.e. adjoining Shires.

The Shire has adopted the following Regional Price Preference Policy, which will be applied when undertaking all purchasing activities.

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire/region.

A suppler of goods or services who submits a quotation/tender is regarded as being a local tenderer if:

i. The supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire / region;

ii. A business having permanent staff that are based at the business premises located within the Shire / region;

iii. Management or delivery of the majority of the outcomes will be carried out from

the business premises located in the shire / region; and

In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

Regional Price Preference Value – Local Supplier – West Arthur Shire

The following levels of preference will be applied under this policy:

a) 10% - where the contract is for goods or services, up to a maximum price reduction of $50,000 excluding GST;

b) 5% - where the contract is for construction (building) services, up to a maximum price reduction of $50,000 excluding GST; or

c) 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of $500,000 excluding GST, if the local government is seeking tenders/Quotes for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Regional Price Preference Value – Local Supplier – Region

a) 5% - where the contract is for goods or services, up to a maximum price reduction of $50,000 excluding GST;

b) 2.5% - where the contract is for construction (building) services, up to a maximum price reduction of $50,000 excluding GST; or

c) 5% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of $500,000 excluding GST, if the local government is seeking tenders/Quotes for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.

For the purpose of this policy the Region is specified as the entire geographical area of a shire which shares a boundary with the Shire of West Arthur.

Only those goods and services identified in the tender as being supplied locally will be included in the discounted calculation that forms a part of the assessment of a tender/Quote.

A regional price preference applies whenever tenders/Quotes are called, unless the local government, or the Chief Executive Officer by delegated authority, resolves otherwise in reference to a particular tender/Quote.

It should be noted that price is only one criteria when considering tenders/Quotes. Value for money principals will be used to achieve the best possible outcome for the tender/Quote.

Purchasing from Aboriginal Businesses

The Shire will support the purchasing of requirements from Aboriginal businesses. This will be in accordance with the requirements outlined in the Procurement Procedures Manual.

Purchasing from Australian Disability Enterprises

The Shire will support the purchasing of requirements from Australian Disability Enterprises. This will be

in accordance with the requirements outlined in the Procurement Procedures Manual.

Environmental Sustainability

The Shire will adopt an approach to procurement that supports sound environmental considerations in its purchasing activities.

10.0 Panels of Pre-Qualified Suppliers

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.

The Panel will be established in accordance with the Regulations and requirements outlined in the Procurement Procedures Manual.

11.0 Records Management

All purchasing activity including for competitive procurement and direct purchase processes, communications and transactions must be evidenced and retained as Shire records in accordance with the State Records Act 2000 and the Shire's internal Records Management Policy.

12.0 Review

This policy is to be reviewed every year, next review date December 2025.

History	23/11/2023 F20 Purchasing and Tenders OCM 25 May 2023 22/05/2025 Reviewed 18/12/2025 Amended 26/02/2026 Amended 23/05/2026 Reviewed
Delegation	2.2 Defer, Grant Discounts, Waive or Write off Debts. 2.13 Property & Rates - Recovery of Rates or Service Charges
Relevant Legislation	*Local Government Act 1995 s6.56* *Bush Fire Act 1954*
Related Documentation	Nil

Policy Title	**F30 – Darkan Primary School Support**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To give effect to the Shire's commitment to support the Darkan Primary School.

This Policy is intended to clearly identify the works the Shire will provide to the school and outline a commitment to maintaining a positive relationship and regular communication with the Darkan Primary School.

Scope

This Policy applies to the provision of services to the Darkan Primary School and the relationship with DPS staff.

Definitions

DPS – *Darkan Primary School*

Policy Statement

The Shire of West Arthur acknowledges that DPS is an integral part of the community and thus plays an important role in the social, economic and cultural life and composition of the West Arthur community.

The Shire of West Arthur is committed to providing support to DPS in the form of:

- Use of machinery at no charge, where shire plant operators volunteer their time to operate the machinery.
- The provision of limited time use of shire staff and machinery of up to 15 hours per annum to assist with minor non-routine activities where the school does not have the in-house resources to complete the task. Examples may include spraying the oval for weeds, spreading sand etc.
- Provision of plant and staff at Shire cost rates for larger projects or regular routine activities such as mowing of oval.

Provision of staff and machinery is subject to the availability of resources.

Requests for financial assistance that fall outside of the CEO's delegation for Community Financial Assistance will require a resolution of Council.

All requests for assistance to be authorised by the Principal of the DPS.

The Shire of West Arthur will maintain a positive relationship with the DPS by:

- Providing a Shire councillor representative for School Council
- Maintaining regular communication with the DPS Principal or representative to enable the Shire to

stay abreast of current issues.

- Inviting the Principal and a parent representative to meet with the Shire Council at least once per year (May or June Council meeting where suitable).

History	December 2013 Rescinded May 2023 23/11/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Shire of West Arthur Corporate Business Plan

Policy Title	**F31 – Information and Communication Technology Asset Disposal Policy**
Policy Type	**Corporate Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

This policy describes the guidelines for the disposal of Information and Communication Technology assets.

Scope

This policy applies to all disposals of Information and Communication Technology assets owned by the Shire and provides an equitable and efficient approach for staff to follow.

Definitions

Assets include personal computers, laptops, iPads, smartphones, telephones and printers.

Policy Statement

Principle

Information and Communication Technology (ICT) assets may be re-used within the Shire or disposed of by any of the following methods:

- The asset may be re-used within the Shire but the data must be securely wiped it before re-issuing it to a different staff member.
- Remove the hard drive from all computer devices and organise for it to be crushed under a heavy roller by Shire operators.
- Through the Shire of West Arthur E-Waste collection service.
- In the absence of an item not being disposed of using any of the methods already described, the Chief Executive Officer has the sole discretion to dispose of it through an approved disposal and recycling contractor.

Software Licence Limitations

- All ICT assets disposed of to an external party will only retain the original operating system – all other software will be removed before disposal.
- All assets must be disposed of on an "as is" basis. In the case of laptops and desktops, ALL hard disk devices (HDD) will be removed and destroyed.
- All assets re-used internally must be re-built with the Shire ICT Group Policies enabled by the ICT Contractor.

History	23/05/2024 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	2.4 Disposing of Property
Relevant Legislation	*Local Government Act 1995 (Section 3.58) Disposal of Property*
Related Documentation	Nil

Policy Title	**F32 – Renewable Energy Community Benefit Fund**
Policy Type	**Corporate Services**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur is dedicated to ensuring that large-scale renewable energy projects such as wind farms, solar farms, and battery energy storage systems (BESS) provide long lasting positive impacts for the local community. The Community Benefit Fund policy provides a structure for renewable energy proponents to share benefits with the local community, aligning with the Shire's strategic values and following Australia's best practices. This policy should be interpreted alongside the Shire's Wind Farms Local Planning Policy No. 5, which outlines Council's stance on siting of the facility, consultation, environmental concerns, and aviation issues related to renewable energy projects.

The Shire has emerged as a target location for renewable energy projects as Western Australia's need for renewable energy skyrockets in order to meet the State government's goal of net zero greenhouse gas emissions by 2050. As renewable energy projects progress, this policy ensures that developers collaborate with the community to create a benefit-sharing initiative that aligns with the Shire's strategic plan and leaves a positive legacy.

Scope

All large-scale renewable energy facilities (nameplate capacity greater than 5MW) in the Shire of West Arthur are subject to this policy, including wind farms, solar farms, and battery storage systems (BESS).

During the design, approval, and operational stages of renewable energy projects, it is intended that Shire employees, Council, and developers reference this policy. The policy sets out expectations and conditions for negotiating community benefits and forming Community Benefit Funds. Council will consider this policy when evaluating development applications and any related agreements with proponents.

Definitions

Large-scale projects – The classification of a renewable energy project that exceeds 5 megawatts (MW).

Nameplate capacity – The rated output capacity of a generator, measured in megawatts (MW) for wind and solar energy, or in megawatt-hours for battery storage. This capacity serves as the foundation for determining Community Benefit Fund (CBF) contributions.

Proponent – The owner, developer or operator of a large-scale renewable energy project in the Shire that uses solar, wind, or batteries. This covers any business or organisation requesting development approval for these kinds of initiatives.

Community Benefit Fund (CBF) – A fund where the proponent commits financial support for the good of the local community. Over the course of the project, contributions are made annually and support initiatives such as infrastructure upgrades, improvement of services, and strategic community projects.

Life of the Project – Unless otherwise specified, the anticipated operational lifespan of renewable energy facilities is estimated to be around 30 years. For as long as the project is in operation, CBF contributions should be provided.

First Nations Fund – A specific portion of the Community Benefit Fund set aside to fund projects that assist the Indigenous populations and the traditional custodians of the district.

Social License – The continuous approval and acceptance of a project by stakeholders and the local community. Gaining a social license requires the proponent to engage with the community, share benefits, and act responsibility to foster goodwill and confidence.

Customer Price Index (CPI) – A quarterly measure of inflation applied to a Community Benefit Fund (CBF) on an annual basis to ensure the fund increases over time and maintains its real value.

Policy Statement

To guarantee that the entire community benefits from these developments, the Shire of West Arthur anticipates that all significant renewable energy projects will contribute to benefit sharing through a Community Benefit Fund (CBF). The policy establishes a uniform method for negotiating, calculating, overseeing, and distributing the fund.

The policy's guiding concepts include:

Early Engagement & Commitment

According to best practice set out in the New South Wales Benefit Sharing Guidelines developed by that State's Department of Planning, developers are required to consult with the Shire at an early stage of their projects (before submitting a development application). This early engagement calls for developers and Councils to collaborate on benefit-sharing strategies, with the aim of providing the community with certainty by determining a mutually agreed financial contribution to the community before development approval. To guarantee enforcement of this agreement, the agreement should be formalised with a legal document, such as a voluntary planning agreement or memorandum of understanding.

Calculating Community Benefit Funds (CBFs)

The nameplate capacity of the asset located in the Shire of West Arthur should be used to calculate the Community Benefit Fund at a rate per megawatt (MW) annually (or per MWh for storage). An appropriate benchmark rate for a Community Benefit Fund, according to best practices described in the New South Wales 2023 Benefit Sharing Guidelines, is $1,050 per MW/year for wind energy, $850 per MW/year for solar energy, and $150 per MWh/year for standalone battery projects that are annually indexed to the Western Australian Consumer Price Index (CPI) from the 24th of April 2025. This agreed-contribution is anticipated to be made annually over the project's operational life (30 years), commencing at the beginning of commercial operations. The Consumer Price Index (CPI) guarantees that the fund will increase over time and offer a consistent flow of revenue for the community.

Minimum Levels of Contribution

The above-mentioned expectations—$1,050 per MW/year for wind energy, $850 per MW/year for solar energy, and $150 per MWh/year for standalone battery projects—must be met or surpassed by a proponent's contribution to the Community Benefit Fund (CBF). Higher contributions or other benefit-sharing strategies are welcomed by proponents. The Shire's preference is to calculate Community

Benefit Fund (CBF) contributions on nameplate capacity. Should the state government introduce state policies or regulations which indicate higher contribution levels, then the higher contribution will take precedence.

Governance of a Community Benefit Fund (CBF)

It is recommended that a community board be established to manage the Community Benefit Fund (CBF) disbursement. Members of the local community, the president and CEO of the Shire, a representative from the windfarm company, and a financial, banking, and legal expert should all be on the board. The board's duties would include providing input on funding priorities and assessing grant applications and project concepts. It is anticipated that proponents will contribute annually to the board-managed fund. To guarantee that decisions are transparent, fair and consistent with the fund's goals, the board should enter into a formal agreement with the developer. While community representation guarantees that the needs of the community are met, the proponents' focal points for the distribution of a community benefit fund are taken into consideration with their position on the board. It is advised that reporting procedures be established to guarantee that the wider community is aware of the location of the distribution of funds and project outcomes.

First Nations Fund

The expectation is that an Indigenous Nations sub-fund will be negotiated with the First Nations people. Typically, 5% of the yearly contributions to the Community Benefit Fund go towards this fund. This fund is to acknowledge the First Nations people's rights and interest over the land. Alternative agreements such as employment, training opportunities, or cultural heritage and environmental protection provisions may also be formed. This fund should be formed in conjunction with Gnaala Karla Booja (GKB), the fund administrator, and the proponent.

Recommended Uses of Funds

When establishing a community benefit fund, it is essential to consider local knowledge. Residents can assist in identifying challenges that the community frequently encounters, understanding local priorities, and discovering opportunities for mutual benefits. Funding for initiatives and activities that serve the public should be the Community Benefit Fund's primary focus. Alongside this, it must concentrate on projects that further the goals of the Shire's Economic Development Strategy. The CBF seeks to provide funding for projects that offer long-term sustainable benefits that leave a lasting legacy for the community, rather than concentrating on one-off expenditures. To identify priority areas for investment, the Shire has and will continue to engage with the community via a variety of channels. As the communities' needs are changing, it is important that the use of the fund is able to change accordingly. These priority areas may include, but are not restricted to:

- The development of new community services
- Supporting community health services
- Sport and recreation infrastructure (including community co-located facility and swimming pool)
- Improvements and expansion of local businesses
- Increased and improved housing stock
- Improved road infrastructure
- Alternative industry development (diversification)

Like the community's priority areas, the objectives of the Shire's Economic Development Strategy provide guidance on where renewable energy developers should focus their efforts:

- A vibrant town centre and activated space within our townsite
- Built infrastructure that is well-maintained and meets the needs of our community
- A growing and diverse business community
- A thriving visitor economy that leverages our natural and heritage assets
- Great economic resilience through industry diversification
- New industry development and diversified job opportunities
- Sufficient allocation of resources to successfully drive our strategy

Acknowledgement

When contributing to the Community Benefit Fund (CBF), it is anticipated that the fund administrator will formally acknowledge the renewable energy proponent. This could be done through press releases or articles detailing the initiatives made possible by the grant. Acknowledgement of and invitations to activities pertaining to the CBF-funded initiatives may also fall under this category. In exchange, it is anticipated that the local community will share with the wider region the ways in which renewable energy has assisted the town.

This policy is a positive step for a proponent to obtain a social license, and assist with community acceptance whilst providing tangible, long-lasting benefits to the community. This policy may be reviewed as necessary to maintain compliance with best practices (proposed state legislation) and community standards.

Neighbourhood Benefit Schemes

Neighbourhood Benefit Schemes (NBS), or an agreement of similar nature between individual land holders and the proponent, are to have no impact on contributions towards a Community Benefit Fund (CBF).

Neighbourhood benefit schemes are not generalised and are on a project-by-project basis. They are designed to compensate neighbouring landholders directly impacted by the project. A developer could consider various forms of neighbourhood benefits.. These include:

- Minor capital works and enhancements, and
- Neighbourhood subsidies e.g. investment/co-ownership opportunities

The Community Benefit Fund (CBF) aims to deliver residual benefits to the broader community rather than compensating individual landowners for the impact on their visual amenity.

Therefore:

- Renewable energy proponents are encouraged to use both Neighbourhood Benefit Schemes (NBS) and Community Benefit Funds (CBF) to ensure that these projects have a lasting positive impact on the community;
- The Community Benefit Fund should be based on figures specified within this Policy;
- The Neighbourhood Benefit Scheme (NBS) will not reduce or offset the agreed Community Benefit Fund that a proponent agrees upon.

Sources:

Shire of West Arthur - Key Principles for Effective Renewable Energy in the Shire of West Arthur

https://www.westarthur.wa.gov.au/documents/760/shire-of-west-arthur-policy-manual LP.5 - Wind Farms (2025)

Appendices:

Advocacy Statement: Renewable Energy Guidelines and Framework for Western Australian Local Governments

Together with other Western Australian Local Governments, the Shire of West Arthur has formed the Local Government Renewable Energy Leadership Alliance (RELA) to advocate to the state government for the adoption of a comprehensive framework and guidelines for the renewable energy industry. RELA is committed to ensuring that the renewable energy transition is equitable, community-focused, and beneficial for all stakeholders involved.

To accomplish this, RELA proposes that the State Government framework be built around the **Five Key Advocacy Priorities** and the **Three Cornerstones for Collaboration** within this document. The advocacy stance emphasises the importance of developing a trusting connection between the State Government, renewable energy proponents and the community. By working together, we can ensure that the transition to renewable energy meets both the State Government's energy targets and the long-term needs of our community.

The 3 Cornerstones for Collaboration

The renewable energy transition in regional Western Australia must be built on trust and collaboration among three key groups:

1. *Community*: Local communities should have a voice in renewable energy developments impacting their areas. Their values, needs, and aspirations must guide project planning and implementation.

2. *Government*: State and local governments play a crucial role in creating frameworks and policies that ensure fairness, consistency, and long-term benefits for all involved. Policies must empower, not replace, local government capacities.

3. *Industry*: Renewable energy developers must engage transparently with local communities and governments, contributing to projects that respect community needs and environmental integrity.

5 Key Advocacy Priorities

Priority 1. Consistency in Setbacks, Zoning, and Standards

Develop clear guidelines recognised at a state-wide level for renewable energy projects taking into consideration setbacks, zoning and environmental requirements. This will guarantee that the community's, landowners', and proponents' interests are taken into consideration. These guidelines should cover end of life, environmental factors, visual appearance, and the effects on human health. This will guarantee the preservation of farming communities' multigenerational relationships and rural landscape.

Priority 2. Comprehensive Community Engagement Framework

The establishment of a state-mandated framework for community engagement is necessary to guarantee a seamless transition to renewable energy. The state-mandated framework should promote:

- Open and honest communication between proponents, the local government, residents and nearby neighbours

- The inclusion of indigenous communities and other relevant stakeholders
- Procedures for resolving disputes that consider land-use and cultural sensitivities

Priority 3. Legacy Housing and Infrastructure Solutions

Instead of providing the local community with temporary transient worker accommodations (TWA), promote the development of housing that leaves legacy infrastructure. To help the local community satisfy its demands, the housing solutions must be long-term and sustainable. Renewable energy projects should have a long-term positive impact on local infrastructure, including housing, water, sewerage, and roads. Creating affordable housing that supports long-term regional growth, aligns with the state government housing targets, and lessens the need for short-term housing, will enhance communities.

Priority 4. Community Benefit Funds (CBF)

A uniform framework for Community Benefit Funds that guarantees the local community, not just landowners, will directly benefit from the switch to renewable energy. The CBF model should be based on project capacity, ($1,050 per MW/year for wind energy, $850 per MW/year for solar energy, and

$150 per MWh/year for standalone battery projects) which should be linked annually to the Consumer Price Index (CPI), to provide a reliable flow of benefits to the community. A community board should be formed to administer the fund. The fund should focus on supporting initiatives that serve the public, whilst contributing to objectives within the Shire's Economic Development Strategy.

Priority 5. Payment in Lieu of Rates (PiLoR)

Referencing Victoria's model, a statewide PiLoR framework for renewable energy (specifically wind farm) projects, being introduced to secure revenue for the host Local Government. This initiative ensures that.

- The Local Government has sufficient revenue to sustain critical infrastructure and services affected by renewable energy developments
- Ensures transparency and fairness, balancing the financial needs of both the Local Government and the proponent

The State Government has the potential to assist with the renewable energy transition by establishing a high standard for renewable energy development within Western Australia. The framework must consider renewable energy targets, as well as the safeguarding of our regional communities. The 3 Cornerstones for Collaboration and the 5 Key Advocacy Priorities should serve as a foundation for this.

If the community is to transition to renewable energy, we must ensure that it supports existing agricultural practices whilst contributing to the economic development of the community. The transition must ensure that it has a long-term positive impact on the community.

History	24/05/2024 Adopted 22/05/2025 Reviewed 23/09/25 Amended 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Key Principles for Effective Renewable Energy in the Shire of West Arthur LP – 5 – Wind farms

Policy Title	**F33 – Community Organisation Support**
Policy Type	**Corporate and Community Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To give effect to the Shire's commitment to supporting local community organisations.

This Policy is intended to clearly identify the works the Shire will provide to community organisations and outline a commitment to maintaining a positive relationship and regular communication with the organisations.

Scope

This Policy applies to the provision of services to Shire of West Arthur community organisations and the relationship with the organisation's members and volunteers.

Definitions

Nil

Policy Statement

The Shire of West Arthur acknowledges that community organisations are an integral part of the community and thus play an important role in the social, economic and cultural life of the West Arthur community.

The Shire of West Arthur is committed to providing support to community organisations in the form of:

- Use of machinery at no charge, where Shire plant operators volunteer their time to operate the machinery.
- The provision of limited time use of Shire staff and machinery of up to 4 hours per annum to assist with minor non-routine activities where the organisation does not have the in-house resources to complete the task.
- Provision of plant and staff at Shire cost rates for larger projects or regular routine activities.

Provision of staff and machinery is subject to the availability of resources.

Requests for financial assistance that fall outside of the CEO's delegation for Community Financial Assistance will require a resolution of Council.

All requests for assistance are to be authorised by the organisation's president/chair.

The Shire of West Arthur will maintain positive relationships with the community organisations by:

- Providing a Shire representative for committees if requested by an organisation.
- Maintaining regular communication with the president/chair or representative to enable the Shire to stay abreast of current issues.
- Inviting the president/chair to meet with the Shire Council at least once per year.

History	22/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Strategic Community Plan

Policy Title	**F34 – Digitisation Policy**
Policy Type	**Corporate and Community Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide clear guidelines for the management of hard copy source records and ensure the systematic and authorised disposal of these records in line with current legislative requirements.

Scope

This policy applies to all staff, employees and contractors who digitise documents in the conduct of their role for the Shire of West Arthur are responsible for adhering to the requirements outlined in this policy.

All staff, employees and contractors who create or receive documents in electronic format will capture and manage them within the Shire of West Arthur's Record Management system or other business system meeting the requirements and use and share those records in electronic format (born digital format) only.

Definitions

Scanning, Digitising, and Digitisation are the processes for converting a paper or physical document into a digital or electronic format.

Source Documents, Source Records, Hard Copy Documents, Physical Documents, and Paper Documents all relate to documents received or created by the organisation in physical or paper format.

Scanned Reproduction, Scanned Image, Reproduction/s or Digitised documents are the outputs after the Source Record has been scanned, which converts it into a digital or electronic format.

Born-Digital Documents, Digital Documents, and Electronic Documents—These relate to documents created by digital or electronic media, such as those produced via Microsoft Word, Excel, PowerPoint, CAD Drawings, etc.

Records, Documents, Business Evidence and Evidence of Business Activities – Relate to information created or received and maintained as evidence and as an asset by the organisation or person, in pursuit of legal obligations or in the transaction of business.

Policy Statement

The Shire of West Arthur has commenced a Digital Transformation and is making a progressive shift towards mostly digital operations, as will, where possible, receive or create most documents in "born-digital" format only. The only exception will be the documents regarding assessment files, such as development, building, and septic tank applications, where these records will remain in hybrid filing within the organisation.

Any document in hard copy/physical format only which are digitised will be digitised according to the content of the Shire of West Arthur's Digitisation Procedures manual. This includes any records received by the Shire of West Arthur in physical format only via the physical incoming mail process.

History	22/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Electronic Transactions Act 2011* *Evidence Act 1906*
Related Documentation	F17 - Record Keeping Policy F35 - Source Records Policy

Policy Title	**F35 – Source Records Policy**
Policy Type	**Corporate and Community Services**
Responsible Officer	**Deputy Chief Executive Officer**

Purpose

To provide clear guidelines for the management of hard copy source records and ensure the systematic and authorised disposal of these records in line with current legislative requirements.

Scope

This policy applies to all employees of the Council but does not apply to Elected Members. Elected Members are required to submit hard copy records to the Records Officer for scanning and capture in the Monarch system.

Definitions

Source Records means any business-related document received or created by the organisation in a physical format.

Policy Statement

The Source records of the Shire of West Arthur are managed according to the requirements of General Disposal Authority for Source Records RD 2016002 and the relevant standards issued by State Records of Western Australia. The Monarch EDRMS system is managed and maintained to ensure the records and the associated metadata are captured within the system and meet the requirements of the GDA for Source Records RD2016002 and the relevant standards.

The Records Officer authorises the destruction of source records. Only if the Records Officer believes it is required will relevant staff be consulted.

All source records of temporary retention, and those permanent retention source records (created on or after 1 January 2005), are managed, retained, and destroyed as directed by this policy and the Source Records Procedure.

The source records permanent retention records (created on or before 31 December 2004) are managed within hard copy files, retained, and transferred to State Records of Western Australia on approval, or maintained by the organisation.

The digitised version will be captured, managed, and disposed of in accordance with General Retention and Disposal Authority 2023-005 and the Council's record-keeping policy.

History	22/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *State Records Act 2000*
Related Documentation	F17 - Record Keeping Policy F 34 - Digitisation Policy

Policy Title	**F36 - Privacy and Responsible Information Sharing (PRIS) Policy**
Policy Type	**Corporate and Community Services**
Responsible Officer	**Chief Executive Officer**

Purpose

To provide clear guidelines for the responsible management of data, ensuring the Shire of West Arthur (Shire) handles personal information lawfully and ethically. The policy aligns with privacy laws and supports public administration while protecting individual privacy.

The policy also outlines how information is collected, stored and managed, as well as providing guidance for responding to and preventing breaches, supporting responsible information sharing to enhance services and community outcomes.

Scope

This policy applies to all Council members, employees, external partners, contracted service providers, and volunteers who have access, and are responsible, for the management of information on behalf of the Shire.

Definitions

Shire means Shire of West Arthur.

Personal Information refers to both Personal Information and Sensitive Information as defined below;

Personal Information: Any information or opinion about an identifiable individual, regardless of its truth or format.

Sensitive Information: A subset of Personal information, including details about an Individual's:

(a) Racial or ethnic origin.

(b) Political opinions or affiliations.

(c) Religious or philosophical beliefs.

(d) Membership in associations or unions.

(e) Sexual orientation or practices.

(f) Criminal record.

(g) Health, genetic, or biometric information (e.g., biometric templates or data used for verification).

Cookies means a small data file stored on a device's browser. Its purpose is to help a website keep track of the user's visits and activity.

Unique Identifiers means numbers, codes or data used to identify and track an individual, entity, or object within a system such as:

- Personal Identifiers (Tax File number, Driver's License Number, Passport Number).

- Digital Identifiers (IP Address, MAC address).
- Organisational Identifiers (Employee ID, Customer ID).
- Object and Asset Identifiers (Barcode, QR Code, VIN {Vehicle Identification Number}).
- Health Identifiers (Pension Concession number, Senior Card Number, Medicare).

Automated Decision-making means the process where systems or algorithms make decisions based on data and predefined criteria, without human involvement, often used to improve efficiency and service delivery.

De-identification means the process of removing personal details or replacing them with alpha-numerical codes, allowing data to be used for analysis while protecting privacy.

Policy Statement

Information and Data Collection

The Shire collects information to deliver services and meet operational needs, including:

- Contact details (name, email, phone, addresses).
- Physical details (signature, image, voice).
- Identification details (birth certificates, passports, driver's licence, Medicare and concession information).
- Electronic details (bank information, Tax File Numbers, police clearance and workplace medicals).
- Vehicle and licensing data (as an agent of Department of Transport).

Information is gathered in different formats when engaging with the Shire for business purposes, including:

- Information provided in forms, applications, emails and feedback channels.
- Data on customer interactions with the Shire's website and online services.
- Audio and visual content including phone calls, voicemails, CCTV, recorded meetings and transcripts.

Information is collected only when necessary and with legal justification. The Shire notifies individuals that providing information is voluntary, and that withholding non-essential information does not affect access to services.

System-generated Information

The Shire's website uses cookies to collect anonymous traffic data to improve user experience. By accessing the website, individuals consent to receiving electronic messages at their provided contact address.

The Shire may review collected data and statistics to assess server activity, access to individual pages, and applications, with the aim of improving the delivery of information to its visitors. No effort is made to identify users or trace their online behaviour, except in the rare case of an investigation or to address issues related to a security breach or inappropriate activity.

The Shire's website may also include links to external sites that may be owned and controlled by third parties. Links to these sites do not indicate affiliation or endorsement by the Shire. Accessing third-party sites may be subject to terms and conditions that differ from those of the Shire, and using these links is at each individual user's own risk.

Information collected when interacting with the Shire-managed social media accounts, may be used to

compile statistics that help focus communications. Users should be aware that these platforms handle personal information according to their own privacy policies and are encouraged to familiarise themselves with these policies.

Use and Disclosure

The Shire uses personal information exclusively for the purpose it was collected, or for purposes that can be lawfully anticipated, including:

- Managing assessment records (rates) and other local government documentation.
- Providing and sharing information about the Shire's current and future services and facilities.
- Overseeing processes such as approval submission, animal registration, financial administration, land use evaluations, and compliance with local laws and regulations.

The Shire may disclose customer and stakeholder information to third parties under specific circumstances including legal requirements, consent, or public interest. Disclosure may occur for law enforcement, research, service improvement, or to fulfill the intended purpose of the information. Information may also be shared to prevent serious threats to individuals or public safety, address family violence, or comply with child protection obligations.

The Shire takes reasonable steps to ensure that any third party receiving personal information adheres to privacy and confidentiality requirements.

The Shire uses personal information in automated decision-making to improve services, operations, or provide targeted content within the community, ensuring these processes are transparent, fair, and compliant with legal requirements.

Unique Identifiers

The Shire manages unique identifiers securely and only collects them when necessary to perform its functions or meet legal requirements with access limited to authorised personnel.

When the Shire generates unique identifiers, it uses them exclusively for internal purposes and ensures they are neither shared nor applied beyond the systems where they are created.

When identifiers are no longer required, the Shire de-identifies personal information by removing or replacing details with codes or general data. This ensures privacy while allowing the data to be used for analysis or other purposes.

Data Storage and Protection

The Shire is committed to securely storing and protecting personal information, ensuring it is accessed only for approved purposes. The Shire actively works to safeguard against misuse, loss of unauthorised access, and disclosure, with storage and protection methods complying with the WA *State Records Act 2000* and relevant standards.

When personal information is no longer needed, the Shire takes appropriate steps to securely destroy or de-identify it, unless required by law to retain it. Personal information is kept only as long as necessary to fulfill its purpose and legal requirements, after which it is securely destroyed or anonymised.

If personal information is transferred or stored outside Australia, the Shire ensures it is protected using secure methods such as encryption and compliance with relevant data protection laws. Any third parties involved are also required to adhere to strict privacy standards to safeguard the information and prevent unauthorised access.

Safeguarding Transactions

Security measures employed by the Shire include encryption, multi-factor authentication, and risk assessments, put in place to protect information.

The Shire website may contain links to third-party websites which are outside of the Shire's control and

are therefore not covered by these conditions. The Shire accepts no responsibility for the security, content accuracy, or privacy practices of external sites.

Whilst the Shire takes all reasonable steps to protect details held, as with all information transmitted over the internet, complete security is not guaranteed.

Accessing Personal Information

To manage access to personal information, the Shire implements strict controls, ensuring only authorised personnel can view or handle the data. Access is granted based on roles and responsibilities, with regular reviews to ensure compliance with privacy policies. Security measures such as encryption and secure login protocols are also in place to protect personal information.

The Shire, in line with Australian privacy law, allows individuals to request amendments to their personal information if it is deemed inaccurate, outdated, incomplete, irrelevant, or misleading. This includes updating superseded details or rectifying inaccuracies, deficiencies, or false information. Individuals can also request annotations to clarify or challenge their records.

All requests are to be submitted in writing and may require formal identification before changes are made. Requests and applications can be directed to the Freedom of Information Officer (FOI):

- By email: shire@westarthur.wa.gov.au
- By Post: PO Box 112 Darkan WA 6392
- In Person:31 Burrowes Street Darkan WA 6392

Further information can be obtained from the Shire's Freedom of Information Statement, which can be found on the Shire's website or requested from the Shire office.

Complaints and Breaches

The Shire addresses complaints promptly, following established procedures to resolve them, and ensures privacy law compliance if personal information is involved. The designated FOI officer manages and records complaints, committed to responding promptly once all necessary information is received. Any unavoidable delays should be communicated to the complainant.

The Chief Executive Officer oversees compliance with privacy obligations and ensures the Shire meets statutory requirements, reinforcing the commitment to privacy protection and transparent responses.

The Shire acts swiftly to minimise harm and protect affected individuals during a data breach, notifying them immediately and investigating the cause. The Shire strengthens data protection measures and ensures compliance with relevant laws to prevent future breaches.

A privacy interference may lead to a notifiable breach, including unauthorised access, disclosure, or loss of information. Individuals can escalate concerns to the Information Commissioner of Western Australia, who assists in submitting privacy complaints. Contact information is as follows:

Address: Albert Facey House, 469 Wellington Street, Perth, WA, 6000

Phone: 08 6551 7888

Email: info@oic.wa.gov.au

Compliance and Review

The Shire will regularly review and update this policy to ensure ongoing compliance with the relevant legislation and best privacy practices.

History	25/06/2026 Adopted
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Privacy and Responsible Information Sharing Act 2024 (PRIS)*
Related Documentation	Freedom of Information Statement Privacy Statement F26 - Acceptable Use Policy C23 – Public Questioning Time, Presentations, Deputations and Petitions Policy F12 – Customer Service F17 - Record keeping

Policy Title	**F37 – Information Breach Policy**
Policy Type	**Corporate and Community Services**
Responsible Officer	**Chief Executive Officer**

Purpose

This policy outlines the responsibility of the Shire of West Arthur (the Shire) in the event of Information Breach threats or occurrences within the Shire. It aims to ensure that the process is managed appropriately to comply with legislative requirements of the Privacy and Responsible Information Sharing Act 2024 ("the PRIS Act") and documents the reporting requirements to ensure relevant stakeholders are notified in accordance with the PRIS Act.

The purpose of this policy is to:

- Define an information breach threat and/or event.
- Establish clear consistent protocols for all identified parties involved in an incident response and define responsibilities and accountabilities when managing an Information Breach.
- Formalise the roles of the Chief Executive Officer (CEO), Deputy Chief Executive Officer (DCEO), Incident Management Response Team and Employees.
- Identify the operational scenarios and activation parameters.
- Identify the Breach Committee Formation Trigger.
- Outline reporting requirements and their significance.
- Identify the approved response process to be initiated and adopted.
- Identify and event cessation marker and post event activity.
- Comply with relevant legislation requirements.

Scope

This policy applies to Council members, employees, external partners, contracted service providers and volunteers who collect, receive or access data and information or who manages data, personal information or sensitive personal information, in the course of their duties or work for the Shire.

Definitions

Shire means Shire of West Arthur

Incident Management Response Team is personnel of the Shire who are responsible for the management, communications and remediation of the Information Breach incident.

Information breach "means

(a) unauthorised access to, or unauthorised disclosure of information

(b) loss of information" PRIS Act 2024

Information Sharing Officer means mandated role assumed by the Shire's nominates IT officer responsible for reporting under the State Privacy Act.

IPP entity - "An IPP entity is –

(a) A minister.

(b) A Parliamentary Secretary.

(c) A public Entity.

(d) A contract service provider." PRIS Act 2024

Loss means the exposure of proprietary, sensitive, or classified information through either data theft or data leakage.

Malware means malicious software designed to gain unauthorised access to computers; or to steal information and disrupting use of ICT systems.

Misuse means the use of information in ways it was not intended for.

Notifiable Information Breach "means (1) A notifiable information breach occurs if –

(a) there is an unauthorised access to, or unauthorised disclosure of, personal information held by an IPP entity.

(b) a reasonable person would consider that the access or disclosure is likely to result in serious harm to any individual to whom the information relates." PRIS Act 2024

Personal information "means

(a) information or an opinion, whether true or not, and whether recorded in a material for or not, that relates to an individual, whether living or dead, whose identity is apparent or can reasonably be ascertained from the information or opinion.

(b) includes information of the following kinds to which paragraph (a) applies –

i. a name, date of birth or address.

ii. a unique identifier, online identifier or pseudonym.

iii. contact information.

iv. information that relates to an individual's location.

v. technical or behavioural information in relation to an individual's activities, preferences or identity.

vi. inferred information that relates to an individual, including predictions in relation to an individual's behaviour or preferences and profiles generated from aggregated information.

vii. information that relates to 1 or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural or social identity of an individual." PRIS Act

Sensitive Personal information "means personal information –

(a) that relates to an individual's –

i. racial or ethnic origin.

ii. gender identity, in a case where the individual's gender identity does not correspond with their designated sex at birth.

iii. sexual orientation or practices.

iv. political opinions.

v. membership of a political association.

vi. religious beliefs or affiliation.

vii. philosophical beliefs.

viii. membership of a professional or trade association. membership of a trade union.

ix. criminal record.

(b) that is health information.

(c) that is genetic or genomic information (other than health information).

(d) that is biometric information.

(e) from which information of a kind referred to in any of paragraphs (a) to (d) can reasonably be inferred." PRIS Act

Serious harm means damage caused to an individual via such methods as emotional, reputational, physical, financial, or material harm.

Unauthorised Access means a situation where an individual gains access to resources, information, or data without express permission of the owner or administrator.

Unauthorised User means a person how is not authorised to use or access the organisation's stored information.

Policy Statement

Information Breach Scenarios

A breach is any incident in which unauthorised parties gain access to information or data in the Shire's custody. A breach is considered to have eventuated when data held in the Shire's custody is:

- Lost, stolen or corrupted.
- Accessed by an unauthorised user.
- Modified (with or without malicious intent) by an unauthorised user.
- Discloses to an alternative source without authorised approval.
- Misused by an internal or external user.
- Infected by Malware.
- Damaged during major hardware failure.

Information Breach Threats are when there is potential for a breach to occur. Tracking threats ensures the Shire is aware of potential breaches and allows mitigation processes to be implemented, further reducing the likelihood of a breach.

Information Breaches involving Personal or sensitive personal information

An information Breach involving personal or sensitive personal information occurs when:

- There is an instance of unauthorised access to, or disclosure of an individual's personal or sensitive personal information held by the Shire.
- There is an instance of a loss of an individual's personal or sensitive personal information held by the Shire and/or its systems repositories.

Notifiable Information Breaches

Notifiable breaches are the occurrence of a breach event involving unauthorised access to, loss of, or disclosure of, personal or sensitive personal information held by the Shire where a reasonable person would conclude that it is likely to result in serious harm to any individual to whom the information relates, and the access, disclosure, or loss occurs in circumstances set out in a notifiable breach determination under section 60 of the *PRIS Act.*

The Shire must inform the Western Australian Information Commissioner as soon as practicable upon determining if there are reasonable grounds to suspect a Notifiable Information Breach has occurred.

The Shire must also take reasonable steps to mitigate any harm caused by the breach including providing written notice to the affected individuals. In the event it is not reasonably practicable for the Shire to contact every affected Individual, a written notice of the notifiable information breach is to be made publicly available for a period of at least 12 months as outlined in the *PRIS Act.*

Formation of an Incident Management Response Team

In response to an identified Information Breach incident, the DCEO will initiate the formation of an incident Management Response Team, as per the F-27 Incident Management Procedures.

The Team will respond to the Information Breach event and provide oversight and input to the investigation, response, mitigation and reporting mechanisms.

Breach Actions

When an Information Breach complaint is lodged, Shire employees will comply with the Information Breach and Compliant Procedure and complete an Information Breach Complaint Notification Form.

In the event of an identified breach incident, relevant employees will comply with the procedures documented in the Shires ICT Incident Management Procedures.

The Shire's Chief Information Officer is responsible for confirming any breach incident status, and ensuring the Shire's CEO is notified of an event, response progress, mitigation, and systems normalisation.

The Information Sharing Officer reports directly to the CIO and is responsible for the maintenance of the Information Breach Register.

External Breach Reporting

- The CEO is responsible for the reporting a notifiable information breach to the WA Information Commissioner as soon as practicable.
- The CIO and CEO are responsible for coordinating the notification of the breach to affected users.
- The Shire's Annual Report is to include about notifiable information breaches in accordance with the *PRIS* Act.

Information Breach Complaints

If an individual believes their information has been breached as a result of actions or inactions by the Shire, they must report their concerns to the Shire's Information Sharing Officer for investigation. If they are not satisfied with the outcome of the investigation, they should then lodge an external application with the Officer of the Office of the Information Commissioner

Office of the Information commissioner
Albert Facey House, 469 Wellington Street, Perth, WA, 6000
08 6551 788
info@oic.wa.gov.au

History	23/07/2026
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Privacy and Responsible Information Sharing Act 2024* *Electronic Transaction Act 2001* *Evidence Act 1906* *Financial Management Act 2006* *Freedom of Information Act 1992* *Limitation Act 2005* *State Records Act 2000* *Australian Privacy Act 1988* *Public Disclosure Act 2003*
Related Documentation	F23 – Acceptable Use F24 – ICT Risk Management F26 – ICT Disaster Recovery Plan F27 – ICT Incident Management Procedures F36 – Privacy and Responsible Information Sharing Policy

ENVIRONMENTAL HEALTH

Policy Title	**EH1 – Healthy Eating Policy**
Policy Type	**Environmental Health**
Responsible Officer	**Environmental Health Officer**

Purpose

The Shire of West Arthur will encourage and promote healthy eating through:

- Supporting community garden programs, utilising a range of management models.
- Developing community partnerships to provide low-cost or no-cost cooking supplies, cooking classes and nutrition education and information.
- Developing healthy catering options for the Shire, which apply to all Shire-managed facilities and meetings.
- Encouraging sporting and community organisations to provide healthy options at canteens through the use of social marketing and local recognition strategies.
- Encouraging community events and festivals to have healthy food options available.
- Continuing to ensure the provision of safe food by regulation.
- Increasing the opportunities for residents, visitors and tourists to purchase local and regionally-produced food.
- Investigating the need to transport vulnerable groups to shops to enable them to purchase weekly groceries.
- Developing and maintaining annual and ongoing calendars to residents indicating key activities, services and information to support health and wellbeing initiatives

Scope

The Healthy Eating Policy will guide the Shire in advocating and or providing opportunities for the local community to access healthy and fresh foods, for the community to embrace healthy eating and nutritious food and to support local produce and businesses.

Definitions

Nil

Policy Statement

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The Shire of West Arthur recognises the impact healthy fresh food and good nutrition can have on residents' lives and the community in that it contributes positively to physical and mental health. In addition, a focus on food in a wider context such as food security, food systems and an awareness of the culinary aspects of food can strengthen the local economy and foster cultural and social connection.

The Shire of West Arthur is committed to improving the health and wellbeing of its community through promoting a food system that is secure, healthy, sustainable, thriving and socially inclusive.

This Policy provides a vision and framework to guide coordinated action and decision making to ensure sufficient access to good food, now and into the future which meets the identified needs of the community.

A whole of Council collaborative approach will be applied to all aspects of delivering the Healthy Eating Policy - in researching, planning, designing, establishing, maintaining, operating and promoting opportunities for healthy eating, food security and support for local businesses. This Policy should be read in partnership with the Active West Arthur Policy.

The Healthy Eating Policy will drive the development of strong partnerships with various levels of government, external agencies and the private sector, so that the Shire's investment in the food sector and healthy eating can be leveraged and maximised by the community.

Principles

The following guiding principles underpin this Policy. They are statements that articulate Council's shared values and serve as a basis for integrated decision making. The areas covered in the Policy are local food production and promotion and the need to create a demand for healthy food through awareness and education. The Policy also aims to ensure opportunities are available for all residents to access affordable healthy food options in order to achieve and sustain better health outcomes and a higher quality of life.

Advocacy

Council and the Shire continues to lead by example through the food that it purchases and makes available at functions and community events and by advocating for healthy food to be integrated in policies at all levels of government.

Health and Wellbeing for All

Opportunities will be explored to be engaged in the promotion of local food production and learning new skills to prepare healthy foods in the Shire are available to all people, regardless of age, cultural background, socio economic status or ability. In some instances, this may result in programs and initiatives which target specific population groups, to support all members of the community increasing their potential for good health and wellbeing.

Working with Partners

Council and the Shire forges workable and negotiable partnerships with other levels of government, agencies and local community groups to ensure a range of opportunities are available for people to increase their awareness and levels of healthy eating and to support local produce.

An Informed and Educated Community

Council and the Shire communicates via a range of mediums to reach a broad cross section of the community and to ensure that people are fully aware of what options are available to choose, grow, prepare and serve nutritious and healthy food. The Shire acknowledges that pursuing a healthy lifestyle starts with having an understanding of the short- and long-term health and wellbeing benefits of healthy eating.

History	26/10/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Public Health Act 2016, Section 16*
Related Documentation	Shire of West Arthur Local Health Plan 2023-2028

Policy Title	**EH2 – Active West Arthur Policy**
Policy Type	**Environmental Health**
Responsible Officer	**Environmental Health Officer**

Purpose

The Shire of West Arthur will encourage and promote physical activity through:

- Identifying and monitoring the current and future physical activity needs of the community in partnership with relevant stakeholders.
- Ensuring a safe environment, facilities, and services to encourage physical activity.
- Providing unstructured recreation facilities and associated facilities.
- Providing reserves and facilities for structured community sport and recreation and supporting sporting clubs and club development.
- Promoting shared and multi-use of community facilities.
- Increasing the community's knowledge and understanding of the health and social benefits of physical activity.
- Encouraging increased physical activity through active forms of transport, such as bicycle riding.
- Building partnerships with internal/external agencies to promote the use of existing and future community assets.

Scope

The Active West Arthur Policy will guide the Shire's provisions for the community to be active, improve and maintain their health, and participate in structured and unstructured recreation and community sports activities, consistent with Council's vision.

Definitions

Nil

Policy Statement

The Shire of West Arthur recognises the impact physical activity can have on residents' lives and the community in that it contributes positively to physical and mental health. In addition, a focus on physical activity in a wider context can strengthen the local community and foster social connection.

This Policy will inform the provision of recreation and sporting facilities, delivery of programmes and events and the maintenance and upgrading of public open spaces within the Shire, enabling community

engagement in an active and healthy lifestyle.

Principles

The following guiding principles underpin this Policy. They are statements that articulate Council's shared values and serve as a basis for integrated decision making with partner agencies, for delivering physical activity opportunities and promoting an active lifestyle in the community.

Health and Wellbeing for All

Opportunities to be engaged in physical activity in the Shire are available to all people, regardless of gender, age, cultural background, socioeconomic status or ability. In some instances, this results in programs and initiatives being targeted at specific population groups, to ensure that all members of the community can reach their potential for good health and wellbeing.

Diverse recreation and sport opportunities are provided to meet the community's needs and interests. The Shire understands that not all residents wish to participate in organised sports and will continue to promote recreational opportunities appealing to a wide range of residents.

Working with Partners

Council and the Shire forges workable and negotiable partnerships with other levels of government, agencies and local community groups to ensure a range of opportunities are available for people to increase their fitness levels and improve their health and wellbeing.

An Informed and Educated Community

Council and the Shire communicates via a range of mediums to reach a broad cross section of the community and to ensure that people are fully aware of available recreation and sporting opportunities in the Shire.

The Shire acknowledges that pursuing an active and healthy lifestyle starts with having an understanding of the short- and long-term health and wellbeing benefits of being physically active.

History	23/11/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Public Health Act 2016, Section 16*
Related Documentation	Shire of West Arthur Local Health Plan 2023-2028

Policy Title	**EH3 – Alcohol and Drug Policy**
Policy Type	**Environmental Health**
Responsible Officer	**Environmental Health Officer**

Purpose

The Shire of West Arthur will encourage and promote alcohol and drug harm minimisation through:

Accepting Council's role in providing leadership and coordination in ensuring comprehensive and balanced responses to alcohol and drug issues.

Acknowledging that Council is not a direct provider of alcohol and drug support programs/initiatives, but is a strong advocate for the provision of appropriate services in the Shire.

Stimulating and progressing community discussion of issues related to alcohol and drugs, through Council and Shire representation on relevant committees and forums.

Committing to the Shire providing public health and safety services (e.g. sharps containers) to minimise the impacts of syringe use in the Shire.

Planning community events that are alcohol-free from time to time.

Collaborating with all levels of government and community agencies to ensure effective, coordinated responses to alcohol and drug issues.

Maintaining a commitment to addressing urban design and development assessment processes, which impact alcohol and drug availability, supply, and use.

Providing a range of activities that foster skills through information, education, health promotion programs, community action, supportive environments, and diversionary activities for young and vulnerable populations.

Building organisational capacity to incorporate harm minimisation principles in workplace systems, including a staff alcohol and drug policy.

Developing and maintaining annual and ongoing calendars for residents indicating key activities, services, and information to support health and wellbeing initiatives.

Scope

The purpose of this Policy is to provide an overarching framework to guide thought and action in relation to alcohol and drug issues in the Shire.

Definitions

Nil

Policy Statement

The Alcohol and Drug Policy will guide Council's provision of advocacy and services to minimise harm from alcohol and drugs. This Policy identifies the Shire's role in minimising the negative impacts of alcohol and

drug use on the local community. It formalises Council's agreement to a harm minimisation approach and demonstrates Council's commitment to create partnerships with other agencies to address community concerns.

Whilst the Shire of West Arthur has an important role to play in addressing the harm associated with drug and alcohol use, effective efforts need to be community wide.

Other than having an advocacy role, the Shire of West Arthur will facilitate and coordinate key stakeholders within the local government area to address alcohol management relating to legislative and planning responsibilities in areas such as development approvals for liquor licence venues, interventions and objections to licence applications, event risk management processes, provision of Section 39 and Section 40 (Liquor Control Act) certificate approvals, sport and community club alcohol policies and public building approvals and conditions.

Policy Principles

The following guiding principles underpin this Policy. They are statements expressing Council's shared values and serve to inform decision-making with partner agencies to address alcohol and drug use, and related issues.

Reducing Supply

The Shire commits to strategies designed to prevent the uptake of harmful alcohol and drug use, including prevention and early intervention, in discussion with partner agencies.

Health and Wellbeing for All

The Shire understands that drug and alcohol use are not just health issues but also impact on social and mental health. The Shire uses evidence-based information to provide a whole-of-community and population health approach to these important issues. Alcohol and drug strategies will target all residents, including culturally and linguistically diverse and Indigenous populations.

An Informed and Educated Community

Council communicates via a range of mediums to reach a broad cross-section of the community to ensure that people are fully aware of the negative effects of excessive alcohol and drug use. The Shire is aware that pursuing a healthy lifestyle includes understanding the short and long-term harm associated with alcohol consumption and drug use.

Working with Partners

The Shire forges strong and sustainable partnerships with other levels of government, agencies, and local Alcohol and Drug support agencies to ensure a comprehensive range of opportunities and services are available for people to minimise harm from alcohol and drug use.

History	21/03/2024 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Public Health Act 2016, Section 16*
Related Documentation	Shire of West Arthur Local Health Plan 2023-2028

Policy Title	**EH4 – Environmental Health Policy**
Policy Type	**Environmental Health**
Responsible Officer	**Environmental Health Officer**

Purpose

The Policy supplements the Shire of West Arthur Public Health Plan 2023-2028 and sets out:

- Environmental health responsibilities at Commonwealth, State, and Local Government level;
- Principles for environmental health in the Shire of West Arthur area; and
- Priorities for dealing with environmental health matters in the Shire of West Arthur area.

Scope

This Environmental Health Policy outlines the objectives, principles, and approach to managing environmental health matters in the Shire of West Arthur area.

Definitions

Nil

Policy Statement

Environmental health practice is about creating and maintaining environments that promote good public health outcomes within the community, including addressing behaviours that impact on these factors. Environmental health also includes environmental protection at the interface between people and the environment, including management of air quality, waste, waterways and noise.

Managing environmental health is the responsibility of all community members, businesses, and all tiers of government in Australia.

Federal

The National Environmental Health Council (enHealth) is the peak national environmental health advisory group. enHealth consists of members of relevant Commonwealth, State, and Territory health Departments, the New Zealand Ministry of Health, and the National Health and Medical Research Council. enHealth provides national leadership on environmental health issues and implements the Australian National Environmental Health Strategy.

State

The Environmental Health Directorate (the EHD) of the WA Department of Health, Public and Aboriginal Health Division, is the government sector responsible for maintaining public and environmental health standards across WA. EHD main role is to ensure appropriate management strategies, such as legislation, guidelines, surveillance, monitoring, and public education, are in place to prevent disease, illness, injury,

disability and premature death arising from environmental exposures and other environmental health impacts.

Local

Local Governments have statutory responsibilities for promoting standards of environmental health within their area through the administration of legislation, provision of environmental health services and community education initiatives.

Principles

Shire of West Arthur works directly with our community to prevent and reduce incidences of disease, illness, and harm by undertaking activities that support a healthy environment for all community members. In dealing with environmental health matters, the Shire of West Arthur provides these services by:

- Undertaking activities and services using a risk-based approach.
- Balancing the needs of the built environment and economic development with the health of our community.
- Creating and maintaining an environment that promotes good public health outcomes by assessing and controlling factors that will prevent and reduce the incidence of disease, illness, or harm in our community.
- Working in collaboration with State Government and industry to create and implement initiatives that aim to improve levels of voluntary compliance with relevant legislative obligations.
- Providing access to educational materials for our community and industry to increase understanding of relevant legislative obligations.
- Developing and maintaining standard operating procedures that support consistent and effective routine monitoring, management of complaints, and identification of emerging issues.

History	21/03/2024 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Public Health Act 2016, Section 16* *Food Act 2008* *Health (Miscellaneous Provisions) Act 1911* *Local Government Act 1995* *Tobacco Product Control Act 2006* *Environmental Protection Act 1985* *Liquor Control Act 1988* *Contaminated Sites Act 2003* *Animals, Environment and Nuisance Local Law 2024*
Related Documentation	Shire of West Arthur Local Health Plan 2023-2028

LAW, ORDER AND PUBLIC SAFETY

Policy Title	**LS 1 – Emergency Management**
Policy Type	**Law, Order & Public Safety**
Responsible Officer	**Chief Executive Officer**

Purpose

The purpose of the Emergency Management Policy (the policy) is to provide a framework for the mitigation and management of emergency incidents within the Shire of West Arthur (the Shire). Emergencies are those which endanger or threaten to endanger lives, property or the environment, and which require a significant and coordinated response, and cannot be addressed through normal operational procedures.
Effective emergency management arrangements enhance the community's resilience against emergencies through strategies that apply prevention, preparedness, response and recovery (PPRR) activities.

The Shire of West Arthur has been designated as a specified area under Part 3 Section 35 of the *Emergency Management Act 2005*. For the purposes of managing emergencies in the Shire of West Arthur, this designation places the responsibilities for emergency management upon the Shire.

Objectives

The key objectives of the policy are to:

- Minimise impact from emergencies within the Shire of West Arthur on community, staff and property
- Coordinate successful disaster recovery for the community using the Local Recovery Plan
- Reduce the consequences of emergencies by providing and supporting the Shire of West Arthur Local Emergency Management Committee which utilises sound emergency management and risk management principles

Scope

This policy applies to all emergency incidents in the areas encompassed by the Shire, as defined in the *Local Government Act (1995).*

These arrangements serve as a guide to emergency management at the local level. An emergency may escalate and require management at a district or state level.

Definitions

Designated Shire Officer - Shire staff member or contractor designated as a representative of the Shire regarding performance of duties related to emergency management/response as required.
Emergency - The occurrence or imminent occurrence of a hazard which is of such a nature or magnitude

that it requires a significant and coordinated response.
Emergency Management - The management of the adverse effects of an emergency including prevention, preparedness, response and recovery (PPRR).
Hazard Management Agency (HMA) - A public authority, or other person, prescribed by the *Emergency Management Regulations 2006* to be a hazard management agency for emergency management, or an aspect of emergency management, of a hazard.
Hazard - An event, situation or condition that can cause, or results in, loss of life, prejudice to the safety, or harm to the health, of persons or animals; or destruction of, or damage to, property or any part of the environment and is defined in the *Emergency Management Act 2005* or prescribed in the *Emergency Management Regulations 2006*.
Incident Controller - The person designated by the relevant Controlling Agency to be responsible for the overall management and control of an incident within an incident area and the tasking of agencies in accordance with the needs of the situation.
Local Emergency Management Committee (LEMC) - A local emergency management committee established under Section 38 of the *Emergency Management Act 2005.*
Local Emergency Coordinator - The person appointed by the State Emergency Coordinator (WA Commissioner of Police) to provide advice and support to their local emergency management committee in the development and maintenance of emergency management arrangements, assist hazard management agencies in the provision of a coordinated response during an emergency in the district and carry out other emergency management functions under the direction of the State Emergency Coordinator.

Policy Statement

Effective Local Emergency Management Arrangements (LEMA), inclusive of specific local emergency plans, will be prepared and maintained for the Shire of West Arthur, consistent with the State Emergency Management Policy, State Emergency Management Plan, and relevant State Hazard Plans, State Support Plans and National Plans.

Advice and support will be provided by DFES to the Shire of West Arthur LEMC in the development of the LEMA.

Emergency management activities will be undertaken in accordance with the Shire of West Arthur LEMA.

Potential risks within the Shire of West Arthur will be assessed and strategies developed to eliminate or reduce the likelihood of emergencies occurring in accordance with the ISO 31000:2018 Risk Management – Guidelines.

Designated Shire officers will assist hazard management agencies in the provision of a coordinated response during an emergency incident within the Shire of West Arthur area.

Measures will be maintained wherever possible, ensuring that should an emergency occur, resources and services are capable of coping with the effects of the incident.

Following an emergency, appropriate action will be taken to return the site and/or infrastructure to normal operational conditions, and to develop and implement strategies to identify and manage the ongoing social and psychological needs of those affected by the emergency (i.e. Recovery phase).

Other emergency management activities e.g. evacuation, emergency relief and support provision etc. will be undertaken in accordance with the advice of the Local Emergency Coordinator.

Roles and Responsibilities

The Shire of West Arthur Chief Executive Officer is responsible for developing and implementing the procedures to ensure compliance with this policy.

All Shire staff have a responsibility to comply with the policy and to provide support as requested by the

Incident Controller/ Local Emergency Coordinator during an emergency incident.

History	22/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Chief Executive Officer is responsible for the development and management of the Emergency Management Policy
Relevant Legislation	*Emergency Management Act 2005* *Emergency Management Regulations 2006*
Related Documentation	*State Emergency Management Policy (2023) and State Emergency Management Plan (2024)* *West Arthur Local Emergency Management Arrangements (LEMA 2025)* West Arthur Local Recovery Plan (2025)

LOCAL PLANNING

Policy Title	**LP 1 – Permitted Development**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

To clarify what development requires Council Planning Approval.

Scope

This Policy applies to the whole Shire.

Definitions

Nil

Policy Statement

1. **The development on a lot of a single house, including any extension, ancillary outbuildings and swimming pools does not require a planning approval provided that:**

- It is a (P) use in the relevant zone;
- The minimum boundary setbacks stipulated in the Scheme are complied with;
- The development complies with the deemed-to-comply requirements of the R-Codes where applicable in that zone.

2. **Provision (1) does not apply to the development of:**

- A lot abutting an unconstructed road or a lot which does not have frontage to a constructed road (see Clause 5.7 of the Scheme);
- A relocated building in a gazetted townsite (see Clause 5.10 of the Scheme);
- A heritage place or building; or
- Where otherwise stipulated by the Scheme.

3. **A Building Permit Application is still required for a single house and structures in accordance with the Building Act. Compliance with the setback requirements and any other applicable development standards will be assessed as part of this building application.**

4. **Council's planning approval is still required for more than one single dwelling in the Rural Zone.**

5. **The development of a farm shed/outbuilding in accordance with Local Planning Policy No 2 does not require Planning Approval.**

Background

Clause 60 of Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015 sets out the requirement for development approval. It states that a person must not commence or carry out any works on, or use, land in the Scheme area unless:

- the person has obtained the development approval from Council; or
- the development is of a type referred to in Clause 61.

Clause 61 in summary includes:

b. Works in a regional reserve under a region planning scheme (not applicable to West Arthur);

c. The carrying out of internal building work which does not materially affect the external appearance of the building unless the work is on a building identified as having an interior with cultural heritage significance:

   i. in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or

   ii. on a heritage list prepared in accordance with this Scheme;

d. The erection or extension of a single house on a lot if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes.

e. The erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house or a grouped dwelling if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes.

f. The demolition of a single house, ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool.

Paragraphs (c), (d) and (e) do not apply where the single house or other structure is:

i. entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or

ii. the subject of an order under the Heritage of Western Australia Act 1990 Part 6; or

iii. included on a heritage list prepared in accordance with this Scheme; or

iv. within an area designated under the Scheme as a heritage area; or

v. the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29.

Clause 61 also provides that Council can specify other development or works which does not require a planning approval in accordance with a Local Planning Policy.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015*
Related Documentation	

Policy Title	**LP 2 – Rural Sheds**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

- To clarify the need for a development application; and
- To ensure that there is no adverse impact on the rural character of the area.

Scope

This Policy applies to land within the Rural zone in Local Planning Scheme No 2; except for that land within the Wellington Reservoir Catchment Special Control Area.

Definitions

A farm shed/outbuilding means a building used in conjunction with local farming operations but it does not include a building or use which is defined separately within the planning scheme.

Policy Statement

1. There is no maximum size limit (floor area or height).

2. The development of a farm shed/outbuilding does not require a planning approval provided that:

    a. It is located on land within the Rural zone; but it is not within the Wellington Reservoir Catchment Special Control Area.

    b. It is setback from the font boundary a minimum distance of:

        i. 500m from Albany or Coalfields Highway;

        ii. 300m from the Williams Road, Bowelling - Duranillin Road, Boyup Brook - Arthur Road and Darkan - Kojonup Road (which has several local names).

        iii. 20m from other roads.

3. A farm shed/outbuilding will be exempt from Clause 5.7 of the Scheme relating to requiring a development application for a lot abutting an unconstructed road or a lot which does not have frontage to a constructed road.

4. Clause 2 does not apply when second material is used, relocated buildings including dongas and sea containers.

5. Where a farm shed/outbuilding is to be located less than the distances prescribed in 2(a) and (b) above Council will consider the potential impact of:

    a. The hazards from fires, and

    b. The development on the landscape character of the area including views from the roadside. This can be reduced by locating the building behind trees, or where the topography blocks any view.

6. Where a farm shed/outbuilding is not being used intensively by multiple persons, Council will exempt it from requiring a "planning" BAL Assessment.

Background

Local Planning Policy No 1 provides exemptions for the need to obtain development approval for a range of uses. This currently only relates to outbuildings which are an ancillary to dwellings.

it has become apparent that larger rural outbuildings are being required for farms for both the storage of hay and machinery. The primary objective of the Rural zone is to ensure the continuation of broad hectare agriculture as the principal land use in the district, encouraging where appropriate the retention and expansion of agricultural activities. In accordance with that objective, Council considers it appropriate to reduce the need for development approvals for farm sheds where possible.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015*
Related Documentation	

Policy Title	**LP 3 – Heritage Places**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

To provide guidance on the assessment of development proposals which affect heritage protected places.

Scope

The objectives of the policy are:

- To conserve and protect places of cultural heritage significance that are identified on the Heritage List.
- To ensure that developments do not adversely impact the significance of heritage places on the Heritage List.
- To ensure that heritage significance is given due weight in local planning decision making.
- To provide certainty to landowners and community about the planning processes for identification and protection of places identified in the Heritage List.

Definitions

Unless otherwise noted, terms used in this policy have common meanings and include those defined in the Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015, and the Heritage Act 2018.

Deemed Provisions are the provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Curtilage. For the purpose of this Policy the curtilage means a 20m radius around the nominated Heritage object.

Heritage Area means an area designated as a heritage area under Clause 9 of the Deemed Provisions.

Heritage Agreement is a contract under Part 7 of the Heritage Act 2018 and is undertaken on a voluntary basis by the owners of a heritage place. The agreement binds current and successive owners to a set of conservation conditions and may provide compensating benefits in some circumstances. The purpose of a Heritage Agreement is to secure the long-term conservation of a heritage place.

Heritage Assessment is a systematic assessment that describes a place and its setting and states its significant heritage values in terms of the criteria adopted by the Heritage Council of Western Australia (HCWA). These criteria are the aesthetic, historic, social and scientific values of the place.

Heritage Impact Statement (HIS) describes and evaluates any potential impact of proposed development on the significance of a heritage place and its setting, or on the heritage area within which

it is situated. The report may also outline measures by which any detrimental impact may be minimised. The Heritage Council of Heritage Council of Western Australia (HCWA) provides guidelines for the preparation of Heritage Impact Statements.

Heritage List is a list of heritage places that has been adopted under the Local Planning Scheme are places of the highest levels of cultural heritage significance (Categories 1 and 2) that have been included within the Local Heritage Survey and assessed as being worthy of conservation, by inclusion on the Heritage List.

Heritage Place are defined in Section 7(1) of the Heritage Act as being:

a. archaeological remains;

b. buildings, structures, other built forms, and their surrounds;

c. equipment, furniture, fittings and other objects (whether fixed or not) that are historically or physically associated or connected with the land;

d. gardens and man-made parks or sites;

e. a tree or group of trees (whether planted or naturally occurring) in, or adjacent to, a man-made setting.

R-Codes means the Residential Design Codes prepared by the Western Australian Planning Commission under section 26 of the Act, as amended from time to time.

Policy Statement

The Local Planning Strategy for the Shire of West Arthur highlights the importance of heritage places to the amenity of the Shire's built environment.

The Shire has a significant collection of heritage assets as identified in the Local Heritage Survey. The Heritage List identified in the Local Heritage Survey calls for the conservation and protection of those assets.

This policy:

- Builds on the heritage conservation objectives in the Heritage List.
- Applies the development control principles contained in the State Planning Policy 3.5 Historic Heritage Conservation.
- Provides guidance for the proposed development of places in the Heritage List.
- Details procedures for making applications for approval of heritage-related developments.

Statutory Background

This policy is adopted under deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 which enables the Shire of West Arthur to prepare local planning policies for any matter relating to the planning and development of the Scheme area. The local planning policy can only have effect where consistent with the deemed provisions and local planning scheme.

Application

a. This Policy applies to any places of Exceptional Significance (Category 1 – the Heritage Council of Western Australia's Register of Heritage Places) and Considerable Significance (Category 2) as identified in the Heritage List in the Local Heritage Survey (LHS) as listed in Table 1.

b. The Deemed Provisions apply to either the property or the curtilage around the nominated Heritage object as referenced in Table 1.

c. The Deemed Provisions do not apply to the interior of any building listed in Table 1. The intention is that no development approval is required for internal building work that does not materially affect the external appearance of the building.

Development Control Principles

1. Development Application

In considering any planning applications in relation to a place in the Heritage List, the Shire of West Arthur will apply and have regard to the development control principles set out in sections 6.5 and 6.6 of State Planning Policy 3.5 Historic Heritage Conservation (2007) and in particular:

a. Whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, for or appearance of the proposed development.

b. Measures proposed to conserve the heritage significance of the place and its setting.

c. The structural condition of a place, and whether a place is reasonably capable of conservation.

2. Levels of Significance

The level of heritage significance of a place is one of the matters considered in determining an application. The following levels of significance (Categories 1 and 2) have been assessed as the most significant in the Shire of West Arthur's Local Heritage Survey, and therefore form the Heritage List.

This Policy is relevant to places of Exceptional Significance (Category 1 – Register of Heritage Places) and Considerable Significance (Category 2) as identified in the Heritage List in the Local Heritage Survey (LHS)

LEVEL OF SIGNIFICANCE	DESCRIPTION	DESIRED OUTCOME
Exceptional Significance HERITAGE LIST **Category 1**	**Essential to the heritage of the locality.** **Rare or outstanding example.**	**The place should be retained and conserved unless there is no feasible and prudent alternative to doing otherwise.** **Any alterations or extensions should reinforce the significance of the place and be in accordance with a Conservation Plan (if one**

		exists).
Considerable Significance HERITAGE LIST **Category 2**	**Very important to the heritage of the locality.** **High degree of integrity/authenticity**	**Conservation of the place is highly desirable.** **Any alterations or extensions should reinforce the significance of the place.**

3. Bush Fire Prone Land

3.1. Non Residential Buildings

Development of a Heritage building which is located on bushfire prone land may be required to provide a bushfire assessment and/or bushfire management plan as directed by the Shire.

3.2. Residential Buildings

The development of Class 1, 2 or 3 buildings or Class 10a buildings or decks associated with Class 1, 2 or 3 buildings in a bushfire prone area, the bushfire construction requirements of the Building Code of Australia will be applied at the building permit stage irrespective of the planning assessment process. This will require:

- A Bushfire Attack Level (BAL) Assessment to be prepared; and/or
- A bushfire management plan as directed by the Shire.

4. Applications for development approval – accompanying material

An applicant may be required to provide one of more of the following reports to assist in the determination of a development application. This is additional to the requirement for accompanying material set out in the Local Planning Scheme and the Model Scheme Text.

a. Where an application relates to a place on the Heritage List, it must be accompanied by a statement identifying existing relevant heritage fabric of the place, and how the proposed development responds to the heritage values of the place.

b. Works including new development within a heritage area, or that otherwise propose changes that will be substantially visible from the public domain, may be required to provide street elevations.

c. Minor works will need to demonstrate that the development will not have an adverse effect on the cultural heritage significance of the place, but may not require submission of all accompanying material, at the discretion of the Shire.

5. Heritage Impact Statement (HIS)

If a development proposal is substantial, to determine the potential impact on the heritage place a Heritage Impact Statement may be required. A Heritage Impact Statement describes and evaluates the likely impact of a proposal. It is a clear and concise account of the proposed work that addresses three basic questions:

- How will the proposed development affect the significance of the place?

- What alternatives have been considered to minimise any adverse impacts?
- Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

6. Register of Heritage Places (Category 1)

If a proposal affects a place that is entered in the Register of Heritage Places, the Shire will refer the development application to the Heritage Council of Western Australia, together with a Heritage Impact Statement at the applicant's expense.

7. Proposed demolition

A structural condition assessment is required in the case of proposed demolition if structural failure is cited as a justification for the demolition of a place in the Heritage List. The structural evidence should be provided by a registered structural engineer to substantiate that the structural integrity of the building has failed and cannot be rectified without removal of a majority of its original fabric that would impact the significance of the place.

8. Archival recording in the case of demolition

If the proposed demolition application of a place in the Heritage List a condition of approval, may require the applicant to submit an archival record of the place, prior to the commencement of development.

The archival record is to be in accordance with the Heritage Council's standard for archival recording. Completed archival records are to be submitted to the Shire of West Arthur in electronic format and will form part of the local government historical records.

9. Conditions of approval

Where a development application for a heritage place is approved with conditions, those conditions may be used to secure positive heritage outcomes, in addition to any standard condition.

Any condition of approval must have planning purpose, and be relevant and reasonable, and may include an archival record or entry into a heritage agreement.

10. Shire owned/managed property

The Shire of West Arthur will seek to lead by example by conserving and managing its own property in accordance with this Policy.

Review

1. Amendments to the Heritage List

The procedures for adding, deleting, or amending entries to the Heritage List are set out in the Local Planning Scheme.

The Heritage List should include, as a minimum, all those places identified in the Local Heritage Survey as being of Exceptional Significance: Category 1 (Register of Heritage Places) or Considerable Significance: Category 2.

The Shire may amend the Heritage List in the following situations:

- Consider inclusion of a place in the Heritage List if the findings of a reviewed Local Heritage Survey support it.
- A place is nominated for inclusion by the owner or a member of the public if assessment documentation to the required standard is provided by the nominator.
- If not, consideration will be deferred until a review of the Heritage List is scheduled.
- The inclusion of a place may be considered if a heritage assessment is prepared as part of a Heritage Impact Statement submitted by an applicant.
- Consider removing a place from the Heritage List if it is demolished or is damaged or destroyed, to the extent that its significance is significantly impacted or lost.

The Shire will retain a record of all places destroyed, demolished and/or removed from the Heritage List, to monitor the rate of losses over time.

2. Review Position and Date

Review to be authorised by the Chief Executive Officer each five years. The next review will be in 2027.

Table 1 – Category 1 and 2 Places

No	Cat	Address					Curtilage or Property	Description
		No	Street	Lot	Plan	Reserve		
2	2	29	Burrowes St	201	410870		Curtilage	Darkan Road Board
9	2		Coalfields Hwy	500 502	55441 55441	49175 49176	Curtilage	War Memorial and gates
10	2		Coalfields Hwy					Darkan Railway Station Precinct
a				500	55441	49175	Curtilage	Station office
b				501	55441	49176	Curtilage	Station Master's House
c				502	55441	49176	Curtilage	Railway Crane and Loading Ramp

12	2	9873	Coalfields Hwy	10	11576		Curtilage	CWA meeting rooms
16	2	9889	Coalfields Hwy	4	2560		Curtilage	Darkan Hotel
17	2		Coalfields Hwy	420	77655	37824	Property	Aboriginal Reserve and Nissan Hut (caravan park)
18	2	1	Burrowes St	184	170348	10340	Curtilage	Darkan School 1908 and 1950s sections only
20	2	76	Moodiarrup Road	147	130048	11741	Property	Darkan Cemetery
22	2	32	Hillman St	25	222360	11299	Property	Darkan Town Hall
23		32	Hillman St	25	222360	11299	Property	Darkan Pioneer Hall
36	2	3094	Darkan-Quindanning Rd	1	9770		Curtilage	Six Mile Cottage
38	1	17053	Albany Hwy	13914	205606		Property	The Arthur Wood Shed group
39	1	16882	Albany Hwy	803	302487		Property	St Paul's Anglican Church, Graveyard and Sandalwood Trees
40	1		Albany Hwy					Arthur River Precinct

a				2	75533		Curtilage	Mount Pleasant Inn Kitchen
b				201	65470	21211	Curtilage	Arthur River Hall
c				2	75533		Curtilage	Arthur River Post Office (fmr)
44	2	17961	Albany Hwy	503	72421		Curtilage	Woagin Farm outbuildings
70	2		Coalfields Hwy			A Railway	Curtilage	Bowelling Railway Station
71	2		Coalfields Hwy	3	129064		Property	Bowelling Station Master's House (fmr) Phone Exchange
89	2		Farrell St			A Railway	Curtilage	Duranillin railway siding and ramp
90	2	35	Farrell St	6	141056		Property	Duranillin Store
91	2	39	Farrell St	7 & 8	141056		Property	Duranillin Garage (fmr)
93	2	27	Horley St	37	403107	21614	Property	Duranillin School
97	2					A	Curtilage	Duranillin Railway Bridge over Arthur River

						Railway		
98	2		Hughes Mill Rd			VCL	Curtilage	Duranillin Road Bridge ruins
109	2	139	Glenorchy Rd			21786	Curtilage	Glenorchy School
113	2		Hillman-Dardadine Rd			A Railway	Curtilage	Hillman railway bridge ruins
117	2		Hillman-Dardadine Rd	2594	5741	16904	Curtilage	Hillman Dam, channels and catchment
120	2		Bokal East Arthur Rd			A Railway	Curtilage	Kylie Railway Siding water tower
121	2		Bokal East Arthur Rd				Curtilage	Kylie Dam, 3km from the siding
128	2		Boyup Brook Arthur Rd				Curtilage	Moodiarrup Hall
133	2		Lake Towerrinning Rd	50	4750 32648	24917	Curtilage	Lake Towerrinning
138	2		Trigwell Bridge Rd	1299	106510		Curtilage	Haddleton Shearing Shed

139	**2**		**Trigwell Bridge Rd**				**Curtilage**	**Trigwell Bridge ruin**
140	**2**		**Trigwell Bridge Rd**	**1299**	**106510**		**Curtilage**	**Trigwell Bridge School**

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015*
Related Documentation	Burra Charter 2013. Heritage Act 2018 The Burra Charter 2013 State Planning Policy 3.5 Historic Heritage Conservation Heritage Council's Criteria for the assessment of local heritage places and areas Heritage Impact Statement- a guide 2019 Guide to preparing an Archival record Local Heritage Survey 2022 Heritage List 2022

Policy Title	**LP 4 – Wellington Catchment**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

To clarify the processing and referral of development applications and to prevent the pollution of water within the special control area.

Scope

This Policy applies to land within the Wellington Reservoir Catchment Special Control Area as designated in Local Planning Scheme No 2 and shown below.

Definitions

Nil

Policy Statement

A. For the purpose of administrating the provisions of Clause 6.2. of the Scheme:
   - The previous advice from the Department of Water and Environmental Regulation is deemed to satisfy the need refer an application pursuant to Clause 6.2.4 of the Scheme where the application is consistent with that advice being that there is no objection to development in the Wellington Catchment where there is no clearing of native vegetation and the development is setback appropriately from any defined water course.
   - That approval of an application consistent with that advice satisfies the requirement of Clause 6.2.4 for the local government to have due regard to recommendations/advice received from the Department when determining applications.

B. That any development approval shall include conditions and / or advice notes reinforcing that any clearing of native vegetation within the catchment requires the approval of the DWER.

Background

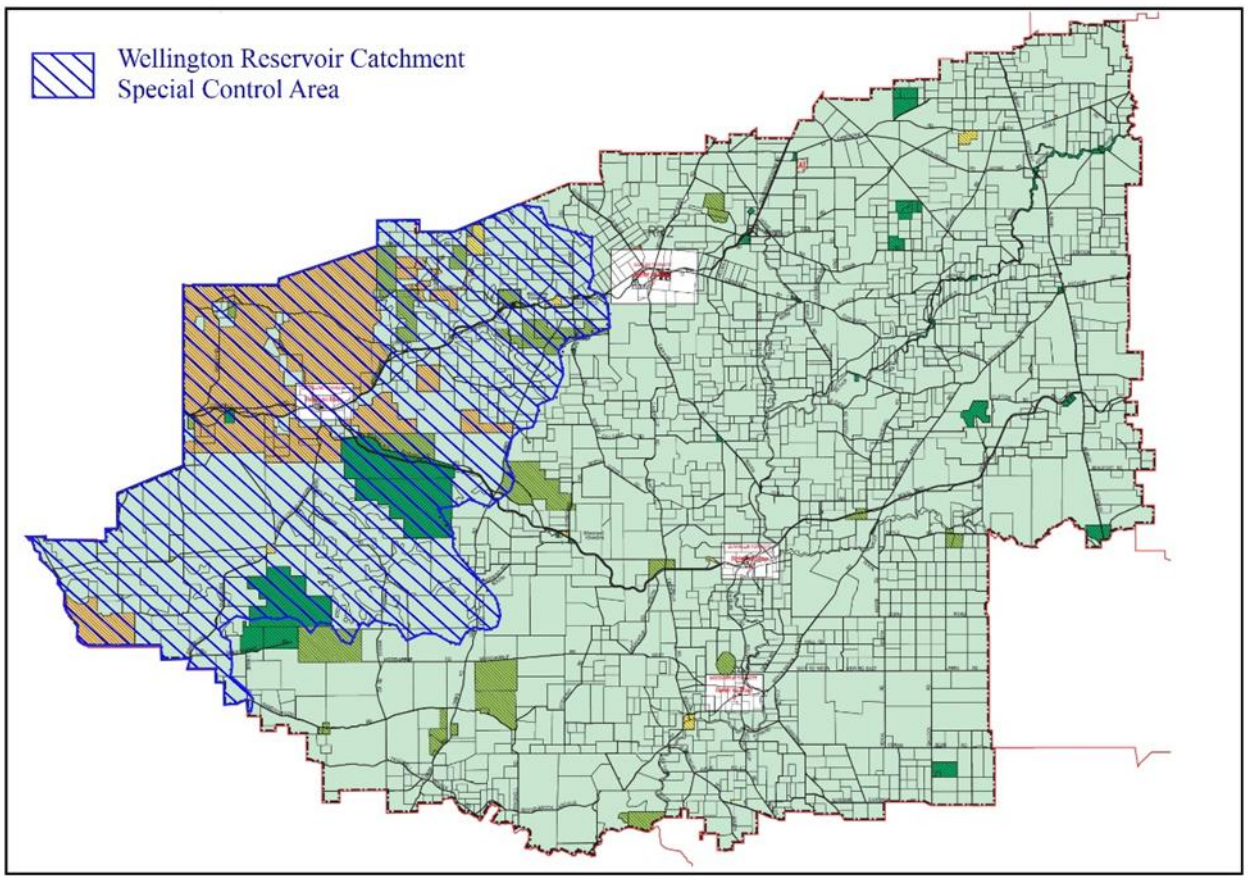
The Wellington Reservoir catchment is gazetted under the Country Areas Water Source Supply (CAWS) Act 1947. The clearing of native vegetation in this area is restricted to prevent further salinisation of water resources. However, it is no longer a Public Drinking Water Source Area (PDWSA) and the constraints relating to land uses and activities to protect drinking water no longer apply

Clause 6.2. of the Local Planning Scheme No 2 contains provisions relating to the Wellington Reservoir Catchment Special Control Area. It stipulates that:

- Planning approval is required for all development including a single house; and
- All applications are to be referred to the Department of Water and Environmental Regulation (DWER) and the local government is to have due regard to recommendations/advice received from the Department when determining applications.

DWER has advised Council that:

1. There is no general objection to residential development in the Wellington Catchment,
2. Referral is a matter of judgement and the legalities of the Local Planning Scheme,
3. Clearing of native vegetation and/or interference with waterways are flags for referral; and
4. That the referral of applications for single dwellings and farm sheds would appear unnecessary, where:
    - There is no clearing of native vegetation; and
    - The development is appropriately setback from any defined water course.



History	28/09/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	
Related Documentation	Local Planning Scheme No2

Policy Title	**LP 5 – Wind Farms**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

1. To articulate the Council's strategic position in relation to location, scale, design, and development of wind farms within the municipality;
2. To promote the use of renewable fuel sources;
3. To provide guidance for the consideration and assessment of development applications for wind farms under the Shire of West Arthur Local Planning Scheme No.2;
4. To ensure the continuation of broad-hectare agriculture, intensive agricultural uses and diversified farming;
5. To ensure wind farms do not lead to unacceptable impacts on important environmental, cultural and/or landscape values;
6. To ensure wind farms do not lead to unacceptable impacts the safety of the local community, aviation activities, or the continuation of activities occurring on nearby and adjacent land;
7. To ensure the consideration of development applications for wind farms has due regard for the potential impact on the amenity of surrounding properties; and
8. To ensure the local community is engaged and informed in the planning of wind farms.

Scope

1. This Local Planning Policy is prepared pursuant to Division 2, Part 2 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. It does not form part of the Local Planning Scheme, but the Responsible Authority will have 'due regard' to the Policy when considering any development application.
2. The policy applies to all zones and reserves in the Shire as provided for in Local Planning Scheme No 2. Any development of land within the Shire requires a development approval unless it is specifically exempted under the Deemed Provisions and/or relevant Local Planning Policy.
3. This Policy is to be read in conjunction with the Department of Planning Lands and Heritage (DPLH) 2020 Position Statement on Renewable Energy Facilities.
4. Pending the revision of Local Planning Scheme No 2, a wind farm is an unspecified land use being a 'complex application' pursuant to Clause 1 Part 1 Schedule 2 of the Deemed Provisions.

Definitions

Acoustic Consultant means a person who holds membership of grade Member or Fellow in the Australian

Acoustical Society or membership of the Association of Australasian Acoustical Consultants, or international equivalent.

Deemed Provisions are the provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Wind Farms are not defined within Local Planning Scheme No2.

Wind farms are defined in the Model Scheme Text (Town Planning Regulations) as:

A premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.

The Department of Planning Lands and Heritage *2020 Position Statement on Renewable Energy Facilities* has the following definition:

Renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.

Rural amenity is defined in State Planning Policy 2.5 Rural Planning as a standard of residential amenity that is rural in nature, which may include impacts from primary production. May also include biodiversity conservation, natural resource management, some public purposes and protection of landscapes and views.

Sensitive Land Use: there are multiple definitions of 'sensitive land use' in force under various legislation.

WAPC Position Statement on Renewable Energy Facilities defines a 'sensitive land use' as a land use that is residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres and generally exclude commercial or industrial premises.

State Planning Policy 2.5 Rural Planning defines a 'sensitive land use' as uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres. Generally excludes commercial or industrial premises.

State Planning Policy 4.1 Industrial Interface defines a 'sensitive land use' as uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include, but are not limited to, dwellings, short stay accommodation, hospitals, educational establishments, childcare centres, corrective institutions and places of worship. It generally excludes commercial or industrial premises. Public open space can be a sensitive land use in some circumstances depending on its intended use, for example, if it is intended that people will congregate and spend extended periods of time there.

The Environmental Protection (Noise) Regulations 1997 (Noise Regulations) defines a 'noise sensitive premises' as:

1. Premises occupied solely or mainly for residential or accommodation purposes.
2. Rural premises.

3. Premises used for the purpose of**:**
    a) a caravan park or camping ground; or
    b) a hospital having accommodation for less than 150 in-patients; or
    c) a sanatorium, home or institution for care of persons, a rehabilitation centre, home or institution for persons requiring medical or rehabilitative treatment; or
    d) education — school, college, university, technical institute, academy or other educational centre, lecture hall or other premises used for the purpose of instruction; or
    e) public worship; or
    f) a tavern, hotel, club premises, reception lodge or other premises which provides accommodation for the public; or
    g) aged care; or
    h) childcare; or
    i) a prison or detention centre; or
    j) a water storage dam or a catchment for a water storage dam.

Separation Distance is defined in State Planning Policy 4.1 Industrial Interface as a recommended distance necessary to separate a source of emissions (gaseous and particulate emissions, dust, odour and noise) from sensitive land uses in order to avoid impacts to health and amenity.

Shadow Flicker results from the sun's position in relation to the wind turbine blades as they rotate. This occurs under certain combinations of geographical position and time of day. The seasonal duration of this effect can be calculated from the machine's geometry and the site's latitude. Shadow flicker can be modelled in advance, and siting and design can mitigate the problem. This is more likely to be an issue for turbines located to the east or west of a dwelling.

Policy Statement

In 2019, the State Government launched Western Australia's Energy Transformation Strategy. This sets out the proposed transition from coal-fired power generation to cleaner, cheaper electricity produced by both large-scale wind and solar farms and rooftop solar photovoltaic (PV) systems.

The Western Australian Planning Commission's State Planning Strategy 2050 promotes renewable energy initiatives. It identifies a region that extends west from Eucla to Exmouth as having the potential for wind energy infrastructure.

Wind energy facilities (wind farms) are typically located on sites with steady winds throughout the year, with good road access, and proximity to major electricity infrastructure. A diagram of the South West Interconnected System (SWIS) within the Shire is provided in Appendix 1.

Wind farms usually consist of multiple large, rotating, three-bladed turbines that produce more than 4.0 MW of electrical output. These turbines have a generator and rotor blades mounted on top of a steel tower and the turbine's total height can be as high as 220 to 250 metres. A wind farm is expected to have an operational life of 20 to 30 years.

Under the Shire of West Arthur Local Planning Scheme No. 2 ('the Scheme'), planning approval is required for any proposed wind farm. The Policy sets out the Council's position on wind farms, and is particularly relevant to the Rural zone.

Contained in Appendix 2 is a map of the Shire showing social, physical and environmental features which are referred to in this Policy.

Siting and Design

Wind farms and all associated infrastructure should be located on cleared farming land, preferably near the power grid, to minimise clearing of vegetation for the facility, ancillary works, vehicle access and grid connection power lines.

The location and design of wind farms are to have due regard to the features shown in Appendix 2.

Wind turbines should be set back a minimum of 1.5 kilometres from the nearest existing dwelling or approved building envelope. This should also consider the likelihood of a new dwelling being developed on a vacant rural lot.

Wind turbines should be set back a minimum of 200m distance between the centre of the tower (or 150 m from the extended horizontal blade tip, whichever is greater) and neighbouring property boundary or public roads to mitigate safety risks in the event of blade drop or throw.

Consultation

Early consultation with the community and stakeholders by the proponents is encouraged to ensure that the proposal is compatible with existing land uses on and near the site.

Proponents should also liaise with relevant key stakeholders early in the process, including the Shire, including Government Departments, CASA, Air Services Australia, Department of Defence, local spraying contractors, nearby unlicenced airstrip owners, and any relevant local community groups.

An Engagement Strategy and Engagement Outcomes Report will be required to accompany an application and these should reflect the principles in the DPLH's Guide to Best Practice Planning Engagement in Western Australia.

An application will be advertised for a minimum period of 42 days being the period provided for in Clause 66(3) of the Deemed Provisions for a statutory body to provide comments to the Shire. Advertising shall consist of:

- **Notification to all adjoining and nearby landowners;**
- **Publication of a notice of the application and supporting information on the Council web page;**
- **Publication of a notice in the local newspaper; and**
- **Referrals to statutory bodies and other stakeholders when deemed necessary and appropriate.**

Environmental Impact

Applications should include an environmental survey of the site addressing (but not necessarily limited to) the following:

- **The type, location and significance of flora and fauna;**
- **Any threatened ecological communities;**
- **Existing remnant vegetation to be retained or that is proposed to be removed;**
- **The potential impact on birds and bats; and**
- **Any impact on the Aboriginal, natural, or historic heritage of the site or adjoining/nearby places.**

Proposals that may have a detrimental impact upon the environment will be referred to the Department of Water and Environmental Regulation (DWER) for comment and/or the Environmental Protection Authority (EPA) for assessment. This includes any application where there turbines are less than 1,500m from the nearest dwelling.

Noise Impact

A windfarm is required to operate within the maximum noise limits that are prescribed by the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) irrespective of any development approval. The Noise Regulations can be enforced under the provisions of the EP Act by a person authorised by the CEO of the relevant authority or any police officer.

The Noise Regulations prescribe a maximum night-time noise level of 35db (LA10) + influencing factor, when measured from a "Noise Sensitive Premise: Highly Sensitive Area". This would apply to any dwelling on a rural property, including outdoor areas within 15 metres of the dwelling. On any other part of a rural property which is classified as a Noise Sensitive Premise, the maximum night-time noise level is 60db (LA10).

A noise impact assessment, completed by an acoustic consultant, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997 for both construction and operational phases. The noise impact assessment is to have due regard to future land uses. Where a proponent is of the view that the noise emissions from the development will likely be masked by ambient noise, the South Australian Environmental Protection Authority Wind Farms Environmental Noise Guidelines (November 2021) may be referenced.

It is noted that:

i. Any development approval issued for a wind farm does not override the noise control provisions of the Environmental Protection (Noise) Regulations 1997, which applies to all wind farms in Western Australia;

ii. There may always be potential for lots adjacent to the facility to be further developed with dwellings; and

iii. The applicant takes the commercial risk that the wind farm operations may need to be altered or modified in the future to comply with Environmental Protection (Noise) Regulations 1997 with respect to new dwellings.

Visual and Landscape Impact

A visual and landscaped impact assessment may be required to determine the potential impact of a wind farm on the landscape character of the area. Specific landscape features which should be considered in any assessment include the following as shown on Appendix 2:

- Conservation reserves;
- Category 1 and 2 places identified on the Council's Heritage List and referenced in Local Planning Policy 3;
- Arthur River Shearing Shed (on State Register);
- Arthur River Historical Buildings;
- Hillman Rock/Reserve;
- Lake Towerrinning;
- The Arthur River – areas with permanent water; and
- Darkan townsite.

The WAPC's *Visual Landscape Planning in WA: a manual for evaluation, assessment, siting and design,* (November 2007) and the Australian Wind Energy Association and the Australian Council of National Trusts Publication *Wind Farms and Landscape Values* (2005) provide detailed guidance on visual landscape impact assessments.

Aviation

All development applications for wind farms must include an aviation impact assessment prepared by a suitably qualified person.

Proponents of wind turbine proposals should refer to the National Airports Safeguarding Framework (NASF) Guideline D: Managing the Risk to Aviation Safety of Wind Turbine Installation (Wind Farms)/Wind Monitoring Towers to determine any potential aviation safety risks and possible mitigation measures. Any potential aviation safety risks identified require consultation with Civil Aviation Safety Authority (CASA), Air Services Australia and/or the Commonwealth Department of Defence.

Hillman Airfield is not a CASA certified aerodrome and the NSAF guideline recommends consultation with unlicensed airstrip owners and CASA/Air Services. CASA has also released an advisory circular AC139.E-05v1.1 Obstacles (including wind farms) outside the vicinity of a CASA certified aerodrome. The location of wind farms in the vicinity of Hillman Airfield may be restricted in order to meet the National Aviation Safeguarding framework and/or CASA advisory circulars. This relates to both private and defence force aircraft and parachute activities and will require referral to the Commonwealth Department of Defence. It is strongly recommended all proponents of any new wind farm developments in proximity to the Hillman Airfield consult with the Commonwealth Department of Defence when planning any future development to determine and confirm the Department's ongoing operational requirements including the general suitability of any development proposal (see Attachment 1).

Site Access and Traffic Management

These provisions apply to both the construction and operation of the facility. No works can occur within a State Road Reserve controlled by Main Roads WA (MRWA) without MRWA's authorisation. Local roads are managed by the Shire.

Any application is to nominate the proposed site access/egress and includes documents that condition the proposed access, including for the construction of the facility. It is noted that the removal of vegetation within a road reserve may require approval under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

The use of unconstructed roads for site access is unlikely to be supported and the Shire is not responsible for providing access to any development site.

The Shire and/or Main Roads WA may require lodgement of a Traffic Impact Assessment prepared by a suitably qualified traffic engineer in accordance with Volume 4 Individual Development of the WAPC Traffic Impact Assessment Guidelines (2016).

The Shire Council may place conditions on any development approval to ensure any costs associated with road damaged, widening or upgrading are met by the developer.

Other Matters

Development applications are required to contain sufficient information to allow proper consideration of the application in accordance with the Scheme, Clause 67 of the Deemed Provisions, and objectives of this Policy.

Wind farm proposals should not have an unacceptable negative impact due to shadowing, flickering, reflection, or blade glint impacts.

Wind farm proposals should not have an unacceptable negative impact on the use of neighbouring land including for intensive rural activities, and tourism uses.

A decommissioning and rehabilitation plan will be required to be provided as a condition of approval for the removal of the facility and any rehabilitation requirements.

For the construction phase of the development, applications should include:

i. Information regarding the extraction and use of basic raw materials (i.e. the types and volumes of basic raw materials required, proposed transportation routes including heavy vehicle sizes, and management arrangements to minimise any potential negative impacts);

ii. Information regarding proposed water supply arrangements;

iii. A surface water management plan, incorporating appropriate design methods to manage water erosion from intense summer or winter rainfall events;

iv. A biosecurity management plan to ensure all excavation equipment/drilling rigs and the likes are thoroughly cleaned and free from any soil/plant material prior to leaving paddocks and especially moving from property to property; and

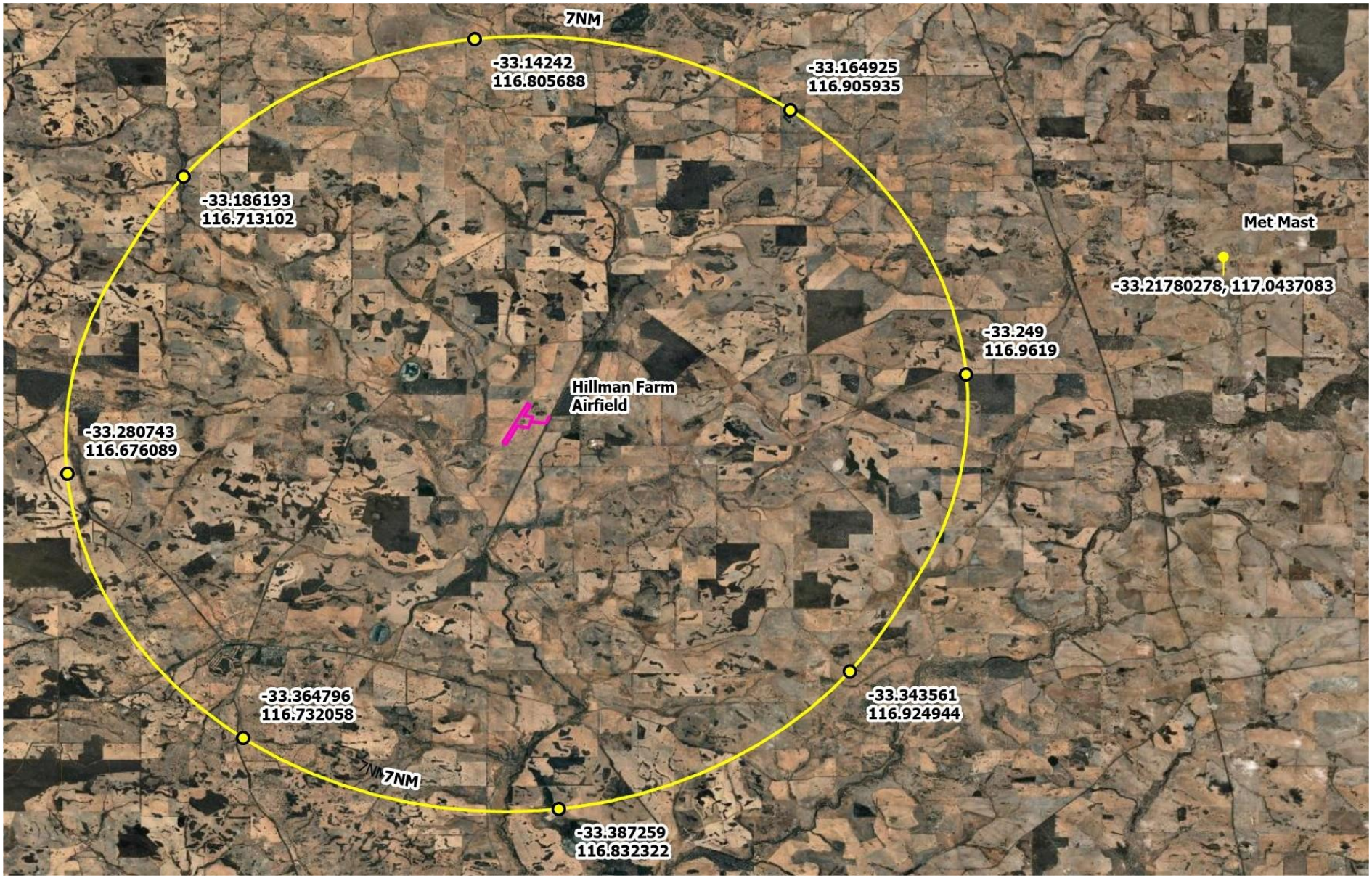
v. Information regarding the construction and use of temporary workforce accommodation including the location of any development of this type and all associated infrastructure and management arrangements.

Applicants are encouraged to hold preliminary discussions with the Shire or lodge a scoping report to identify relevant issues.

History	24/04/2025 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015*
Related Documentation	

Attachment 1

From: Hipps, Nadine MRS <nadine.hipps@defence.gov.au> **On Behalf Of** SEG Land Planning and Regulation
Sent: Friday, 5 June 2026 11:22 AM
To: Shire of West Arthur <Shire@westarthur.wa.gov.au>
Cc: 'RenewableEnergyPlanning@dplh.wa.gov.au' <RenewableEnergyPlanning@dplh.wa.gov.au>; 'Sarah.Cosstick@dplh.wa.gov.au' <Sarah.Cosstick@dplh.wa.gov.au>; Hogan, Tim Mr 2 <timothy.hogan2@defence.gov.au>; SEG Land Planning and Regulation <land.planning@defence.gov.au>
Subject: Hillman Farm Airfield - Defence confirms 7nm safety buffer [SEC=OFFICIAL]
OFFICIAL
Mr Vin Fordham Lamont
Chief Executive Officer
Shire of West Arthur
31 Burrowes Street,
DARKAN WA 6392
shire@westarthur.wa.gov.au
Good afternoon Mr Lamont,
I trust this finds you well.
Defence confirms that operations around the Hillman Farm Airstrip, near Darkan and Dardadine Western Australia, require a 7nm safety buffer from the perimeter of the airstrip.
Please find attached the GIS coordinates of this buffer and its associated shape file.
Please advise all proponents of wind farms (and associated infrastructure) within your Shire of the requirement to maintain this safety buffer.
Defence welcomes ongoing engagement with the Shire of West Arthur regarding Defence operational safety.
Please confirm receipt of this email, thanks.
(Reference: The Shire of West Arthur's Windfarm Local Planning Policy No.5 - outlines the Shire's expectations to developers surrounding siting, consultation, environmental, and aviation considerations.)
Regards,
Mrs Nadine Hipps
Assistant Director
Land Planning and Regulation
Estate Planning Branch / Infrastructure Division
Security & Estate Group
_____
Department of Defence
BP26-1-A031 **|** Brindabella Business Park **|** Canberra Airport
T: (02) 5109 5755 Mobile: 0413 619 648 E: nadine.hipps@defence.gov.au
IMPORTANT: This email remains the property of the Department of Defence. Unauthorised communication and dealing with the information in the email may be a serious criminal offence. If you have received this email in error, you are requested to contact the sender and delete the email immediately.


7NM
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116.9619
Hillman Farm
Airfield
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116.732058
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7NM
7NM
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116.832322

Policy Title	**LP 6 – Outbuildings**
Policy Type	**Local Planning**
Responsible Officer	**Chief Executive Officer**

Purpose

To ensure that oversized outbuildings do not detract from the streetscape or the visual amenity of residents or neighbouring properties; to accommodate outbuildings that meet the needs of the residents whilst being appropriate for the zone and land use; and to provide guidance for the consideration of Development Applications

Scope

This Policy applies to:

1. Land within the Residential and Rural Residential zones in Local Planning Scheme No 2.
2. Outbuildings which are not exempt developments including sea containers.

This Policy does not apply to Rural Sheds as provided for in Local Planning Policy No 2.

Definitions

An **outbuilding** is an enclosed non-habitable structure that is detached from any dwelling.

An **oversized outbuilding** in an outbuilding that does not comply with the area or height components of the deemed-to-comply requirements of the R-Codes**.**

Policy Statement

1. All outbuildings require a development approval unless they are exempt developments as provided for in Section 5.0.
2. Applications are expected to comply with the development provisions in Table 1.
3. Outbuildings are to be ancillary to the residential dwelling including in terms of their size and characteristics and shall not be the predominant use or development of the property.
4. Outbuildings are not permitted on vacant lots unless a Building Application for a Class 1a dwelling has been granted and it is not proposed that the outbuilding will be used for habitable purposes unless approved for temporary accommodation under the Health Act.
5. Outbuildings for rural pursuit purposes such as animal shelters or three sided hay sheds may be approved on vacant lots in the rural residential zone.
6. Applications for oversized outbuildings in the residential zone will be advertised to neighbours.

7. In considering an application, Council will have regard to the size of an outbuilding in relation to the dwelling. Oversized outbuildings are to be setback behind the existing building line so as to minimise any impact on the streetscape.

8. Oversized outbuildings should not have a negative impact on the surrounding area in terms of their size, appearance, or due to sun glare. They should preferably be constructed with colorbond cladding in natural tones. Zincalume cladding is not to be used unless it is painted. Features such as solar panels, glazed areas, timber, stone, rammed earth, or brick surfaces are not included.

9. Outbuildings may not be used for industrial or commercial purposes. They may be used for home occupation, home business etc with Council approval.

10. Sea containers are required to have:

- A personal access door using a mechanical device (door handle/lock mechanism) whereby persons can exit the sea container from inside; and
- Adequate ventilation.

Development Provisions	Residential <1,200m^2	Residential >1,200m^2	Rural Reid
Max Aggregate Floor Area	100m^2	150m^2	300m^2
Max Wall Height	3.2m	3.2m	5.0m
Max Ridge Height	4.5m	4.5m	7.0m
Setbacks	As per Scheme and/or R-Codes		
Non reflective material including roof	Yes	Yes	Yes

Table 1

Background

Outbuildings are recognised as an important component of residential development. Domestic outbuildings in the residential zone are subject to the provisions of the R-Codes. Residential lots within the Darkan and Duranillin townsites are generally 1,012sqm in size with an R12.5 or R10 Coding.

The design objective in the R-Codes is that outbuildings do not detract from the streetscape or the visual amenity of residents or neighbouring properties. The R-Codes also distinguish between:

a) Small outbuilding which does not exceed 10m2 in area; and
b) Large / multiple outbuildings.

The deemed-to-comply requirements for large / multiple outbuildings are:

i. individually or collectively does not exceed 60m2 in area or 10 per cent in aggregate of the site area, whichever is the lesser;
ii. set back in accordance with Table 2a. This is a 1m setback for a wall height of less than 3.5m and length of 14m.
iii. does not exceed a wall height of 2.4m;
iv. does not exceed a ridge height of 4.2m;
v. is not located within the primary or secondary street setback area. This 7.5m for the Residential R12.5 and R10 codes.
vi. does not reduce the open space and outdoor living area requirements in Table 1 being a minimum of 55% of the site area.

Exempt Developments

Clause 61 of the deemed provisions of the Regulations, provide that an outbuilding is exempt from development approval where:

- **the R-Codes apply, and the outbuilding satisfies the deemed-to-comply requirements;**
- **the outbuilding is on the same lot as a single house or grouped dwelling; and**
- **the outbuilding is not located in a place that is the subject of an order, a heritage agreement, or in the Register of Heritage Places under the *Heritage Act 2018*, or in a heritage area or on a heritage list under a local planning scheme.**

The above exemption does not apply to:

- **Bowelling townsite being located within Special Control Area 6 Wellington Dam Catchment noting that this is subject to Local Planning Policy 4.**
- **Land abutting an unconstructed road or a lot which does not have frontage to a construct road (Clause 5.7 of the Scheme).**
- **Relocated structures including sea containers.**
- **Outbuildings situated less than 6m from a dwelling or bushfire prone land with a BAL-40 or BAL-FZ rating.**

History	22/02/2024 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015*
Related Documentation	Local Planning Scheme No2

PEOPLE AND CULTURE

Policy Title	**PC – 1 Work Health & Safety**
Policy Type	**Governance**
Responsible Officer	**Chief Executive Officer**

Purpose

To outline the Shire of West Arthur's recognition of its moral and legal obligations and commitment to continuously improve our Work Health and Safety Management Systems, including the establishment of measurable objectives and targets, with the aim of elimination of work related injuries and illnesses.

Scope

This Policy applies to all Shire workers.

Definitions

A person is a **worker** if the person carries out work in any capacity for a person conducting a business or undertaking, including work as —

a. an employee; or

a contractor or subcontractor; or

an employee of a contractor or subcontractor; or

an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or

an outworker; or

an apprentice or trainee; or

a student gaining work experience; or

a volunteer; or

a person of a prescribed class.

A **workplace** is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

Policy Statement

The Shire of West Arthur will manage work safety and health including the development and implementation of a Work Health and Safety Management System that complies with or exceeds legislative requirements including, but not limited to:

a. The *Work Health and Safety Act 2020;*

The *Work health and Safety Regulations 2022; and*

Any other requirements placed upon the Shire or to which the Shire subscribes.

The Shire of West Arthur will ensure that all levels of workers understand their roles and responsibilities in accordance with legislative requirements.

The Shire of West Arthur will, so far as is practicable, meet our objectives by:

a. Providing and maintaining workplaces, plant, and systems of work such that workers are not exposed to hazards;

Providing such information, instruction, and training to, and supervision of, workers as is necessary to enable them to perform their work in such a manner that they are not exposed to hazards;

Developing and maintaining a culture that encourages all workers to manage health and safety risks;

Adopt, in consultation with workers, a risk management approach to work methods, plant and machinery acquisition and workplace design, and eliminate or control those identified risks;

Consulting and cooperating with safety and health representatives, if any, and other workers at our workplaces, regarding work health and safety at our workplaces;

Where it is not practicable to avoid the presence of hazards at our workplaces, providing our workers with, or otherwise providing for our workers to have, such adequate personal protective clothing and equipment as is practicable to protect them against those hazards; and

Making arrangements for ensuring, so far as is practicable, that:

- The use, cleaning, maintenance, transportation and disposal of plant; and
- The use, handling, processing, storage, transportation and disposal of substances, at our workplaces is carried out in a manner such that our workers are not exposed to hazards

While at work all workers will be expected to:

a. Ensure their own safety and health at work; and

Avoid adversely affecting the safety or health of any other person through any act or omission at work;

Comply with safety and health instructions given by the Shire, including any direction to wear personal protective clothing or equipment;

Report all hazards, injury or harm to health in our workplaces to the Shire in a timely fashion and assist with any investigations when required;

Undertake risk assessments as per Council's Risk Management Policy. All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making; and

Cooperate with the Shire in our efforts to carry out our legislatively imposed safety and health duties

A safe and efficient place of work is our goal.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Work Health and Safety Act 2020* *Work Health and Safety Regulations 2022*
Related Documentation	Risk Management Policy

Policy Title	**PC2 – Human Resources**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

To define the Shire's policy on the organisational structure and maintaining a comfortable, safe, and attractive working environment for Shire personnel.

Scope

This policy applies to all human resource guidelines and procedures.

Definitions

Senior Staff: Those employees or persons belonging to a class of employee designated to be senior employees by the local government.

Works Staff: Includes operational staff engaged in the operation of plant, road maintenance, and maintenance of public facility grounds. It excludes those engaged only for cleaning and part time pool attendants.

Policy Statement

For the Shire to maintain a competitive position in the labour marketplace the CEO shall:

a. Provide opportunities for employees to attend conferences, seminars and trainings within budget provisions.

b. Consider assistance to employees who wish to pursue relevant qualifications or licences within budget provisions.

c. Provide a uniform or uniform allowance to employees within budget provisions.

d. Provide relocation reimbursement to newly employed senior staff within budget provisions.

e. Maintain an effective and efficient Organisational Structure.

f. Provide Council vehicles to senior staff within budget provisions.

g. Provide Council phones to senior staff within budget provisions.

h. Provide Council housing to senior staff within budget provisions.

i. Consider over Award payments to attract quality staff.

j. Ensure that all Superannuation Guarantee contributions requirements are met.

~~k. Provide an additional 1.5% additional superannuation to employees who contribute a~~

~~minimum of 5%.~~

l. 1. Match the additional contribution up to a maximum of 15.5% of salary or wages, including the SGC component as per adopted policy PC 13 – Elected Member and Employee Superannuation.

m. Ensure employment of Overseas employees through 457 Visa Business Sponsorship is approved by Council.

n. Provide a housing allowance to staff not in Council housing within budget provisions.

o. Provide opportunities for staff to make salary sacrifice payments.

p. Provision of Emergency Services Leave is at the discretion of the CEO.

q. Consider staff usage of plant and equipment subject to conditions.

r. Provision of a gratuity gift or payment to departing employees within budget provisions.

s. Consider flexible working hours or Rostered Day Off for staff whichever best suits the needs of the Shire.

t. Recognise staff performance and commitment through the provision of an annual Christmas function and/or other function within budget provisions.

u. CEO contract matters which may be approved by the President without Council consideration.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	People and Culture
Relevant Legislation	*Local Government Act 1995 (WA)* *Workplace Relations Act 1996 (Cwth)* *Superannuation Guarantee (Administration) Act 1992 (Cwth)* *Race Discrimination Act 1975 (Cwth)* *Disability Discrimination Act 1992 (Cwth)* *Human Rights and Equal Opportunity Act 1986 (Cwth)* *Equal Opportunity for Women in the Workplace Act 1999 (Cwth)* *Age Discrimination Act 2004 (Cwth)* *Industrial Relations Act 1979 (WA)* *Minimum Conditions of Employment Act 1993 (WA)* *Long Service Leave Act 1958 (WA)* *Workers Compensation and Injury Management Act 1981(WA)* *Industrial Training Act 1979 (WA)* *Work Health and Safety Act 2020* *Equal Opportunity Act 1984 (WA)* *Migration Act 1958*
Related Documentation	Workforce Plan PC 13 – Elected Member and Employee Superannuation CEO Instructions 5 – Human Resources Procedures

Policy Title	**PC3 – Child Safe Awareness**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

Shire of West Arthur supports and values all children and young people. Shire of West Arthur makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways Shire of West Arthur demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. Shire of West Arthur is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that Shire of West Arthur is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. Shire of West Arthur will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, this policy provides a framework that outlines the role of Shire of West Arthur in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

Scope

The safety and wellbeing of children is everyone's responsibility. This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire of West Arthur, regardless of their work related to children or young people. It applies to occupants of Shire of West Arthur facilities and venues, including visitors, contractors and suppliers.

Definitions

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.
Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.
Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.
  Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

Policy Principles

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

Policy Statement

The Shire of West Arthur will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at Shire of West Arthur venues, grounds and facilities or events).
- Connecting and supporting local community groups, organisations, and stakeholders to child safe

resources (including culturally safe and inclusive resources).

Responsibilities

The Shire of West Arthur has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although the Shire of West Arthur is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise Shire of West Arthur facilities to operate in alignment with the Child Safe Awareness policy.

The Shire of West Arthur will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	People and Culture
Relevant Legislation	• *Child Care Services Act 2007* • *Children and Community Services Act 2004* • *Civil Liability Act 2002* • *Corruption, Crime and Misconduct Act 2003* • *Equal Opportunity Act 1984* • *Freedom of Information Act 1997* • *Local Government Act 1995* • *National Principles for Child Safety Organisations* • *Parliamentary Commissioner Act 1971* • *Public Interest Disclosure Act 2003r* • *Public Sector Management Act 1994* • *United Nations Convention on the Rights of the Child (CRC)* • *Work Health and Safety Act 2020* • *Working with Children (Criminal Record Checking) Act 2004*
Related Documentation	Strategic Community Plan

Policy Title	**PC4 - Employee Gratuities & Gifts**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

To allow for the recognition of employees whose employment with the Shire is ending, based on the length of their service to the Shire. This recognition may be awarded in addition to their entitlements under an Award, Workplace Agreement or Contract of Employment upon voluntarily ceasing their employment with the Shire.

Scope

This Policy is applicable to all Shire of West Arthur employees

Definitions

"Continuous service" does not include any period of unauthorised absence from duty, or any period of unpaid leave (unless CEO determines otherwise).

Policy Statement

The Chief Executive Officer is authorised to purchase a gift to recognise the service of employees voluntarily leaving the employment of the Shire, up to the following limits:

Number of Years' Service	Value of Gratuity Gift
Continuous service greater than 3 years and up to 5 years	A gift, or contribution towards a gift, to the value of $100
Continuous service greater than 5 years and up to 10 years	A gift, or contribution towards a gift, to the value of $200
10 to a maximum of 15 Years Continuous Service	A gift, or contribution towards a gift, to the value of $300
15 to a maximum of 20 Years Continuous Service	A gift, or contribution towards a gift, to the value of $500
Above 20 Years' Service	A gift, or contribution towards a gift, to the value of $750

Light refreshments and drinks for a function up to the value set out in the following table may be provided, where appropriate:

Number of Years' Service	Value of Refreshments and Drinks
Continuous service greater than 3 years and up to 5 years	$100
Continuous service greater than 5 years and up to 10 years	$200

10 to a maximum of 15 Years Continuous Service	$300
15 to a maximum of 20 Years Continuous Service	$500
Above 20 Years' Continuous Service	$750

Payments in Excess of Policy

Council may resolve to make a payment to a terminating employee which is more than the amount set out in this policy. If such a decision is made, local public notice must be given, in accordance with s5.50 (2) of the *Local Government Act 1995.*

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Nil

Policy Title	**PC5 – Betty Brown Historical Centre Management and Collection**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy will be used to guide the funding, establishment, and management structure of the Betty Brown Historical Centre. In addition, it will assist with the collection and inclusion of items into the Betty Brown Historical Centre, in accordance with the key theme and sub-themes of the Centre.

Scope

This Policy applies to the Betty Brown Historical Centre and those involved in the management and operations thereof.

Definitions

For the purpose of this policy —

Deaccessioning means the administrative process of removing an item from the collection.

Policy Statement

The Betty Brown Historical Centre and its collection are owned by the Shire of West Arthur. The Centre is housed in the Road Board building in the Health and Resource Centre. Normal access to the Centre will be during the CRC opening hours of 8.30am to 4.30pm with after hours by prior appointment.

Centre Management

35. Museum Reference Group

- The Centre will be managed by a Museum Reference Group (MRG) which will consist of a maximum of six members of which, up to three members will be Shire of West Arthur representatives (either staff or elected members) and up to three West Arthur Community Resource Centre (CRC) representatives (either staff or nominated representatives). The MRG will be responsible for the operation of the Centre, the collection and cataloguing of items for inclusion in the Centre, and updating policies and procedures associated with the Centre. The MRG will meet on an "as required' basis.
- Specifically, the MRG will be responsible for the following:
    - Setting procedures and guidelines associated with the management of the Centre.
    - Adopting and supporting the Collection Procedures Manual for the Centre.
    - Approving the Centre content (e.g., information for inclusion on panels, items to be

included in the Centre).

- Considering the annual budget needs and presenting to the Shire of budget consideration through the annual report.
- Developing the long-term vision of the Centre both financially and strategically through the Centre's Forward Plan.
- Overseeing short-term planning and determining how new exhibits or programmes will be funded.
- Approving significant changes to displays.
- Recommending use of reserve/renewal funds to the Shire.
- Approving who can open the Centre after hours/when it can be opened.
- Maintaining contact with relevant peak bodies and networks, in particular Museums Australia (WA); and
- Identifying risks associated with the Centre and implementing strategies to manage these risks.

1. Role of Organisations in MRG

Each organisation within the MRG will have specifically allocated roles in the management of the Centre. The roles of each organisation are outlined below.

The Shire of West Arthur will be responsible for:

- Managing Centre funds.
- Meeting day to day operational and maintenance costs (power, cleaning materials, and consumables) excluding wages. All expenses are to be approved in advance by a Shire authorised officer.
- Insuring the items contained within the collection and display cases and panels in the Centre.
- Cleaning the Centre, a minimum of twice per week.
- Payment of remuneration to the CRC for operating the Centre as part of the Memorandum of Understanding between the Shire and the CRC; and
- Provision of staff to manage the Centre.

- The CRC will be responsible for:
    - ensuring the Centre is accessible to the public during opening hours.
    - assisting visitors with enquiries.
    - having a good understanding of the Centre and assisting visitors with electronic devices associated with the Centre (e.g., iPad and headphones) and managing the upkeep of the software on these devices; and
    - ensuring the Centre is kept clean and tidy outside of normal Shire cleaning.

2. Centre Funding

- The ongoing management of the Centre will be funded by the Shire of West Arthur. A portion of the money bequeathed to the Shire by Ms Betty Brown ($50,000) plus funds remaining from the bequest following establishment has been annexed for future management. In addition to the bequeathed funds, the Shire will endeavour to allocate $5,000 per annum, where possible, for the future upkeep and development of the Centre.

- A donations box will be provided in the Centre and visitors will be encouraged to contribute to the donations box to assist with the Centre upkeep. Money from the donations box will be managed by the Shire.

Collections Policy

The key theme for the Centre is to communicate the "Changing Role of Women in Agricultural Communities" with specific reference to the Shire of West Arthur. Subthemes of "Providing, Working, and Belonging" have been identified to assist with collection of items.

3. Method of Acquisition

- The Centre will acquire objects for the permanent collection by donation, bequest, purchase or transfer. The Centre will consider conditional donations on a case-by-case basis. Loans will also be considered on a case-by-case basis. Decisions on items to acquire or loan will be made by the MRG.

4. Acquisition Criteria

- The MRG will consider the following criteria before approving acquisition of an object:
    - Relevance – The Centre only collects objects that relate to the Centre's purpose and key collecting areas and will not indiscriminately acquire objects that are not related to the themes described herein.
    - Significance – Priority is given to objects which are significant for their historic, aesthetic, scientific/research, or social/spiritual value.
    - Provenance and Documentation – Priority will be given to objects from the Shire of West Arthur and surrounding areas where the history of the object is known, and associated documentation and support material can be provided. However, material may be obtained from other areas for comparative purposes where this enhances understanding of the key themes within the collections.
    - Condition, Intactness and Integrity – the condition of the object must be taken into consideration when acquiring material. Badly damaged material will not normally be accepted into the collection.
    - Interpretive Potential – Objects that tell a story that adds to the interpretation of Centre themes will be prioritised.
    - Rarity - Objects may be prioritised if they are rare examples of a particular kind of object.
    - Representativeness - Objects may be prioritised if they are an excellent representative example of a particular kind of object.
    - Duplications - Objects that duplicate items already in the collection will not be accepted unless they are of superior condition and/or historic value. In such a case, the duplicate may be considered for deaccessioning.
    - Legal Requirements – the Centre only accepts objects where the donor/vendor has legal title to the object.
    - Resource Implications – the Centre will consider its responsibilities in relation to items that have highly specialised conservation, storage and display needs and the ability of personnel to care for these items and the financial resources that maybe required to house such items.

Deaccessioning and Disposal

An object can be deaccessioned from the Centre's collection if:

- It does not comply with the current collection policy of the Centre.
- It is damaged beyond repair.
- The conservation and storage costs for it are beyond the means of the Centre.
- It is a lesser quality duplicate of an object the Centre already owns.
- It lacks any supporting information to enable proper identification or to establish its relevance to the collection; and
- A substantiated request for the return of the object by its original owner/donor is received. This could be the return of sacred material to Indigenous peoples.

- Deaccessioning will be undertaken in accordance with Deaccession Procedures outlined in the Collection Procedures Manual.

In the event that the Centre needs to be closed, a resolution of Council will be required.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	Nil
Related Documentation	Betty Brown Historical Centre Procedures Manual Rev 2 (draft) Betty Brown Historical Centre Annual Report (draft) Betty Brown Historical Centre Forward Plan (draft)

Policy Title	**PC6 – Community Archives**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy will outline the role of the Shire and the Community in the establishment and management of a Community Archive Collection.

Scope

This Policy applies to documents, objects or other items that document the cultural heritage of community groups or organisations with this Shire of West Arthur. It does not apply to records required for the daily management of community groups or organisations (such as financial records or documentation relating to incorporation).

Definitions

For the purpose of this policy —

Deaccessioning means the administrative process of removing an item from the collection.

Policy Statement

What can be included in the Community Archives

The Community Archives will include historical documents and items from volunteer groups, clubs and organisations within the Shire of West Arthur. These groups may include craft groups, sports clubs, historical groups, church groups or other volunteer organisations.

Items stored in the Community Archives for each group can include (but are not limited to):

- Minute books
- Reports
- Ledgers
- Photographs
- Letters

Method of Acquisition

Community archives will initially comprise boxes currently stored by the Shire. Once the Archives are established, the Shire will advise other community groups that the option for storing historical items is available and then Community Archives will be acquired by donation from the community groups on an

as required basis.

Acquisition may be limited by storage space available. This will need to be determined as Archives are sorted and stored. The method of acquisition will need to be modified once the initial influx of material is catalogued.

Acquisition Criteria

- The Shire of West Arthur will consider the following criteria before approving acquisition of an object:

    - Relevance – The Centre only collects objects that relate to the Centre's purpose and key collecting areas and will not indiscriminately acquire objects that are not related to the themes described herein.

    - Significance – Priority is given to objects which are significant for their historic, aesthetic, scientific/research, or social/spiritual value.

    - Provenance and Documentation – Priority will be given to objects from the Shire of West Arthur and surrounding areas where the history of the object is known, and associated documentation and support material can be provided. However, material may be obtained from other areas for comparative purposes where this enhances understanding of the key themes within the collections.

    - Condition, Intactness and Integrity – the condition of the object must be taken into consideration when acquiring material. Badly damaged material will not normally be accepted into the collection.

    - Interpretive Potential – Objects that tell a story that adds to the interpretation of Centre themes will be prioritised.

    - Rarity - Objects may be prioritised if they are rare examples of a particular kind of object.

    - Representativeness - Objects may be prioritised if they are an excellent representative example of a particular kind of object.

    - Duplications - Objects that duplicate items already in the collection will not be accepted unless they are of superior condition and/or historic value. In such a case, the duplicate may be considered for deaccessioning.

    - Legal Requirements – the Centre only accepts objects where the donor/vendor has legal title to the object.

Documentation and Record Keeping

The Shire shall at all times maintain an effective documentation system in accordance with the Community Archives Collection Procedures Manual, 2020. All documentation including Archive Deposit Forms, Archive Agreement forms, Acquisition register and Database will be kept at the Shire office.

Storage and Conservation

The Community Archives will be stored in the Shire strong room in the Shire office. Additional storage maybe required and this will need to be determined after the initial establishment of the Archives.

Loans

The Shire will consider lending material to the relevant community group if requested by the community group that originally deposited the items in the Community Archives. Decisions relating to the borrowing of material will be made by the Shire representatives and will be undertaken on a case-by-case basis. The Shire will consider the length of time of the loan on a case-by-case basis.

Deaccessioning and Disposal

An object can be deaccessioned from the Community Archives collection if:

- It does not comply with the current collection policy of the Shire.
- It is damaged beyond repair.
- The conservation and storage costs for it are beyond the means of the Shire or the community group to which the object originally belonged.
- It is a lesser quality duplicate of an object the Community Archives already owns.
- It lacks any supporting information to enable proper identification or to establish its relevance to the collection; and
- A substantiated request for the return of the object by its original owner/donor is received. This could be the return of sacred material to Indigenous peoples.

Prior to an item being deaccessioned from the collection, the item identified for removal from the collection must be discussed with the relevant community group if it is still in operation, or a past member of that group if it is no longer in existence.

The community group's overseeing committee must discuss the relevance of the object and advise the Shire on the appropriateness of the items inclusion in the Community Archives taking into consideration the criteria stated above before it is disposed of.

Once an item has been deemed no longer suitable for inclusion in the Community Archives it should be returned to the community group if this group still exists, wherever possible. If the community group no longer exists then every effort should be made to contact a past member of the community group to discuss the item. If after a thorough search this is impossible, the following procedures should be followed in the order outlined below:

1. Transferred to another appropriate institution;
2. Sold by public auction, where appropriate;
3. Used as an educative/interpretive tool; or
4. Destroyed or recycled if appropriate.

In the event that the Shire needs to close the Community Archives, a resolution of Council will be required.

History	22/06/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed

Delegation	Nil
Relevant Legislation	*Local Government Act 1995 (WA)* *State Records Act 2000 (WA)* *Aboriginal Heritage Act 1972.* *Privacy Act 1988 (Commonwealth)* *Copyright Act 1968* *National Standards for Australian Museums and Galleries 1.5*
Related Documentation	Community Archives Collection Procedures, 2020

Policy Title	**PC7 – Discrimination, Harassment and Prevention of Bullying Policy**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur (Shire) is committed to ensuring the provision of a safe and respectable working environment for all its employees (workers), free from unlawful discrimination, harassment, sexual harassment, bullying and other unacceptable and/or unlawful behaviour.

This policy is designed to ensure that all employees understand what will be regarded as discrimination, bullying, harassment and violence, how complaints of discrimination, bullying, harassment and violence can be made and how claims will be treated by the Shire.

Scope

This policy applies to all Shire employees, elected members, contractors and visitors whilst at the workplace, on Shire business, and at Shire sponsored or funded functions or activities during and outside of work hours.

This policy also relates to, but is not limited by, the following types of communication:

- Verbal communication either over the telephone or in person in and outside the workplace
- Written communication including letters, notes, minutes of meetings and all other physical communication.
- Internal and external electronic communication including:
    - Email
    - Instant messaging services
    - Internal intranet
    - Communication via MS Teams, Zoom, Face-Time and other platforms
    - Social media and networking forums including Facebook, LinkedIn, Twitter and other forms of social media

This policy is applicable to the employment of employees but operates independently of their contract of employment and does not form part of it.

Definitions

Discrimination	Occurs when a person is treated less favourably in the

	workplace because of their age, breastfeeding, family responsibility, family status, gender history, impairment, marital status, political conviction, pregnancy, race, religious conviction, sex, sexual orientation or spent convictions
Harassment	Any conduct which is unwanted by the recipient, is considered objectionable, and causes humiliation, offence, distress or other detriment. It may be an isolated incident or repeated behaviour against one or more individuals. Harassment may be, but is not limited to: - physical contact (ranging from touching to serious assault, gestures, intimidation, aggressive behaviour), - verbal (unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language), or - non-verbal (offensive literature or pictures, graffiti and computer imagery, isolation or non- co-operation and exclusion or isolation from social activities)
Sexual Harassment	Unwelcome behaviour of a sexual nature which can reasonably be regarded as offensive, or which may cause the recipient to feel as if they will be disadvantaged if they object to it.
Bullying	Usually, but not exclusively, repeated and persistent unreasonable behaviour, which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to: - conduct which is intimidating, physically abusive or threatening, - conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues, - picking on one person where there is a common problem, - consistently undermining someone and their ability to do their job, - setting unrealistic targets or excessive workloads, or - bullying via email (cyber-bullying).
Worker	Any person who carries out work for the Shire, including work as an employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.
Workplace Violence	Workplace Violence is a physical attack or threat to a worker or group of workers that creates a risk to health and safety. It includes aggression and challenging behaviours and can be categorized as client-initiated and external or intrusive workplace violence. Examples of workplace violence include: • Striking, kicking, scratching, spitting and tripping; • Grabbing, shoving, pushing or any direct contact; • Throwing objects or attacking with any form of

weapon; and
- Any form of indecent physical contact.

Policy Statement

In line with the Shire's commitment to creating a workplace which is free from workplace health and safety risks and one which strives to create positive working relationships, all those covered by this policy and procedure are expected to observe the following minimum standards of behaviour:

- Being polite and courteous to others;
- Being respectful of the differences between people and their circumstances;
- Ensuring they do not engage in any harassing, discriminatory or bullying behaviour(s) towards others in, or connected with, the workplace;
- Ensuring they do not assist, or encourage, others in the workplace, or in connection with the workplace to engage in harassing, discriminatory or bullying behaviour(s) of any type;
- Adhering to the complaint procedure in this policy if they experience any harassing, discriminatory or bullying behaviour(s) personally;
- Reporting any harassing, discriminatory or bullying behaviour(s) they see happening to others in the workplace, or connected with the workplace, in line with the complaint procedure outlined in this policy;
- Keeping information confidential if involved in any investigation of discrimination, bullying or harassment.

These standards of conduct are intended to operate in addition to, and in conjunction with, the Shire's s code of conduct.

Unacceptable Behaviour

Unlawful Discrimination

A worker is directly discriminated against if they are treated less favourably than another person in the same or similar circumstance, because of any one of the grounds of discrimination outlined below. Indirect discrimination can occur where a practice or requirement is imposed upon all employees; however, a high proportion of employees with an attribute cannot comply with, or are affected by, that practice or requirement. The Shire acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

The Shire and its workers acknowledge they are subject to State and Federal equal opportunity and anti-discrimination legislation. The following is a non-exhaustive list of the grounds of discrimination for which it is unlawful to discriminate against an individual:

- Age;
- Family responsibility or status;
- Race or colour;

- Sex including gender identity, sexual orientation and intersex status;
- Physical or mental disability;
- Marital status;
- Political or religious conviction;
- Pregnancy;
- Criminal record;
- Breastfeeding;
- Gender history;
- Impairment;
- National extraction or social origin; and
- Trade union activity

Sexual Harassment

The *Equal Opportunity Act 1984 (WA)* and the *Sex Discrimination Act 1984 (Cth)* provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Some examples of sexual harassment include, but are not limited to:

- Physical contact (touching, rubbing, patting, embracing, brushing up against etc.);
- Gestures of a sexual nature;
- Leering or staring;
- Offensive telephone calls, emails, text messages or notes;
- Sexual suggestive jokes or comments;
- Tales of sexual exploits;
- Repeated requests for a date;
- Unwelcome comments or questions about a person's sex life, appearance or dress; and
- Sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).

Bullying

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening irrespective of intent.

Bullying is also unlawful under the Work Health and Safety Act 2020 (WA) and the Work Health and Safety (General) Regulations 2022 (WA).

- Some examples of bullying include, but are not limited to:
- Loud, abusive or offensive language or comments;
- Yelling and screaming;
- Unjustified criticism and insults;
- Unjustified threats of dismissal or other disciplinary action;
- Acts of sabotaging another’s work by withholding information which is required to fulfil tasks;
- Spreading malicious rumours or misinformation;
- Inappropriate comments about an employee’s appearance, lifestyle of family;
- Deliberately excluding an employee from workplace meetings or activities;
- Hiding documents or equipment or withholding vital information required for effective work performance;
- Constantly changing targets or work guidelines;
- Overloading an employee with work and impossible deadlines;
- Setting tasks that are unreasonably below or beyond an employee’s level of skill;
- Threats of assault or violence or actual violence;

- Teasing and practical jokes; and
- Isolating or ignoring an employee on a constant basis.

Reasonable Management Action

The Shire has a right to take reasonable management action to direct the way in which work is conducted and to give employees lawful and reasonable directions to complete work in a certain manner. Reasonable management action is not workplace bullying.

Some examples of reasonable management action include, but are not limited to:
- The establishment and regular use of performance management systems;
- The setting of reasonable performance targets and deadlines;
- Providing employees with constructive feedback or counselling to assist workers to improve their work performance or the standard of their behaviour;
- Issuing a lawful and reasonable direction to an employee to complete a work task;
- Preparing and amending a roster for employees;
- Transferring an employee to a different work location for operational reasons;
- Implementing organisational change;
- Informing an employee about inappropriate behaviour in a confidential manner; and
- Taking disciplinary action against an employee.

Other Behaviours not considered to be Bullying.

Where two or more workers have a difference of opinion and disagree on an issue, this is not usually considered to be workplace bullying. However, where conflict escalates and is repeated, it may meet the definition of workplace bullying.

Additionally bullying does not occur where bullying behaviour is a one off occurrence and if that behaviour does not create a risk to health or safety,

What are the Ways in which Bullying can Occur?

There are a variety of ways bullying behaviour can occur in the workplace such as verbally, through email or text message or via social media. Bullying can be directed at an individual employee or a group of employees, and can be carried out by one or more employees. Bullying can occur between employees, downwards from managers to employees or upwards from employees to supervisors or managers.

What to do if you think you are being Discriminated Against, Sexually Harassed or Bullied?

Report it to a Supervisor, Manager or the CEO . You are also encouraged to refer to the Grievance Policy and Grievance Procedure for steps to take if you think you are being discriminated against, sexually harassed or bullied, or if you suspect another employee is experiencing any of those things.

Support

The Shire engages the services of an external Employee Assistance Provider who can provide employees with confidential counselling. Please contact Deputy Chief Executive Officer for details of the Employee Assistance Provider.

Consequences of Breaching This Policy

Any breach of this policy may result in disciplinary action up to and including termination of employment.

Variation to This Policy

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

History	23/11/ 2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	• *Equal Opportunity Act 1984 (WA)* • *Sex Discrimination Act 1984* • *Fair Work Act 2009 Cth* • *Work Health and Safety Act 2020* • *Work Health and Safety Regulations 2022* • *WorkSafe WA How to manage work health and safety risks 2022* • *Work Health and Safety: Consultation, Cooperation and Coordination WA Code of Practice* • *Workplace behaviour Code of Practice* • *Psychosocial hazards in the workplace Code of Practice* • *Preventing workplace sexual harassment national guide Safe Work Australia*
Related Documentation	Policy PC8 – Grievance, Investigations and Resolution Policy.

Policy Title	**PC8 – Grievance, Investigation and Resolution Policy**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur (the Shire) aims to provide a working environment that reflects our values, behaviors and specifically promotes safety, teamwork, and respectful treatment. From time to time, issues or conflict will arise causing an individual/s to feel aggrieved.

The purpose of this procedure is to ensure employees have support to raise and seek resolution of genuine grievances via an impartial internal process which is transparent and capable of review.

Scope

This procedure applies to all employees at the Shire. 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 in any capacity.

Note where there is an inconsistency between this procedure and an industrial instrument or agreement the instrument or agreement will take precedent.

Definitions

Bullying

Usually, but not exclusively, repeated and persistent unreasonable behaviour, which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- conduct which is intimidating, physically abusive or threatening,
- conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues,
- picking on one person where there is a common problem,
- consistently undermining someone and their ability to do their job,
- setting unrealistic targets or excessive workloads, or
- bullying via email (cyber-bullying).

Complainant:
A person who has a grievance regarding an employment related matter/incident/issue for which they feel aggrieved.

Defamation:
To slur or damage an individual's good name or character as a result of making allegations concerning their conduct/behaviour.

Discrimination
Occurs when a person is treated less favourably in the workplace because of their age, breastfeeding, family responsibility, family status, gender history, impairment, marital status, political conviction, pregnancy, race, religious conviction, sex, sexual orientation or spent convictions

Employee Assistance Program (EAP):
An independent, confidential counselling service. Counsellors can provide advice and support on any personal matter and on any work related matters.

Formal Complaint/Grievance
Is defined whereby the Complainant submits a grievance in writing and a formal investigation is undertaken by a Grievance Officer

Harassment
Any conduct which is unwanted by the recipient, is considered objectionable, and causes humiliation, offence, distress or other detriment. It may be an isolated incident or repeated behaviour against one or more individuals. Harassment may be, but is not limited to:

- physical contact (ranging from touching to serious assault, gestures, intimidation, aggressive behaviour),
- verbal (unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language), or
- non-verbal (offensive literature or pictures, graffiti and computer imagery, isolation or non- co-operation and exclusion or isolation from social activities).

Informal Complaint/Grievance
Is defined as being where no formal complaint is made, and no formal investigation is undertaken.

Conciliation
A process where an impartial third party assists the Complainant and Respondent settle a complaint by mutual agreement.

Mediator
Is an individual who from a position of neutrality assists the Complainant and Respondent reach an agreed outcome that will resolve a grievance.

Mediation
Is defined as the process whereby the Complainant and Respondent with the assistance of a mediator systematically isolate disputed issues to develop options, consider alternatives and reach consensual formal agreement that will accommodate their needs.

Procedural Fairness:

The minimum standard of fairness to be applied in the investigation and adjudication of a dispute.

Reasonable Management Action

Reasonable management action is an action carried out in a reasonable way which means:

- the behaviour must be management action;
- it must be reasonable for the management action to be taken, and
- the management action must be carried out in a manner that is reasonable.

Respondent

- A person or the Shire (itself) against whom a grievance is made regarding an employment related matter/incident/issue.

Support Person

- An individual (maybe a friend, family member, another employee (who does not have a conflict of interest) an external organisation representative) who can attend a meeting with an employee to provide emotional support and act as a witness. A support person cannot however advocate or speak on behalf of an employee.

Sexual Harassment

Unwelcome behaviour of a sexual nature which can reasonably be regarded as offensive, or which may cause the recipient to feel as if they will be disadvantaged if they object to it.

Victimisation

Subjecting a person to any detriment or threat of detriment because they have made or propose to make a complaint, made or propose to make a witness statement, assert a workplace right or are the subject of an allegation whether formal or informal which is the basis for a grievance under this policy.

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.

Who can lodge a grievance:

Any employee or volunteer of the Shire is able to raise a grievance under this policy however employees whose conditions of employment are covered by a common law contract should refer to the dispute resolution clause contained within their contract in the first instance.

What grievances/complaints can be raised under this procedure:

Under this procedure a grievance can be raised on a range of employment related matters such as;

- Workplace Bullying;
- Workplace Health and Safety;
- The interpretation and implementation of an employment contract;
- Access to learning and development opportunities;
- Code of conduct breaches;
- Work environment concerns;
- Other forms of unfair treatment that can adversely affect an individual;
- Allegations of fraud;
- Workplace Discrimination and harassment * (refer below)

Discrimination or harassment on any of the following grounds is unlawful under the Equal Opportunity Act of WA (1984):

- Age
- Pregnancy
- Breast feeding
- Impairment
- Sex
- Race
- Gender History
- Sexual Harassment

- Racial Harassment
- Marital Status
- Religious or Political Convictions
- Family Responsibility or Family Status
- Sexual Orientation
- Spent Convictions
- Criminal Convictions
- Impairment

Allegations of Criminal or Unlawful Conduct

It is important to be aware that in the event that a grievance relates to an unlawful action or activity in accordance with the Criminal Code, the Deputy Chief Executive Officer or if unavailable the Chief Executive Officer must be contacted immediately. Such matters will then be raised with the Police and/or other relevant agency along with the Shire Public Interest Disclosure Officer.

Excluded Matters

The following matters are deemed excluded from being investigated and resolved as a grievance under this policy:

Reasonable Management Action

The Chief Executive Officer may, upon written application from a party to a grievance; exclude a matter being progressed under this procedure if it is evident upon review that reasonable management action has been taken by a Manager and or Supervisor.

In reviewing whether a matter is to be excluded the Chief Executive Officer (CEO) acknowledges that Managers and Supervisors have rights and obligations to take appropriate management action and make appropriate management decisions. They need to be able to effectively direct and control the way work is carried out, respond to poor performance and, if necessary, take disciplinary action. In doing so, Managers and Supervisors are not 'bullying', but undertaking their roles through reasonable 'lawful' direction of an employees' performance.

The following are examples of what may constitute management action:

- Performance appraisals.
- Ongoing meetings to address underperformance.
- Counselling or disciplining an employee for misconduct.
- Modifying an employee's duties including transferring or redeploying the employee.
- Investigating alleged misconduct.
- Denying an employee, a benefit in relation to their employment
- Refusing an employee permission to return to work due to a medical condition

At the very least, to be considered reasonable, the action must be lawful and must not be 'irrational, absurd or ridiculous'.

Roles

Complainant – An employee who raises a complaint about a matter regarding the workplace.

Respondent – An employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.

Support Person – 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 but not advocate on a person's behalf. The exception to this is where an employee has a union delegate acting as a representative in a meeting.

Witness – A person (including an employee) who is requested by the Local Government to assist the process by providing relevant information regarding the complaint.

Who can provide information in respect to process and options

An individual who believes they have grounds for a grievance can obtain information and support from the following sources

- **Chief Executive Officer;**
- **Manager/ Supervisor**
    - Managers/Supervisors are empowered to conciliate and mediate all grievances that are within the scope of their expertise and responsibilities. However, in the case of bullying, harassment and discrimination issues a Manager/Supervisor may only conciliate and are not able to formally investigate allegations unless experienced in workplace investigations and appointed either by the Deputy Chief Executive Officer or the CEO.

- ***Public Information Disclosure Officer***
- **Health and Safety Representatives where established**

As a minimum the following information is to be provided to an individual by any of the above sources;

- A copy of this policy and an explanation of its content;
- An outline of the roles involved in a grievance;
- The options that an individual has in terms of resolving the issue either informally or formally
- Assurance of confidentiality and that Complainant is in control of the process at all times (the exception being if the issue is of a criminal nature or concerns the safety of others)
- Availability and access to the Employee Assistance Program (EAP), which provides a confidential counseling service for any personal or work-related issue.

Timeframe for lodging grievances

Individuals can raise a grievance within a reasonable time of the events against an employee (regardless of level or status), a group of employees, a volunteer, or a contractor unless it is an excluded matter. Where there is a delay in lodging a grievance, the Deputy Chief Executive Officer and or the CEO may ultimately determine, in consultation with the parties to the grievance, whether the time frame is reasonable. Where the time frame is deemed unreasonable a written response will be provided to the individual.

Confidentiality

It is important that all parties involved in a complaint maintain strict confidentiality and that the grievance is not discussed outside the authorised parameters. It is important to note a breach of confidentiality could lead to defamation of character, which is potentially unlawful. The Shire will take any victimisation or breach of confidentiality extremely seriously, which may include disciplinary action. Note the requirement for confidentiality within authorised parameters is to be maintained throughout the process, to the point of resolution and beyond.

Principles for resolution of grievances:

Reflecting the principles of procedural fairness whereby each party has the opportunity to have their say and be heard the primary emphasis in resolving grievances under this policy is on Conciliation and, if necessary, involving a third party to assist conciliate or mediate the grievance.

By having the primary emphasis on conciliation, it is intended that a grievance may be able to be resolved promptly, confidentially and at the lowest cost whilst achieving an outcome that all parties can accept. It will further ensure that after review if applicable the work area remains free from discrimination, bullying, harassment, and victimisation.

Other key principles that act as a guide to resolution of grievances under this policy are;

- Grievance issues shall be resolved as a matter of priority
- Grievances shall be taken seriously, and all efforts shall be made to resolve the grievance with sensitivity, confidentially, preferably at the local level and using the existing management structure if possible.
- Grievances should be addressed and resolved in a feasible timeframe.
- Although a complaint may be lodged against an individual (the Respondent), there shall be no assumption of guilt. If a complaint is dealt with via a formal procedure, a decision shall only be made after thorough investigation produces evidence to either substantiate or dismiss the complaint.
- In investigating a grievance no action shall be taken without the consent of the Complainant (this does not apply to the application of outcomes determined from an investigation) unless the severity of the case deems it necessary (such as the safety of individual/others or if a criminal offence). If this is the case the Deputy Chief Executive Officer or if unavailable the CEO is to be informed immediately.
- The grievance processes shall operate within a general framework of cooperation and adherence to the principles of procedural fairness and equity with an emphasis on preventing further grievances and/or disputes.
- Individuals involved in a grievance are responsible and accountable for ensuring that the grievance is dealt with professionally and to uphold strict confidentiality.
- All employees have the right to raise legitimate grievances without the threat of adverse repercussion, including victimisation.
- All investigations and decisions will be made by person(s) who are impartial.
- The number of people involved in a complaint is to be kept to a minimum level necessary to effectively resolve an issue.
- As part of the focus on resolving grievances and to ensure procedural fairness the Complainant and Respondent will be afforded the opportunity to comment on the possible bias of any other person involved in the grievance resolution process.
- Decision makers must act fairly and without actual or perceived bias. Where an allegation of bias is raised against a decision maker the matter must be referred to the Deputy Chief Executive Officer or if against the Deputy Chief Executive Officer to the CEO to determine whether the decision maker can continue to act in relation to the matter.
- Those involved shall be informed about decisions and judgments that affect them however investigation reports will not be provided to Complainant, Respondent, or any witnesses.

What to do if you have a Grievance? - Grievance Resolution Options

Noting the rights of individuals to raise matters with external agencies Individual/s who wish to have a complaint/grievance addressed by this policy are provided with two options *:

- Informal Grievance Resolution and
- Formal Grievance Resolution

** Note however there is no diminution of the rights of any employee to seek a formal investigation of his/her claim in the event that a satisfactory resolution cannot be achieved through the informal conciliation process or diminution of the rights of any employee to raise the matter with an appropriate external agency at any stage*.

Informal grievance resolution mechanism

The grievance may or may not be in writing.

Efforts to try and resolve a grievance informally are encouraged as there are issues that do occur in the workplace that may be unintentional or misguided. It allows for positive action to be taken to correct or alter behaviour and focuses effort on putting working relationships onto a proper basis by clarifying what is regarded as acceptable behaviour and what is not.

This process allows management to develop and implement preventative measures throughout a work area without attributing blame to one person or another. This can be important when the grievance has been raised as a result of group behaviour or when what has been regarded as 'normal' behaviour is perceived as harassment or discrimination by someone new to the area.

A Complainant(s) who is aggrieved shall, where safe to do so, make it clear to the Respondent that it is their perception that Respondent's behaviour, or their decisions or actions are unfair or unacceptable and/or they are making the Complainant/s feel uncomfortable.

The Complainant may do this alone or may obtain assistance through conciliation facilitated by a supervisor, manager to resolve their grievance.

The purpose of the conciliation is to firstly explain fully the nature of the grievance to the Respondent. Throughout the discussions, the Respondent and the Complainant shall be supported and assisted to reach a mutually satisfactory solution to the issue.

If the attempts for resolution of the grievance through the informal process are not successful, or the Complainant feel unsafe to continue with an informal process the Compliant may elect to progress their grievance through the formal grievance mechanism.

Documentation for informal process of grievance resolution

- All parties involved in the informal resolution process may take notes about the grievance raised and what outcomes are sought by the Complainant(s) raising the

grievance. Under no circumstances shall any documentation relating to an informal grievance be placed on a personal file.

Formal grievance resolution mechanism (grievance must be in writing)

The formal grievance resolution process is available when it is evident to parties involved that the informal grievance resolution process has not or will not resolve the grievance; or that resolution will be unreasonably complex and/or lengthy.

All formal grievances must be in writing. Harassment, discrimination, or workplace bullying issues able to be submitted to the CEO, Manager and or Supervisor.

The Complainant must clearly state in writing the nature of the grievance, providing where possible all facts and evidence that support the decision for lodging the grievance. If efforts have been made to try and resolve the grievance informally, these details should also be provided.

In managing a formal grievance, strategies in seeking to resolve the grievance may include conciliation, mediation, inquiry, or an investigation to assess substantive evidence.

If a grievance requires a workplace investigation, the Deputy Chief Executive Officer or CEO may appoint an Investigating Officer. The Investigating Officer may be an independent internal officer or an external consultant (experienced in human resource management and or work health and safety).

The Independent Investigating Officer report shall provide a report to the Deputy Chief Executive Officer or Chief Executive Officer if it relates to the Deputy Chief Executive Officer. As a guide only the report should include the following:

- Date formal grievance received;
- Details of the grievance;
- Action taken in investigating the grievance;
- Records of any interviews, including (where appropriate) witness statements;
- Facts established;
- Recommendations for action.

The report recommendations shall outline the proposed course of action to resolve the grievance and to prevent such a grievance from occurring again (where appropriate). The Deputy Chief Executive Officer or as appropriate the CEO shall make the final decision on the most appropriate course of action. Should a grievance be raised against the Deputy Chief Executive Officer, the report with recommendations on the most appropriate course of action to resolve the grievance will be provided to the CEO.

Once the Deputy Chief Executive Officer/or CEO have made a decision, the Complainant and the Respondent are advised of the outcome personally and in writing. If, following an investigation, it is concluded that the grievance is unsubstantiated or unable to be concluded on the balance of probability, the Deputy Chief Executive Officer or CEO will explain this to the Complainant and the Respondent.

Note substantiated cases based upon the balance of probability following a grievance investigation may result in action being taken by the Shire. This action which may include disciplinary action and ultimately a review of an employee/employee's employment or in the case of a volunteer termination of their agreement with the Shire.

Documentation for formal process of grievance resolution

At the completion of the formal process, all documentation relating to the grievance is to be kept on a secured, confidential file specifically for grievance resolution. Note whilst the outcome of an investigation will be communicated to the Complainant/s and Respondent the investigation report is and will not be provided to either the Complainant or Respondent.

Appeals/other alternatives for grievance resolution

An individual may choose to contact an external agency to resolve a grievance at any stage or if the internal grievance resolution process does not resolve the issue from the perspective of the Complainant.

Depending on the issue, external agencies that an individual may wish to contact include:

- Corruption and Crime Commission
- Equal Opportunity Commission
- The Western Australian Industrial Relation Commission
- Police - 131 444
- Union Assistance
- WorkSafe Western Australia
- Human Rights Commission

Vexatious claims

It is expected that any grievance raised is done so in good faith and reflects the genuine concerns of an employee(s). If during a grievance investigation it is found that:

- The grievance is malicious;
- The grievance has been raised to upset or annoy a Respondent;
- The grievance is designed to get retribution against others; or
- The grievance has no basis in fact whatsoever.

then the grievance will be considered to be ‘vexatious' and the Complainant advised as such. That in considering a grievance to be vexatious disciplinary action may be taken against a Complainant, including but not limited to, termination of employment.

Variation to This Policy

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

APPENDIX A

Informal versus Formal grievance procedures

INFORMAL	FORMAL
• Emphasis is on resolution not on substantiating the grievance. • Addresses individual grievance. • Does not follow prescribed step of guidelines. • Limited written records kept if any. • Resolution involves change in behaviour and work practice at individual level.	• In addition to achieving a resolution, a judgment is required about whether the grievance is substantiated or not. • Follows prescribed steps and guidelines. • Strict guidelines about record keeping. • Usually involves senior management. • Specifies roles and responsibilities. • Resolution can involve change in behaviour and work practice at individual level as well as systematic and cultural change.

Informal Grievance Procedures

ADVANTAGES	DISADVANTAGES
• Less intimidating because less punitive. • Because parties are more involved in resolution, they may be more committed to the resolution. • Grievances may be dealt with more speedily. • More likely to encourage open communication. • Flexible	• Resolution not necessarily enforceable because the people involved may not have sufficient power to enforce an agreement. • Lack of guidelines means that procedures can be ad hoc and inconsistent. • May actually escalate problem if it is not dealt with effectively.

	• No written records kept. If any legal action is taken the Shire has no record of the steps it has taken to try to remedy the situation.

Formal Grievance Procedure

ADVANTAGES	DISADVANTAGES
• Greater consistency likely because steps of grievance procedure are specified in detail. Some formal grievance procedures contain guidelines for managers and investigators when dealing with grievances. • Formal record keeping usually means that documentation is relatively detailed and can be produced if required by outside agencies. • Outcomes are normally clear and enforceable even if a clear finding is not possible. • It makes the person who has been accused aware of the seriousness of the matter and of the potential consequences. • Resolution can be monitored. • Can deal with general problems in the workplace as well as specific grievance. • Greater chance that confidentiality will be maintained because formal grievance procedures often specify serious consequences for breaching confidentiality	• The formality and potential punitive outcome may prevent people from using it. • Formality of procedure can inadvertently take choice and control away from the Complainant. • Can take longer than informal methods. • Less flexible because they usually follow prescribed steps.

History	23/11/2023 Adopted 22/05/2025 Reviewed

	23/05/2026 Reviewed
Delegation	Deputy Chief Executive Officer
Relevant Legislation	• *Industrial Relations Act 1979* • *Equal Opportunity Act 1984 (WA)* • *Sex Discrimination Act 1984* • *Work Health and Safety Act 2020* • *Work Health and Safety Regulations 2022*
Related Documentation	Policy PC7– Discrimination, Harassment and Bullying Policy.

Policy Title	**PC9 – Disciplinary Policy**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur (the Shire) aims to ensure the maintenance of professional and appropriate behaviour within the workplace.

The Disciplinary Policy provides an equitable and consistent approach for dealing with unacceptable behaviour (such as unsatisfactory work performance, misconduct) which does not meet the expected and communicated standards required from employees.

Scope

This policy applies to all employees whilst at the workplace, on Shire business, and at sponsored or funded functions, or activities, during and outside of work hours.

Other actions by employees outside of working hours may also fall within the scope of this policy if there is an impact on the employee's ability or suitability to do their job, or the actions bring the Shire or its employees into disrepute.

If a discipline matter involves a criminal offence, it must not be dealt with under this process and will be referred to the appropriate authorities such as the Corruption and Crime Commission, Police.

This policy is applicable to the employment of employees but operates independently of their contract of employment and does not form part of it.

Definitions

Misconduct means conduct that includes, but is not limited to:

- Negligence in the performance of an Employee's duties e.g., poor timekeeping (evidenced / documented over time or lateness or absenteeism without reasonable cause or approval);
- Misbehaviour (e.g., uncooperative attitude or being rude to internal/external employees and stakeholders);
- Refusal to carry out a lawful and / or reasonable instruction;
- Serious incompetence;
- Failure to properly discharge responsibilities; or
- A breach of the Shire's Employee Code of Conduct Policy.

Serious misconduct means conduct that includes, but is not limited to:

- Conduct that causes imminent and serious risk to:
    - The health or safety of a person, animal or environments; or
    - The reputation, viability or profitability of the Shire;
- Failure to meet required standards or expectations as part of a formal performance improvement process;
- Theft or fraud;
- Physical/verbal threats or assault;
- Wilful or deliberate behaviour that is inconsistent with the continuation of the employee's employment;
- Malicious damage to company property; or
- Possession, or under the influence, of illegal drugs or alcohol;

Policy Statement

The Shire of West Arthur may from time to time consider that issues of employee behaviour, misconduct or unacceptable performance levels require disciplinary action.

Commitment
The Shire of West Arthur is committed to providing the best possible service and ensuring its employees perform and conduct themselves in accordance with Shire of West Arthur policies, procedures and guidelines (Policies). Any disciplinary procedure will be applied in a consistent, fair and objective manner, and it will ensure that, where reasonable, employees are given an opportunity and assistance to improve.

Authority to take Disciplinary Action
Disciplinary action may only be taken when authorised by the Chief Executive Officer, Manager and or Supervisor.

When the Disciplinary Policy Applies
Some examples of when this policy may be invoked include breaches of Shire of West Arthur policy and procedures including, but not limited to:

- breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
- poor performance such as frequently attending for work late or producing a poor quality or work; or
- inappropriate personal behaviour such as theft, violating the Discrimination, Harassment and Bullying Policy, or wilfully disobeying a lawful instruction.
- fraud;
- dishonesty including theft;
- fighting;
- releasing confidential information without authorisation;

- conduct that includes imminent and serious risk to the reputation, viability, or profitability of the organisation
- serious neglect of duty
- gross insubordination and abuse
- serious and wilful disobedience.

General Disciplinary Principles
The following principles will apply to any disciplinary action taken.

- Nature of allegation and investigation: Before formal disciplinary action is taken against an employee, the nature of the allegations made against an employee will be put to the employee and an investigation may ensue, in accordance with the Grievances, Investigations & Resolution Policy and Procedure.
- Right to a support person: Where an employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the employee may be accompanied by a support person where practicable. The role of a support person is not to advocate on behalf of anyone, but to simply provide emotional or other support and should not have a conflict of interest in the disciplinary matter.
- Confidential: All parties must keep matters related to a disciplinary process confidential.
- Fair and impartial: The Shire strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

Other Disciplinary Action
Except for serious misconduct, where an employee has engaged in an act or omission which is inconsistent with any of the Shire of West Arthur's Policies, the employee could be disciplined as follows:

- Verbal warning – Where an employee engages in an act or omission which is inconsistent with the Policies, management has the discretion to issue the employee with a verbal warning. The verbal warning should be noted in a file note and placed on the employee's personnel file.
- Written warning – If the employee engages in a more serious act or omission, or acts in a manner which is inconsistent with the Policies, management has the discretion to issue the employee with a written warning. The employee must be given a copy of the written warning.
- Termination of employment with notice – In cases other than summary dismissal, an employee's employment may be terminated with notice or payment in lieu of notice provided the Shire has a valid reason for terminating the employee's employment and the employee has an opportunity to respond to the reasons for termination.

Whenever an employee is required to attend a meeting regarding a disciplinary issue, the employee may have a support person present where practicable. The type of disciplinary action taken against an employee is at the Shire of West Arthur's discretion and the type of disciplinary action will depend on the seriousness and frequency of any misconduct or performance issue.

Principles to be Applied.
Where disciplinary action is taken, the principles of procedural fairness must prevail.

Investigation Procedures for Alleged Misconduct

The Shire may conduct an investigation itself or appoint an independent workplace investigator to undertake an investigation into alleged misconduct. Where an allegation of misconduct is to be investigated an employee shall be notified and may be suspended with pay pending the outcome of an investigation process.

Reporting Obligations

If an officer or employee of the Shire has reporting obligations pursuant to the *Corruption and Crime Commission Act 2003 (WA)* and suspects on reasonable grounds that a matter arises which concerns or may concern misconduct, the Corruption and Crime Commission must be notified of that matter as soon as reasonably practicable.

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

Variation to this Policy

This policy may be cancelled or varied from time to time. Employees will be notified of any variation to this policy by the normal correspondence method.

History	23/11/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Industrial Relations Act 1979* *Corruption and Crime Commission Act 2003 (WA)* *Public Interest Disclosure Act 2003 (WA)*
Related Documentation	Employee Code of Conduct Policy PC7– Discrimination, Harassment and Bullying Policy. Policy PC8– Grievance, Investigation and Resolution Policy.

Policy Title	**PC10 – Fitness For Work**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

The Shire of West Arthur (the Shire) aims to provide and maintain a workplace environment that not only protects the health and safety of all individuals in all work locations, while facilitating a productive workplace. A safe and productive work environment includes the respectful treatment of others in the workplace. The use of drugs and/or alcohol in the workplace may impair an individual's ability to perform their work safely, efficiently and with respect for colleagues, and members of the public.

Under the Work Health and Safety Act 2020 the Shire has a duty of care to protect workers and other persons (e.g Councillor's, Members of the Public) from known hazards and risks by its acts or omissions. This includes any impairment that may impact an individual's fitness for work.

It is the Shire's view that the consumption of drugs and/or alcohol, illness, fatigue and stress can impair an individual's ability to perform work in a safe manner and can also lead to unacceptable behaviour towards others.

The purpose of this fit for work policy is to protect all workers and other persons in areas that are work related.

This policy confirms the Shire's expectations regarding workers' fitness for work in relation to drugs, alcohol and fatigue and applies to all employees, volunteers, contractors, and councillors.

Scope

As a condition of working, volunteering for, or contracting to the Shire, all personnel agree to be bound by the requirements of this policy.

The obligations contained within this Policy further extend to all functions and places that are work-related. For example, conferences, work lunches or meetings, Social Club/Christmas parties, Contractor functions or workplaces etc

This policy is applicable to the employment of employees but operates independently of their contract of employment and does not form part of it.

Definitions

Alcohol – means ethyl alcohol or ethanol.

BAC – means Blood Alcohol Concentration as measured in milligrams of alcohol per 100ml of blood.

Candidate – For the purposes of this procedure, any worker who is participating in a fitness for duty test.

Chain-of-custody – A series of procedures to account for the integrity of each urine or oral fluid specimen by tracking its handling and storage from point of collection to final disposal of the specimen.

Confirmatory test – An analytical procedure that uses mass spectrometry to identify and quantify unequivocally a specific drug or metabolite.

Confirmed negative – A result at or below the target concentration following confirmatory testing.

Confirmed positive – A result above the target concentration following testing. This equates to; BAC (alcohol) - greater than 0.000 at test – Please note a drug test can only be confirmed positive following laboratory testing.

Drugs - includes illegal drugs and prescription or pharmacy medications.

Drug and Alcohol Tester – A Shire employee tasked with coordinating the Drug and Alcohol program on all Shire workplaces.

Employees – Persons employed by the Shire of West Arthur.

Fitness for Work – is when a person is able to undertake their duties, tasks and responsibilities of their role to the normal level of functioning and without suffering from fatigue, the influence of alcohol above the BAC limit , any drug and or any physical or mental health conditions that diminish their level of functioning below the level at which work is normally performed. For individuals with identified and recognised disabilities, the level of functioning required is to the standard normally expected on a regular and ongoing basis.

Fatigue - means weariness from bodily or mental exertion. Physical fatigue is the inability to continue functioning at the level of one's normal abilities. Mental fatigue includes decreased wakefulness or a general decrease in attention.

Incident – An 'incident' is an unplanned event that causes, or has the potential to cause, injury, damage to property, harm to the environment, financial loss or impact on the reputation of the organisation.

Laboratory – A laboratory to carry out chemical analysis in conformity to the requirements of AS/NZS 4308:2008 Procedures for the collection, detection and quantitation of drugs of abuse in urine and AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.

NATA – National Association of Testing Authorities.

Non-negative result – This is an initial indicator from the swab (drugs) test that will require further laboratory testing.

Non-prescription Drugs - means any drug legally obtained but not prescribed by a medical practitioner including but not limited to "over the counter" medication.

Prescribed Drug – Any substance prescribed by a medical practitioner that has restriction or specific instructions associated with its use.

Worker – Includes Employees, Contractors, Visitors and other persons undertaking work or accessing

areas under the Shire's control.

Policy Statement

This policy addresses drug and alcohol use in the workplace and management of fatigue and other fitness for work issues. The policy supports and is to be read in conjunction with the Disciplinary Policy.

The Shire has adopted a zero tolerance to impairment caused by alcohol and other drugs to ensure the obligation to provide a safe and healthy workplace is met.

A medical assessment will form part of the pre-employment checks on all persons who reach preferred applicant status for positions with the Shire. This assessment will 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.

Responsibilities

CEO.

- Coordinating the random drug and alcohol testing program.
- Authorising Drug and Alcohol Testers.
- Ensuring the Policy is regularly reviewed, maintained and communicated.
- Ensuring sufficient budget for implementing Policy requirements.
- Implement disciplinary actions and a return to work program.

Deputy Chief Executive Officer

- Coordinate training on fitness for work
- Coordinating a random drug and alcohol testing program.
- Act as a Drug and Alcohol Tester.

Supervisor / Manager

- Taking prompt and appropriate action where they have reasonable cause to suspect an individual may not be fit for duty.
- Ensuring that adequate rest breaks are allowed between work periods to ensure that fatigue is managed.
- Contacting the CEO and or Deputy Chief Executive Officer for advice on the application of this policy, if needed.
- Identifying the possibility that a decline in work performance could be the result of illness, disability or other personal factors and may not be directly related to fatigue, alcohol or other drug use.
- Confidentially entering any breaches into the Shire's incident reporting system.

Employees

Except as set out in this policy, employees are not permitted to do the following:

- Possess, solicit, sell, distribute, or consume alcohol and or illicit drugs while at work
- Commence work when under the influence of illegal drugs
- Commence work if the legal BAC for their class of driver's licence, which may range from 0.00%, 0.02% or 0.05% BAC.
- Commence work if they are under the influence of drugs that affect their capacity
- Not commence work if in any doubt about their fitness for work.

An employee must:

- Advise their Supervisor/Manager? if they consider another person may be affected by drugs and/or alcohol, and is likely to compromise the safety of themselves or others
- Report to their Manger/Supervisor the loss or suspension of their driver's licence for any period due to blood alcohol readings and/or drugs as where a driver's licence is deemed an essential an inherent requirement of an employee's position
- Understand that they may be required to participate in a drug or alcohol test by an accredited external provider nominated by the Shire based on reasonable suspicion, or as a result of an accident, injury, or incident.
- Discuss with their doctor or pharmacist the requirements of their role and whether any prescribed or over the counter medication could impact on working safely, if taking prescription or pharmaceutical medication.
- Obtain a letter from the Doctor indicating what impacts could arise, where impacts are expected – all persons should also carefully read any information sheets provided with medication.
- Speak with their leading hand or manager if unsure as to fitness for work.

<u>All Contractors are responsible for</u>:

- Their employees whilst on or about Shire work locations at all times regarding fitness for work.
- Always Complying with this procedure whilst on Shire work locations.
- Maintaining their own fitness for duty policy and / or procedures which are, at a minimum, in line with this procedure whilst on or about Shire work locations.
- Implementing appropriate disciplinary actions for any worker who breaches this policy whilst on or about Shire work locations.

<u>Drug & Alcohol Tester</u>

- Responsible for ensuring adherence to testing procedures outlined in this Policy.
- Checking and testing equipment and kit prior to conducting testing.
- Maintaining relevant documentation.
- Coordinating training for testers.
- Maintaining and calibrating the monitoring equipment.
- Liaising with the CEO when a non-negative result is received.
- Liaising with a Medical Centre in relation to testing requirements and results.
- Ensuring adequate stocks of test kits and mouth pieces are available.

Information and Training

Workers will be made aware of Shire's fitness for work policy and their responsibilities through toolbox meetings and the Shire's induction process. The policy is available on the Shire's intranet.

The Shire will provide practical guidelines and training to relevant personnel on fitness for work issues.

Prescription and Non Prescription (Over The Count Drugs) and Non-Prescription Drugs

Where a worker is taking prescription or non-prescription drugs for a legitimate medical purpose, the worker will not be in breach of this policy by attending work, if:

- The worker takes the prescription and pharmacy drugs in accordance with the instructions of his/her medical practitioner and normal directions applying to the use of those drugs;
- The worker does not misuse or abuse prescription or pharmacy drugs;
- The employee informs himself/herself of the impact of alcohol on prescription and pharmacy drugs and limits their consumption accordingly and in compliance with this policy; and
- The employee checks with their medical practitioner or pharmacist about the effect of the drug on his/her ability to drive vehicles and generally perform their work duties in a safe manner.
- If upon request the Shire seeks the employee to provide written reasonable evidence that they are fit for their required duties and include any impacts of prescribed or non- prescribed drugs.

Consumption /Possession of Illicit Drugs/Alcohol at Work

In circumstances where the Shire suspects an employee is in possession of illicit drugs or alcohol (except as detailed within this policy), or is impaired by drugs or alcohol, the Shire may take any or all of the following actions:

- The Employee may be directed to go home;
- An investigation may be conducted to confirm possession / use of illicit drugs / alcohol within the workplace;
- The Employee may be directed to attend to a medical practitioner and submit to a medical examination to determine their fitness for work.

Exceptions to This Policy Regarding Consumption of Alcohol

In certain circumstances, the CEO may approve sensible and responsible consumption of alcohol such as for special functions, (e.g., Christmas parties, Social Club Events, End of Financial Year).

In these circumstances, any change or variation to this policy will be communicated accordingly in advance; however, the following principles will continue to apply at all work-related functions:

- Workers who consume alcohol should behave in an appropriate, legal, and responsible manner
- Workers must not operate any machinery if they have consumed any alcohol
- Workers must not drive any vehicle if they have or they believe they have an above BAC for their class of driver's licence, which may range from 0.00%, 0.02% or 0.05% BAC.

- Workers should ensure that alcohol is consumed in a responsible manner to ensure their compliance with “fit for work” requirements the following workday.
- Workers are to be mindful that work relationships and the reputation of the Shire can be adversely affected by poor behaviour;

Where alcohol is provided and or to be consumed as part of a Shire CEO approved ‘special function’, the Shire will ensure

- Non-alcoholic beverages, water and food will be provided;
- Staff functions have a start and end time, at which point the alcohol provided by the Shire will cease;
- Alcohol will not be served to intoxicated people;
- Alcohol will not be supplied to workers or guests below the legal drinking age; and
- Adequate notice will be provided to workers of the date and venue for staff functions, so that staff can ensure they have safe transportation to and from the venue.

Fatigue Management
All workers have a responsibility to present themselves fit for work on all occasions.

Workers also have an obligation to advise their Supervisor/Manager if they are feeling fatigued so that their fitness for work can be assessed and managed and appropriate remedies put into place to ensure their health, safety and wellbeing.

To assist workers to be fit for work they are also encouraged to:

- Adopt a healthier lifestyle, including maintaining an appropriate level of physical fitness relative to the requirements of their position description.
- Manage their activities and schedules outside of work time to ensure the required amount of sleep is maintained to ensure fitness for work.

Impairment Indicators

Impairment refers to an inability of an individual to safely undertake tasks at their normal level of concentration and performance. Impairment can be associated with a range of factors including fatigue, stress or anxiety, environmental factors (heat, dust, noise, chemicals), drug or alcohol use. Regardless of the reason, workers who are impaired must not be involved in tasks that could jeopardise their safety or that of others.

Managers and supervisors are responsible for approaching an individual to determine their fitness for work where they suspect a person may be impaired.

The potential impact on work performance and / or safety of the person or other workers is to be discussed.

Drug or alcohol indicators: Sign may include:

- Smell of alcohol on the breath or person.
- Slurred or incoherent speech.
- Unsteadiness.
- Red, bloodshot or watery eyes.
- Flushed or ruddy face.
- Noticeably smaller or larger pupils.
- Lack of or poor muscle coordination.
- Over-excitement or agitation.
- Difficulty with simple instructions.
- Drowsiness or falling asleep.
- Difficulty in concentrating.
- Poor balance and coordination.
- Loss of inhibitions.
- Aggressive or argumentative behaviour.
- habitual lateness for work.

Fatigue Indicators include:

- Not feeling refreshed after sleep.
- A greater tendency to fall asleep while at work.
- More frequent naps during leisure hours.
- Feelings of sleepiness.
- Extended sleep during days off.
- Increased errors and loss of concentration at work.

Sleep Indicators include.

- A drowsy feeling.
- Blurred vision.
- Difficulty keeping eyes open.
- Head nodding.
- Excessive yawning.
- Repeatedly drifting out of lane if driving.

Alcohol and Drug Testing

Taking part in random alcohol and other drug testing is a condition of entry to any Shire work location.

A worker may also be requested to provide a test sample to a representative of the Shire or a Shire appointed testing agency where:

- There is reasonable suspicion or cause that the worker may be under the influence of alcohol or other drugs.
- A worker has been directly or significantly involved in any incident.
- The worker is returning to work after an alcohol or other drug rehabilitation program.
- The worker's behaviour indicates impairment.
- The worker commits any act of neglect or carelessness or breach of safety requirements.

- A material decline in work performance or work attendance or any other irrational behaviour is apparent.
- The worker has contravened the Shire's fitness for duty requirements in terms of alcohol or other drug use.

Refusing a Test

Where an individual refuses to participate in testing, the disciplinary consequences shall be explained to the individual and the request repeated.

Further, refusal to participate or failing to attend for testing shall be deemed as a failed screening result and the individual concerned shall have the disciplinary process applied.

Cause and Suspicion Testing

a) **Cause Testing**

Cause testing may be conducted on any Shire employee or contractor directly involved in an incident.

b) **Suspicion Testing**

Where a supervisor or manager has reasonable suspicion, a worker may be under the influence of drugs or alcohol, the leading hand or manager has reasonable cause to test the identified person.

Cause and Suspicion Testing may be conducted by one authorised tester who will conduct the required tests in compliance with this Policy and relevant guidelines.

Workplace Assistance for Substance Abuse Problem

Shire employees who have a substance abuse problem are encouraged to speak with any of the following people for confidential advice and assistance:

- Chief Executive Officer
- Deputy Chief Executive Officer
- Their Manager
- A Safety and Health Representative (SHR) where appointed.

The Shire employee shall be referred to the Employee Assistance Program (EAP) in the first instance. Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Shire will provide assistance to the employee.

- The Shire will allow an employee to access any accrued personal or annual leave while undergoing treatment, and;
- The Shire 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 manager will review the full circumstances and agree on a course of action to be taken.

This may include redeployment to suitable alternative employment, or possible termination of employment if the employee is unable to safely carry out the requirements of their role.

Alcohol

Alcohol Test Results

In the event an employee or other person tests positive to alcohol, the following shall apply;

a) The individual will not be allowed to return to the Shire workplace until the Shire is satisfied that actions taken are appropriate & acceptable and include the provision of a negative test result prior to restarting.
b) Test results are captured using the Drug and Alcohol Positive / Negative Test Record. For a Shire employee, the results will be placed on the employee's personnel file and disciplinary action taken. For any other worker, the employing organisation will be notified immediately, and an incident logged (confidentially) in Shire's incident system.
c) The worker is to relocate to an amenities room to wait for a - Confirmatory Breath Test. During
d) After the worker relocates to an amenities room, they will be retested after 20 minutes. If the BAC content reading has fallen to 0.000 the candidate may resume their normal duties, otherwise they must be escorted from the workplace and not allowed to resume duties for the duration of that working day.
e) If required to leave the workplace and the BAC is below the legal driving limit, it is acceptable to for the person to drive. Otherwise, the Shire will make alternative arrangements for them to be transported to their accommodation / home.
f) Where disciplinary action is to be taken, full consideration will be given to relevant circumstances and any mitigating information/matters.

Calibration of Test Equipment

Equipment used for alcohol breath testing must be calibrated in accordance with Australian Standard AS/ANZ 3547 Breath Alcohol Testing Device for Personnel Use.

A calibration certificate is issued when the Shire Breath Analyser unit is recalibrated.

Calibration certificates are to be recorded in Shire's safety management system and a hard copy kept with Governance Executive Officer's files where it can be readily produced.

Drugs

Initial Drug Screen

The Shire reserves the right to conduct screening tests for the presence of drugs in any manner allowable under the Australian Standards.

If a candidate returns a non-negative screening test result, the urine sample collected as per AS/NZ 4308:2008 requirements shall be sent to an accredited laboratory for confirmation testing.

If at any time the Shire's Drug and Alcohol Testers experience aggressive or potentially threatening behaviour the police will be called to attend.

Actions Post Drug Screen Test – Including Non-Negative Result

Action for negative initial screening test – all workers & councillors

- Thank the person for their participation.
- Complete required documentation and move on to the next person.

Action for non-negative initial screening test – all workers and councillors;

- Inform the worker of the result and relocate them to an appropriate and discrete room or area.
- Contact the worker's manager or CEO and advise them of the situation and the requirements identified below.
- The manger will contact the Shire's preferred Medical Centre to advise that a non-negative drug screening test has occurred.
- The sample is to be immediately delivered by the Tester or relevant manager/CEO to the Medical Centre for dispatch to an accredited laboratory for confirmation testing.
- The manager will relocate the worker to their place of residence, in an appropriate manner.
- Period during wait for test results.
    - All workers will be stood down from their duties until the test results have cleared them to return to work.
    - Test results will be provided confidentially and directly to the relevant manager, nominated at the point the sample is delivered to the Medical Centre. The results will be confidentially discussed upon receival with the relevant manager and/or the CEO or if a contractor, to the nominated Supervisor / Manager. The worker must also receive a duplicate copy of the test results.
    - If the test is returned negative in line with prescription or over the counter drugs nominated by the candidate, the worker will be permitted to return to work.
    - If the test is confirmed positive or not in line with prescribed or over the counter medication, appropriate actions will be taken depending upon the worker either being a Shire employee or a contractor.

Laboratory Testing of Urine

The only recognised standard that currently exists for the collection and analysis of human fluid samples for toxicological purposes in a laboratory setting is AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

The Shire will use NATA laboratories that are accredited to Class 10.61.16 Drugs for Toxicological Purposes. This standard is important as it guarantees the technical quality and integrity of the tests.

Testing must follow a rigorous set of procedures and shall be consistent with the requirements of AS/NZS 4308:2008. This standard requires the time, place and details of each person handling the sample to be documented (chain of custody) and for confidentiality of the process to be respected.

Drug Screen Cut-Off Levels

Confirmatory test cut-off levels for positive test results are to be in accordance with AS/NZS 4308 Procedures for specimen collection and the detection and quantification of drugs of abuse in urine. These levels may vary as Australian Standards are amended.

The categories of drugs and substances prohibited by the Shire as per AS/NZS 4308 are:

- Alcohol - An employee with a - BAC of more than 0.000%.
- Opiates - Morphine, codeine and monoacetylmorphine.

- Sympathomimetic amines - Amphetamines, methylamphetamine, methylenedioxymethamphetamine (MDMA), phentermine, including ephedrine and pseudoephedrine.
- Cannabis metabolites - Tetrahydrocannabinol-9-carboxylic acid (THC).
- Cocaine metabolites - Benzoylecgonine and ecgonine methyl ester.
- Benzodiazepines – Oxazepam, temazepam, flunitrazepam, diazepam, nitrazepam, clonazepam or their metabolites.

The Shire reserves the right to have tests carried out for all substances that may cause impairment.

Return To Work Following a Positive (Failed) Test - Shire Employee

If the confirmation is positive for a drug of abuse, the Shire employee will be required to attend counselling for drug and dependency issues.

A final warning will be issued and the employee will be subject to a structured return to work program that will include at least two (2) unannounced drug screening tests, in addition to the Shire's normal random testing program, over the following twelve months.

If the employee refuses dependency counselling, the employee's employment will be terminated.

If a further positive test is taken for a drug of abuse the employee's employment will be terminated.

A return-to-work plan will be arranged through the Corporate Services Manager and agreed to along the lines of existing return to work programs and can be gradual or total (depending on the advice of the provider, the employee's doctors and the criticality of the work performed by the employee).

Return To Work Following a Positive (Failed) Test – Contractors and Other Personnel

In the event a contractor or volunteer returns a positive result, the worker's Supervisor will be advised immediately and their contractor, volunteer's Fit for Work and Disciplinary procedures will be followed.

Contractors, labour-hire and other personnel working for the Shire are required to participate in this fitness for work procedure as well as the procedures which apply in the event of a confirmed positive test for alcohol or other drugs.

All contractor organisations are required to have made their own arrangements for suitable testing, breach and support regimes for the personnel they are managing and / or providing.

In the event a worker tests positive to alcohol or drugs their employer, volunteer coordinator will be notified so that appropriate action can be taken.

The worker will have their duties for the Shire suspended and will not be allowed to return to a Shire workplace until they provide a negative test result.

Any actions taken by the employing company to prevent reoccurrence must be to the satisfaction of the Shire and be appropriate and acceptable.

The Shire may also request a return to work plan that would place controls to prevent further breaches of this policy. Failure to meet the requirements or follow an agreed plan would mean further suspension of the worker's ability to perform work in any Shire workplace.

Privacy and Confidentiality

Confidentiality is fundamental in order to protect the privacy of individuals. To ensure the highest level of confidentiality is maintained:

- Conversations relating to work performance, or the misuse of alcohol or other drugs will be confidential and conducted in private.
- Documentation relating to the implementation of this procedure must be kept confidential.

Record Keeping

The privacy of any records relating to work performance and counselling, treatment or rehabilitation must be securely protected. Records should only focus on the drug and/or alcohol issues as they relate to work readiness and performance. All records are to be retained on the employee's personnel file and archived and disposed of in accordance with organisational disposal schedules for personnel records.

Breach of This Policy

Employees are expected to always comply with this Policy. If an Employee is found to have breached this Policy, they may be subjected to disciplinary action which may include termination of employment.

Contractors and sub-contractors (including temporary contractors) of the company who are found to have breached this policy may have their contracts with the Shire terminated or subsequently not renewed.

In circumstances where a worker's behaviour or conduct may involve a breach of any Australian laws or any other laws to which the Shire is subject or which apply to the work performed by the worker for the Shire, the Shire will notify the police, and the Corruption and Crime Commission or other relevant authority where required to do so.

Variations and Reviews

The Shire reserves the right to vary, replace or terminate this policy from time to time. This policy will be reviewed annually by the Executive Team with final approval by the CEO.

History	23/11/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Work Health and Safety Act 2020* *Work Health and Safety (General) Regulations 2022* *AS/NZS 4801-2001* *Codes of Practice:* • *Psychosocial Hazards in the workplace* • *Violence and aggression in the workplace* • *Work health and safety consultation, cooperation and coordination* • *Workplace behaviour*

Related Documentation	Employee Code of Conduct Policy PC1– Work Health & Safety Policy. Policy PC9– Disciplinary Policy.

Policy Title	**PC11 – Health and Wellbeing**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

The purpose of this policy is to ensure that staff have the opportunity to access health and wellbeing initiatives and choices in the workplace.

Scope

This policy applies to all permanent full-time or part-time employees of the Shire.

Definitions

Nil

Policy Statement

The Shire encourages the health and well-being of our employees at work and promotes employee work-life balance so our employees are able to fulfill work and lifestyle responsibilities efficiently and effectively.

Wellbeing Program

LGIS Municipal Workcare Scheme has developed a preferred supplier arrangement; through this, the Shire offers employees access to health services.

The Shire is provided with a range of health services such as –

- Health Assessments
- Skin Cancer Screenings
- Flu Vaccinations
- Health Seminars/ Workshops
- Ergonomic Assessments
- Manual Task Training

Health and well-being matters will be promoted and made available to employees throughout the year. As the services depend on funding, limited spaces may be available; however, every effort will be made to provide these services to those interested in participating.

Smoke-Free Workplace

The Shire is committed to promoting a smoke-free workplace. Smoking in the following places is prohibited –

- All Shire buildings,
- All Shire vehicles and plant,
- The Depot office, workshop, or within 20 metres of the diesel transfer tank
- Within 5 metres of access points to buildings such as doors, windows, near air conditioning vents and ducts
- Courtyards
- Other areas designated as non-smoking areas by signage.

The underpinning principle is that non-smokers shall not be subjected to smoke inhalation; therefore, if you are asked to move away or extinguish a cigarette, you must comply with the request.

Ensure that cigarette butts are dealt with appropriately. They must be put out, picked up, and disposed of in the appropriate receptacle – they are not to be disposed of in flowerbeds, walkways, etc.

Staff Support Services

a. Access

The Shire offers staff support services, in the form of confidential counselling services through LGIS, to assist employees experiencing personal and/or work related issues.

The services are offered to all employees of the Shire and are designed to be short-term. Use of the services provided is on a voluntary basis and is free to employees.

If a problem cannot be resolved by the individual's own efforts or through other means, the LGIS counselling service can be accessed by

- Manager referral - in some cases, managers may suggest to employees that they may benefit from utilising the counselling service. In this case, referral to LGIS counselling services should be kept confidential between the manager and the employee, or
- Internal Contact – employees may contact the Deputy Chief Executive Officer to organise referral. Alternatively, employees may access the service at their own discretion. Workers and managers can access the service by phone or email (face to face if availability permits) enabling them to receive confidential counselling support wherever they are based.

LGIS can be contacted by –

- phoning 9483 8857,
- email admin@lgis.wa.com.au , or
- https://www.lgiswa.com.au

b. Number of Sessions

The counselling services provided by LGIS are primarily ‘stress counselling’ and of a short-term nature. Sessions are generally one hour in duration. The service is available between 8.30am and 5.00pm Mondays to Fridays. Sessions are predominantly phone based. Upon special request, face to face counselling can be organised depending on availabilities.

If the psychologist considers the issue to require ongoing counselling or long term therapy, resources will be provided to the employee to sought alternative support (for example, through the Better Access scheme via a doctor’s referral or local resources available within the community).

c. Leave Provisions

In the event that the employee desires to ensure that their manager is not aware that they are undertaking counselling, then the employee should organise sessions to be completed during

nonworking hours. The arrangement for taking time off during work hours will be the same as for any form of absence from the workplace, including time in lieu, however, the manager does not need to be informed of the referral or the specifics of the matter.

d. Confidentiality

A significant feature of the LGIS counselling service is the high level of Confidentiality and respect for the employee's privacy. All employees utilising the service are required to sign a confidentiality agreement to enforce this.

Information on all referrals to LGIS counselling services will be in strict confidence. Confidentiality means that the Shire will not receive any information from LGIS concerning the employee's problem. Employees will need to provide written consent to release their personal information should they choose to share their counselling information with a third party.

Provider – LGIS counselling services should be contacted by the employee for an appointment.

e. Communication

The Shire will ensure that – -

- All employees receive a copy of this policy during the induction process.
- This policy is easily accessible by all members of the organisation.
- Employees are empowered to actively contribute and provide feedback to this policy.

History	24/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Nil*
Related Documentation	Local Health Plan 2023-2028

Policy Title	**PC12 – Employees Code of Conduct**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

This policy is adopted in accordance with the Local Government Act 1995.

Scope

This is the Shire of West Arthur Code of Conduct for Employees.

Definitions

Act means the Local Government Act 1995

Code of Conduct means the Shire of West Arthur Code of Conduct for Employees

Shire means the Shire of West Arthur

Policy Statement

This Code of Conduct outlines the Shire of West Arthur's reasonable expectations with respect to the standard of professional conduct for all employees and, as applicable, volunteers and contractors when carrying out their functions and responsibilities.

It is the Shire's expectation that the Code will be followed and respected by each employee, volunteer or contractor and that in fulfilling their roles, they have an inherent statutory duty to act honestly, openly and to exercise a reasonable degree of care and diligence that enhances public confidence in the integrity of local government.

The Code encourages transparency and accountability and is complementary to the principles adopted in the Local Government Act 1995 (the Act) and associated Regulations, which incorporate four fundamental aims:

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

Statutory environment

A Code of Conduct is a requirement of the Local Government Act 1995.

The Code of Conduct (Employees) addresses and reflects the statutory requirements of the Local Government Act 1995 (s5.51A – Code of conduct for employees) and Local Government (Administration) Regulations 1996 (Regulations Part 4A).

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

Application

This Code applies to all employees of the Shire in work settings. Also, it includes events and activities that occur outside of business hours and/or away from the Shire premises but where there is a workplace connection. Note clause 3.15 of this Code (Gifts) does not apply to the Chief Executive Officer (CEO). Arrangements in relation to receiving gifts by the CEO are dealt with separately under the Local Government Act 1995.

The Shire's contractors and volunteers are also required to observe the Shire's Code of Conduct insofar as the provisions relate to their area of operation.

Whilst the Code of Conduct is designed to be practical, and easy to apply it cannot cover every possible set of circumstances, as such employees, are expected to understand and be able to apply their judgement to ensure they conduct themselves in a manner that is in keeping with the Code.

Where there is an inconsistency between the Code and an expressed term in a contract of employment, the expressed term will take precedence.

Vision & Values

Our vision

The Shire of West Arthur will be a sustainable local government supporting a vibrant community.

Our values (Accountability, Connection and Excellence - ACE)

Value 1 - Accountability

We Do:

- Set high Standards.
- Choose to take on challenges.
- Hold ourselves and other accountable.
- Identify and share learning opportunities.
- Take a risk management approach to ensure the health and safety of others.

Value 2 - Connection

We Do:

- Model the way to create a culture of warmth and belonging.

- Foster strong and positive relationships with stakeholders and colleagues.
- Identify and create opportunities to work across the organisation.
- Build trust and respect through transparent communication.

Value 3 - Excellence

We Do:

- Motivate ourselves and others when facing difficult challenges.
- Promote a positive culture that encourages initiative and continuous improvement.
- Challenge the status quo and are not constrained by the ways things have always been done.
- Complete projects within time and budgets constraints and to the highest quality.

Code of Conduct

Role of Employees

The role of employees in Local Government is determined by the functions of the CEO and this is outlined in section 5.41 of the Act.

a. Functions of CEO

The CEO's functions are to:

i. advise Council in relation to the functions of a local government under this Act and other written laws;

ii. ensure that advice and information is available to Council so that informed decisions can be made;

iii. cause council decisions to be implemented;

iv. manage the day to day operations of the local government;

v. liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;

vi. speak on behalf of the local government if the mayor or president agrees;

vii. be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);

viii. ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and

ix. perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Principles affecting employment.

The principles set out in section 5.40 of the Act apply to the employment of employees by the Shire of West Arthur:

> **5.40. Principles affecting employment by local governments.**
>
> *The following principles apply to a local government in respect of its employees —*
>
> *(a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
>
> *(b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
>
> *(c) employees are to be treated fairly and consistently; and*
>
> *(d) there is to be no unlawful discrimination against employees or persons seeking employment by the City on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
>
> *(e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
>
> *(f) such other principles, not inconsistent with this Division, as may be prescribed.*
>
> *Local Government Act 1995*

Personal Behaviour

Employees will:

a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all Council policies;
b) perform their duties impartially and in the best interests of Council, uninfluenced by fear or favour;
c) act in good faith (i.e., honestly, for the proper purpose, and without exceeding their powers) in the interests of Council and the community;
d) make no allegations which are improper or derogatory (unless true and in the public interest);
e) refrain from any form of conduct, in the performance of their duties, which may cause any reasonable person unwarranted offence or embarrassment; and
f) always act with loyalty and in a manner that supports Council's objectives.

Honesty and Integrity

Employees will:

a) observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
b) be frank and honest in their official dealing with other staff and Council members; and
c) report any dishonesty or possible dishonesty by any staff member to their Manager or the CEO.

Performance of Duties

While on duty, employees will give their whole time and attention to Council's business and ensure that their work is carried out efficiently and effectively and that their standard of work reflects favourably both on them and on Council.

Compliance with Lawful and Reasonable Directions, Decisions and Policies

a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Team Leader, Manager or the CEO.
b) Employees will implement and/or comply with the lawful decisions and policies of Council, whether or not they agree with or approve of them.

Administrative and Management Practices

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

Intellectual Property

The title to Intellectual Property in contracts of employment will be assigned to Council upon its creation unless otherwise agreed by separate contract.

Record Keeping

Employees will ensure complete and accurate records are created and maintained in accordance with Council's Record Keeping Plan.

Dealing with Other Employees

a) Employee must treat other staff with respect, courtesy and professionalism and refrain from behaviour that constitutes discrimination, bullying or harassment.
b) Employees must be aware of, and comply with their obligations under relevant law and Council's policies regarding workplace behaviour and occupational safety and health, including;

Policy No	Policy Title
PC1	Work Health and Safety Policy
PC7	Discrimination, Harassment & Bullying Policy
PC9	Disciplinary Policy
PC10	Fitness for Work Policy

c) Employee behaviour should reflect Council's values and contribute towards creating and maintaining a safe and supportive workplace.

Dealing with community

a) Employees will treat all members of the community with respect, courtesy and professionalism.
b) All Council services must be delivered in accordance with relevant policies and procedures and any issues resolved promptly, fairly and equitably.

Professional Communications

a) All verbal, written and electronic communication by employees regarding Council's activities should reflect Council's values and objectives.

b) Communications should be accurate, polite and professional.

Personal Communications and Social Media

a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
b) Employees must not disclose information, make comments or engage in communication activities about or on behalf of Council, our Councillors, employees or contractors, which breach this Code.
c) Employees comments which become public and breach the Code of Conduct, or breach any other operational policy or procedure, is likely to constitute a disciplinary matter and may be determined as misconduct and require notification under the *Corruption, Crime and Misconduct Act 2003*.

Personal Presentation and Dress

a) Employees are expected to demonstrate courtesy towards others by exhibiting good hygiene practices and to comply with neat and responsible dress standards at all times; that would not and does not cause offence to colleagues or the public, and which ensures the image of the Shire is maintained (deemed to constitute a professional manner).

b) The Shire reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees. Employees should dress in a professional manner and in full consideration of occupational health and safety requirements.

c) For any employee undertaking a role requiring personal protective equipment (PPE), including compliance with requirements for wearing long and longs, the employee will ensure adequate PPE that has been provided is worn.

d) It is important that employees demonstrate respect towards their workplace and courtesy towards others by exhibiting good hygiene practices and avoiding wearing clothing that is likely to be considered unprofessional, inappropriate or offensive.

Electronic Surveillance

The Shire reserves the right to use, continue using and extend the use of electronic surveillance in accordance with the Surveillance Devices Act 1998 (WA) and relevant auditing and security principles.

Individual employees must also protect other individual's privacy by the correct application of workplace privacy principles. This includes no electronic recording to occur without advising the other participants and ensuring consent is obtained prior to the use of any surveillance device, including phone recordings. Significant records of this kind must be kept in accordance with legislative and record keeping requirements.

Gifts

The CEO has the discretion [Admin.r.19AF] to determine the threshold amount for prohibited gifts. Under this Regulation, the CEO has set the threshold amount at $200.

Gifts may therefore be accepted by staff, with the following conditions;

- *Gifts with a value of less than $25 may be accepted without any need to report.*
- *Gifts with a value of between $25 & $200 may be accepted but must be reported.*
- *Gifts with a value of greater than $200 must not be accepted.*

The requirements in the following subclauses 3.14(e) to (i), dealing with the disclosure, recording, storing and use of information relating to gifts are modelled on the requirements for CEOs and Elected Members under Part 5, Subdivision 6 of the Local Government Act 1995.

a) Application

This clause does not apply to the CEO. CEO must disclose all gifts valued over $300 in accordance with section 5.87B and 597c of the Act. The threshold includes cumulative gifts over a 12 month period from one doner that add up to the values of $300 or above.

b) Definitions

In this clause –

activity involving a local government discretion has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

> ***activity involving a local government discretion*** means an activity —
>
> (a) that cannot be undertaken without an authorisation from the local government; or
>
> (b) by way of a commercial dealing with the local government;

associated person has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

> ***associated person*** means a person who —
>
> (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
>
> (b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

gift has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

Gift

(a) has the meaning given in section 5.57 [of the *Local Government Act 1995*]; but

(b) does not include —

(i) a gift from a relative as defined in section 5.74(1); or

(ii) a gift that must be disclosed under the *Local Government (Elections) Regulations 1997* regulation 30B; or

(iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or

(iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

[r.19AA of the *Local Government (Administration) Regulations 1996]*

gift means —

(a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or

(b) a travel contribution;

travel includes accommodation incidental to a journey;

travel contribution means a financial or other contribution made by 1 person to travel undertaken by another person.

relative, in relation to a relevant person, means any of the following —

(a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;

(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

[Section 5.74(1) of the Local Government Act 1995]

prohibited gift has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

> ***prohibited gift***, in relation to a local government employee, means —
>
> (a) a gift worth the threshold amount or more; or
>
> (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

reportable gift means:

(i) a gift worth more than $25 but less than $200; or

(ii) a gift that is 1 of 2 or more gifts given to an employee by the same person within a period of 1 year that are in total worth more than $25 but less than the $200 threshold.

threshold amount has the meaning given to it in the *Local Government (Administration) Regulations 1996,* subject to the CEO's determination under subclause (c);

> ***threshold amount***, for a prohibited gift, means —
>
> (a) a gift worth the threshold amount or more; or
>
> (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;
>
> [r.19AA of the *Local Government (Administration) Regulations 1996*]

c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* the CEO has determined $200 as the threshold amount for prohibited gifts.

d) Employees must not accept a prohibited gift from an associated person.

e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.

f) The notification of the acceptance of a reportable gift must be in writing and include:

(i) the name of the person who gave the gift; and

(ii) the date on which the gift was accepted; and

(iii) a description, and the estimated value, of the gift; and

(iv) the nature of the relationship between the employee and the person who gave the gift;

and

(v) if the gift is one of two or more accepted from the same person within a period of one year:

1. a description;
2. the estimated value; and
3. the date of acceptance,

of each other gift accepted within the one year period.

g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).

h) The CEO will arrange for the register maintained under subclause (g) to be published on Council's official website.

i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

Conflict of Interest

A good starting point in considering conflict of interest is to consider the following principles:

Principle	Consider
Public duty versus private interest	Do I have personal or private interests that may conflict, or be perceived to conflict with my public duty?
Potentialities	Should there be benefits for me now, or in the future, that could cast doubt on my objectivity?
Perception	Are there risks associated for me/my organisation?
Proportionality	Does my involvement in the decision appear fair and reasonable in all the circumstances?
Presence of mind	What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?
Promises	Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/decision?

a) Employees 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) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with Council, without first disclosing the interest to the CEO. 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) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the West Arthur district, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).

If an Employee exercises a recruitment or any other discretionary function they will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and they will be disqualified from dealing with those persons.

d) Employees will conduct themself in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

The Equal Opportunity Act 1984 provides that it is unlawful to discriminate against an employee or prospective employee on the ground of political conviction.

Secondary Employment

Employees must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

Disclosure of Financial Interests

a) Employees will apply the principles of disclosure of financial interest as contained within the Act.

b) Employees who have been delegated a power or duty, have been nominated as a 'designated employee' or provide advice or reports to Council or Committees, must be aware of, and comply with, their statutory obligations under the Act.

Disclosure of Interests Relating to Impartiality

a) In this clause, **interest** has the meaning given to it in the Local Government (Administration) Regulations 1996.

interest —

(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

(b) includes an interest arising from kinship, friendship or membership of an association.

[r.19AA of the *Local Government (Administration) Regulations 1996]*

b) Employees who have an interest in any matter scheduled for discussion at a Council or Committee meeting that they attend, are required to disclose the nature of the interest:
   (i) in a written notice given to the CEO before the meeting; or
   (ii) at the meeting immediately before the matter is discussed.

c) If an employee has given, or will give, advice in respect of any matter scheduled for discussion at a Council or Committee meeting not attended by the employee, the employee is required to disclose the nature of their interest:
   (iii) in a written notice given to the CEO before the meeting; or
   (iv) at the time the advice is given.

d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.

e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not know and could not reasonably be expected to know:

   (v) that they had an interest in the matter; or

   (vi) that the matter in which they have an interest would be discussed at the meeting, providing they disclose the nature of the interest as soon as possible after the discussion began.

f) If an employee make a disclosure by a written notice given to the CEO before a meeting in compliance with the requirements of (b) or (c), then:

   (vii) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

   (viii) at the meeting the person presiding must bring the notice and its contents to theattention of persons present immediately before a matter to which the disclosure relates is discussed.

g) If:
   (ix) to comply with a requirement made under item (b), the nature of their interest in a matter is disclosed at a meeting; or
   (x) a disclosure is made as described in item (e)(ii) at a meeting; or
   (xi) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of their interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

Use and Disclosure of Information

a) Employees must not access, use or disclose information held by Council except as directly required for, and in the course of, the performance of their duties.

b) Employees are to handle all information obtained, accessed or created in the course of their duties responsibly and in accordance with this Code and the Shire of West Arthur's policies and procedures.

c) Employess must not access, use or disclose information to gain improper advantage for themself or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or

the Shire of West Arthur.

d) Due discretion must be exercised by Employees if they have access to confidential, private or sensitive information.

e) Nothing in this section prevents an employee from disclosing information if the disclosure:

f) is authorised by the CEO or the CEO's delegate; or

g) is permitted or required by law.

Improper or Undue Influence

a) Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or to gain for themself or for any other person or body.

b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themself or for any other person or body.

c) Employees must not take advantage of their position to improperly disadvantage or cause detriment to the local government or any other person.

Use of Shire of West Arthur Resources

a) In this clause –
Shire of West Arthur resources include local government property and services provided or paid for by the Shire of West Arthur.

local government property has the meaning given to it in the Act.

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of the local government.

[Section 1.4 of the *Local Government Act 1995*]

b) Employees will:

(i) be honest in their use of Council's resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

(ii) use Council's resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and

(iii) not use Council's resources (including the services of employees) 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 CEO).

Use of Shire of West Arthur Finances

a) Employees are expected to act responsibly and exercise sound judgment with respect to

matters involving Council's finances.

b) Employees will use Council finances only within the scope of their authority, as defined in their position description and policies & procedures.

c) If an employee has financial management responsibilities, they will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.

d) When exercising purchasing authority, an employee will comply with Council's Purchasing Policy and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996.*

e) Employees must act with care, skill, diligence, honesty and integrity when using local government finances.

f) Employees will ensure that any use of Council finances is appropriately documented in accordance with the relevant policy and procedure, including Council's Recordkeeping Plan.

Reporting of Suspected Breaches of the Code of Conduct

Employees may report suspected breaches of the Code or Fraud Control Plan their supervisor, Manager or CEO, in accordance with Council's Grievance, Investigations & Resolution Policy.

Further the Shire has implemented a Public Interest Disclosure process to provide a confidential mechanism for investigating misconduct allegations or improper conduct and other 'public interest information' as defined in the Public Interest Disclosure Act 2003.

The Public Interest Disclosure Act 2003 (PID Act) facilitates the disclosure of public interest information and provides protection for those making such disclosures and those who are the subject of disclosures. The PID Act provides a system for the matters disclosed to be investigated and for appropriate action to be taken and protection for persons who make disclosures. The Deputy Chief Executive Officer is the Principal PID Officer. The PID Officer can be contacted on 08 9736 2400 or at mcs@westarthur.wa.gov.au

Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code including suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be handled as follows;

a) Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour should be reported to their Manager or the CEO.

b) In accordance with the *Corruption, Crime and Misconduct Act 2003,* if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:

   i. the Corruption and Crime Commission, in the case of serious misconduct; or

   ii. the Public Sector Commissioner, in the case of minor misconduct.

c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.

d) Employees or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using Council's Public Interest Disclosure Policy, published on Council's website.

History	21/12/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed 9 November 2022 Recinded 12 July 2021 Adopted
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Local Government Regulations (Administration) 1996* *Industrial Relations Act 1979* *Public Interest Disclosure Act 2003* *Corruption and Crime Commission Act 2003* *Surveillance Devices Act 1988* *Work Health and Safety Act 2020* *Work Health and Safety Regulations 2022*
Related Documentation	Policy PC1– Work Health & Safety Policy. Policy PC9– Disciplinary Policy. Fraud Control Plan

Policy Title	**PC13 – Elected Member and Employee Superannuation**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

This Policy addresses superannuation for elected members and employees.

Scope

This policy applies to elected members and employees and details the eligibility criteria for participation. It also outlines acceptable contributions, including those from the employer, employee, and voluntary sources.

Definitions

Policy Statement

1. Application

This Policy applies to:

a) All employees, whether full-time, part-time or casual; and

b) All elected members of the Council, subject to the provisions outlined below.

2. Employee Superannuation

Employees will have freedom of choice of fund for their Superannuation Guarantee

Charges (SGC) to be paid into.

- The superannuation default fund shall be Aware Super.
- Employees may elect to contribute additional superannuation, either as a deduction (after tax) or as salary sacrifice (before tax).

The Shire will match the additional contribution up to a maximum of 15.5% of salary or wages, including the SGC component.

- It should be noted that as the SGC component increases, the threshold for maximum matching contribution by the Shire will decrease.

Employees can voluntarily contribute more than the threshold, but will not receive a further contribution from the Shire. The additional and voluntary contributions will be deposited into the employee's fund of choice.

3. Elected Member Superannuation

The Shire will pay superannuation contributions for Elected Members at a rate equivalent to the compulsory employer contribution required under the Superannuation Guarantee (Administration) Act 1992 for:

- Council meeting fees.
- Shire President allowance; and
- Deputy Shire President allowance.

Elected Members must provide the Chief Executive Officer with their nominated superannuation fund details by 30 June 2025 or upon commencement if elected thereafter.

Elected Members may opt out of receiving compulsory superannuation contributions by providing written advice to the Chief Executive Officer at any time.

Elected Members may request a salary sacrifice of their taxable meeting attendance fees and allowances. A written request must be submitted to the Chief Executive Officer for consideration and processing.

Elected Members seeking personal financial advice regarding their superannuation entitlements or arrangements are encouraged to obtain independent financial planning advice.

The Shire's Administration is unable to provide personal financial advice.

4. Variation to This Policy

This policy may be cancelled or varied from time to time. All employees and Elected Members will be notified of any variation to this policy.

History	24/05/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Superannuation Guarantee (Administration Act) 1992* *Superannuation Charges 1992* *Local Government Act 1995, s. 5.99B* *PC2 – Human Resources Policy* *CEI5 – Human Resources Procedures*
Related Documentation	

Policy Title	**PC14 – Lake Towerrinning Strategic Plan Reference Group – Terms of Reference**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Objective

The Lake Towerrinning Strategic Plan Reference Group plays a crucial role within the organisation framework of the Shire of West Arthur, allowing it to shape the management and strategic direction of Lake Towerrinning. The Group is tasked with the responsibility of assessing and revising the Management Plan in response to concerns brought up during stakeholder consultation meetings and public forums.

Vision: "To maintain an aquatic environment, that is able to sustain a natural ecosystem as well as human recreational activity".

Mission: "To create a sustainable recreational environment for use by everyone".

Statutory Context

The management of Lake Towerrinning must be conducted in compliance with several federal and state legislations.

- *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* (Commonwealth)
- *Native Title Act 1993* (Commonwealth)
- *Aboriginal Heritage Act 1972* (State)
- *Bushfires Act 1954* (State)
- *Biosecurity and Agriculture Management Act 2007* (State)
- *Conservation and Land Management Act 1984* (State)
- *Biodiversity Conservation Act 2016*
- *Emergency management Act 2005* (State)
- *Fire and Emergency Services Act 1998* (State)
- *Heritage Act 2008* (State)
- *Land Administration Act 1997* (State)
- *Planning and Development (Local Planning Scheme) Regulations 2015.*

Furthermore, additional documents, guidelines and policies pertinent to the management of Lake Towerrinning include.

- Australia and New Zealand Environment and Conservation Council (ANZECC) and Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) (2000) Guidelines for Recreation Water Quality: Primary Contact
- Wetlands Conservation Policy of Western Australia 1997

Wetlands Policy of the Commonwealth Government of Australia 1997

- National Health and Medical Research Council (NHMRC) 2008, Guidelines for Managing Risks in Recreational Water
- Department of Biodiversity, Conservation and Attraction lease document signed by the Shire of West Arthur in 2009
- Bushfire Management Planning – Guidelines for preparing a Bushfire Risk Management Plan (2015)
- Shire of West Arthur Bush Fire Risk Management Plan 2017
- Shire of West Arthur Local Emergency Management Arrangement (EMA) 2016
- Shire of West Arthur Community Strategic Plan 2021-2031

Governance and Management

Regular members of the Lake Towerrinning Strategic Plan Reference Group are:

- Department of Transport
- Department of Conservation, Biodiversity and Attractions
- Gnaala Karla Booja
- Neighbouring Landholders
- Local landholders with an interest in the Lake
- Shire Chief Executive Officer
- Shire President (Chairperson)
- Shire Projects Officer

A regular member is permitted to designate another individual to represent them at a meeting or meetings. The individual appointed will be considered a regular member of the Management Committee and will have the right to vote as a regular member.

Approval is required by the Chair for additional invitees to attend the Management Committee meeting, prior to the meeting.

Member Responsibilities

Members must consistently attend meetings, actively engage in discussions, interact respectfully with fellow committee members, offer informed contributions to the topics being discussed, resolve any conflicts openly, and communicate with and represent the community.

Meeting Arrangements

Meetings are generally held biennially, prior to the onset of the subsequent summer season. The time and location of the meeting to be determined by the Chairperson. The duration of meetings will typically be two hours.

Meeting Procedure

Chair

The committee will be chaired by the Shire's President. The Chair is responsible for ensuring that meetings are conducted effectively, agendas are adhered to, and every member has an opportunity to contribute.

Quorum

It is advisable for a quorum to consist of at least one Shire representative and fifty percent of the community members to hold a meeting. Should a quorum not be achieved before the meeting, or if a quorum is lost during the meeting, the Chair has the authority to call another meeting with the same agenda at a time that is mutually agreed upon by the members.

Administrative Support

The Shire of West Arthur offers secretarial assistance, which encompasses the preparation of agendas, minutes, and various documents related to the administration of the Lake. Other duties of the Shire include.

- Delivering terms of reference to newly appointed Committee members
- Confirm attendance and identify quorum requirements
- Ensure the Committee remains updated on issues and results stemming from agenda items
- Compile relevant reports to Council

Communication and Reporting

The Chairperson is responsible for approving the agenda and minutes before they are distributed. Agendas will be sent out to members approximately one week before the meeting. Minutes from each meeting will be shared with all committee members within one week after the meeting.

Apologies must be submitted to the Chairperson.

Variations

Modifications to the terms of reference require approval from the Lake Towerrinning Strategic Plan Reference Group before they can be endorsed by the Shire of West Arthur Council.

History	23/10/2025 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Commonwealth)* *Native Title Act 1993 (Commonwealth)* *Aboriginal Heritage Act 1972 (State)* *Bushfires Act 1954 (State)* *Biosecurity and Agriculture Management Act 2007 (State)* *Conservation and Land Management Act 1984 (State)* *Biodiversity Conservation Act 2016* *Emergency management Act 2005 (State)* *Fire and Emergency Services Act 1998 (State)* *Heritage Act 2008 (State)* *Land Administration Act 1997 (State)* *Planning and Development (Local Planning Scheme) Regulations 2015.*

Related Documentation	*Lake Towerrinning Strategic Plan* *Lake Towerrinning Management Plan*

Policy Title **PC15 – Council Housing Prioritisation**

Policy Type **People and Culture**

Responsible Officer **Chief Executive Officer**

Purpose

To provide clear guidelines for the prioritisation and allocation of available Council-owned housing stock to key workers across the Shire of West Arthur.

Scope

This Policy applies to all Council-owned housing stock in the Shire of West Arthur.

Definitions

Nil

Policy Statement

Prioritisation of Housing Allocation

Housing will be allocated to key workers in the following order of priority:

1. Shire of West Arthur Employees
2. Agricultural and Support Industry Workers, Shearers, Tradespeople, and Workers in the Local Renewable Energy Sector
3. Other Identified Key Workers in sectors such as Childcare, Education, Emergency Services, State Public Service, Healthcare, Hospitality, Retail, Tourism, Trades and Manufacturing, Transport and Logistics

Within-Category Prioritisation

within each key worker category, applicants will be prioritised based on the following considerations:

- Ability to contribute to the vibrancy and longevity of the community.
- Applicants who have unique skills, abilities, and qualifications that are relevant to the needs of the local community.

Application and Approval Process

- All requests for Council-owned housing must be submitted in writing to the Chief Executive Officer (or designated officer) of the Shire.

- Applications will be assessed according to the prioritisation criteria above.
- The Chief Executive Officer will make the final decision on housing allocation, ensuring transparency and consistency with this policy.
- Where housing is surplus to the needs of the highest-priority group, it may be offered to the next group in priority order.

Reporting and Review

- An annual report will be provided to Council, detailing all allocations and re-lettings of Council-owned housing, including which key worker categories and cohorts benefited.
- This policy will be reviewed annually or as required to ensure it remains relevant and effective.

Exclusions

This policy does not cover the provision of social housing, which remains the responsibility of the State Government.

History	27/11/2025 Adopted 23/05/2026 Reviewed
Delegation	Not Applicable
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**PC16 – Employment Milestones Recognition**
Policy Type	**People and Culture**
Responsible Officer	**Chief Executive Officer**

Purpose

To provide parameters and a process to ensure staff are recognised for their commitment to the Shire and to acknowledge their service when reaching employment milestones.

Scope

This policy is applicable to all Shire of West Arthur employees.

Definitions

Nil

Policy Statement

Milestone Recognition Criteria

1. All staff who reach a service milestone as shown below will be presented with a Shire of West Arthur Recognition of Service certificate signed by the Chief Executive Officer; and

2. A gift voucher to the value of:
    - 10 years' service - $100
    - 15 years' service - $150
    - 20 years' service - $200
    - 25 years' service - $250

    The gift voucher value is capped at $250 for all 5-year milestones exceeding 25 years.

Milestone Recognition Procedure

1. The Payroll Officer is responsible for keeping a record of employees' years of service and is to notify the Deputy Chief Executive Officer at least three (3) months prior to an employee reaching a milestone as shown above.

2. The Administration Officer is responsible for creating the certificates and presenting them to the CEO to sign, and for purchasing the required gift vouchers. The preferred gift voucher is one which can be used at many shops.

3. The Administration Officer will liaise with the CEO to determine a date, time and location for the employee(s) to be awarded their certificate and voucher.

4. If multiple staff members reach an employment milestone at similar times, best endeavours will be made to award them together at the same time.

5. For staff reaching a milestone, the employee(s) will be offered the opportunity to invite their partner.

6. For Executive Management staff reaching the 10-year and longer milestones, the council will also be notified, and if available, will be invited to attend any celebration.

Effective Date

This policy will be backdated so that it is effective from 1 February 2026.

History	09/03/2026 Adopted 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Nil

TECHNICAL SERVICES

Policy Title	**W1 - Fence Line Clearing within Roads and other Reserves**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To define the Shire's policy on fence line clearing within roads and other reserves.

Scope

This policy applies to all applications for fence line clearing.

Definitions

Policy Statement

Shire approval is required for all fence line clearing that involves the clearing of native vegetation on Crown land, including road reserves, under the care and control of the Shire. Any approval granted may be subject to the following:

a. The clearing is done in such a way as to limit damage to adjoining or nearby native vegetation;

b. All material resulting from the clearing removed from the reserve be placed in the landholder's property provided it is not placed in a heap or windrow on uncleared vegetation;

c. Fences are replaced on any reserve boundary at the cost of the landholder; and

d. Landholders are actively encouraged to exclude stock from unused road reserves that contain remnant vegetation, that traverse their properties.

Note: The landholder must comply with all other Acts and Regulations in force from time to time with regard to land clearing

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Fence Line Clearing within Roads and other Reserves
Relevant Legislation	*Environmental Protection Act 1986*

	Environmental Protection (Clearing of Native Vegetation) Regulations 2004
Related Documentation	

Policy Title **W2 - Private Works**

Policy Type **Works & Services**

Responsible Officer **Manager Works & Services**

Purpose

To provide the framework for undertaking works for external individuals, companies or public agencies.

Scope

The Shire undertakes private works to assist external clients provide infrastructure and services where this is of benefit to the community and can be undertaken without detriment to the Shire's own works program.

Definitions

Private works include the provision of works or services to external individuals, companies or government agencies, or the supply of Shire materials, or the hire of Shire plant.

Significant nature – means works, services or materials with a total value exceeding $50,000 ex-GST per event.

Policy Statement

The following principles guide the Shire's involvement in private works:

a. The Shire will not knowingly tender against private contractors for external contracts within the Shire of West Arthur;

b. Private works of a significant nature will be subject to approval by Council, and will incorporate appropriate project management and reporting processes;

c. Private works will be priced as per Council's adopted Schedule of Fees & Charges.

d. The Shire will carefully assess any risk associated with the undertaking of private work in accordance with the Shire's Risk Management Policy.

The Shire will exercise a high level of due diligence in the pricing and design of work and ensure contracts are written to ensure all costs are the responsibility of the external party.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Purchasing & Tender Policy Record Keeping Plan and Policy

Policy Title	**W3 - Stock on Road Signage**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To provide guidelines for signage and other related matters.

Scope

This policy applies to all local roads within the Shire of West Arthur.

Definitions

Local road means a road under the control of a Local Government.

Main Roads means the Main Roads of Western Australia.

RTC 2000 means The Road Traffic Code 2000. State road means a road under the control of Main Roads

Traffic signs mean a sign as recognised in the Australian Standards or Main Roads Signs Index.

Policy Statement

The Shire of West Arthur adopts Main Roads "Technical Guidelines – Stock Crossings", which incorporates:

a. General Guidelines
b. Stock Crossing
c. Droving of Stock along a Road
d. Signs
e. Vehicle Mounted Warning Device
f. Stock Underpasses

for all local roads within the Shire.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	

Related Documentation	

licy Title **W4 - Wildflower, Leaves and Branches, and seed Harvesting from Reserves**

Policy Type **Works and Services**

Responsible Officer **Chief Executive Officer**

Purpose

To establish policies and procedures for the assessment and approval of applications for both commercial and non-commercial harvesting of wildflowers, seeds, leaves and branches within the road and Shire-controlled reserves.

Scope

This Policy applies to:

- The collection of wildflowers and seeds for commercial and non-commercial purposes.
- The collection of leaves and branches for cultural smoking ceremonies.

Definitions

Commercial Wildflower Picker: a person licensed by the Department of Biodiversity, Conservation and Attractions (DBCA) for commercial collection.

Non-Commercial Wildflower Picker: a person licensed by DBCA for non-commercial collection.

Permit: written approval issued by the Shire of West Arthur under the relevant local law and regulations.

Environmentally Sensitive Area is an area that is subject of a declaration that is in force under section 51B of the *Environmental Protection Act 1986*.

The Shire may declare a **Flora Road**; a thoroughfare which has, in the opinion of the local government, high quality roadside vegetation to be a flora road.

The Shire may declare a **Special Environmental Area**; a thoroughfare which has protected flora or rare flora, or environmental, aesthetic or cultural significance, to be a special environmental area.

Policy Statement

CEO Responsibility and Authority.

The Chief Executive Officer (CEO) is responsible for the administration and management of the Shire's property, including the implementation of adopted policies and procedures for flora and seed collection, as per s 5.41(1) and 5.41(2)(c)(i) of the *Local Government Act 1995*.

Application and Approval Process:

- All applications to take wildflowers, seeds, leaves or branches from Shire-controlled land must be submitted to the CEO
- The applicant must hold a current Commercial or Non-Commercial Wildflower Pickers Licence issued by DBCA
- The applicant must submit a permit application form to the Shire for consideration
- The applicant must nominate the specific roads, portions of roads or reserves from which they seek permission to pick
- The applicant must supply details of the vehicle(s) they will be using for picking activities
- The CEO will assess applications and may provide written permission as "lawful authority" under Regulation 5(1) and Regulation 6(1) of the Local Government (Uniform Local Provisions) Regulations 1996. If the following criteria are not met, the CEO will refuse the application and refer the decision to Council
    - The roads nominated by an applicant present a safety hazard for the applicant or other road users and the applicant is unable to demonstrate a safe working methodology that manages risk for the applicant and other road users
- Where activities such as driving or parking a vehicle on local government property, or making any excavation, are necessary for the collection, the applicant must also obtain a permit under clause 3.13 of the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000

Permit Conditions:

- No permits will be issued for gazetted Flora Roads, Environmentally Sensitive Areas or Special Environmental Areas
- The permit holder shall maintain records of the quantity of all varieties picked and provide an annual report to the Shire
- The permit holder shall not clear any portion of a road or reserve to gain access to flora; only existing tracks may be used
- The permit holder shall comply with all conditions imposed by DBCA in accordance with their Commercial Pickers Licence
- The permit holder shall comply with all traffic management requirements in accordance with relevant Main Roads WA Code(s) of Practice
- The permit holder shall comply with any Dieback management practices imposed as part of the permit conditions
- An annual fee as determined by Council or part thereof may be payable
- Permits to have a common expiry date being 30th June
- Permits are not transferable

Leaves and Branches for Cultural Purposes:

- Collection of leaves and branches for cultural smoking ceremonies does not require Council approval, provided:

- Damage to trees is minimised
- Only branches and leaves are removed
- No portion of a road or reserve is cleared to gain access; only existing access tracks may be used

Compliance and Record Keeping

- Permit holders must comply with all conditions imposed by the Shire and DBCA
- Failure to comply may result in permit revocation and/or penalties under the relevant local law and regulations
- The CEO will maintain records of all applications and permissions granted for flora and seed collection on Shire property

History	25/05/2023 Adopted 22/02/2024 Amended 22/05/2025 Reviewed 27/11/2025 Amended 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Environmental Protection Act 1986* *Local Government (Uniform Local Provisions) Regulations 1996, Regs 4 & 5* *Shire of West Arthur Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 Clause 3.13* *Shire of West Arthur Property Local Law 2000*
Related Documentation	Nil

Policy Title	**W5 - Crossovers**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To ensure consistency for landholders when looking to provide access to their property from a Shire road.

Scope

Applies to all crossovers, including footpaths, within the Shire of West Arthur.

Definitions

Standard Crossover for the purpose of regulation 15 of the Local Government (Uniform Local Provisions) Regulation to be for town site lots, the minimum standard comprises a 3m width x 150mm minimum pavement depth surfaced with a 2-coat emulsion bitumen crossover over the full width of applicable verge.

Gravel road crossover standard specification shall be unsurfaced 150mm gravel and appropriate concrete pipe drainage under (minimum 350mm in diameter, if a pipe is required) to maintain the longitudinal 'table drain' flow.

Each property shall mean all the land described on a single rates assessment. Any additional crossovers required by the landholder shall be at their cost.

Policy Statement

Shire approval is required for the construction of any crossover. In addition, the Shire of West Arthur may provide a subsidy of up to $500 or 50% of the total project cost, whichever is the lesser, for one minimum standard crossover to each property.

Minimum Crossover widths shall be:

- Residential – 3.0m
- Rural Residential – 4.0m
- Rural – 6.0m

Damage: If the Shire damages a constructed crossover, it shall replace the damaged crossover with like for like construction at no cost to the landholder.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	
Related Documentation	

Policy Title	**W6 - Road sealing for dust suppression**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To provide guidelines for the sealing of roads immediately adjacent to residences.

Scope

To improve safety, environmental and health conditions for residential accommodation located close to Shire gravel roads by removing the level of wind-borne gravel dust

Definitions

Nil

Policy Statement

Council may determine applications for the sealing of up 200 metres length and up to 6.2m width of gravel road immediately adjacent to any occupied residence.

The following conditions will apply to any approval granted:

1. The occupied residence be within 200 metres of the gravel road;
2. The average daily traffic count is greater than 15 vehicles per day;
3. The landowner agrees to pay 50% of the cost of the materials and contracts; and
4. Any future reseals will be at the landowner's expense.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	
Relevant Legislation	*Local Government Act 1995*
Related Documentation	

Policy Title	**W7 – Gravel and Sand Acquisition**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To provide clear guidelines for the acquisition of gravel, sand and clay for construction and maintenance purposes.

Scope

This policy applies to all transactions between the Council and individuals when obtaining materials from private land for construction and maintenance purposes.

Definitions

Nil

Policy Statement

1. **The Shire will, when materials for construction and maintenance purposes need to be sourced from private land, obtain such materials by consultation with the landowner or his/her authorised representative. Where such negotiations are successful the Shire will be responsible for:**

    a. **Satisfactory rehabilitation of the pit area, including drainage, upon completion of extraction.**

    b. **Construction where necessary and satisfactory repair of affected haul roads, gates, fences or other structures.**

    c. **Negotiating compensation to the landowner for materials extracted and associated justifiable imposts.**

2. **Values for materials set out below are to be the minimum paid by the Shire. The Manager of Works and Services can negotiate above the set rates with the final approval by the Chief Executive Officer:**

    a. **Gravel is to be valued at a standard rate of $2.00 per m3 (ex GST). Price to be revised in yearly budget review. The volume of gravel is worked on a solid mass volume, not the loose pushed amount. The selected gravel resource must be of a size which conforms with Main Roads WA Specification 501.08.01 for Naturally Occurring Basecourse material.**

    b. **Sand is to be valued at $1.50 per m3 (ex GST). Price to be revised in yearly budget**

review. The volume of sand is worked on a solid mass volume what is loaded by the loader. The sand must be clean, free of deleterious materials such as clay, roots or other organic matter and contain no particles greater than 5mm in any dimension.

c. Clay and lesser quality materials to be used for landfill cover or embankment materials are to be valued at $1.00 per m3 (ex GST). Price to be revised in yearly budget review. The volume of clay is worked on a solid mass volume in the ground.

d. The Shire is responsible for the rehabilitation of all excavated areas and the maintenance (whilst carting) of the access route to the pit.

3. Landowners have an option to:

a. Claim full payment for the materials extracted.

b. Claim part payment and part private works up to the value of the materials extracted; or

c. Receive no payment and have private works conducted to the value of the materials extracted.

The valuation of private works is to be determined by the Manager of Works and Services.

4. The private works in part 3 above may only be carried out on the property from which materials have been extracted and are subject to plant availability.

5. Prior to taking materials from private property, permission shall be obtained from the landowner or his/her authorised representative, in the form of a signed agreement.

6. Upon completion of all requirements of the agreement, the Manager of Works and Services shall ensure the landowner is adequately satisfied by way of a signed acceptance letter.

7. When landowner consent for the extraction of road building or other materials required for public works is not granted and the Chief Executive Officer considers the acquisition of these materials is in the best interest of the public, the Chief Executive Officer provides such notices, and takes such actions, as are prescribed by the *Local Government Act 1995*, to secure the materials.

8. If materials are extracted without the landowner's consent, then the rates of royalty that would have been applicable and remedial actions to the land would have been taken, will apply as if the landowner had given their permission.

History	25/05/2023 Adopted 27/03/2025 Amended 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Local Government Act 1995* *Section 3.27 and Schedule 3.2 – 'Particular things local governments can do on land that is not local government property'*

	Local Government Act 1995, Section 3.31 – 'General procedure for entering property' *Local Government Act 1995, Section 3.32 – 'Notice of entry'* *Local Government Act 1995, Section 3.33 – 'Entry under warrant'*
Related Documentation	Nil

Policy Title	**W8 - Road Safety Audit**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To set out the requirements for conducting Road Safety Audits in the Shire of West Arthur.

To improve the safety of the road network and developments in the Shire of West Arthur and ensure measures to eliminate or reduce road environment risks for all road users are fully considered with emphasis placed on fatal and serious crash risk.

To promote the development, design and implementation of a safe road system through the adoption of formal road safety auditing principles and practices.

Scope

This Policy applies to the Shire of West Arthur road infrastructure projects and to qualifying projects that are subject to the Development Application processes.

The Policy applies to all District Distributor, Local distributor and Local Access Roads within the Shire of West Arthur.

Definitions

Audit Team means a team that shall comprise of at least two people, independent of the design team, including members appropriately experienced and trained in road safety engineering or crash investigation with knowledge of current practice in road design or traffic engineering principles who undertake the road safety audit.

Audit Team Leader means the person with appropriate training and experience with overall responsibility for carrying out the audit and certifying the report. An Audit Team Leader practising in Western Australia must be an IPWEA/Main Roads Accredited Senior Road Safety Auditor.

Audit Team Member means an appropriately experienced and trained person who is appointed to the Audit Team and who reports to the Audit Team Leader. An Audit Team Member practising in Western Australia must be an IPWEA/Main Roads Accredited Road Safety Auditor.

Corrective Action Report (CAR) means a tabular summary report prepared by the Audit Team to be completed by the Asset Owner, Project Owner, Project Coordinator or delegated representative to respond to identified findings and recommendations detailed in the audit report.

Crash investigation means an examination of crashes to identify patterns and common trends that may have contributed to crash causation or crash severity. This can include the detailed investigation of a single crash.

IPWEA refers to Institute of Public Works Engineering Australasia.

Main Roads means Main Roads Western Australia.

Permanent change means any permanent change to the road network, excluding like for like maintenance

replacement works and temporary works.

Public road means a road either under the control of Main Roads, Local Government, or any other road accessible by the public (excludes private roads).

Road Safety Audit means a formal, systematic, assessment of the potential road safety risks associated with a new road project or road improvement project conducted by an independent qualified audit team. The assessment considers all road users and suggests measures to eliminate or mitigate those risks.

Road safety engineering means the design and implementation of physical changes to the road network intended to reduce the number and severity of crashes involving road users, drawing on the results of crash investigations.

Road Safety Inspection means a formal examination of an existing road or road related area in which a qualified team report on the crash potential and likely safety performance of the location, (formerly known as an 'Existing Road Safety Audit').

Safe System means a road safety approach adopted by National and State Government to generate improvements in road safety. The Safe System approach is underpinned by three guiding principles: people will always make mistakes on our roads but should not be killed or seriously injured as a consequence; there are known limits to the forces the human body can tolerate without being seriously injured; and the road transport system should be designed and maintained so that people are not exposed to crash forces beyond the limits of their physical tolerance.

Shire means the Shire of West Arthur.

Specialist Advisor means a person approved by the client who provides independent specialist advice to the audit team, such as, road maintenance advisors, traffic signal specialists, police advisors and individuals with specialist local knowledge.

Policy Statement

This policy requires that the following commitments be adopted as part of a strategic framework for the implementation of road safety audit principles and practices in the planning and development of infrastructure within the Shire.

Include road safety audit goals and objectives in our Corporate Plan and Business Management Systems (BMS).

Background

In accordance with the Australian National and the Western Australia State Road Safety Strategies this policy adopts a Safe System approach to the delivery of a road safety audit service by placing emphasis on fatal and serious crash risk.

The road safety audit process is an assessment of road engineering projects and as such the Safe System sphere of influence is limited to two of the four cornerstones of the Safe System approach, namely, Safe Roads and Roadsides, and Safe Speeds.

This is to be achieved by focusing the audit process on considering safe speeds and by providing forgiving roads and roadsides. This is to be delivered through the Road Safety Audit process by accepting that people will always make mistakes and by considering the known limits to crash forces the human body can tolerate with the aim to reduce the risk of fatal and serious injury crashes.

A road safety audit is a formal examination of a future road or traffic project in which an independent qualified team reports on potential crash occurrence and severity which may result from the introduction of the project.

Road safety audits are a proactive process to prevent the occurrence of road crashes. The road safety audit process provides project managers with a powerful mechanism to identify potential crash risk in the delivery of infrastructure projects and aims to reduce the risk of trauma and crashes on the road network.

In the implementation of this policy the road safety audit approach to be taken is: that it is not acceptable that any human should die or be seriously injured on the Western Australia road network, and specific road safety audit findings shall be highlighted in this regard.

Application

Road safety audits and road safety inspections must be conducted in accordance with the Austroads Guide to Road Safety Part 6: Road Safety Audit, and Main Roads Western Australia and Institute Public Works Engineering Australasia (WA division) complimentary checklists and procedures.

The road safety audit process must be completed using the Main Roads / IPWEA-WA road safety audit report template provided on the Road Safety Audit Portal website.

All road safety audits must be repeated if the project design materially changes, if there are many minor changes which together could impact on road user safety, or if the previous road safety audit for the relevant stage is more than 3 years old. Should a project not begin the next stage in its development within 3 years of the completion of the previous audit, the project must be re-audited. This is to ensure that due consideration is given to the project's interface with the existing road network.

Relevant staff shall be trained in order to fulfil the training and experience requirements to achieve and maintain road safety auditor accreditation.

Where appropriate a reciprocal partnership agreement will be arranged with other local governments to create opportunities for road safety audit teams to include qualified independent team members from partnering local governments.

Road Safety Audit Team

- All road safety audit teams must comprise a minimum of two members.
- All audit teams must be led by a suitably qualified and experienced Western Australia IPWEA/Main Roads Accredited Senior Road Safety Auditor and shall be listed on the Road Safety Audit Portal so that the maximum emphasis is placed on road safety engineering and Safe System principles,
- All audit team members must be Western Australia IPWEA/Main Roads Accredited Road Safety Auditors and shall be listed on the Road Safety Audit Portal.
- Specialist advisors, such as, Police advisors or technical experts can assist the audit team by providing independent specialist advice on particular aspects of a project. There is no requirement for a specialist advisor to be an Accredited Road Safety Auditor. Specialist advisors shall be listed as an "Advisor" in the audit report and shall not be listed as a team member.
- The audit team shall include a Local Government officer, (they can be a specialist advisor).
- Team Leaders/Members shall excuse themselves from participation in the audit if:
- They have had any involvement in planning, design, construction or maintenance activities for road infrastructure for the project.
- They perceive any possibility of duress or coercion by their employer or employer's staff in relation to the audit.
- Persons not accredited as a Road Safety Auditor or do not have relevant specialist skills may still participate as an observer if invited to do so by the Team Leader.

When to Audit

Black Spot Projects

Road Safety Audits shall be conducted on all Black Spot funded projects as per State Black Spot Program Development and Management Guidelines.

Road projects with a project value ≥ $1 Million

All road infrastructure projects that involve a permanent change to the Shire's road network with an estimated project value > $1 Million shall have a road safety audit undertaken at the following 3 stages as a minimum:

- Stage 2 - Preliminary design
- Stage 3 - Detailed design
- Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

Road projects with a project value ≥ $150,000 and < $1 Million

All road infrastructure projects that involve a permanent change to the Shire's road network with an estimated project value ≥ $150,000 and < $1 Million shall have a road safety audit undertaken at the following 2 stages as a minimum:

- Stage 3 - Detailed design
- Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

A detailed design road safety audit shall be carried out on a road project that involves a permanent change to the Shire's road network with a project value < $150,000 if it is considered complex and/or high risk at the discretion of the Shire.

Land Developments

Road safety audits shall be conducted on land use developments that intersect the Shire's road network in accordance with the requirements of this policy. The road project value warrants above shall be used to determine audit requirements, with the exception of projects with an estimated project value less than $150,000 that meet any of the following warrants:

- Subdivisions of more than 20 lots;
- Car parks providing access for more than 50 vehicles;
- Developments that are likely to generate traffic movements in excess of 100 movements per day;
- Projects that are likely to generate increased pedestrian or cycle movements, or where significant numbers of pedestrians or cyclists are nearby; or
- Project locations where potential road safety risks are identified by the Shire.

Land use developments that involve a permanent change to the public road network with an estimated project value less than $150,000 that meet any of the above warrants shall have a road safety audit undertaken at the following 2 stages as a minimum:

- Stage 3 - Detailed design
- Stage 4 - Pre-opening (when the project is substantially complete and prior to opening to the public)

The road safety audit shall include the internal road network and parking area within the development.

Existing Roads

Road safety inspections shall be undertaken for existing intersections or road sections where there is a traffic management or road safety concern, at the discretion of the Shire.

Close out

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall complete the Corrective Action Report within one calendar month and arrange for the completed and signed report to be recorded on the Shire's records system and a copy forwarded to the audit team leader.

The Asset Owner, Project Owner, Project Coordinator, or the delegated representative shall be responsible for the proposed actions and comments resulting from the Corrective Action Report.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Road Traffic Act 1974*
Related Documentation	

Policy Title	**W9 – Graffiti Management**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To define the Shire's policy to the management of graffiti across the Shire of West Arthur on both public and private property.

Scope

This policy provides the framework though which the Shire will respond to graffiti in the Local Government area.

Definitions

Graffiti is defined as defacement by writing, spraying, scratching or other form of defacement of property without the prior consent of the property owner, or with the consent of the property owner but of an offensive, obscene or racist nature. This includes tags, stencils and the fixing of posters without property owner's consent.

Defacement for the purpose of this policy means marking or writing on property, includes posting bills such as promotional posters.

Policy Statement

Graffiti or graffiti vandalism refers to the illegal activity of defacing private and/or public property without the consent of the property owner.

The Shire will:

a) Remove graffiti as quickly as practicable as a strict deterrent.

b) Reduce the incidence and visibility of graffiti.

c) Improve community perception of safety; and

d) Encourage the reporting and removal of graffiti on private assets.

The Shire will encourage the community to report acts of vandalism witnessed or any other relevant information to the Shire.

History	25/05/2023 Adopted 22/05/2025 Reviewed 23/05/2026 Reviewed
Delegation	Nil
Relevant Legislation	*Graffiti Vandalism Act 2016*
Related Documentation	

Policy Title	**W10 – Road Hierarchy and Construction Standards**
Policy Type	**Works & Services**
Responsible Officer	**Manager Works & Services**

Purpose

To provide a safe, efficient and effective road system; define minimum standards for road construction, maintenance and associated civil works; provide a rational basis for upgrades and developer contributions; guide staff, contractors and developers; and support consistent levels of service across the Shire road network.

Scope

This policy applies to the Shire of West Arthur's road infrastructure and aims to define how the Shire of West Arthur manages the extensive network of local roads that support the agricultural economy, connect communities and enable safe and efficient transport across the district.

Definitions

Primary Distributor means state-controlled roads, managed by Main Roads WA.

Regional Distributor means high-order Shire roads carrying through traffic and strategic freight movements.

Local Distributor means roads distributing traffic between local areas, rural properties and regional routes.

Access means roads providing direct access to rural properties, local farms and low-volume movements.

Town Streets means urban/town streets, including residential, industrial, commercial and rural residential streets.

Policy Statement

This policy requires that the following commitments to be adopted as part of a strategic framework for the implementation of road construction standards.

The Shire of West Arthur manages an extensive network of local roads that support the agricultural economy, connect communities, and enable safe and efficient transport across the district. This policy brings together the road hierarchy, construction standards and associated requirements to support consistent planning, design, construction, maintenance, and investment decisions.

Road Hierarchy Framework

For consistency, this policy adopts five road hierarchy categories. Primary Distributor roads are non-Shire roads managed by Main Roads Western Australia. Shire-controlled roads are classified as Regional Distributor, Local Distributor, Access and Town Streets.

Road Classification Register

The road classification register below consolidates the road lists within the Shire of West Arthur.

Regional Distributor		
ARTHUR RIVER-DINNINUP RD	DARKAN-MOODIARRUP RD	MOODIARRUP-CHANGERUP RD
PIESSEVILLE-TARWONGA RD	WILLIAMS-DARKAN RD	
Local Distributor		
BEAUFORT RD	BOKAL EAST ARTHUR RD	BOKAL NORTH RD
BOSCABEL CHITTINUP RD	BOWELLING MCALINDEN RD	BOWELLING-DURANILLIN RD
CAPERCUP NORTH RD	CAPERCUP SOUTH RD	CARYMUNNA RD
CLARKE RD	COLLIE SOUTHEAST RD	CORDERING NORTH RD
CORDERING SOUTH RD	DARDADINE SOUTH RD	DARKAN SOUTH RD
EULIN CROSSING RD	GIBBS RD	GLENORCHY SOUTH RD
HILLMAN DARDADINE RD	HILLMAN RD	HOWIE RD
HUGHES MILL RD	MOODIARRUP WEST RD	QUILL RD
QUINDANNING-DARKAN RD	SANDALWOOD RD	TRIGWELL BRIDGE RD
Access		
ABBOTT RD	ADCOCK RD	AGG RD
AIRLIE RD	ANDERSON RD	ANGEL RD
BALLOCK RD	BEER BOTTLE RD	BELLOTTI RD
BOKAL SIDING	BROWN RD	BUNCE KING RD
BURNETT RD	CAPERCUP SOUTHWEST RD	CARBERDINE POOL RD
CLIFTON RD	COBEN SOAK RD	COCHRANE RD
COLTART RD	CRAIGIE RD	CUSACK RD
D BROWN RD	DARLING RD	DAWSON RD
DELLA RD	DELLYANINE RD	DON RD
DOYLE RD	DUNLEATH RD	EARNSHAW RD
FARRELL RD	FERRARI RD	FLEAYS RD
GIBBS RD NORTH	GIBBS RD SOUTH	GORN RD
GROWDEN PLACE	GROWDEN RD	HALL RD

HAMERSLEY RD	HEBB RD	HORLEY RD
HOWIE RD	HULSE RD	JACKSON RD
JOHNSTON DRIVE	KINGS RD	KNAPP RD
KNIGHT RD	KYLIE CATCHMENT RD	KYLIE SIDING RD
LAKE TOWERRINNING RD	LLOYD RD	MARLEY RD
MARSH'S ACCESS RD	MCALINDEN EAST RD	MCDONALD RD
MERCER RD	MOODIARRUP SOUTH RD	MOORE ROGERS RD
MORRELL RD	NOBLE RD	NUNENDINE RD
O'CONNELL RD	O'CONNER RD	OLD COALFIELDS RD
OLD COLLIE RD	PEDERICK RD	PERRY RD
POLLARD RD	PROWSE RD	QUARTERMAINE RD
RAJANDER RD	RD NO 133	REAPER RD
REES RD	REID RD	RHODESDALE RD
ROAD NO 002 (MWS trying to locate)	ROBINS RD	RUTHERFORD RD
RYAN RD	SCHINZIG BULLER RD	SCOTT RD
SHIELD RD	SLOAN RD	SMITH RD
SOUTH RD	SPENCER RD	STEDDY ROAD
STEWART RD	STRICKLANDS RD	TELFER RD
UNNAMED RD (off Bokal Rd North to the west at SLK 7.6)	VANZETTI RD	VARIS RD
WAYS RD	WEIR EAST RD	WEIR WEST RD
WIRELESS STATION RD	WOOLDRIDGE RD	WRIGHT RD
W-TREE GULLY RD	WUNNENBERG RD	
Town Streets		
ARTHUR ST	BURROWES ST	BUTLER ST
EWING ST	FISHER ST	GIBBS ST
HIBBLE ST	HILL ST	HILLMAN ST
HORLEY ST	HORWOOD ST	HULL ST

KING ST	MEMORIAL DRIVE	NANGIP CRESCENT
PERRY ST	ROELANDS LAKE KING RD (carpark)	STEWART ST
THOMPSON ST	WILLIAM ST	

Priority for Construction, Maintenance and Emergency Response

Where budget, resource availability, weather or other operational constraints prevent the Shire from full achieving minimum service levels, equivalent road needs or risks should be prioritised in the following order:

Priority	Road Classification
1	Regional Distributor
2	Local Distributor
3	Access
4	Town Streets
5	Primary Distributor / interface issues, with Shire roads prioritised first in a declared event or emergency response context

Construction Standards Summary

The table below reflects the detailed technical standards as the operative minimums for new construction unless otherwise approved by the Chief Executive Officer.

Category	Formation / Reserve	Running Surface / Seal	Shoulders / Footpaths	Vegetation Management
Regional Distributor	Minimum 10m gravel formation	Minimum 7.2m sealed running surface	Target 1.5 m shoulders each side (may reduce to 1m where constrained	Minimum 15m
Local Distributor	Minimum 9m gravel formation	Minimum 7m running surface, if ADT is 90 or above, consider 7.2m seal	Target 1.5m shoulders were applicable	Minimum 10m
Access	Minimum 8m gravel formation	Minimum 7m paved/gravel running surface	No standard sealed shoulder requirement	Minimum 8m
Gravel Track Access	Minimum 7m gravel formation	Minimum 6m running surface	No standard sealed shoulder requirement	Minimum 8m
Town Access Streets	Minimum 20m road reserve	Minimum 10m between kerbs	Concrete/asphalt footpath on at least one side; cul-de-sac min 18m diameter; T-heads not permitted	Context specific

Town Streets – Industrial/ Commercial Thoroughfares / Rural Residential	Minimum 20m road reserve	Industrial/commercial thoroughfares: min 10m between kerbs; rural residential: min 7m pavement width	Unsealed or sealed footpaths as determined by context and connection needs	Context specific

The Shire recognises Main Roads WA Specification 501 for pavement construction.

Detailed Design Standards

1. **Flexible Pavement Structure**

   A typical flexible pavement may comprise the following layers (top down), subject to site conditions, design and Main Roads WA requirements.

   - Surface course / running surface: typically, 10 mm asphalt stone mix with extra fines, generally 30-50mm thick. A 7mm surfacing may be used for very quiet roads to a maximum thickness of 28mm.
   - Binder course: typically, 14mm asphalt stone mix, generally 50-100mm thick. A 14mm mix may also be used as a running surface where appropriate.
   - Base course: typically, asphalt or compacted road base/gravel/20mm road base rock; commonly around 300mm compacted, potentially in two 150mm layers depending on roller capacity.
   - Sub-base: commonly natural gravel or rock-type gravel, approximately 300mm compacted.
   - Compactable subgrade: suitable selected material, compacted and proof-rolled; unsuitable material to be removed and replaced.
   - Natural subgrade: must be tested for deflection. Where deflection exceeds 10mm, treatment is required.

2. **Subgrade Treatment Guide**

   Where soft subgrade is encountered, excavation should generally not exceed 900mm. Geofabric may be placed at the base with backfill using selected lower-layer material. Each 300mm layer is to be compacted, and the final layer checked for deflection using a multi-tyre roller.

3. **Gravel Roads**

   - Compacted subgrade thickness: minimum 150mm of natural in-situ material, clear of vegetation.
   - Compacted gravel pavement thickness: minimum 150mm.
   - Crossfall: generally, 4-6% for unsealed rads; 3% for sealed roads; superelevation may range to 6-8% on curves.
   - Shoulders: future sealed roads should ideally provide 1.5m shoulders on each side, which may reduce to 1m on minor dual-lane roads.

Drainage Works

1. **Table Drains**

   - On higher order roads (RAV Type 5 ADT 101-500 and Type 4 roads as applicable), table drains should generally be a minimum of 600mm below the road crown.

- On RAV Type 3 roads (AD T 31-50), table drains should generally be a minimum of 300mm below the road crown.
- Drains are to be kept free of vegetation and obstructions to maintain hydraulic performance and sight distance.

2. Culverts and Headwalls

- On new works or widening, culverts more than 20 years old should be replaced rather than extended, subject to assessment and Main Roads standards.
- Culvert bedding should comprise cement-stabilised gravel or sand in a minimum compacted thickness of 150mm
- Backfill should generally be cement-stabilised gravel in maximum 150mm compacted layers.
- Box culverts are to have a continuous concrete slab base.
- All culverts and headwalls are to be concrete or grouted stone pitched headwalls with wingwalls, aprons and cut-off walls. Culverts greater than 750mm diameter/height are to have steel reinforcement in headwalls.

3. Batters and Benches

- Cut batters should generally be no steeper than 3H:1V.
- For embankments or cuttings exceeding 10m vertical height, or unstable material, benches should be considered for stability, scour control and maintenance.

Levels of Service

Service Activity	**Minimum Standard**
Condition / asset data capture	Regional Distributor: Annual Local Distributor: Bi-Annual Access Roads and Town Streets: Bi-Annual
Road serviceability inspections	Regional Distributor: minimum 4 per year Local Distributor: minimum 4 per year Access Roads and Town Streets: minimum 1 per year
Road resealing	Typically, every 18-25 years, subject to traffic volumes, pavement conditions, and funding.
Grading	The Shire is divided into six grading areas with graders rotating through areas on a cyclical basis. Regional Distributors receive shoulder grading approximately once every three years; Local Distributors receive at least two grades per year and as required; Access Roads receive up to two grades per year and as required following inspection.
Reported maintenance issues	Repairs within 5 working days of notification, or through the grading cycle where appropriate.

Reported hazards	Initial safety response within 4 hours where practicable, with rectification as soon as availability and practicality allow.
Roadside vegetation	Managed within the maintenance zone using mechanical treatment and herbicide spraying in accordance with program priorities and environmental requirements.

Bridges

Bridges are critical assets that interconnect the road network. Prioritisation and maintenance programming are to reflect network criticality, traffic significance and safety risk, with Regional Distributor bridges generally taking precedence, followed by Local Distributor and Access Road bridges.

Development and Subdivision Requirements

1. **Road Upgrading Contributions**

   The Shire may require a developer to contribute to, or fully fund, the upgrade of an existing road where a subdivision or development increases traffic demand or relies upon a road connection that is not of an adequate standard. Where an unsealed road services a proposed development, the Council may require contribution toward road construction or upgrade to the nearest sealed road, together with any associated drainage or services.

2. **Provision of Subdivisional Roads and Civil Works**

   - Detailed design drawings and supporting information must be submitted to the CEO for approval before works commence.
   - Designs are to be prepared by a consulting engineer, a suitably qualified practicing civil engineer, or another appropriately qualified person approved by the CEO.
   - The subdivider is responsible for engaging a contractor with capacity to complete the works to the approved standard.
   - A defects bond equal to 7.5% of the total cost of the work is to be provided for the first 12 months after clearance of the relevant condition(s).
   - Council supervision fees apply: 1.5% of estimated construction cost where day-to-day supervision is provided by the consulting engineer/site supervisor or 3% where it is not.
   - Public access is not permitted until a completion certificate is issued by the consulting engineer and accepted by the CEO.
   - Where works remain incomplete, security may be negotiated at the CEO's discretion, generally based on the value of incomplete works plus 20%.

3. **Outline Specification for Bitumen Construction**

   Bitumen construction is to be undertaken in accordance with best accepted engineering practice, Main Roads WA specifications and approved design drawings. As a guide, reference may be made to local government subdivisional development guidelines. Designs are to include plans, longitudinal sections, cross sections, levels, drainage details and pavement structure. Surface treatment and seal design require CEO approval prior to application.

4. **Outline Specification for Unsealed Construction**

   Unsealed road construction is to follow approved design drawings, with drainage, earthworks,

formation and pavement design appropriate to the site and traffic task. Crossfalls are to be not less than 4% and the compacted road base depth is not to be less than 200mm unless otherwise approved or justified by testing.

5. **Minimum Internal Road Standards**

Road Type	Minimum Standard
Minimum Gravel Track	Farm gate situation servicing 1-4 rural properties: 7m gravel formation, 6m running surface, vegetation cleared to minimum 8m.
Standard Gravel Road	Typical rural road servicing 5-10 rural properties: 8m gravel formation, 7m running surface, vegetation cleared to minimum 9m.
Bitumen – 6m without kerbs	Minimum main internal road for special rural subdivision: kerbing for drainage, traffic control and entry only.
Bitumen – 6m with kerbs	Minimum residential standard and minimum special residential standard.
Bitumen – 7.4m with/without kerbs	Main internal distributor/feeder road standard for larger special rural, special residential or residential subdivisions.

Ancillary Standards and Operational Requirements

1. **Crossovers**

   Council may require owners or occupiers to make or repair crossovers in accordance with the Local Government Act 1995 and applicable local specifications. Council may subsidise up to 50% of the cost of a standard 4m urban or 6m rural crossover, subject to budget constraints, approval and inspection. Maintenance of the crossover remains the owner's responsibility.

2. **Footpaths**

   Footpaths and dual-use paths are to be provided in accordance with the Shire's footpath planning priorities and relevant Austroads standards.

3. **Verge Clearing and Vegetation Management**

   Road reserve clearing, construction and maintenance are to be undertaken in accordance with environmental legislation, applicable permits and the Shire maintenance corridor approach. Clearing should be minimised where practicable and any dangerous vegetation may be removed following inspection and in accordance with applicable requirements.

4. **Services and Utilities**

   Service alignments should minimise impacts on roadside vegetation. Utility providers are expected to liaise with the Shire on service locations, trench reinstatement and rehabilitation of disturbed areas.

5. **Signs**

   Directional and other signs on Shire-controlled road reserves are to comply with Shire sign standards regarding mounting, visibility, colour, size, location and overall number of signs. Signs are generally to be mounted on metal plates supported by galvanised pipe posts and

installed to maintain visibility and road safety.

6. **Gravel Supplies and Rehabilitation**

   Gravel extraction is to be managed through written agreement with landowners, fair compensation, site management planning and rehabilitation. A standard rate per compacted cubic meter removed from private property is to be negotiated with the landowner and charged to the relevant works program. Gravel pits are to be rehabilitated progressively and managed in accordance with environmental obligations.

7. **Clearing of Vegetation for Road Construction**

   Before major road construction clearing commences, adjoining owners should be advised of proposed clearing and the Shire should endeavour to reach agreement on the extent of clearing, while maintaining safe sight distance and unobstructed access at intersections and along roads.

Appendix 1

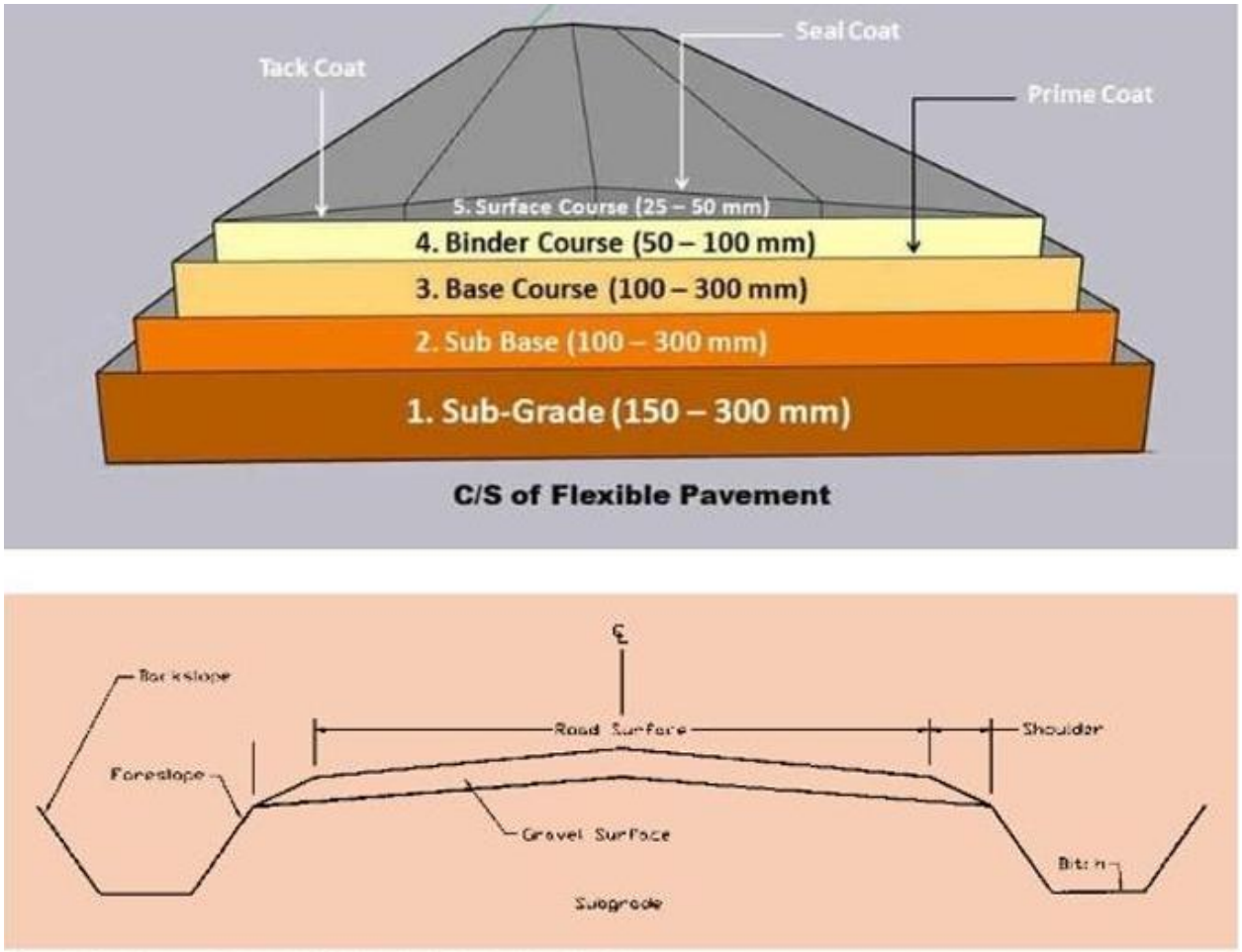
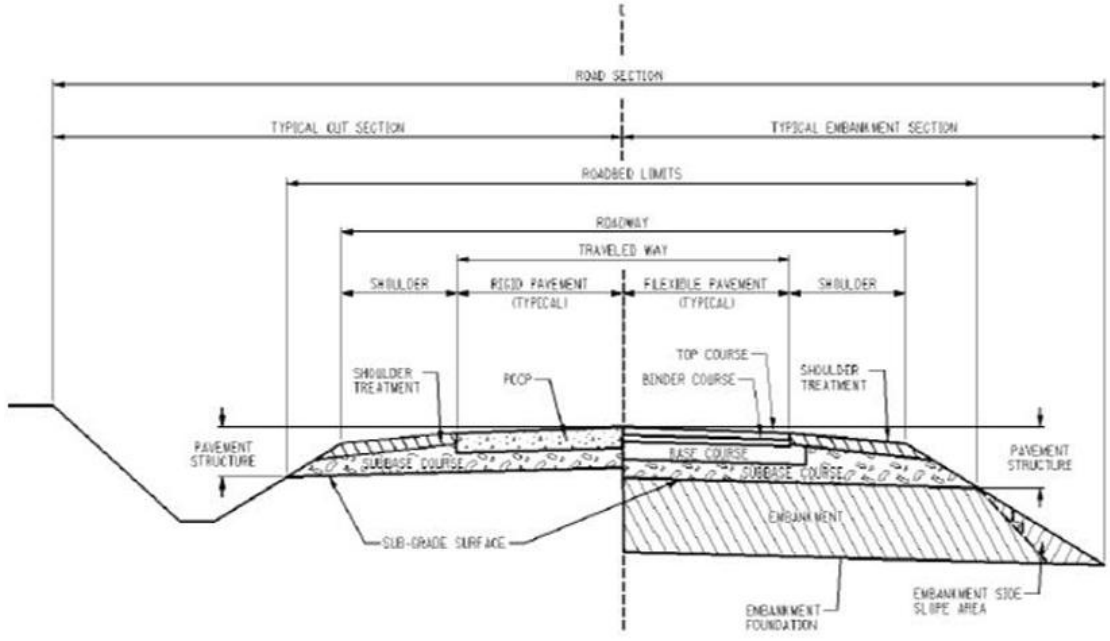
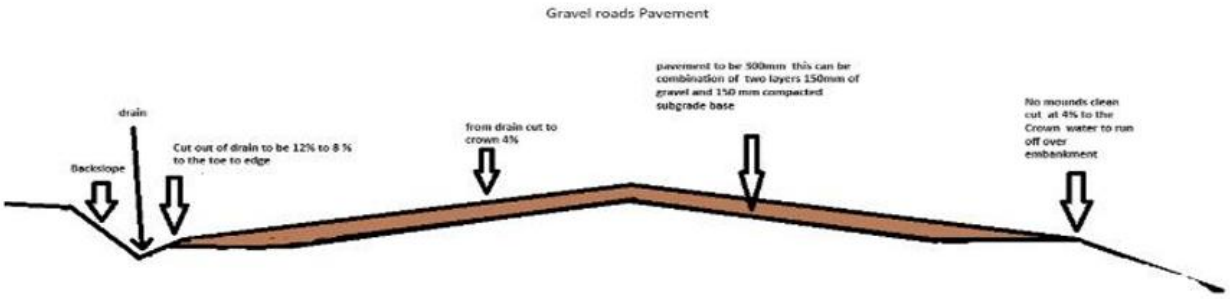


Figure 1: The components of the roadway cross section.

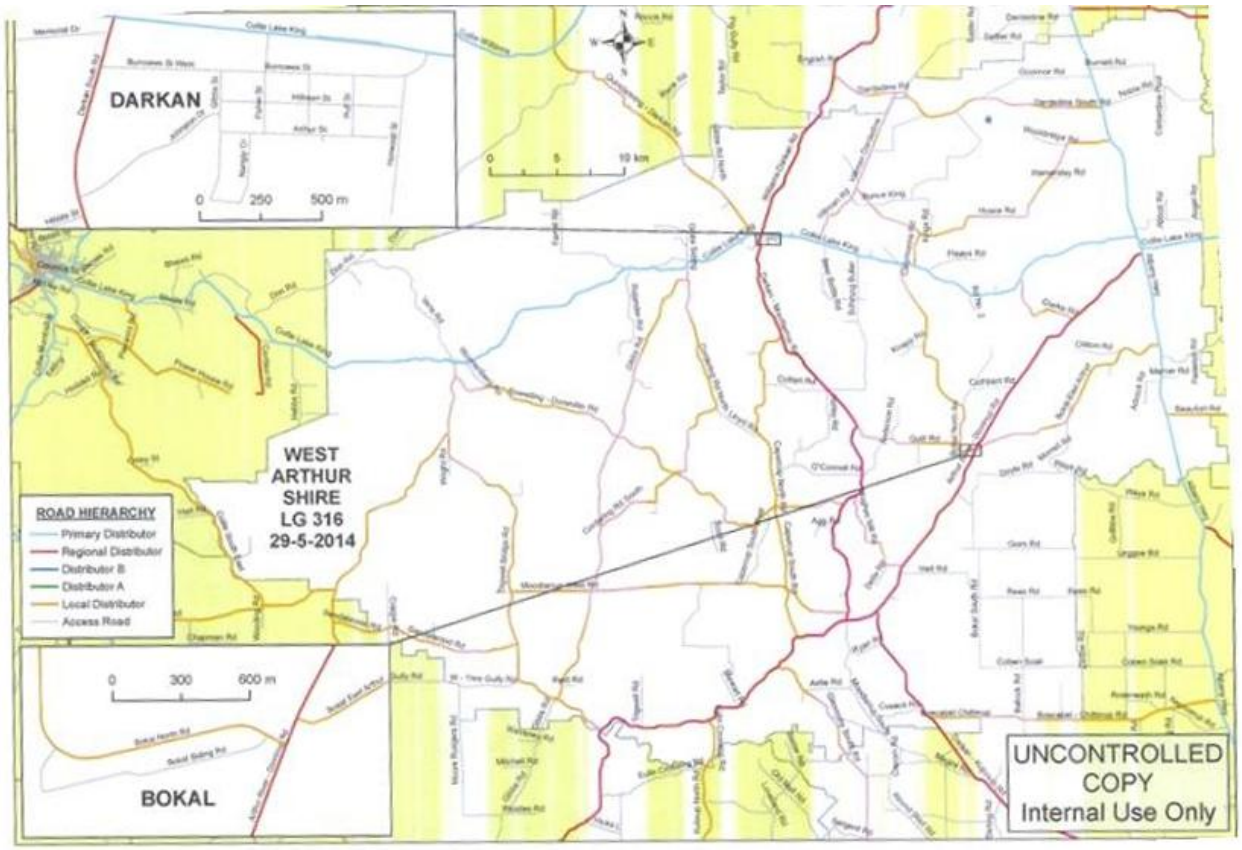
Appendix 2



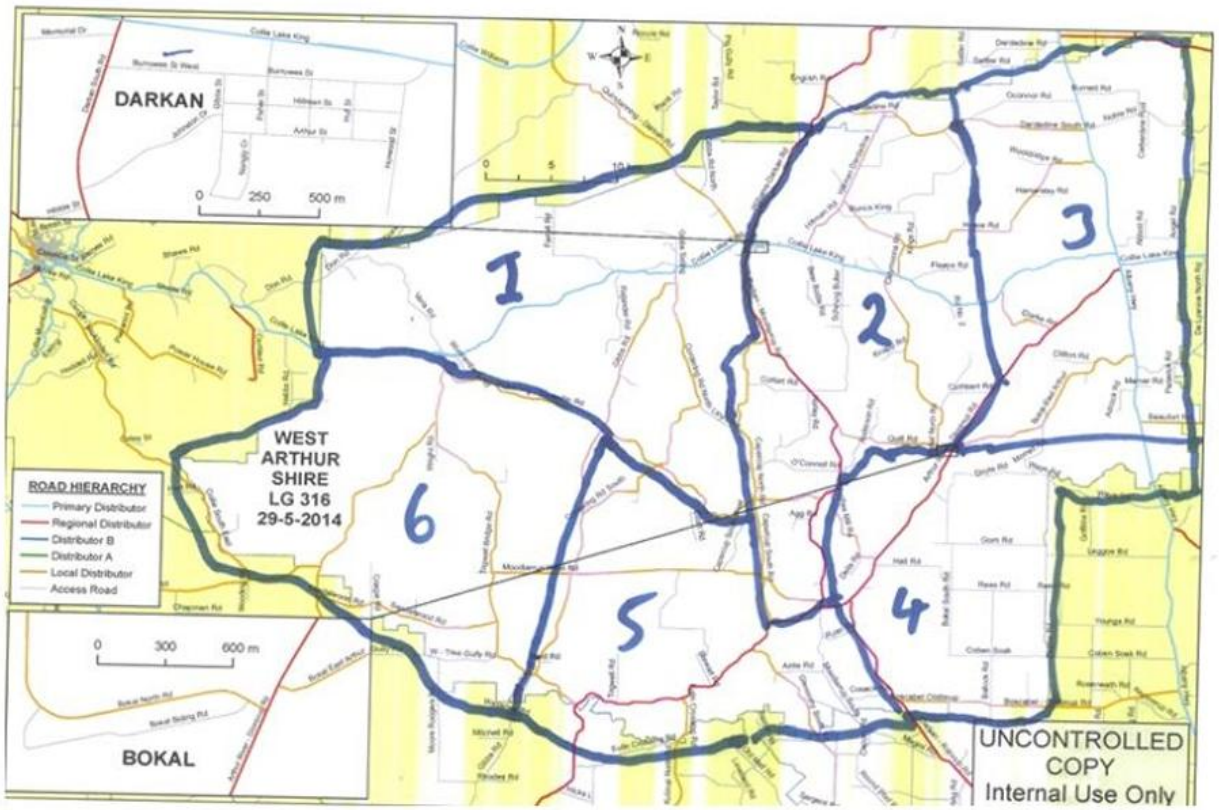
Appendix 3



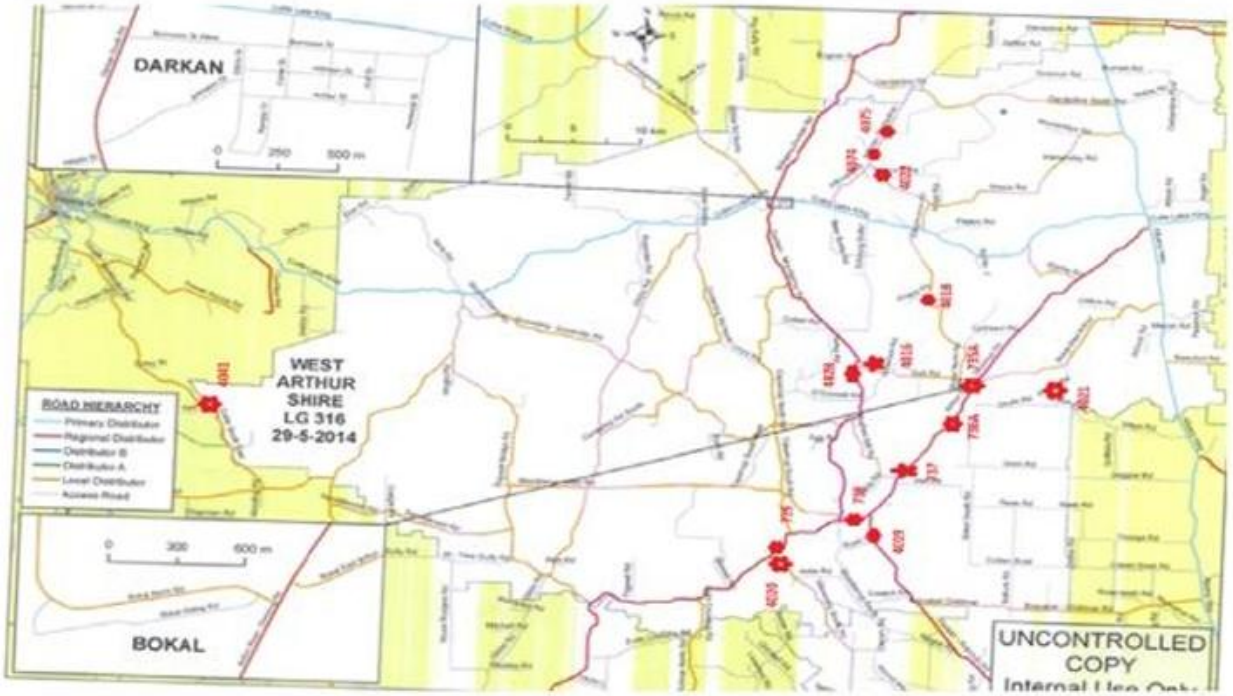
Appendix 4



Appendix 5



Appendix 6



History	23/07/2026
Delegation	Manager Works and Services
Relevant Legislation	*Local Government Act 1995*
Related Documentation	Road Hierarchy and Construction Standards