

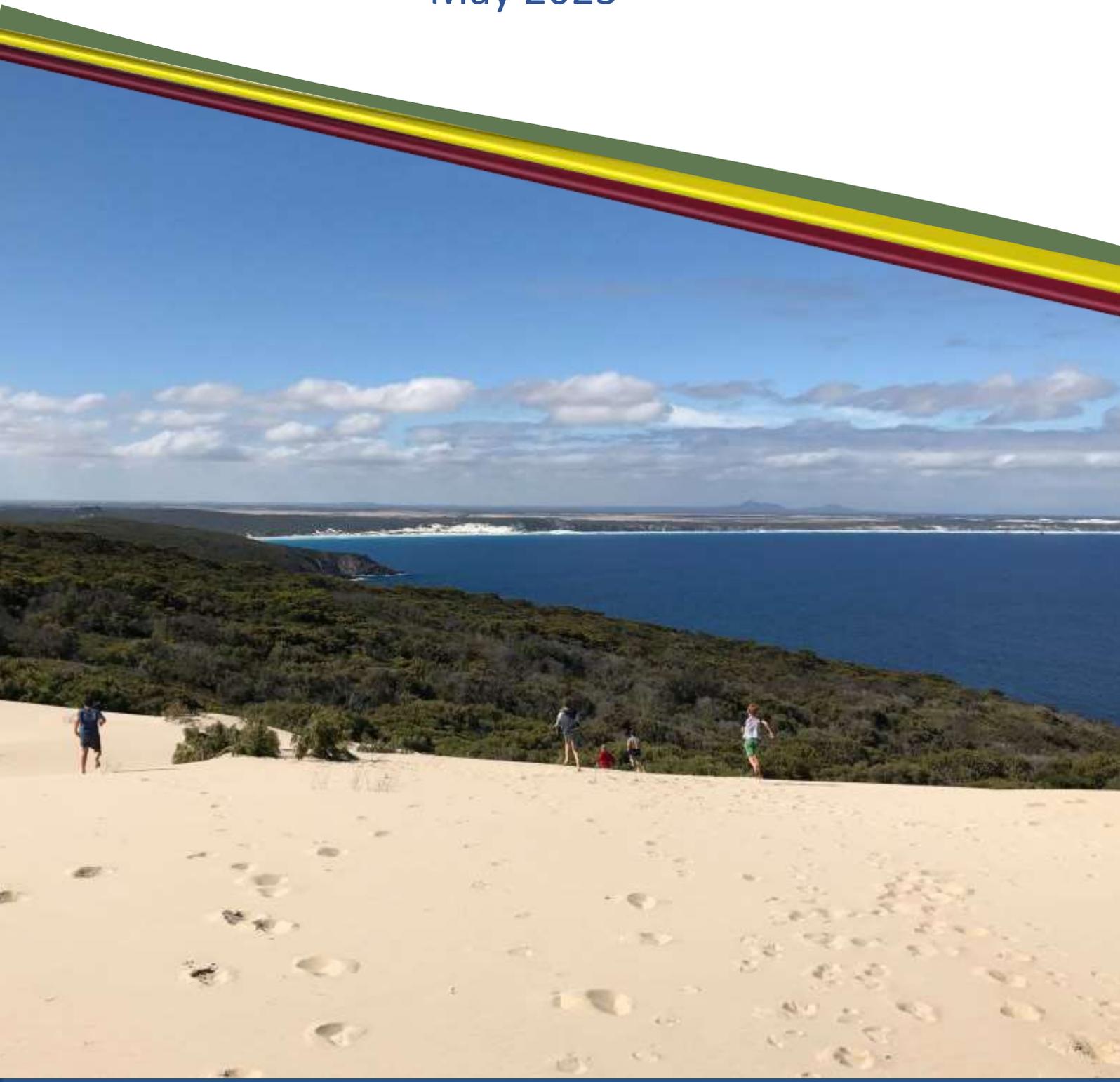


SHIRE OF RAVENSTHORPE

# COUNCIL POLICY MANUAL

VERSION 11

May 2023



# BACKGROUND TO POLICY MANUAL

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision-making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions. Policy statements enable much of the day-to-day business of Council to be handled by the Administration, freeing up the time of the Elected Members in determining major policy and strategic direction.

It is important to note that this manual contains the policy statements of the Council and does not contain procedural matters.

The policies contained within this manual are those that project a corporate image and are not controlled by individual directorates. The development of the policies involves input from staff across the organisation and elected members. A current policy manual proves to be a valuable tool in improving the decision-making process.

A policy statement is not binding on Council but provides a guideline for Elected Members and staff in determining individual applications or requests. Generally, policies evolve as issues that have come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is also possible for members of the community to seek an early review of a specific policy.

This Policy Manual forms part of Shire's public documentation. The policy manual is available for public inspection during office hours, at the Council office, on request.

## **POLICY FRAMEWORK**

Each policy is developed in order to address specific matters. They relate to objectives to the Shire of Ravensthorpe, and, in some instances, as required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation. These are that the Shire:

- will work with the community in a way which is friendly, helpful, professional and inspires confidence;
- believes it is essential that the Council and Council staff are honest, dedicated and show respect for others;
- will aim for equity and fairness in all we do; we will focus on the needs of the customer; and strive for continuous improvement;
- wants the Council to be a dynamic organisation, flexible and innovative, with strong team spirit – a great place to work and a welcoming place for the community to visit;
- is committed to the principles of Freedom of Information.

Essentially, policies developed by the Shire of Ravensthorpe are aimed at ensuring and encouraging equity, fairness, access to information and decision making and effective management of community resources.

Each policy includes:

- an objective statement (what the policy aims to achieve);
- a policy statement (what the policy is);
- a nominated person responsible for the policies implementation; and
- the date of commencement, including Council resolution number.

## **POLICY REVIEW PROCESS**

If at the time of review, or at any other time, a policy is found to require amendment, a report is to be prepared for Council consideration detailing the required variation, the reason behind that variation and any recommendations for amendment.

**At least annually, the entire Policy Manual will be reviewed. The Chief Executive Officer will coordinate the review process.**

---

## DOCUMENT CONTROL

VERSIONS				
Date	Approved by	Title	Resolution Number	Comment
August 2007		Version 1		
May 2010		Version 2		
October 2011		Version 3		
November 2013		Version 4		
26 June 2014	OCM	Version 5 – Town Planning Scheme No 5 and Local Planning Policies		26.06.14 Adopted by Council for final approval 14.07.15 Advertising Signs policy revised and adopted for final approval by Council
July 2015		Version 6 – Town Planning Scheme No 5 and Local Planning Policies		24.11.16 Sea Container Policy revised and adopted by Council 03.05.17 Adopted LPP15 'Developing in Bushfire Prone Areas'
November 2017		Version 7		
November 2018		Version 8		
November 2020		Version 9		
July 2022	OCM 19/07/2022	Version 10	41/22	Complete revision. Separation of Council and Operational policies into 2 manuals.
May 2023		Version 11		Desktop review and inclusion of new policies and revisions.

NEW POLICIES		
Policy Name	Date of Amendment	Amendment Details
LPP12 Leases and Licences	OCM 19/07/22 Resolution 40/22	<b>New Policy – Adopted by Absolute Majority</b>
LPP13 Itinerant Trading Policy	OCM 19/07/22 Resolution 47/22 OCM 20/09/22 Resolution 65/22	<b>Proposed New Policy - For public comment</b> <b>New Policy – Adopted by Absolute Majority</b>
LPP14 Mining Industry Policy	OCM 20/09/22 Resolution 62/22 OCM 16/05/23 Resolution 35/23	<b>Proposed New Policy - For public comment</b> <b>New Policy - Adopted by Absolute Majority</b>

AMENDMENTS		
Policy Name	Date of Amendment	Amendment Details
<b>F2 Purchasing Policy</b>	<b>OCM 19/07/22</b> Resolution 41/22  <b>OCM 28/02/23</b> Resolution 07/23	2022 Comprehensive Policy Manual review, review of F2.4 Purchasing Thresholds and Practices, and F2.7 Authorised Officer Approved Purchasing Limits.  <b>Updates:</b> F2.2 Ethics and Integrity <b>The following paragraph has been added as per 2022 Audit Management Letter recommendation 3;</b> <b><i>It is mandatory for all Tender Panel members to complete conflict of interest declarations as part of the Tender process and documentation, it is also mandatory for any staff member to declare any conflict of interest prior to the purchasing of any goods or services by notification to the Chief Executive Officer.</i></b>  <b>F2.5 Purchasing Supplier Order of Priority - Added – “when applying for quotes”.</b> This places an emphasis on seeking quotes in the order of priority.

<b>AMENDMENTS</b>		
Policy Name	Date of Amendment	Amendment Details
		<p><b>F2.6 Purchasing Practice and Value Thresholds</b> – corrected some reference clauses that identify actual clauses within the policy document eg F2.5.</p> <p>The policy contained some reference clause errors that did not relate to clauses identified in the Policy.</p> <p><b>F2.7 Authorised Officer Approved Purchasing Limits:-</b>            Works Supervisor \$30,000 reduced to \$10,000            Engineering Technical Officer \$30,000 reduced to \$10,000            Asset Technical Officer \$30,000 reduced to \$10,000            Manager Childcare Services \$10,000 reduced to \$3,000            Senior Finance Officer Position name changed to Accountant            Depot Administration Officer New Position to \$3,000            Purchasing authorities were reviewed to current requirements.            F2.12 Purchasing Policy Non-Compliance and Non-Conforming            Added paragraph-  <i>Where the minimum Purchasing requirements cannot be met, a file note signed by the Chief Executive Officer needs to be completed, detailing the reasons for not meeting the requirements. This process is to occur prior to the purchase occurring.</i></p>
<b>F4 Investments</b>	OCM 19/07/22 Resolution 41/22	clause added for clarity regarding Shire delegated authority responsibilities of the Ravensthorpe Hopetoun Future Fund)
<b>A3 Work Health and Safety</b>	OCM 19/07/22 Resolution 41/22	due to new legislation introduced in March 2022, the previous Occupational Work Safety and Health Policy has been amended
<b>G16 Community Engagement Policy and Strategy</b>	OCM 16/08/22 Resolution 55/22	Revised and updated Policy and development of a Strategy

<b>REPEALED POLICIES</b>		
Policy Name	Date of Repeal	Reason for Repeal
G13 Organisational Structure	19/07/22 Resolution 41/22	No longer applicable
G2 Communications and Social Media Policy	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A4 Code of Conduct for Employees	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A6 Internet and Email Usage	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A7 Fitness for Work	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A9 Corporate Uniform	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A12 Staff Training and Development	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual
A13 Staff – Education and Study Assistance	19/07/22 Resolution 41/22	To be dealt with by way of a CEO's Operational Policy Manual

## POLICY MANUAL CONTENTS

BACKGROUND TO POLICY MANUAL.....	1
DOCUMENT CONTROL.....	2
<b>ADMINISTRATION .....</b>	<b>7</b>
A1    CORPORATE DISCUSSION MEETINGS.....	8
A2    OPERATIONAL GUIDELINES.....	9
A3    WORK HEALTH AND SAFETY POLICY .....	10
A4    CODE OF CONDUCT FOR EMPLOYEES - REPEALED .....	12
A5    RECORDS MANAGEMENT .....	13
A6    INTERNET AND EMAIL USAGE - REPEALED .....	17
A7    FITNESS FOR WORK POLICY - REPEALED .....	18
A8    VEHICLE PLANT AND EQUIPMENT MANAGEMENT .....	19
A9    CORPORATE UNIFORM - REPEALED.....	21
A10   MOBILE PHONE ALLOWANCE .....	22
A11   STAFF – SUPERANNUATION SALARY SACRIFICE.....	23
A12   STAFF TRAINING AND DEVELOPMENT - REPEALED .....	25
A13   STAFF EDUCATION AND STUDY ASSISTANCE - REPEALED.....	26
A14   RECOGNITION OF SERVICE – EMPLOYEES - REPEALED .....	27
<b>BUILDING .....</b>	<b>28</b>
B1    BUILDING PERMIT – PERMIT REQUIREMENTS – INCIDENTAL STRUCTURES .....	29
<b>FINANCE .....</b>	<b>32</b>
F1    RELATED PARTY DISCLOSURES.....	33
F2    PURCHASING POLICY .....	35
F3    REGIONAL PRICE PREFERENCE.....	50
F4    INVESTMENTS.....	51
F5    TRANSACTION CARD.....	53
F6    DISPOSAL OF MINOR SURPLUS ASSETS .....	58
F7    FINANCIAL HARDSHIP.....	60
F8    DEBT RECOVERY .....	63
F9    COMPLAINTS MANAGEMENT .....	64
<b>GOVERNANCE.....</b>	<b>66</b>
G1    CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES ....	67
G.2   MEETINGS OF COUNCIL.....	75
G.3   COUNCIL MEMBER TRAINING AND DEVELOPMENT .....	76
G.4   AUDIT COMMITTEE TERMS OF REFERENCE.....	80

G.5	LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES .....	83
G6	RISK MANAGEMENT .....	88
G7	COMMON SEAL AND DOCUMENT SIGNING AUTHORITY .....	90
G8	POLITICAL / ELECTORAL CAMPAIGN ADVERTISING .....	97
G9	ADVOCACY .....	98
G10	ATTENDANCE BY COUNCIL MEMBERS AND THE CHIEF EXECUTIVE OFFICER AT EVENTS .....	100
G11	INVITATION OF RATEPAYERS AND RESIDENTS TO COUNCIL DINNERS AND FUNCTIONS .....	102
G12	CIVIC RECEPTIONS AND CEREMONIAL FUNCTIONS .....	103
G.13	CEO RECRUITMENT, PERFORMANCE AND TERMINATION .....	106
G.13	ORGANISATIONAL STRUCTURE - REPEALED .....	112
G.14	SENIOR EMPLOYEES .....	113
G.15	CUSTOMER SERVICE CHARTER .....	114
G16	COMMUNITY ENGAGEMENT POLICY AND STRATEGY .....	117
G.17	RECOGNITION OF SERVICE - COUNCIL MEMBERS .....	125
G.18	RECOGNITION OF VOLUNTEERS .....	127
G.19	HONORARY FREEMAN OF THE SHIRE .....	128
G20	COMMUNITY DEVELOPMENT FUND .....	130
G21	SUPPORT TO THE RAVENSTHORPE HOPETOUN FUTURE FUND BOARD .....	135
G22	TEMPORARY EMPLOYMENT OR APPOINTMENT OF CHIEF EXECUTIVE OFFICER .....	137
G.23	COMMUNICATIONS AND SOCIAL MEDIA POLICY .....	140
G24	CEO RECRUITMENT, PERFORMANCE AND TERMINATION .....	141
G25	TABLET USAGE BY COUNCIL MEMBERS AND STAFF .....	148
<b>LAW, ORDER AND PUBLIC SAFETY .....</b>		<b>151</b>
LO1	BUSH FIRE CONTROL – CAMPING AND COOKING FIRES .....	152
LO2	SHIRE OF RAVENSTHORPE BUSH FIRE ADVISORY COMMITTEE (BFAC) .....	153
LO3	BUSH FIRE CONTROL – BURNING RESTRICTIONS .....	155
LO4	REMOVAL AND DISPOSAL OF CERTAIN ABANDONED VEHICLES .....	156
LO5	SHARK RESPONSE .....	157
LO6	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) .....	161
LO7	CLOSED CIRCUIT TELEVISION (CCTV) OPERATIONS .....	163
<b>LOCAL PLANNING POLICY MANUAL .....</b>		<b>166</b>
LPP1	SPORTS FIELDS – ADVERTISING .....	167
LPP2	ADVERTISING SIGNS .....	169
LPP3	OUTBUILDINGS .....	178
LPP4	HOUSING .....	182
LPP5	INDUSTRIAL DESIGN GUIDELINES .....	186
LPP6	EXTRACTIVE INDUSTRY .....	189

LPP7	PUBLIC OPEN SPACE – 3.5 LOT SUBDIVISION .....	194
LPP8	ALFRESCO DINING AND TRADING IN PUBLIC PLACES .....	196
LPP9	FARM FORESTRY .....	199
LPP10	HOLIDAY HOMES.....	203
LPP11	DEVELOPMENT IN BUSHFIRE PRONE AREAS .....	206
LPP12	LEASES AND LICENCES POLICY.....	210
LPP13	ITINERANT TRADING POLICY.....	217
LPP14	MINING INDUSTRY POLICY .....	222
LPP15	SECOND-HAND DWELLINGS .....	226
LPP16	SHIPPING CONTAINERS.....	229

**WORKS AND SERVICES ..... 232**

WS1	ASSET MANAGEMENT POLICY.....	233
WS2	CONSTRUCTION / UPGRADE OF CROSSOVERS.....	237
WS3	ROAD FACILITIES – PAINTING OF KERB NUMBERS .....	243
WS4	TRAFFIC MANAGEMENT – STREET EVENTS .....	244
WS5	PROTECTION OF SHIRE INFRASTRUCTURE IN ROAD RESERVES .....	246
WS6	ROAD IMPROVEMENTS – MUNICIPAL WORKS IN STREET (NOTIFICATION TO OWNERS / OCCUPIERS) .....	247
WS7	URBAN REVEGETATION AND GREENING .....	248
WS8	CONSERVATION OF FLORA AND FAUNA.....	249
WS9	STREETScape MANAGEMENT – REGISTRATION OF STREET LAWNS AND GARDENS.....	251
WS10	STREETScape MANAGEMENT – MAINTENANCE OF SHIRE LAND AND ROAD VERGES.....	252
WS11	STREET VERGE TREATMENTS.....	253
WS12	TREE MANAGEMENT IN URBAN AREAS AND PUBLIC RESERVES .....	256
WS13	DANGEROUS TREES ON PRIVATE PROPERTY .....	260
WS14	STREET TREES .....	261
WS15	BEEKEEPING ON SHIRE MANAGED RESERVES.....	264

---

# ADMINISTRATION

---

## A1 CORPORATE DISCUSSION MEETINGS

### Policy Objective

Council needs to meet and discuss matters relating to the good governance of the Shire outside of its formal (statutory) meeting structure. This policy seeks to ensure that such informal (non-statutory) meetings are responsibly managed, transparent and are in line with principles of good governance.

### Policy

The purpose of Corporate Discussion Meetings is to maximise the opportunity for Council Members to be informed and seek additional information on operational activities as well as providing Council Members and Senior Staff with an opportunity to discuss ideas, strategies and concepts currently in development.

Corporate Discussions are strictly for the purpose of ensuring that Officers have a clear understanding of Council's directive, and for discussion of any options, opportunities and risks. Topics to be considered are typically those that will require an eventual Council decision, and/or are matters 'for information'.

No decisions or debate are to be made at the forum. While the formal meeting structure of Council and Committee meetings do not apply to this forum, the general conduct of the meeting must be in line the Shire of Ravensthorpe Standing Orders Local Law 2010 for the purpose of preserving order.

Where applicable, Council Members and staff are to disclose any conflicts of interest, noting that participation on an agenda item will not be allowed where the interest declared is of a financial, indirect financial or proximity interest.

While formal minutes of the meeting will not be kept, notes regarding any action to be undertaken and discussions held will be recorded.

Document Control Box						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>						
<b>Industry:</b>	Local Government Operational Guidelines Number 05 – January 2004 Council Forums <a href="https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline-5-council-forum-guideline.pdf?sfvrsn=bc1818aa_1">https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline-5-council-forum-guideline.pdf?sfvrsn=bc1818aa_1</a>					
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2024	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## A2 OPERATIONAL GUIDELINES

### Policy Objective

To establish a mechanism that enables the Shire to develop guidelines that assist the public on matters of an operational nature.

### Policy

From time to time the Shire will develop specific guidelines relevant to operational matters. The guidelines will be developed in such a way that they do not conflict with the objectives of the Strategic Community Plan or the objectives identified within Council's adopted Policy Manual.

Operational guidelines will be determined by the Chief Executive Officer and are to be made publicly available.

Operational guidelines may be subject of review by Council and active guidelines will be identified within the organisational section of the Document Control Box associated with this policy.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Subdivisional Development Guidelines Early Learning Centre Guidelines Vehicle Plant and Equipment Operational Guidelines						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## A3 WORK HEALTH AND SAFETY POLICY

---

### Policy Objective

The Shire of Ravensthorpe is committed to the Health and Safety of our people and providing a safe working environment.

### Policy

The Shire of Ravensthorpe will ensure all employees have safe workplace conditions and systems of work that minimise risk of injury or illness to our people including, employees, contractors, labour hire, visitors, volunteers, and customers, and damage to Shire property and the environment.

### Commitment

#### **The Shire will:**

- a) comply with the *Work Health and Safety Act 2020 (WA)*, *Work Health and Safety 2011 Act (Cth)*, the *Work Health and Safety (General) Regulations 2022*, Codes of Practice and Australian Standards;
- b) ensure contractors understand and comply with their obligations regarding relevant Work Health and Safety Legislation and the Shire's policies, procedures and safe systems of work;
- c) in consultation with contractors, manage all safety related matters to reduce risks in the workplace;
- d) control physical and procedural safety and environmental hazards through continuous hazard identification and control processes;
- e) provide induction and ongoing training, information and instructions to staff and relevant contractors, regarding Work Health and Safety;
- f) ensure that relevant purchasing programs, contracts, tenders, leasing, hiring systems and assets comply with and are maintained in line with the Shire's policies and procedures and Australian Standards in relation to Work Health and Safety;
- g) provide an effective system of accident/incident reporting, investigation and recording; and
- h) monitor the effectiveness of the Shire's Work Health and Safety performance, and strive for continuous improvement.

#### **Staff and Contractors will:**

- a) comply with the *Work Health and Safety Act 2020 (WA)*, the *Work Health and Safety (General) Regulations 2022 (WA)*, Codes of Practice and Australian Standards;
- b) report workplace hazards and incidents to Team Leaders/Executive Managers;
- c) work in accordance with the policies, procedures and safe systems of work of the Shire of Ravensthorpe;
- d) work in a safe manner that will not endanger the safety and health of themselves, their colleagues, the public or the environment; and
- e) consult and cooperate with Team Leaders and management on matters relating to workplace safety and health.

#### **Responsibilities:**

The development of a safety management program and this policy is the responsibility of the Executive Team. Its implementation is the responsibility of the Chief Executive Officer. The application of this policy is the responsibility of all Shire employees.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	<i>Work Health and Safety Act 2020</i> Work Health and Safety (General) Regulations 2022  Related Acts and Regulations, Codes of Practice, and Australian Standards.						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/2020 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/2022 – Item 12.1.2		Updated in accordance with legislative changes.				

---

## A4 CODE OF CONDUCT FOR EMPLOYEES - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## A5 RECORDS MANAGEMENT

### Policy Objective

This policy establishes a framework for records management and consistency in the keeping of information in the form of documents, images, plans and web based content in both hard copy and electronic environment, in order to meet evidentiary, legislative and good governance requirements.

### Policy

#### Definitions:

The Act:	<i>State Records Act 2000 (the Act)</i>
<b>Corporate Record</b>	means any hard-copy, digital or online record that meets one or more of the following criteria: <ol style="list-style-type: none"> <li>It conveys information essential or relevant in decision-making processes.</li> <li>It conveys information upon which others will, or may, use to make decisions affecting the Shire's operations, rights and obligations under legislation.</li> <li>It commits the Shire to certain courses of action, the commitment of resources or provision of services.</li> <li>It conveys information about matters of public safety or public interest, or involves information upon which contractual undertakings are entered into.</li> <li>The information is likely to be needed for future use, or is of historical value.</li> </ol>
<b>Ephemeral record</b>	means any record that has no continuing value to the Shire and is generally only needed for a few hours or a few days. The Shire uses the guidelines contained within the General Disposal Authority for Local Government Records to determine which records are considered ephemeral.

### Scope

This policy applies to all aspects of the Shire's business activities. It applies to all Shire employees, Council Members, volunteers and contractors engaged under contractual arrangements to conduct business on behalf of the Shire.

It applies to all active and archival records and all core and administrative functions where records are created, maintained, managed and stored, including the various business applications in use by the Shire. This includes hard copy documents, images, plans and website content.

Adherence to the Records Management Policy is a mandatory requirement for all, employees, Council Members and contractors of the Shire of Ravensthorpe. No exemptions exist for this Policy.

### Context

The Act requires public officers to make and keep full and accurate records of their activities. The Act also requires public officers to ensure that such records are effectively and efficiently managed so that they are accurate, complete and available when required. These records must be protected from accidental or deliberate loss, damage or misuse and secured from unauthorised access. The Shire is responsible for, and is committed to, the effective management of all records and information in its care.

The Shire of Ravensthorpe recognises that records are vital assets, necessary to:

- support its management, administration and service delivery,
- deliver customer service in an efficient, fair and equitable manner,
- provide evidence of actions and decisions and precedents for future decision making, and
- protect its rights and interests and that of its community.

The Shire seeks to ensure that:

- these records are managed efficiently and effectively, and can be readily accessed;
- it complies with all requirements concerning records and information management practices;
- retention and disposal of Shire records will be in accordance with the General Disposal Authority for Local Government Records provided by the State Records Office of Western Australia; and
- records of longer-term value are identified and protected for historical purposes and those records identified as permanent are transferred to the State Records Office of Western Australia in due course to become part of the state archives.

## Roles & Responsibilities

### **Chief Executive Officer**

In accordance with the State Records Office of Western Australia and the *Local Government Act 1995*, Council's Chief Executive Officer is responsible for ensuring that corporate records of the Shire are properly kept.

All employees, Council Members and contractors have a responsibility to create, capture and manage appropriately the complete and accurate records of the Shire, including records of decisions made, actions taken and transactions of daily business in accordance with the records management program, this policy and Council's records management procedures and processes.

### **Executive Team**

The Executive Team are responsible for monitoring staff under their supervision to ensure that they understand and comply with the Records Management Policy and procedures. The Executive Team are also responsible for fostering and supporting a culture within their workgroup that promotes good record management practices.

### **Records Officer(s)**

Provides training on the record keeping program as well as education on record keeping obligations on behalf of the organisation.

Advises the Chief Executive Officer and Executive Manager Corporate Services on the management, storage, classification, retention and disposal of records according to standards and Disposal Authorities issued by the State Records Office of Western Australia.

Manages the transfer of hardcopy and electronic records such as images, plans and web based content.

Respects and protects the confidentiality of these records from unauthorised access and release of information.

### **Contractors**

Ensuring that complete records are accurately created and managed that properly and adequately record evidence of the business activities of the work functions for which they are responsible. This applies to both hardcopy and electronic information, including email, images, plans and web based content.

Complying with the requirements of the Act, and any other applicable legislation with requirements pertaining to recordkeeping;

Respecting and protecting the confidentiality of these records from unauthorised access and release of information, and

Ensuring that these records are returned to the Shire upon completion or termination of the Contract or work.

## Non-Compliant Record Keeping Systems

The following “systems/tools” do not provide adequate record keeping functionality and are not to be used to store all organisational records:

- email folders;
- local F drives;
- portable storage devices; and
- shared (network) drives.

### **Breaches**

Any serious breaches and non-conformance with this Policy and associated procedures and legislative requirements will be dealt with under the Shire’s Code of Conduct or under contract management dispute provisions for contractors.

## Principles of Record Keeping

The Shire is committed to achieving best practice through a council-wide consistent approach to the management of electronic information. This will be achieved through the following principles:

### **Manage**

The Shire will establish the capability to manage the life-cycle of electronic content by maintaining electronic content and metadata in electronic form for the purpose of delivering services and conducting business. Electronic information is more accessible and continues to contain content when maintained in electronic form.

The Shire will develop policies, business rules and procedure to enable sound recordkeeping practices in the electronic environment.

The Shire will ensure the effective establishment and ongoing operation of its electronic content management system.

### **Capture**

The Shire will establish business processes to ensure hard copy documents and electronic content generated or received are treated as official records in accordance with the Act.

The Shire will implement electronic recordkeeping practices through the design and operation of reliable recordkeeping or business systems which produce authentic and reliable electronic content.

### **Store and Preserve**

The Shire will store and manage electronic content in compliance with relevant legislation and industry standards such as the *State Records Act 2000*, State Records Office Guidelines – Management of Digital Records.

Maintaining electronic records over time involves a shared responsibility between the Shire and the State Records Office of Western Australia. The Shire cooperates with State Records Office of Western Australia to establish arrangements for the long-term management and preservation of electronic records.

### **Access**

Access to corporate records by employees and contractors will be in accordance with designated access and security classifications, as determined by the Records Officer.

Access to corporate records by the general public will be in accordance with the *Freedom of Information Act 1992*.

Access to corporate records by Council Members will be via the Chief Executive Officer in accordance with Section 5.92 of the *Local Government Act 1995*.

## Enable

The Shire will invest in information technology infrastructure to support record keeping systems that facilitate integration of business and recordkeeping applications.

## General Requirements

### Destruction

The Records Officer will dispose of corporate records in accordance with the General Disposal Authority for Local Government Records and/or the General Disposal Authority for Source Records, following authorisation from the Chief Executive Officer.

### Ephemeral Records

Ephemeral records may not be required to be placed within the Shire's official recordkeeping systems. Council Members, employees or contractors may dispose of such ephemeral records.

### Training and Education

Training in recordkeeping practices and the use of the Shire's document and records management systems is available to all newcomers upon commencement and ongoing training is available upon request to the Records Officer. Council Members will be made aware of their recordkeeping responsibilities as part of the Council Member Induction Program.

Document Control Box						
<b>Custodian:</b>	Executive Manager Corporate Services					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b> Record Keeping Plan						
<b>Legislation:</b>	<p><i>State Records Act 2000</i>; and Standards issued by the State Records Office of Western Australia            State Records Office Guidelines, Management of Digital Records;            Building Act 2011.            Electronic Transactions (Western Australia) Act 2011.            Evidence Act 1906.</p> <p>s5.41(h) [Functions of CEO] <i>Local Government Act 1995</i>            s5.92 [Access to information by council, committee members] <i>Local Government Act 1995</i></p> <p>Further Information at;  <a href="http://www.sro.wa.gov.au/state-recordkeeping/legislative-requirements">http://www.sro.wa.gov.au/state-recordkeeping/legislative-requirements</a></p>					
<b>Industry:</b>						
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

---

## A6 INTERNET AND EMAIL USAGE - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

---

A7 FITNESS FOR WORK POLICY - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## A8 VEHICLE PLANT AND EQUIPMENT MANAGEMENT

### Policy Objective

The objective of this Policy is to ensure Council's vehicles, plant and equipment are standardised and meet operational requirements, required safety standards and are replaced at a time that optimises its use and minimises the whole of life costs.

### Policy

The Chief Executive Officer is responsible for the administration of this Policy and for the determination of the use and categories of vehicles together with application of conditions of use.

When acquiring and disposing of vehicle plant and equipment, the Shire shall apply a structured test based on the following four key principles, being:

- Economic Criteria - Whole of life costs shall be estimated from best available data and highest preference shall be given to the vehicle with the lowest optimised whole of life cost.
- Functional Criteria - Highest preference shall be given to the vehicle that best fits the functional requirements of the position for which the vehicle or equipment is being acquired.
- Safety Criteria - Highest preference shall be given to vehicles or equipment that have the highest safety ratings or ANCAP as applicable.
- Environmental Criteria - Highest preference for reduced CO2 emissions allocated to the vehicle or equipment.

Where possible the Shire of Ravensthorpe will aim for a standardisation fleet through a reputable manufacturer.

The annual budget provides allocations for each category of vehicle within the vehicle plant and equipment fleet that is consistent with and complimentary to the needs of the operators and operational requirements (fit for purpose). The allocation of vehicles and equipment is outlined as a non-exhaustive list below;

Position or Work Purpose	Type and Description	Replacement Strategy
Chief Executive Officer Vehicle	4WD Large Executive Wagon or Sedan	2 years
Executive Manager(s) Vehicle	4WD Medium Wagon or Sedan	2 years
Tourism Officer Vehicle	SUV Wagon	3 years
Doctor Vehicle	4WD Wagon or Sedan	3 years
Work Supervisor Vehicle	4WD Dual Cab Ute	2 years
Ranger Vehicles	4WD – (Minimum) Extra Cab Ute	2 years
Other Fleet	4WD – (Minimum) Extra Cab Ute	3 years
Team Leader and Operational Ute Vehicles	4WD – (Minimum) Extra Cab Ute	4 years
Light Truck(s) 4 Tonne or less carrying capacity	4 Tonne or less carrying capacity	5 years
Medium Truck(s) Greater than 4 Tonne but less than 6 Tonne carrying capacity	Greater than 4 Tonne but less than 6 Tonne carrying capacity	5 years

Position or Work Purpose	Type and Description	Replacement Strategy
Heavy Truck(s) (ie Prime Mover, Tip Truck, Loader, Backhoe) Greater than 8 Tonne carrying capacity	Greater than 8 Tonne carrying capacity	7 years
Grader(s) and Roller(s) Blade, Pusher Block, Rear Rippers	Blade, Pusher Block and Rear Rippers	7 years
Dozer Greater than 4 Tonne capacity	Track and Blade, with Ripper capacity	10 years
Heavy Plant Trailers and Appliances Trailer(s), Roller(s) Dolly(s), Water Cart(s), Low Loader(s)	Trailer(s), Roller(s) Dolly(s), Water Cart(s) and Low Loader(s)	10 years

Certain vehicles may form part of an employee's remuneration package and may be varied based on the relevant employment contract, any variation must not exceed the overall remuneration package.

This policy is intended to be the basis for the on-going review of Council's twenty (20) year plant replacement program.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Vehicle Plant and Equipment Operational Guidelines						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 17/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

---

A9 CORPORATE UNIFORM - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## A10 MOBILE PHONE ALLOWANCE

### Policy Objective

To provide guidelines that will enable Approved Officers to source their own Mobile Device and receive a subsequent Mobile Phone Allowance, as opposed to receiving a Shire-provided mobile phone.

### Policy

Approved Officers who would normally have a Shire-provided mobile phone may, upon request and at the absolute discretion of the Chief Executive Officer, have access to a \$25.00 per week Mobile Phone Allowance.

In the case of the request being made by the Chief Executive Officer, the Shire President will determine the approval for the allowance.

Should the Mobile Phone Allowance be approved, the Approved Officer must source their own Mobile Phone or Device, and will be responsible for all call costs, data costs and handset plans.

Approved Officers will be required to be contactable at all times, as would normally be the case with a Shire-provided mobile phone.

Should an Approved Officer's privately provided handset become inoperable for whatever reason, a standard handset from the Shire will be made available for use by the Officer in the intervening period. In this instance, the Mobile Phone Allowance will be cancelled during the intervening period; unless the Chief Executive Officer (or Shire President for matters related to the Chief Executive Officer) determines that the intervening period is a short enough length of time such that the administrative costs of withdrawing the Mobile Phone Allowance would outweigh the benefit.

Approved Officers acknowledge that the Mobile Phone Allowance is a taxable allowance, and will not count towards the Officers' salary for the purpose of calculating the Superannuation Guarantee Charge.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements: Appropriate Annual Budget Allocations</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		New policy established.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## A11 STAFF – SUPERANNUATION SALARY SACRIFICE

---

### Policy Objective

To document the circumstances where the Shire will provide opportunities for staff superannuation salary sacrifice and the provision of a Shire Co-Contribution scheme to encourage staff members to save for their retirement.

### Policy

The Shire of Ravensthorpe offers, at its discretion, superannuation salary sacrifice to eligible employees in accordance with appropriate legislation, award provisions and policy provisions as follows:

An eligible employee is a member of a registered Superannuation Plan who is covered by award provisions that provide for salary sacrifice.

The provision of normal superannuation salary sacrifice is offered on the basis that:

- There is no additional cost or significant administrative burden to the Shire as deemed by the Chief Executive Officer.
- That all provisions comply with taxation, superannuation and award requirements and salary sacrifice contributions are made direct to a registered superannuation fund from Shire remittances.

There are no maximum salary sacrifice caps imposed by the Shire, however employees should familiarise themselves with superannuation concessional caps imposed by the Australian Taxation Office.

In operation with regular superannuation salary sacrifice arrangements the Shire of Ravensthorpe provides a co-contribution scheme whereby the Shire will match additional salary contributions to a superannuation fund by an employee, or as otherwise negotiated with contracted employees. The maximum amount is capped at an additional 5% of the employees base salary. This additional payment is designed to encourage Shire employees to plan and adequately save for their retirement.

The Shire shall ensure that the provision of superannuation salary sacrifice complies with taxation and other relevant laws.

Council reserves the right to withdraw the superannuation salary sacrifice provision and co-contribution scheme where such provisions do not continue to comply with legislative requirements, conditions as specified above, or exceeds the financial capacity of the organisation in the case of co-contributions.

Superannuation is a complex issue. Employees are advised to seek the services of a financial adviser or superannuation specialist to determine the most favourable option for their personal situation.

**Note:** If a conflict arises in respect to this Policy between any Shire of Ravensthorpe Enterprise Bargaining Agreement or individual contract of employment then the Enterprise Bargaining Agreement or individual contract of employment will have precedence and be applicable to the relevant employee's conditions of employment.

Document Control Box							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Superannuation Guarantee (Administration) Act 1992 Local Government (Employee Superannuation) Regulations 2016						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Enterprise Bargaining Agreement						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biannual	<b>Next Due:</b>	2022	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

---

## A12 STAFF TRAINING AND DEVELOPMENT - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

---

## A13 STAFF EDUCATION AND STUDY ASSISTANCE - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## A14 RECOGNITION OF SERVICE – EMPLOYEES - REPEALED

### Operational Policy Objective

The Shire of Ravensthorpe’s Chief Executive Officer recognises that the length of service of an Employee does not necessarily equate to the value of their contribution to the Shire of Ravensthorpe (Shire), but seeks a balanced approach to recognise the loyalty, contribution and length of service.

### Operational Policy

The Shire will recognise long serving Employees with more than 10 years of service on their resignation or retirement from the Shire.

Pursuant to the provisions of Section 5.50 of the *Local Government Act 1995*, the Chief Executive Officer (CEO) has adopted the following guidelines with respect to recognition of service payments to Employees who are leaving the organisation.

In using discretionary power, the CEO will use the following as a guide;

- a) Less than 5 years continuous service; farewell morning/afternoon tea or end of day bbq.
- b) 5 to 10 years continuous service; as a) above plus gift to the value of \$100.
- c) Over 10 years continuous service; as a) above plus gift to the value of \$500.

The Council reserves the right to pay an additional amount to that as set out in this Policy, where it considers circumstances warrant, in which case, local Public Notice is to be given.

### Statutory Requirements

Section 5.50(1) of the *Local Government Act 1995* states that Local Government is to cause local public notice to be given in relation to the Policy.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
Appropriate Annual Budget Allocations							
<b>Legislation:</b>	s5.50 [Payments to Employees in addition to contract or award] of the <i>Local Government Act 1995</i>						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Four Yearly	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 20/10/20 – Item 13.3		Adjusted values commendable and continuous service.				
3.	<b>OCM 19/07/22 – Item 12.1.2</b>		2022 – Comprehensive Policy Manual review.				
4.	CEO Approved 23/05/23		CEO Operational Policy Manual				

---

# BUILDING

---

## B1 BUILDING PERMIT – PERMIT REQUIREMENTS – INCIDENTAL STRUCTURES

### Policy Objectives

To formally identify structures which:

- are considered minor in nature;
- should not need to be assessed for structural integrity;
- will be constructed from all new materials;
- will not have an impact on the amenity of the locality; and
- will not require the approval of a Building Permit.

### Policy

This policy classifies certain structures as incidental structures with specific criteria set out for each of the classifications and which, by their minor nature, a building permit will not be required.

### General Requirements

In respect of all incidental structures, the following will apply:

- Incidental structures and their use must comply with the requirements of the Shire of Ravensthorpe's current Planning Scheme, the Building Code of Australia, Local Laws and any other legislation.
- A Building Permit is required for a masonry fence, screen wall or similar structure higher than seven hundred and fifty millimetres (750mm) from Natural Ground Level.
- Incidental structures may only be constructed within the lot boundaries. They may not be constructed on verges or thoroughfares.

### Incidental Structures

For the purpose of this policy the following are incidental structures:

Garden sheds, pergolas, retaining walls, fencing, water tanks, masts or antenna's exemptions are addressed by Schedule 4, Clause 2 of the *Western Australia Building Regulations 2012*.

**Cubbyhouse** - providing that:

- it is not located within the front setback;
  - it does not exceed ten (10) square metres in area;
  - it is not more than two point four metres (2.4m) in height above the surrounding ground level;
- and
- it does not have the floor of any viewing area greater than five hundred millimetres (500mm) above the natural ground level.

**Poultry-run** - providing that:

- it is no closer than nine metres (9m) to any dwelling;
- it is not located within the front setback;
- no part of the structure is more than two point four metres (2.4m) in height above the surrounding ground level; and
- the number of poultry kept do not exceed twelve (12) or any mature roosters.

**Bird Aviary** - providing that:

- it is no closer than nine metres (9m) to any dwelling;
- it is not located within the front setback;
- it does not exceed ten (10) square metres in area; and
- it is not more than two point four metres (2.4m) in height above the surrounding ground level.

**Kennel and/or Dog run** - providing that:

- they are not located within the front setback;
- they do not exceed a height of one point eight metres (1.8m);
- they do not exceed a floor area greater than four square metres(4m<sup>2</sup>);
- the number of dogs housed does not exceed two (2); and
- the dog-run is not used as a breeding kennel.

**Letterbox** - providing that:

- it does not exceed one point five square metres (1.5m<sup>2</sup>) in area;
- it does not exceed a height of one metre (1m) above ground level; and
- it does not conflict with those of any other strata owner.

**Clothes Line** - providing that:

- no part of the clothes line is at any time to be more than three metres (3m) above the ground level;
- no part of the clothes line is to be attached to a boundary fence or wall without the prior written approval of the adjoining owner;
- they are not located within the front setback;
- it is located so that it is not visible from a street; and
- any strata rules allow the clothes line in that location.

**Barbeque** (including masonry gas and wood-fired barbeques and ovens, but excluding portable units) - providing that:

- they do not exceed more than one point eight metres (1.8m) in height above natural ground level;
- they are not to be constructed any closer than one metre (1m) to any boundary of the lot unless adjacent to a parapet wall on the adjacent lot; and
- they are located such that emissions from the barbeque or oven do not create or cause a nuisance to properties in the locality.

**Bird Baths** - providing that:

- it does not exceed a height of one point five metres (1.5m) above ground level;
- it does not exceed three hundred millimetres (300mm) in depth or; and
- it does not exceed one square metre (1m<sup>2</sup>) in area where above ground level.

**Water Feature** (ornamental and fish pond) - providing that:

- it is not integrated with an existing swimming pool or spa;
- no part of the pond or water feature is more than five hundred millimetres (500mm) above natural ground level;
- it does not exceed ten square metres (10m<sup>2</sup>) in area;
- it does not exceed three hundred millimetres (300mm) in depth;
- noise levels of any equipment and use not exceeding noise levels assigned under the Environmental Protection (Noise) Regulations 1997; and
- it is not operated between the hours of 9pm and 7am.

**Air Conditioner** - providing that:

- they require no structural work to install the equipment, (wall piercing only for the reticulation of electricity and refrigerant are permissible);
- noise levels associated with the use of any air conditioner does not exceed noise levels assigned under the Environmental Protection (Noise) Regulations 1997; and
- any roof mounted evaporative cooling unit complies with Schedule 4, Clause 2, Item 13 of the Western Australia Building Regulations 2012.

**Other Incidental Structures:**

- which an Authorised Officer determines are incidental and essentially minor in nature and unlikely to have an impact on the amenity of the locality or adjoining residents.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements: Delegated Authority – DA 2.3 Section – <i>Building Act 2011</i>							
Legislation:	Schedule 4 (Clause 2) [Kinds of building work for which a building permit is not required] Building Regulations 2012						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 = Item 12.1.2		2022 Comprehensive Policy Manual review.				

---

# FINANCE

---

## F1 RELATED PARTY DISCLOSURES

### Policy Objective

To document the circumstances where the Shire will provide opportunities for staff superannuation salary sacrifice and the provision of a Shire Co-Contribution scheme to encourage staff members to save for their retirement.

### Policy

The Shire of Ravensthorpe offers, at its discretion, superannuation salary sacrifice to eligible employees in accordance with appropriate legislation, award provisions and policy provisions as follows:

An eligible employee is a member of a registered Superannuation Plan who is covered by award provisions that provide for salary sacrifice.

The provision of normal superannuation salary sacrifice is offered on the basis that:

- There is no additional cost or significant administrative burden to the Shire as deemed by the Chief Executive Officer.
- That all provisions comply with taxation, superannuation and award requirements and salary sacrifice contributions are made direct to a registered superannuation fund from Shire remittances.

There are no maximum salary sacrifice caps imposed by the Shire, however employees should familiarise themselves with superannuation concessional caps imposed by the Australian Taxation Office.

In operation with regular superannuation salary sacrifice arrangements the Shire of Ravensthorpe provides a co-contribution scheme whereby the Shire will match additional salary contributions to a superannuation fund by an employee, or as otherwise negotiated with contracted employees. The maximum amount is capped at an additional 5% of the employees base salary. This additional payment is designed to encourage Shire employees to plan and adequately save for their retirement.

The Shire shall ensure that the provision of superannuation salary sacrifice complies with taxation and other relevant laws.

Council reserves the right to withdraw the superannuation salary sacrifice provision and co-contribution scheme where such provisions do not continue to comply with legislative requirements, conditions as specified above, or exceeds the financial capacity of the organisation in the case of co-contributions.

Superannuation is a complex issue. Employees are advised to seek the services of a financial adviser or superannuation specialist to determine the most favourable option for their personal situation.

**Note:** If a conflict arises in respect to this Policy between any Shire of Ravensthorpe Enterprise Bargaining Agreement or individual contract of employment then the Enterprise Bargaining Agreement or individual contract of employment will have precedence and be applicable to the relevant employee's conditions of employment.

Document Control Box							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Superannuation Guarantee (Administration) Act 1992 Local Government (Employee Superannuation) Regulations 2016						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Enterprise Bargaining Agreement						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biannual	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
3.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
4.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## F2 PURCHASING POLICY

### Policy Objective

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

### Policy

#### F2.1 Objectives

The Shire's purchasing activities will:

- (a) Demonstrate that best value for money is attained for the Shire;
- (b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- (d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire's policies and procedures;
- (g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire;
- (h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management Framework;
- (i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan;
- (j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

#### F2.2 Ethics and Integrity

The Shire's Code of Conduct applies when undertaking purchasing activities and decision making, requiring Council Members and employees to observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

It is mandatory for all Tender Panel members to complete conflict of interest declarations as part of the Tender process and documentation, it is also mandatory for any staff member to declare any conflict of interest prior to the purchasing of any goods or services by notification to the Chief Executive Officer.

## F2.3 Value for Money

The Shire will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

### F2.3.1 Assessing Value for Money

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.
- (c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire policy including Policy F3 Regional Price Preference; and
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

## F2.4 Purchasing Thresholds and Practices

### F2.4.1 Defining the Purchasing Value

The Shire will apply reasonable and consistent methodologies to assess and determine purchasing values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements are able to be provided by a single supplier.

A *category of supply* can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

### F2.4.2 Strategic Purchasing Value Assessments

The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the purchasing value threshold applicable to future purchasing activity.

#### **F2.4.3 Individual Purchasing Value Assessments**

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.
- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- (d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

The calculated estimated purchasing value will determine the applicable threshold and purchasing practice to be undertaken.

#### **F2.5 Purchasing Supplier Order of Priority**

The Shire will consider and apply, where applicable, the following Supplier Order of Priority when applying for quotes:

Priority 1:	<p>Local Suppliers</p> <p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA Preferred Supplier Arrangement (PSA) may be used.</p>
Priority 2:	<p>Existing Prequalified Supplier Panel or other Contract</p> <ul style="list-style-type: none"> <li>a) Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract.</li> <li>b) If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</li> </ul>
Priority 3:	<p>Tender Exempt - WALGA (PSA)</p> <ul style="list-style-type: none"> <li>a) Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</li> <li>b) However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer</li> </ul>

	<p>authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> <li>i. Local supplier availability (that are not within the PSA); or</li> <li>ii. Social procurement – preference to use Aboriginal business or Disability Enterprise.</li> </ul> <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>
Priority 4:	<p>Tender Exempt - WA State Government Common Use Arrangement (CUA) Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.</p> <p>If no relevant CUA is available, then a Tender Exempt [F&amp;G Reg.11(2)] arrangement may be used.</p>
Priority 5:	<p>Other Tender Exempt arrangement [F&amp;G Reg. 11(2)] Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.</p>
Priority 6:	<p>Other Suppliers Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.</p>

## F2.6 Purchasing Practice and Value Thresholds

The purchasing value, assessed in accordance with clause F2.4.1, determines the purchasing practice to be applied to the Shire’s purchasing activities.

Purchase Value Threshold ( <i>ex GST</i> )	Purchasing Practice
Up to \$10,000 ( <i>ex GST</i> )	<p>Obtain at least one (1) oral or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause F2.5.</p> <p>The purchasing decision is to be evidenced and retained in accordance with the Shire’s Record Keeping Plan.</p>
From \$10,001 and up to \$30,000 ( <i>ex GST</i> )	<p>Seek at least two (2) oral or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause F2.5.</p>

Purchase Value Threshold ( <i>ex GST</i> )	Purchasing Practice
	<p>If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• Value for Money criteria, not necessarily the lowest price.</li> </ul> <p>The purchasing decision is to be evidenced and retained in accordance with the Shire’s Record Keeping Plan.</p>
<p>From \$30,001 and up to \$75,000 (<i>ex GST</i>)</p>	<p>Seek at least two (2) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause F2.5 except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers’ responses to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• Value for Money criteria, not necessarily the lowest quote.</li> </ul> <p>The purchasing decision is to be evidenced and retained in accordance with the Shire’s Record Keeping Plan.</p>
<p>From \$75,001 and up to \$250,000 (<i>ex GST</i>)</p>	<p>Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause F2.5.</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required; and</li> <li>• pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced and retained in accordance with the Shire’s Record Keeping Plan.</p>
<p>Over \$250,000 (<i>ex GST</i>)</p>	<p>Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under F&amp;G Reg.11(2)) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in F2.5.</p> <p>OR</p> <p>Public Tender undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:</p>

Purchase Value Threshold ( <i>ex GST</i> )	Purchasing Practice
	<ul style="list-style-type: none"> <li>• A detailed specification; and</li> <li>• Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced and retained in accordance with the Shire's Record Keeping Plan.</p>
<p>Emergency Purchases (Within Budget) Refer to Clause F2.8.1</p>	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause F2.5 Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
<p>Emergency Purchases (No budget allocation available) Refer for Clause F2.8.1</p>	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
<p>LGIS Services Section 9.58(6)(b) <i>Local Government Act 1995</i></p>	<p>The suite of LGIS insurances are established in accordance with s.9.58 (6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual ??, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

## F2.7 Authorised Officer Approved Purchasing Limits

The following Officers are authorised to sign purchase orders and purchases on behalf of the Shire of Ravensthorpe within the position limits stated, provided such proposed purchases are contained within the budget and are within the officer's area of activity.

Purchasing Authority updates are as follows;

Officer Position	Purchasing Limit (\$ excluding GST)
Chief Executive Officer	Unlimited
Executive Manager Corporate Services	\$75,000
Executive Manager Infrastructure Services	\$75,000
Executive Manager Development & Community	\$75,000
Works Supervisor	\$10,000
Engineering Technical Officer	\$10,000
Asset Technical Officer	\$10,000
Manager Childcare Services	\$3,000
Senior Project Manager	\$10,000
Accountant	\$10,000
Senior Ranger / Airport Co-ordinator	\$10,000
Executive Assistant	\$ 3,000
Tourism Officer	\$ 3,000
Coordinator Development Services	\$ 3,000
Community Emergency Services Manager	\$ 3,000
Building Maintenance Officer	\$ 3,000
Depot Administration Officer	\$ 3,000

## F2.8 Purchasing, Definitions, Processes and Requirements

### F2.8.1 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; or
- A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); or
- A State of Emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy, specifically tenders are not required to be publicly invited for the supply of goods and services associated with a state of emergency.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

### **F2.8.2 Inviting Tenders Though Not Required To Do So**

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [F&G Reg.13].

### **F2.8.3 Expressions of Interest**

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [F&G Reg.21] where the required supply evidences one or more of the following criteria:

- a) Unable to sufficiently scope or specify the requirement;
- b) There is significant variability for how the requirement may be met;
- c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- d) Subject to a creative element; or
- e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

### **F2.8.4 Unique Nature of Supply (Sole Supplier)**

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- a) purchasing value is estimated to be over \$5,000; and
- b) purchasing requirement has been documented in a detailed specification; and
- c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.
- e) An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

### **F2.8.5 Anti-Avoidance**

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

## **F2.8.6 Contract Renewals, Extensions and Variations**

### a) Contract Variation, Applications & Extension Options

Variation applications for multiple year contracts and extension options (if applicable) may be executed in accordance with the awarded contract terms and conditions and in accordance with the requirements of this policy.

Authorised extension options can only be undertaken where a contractor has completed a satisfactory performance review.

Note: The tender issue document will detail the price mechanism that will apply to determine the total cost for the entire contract period, including extension options.

### b) Variation after Contract Commencement

A request for a variation outside the original terms and conditions and price variation mechanism during the contract term must be approved by the Chief Executive Officer or Council under the appropriate delegation and must not exceed the following requirements:

- i. Does not alter the nature of the goods and/or services procured;
- ii. Does not materially alter the specification or structure provided for by the initial tender;
- iii. Does not extend the contract period beyond the original contract term and any extensions; and
- iv. Is less than 10% of the contract price.

For additional works not outlined in the contract that could result in a variation to the existing contract due to unforeseen circumstances can be tendered for those particular works.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire must review the purchasing requirements and commence a new competitive purchasing process in accordance with this policy.

## **F2.8.7 Sustainable Procurement**

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire will apply sustainable procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Sustainable procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Quotation and Tenders will include a request for suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

### **F2.8.8 Regional Price Preference**

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire will:

- a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- c) ensure that procurement plans, and analysis is undertaken prior to develop requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- g) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

The Shire has adopted *Policy F3 Regional Price Preference Policy*, which will be applied when undertaking all purchasing activities.

### **F2.8.9 Socially Sustainable Procurement**

The Shire will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

### **F2.8.10 Aboriginal Businesses**

*Functions and General Regulation 11(2)(h)* provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Executive Manager WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less.

The Shire will first consider undertaking a quotation process with other suppliers (which may include other registered Aboriginal Businesses as noted in *F&G Reg.11(2)(h)*) to determine overall value for money for the Shire.

Where the Shire makes a determination to contract directly with an Aboriginal Business for any amount up to and including \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

#### **F2.8.11 Australian Disability Enterprises**

Functions and General Regulation 11(2)(i) provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise.

The Shire will first consider undertaking a quotation process with other suppliers (which may include other Australian Disability Enterprises) to determine overall value for money for the Shire.

Where the Shire makes a determination to contract directly with an Australian Disability Enterprise for any amount, including an amount over the Tender threshold of \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

### **F2.9 Environmentally Sustainable Procurement**

The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire's strategic and operational objectives.

Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- a) demonstrate policies and practices that have been implemented by the business as part of its operations;
- b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

### **F2.10 Panels of Pre-Qualified Suppliers**

#### **F2.10.1 Objectives**

The Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

- d) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';

- e) the Panel will streamline and will improve procurement processes; and
- f) the Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

### **F2.10.2 Establishing and Managing a Panel**

If the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the Chief Executive Officer.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

### **F2.10.3 Distributing Work Amongst Panel Members**

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the Shire intends to:

- a) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- b) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- c) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In considering the distribution of work among Panel members, the detailed information will also prescribe whether:

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or

- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Functions and General Regulation 24AD(5)(f) when establishing the Panel.
- c) The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.
- d) Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.
- e) Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause F2.7 of this Policy.
- f) When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

#### **F2.10.4 Purchasing from the Panel**

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

#### **F2.10.5 Communications with Panel Members**

The Shire will ensure clear, consistent and regular communication with Panel Members.

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured in accordance with the Shire's Record Keeping Plan.

A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

### **F2.11 Record Keeping**

A comprehensive Contract Management Register is to be maintained by the Chief Executive Officer for goods and services that have a cumulative value in excess of \$100,000 per annum.

This register is to include key data including but not limited to;

- Commencement, duration and end dates;
- Contract values and schedule of rates;
- Contract extension periods;
- Status of contract;
- Summary of approved contract variations; and
- Contractor performance review dates.

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

## F2.12 Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the Local Government (Functions and General) Regulations 1996 and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision making processes that substantiate the non-compliance.

Where the minimum Purchasing requirements cannot be met, a file note signed by the Chief Executive Officer needs to be completed, detailing the reasons for not meeting the requirements. This process is to occur prior to the purchase occurring.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire's policies and procedures.

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Executive Manager Corporate Services.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- a) an opportunity for additional training to be provided;
- b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- c) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

Document Control Box							
Custodian:		Chief Executive Officer					
Decision Maker:		Council					
Compliance Requirements: Delegated Authority – DA 1.2.9 – Expressions of Interest and Tenders Delegated Authority – DA 1.2.27 – Sole Supplier of Goods and Services Delegated Authority – DA 1.2.36 - Contract Extensions Approvals							
Legislation:		s.3.57 [Tenders for providing goods or services ] of the <i>Local Government Act 1995</i> r11A [Purchasing policies for local governments] of the Local Government (Functions and General) Regulations 1996					
Industry:		WA Auditor General's Report – Local Government Contract Extensions and Variations <a href="https://audit.wa.gov.au/reports-and-publications/reports/local-government-contract-extensions-and-variations/">https://audit.wa.gov.au/reports-and-publications/reports/local-government-contract-extensions-and-variations/</a>					
Organisational:		Council Policy – F3 – Regional Price Preference					
Document Management:							
Risk Rating:		High	Review Frequency:	Annual	Next Due:	2023	Ref:
Version #		Decision Reference:		Description			
1.		OCM 19/11/19 – Item 13.5		Amended Policy to include section 3.1 Purchasing Authority			
2.		SCM 02/04/20 – Item 5.2		Amended s3.10 - Emergency Purchase Provisions			
3.		OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
4.		OCM 17/08/21 – Item 13.1		F2 Purchasing Policy – Purchasing Authority and Thresholds Update			
5.		OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review, review of F2.4 Purchasing Thresholds and Practices, and F2.7 Authorised Officer Approved Purchasing Limits			
6.		OCM 28/02/23 – Item 12.2.3		<p><b>F2.2 Ethics and Integrity</b> The following paragraph has been added as per 2022 Audit Management Letter recommendation 3; <i>It is mandatory for all Tender Panel members to complete conflict of interest declarations as part of the Tender process and documentation, it is also mandatory for any staff member to declare any conflict of interest prior to the purchasing of any goods or services by notification to the Chief Executive Officer.</i></p> <p><b>F2.5 Purchasing Supplier Order of Priority - Added – “when applying for quotes”.</b> This places an emphasis on seeking quotes in the order of priority.</p> <p><b>F2.6 Purchasing Practice and Value Thresholds – corrected some reference clauses that identify actual clauses within the policy document eg F2.5.</b> The policy contained some reference clause errors that did not relate to clauses identified in the Policy.</p> <p><b>F2.7 Authorised Officer Approved Purchasing Limits:-</b> Works Supervisor \$30,000 reduced to \$10,000 Engineering Technical Officer \$30,000 reduced to \$10,000 Asset Technical Officer \$30,000 reduced to \$10,000 Manager Childcare Services \$10,000 reduced to \$3,000 Senior Finance Officer Position name changed to Accountant Depot Administration Officer New Position to \$3,000 Purchasing authorities were reviewed to current requirements. F2.12 Purchasing Policy Non-Compliance and Non-Conforming Added paragraph- <i>Where the minimum Purchasing requirements cannot be met, a file note signed by the Chief Executive Officer needs to be completed, detailing the reasons for not meeting the requirements. This process is to occur prior to the purchase occurring.</i></p>			

## F3 REGIONAL PRICE PREFERENCE

### Policy Objective

To support local and sub-regional business and industry by providing a price preference to regional suppliers tendering for contracts with Council.

### Policy

Price preference will apply to all tenders invited by Council for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular tender.

The following levels of preference will be applied under this policy:

Goods and Services up to a maximum price reduction of \$50,000.

- 10% to businesses located within the Shire of Ravensthorpe.

Construction (Building) Services up to a maximum price reduction of \$50,000

- 5% to businesses located within the Shire of Ravensthorpe.

Goods and Services, including Construction (Building) Services up to a maximum price reduction of \$500,000, if Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by Council.

- 10% to businesses located within the Shire of Ravensthorpe.

The levels of preference outlined above, will only apply to businesses that have been located within the local government district specified for at least 6 months prior to the closing date of tenders, or when some, or all of the goods or services are to be supplied from this policies approved regional sources.

It should be noted that price is only one of the factors to be assessed when Council decides to accept the tender it thinks would be the most advantageous to accept.

Document Control Box						
<b>Custodian:</b>	Executive Manager Corporate Services					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	R24A-G [Regional Price Preference] Local Government (Functions and General] Regulations 1996					
<b>Industry:</b>						
<b>Organisational:</b>	Council Policy – F2 – Purchasing Policy					
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## F4 INVESTMENTS

### Policy Objective

This policy provides guidelines on how the Shire's excess funds are to be invested whilst complying with legislation and requiring its authorised officers to exercise the care, diligence and skill that a prudent person would exercise in investing the Shire's funds.

### Policy

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

Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the *Local Government Act 1995* and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

#### F4.1 Prudent Person Rule

- a) Investments will be managed with the care, diligence and skill that a prudent person would exercise. Investments are to be managed to safeguard the portfolios in accordance with the spirit of this Investment Policy, and not for speculative purposes.
- b) In exercising powers of investment, there are important matters for consideration:
  - i) The purpose of the investment and the needs and circumstances;
  - ii) The desirability of diversifying investments and the nature of and risk associated with existing investments;
  - iii) The need to maintain the real value of capital and income;
  - iv) The risk of capital or income loss or depreciation;
  - v) The potential for capital appreciation;
  - vi) The likely income return and timing of the income return;
  - vii) The length of the term of the proposed investment;
  - viii) The liquidity and marketability of the proposed investment;
  - ix) The aggregate value of the investment;
  - x) The effect of the proposed investment in relation to the tax liability (if any);
  - xi) The likelihood of inflation affecting the value of the proposed investment; and
  - xii) The costs of making the proposed investment; the results of a review of existing investments.

#### F4.2 Investment Objectives

- a) To add value through prudent investment of funds; and
- b) To have ready access to funds for day-to-day requirements, without penalty.

#### F4.3 Authority to Invest

- a) The Shire of Ravensthorpe's surplus funds are to be invested in term deposits or negotiable certificates of deposit with an Australian Prudential Regulation Authority (APRA) authorised deposit-taking institution (ADIs).
- b) Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.
- c) Funds may be invested for a term of up to twelve (12) months based on predicted cash flow requirements.

- d) In accordance with Financial Management Regulation 19C the Shire of Ravensthorpe will not undertake any of the following investment activities:
- i) Lodge deposits with an institution except an authorised institution;
  - ii) deposit funds for a fixed term of more than 3 years;
  - iii) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
  - iv) invest in bonds with a term to maturity of more than 3 years;
  - v) Invest in a foreign currency.

#### F4.4 Delegation of Authority to Invest

- a) The Chief Executive Officer is authorised to invest, withdraw or re-invest sums up to \$1,000,000, in accordance with this Policy.
- b) The Chief Executive Officer will authorise the Executive Manager Corporate Services to invest, withdraw or re-invest sums up to \$500,000, in accordance with this Policy.

#### F4.5 Ravensthorpe Hopetoun Future Fund

The delegation of authority limit to the CEO stated within this policy does not apply to the investment decisions made on behalf of the Ravensthorpe Hopetoun Future Fund (RHFF). The RHFF is not considered Shire funds. The Shire acts as the Trustee for the RHFF and invests these funds as directed by the RHFF Board in accordance with section 6.14 of the *Local Government Act 1995* and the Local Government (Financial) Regulation 19C for funds' investments.

#### F4.6 Review and Reporting

- a) A cash flow report is to be monitored by the Executive Manager Corporate Services at least weekly to ensure cash funds are available to meet commitments.
- b) Investments will be managed actively as they mature with reviews by the Executive Manager Corporate Services on a monthly basis.
- c) For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Shire's behalf at 30 June each year.

Document Control Box							
Custodian:	Executive Manager Corporate Services						
Decision Maker:	Council						
Compliance Requirements:							
Delegated Authority – DA 1.2.16 – Power to Invest and Manage Investments							
Legislation:	s. 6.14(2)(a) [Power to invest] <i>Local Government Act 1995</i> r19C. [Investment of money, restrictions on] <i>Local Government (Financial Management) Regulations 1996</i> s.18 (1)(a) [Prudent Person' rule] of the <i>Trustees Act 1962</i>						
Industry:	Australian Accounting Standards 139(i) and 139.9(iii)						
Organisational:							
Document Management:							
Risk Rating:	High	Review Frequency:	Annually	Next Due:	2023	Ref:	
Version #	<b>Decision Reference:</b>		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review, insertion of F4.5 Ravensthorpe Hopetoun Future Fund.				

## F5 TRANSACTION CARD

### Policy Objective

This policy is to provide the Chief Executive Officer with a framework of principles to guide the use and management of Transaction Card facilities and which:

- Ensures efficient and effective procurement and payment operations.
- Minimises the risk of misuse, fraudulent or corrupt use.
- Defines Council approved authorised users.
- Defines allowable and prohibited uses.
- Defines management and oversight obligations.
- Defines Cardholder duty of care and responsible use obligations.

### Policy

#### Definitions

<b>Cardholder</b>	means an <u>employee</u> who has been authorised by the CEO to incur expenditure by means of a Transaction Card.
<b>Transaction Card</b>	means a card facility (which may include; credit, 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 Ravensthorpe business activities only in accordance with relevant Shire of Ravensthorpe Policies.

### F5.1 Management Oversight and Reporting

#### Legislation

- a) Section 6.5(a) of the Local Government Act 1995 prescribes the Chief Executive Officer's (CEO) duty to ensure that proper accounts and records of the transactions and affairs of the Local Government are kept in accordance with regulations.
- b) The Local Government (Financial Management) Regulations 1996 prescribe:
  - i) Regulation 5, the Chief Executive Officer's duties to ensure efficient systems and procedures are established for the proper authorisation of incurring of liabilities and the making of payments.
  - ii) Regulation 11(1)(a) and (2) requires Local Government to develop procedures that ensure effective security for the authorisation and payment of accounts and for the authorised use of payment methods, including credit cards.

### F5.2 Determining When Transaction Card Facilities are Appropriate

- a) Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Ravensthorpe operations by ensuring:
  - i) goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire of Ravensthorpe;
  - ii) financial management and accounting standards are met; and
  - iii) purchasing and payment functions are secure, efficient and effective.
- b) Transaction Card facility providers will only be acceptable where, in the opinion of the CEO, they:

- i) Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire of Ravensthorpe to sufficiently administer the facility; and
- ii) Provide the Shire of Ravensthorpe with protection and indemnification from fraudulent unauthorised transactions.

### F5.3 Management Oversight

The Chief Executive Officer shall determine and implement systems and procedures adequate to ensure:

- c) Assessment and selection of Transaction Card facilities suitable to the efficient and effective operations of the Shire of Ravensthorpe;
- d) Authorisation and appointment of suitably eligible Cardholders;
- e) Cardholder duties and responsibilities are documented and Cardholders provided with training;
- f) Monitoring and auditing of Transactional Card activities is planned and reported; and
- g) The Shire President or Deputy President will oversee use of the Chief Executive Officer's Credit Card.

### F5.4 Council Approved Authorised Users Matrix

Position	Credit Card	Fuel Card	Debit Card
Chief Executive Officer	\$10,000 limit*	Yes	No
Executive Manager Infrastructure Services	\$5,000 limit*	Yes	No
Executive Manager Corporate Services	\$5,000 limit*	Yes	Yes
Executive Manager Development and Community	\$5,000 limit*	Yes	No
Engineering Technical Officer	No	Yes	No
Administration Technical Officer	No	Yes	No
Works Supervisor	\$2,000 limit	Yes	No
Manager Childcare Services	\$2,000 limit	No	No
Senior Ranger / Airport Officer	No	Yes	No
Ranger	No	Yes	No
Community Emergency Services Officer	\$2,000 limit	Yes	No
Building Maintenance Officer	No	Yes	No
Tourism Officer	No	Yes	No
Doctor	No	Yes	No
Chief Fire Officer	No	Yes	No
Pool Vehicles	No	Yes	No

\* Approval for limited hospitality expenses, subject to being no more than \$1,000 per billing period.

## F5.5 Reporting

The CEO will ensure that acquitted transaction statements for each Transaction Card facility are provided to Council as part of the monthly financial reporting regime.

## F5.6 Misuse, Misconduct and Fraudulent Use

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*.

## F5.7 Allowable Transactions

### **Transaction Card facilities may only be used where:**

- a) The expenditure is directly arising from a Shire of Ravensthorpe operational business activity for which there is an Annual Budget provision;
- b) The expenditure is in accordance with legislation, the Shire of Ravensthorpe Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
- c) 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;
- d) 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.
- e) Reasonable hospitality expenditure may be incurred for business related purposes, and where applicable reimbursed by other organisations for their respective portion of costs;
- f) Official travel, accommodation and related expenses may only occur in accordance with Shire of Ravensthorpe policies and procedures;
- g) Accounts payable payments are made under the direction of the Executive Manager Corporate Services;
- h) 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;
- b) Telephone or facsimile purchasing;
- c) Mail order purchasing and subscriptions;
- d) Internet purchasing.

## F5.8 Prohibited Transactions

The Shire of Ravensthorpe prohibits the use of Transaction Card facilities for:

- a) Cash advances;
- b) PayPal payments;
- c) Incurring expenses which are personal or private (i.e. any expenditure which is not an approved Local Government activity);
- d) Making deposits onto the Card, whether to offset misuse or otherwise;
- e) Incurring Capital expenditure;
- f) Incurring expenditure for goods or services which are subject to a current supplier contract;

- g) Incurring expenses which are not in accordance with legislation, the Shire of Ravensthorpe Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual Cardholder;
- h) Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
- i) 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 of Ravensthorpe 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.

### F5.9 Debit Card

Debit card transactions are strictly limited as a means for Authorised Petty Cash / Till Float cash withdrawals. A withdrawal of cash for any other purpose is strictly prohibited. Any expenditure from a debit card is prohibited.

### F5.10 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.
- b) Only use the Transaction Card for allowable purposes and not for prohibited purposes.
- c) Not share/give possession of the allocated Transaction Card to any other persons (Excluding pool vehicle fuel cards).
- d) Obtain, create and retain Local Government records that evidence transactions.
- e) Acquit the reconciliation of Transaction Card usage in the required format and within thirty (30) days of a statement being issued. The onus is on the cardholder to provide sufficient detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
- f) Return the Transaction Card to the Executive Manager Corporate Services before termination of employment, inclusive of reconciliation records.
- g) Return the Transaction Card to the Executive Manager Corporate Services when on leave for periods greater than four (4) weeks.
- h) Reimburse the Shire of Ravensthorpe the full value of any unauthorised, prohibited or insufficiently reconciled expenditure. (Note: To be done within 5 working days).
- i) Pool vehicle fuel cards must be supported by use of a maintained log books.

Benefits obtained through use of a Transaction Card (i.e. membership or loyalty rewards) are the property of the Shire of Ravensthorpe and may only be used for Shire of Ravensthorpe business purposes. Such benefits must be relinquished by the Cardholder to the Shire of Ravensthorpe. Under no circumstances may such benefits be retained as a personal benefit.

### F5.11 Transaction evidence

A sufficient 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;
- b) Where an invoice and / or receipt cannot be obtained, the Cardholder must provide a Statutory Declaration, in accordance with the *Oaths, Affidavits and Statutory Declarations Act 2005*, detailing the nature of the expense and sufficient information to satisfy the requirements of subclause (a) above.

<b>Document Control Box</b>						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	Section 6.5(a) of the <i>Local Government Act 1995</i> Regs 5 & 11(1)(a) & (2) of the Local Government (Financial Management) Regulations 1996 Public Sector Management Act 1994 Corruption, Crime and Misconduct Act 2003 Oaths, Affidavits and Statutory Declarations Act 2005					
<b>Industry:</b>	<a href="#">Department of Local Government, Sporting and Cultural Industries Guideline No.11 – Use of Corporate Credit Cards</a> Controls over Purchasing Cards Report 17: 2019-20 WA Auditor General's Report ( <a href="https://audit.wa.gov.au/wp-content/uploads/2020/03/Controls-Over-Purchasing-Cards.pdf">https://audit.wa.gov.au/wp-content/uploads/2020/03/Controls-Over-Purchasing-Cards.pdf</a> )					
<b>Organisational:</b>	Council Policy F2 - Purchasing Policy					
<b>Document Management:</b>						
<b>Risk Rating:</b>	High	Review Frequency:	Annual	Next Due:	2023	Ref:
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 18/02/20 – Item 14.2		Amended Policy to reflect the current staff structure of the Shire			
2.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review and F5.4 Council Approved Authorised Users Matrix.			

## F6 DISPOSAL OF MINOR SURPLUS ASSETS

### Policy Objective

To provide for the sustainable disposal of minor surplus assets.

### Policy

This policy applies to minor surplus assets owned by the Shire of Ravensthorpe which are no longer required.

#### Statement:

In considering the disposal of minor surplus assets that are fully depreciated and hold nominal commercial value where no risk/liability is attached, the Shire may choose to dispose minor surplus assets by way of a commercial return or donate the assets to support local community groups.

#### Disposal Assessment:

The disposal of Shire owned goods or property is to be disposed of in accordance with the provisions of Section 3.58 of the *Local Government Act 1995*; either by:

- a) Public auction;
- b) Public tender; or
- c) Local public notice of intention to dispose (including details and consideration of submissions thereon) under Regulation 30 of the Local Government (Functions and General) Regulations 1996, an exemption applies where the property to be disposed of;
  - i) has a market value less than \$20,000; or
  - ii) is disposed of as part of the consideration to acquire assets whose total value (or worth) is less than \$75,000 (ie traded in).

The Chief Executive Officer is to determine the most efficient method of disposal taking into consideration the costs associated with disposal.

As a general guideline the following approach is to apply based on the estimated value of the property;

Thresholds	Description of process
\$10,001 - \$20,000	Local public notice calling for expressions of interest.
\$1,001 - \$10,000	Seek three offers (if possible) from likely purchasers.
\$1,000 or less or of no commercial value	Internal expressions of interest or alternatively, by way of a donation to a not for profit community group.

The Shire's Regional Price Preference policy does not apply to the disposal of property and does not apply to the value of items traded in.

Donating minor surplus assets will be subject to the Chief Executive Officer's approval. Where such applications are sought, applications will be assessed on the following criteria:

- Demonstrated need for the asset;
- Proposed use for the asset; and
- Demonstrated benefit to the community.

Document Control Box							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Delegated Authority – DA 1.2.10 – Disposing of Property							
<b>Legislation:</b>	s6.10 [Financial Management Regulations] <i>Local Government 1995</i> r27 [Notes to annual budget, when required] Local Government (Financial Management) Regulations 1996 r30 [Dispositions of property excluded from Act s. 3.58] Local Government (Functions and General) Regulations 1996						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description:</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## F7 FINANCIAL HARDSHIP

### Policy Objective

To give effect to our commitment to support individuals for personal circumstances or the whole community to meet the unprecedented challenges arising from declared states of emergency and disaster, the Shire of Ravensthorpe recognises that these challenges may result in financial hardship for our ratepayers.

This policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding during a difficult time.

### Policy

The Shire of Ravensthorpe recognises that individual financial circumstances differ across the community and that, as a government organisation, it has a fiscal responsibility to meet the community's service expectations with regard to flexible options for the payment of rates and charges that it establishes.

This policy seeks to guide Council in determining alternative payment options outside of the Annual Budget process. There remains a reasonable community expectation that those with the capacity to pay rates will continue to do so, so therefore the policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996 will still apply.

#### F7.1 Payment Difficulties, Hardship and Vulnerability

Payment difficulties, or financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt in the short term.

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.

#### F7.2 Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment;
- Sickness or recovery from sickness;
- Low income or loss of income; or
- Unanticipated circumstances such as caring for and supporting extended family.

Ratepayers are encouraged to provide sufficient information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with our statutory responsibilities.

#### F7.3 Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of any change in circumstance that jeopardises the agreed payment schedule.

#### F7.4 Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

#### F7.5 Debt recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

#### F7.6 Review

We will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

#### F7.7 Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

#### F7.8 Financial Hardship due to COVID-19 (State of Emergency)

We recognise that some ratepayers may already be experiencing financial hardship due to COVID- 19. We respect and anticipate the probability that additional financial difficulties may arise when their rates are received.

We will notify ratepayers at the time their account falls into arrears, to advise them of the options under this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

1. Outstanding rates and service charges as at the date of adoption of this policy review; and
2. Rates and service charges levied for the 2020/21 financial year.

A ratepayer that meets the financial hardship criteria will not attract interest or penalty charges on rates / service charge debt in 2020/21, subject to the period of time that the Local Government (COVID-19 Response) Ministerial Order 2020 remains effective (SL 2020/67 – Gazetted 8 May 2020).

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any rates and service charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt.

Rates and service charge debts that remain outstanding at the end of the 2020/21 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
Delegated Authority – DA 1.2.17 – Agreement as to payment of rates and service charges.							
<b>Legislation:</b>	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Local Government Amendment (COVID-19 Response) Act 2020						
<b>Industry:</b>	Adapted from the Ombudsman Western Australia publication, Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance: <a href="http://www.ombudsman.wa.gov.au/">http://www.ombudsman.wa.gov.au/</a>						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## F8 DEBT RECOVERY

### Policy Objective

The Shire of Ravensthorpe will actively pursue all outstanding rates and sundry debtors unless falling under the Shire's financial hardship policy. All outstanding rates and sundry debtors will be recovered in accordance with the *Local Government Act 1995* and associated regulations.

### Policy

This policy will be applied to all:

- Ratepayers with balances outstanding 14 days after the due date of the Initial Rates Notice, Interim Notice or the Instalment Notice. (Excluding Seniors/ Pensioners eligible for a rebate from the Office of State Revenue).
- Sundry debtors with balances greater than 30 days.

Document Control Box							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Schedule 6.3 — [Provisions relating to sale or transfer of land where rates or service charges unpaid] of the <i>Local Government Act 1995</i>						
<b>Industry:</b>							
<b>Organisational:</b>	Council Policy – F7 – Financial Hardship Debt Recovery Guidelines						
<b>Document Management: Debt Recovery Guidelines– Rates</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## F9 COMPLAINTS MANAGEMENT

### Policy Objective

The Council Members and staff at the Shire of Ravensthorpe are committed to providing an efficient, effective, systematic and consistent approach that strives for continuous improvement in the management of complaints.

### Policy

The Shire recognises that effective complaints management is integral to customer service excellence and values all complaints and encourages a people-focused and proactive approach to complaints. The Shire recognises that effective complaints management is integral to customer service excellence and values all complaints and encourages a people-focused and proactive approach to complaints management. The Shire is committed to the following complaints management principles:

- complaints can be lodged without fear of retribution;
- the confidentiality and privacy of complainants will be protected;
- complaints will be assessed in a fair, objective and professional manner;
- complaints are resolved in a timely manner;
- ensure the application of natural justice; and
- integrate complaints information into business improvement processes.

The Shire recognises the various remedial methods that can be used to deal with a complaint:

- A review of the issue;
- Information to the customer as to how the complaint was dealt with, upon conclusion thereof;
- A change to the decision;
- A conciliation process;
- Other remedies that are considered appropriate to the circumstances i.e. an apology;
- Referral to third party for appeals e.g. State Administrative Tribunal, the State Ombudsman's Office or Department of Local Government.

### Procedure

The complaints procedure is outlined in the following steps:

- a) Customers are encouraged to discuss their complaint with the staff member which is the subject of the complaint and to attempt to resolve the issue at this level.
- b) If the complaint cannot be resolved at the first point of contact the matter will be reviewed by the Chief Executive Officer and the complainant will be advised of the outcome in writing.
- c) The advice to the customer in step 2 will include the details of an independent party the matter can be referred to if the matter is still unresolved or the complainant is still not satisfied.
- d) Once the matter has been completed, the Chief Executive Officer will review the circumstances of the complaint and make any relevant changes to the Shire's operations to lessen the probability of further complaints.

### External Review:

Any complainant is able to seek external review about any complaint to either the WA Ombudsman or Department of Local Government, Sport and Cultural Industries.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

---

# GOVERNANCE

---

---

## G1 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

### Objective

Adoption of a Code of Conduct for Council Members, Committee Members and Candidates in compliance with the Local Government (Model Code of Conduct) Regulations 2021.

#### G1.1 Division 1 – Preliminary Provisions

**CITATION:** This is the Shire of Ravensthorpe’s Code of Conduct for Council Members, Committee Members and Candidates.

##### Terms Used:

In this code —

‘**Act**’ means the *Local Government Act 1995* (‘the Act’);

‘**candidate**’ means a candidate for election as a Council Member;

‘**complaint**’ means a complaint made under clause G1.3.5; and

‘**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.

#### G1.2 Division 2 – General Principles

##### Overview of Division

This Division sets out general principles to guide the behaviour of Council Members, Committee Members and candidates.

##### G1.2.1 Personal Integrity

- (1) A Council Member, Committee Member or candidate should —
  - 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 —
  - c) 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.

### **G1.2.2 Relationships with others**

- (1) A Council Member, Committee Member or candidate should —
  - a) treat others with respect, courtesy and fairness; and
  - b) 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.

### **G1.2.3 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.

## **G1.3 Division 3 – Behaviour**

### **Overview of Division**

This Division sets out —

- a) requirements relating to the behaviour of Council Members, Committee Members and candidates; and
- b) the mechanism for dealing with alleged breaches of those requirements.

### **G1.3.2 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
  - b) 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
  - b) must comply with all policies, procedures and resolutions of the local government.

### **G1.3.3 Relationships with others**

A Council Member, Committee Member or candidate should —

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

- b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- c) must not use offensive or derogatory language when referring to another person; and
- d) 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
- e) 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.

#### **G1.3.4 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.

#### **G1.3.5 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
  - b) to a person authorised under subclause (3); and
  - c) within 1 (one) month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 (one) or more persons to receive complaints and withdrawals of complaints.

#### **G1.3.6 Dealing with Complaint**

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause G1.3.7 or the complaint is withdrawn under clause G1.3.8, 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
  - b) 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;
  - b) undertake counselling;
  - c) undertake training;
  - d) 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
  - b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

#### **G1.3.7 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.

#### **G1.3.8 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 G1.3.5(3).

### **G1.3.9 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.

## **G1.4 Division 4 – 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.

### **G1.4.1 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.

### **G1.4.2 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
  - (b) 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.

### **G1.4.3 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
  - (b) 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.

### **G1.4.4 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.

#### **G1.4.5 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
  - (b) 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
  - (b) 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
  - (c) 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
  - (b) 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.

#### **G1.5 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
  - (b) 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
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

#### G1.6 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
  - (b) 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
  - (b) 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
  - (b) 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
  - (b) 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) If —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting;
- the nature of the interest must be recorded in the minutes of the meeting.

### G1.7 Compliance with Plan Requirement

If a plan under clause G1.3.6(4)(b) in relation to a Council Member includes a requirement referred to in clause G1.3.6(6), the Council Member must comply with the requirement.

**I, \_\_\_\_\_ have read and understood the content of this document as being the Shire of Ravensthorpe Code of Conduct for Council Members, Committee Members and Candidates, to adhere to and promote.**

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements: Compliance Calendar (July) [Review of Policy] Compliance Calendar (Monthly) [Public Registers]							
Legislation:	Local Government (Model Code of Conduct) Regulations 2021 <i>Corruption, Crime and Misconduct Act 2003</i> <i>Public Interest Disclosure Act 2003</i>						
Industry:	Department of Local Government: Sport and Cultural Industries Guideline No. 12 Council Member Relationships with Developers WA Local Government Association – Model Code of Conduct						
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 19/11/19 – Item 13.4		Amended policy to separate Council Members from Employees				
2.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
3.	OCM 20/04/21 - Item 13.2		Adoption of Model Code of Conduct as a result of Local Government (Model Code of Conduct) Regulations 2021.				
4.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G.2 MEETINGS OF COUNCIL

### Objective

To determine the schedule of Council Meetings and ensure appropriate accessibility to all members of the community.

### Policy

The Council shall meet on a monthly basis (other than January), unless otherwise determined. Formal Council meetings will be held at 6.00pm on the third Tuesday of each month.

**Standing Orders will apply to Council Meetings.**

### Ordinary Council Meeting Location / Venue

The Corporate Discussion Forum, Agenda Briefing Forum and Ordinary Council Meetings will be either held in Hopetoun, Munglinup or Ravensthorpe with the frequency and venue to be set on an annual basis.

The Chief Executive Officer shall in consultation with Council Members set the date, location and time for Ordinary Council Meetings.

### Annual Electors' Meetings

The Chief Executive Officer shall in consultation with Council Members set the date, location and time for the Annual Electors' Meeting.

The process for Electors' Meetings shall be as follows:

- A formal agenda will be prepared by the Chief Executive Officer and made available to ratepayers two weeks prior to the meeting. Electors' are to be invited to submit questions of a technical nature to the Chief Executive Officer prior to the meeting so that the necessary research can be undertaken.
- Questions from the floor are to be via the Chair, the Chair may refer the question(s) to the Chief Executive Officer or relevant senior officer if it is of a technical nature.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
Delegated Authority – DA 1.2.34 – Ordinary Council Meeting Dates and Location							
Delegated Authority – DA 1.2.35 - Electors' General Meeting Date and Location							
Compliance Calendar (December)							
<b>Legislation:</b>	s5.3 and 5.4 [Calling Ordinary Council Meetings] of the <i>Local Government Act 1995</i> s5.27 [Electors' General Meetings] of the <i>Local Government Act 1995</i> Regulation 12 [Public Notice of Meetings] of the <i>Local Government (Administration) Regulations 1996</i>						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every four years	Next Due:	2026	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G.3 COUNCIL MEMBER TRAINING AND DEVELOPMENT

### Objective

To provide access to training and development for Council Members in order to enhance their knowledge, representation and decision making ability.

### Definition

“Event” means conferences, seminars, forums, workshops, courses, information training sessions and other like events.

#### G3.1 Eligible Events

Events to which this policy applies shall generally be limited to those coordinated and/or run by either:

- a) The Australian or Western Australian Local Government Associations (ALGA / WALGA).
- b) The major professional bodies associated with local government.
- c) Accredited organisations offering training relating to the role and responsibilities of Council Members.
- d) Other local government specific events where the Chief Executive Officer is of the opinion attendance would benefit both the Council Member and the Shire.

#### G3.2 Mandatory Training

Council Members are required to complete the Council Member Essentials Training Modules prescribed by Regulation 35, Local Government (Administration) Regulations 1996 within the first 12 months of their election to Council.

The cost of completing the training modules will be funded by the Shire, as per clause G3.3 below.

Exemptions apply to mandatory training requirements in cases of recognised prior learning or being an existing sitting member when mandatory training was introduced, however regularly training is both supported and encouraged.

#### G3.3 Funding

To enable attendance by Council Members a budget will be prepared to cover costs associated with attendance at events relevant to the role and responsibilities of a Council Member that may include:

- a) The annual WALGA Convention, inclusive of, where requested, the Council Member’s partner’s attendance at the convention dinner/events;
- b) Accredited training; or
- c) Events held in Australia.

#### G3.4 Request for Attendance

Council Members who wish to attend an event may make application to the Chief Executive Officer by detailing the following:

- a) Title, location and dates;
- b) Program;
- c) Anticipated benefits to the Shire from attendance; and
- d) Total estimated costs including accommodation, travel and sundry expenses.

All applications shall be forwarded in a reasonable time to meet the event early registration deadline.

### G3.5 Attendance Approval

- a) Conditions for granting approval include:
  - i) with the exception of WALGA Convention, no more than two (2) Council Members may attend a particular event at the same time, unless Council has resolved for additional Council Members to attend.
  - ii) that approval of attendance at an event does not impede a quorum at any scheduled Ordinary Council Meetings.
- b) Approval for Council Members to attend events may be granted by either the Chief Executive Officer or Council, in accordance with clause G35 (i) and (ii) below:
  - i) the Chief Executive Officer may approve Council Members attending events where the:
    - A. application complies with this policy; and
    - B. event is to be held within Western Australia.
  - ii) a resolution of Council is required to approve Council Members attending events where the:
    - A. application does not comply with this policy;
    - B. estimated event expenses exceed the available balance of the budget allocation; or
    - C. event is to be held outside of Western Australia.

### G3.6 Restrictions

A Council Member who has failed to fulfil their obligations under this policy in attending a prior event, namely;

- (a) Acquittal of cash advance expenditure in accordance with Clause 10; or
- (b) Provision of a report arising from attendance at an event, in accordance with Clause 11; shall be ineligible to attend any future event unless authorisation is granted by a resolution of Council.

### G3.7 Event Registrations and Bookings

Air fares, conference registration fees and accommodation shall be arranged directly by the Shire. Council Members shall not pay such costs and seek reimbursement, except in the case of an emergency, following the approval of the Chief Executive Officer.

### G3.8 Expenses

Subject to approval being granted by the CEO or Council to attend an event, the following expenses will be met:

#### G3.8.1 Travel

- a) Where travel is involved, the cost of travel by the shortest most practical route to and from the event venue will be met by the Shire for the respective Council Member.

- b) Travel should be by a Shire vehicle unless written authorisation is received from the Chief Executive Officer for use of a private vehicle with reimbursement of a vehicle kilometre rate being paid in accordance with the Australian Taxation Office determination.
- c) All air travel shall be by Economy Class (unless otherwise determined by Council). As far as is practicable, advantage should be taken of any available discount fares including advance purchase fares.
- d) Airline tickets purchased are to be insured to enable the ticket purchase price to be refunded, on occasions whereby a Council Member is unable to travel.

### G3.8.2 Registration

Registration may include, where applicable, event registration, dinners, technical tours and accompanying workshops identified within the event program.

### G3.8.3 Accommodation

Safety of our Employees and Council Members is paramount, especially in remote locations where driver fatigue is a high risk.

Where an event is to be held at a venue less than 150kms from the Ravensthorpe GPO and the accumulated hours of travel, meeting time and ordinary hours worked would exceed 10 hours then the Shire may meet the cost of accommodation on the night preceding or post the commencement of the event.

Where an event is to be held at a venue greater than 300kms from the Ravensthorpe GPO the Shire may meet the cost of accommodation on the night preceding or post the commencement of the event.

If the event is to be held at a venue greater than 500kms from the Ravensthorpe GPO the Shire may meet the costs of two nights' accommodation on the night preceding and post the commencement of the event (No other expenses are to be provided).

Accommodation expenses for the Council Member for a room at or in close proximity to the event venue will be paid in accordance with the State Public Service Award conditions of service and allowances.

Should a Council Member wish to extend their visit for personal reasons not associated with approved Shire business, any extended stay or additional costs associated with that stay are to be met by the Council Member.

### G3.8.4 Meals and Incidental Expenses

Funding for meals and incidental expenses are detailed below;

- a) Meal expenses shall be interpreted as reasonable expenses' incurred for the purchase of breakfast, lunch and dinner where these are not provided within the event, travel or accommodation packages and will be paid in accordance with the State Public Service Award conditions of service and allowances.
- b) The Shire will not be responsible for incidental expenses such as laundry, dry-cleaning, private telephone calls, in-house movies or alcohol from the mini bar.

Note: At the discretion of the Chief Executive Officer a cash advance to cover meals may be provided to the Council Member prior to departure for the event.

### G3.8.5 Accompanying Persons / Entertainment Costs

- a) Where a Council Member chooses to invite an accompanying person to attend a conference event, the Shire will fund that person's attendance at any official partner event or conference dinner only.
- b) The Shire will not reimburse or fund any other expenses incurred by an accompanying person.

### G3.8.6 Acquittal of Expenses

- a) Receipts are required to support acquittal of expenses and claims for reimbursement. Should a receipt not be provided a statutory declaration can be provided in replacement of a receipt.
- b) Council Members shall, within ten (10) working days of return from the event, provide a complete daily breakdown of expenditure relating to the cash advance, itemising individual purchases, and supported by receipts, with Council Members providing their acquittal to the Chief Executive Officer. Any surplus funds from the cash advance shall be returned at the same time.

### G3.9 Sharing of Knowledge

A report on issues, outcomes, etc., of the conferences attended (except the WALGA Convention) is to be provided to the Chief Executive Officer within ten (10) working days of return from the event.

The Chief Executive Officer is to cause a copy of that report to be distributed to all other Council Members via the Monthly Report.

<b>Document Control Box</b>							
<b>Custodian:</b>	<b>Chief Executive Officer</b>						
<b>Decision Maker:</b>	<b>Council</b>						
<b>Compliance Requirements:</b> s5.126(1) [Mandatory Council Member Training] of the <i>Local Government Act 1995</i> s5.127 (1) and (2) [Prepare and Publish Report] of the <i>Local Government Act 1995</i> 5.128(5)(a) [Mandatory review of the policy after each ordinary election] of the <i>Local Government Act 1995</i> <b>Appropriate Annual Budget Allocations</b> <b>Compliance Calendar (October)</b>							
<b>Legislation:</b>	5.126 [Training for Council Members] of the <i>Local Government Act 1995</i> 5.127 [Report on Training] of the <i>Local Government Act 1995</i> 5.128 [Policy for continuing professional development] of the <i>Local Government Act 1995</i> r35 [Training for Council Members] <i>Local Government Administration Regulations 1996</i>						
<b>Industry:</b>	<b>Mandatory Training Information</b> <a href="https://www.dlgsc.wa.gov.au/local-government/local-governments/training">https://www.dlgsc.wa.gov.au/local-government/local-governments/training</a> <b>Public Service Award 1992 – Refer Schedules</b> <a href="https://forms.wairc.wa.gov.au/awards/PUB007/p59/PUB007.docx">https://forms.wairc.wa.gov.au/awards/PUB007/p59/PUB007.docx</a> <b>Australian Taxation Office – Cents per kilometre method</b> <a href="https://www.ato.gov.au/Business/Income-and-deductions-for-business/Deductions/Deductions-for-motor-vehicle-expenses/Cents-per-kilometre-method/">https://www.ato.gov.au/Business/Income-and-deductions-for-business/Deductions/Deductions-for-motor-vehicle-expenses/Cents-per-kilometre-method/</a>						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review				

## G.4 AUDIT COMMITTEE TERMS OF REFERENCE

### Objective

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs and assurance systems.

### Policy

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

The committee is to facilitate –

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance;
- the provision of an effective means of communication between the external auditor, the CEO and the Council.

### G4.1 Powers of the Audit Committee

The Audit committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference. This is in order 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 is a formally appointed committee of council and is responsible to that body. 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.

### G4.2 Membership

The committee will consist of all seven Council positions. All members shall have full voting rights.

The CEO and employees are not members of the committee.

The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the committee.

The local government shall provide secretarial and administrative support to the committee.

### G4.3 Meetings

The committee shall meet at least once each year.

Additional meetings shall be convened at the discretion of the presiding person.

#### G4.4 Reporting

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

The Audit Committee's role, in accordance with Regulation 16 of the *Local Government (Audit) Regulations 1996*, is to:

- (a) guide and assist the local government in carrying out:
  - i) its functions under Part 6 of the Act;
  - ii) its functions relating to other audits and other matters related to financial management; and
  - iii) functions in relation to audits conducted under Part 7 of the Act.
- (b) review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
  - i) report to the council the results of that review; and
  - ii) give a copy of the CEO's report to the Council.
- (c) monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
  - i) regulation 17(1); and
  - ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (d) support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (e) oversee the implementation of any action that the local government —
  - i) is required to take by section 7.12A(3); and
  - ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
  - iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
  - iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
  - v) perform any other function conferred on the audit committee by these regulations or another written law.

The Committee may provide guidance and assistance to the local government regarding:

- (a) other matters to be audited;
- (b) the scope of audits; and
- (c) financial, risk and compliance management functions as prescribed in the Local Government Act 1995; as well as
- (d) other matters specified in these Terms of Reference.

The Committee may resolve to request the Chief Executive Officer (CEO) to provide any information or make arrangements to provide independent expert advice, as appropriate and required by the Committee in order to fulfil its duties and responsibilities.

The Committee is to review and make recommendations to the Council regarding:

- (a) **Financial Management**
  - i) the annual Financial Statements with a view to being satisfied as to their accuracy and timeliness and the inclusion of prescribed disclosures and information;

- ii) changes in accounting practices, policies and material changes in accounting treatment, providing advice on the appropriateness of implementation strategies; and
- iii) the Shire's financial status and performance.
- (b) **Risk Management**
  - i) the Shire's risk management strategies and policies;
  - ii) the adequacy of the Shire's risk management systems and practices; and
  - iii) the management of strategic risks, identifying as appropriate, specific risks for more detailed review and response.
- (c) **Internal Controls**
  - i) the standard and effectiveness of the Shire's corporate governance and ethical considerations;
  - ii) the integrity, adequacy and effectiveness of the Shire's financial and administration policies, systems and controls in providing financial and governance information which:
    - is accurate and reliable;
    - complies with legislative obligations and requirements; and
    - minimises the risk of error, fraud, misconduct or corruption; and
  - iii) the efficiency and effectiveness on achievement of objectives.
- (d) **Legislative Compliance**
  - i) the integrity, adequacy and effectiveness of the Shire's systems and controls for legislative compliance;
  - ii) the level of compliance with legislative obligations as well as the Shire's policies;
  - iii) the CEO's report on the review of the Shire's Legislative Compliance systems, at least once triennially; and
  - iv) the annual statutory Compliance Audit.
- (e) **Internal and External Audit Planning and Reporting**
  - i) the integrity, adequacy and effectiveness of Shire's Audit Plan;
  - ii) reports, findings and recommendations arising from Internal and External Audits;
  - iii) the audit of the Shire's Annual financial statements;
  - iv) the integrity, adequacy and effectiveness of the management response and any actions proposed to be taken to address issues raised by the Auditor; and
  - v) the oversight and monitoring of implementation of agreed actions.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
Delegated Authority – DA 1.1 – Audit Committee provides authority for the Committee to fulfil the duty of the Council to meet with the Shire's External Auditor at least once per year [s.7.12A(2)].							
<b>Legislation:</b>	S7.1A. [Audit Committee] of the <i>Local Government Act 1995</i>						
<b>Industry:</b>	<a href="https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline-9-the-appointment-function-and-responsibilities-of-audit-committeess.pdf?sfvrsn=77bf5a06_1">https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline-9-the-appointment-function-and-responsibilities-of-audit-committeess.pdf?sfvrsn=77bf5a06_1</a>						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G.5 LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES

### Objective

To provide guidelines for the seeking of legal advice on behalf of Council Members or Employees.

### Policy

#### Definitions

- **'Approved lawyer'** is to be –
  - a certified practitioner; under the *Legal Professions Act 2008*;
  - from a law firm on the WALGA panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
  - approved in writing by the council or the CEO under delegated authority.
- **'Concerns notice'** means a notice under section 14(2) of the *Defamation Act 2005(WA)*.
- **'Council member' or 'employee'** means a current or former commissioner, council member, non- Council Member of a council committee or employee of the Shire of Ravensthorpe.
- **'Legal proceedings'** may be civil, criminal or investigative.
- **'Legal representation'** is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –
  - a matter or matters arising from the performance of the functions of the council member or employee; and
  - legal proceedings involving the council member or employee 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'** includes advice, representation or documentation that is provided by an approved lawyer.
  - payment by the Shire of legal representation costs may be either by a direct payment to the approved lawyer (or the relevant firm); or
  - a reimbursement to the council member or employee.

### G.5.1 Payment Criteria

There are four (4) major criteria for determining whether the Shire will pay the legal representation costs of a council member or employee. These are –

- i) the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- ii) the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- iii) in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- iv) the legal representation costs do not relate to a matter that is of a personal or private nature.

### G.5.2 Examples of Legal Representation Costs that May be Approved

If the criteria in clause 1 of this policy are satisfied, the Shire may approve the payment of legal representation costs –

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

### G.5.3 Application for payment

- (a) A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the Chief Executive Officer.
- (b) The written application for payment of legal representation costs is to give details of -
  - i) the matter for which legal representation is sought;
  - ii) how that matter relates to the functions of the council member or employee making the application;
  - iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
  - iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.);
  - v) an estimated cost of the legal representation; and
  - vi) why it is in the interests of the Shire for payment to be made.
- (c) 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.
- (d) As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- (e) The application is to be accompanied by a signed written statement by the applicant that he or she –
  - i) has read, and understands, the terms of this Policy;
  - ii) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 8 and any other conditions to which the approval is subject; and
  - iii) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause G5.8.
- (f) In relation to clause (e) (iii), when a person is to be in receipt of such monies the person should 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.

- (g) An application is also to be accompanied by a report prepared by the Chief Executive Officer or where the Chief Executive Officer is the applicant by an appropriate employee.

#### G.5.4 Defamation – Concerns Notice

##### **G5.4.1 Subject to clause G.5.3, if:**

- (a) An application relates to comments alleged to be defamatory of a council member or employee other than the CEO;
- (b) The CEO is satisfied, on reasonable grounds, that the comments were made;
- (c) The CEO, after consultation with the Shire’s Legal Service, considers that the comments may be defamatory of the council member or employee; and
- (d) The comments may reasonably result in a lessening of the community’s confidence in the Shire.
- (e) The CEO may instruct an approved lawyer, at the Shire’s cost, to provide the following legal services:
  - i) Advise whether the comments alleged to have been made are defamatory;
  - ii) Advise whether the circumstances warrant the giving of a concerns notice;
- (f) If the circumstances warrant the giving of a concerns notice:
  - i) to prepare and serve a concerns notice on the maker of the comments;
  - ii) to review any offer to make amends from the maker of the comments; and
  - iii) to conclude the matter if this can be done without commencing legal proceedings.

##### **G5.4.2 Where the CEO instructs an approved lawyer in accordance with clause G5.4.1:**

- (a) The costs payable to the approved lawyer must not, without Council’s approval, exceed \$10,000 in respect of any application; and
- (b) The approval is to be reported, as a confidential item, to the next ordinary meeting of the Council.

##### **G5.4.3 Subject to clause G5.4.5, if:**

- (a) An application relates to comments alleged to be defamatory of the CEO;
- (b) The Executive Manager Corporate Services is satisfied, on reasonable grounds, that the comments were made;
- (c) The Executive Manager Corporate Services, after consultation with the Shire’s Legal Service, considers that the comments may be defamatory of the council member or employee; and
- (d) The comments may reasonably result in a lessening of the community’s confidence in the Shire.

##### **G5.4.4 The Executive Manager Corporate Services may instruct an approved lawyer, at the Shire’s cost, to provide the following legal services:**

- (a) Advise whether the comments alleged to have been made are defamatory;
- (b) Advise whether the circumstances warrant the giving of a concerns notice;
- (c) If the circumstances warrant the giving of a concerns notice:

- i) to prepare and serve a concerns notice on the maker of the comments;
- ii) to review any offer to make amends from the maker of the comments; and
- iii) to conclude the matter if this can be done without commencing legal proceedings.

**G5.4.5 Where the Executive Manager Corporate Services instructs an approved lawyer in accordance with clause G5.4.3:**

- (a) The costs payable to the approved lawyer must not, without Council's approval, exceed \$10,000 in respect of any application; and
- (b) The approval is to be reported, as a confidential item, to the next ordinary meeting of the Council.

**G5.4.6** If an application relates to comments made by a Council Member or employee that are alleged to be defamatory of another Council Member or employee, the CEO (or the Executive Manager Corporate Services if the CEO is the applicant) shall remit the application to council for determination in accordance with clause G5.6.

**G.5.5 Legal Representation Costs – Limit**

- (a) Unless otherwise determined by Council, payment of legal representation costs in respect to a particular application is not to exceed \$10,000.
- (b) A council member or employee may make a further application to the council in respect of the same matter.

**G.5.6 Council Powers**

- (a) The council may -
  - i) refuse;
  - ii) grant; or
  - iii) grant subject to conditions.
- (b) Conditions under clause 6.1 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.
- (c) In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members or employees insurance policy or its equivalent.
- (d) The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- (e) The council may, subject to clause 6.6 determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
  - i) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - ii) given false or misleading information in respect of the application.
- (f) A determination under clause G5.6 (e) may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

- (g) Where the council makes a determination under clause G5.6 (e), the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with clause G5.8.

### G5.7 Delegation to Chief Executive Officer

- (a) In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause G5.6 (a) and G5.6 (b), to a maximum of \$10,000 in respect of each application with the exception of defamation applications which must be considered by Council.
- (b) An application approved by the CEO under clause G5.7 (a), is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause G5.6 (d).

### G5.8 Repayment of Legal Representation Costs

- (a) A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire –
- i) All or part of those costs – in accordance with a determination by the Council under clause 6.7;
  - ii) As much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.
- (b) The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
Delegated Authority – DA 1.2.14 – Legal Representation for Council Members and Employees							
Appropriate Annual Budget Allocations							
<b>Legislation:</b>	s9.56 [Certain persons protected from liability for wrongdoing] of the <i>Local Government Act 1995</i> Occupational Safety and Health Act 1984 (WA), Part III, Division 2 Work Health and Safety Act 2020 (WA) [once Proclaimed]						
<b>Industry:</b>	Local Government Operational Guidelines Number 14 – Legal Representation for Council Members and Employees <a href="https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees">https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees</a>						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 16/11/2021 – Item 13.1		Council Policy Review – G 5 Legal Representation for Council Members and Employees				
3.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G6 RISK MANAGEMENT

### Policy Objective

To provide a strategic approach to risk management that raises risk awareness across the organisation and ensures sound risk management practices are integrated into the future planning and day to day practices of the Shire.

### Policy

This policy is applicable to all of the Shire's operations, functions, activities, projects and events.

The Shire is committed to developing and implementing a Risk Management Framework in accordance with the risk management standard AS/NZS ISO 31000:2018, which will include systems to identify, treat, monitor, review and report risks across all of its operations.

The Shire is committed to developing and maintaining appropriate documentation to guide the implementation of enterprise risk management throughout the organisation.

The objectives of this policy are to:

- a) Promote a culture of risk awareness and active management of risks;
- b) Protect the Shire by systematically identifying risks and managing them appropriately;
- c) Ensure Council is provided with reliable information to support decision-making and planning;
- d) Reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control, which impacts on the cost of insurance; and
- e) Assign responsibilities for managing risks.

### G6.1 Responsibilities for Risk Management

#### **Council**

Council is responsible for:

- (a) Reviewing and approving the risk management policy, framework, and risk tolerance levels;
- (b) Considering risk management issues in reports to Council; and
- (c) Considering recommendations from the Audit Committee in relation to the adequacy of the shire's systems and processes for managing risk.

#### **Audit Committee**

The Audit Committee is responsible for the oversight of the Shire's approach to risk management and assessing the adequacy of the Shire's systems and processes for managing risk.

#### **Chief Executive Officer**

The Chief Executive Officer is responsible for

- (a) The implementation of Council's Risk Management Policy and Framework;
- (b) Ensuring the development, implementation and review of the Shire's Risk Management Framework;
- (c) Communicating to employees the Shire's commitment to developing, implementing and managing an effective Risk Management Framework;

- (d) Ultimately determining if levels of residual risk are acceptable;
- (e) Ensuring reports prepared for Council include appropriate information in relation to risk to enable informed decision making; and
- (f) Undertaking reviews of the Shire's systems and processes for managing risk and reporting the outcome of those reviews to the Audit Committee.

**Risk Tolerances**

The level of risk that is acceptable to the Shire will be assessed and determined on a case by case basis; however, the Shire will maintain a conservative approach to risk.

In line with its conservative attitude to risk, the Shire will not accept risks that carry a major or catastrophic residual risk of any of the following events or circumstances occurring:

- (a) A significant negative affect on the Shire's financial sustainability;
- (b) An interruption to essential services that extends for more than one week;
- (c) Substantial public embarrassment;
- (d) Compromised safety or welfare of staff, Council Members, contractors or members of the community;
- (e) Damage to relationships with a majority of, or significant, stakeholders; and
- (f) A significant breach.

**Reporting**

A report on the adequacy of the Shire's systems and processes for managing risk will be presented to the Audit Committee and Council on a triennial basis.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Compliance Calendar (September) r.17 Local Government (Audit) Regulations 1996 - The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to — (a) risk management; and (b) internal control; and (c) legislative compliance not less than once in every 3 financial years. The CEO is to report to the audit committee the results of that review.							
<b>Legislation:</b>	r.17 [CEO to review certain systems and procedures] Local Government (Audit) Regulations 1996						
<b>Industry:</b>	AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Triennial	Next Due:	2025	Ref:	
<b>Version #</b>	Decision Reference:		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review				

## G7 COMMON SEAL AND DOCUMENT SIGNING AUTHORITY

### Policy Objective

To establish, in accordance with the requirements of section 9.49A of the *Local Government Act 1995 (Act)*:

1. Protocols for affixing and administration of the Shire of Ravensthorpe Common Seal; and
2. Authority for the Chief Executive Officer (CEO) and other nominated officers to sign (execute) documents on behalf of the Shire of Ravensthorpe.

### Policy

#### Definition of Document

For the purposes of this policy, document means any paper or electronic document, including communications such as letters and emails, which:

- (a) conveys a decision; or
- (b) establishes an obligation on the Shire; or
- (c) is ceremonial.

#### G7.1 Common Seal

##### Affixing the Common Seal

- (a) The Common Seal may be applied to documents that:
  - i) give effect to decisions of Council; or
  - ii) as detailed in clause G7.3 of this policy.
- (b) The Common Seal is to be applied in the presence of both:
  - i) the Shire President (or in the Shire President's absence the Deputy Shire President); and
  - ii) the CEO (or an Acting CEO or senior employee authorised by the CEO).

Note: For most documents, there is no legal requirement for the Common Seal to be affixed if Council has resolved to authorise a person to sign the document [s.9.49(1)(b); s.9.49A(4)]. Exceptions include local laws and planning schemes.

#### G7.2 Administration of the Common Seal

The CEO is to:

- (a) be responsible for the safe custody and proper use of the Common Seal;
- (b) maintain a register of each time the Common Seal is used; and
- (c) provide a report to Council Members via the Monthly Report listing the documents that the Common Seal has been applied to.

#### G7.3 Authority to Sign (Execute) Documents on Behalf of the Shire

##### General Document Signing (Execution) Authorities

Where a person has the written authority to make a decision ("written decision-making authority") that person also has the authority to sign documents which give effect to that decision.

Written decision-making authorities are:

- (a) Delegated Authority;
- (b) Statutory Authority; or
- (c) Operational Authorisation.

Where considered appropriate by the CEO, the Shire President may be requested to execute documents as a co-signatory with the CEO.

#### G7.4 Specific Document Signing (Execution) Authorities in Accordance with Section 9.49A of the Act.

##### Document Categories

The following document categories have been established to assist in determining appropriate signing authorities, detailed in clause G7.4 A:

Category	Description
1.	<ul style="list-style-type: none"> <li>• The matter is specifically resolved by Council, inclusive of a resolution to execute the resulting document under the Common Seal; or</li> <li>• is identified under this policy as a matter requiring the Common Seal, commonly due to an internal or external historical practice.</li> </ul>
2.	<ul style="list-style-type: none"> <li>• The matter is specifically or generally resolved by Council; and</li> <li>• is strategic and / or carries a major or lesser level of financial risk, legal complexity or political sensitivity.</li> </ul>
3.	<ul style="list-style-type: none"> <li>• The matter may be specifically or generally resolved by Council or may be subject of a Council policy or day-to-day operations at the determination of the CEO only; and</li> <li>• is strategic and / or carries a moderate or lesser level of financial risk, legal complexity or political sensitivity.</li> </ul>
4.	<ul style="list-style-type: none"> <li>• The matter is mandated in the Corporate Business Plan or relates to the day-to-day operations of the Shire under the direction of the CEO / Executive Managers; and</li> <li>• carries a minor or insignificant level of financial risk, legal complexity or political sensitivity.</li> </ul>
NOTE:	<ul style="list-style-type: none"> <li>• Documents and communications which relate to day-to-day routine communications or transactions do not require specific authorisation through this policy as they are the subject of Section 5.41(d) of the Act prescribing the CEO's duty to manage the day to day operations of the Shire. Such duties are undertaken by "acting through" Officers.</li> </ul>

G7.4 A Specific Authorities in Accordance with Section 9.49A(4) of the *Local Government Act 1995*

Document Type (√) Common Seal only to be applied where specified in the relevant document	Category	Common Seal	EXECUTION BY SIGNATURE ONLY		
			SHIRE PRESIDENT	CEO	EXECUTIVE MANAGER
(1) <b>Local Laws</b> – made and amended	1	√	X	X	X
(2) <b>Planning Schemes</b> – adopted and amended	1	√	X	X	X
(3) <b>Land Transaction documents</b> , including: <ul style="list-style-type: none"> <li>• sale;</li> <li>• purchase;</li> <li>• vesting;</li> <li>• contributed assets;</li> <li>• Notifications of factors affecting land under 70A of the Land Transfer Act 1893 – lodge or withdraw;</li> <li>• Easements – <u>by land transfer</u> <ul style="list-style-type: none"> <li><i>Rights of carriage way;</i></li> <li><i>Rights of support to land burdened by buildings;</i></li> <li><i>Rights to erect a party wall;</i></li> <li><i>Rights to light and air (Property Law Act 1969);</i></li> <li><i>Rights to take water from wells or bores;</i></li> <li><i>Rights to install and operate drains and drainage works;</i></li> <li><i>Rights to install, maintain and operate oil, gas or other pipelines;</i></li> <li><i>Rights to install, maintain and operate electric power lines;</i></li> <li><i>telephone and other cables and supporting pylons.</i></li> </ul> </li> <li>• Restrictive Covenants – by land transfer;</li> <li>• Deeds – land transfer for public purposes.</li> </ul>	1	√	√	√	X
(4) <b>Mortgages, Loans and Debentures</b>	1	√	X	X	X
(5) <b>Power of Attorney</b> to act for the Shire	1 or 2	X	√	√	X
(6) <b>Land Transaction documents</b> , including: <ul style="list-style-type: none"> <li>• Caveats - registering or removing</li> <li>• Leases</li> <li>• Easements – by deed, deposited plan or other legal instrument</li> </ul>	2	(√)	X	√	X

Document Type (√) Common Seal only to be applied where specified in the relevant document	Category	Common Seal	EXECUTION BY SIGNATURE ONLY		
			SHIRE PRESIDENT	CEO	EXECUTIVE MANAGER
<i>Rights of carriage way;</i> <i>Rights of support to land burdened by buildings;</i> <i>Rights to erect a party wall;</i> <i>Rights to light and air (Property Law Act 1969);</i> <i>Rights to take water from wells or bores;</i> <i>Rights to install and operate drains and drainage works;</i> <i>Rights to install, maintain and operate oil, gas or other pipelines;</i> <i>Rights to install, maintain and operate electric power lines;</i> <i>telephone and other cables and supporting pylons.</i> <ul style="list-style-type: none"> <li>• Restrictive Covenants – lodge, modify or withdraw (other than by land transfer).</li> <li>• Deeds.</li> <li>• Legal agreements.</li> </ul>					
(7) <b>State or Commonwealth Government Funding Agreements</b>	2	(√)	X	√	X
(8) <b>Grants and Funding Agreements</b> with private agencies (incoming and outgoing)	2	(√)	X	√	X
	3	(√)	X	√	√
(9) <b>Memorandum of Understanding</b>	2	(√)	X	√	√
(10) <b>Contracts and legal instruments</b> , including contract variations, related to: <ul style="list-style-type: none"> <li>• Procurement Contracts</li> <li>• Service Agreements (incoming or outgoing services)</li> <li>• Heritage Agreements</li> <li>• Acquittal of planning conditions</li> <li>• Maintenance of the public realm</li> </ul>	2	(√)	X	√	√
(11) <b>Development, building, occupancy, subdivision and strata-title approvals for Shire Land</b>	3	(√)	X	√	√
(12) <b>Memorial</b> Deed Poll Registration: A document lodged under the <i>Registration of Deeds Act 1856</i> , notifying the change of name of a person.	3	X	X	√	√

Document Type (√) Common Seal only to be applied where specified in the relevant document	Category	Common Seal	EXECUTION BY SIGNATURE ONLY			
			SHIRE PRESIDENT	CEO	EXECUTIVE MANAGER	
<ul style="list-style-type: none"> <li>Memorial of Advertisement: A document lodged at the Office of Titles by a Local Authority evidencing that the legal requirements necessary to sell land for the non-payment of rates, have been attended to.</li> <li>Prohibiting dealings in land: A document lodged at the Office of Titles under one of a number of statutes, which when noted on a Certificate of Title acts as a caveat.</li> </ul>						
(13) Documents that fulfil a <b>statutory local government duty or power</b> , for which there is no power of delegation or authorisation and is a matter which constitutes a potential risk to the Shire.	4	X	X	√	√	
(14) <b>Communications</b> on behalf of the Shire, with: <ul style="list-style-type: none"> <li>Commonwealth or State Ministers</li> <li>Sister Shire counterpart political or government leaders</li> </ul>	Note: Officers are authorised to sign routine day to day operational communications where the recipient is of a similar organisational level as the Shire of Ravensthorpe Officer.	2 or 3	X	√	√	X
(15) <b>Communications</b> on behalf of the Shire, with CEO's of: <ul style="list-style-type: none"> <li>Commonwealth or State Government Departments</li> <li>Industry representative bodies</li> </ul>		3 or 4	X	X	√	√
16) <b>Communications</b> on behalf of the Shire, relevant to the day-to-day operations of the Shire and which are subject of a level of political sensitivity or potential risk to the Shire.	3 or 4	X	X	√	√	
(17) <b>Ceremonial Certificates</b> - Common Seal may be affixed at the Shire President's discretion: <ul style="list-style-type: none"> <li>Honorary Freeman</li> </ul>	3 or 4	√	√	√	X	
(18) <b>Deeds of Settlement</b> – Employee matters	4	X	X	√	X	
(19) <b>Enterprise Bargaining Agreements</b>	4	X	X	√	X	

**G7.5 Contracts of Employment and Variations to Contracts**

Contracts of Employment and variation documents relating to an officer’s employment with the Shire of Ravensthorpe may be signed on behalf of the Shire by the following signatories according to the level of position concerned:

<b>Level of Position</b>	<b>Signatory</b>
CEO	Shire President
Executive Manager	CEO
Any position below Executive Manager	Relevant Executive Manager or CEO

**G7.6 Execution of Document by Lawyers on Behalf of Shire**

- (a) Lawyers appointed by the Shire to act on its behalf for a matter may, where so instructed:
- i) correspond with third parties on behalf of the Shire;
  - ii) sign and lodge court documents on behalf of the Shire;
  - iii) electronically sign documents identified in category G7.4 A (6) in accordance with the Property Exchange Australia (PEXA) process;
  - iv) only electronically sign land transaction documents identified in category G7.4 A (3) in accordance with the PEXA process that relate to easements, notifications affecting land under section 70A of the *Transfer of Land Act 1893*, and restrictive covenants;
  - v) only electronically sign other land transaction documents identified in category G7.4 A (3) in accordance the PEXA process where Council has specifically resolved to provide authority; and
  - vi) sign such other documents as instructed by the Shire from time to time.
- (b) Officers are to ensure an appropriate level of authority is obtained prior to instructing lawyers to act.

**G7.7 Signing Documents (other than by Common Seal) During Temporary Absence of CEO**

Where the CEO;

- (a) is temporarily unavailable for executing documents requiring the CEO’s signature;
- (b) no Acting CEO has been appointed; and
- (c) the CEO has advised the Executive Manager Corporate Services in writing of the temporary unavailability,

then the Executive Manager Corporate Services is authorised to sign documents that the CEO is authorised to sign by signature (under this policy or a Council resolution), except where the Manager believes the execution should await the CEO’s availability.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Sections 9.49A, 9.49B, 9.49 and 5.43 [Execution of Documents] of the <i>Local Government Act 1995</i> [record keeping requirements] <i>State Records Act 2000</i>						
<b>Industry:</b>							
<b>Organisational:</b>	Authorised PEXA Service Provider – McLeods Barristers and Solicitors						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	Decision Reference:		<b>Description</b>				
1.	OCM 17/03/20 – Item 13.4		PEXA authorisation and solicitor verification of identity.				
2.	OCM 21/07/20 – Item 13.2		New policy established.				
3.	OCM 19/07/2 – Item 12.1.22		Minor amendments to formatting and spellcheck as part of Complete review of Policy Manual 2022				

## G8 POLITICAL / ELECTORAL CAMPAIGN ADVERTISING

### Policy Objective

Restrictions on the placement of political/electoral campaign materials.

### Policy

Placement of political / electoral campaign advertising on Shire of Ravensthorpe owned or controlled land or structures is not permitted.

Temporary electoral signage may be erected on private property (subject to owners consent) up to four (4) weeks before an election or referendum.

Advertising signage needs to be removed within a week of the election date.

The Chief Executive Officer is authorised to remove signage not in compliance with this policy and for cost applied to be applied for its removal as determined by the Shire of Ravensthorpe Fees and Charges.

Note: Contents of electoral material may be referred to the relevant authorised Returning Officer.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements: Shire of Ravensthorpe Local Planning Policy No 2 – “Requirements”							
Legislation:	s.187 [Authorisation of Election Campaign Material] <i>Electoral Act 1907.</i>						
Industry:							
Organisational:	Shire of Ravensthorpe Fees and Charges.						
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review				

## G9 ADVOCACY

### Policy Objective

To provide direction for Shire of Ravensthorpe advocacy initiatives, to outline roles and responsibilities and to support the President, Council Members, the Chief Executive Officer and Shire officers in their efforts to achieve positive changes to public policy or resourcing for the local community.

### Policy

The Shire of Ravensthorpe Strategic Community Plan is the overarching document that sets out the Council vision for achieving the key priorities and commitments on issues that matter to our community.

The Shire is committed to advocating on behalf of the community on a wide range of issues, initiatives and services to improve the quality of life for our residents and achieve our vision of growing our community.

Advocacy can take the form of making a submission, meeting with decision makers, collaboration with other councils and peak bodies, consultation, media and communications strategies and public campaigns.

### Application:

Where there is a cost to attend such events, it is recommended that a maximum of two (2) Shire representatives attend an activity. Given the role of the President, it is expected that he/she will generally represent the Shire at such activities. There may be circumstances where there may be more than two (2) Shire representatives at a fee paying function and this approval will be at the discretion of the Chief Executive Officer.

The following conditions apply:

- (a) The Shire President will receive requests from Council Members, and the Chief Executive Officer will receive requests from Officers, regarding whether the Shire should be present at an advocacy activity that provides an opportunity to promote a current priority that requires lobbying for support by local, state and/or federal stakeholders.
- (b) The Shire President and Chief Executive Officer will discuss the benefits of attending and discuss the most appropriate representatives to attend the activity with the Shire President, which in most cases will be the Chief Executive Officer. In the case where the Shire President and/or the Chief Executive Officer are not available to attend or believe another person should represent the Shire, the Shire President and the Chief Executive Officer will discuss the representatives who will represent the Shire of Ravensthorpe.
- (c) Where practical and reasonable a notification will be provided to all Council Members advising of the intention to attend an advocacy and lobbying activity. The notification will be provided by either the Shire President or the Chief Executive Officer and will include:
  - i) date of event;
  - ii) cost;
  - iii) who will be attending from the Shire of Ravensthorpe; and
  - iv) reason for attending and stakeholder/s that will be present.
- (d) There may be a requirement from time to time to use some of the allocated budget to produce materials to assist with lobbying and advocacy. Where this is required, notification will be provided to all Council Members of the intention to use funds for this purpose for attending and when the

materials may be used. Where time does not permit, then Council shall be notified at the next available opportunity.

- (e) Costs associated with interstate or international advocacy initiatives will require a report to Council prior to undertaking any travel.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations							
<b>Legislation:</b>	s2.8. [Role of President] s2.10 [Role of Council Members] of the <i>Local Government Act 1995</i>						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G10 ATTENDANCE BY COUNCIL MEMBERS AND THE CHIEF EXECUTIVE OFFICER AT EVENTS

---

### Policy Objective

To ensure compliance with Section 5.90A(2) of the Local Government Act 1995 which requires local governments to adopt a policy in relation to the attendance of Council Members and Chief Executive Officers at events.

### Policy

This policy deals with the attendance of Council Members and the Chief Executive Officer at events including:

- (a) the provision of tickets to events;
- (b) payments in respect of event attendance; and
- (c) approval of attendance by the local government and criteria for approval.

### Excluded Gifts

Council Members and the Chief Executive Officer may receive tickets or invitations to attend events to represent the Shire. Attendance at events covered by this policy are "excluded gifts" as defined in section 5.62(1B) of the *Local Government Act 1995*.

### Acceptable Events

Council Members and the Chief Executive Officer may accept an invitation to attend any of the following events:

- (a) Events sponsored by the Shire.
- (b) Events held at any facility owned by the Shire (including facilities on land vested in the Shire).
- (c) Events hosted by the Shire.
- (d) Events hosted by any incorporated associations or not-for-profit organisations.
- (e) Events hosted by other local governments, regional local governments, WALGA or any State or Commonwealth Government department or agency.

### Reimbursement

Council Members may be reimbursed for travel associated with their attendance at an event in accordance with Council Policy – G3 – Council Member Training and Development.

### Conferences

Attendance by Council Members at conferences shall be in accordance with Council Policy – G3 – Council Member Training and Development.

Attendance by the Chief Executive Officer at conferences shall be in accordance with the Chief Executive Officer's employment contract and Council Policy – A12 – Staff Training and Development.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations							
<b>Legislation:</b>	5.87A [Council members to disclose gifts] & 5.87B [CEO's to disclose gifts], and S5.90A [Policy for attendance at events], <i>Local Government Act 1995</i>						
<b>Industry:</b>							
<b>Organisational:</b>	Council Policy – G3 – Council Member Training and Development Council Policy – A12 – Staff Training and Development						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennially	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		New Policy - To comply with new requirements of the <i>Local Government Act 1995</i> [s5.90A(2)].				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G11 INVITATION OF RATEPAYERS AND RESIDENTS TO COUNCIL DINNERS AND FUNCTIONS

### Policy Objective

To facilitate / promote greater awareness in the community of the Shire's role, functions and responsibilities and to encourage participation in the role of Council Members.

### Policy

Council Members are welcome to seek consideration of invitations for ratepayers and residents to Council dinners that follow Ordinary Council Meetings. The Shire President is to consider any requests by Council Members and it will be considered on its merits.

The Shire President is authorised to invite all candidate nominees of local government elections to a Council dinner prior to an Ordinary Council Election.

The Shire President is authorised annually to invite partners of Council Members to a Council dinner, this is to acknowledge the support provided to Council Members in fulfilling their duties.

Cost of meal and refreshment to be met by the Shire of Ravensthorpe, subject to sufficient availability of budget funds.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## G12 CIVIC RECEPTIONS AND CEREMONIAL FUNCTIONS

### Policy Objective

To fulfil its civic objectives the Shire will deliver a range of civic and ceremonial functions, as well as other functions and events as the need arises.

These events and functions foster positive relationships between the community and the Shire, connect the community in celebration, recognise and celebrate individual and community achievements, and promote community spirit.

### Policy

The Shire supports events that mark significant days of celebration or commemoration including Australia Day, WA Day, ANZAC Day and Remembrance Day.

#### G.12.1 Civic Receptions

- a) The Shire may host Civic Receptions to celebrate local milestone events, recognise an achievement of substantial significance or to recognise notable visitors to the District.
- b) The Shire President in accordance with clause 1.1 of this policy is to determine the guest list within the Annual Budget allocation. Invitations to such events are to be extended to:
  - i) Representatives of stakeholders and contributors relevant to the purpose of the Civic Reception;
  - ii) Honorary Freemen of the Shire;
  - iii) Sitting Council Members and partners where appropriate;
  - iv) Chief Executive Officer, Executive Managers and partners where appropriate; and
  - v) where determined by the Chief Executive Officer as appropriate, employees who are active in contributing to relevant strategic objectives.

#### G.12.2 Volunteer Recognition Events

- a) The Shire hosts periodic events to recognise the valuable contribution that volunteers make in delivering service and support within our community.
- b) Volunteer recognition events shall be designed within the parameters of characteristics specific to the volunteering group and appropriate budget allocations.

#### G.12.3 Citizenship Ceremonies

- a) The Shire hosts Citizenship Ceremonies to fulfil the local government obligations established under the Australian Citizenship Act 2007.
- b) The Shire will schedule to host Citizenship Ceremonies on an as required basis.
- c) The official guest list is to be determined by the Shire President and the Chief Executive Officer.
- d) Catering is to be appropriate to the timing and size of the ceremony.

#### G.12.4 Australia Day Celebrations

The Shire is committed to celebrating Australia Day each year and will do so in an inclusive and respectful manner.

#### G.12.4 ANZAC Day

The Shire will support the Ravensthorpe Returned and Services Leagues (RSL) or a Community Group official identified by the Chief Executive Officer to undertake suitable arrangements for the annual community ANZAC Day Service by way of an annual \$500 donation to cover costs of coordinating catering and refreshments for this community event.

#### G.12.5 Remembrance Day

The Shire recognises this national day of commemoration and supports the Ravensthorpe Returned and Services Leagues (RSL) in any Remembrance Day Ceremonies conducted.

#### G.12.6 WA DAY

The Shire acknowledges WA Day as a day to reflect and celebrate all things great about Western Australia people, lifestyle, culture and potential.

#### G.12.7 Ministerial Visits

The Shire may host visits to the District by State and Federal Government Ministers to ensure that the Shire's profile is enhanced and that appropriate focus is provided to the Shire's strategic objectives. Invitations to these functions to be authorised by the Shire President in consultation with Council Members and the Chief Executive Officer.

#### G.12.8 School Visits

The Shire may facilitate and host tours of the Ravensthorpe Administration Office by school groups or other interested parties to increase knowledge and understanding of the role of local government.

Such tours/visits should not negatively impact on the operations of the Shire.

#### G.12.9 Staff Christmas Recognition Event

The Shire will host a Staff Christmas Recognition Event to celebrate Christmas and recognise the efforts and contributions of staff throughout the preceding 12 months.

The Chief Executive Officer shall determine an appropriate format for the annual Staff Christmas Recognition Event within the annual budget allocation.

The guest list for the Staff Christmas Recognition Event is restricted to members of staff directly employed by the Shire and sitting Council Members. Immediate family members of employees and Council Members are welcome to attend this function.

#### G.12.10 Floral Tributes

The Shire acknowledges that memorial ceremonies are an important part of our culture and contribute to our national identity.

The Shire may lay floral tributes at any memorial ceremonies at the discretion of the Shire President.

Floral tributes should be placed by the Shire President or the Shire President's representative at the commemoration on behalf of the Shire's community.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations							
<b>Legislation:</b>	Commonwealth - Australian Citizenship Act 2007						
<b>Industry:</b>							
<b>Organisational:</b>	Council Policy – G18 – Recognition of Volunteers Council Policy – G19 – Honorary Freeman of the Shire						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Four Yearly	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 20/04/20 – Item 13.1		Amended Item 5 – ANZAC Day				
3.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

## G.13 CEO RECRUITMENT, PERFORMANCE AND TERMINATION

### Policy Objective

To fulfil its civic objectives the Shire will deliver a range of civic and ceremonial functions, as well as other functions and events as the need arises.

These events and functions foster positive relationships between the community and the Shire, connect the community in celebration, recognise and celebrate individual and community achievements, and promote community spirit.

### Division 1 – Preliminary Provisions

#### Citation

These are the Shire of Ravensthorpe Standards for CEO Recruitment, Performance and Termination.

#### G.13.1 Terms used

(1) In these standards —

**Act** means the *Local Government Act 1995*;

**additional performance criteria** means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

**applicant** means a person who submits an application to the local government for the position of CEO;

**contract of employment** means the written contract, as referred to in section 5.39 of the Act, 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 Ravensthorpe;

**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.

### Division 2 — Standards for Recruitment of CEOs

#### Overview of Division

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

#### G.13.2 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).

#### G.13.3 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).

#### G.13.4 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.

#### G.13.5 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 —

- (1) Inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (2) If the person advises the local government that the person is unable to access that website address —
  - (a) Email a copy of the job description form to an email address provided by the person; or
  - (b) Mail a copy of the job description form to a postal address provided by the person.

#### G.13.6 Establishment of selection panel for employment of CEO

- (1) In this clause —  
**independent person** means a person other than any of the following —
  - (a) A council member;
  - (b) An employee of the local government;
  - (c) A human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
  - (a) Council members (the number of which must be determined by the local government); and
  - (b) At least 1 independent person.

### G.13.7 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
  - (b) 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
  - (b) In accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
  - (a) Assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
  - (b) Verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
  - (c) Whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

### G.13.8 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
  - (b) The job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

### G.13.9 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 —

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

#### G.13.10 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.

#### G.13.11 Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —  
**Commencement day** means the day on which the Local Government (Administration) Amendment Regulations 2021 regulation 6 comes into operation.
- (2) This clause applies if —
  - (a) Upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
    - (i) The incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
    - (ii) A period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
- (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.

#### G.13.12 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

#### **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.

#### G.13.13 Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
  - (a) The process by which the CEO's performance will be reviewed; and
  - (b) Any performance criteria to be met by the CEO 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.

#### G.13.14 Carrying out a performance review

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

#### G.13.15 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.

CEO to be notified of results of performance review.

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

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

### Division 4 — Standards for termination of employment of CEOs

#### **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.

#### G.13.16 General principles applying to any termination

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

#### G.13.17 Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —

- (a) In the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
  - (b) Informed the CEO of the performance issues; and
  - (c) Given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
- (3) Determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (4) 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.

**G.13.18 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.

**G.13.19 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.

<b>Document Control Box</b>							
<b>Custodian:</b>	<b>Chief Executive Officer</b>						
<b>Decision Maker:</b>	<b>Council</b>						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2022	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 14/09/20 – Item		New policy established.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

---

## G.13 ORGANISATIONAL STRUCTURE - REPEALED

---

Policy Repealed at the OCM held 19 July 2022.

Policy no longer relevant.

---

## G.14 SENIOR EMPLOYEES

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## G.15 CUSTOMER SERVICE CHARTER

### Policy Objective

The Shire's Customer Service Charter reflects our organisations commitment to providing quality service and outlines what customers can expect from us.

### Policy

The Shire of Ravensthorpe's commitment to you:

*We will provide you with quality services and commit to standards by which to measure our performance. It also provides employees with clear standards for which to aim.*

The charter will be reviewed and adapted to meet the changing needs of our customers.

Our Customers include;

- Residents, electors, members of the business community, investors and community groups as well as future residents, electors and generations who will be affected by today's decisions.
- Government departments, non-government agencies and adjoining local governments.
- Council Members and fellow staff members within the Shire.
- Visitors to the Shire.

How will we achieve our commitment to you?

- By including in all staff recruitment processes selection criteria requiring a positive attitude towards customer service.
- By conducting customer service training programs.
- By making the development of positive customer service attitudes part of the performance review program of all employees.
- By progressively reviewing and improving forms, systems and procedures from a customer's perspective.
- By progressively improving access to our services for people with disabilities.
- By improving access to Shire information by producing regular information pages in the local press, website, official social media pages and by making Council agenda's and minute's readily available in the Public Libraries and website.
- By Council and the Executive Team reinforcing the importance of achieving excellence in customer service.

### Service Standards That You Can Expect

#### Face to Face

- We will welcome you to our customer service desk in a professional, polite and attentive manner. (Office hours: 9.00a.m. to 4.00p.m. Monday to Friday).
- Customer service staff will wear a name badge showing only their first name for ease of communication.
- We will listen to you and discuss fully your requirements.
- We will endeavor to satisfy your request at the time of your visit.

When enquiries of a technical nature are made at the service desk, a technical officer if available will be called to the desk within five (5) minutes, where possible, and they will introduce themselves by name and position. If the officer is out, or otherwise unavailable, the appropriate officer will contact you within two (2) working days.

Our aim is to assist you in a positive outcome.

### **On the Telephone**

- We will endeavour to answer your call within seven rings during opening hours of the Shire Office. (Office hours: 9.00a.m. to 4.00p.m. Monday to Friday).
- We will introduce ourselves using first names.
- We will provide you with an e-mail or contact number, for further communication where needed.
- We will return your telephone enquiry within two (2) working days, or if the appropriate officer is not available, redirect the enquiry to another officer who may be able to assist you.

### **In Writing**

- We will write to you in clear, concise language that is easily understood.
- We will endeavour to respond to your letter within seven (7) working days.
- If your general correspondence enquiry proves to be more technical and requires research or consideration by the Shire that will take longer than seven (7) working days, we will acknowledge your letter and provide you with an expected reply date.

### **By email**

- We will respond to you in clear, concise language that is easily understood.
- We will endeavour to respond to your email within seven (7) working days.
- If your general enquiry proves to be more technical and requires research or consideration by Council that will take longer than seven (7) working days, we will acknowledge your email and provide you with an expected reply date.

### **For Building and Planning Applications**

- We will process standard building applications that can be dealt with under delegated authority within twenty (20) working days (subject to the provision of all required information).
- We will acknowledge in writing, receipt of a complete planning application and provided the planning application is received by the cutoff date for the agenda present your planning application to Council for consideration at the next Ordinary Council Meeting.
- We will acknowledge complex building and planning applications within seven (7) working days and keep you informed at each stage as the application progresses.

### **Complaints**

If you are not satisfied with our service:

- Raise your concern with the staff member you have been dealing with to give him/her a chance to resolve the problem.

- If you are not satisfied or feel unable to talk to that staff member please ask for that person’s superior to call you back.
- If you feel your problem is still unresolved please write to the Chief Executive Officer at PO Box 43, Ravensthorpe WA 6346 or by email: shire@ravensthorpe.wa.gov.au
- If you are not satisfied with the Chief Executive Officer’s response, you may raise your concerns with the Shire President, Deputy Shire President, or the WA State Ombudsman.

### Helping us to help you

You can help us to meet these commitments.

- By providing accurate and complete details when writing or phoning with any queries.
- By ensuring that applications for building and planning approvals are complete and include all required details.
- By phoning to make an appointment if you have a complex enquiry of need to see a specific officer.
- If phoning as a result of correspondence from Council, by phoning directly to the officer nominated on the correspondence and quoting the reference number of the letter.
- By treating our staff with courtesy and respect.
- Please note that offensive language or threatening/intimidating behaviour will not be tolerated and may result in the communication exchange ceasing by staff.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	5.94. [Public can inspect certain local government information] of the <i>Local Government Act 1995</i>						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Attachment: “Contact details and feedback about the Charter and our services”</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Triennial	Next Due:	2025	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

## G16 COMMUNITY ENGAGEMENT POLICY AND STRATEGY

### Policy Statement

- a) Community engagement is essential to open and transparent governance and informed decision making.
- b) Input from the community provides valuable insights and information to inform planning, solution design and decision making.
- c) The Shire of Ravensthorpe Council will provide genuine and meaningful opportunities for the community to contribute to decision making processes that impact them.
- d) The Shire of Ravensthorpe Officers continuously make day-to-day decisions based on Council policies, strategies and directions. To help inform these decisions, Council will engage the community in the development and review of Council plans, strategies, policies, major projects, local projects, local laws, programs and major changes to service delivery, based on the level of impact of a project (see section G16.2).
- e) Ravensthorpe Shire Council will continually develop the capacity of Council staff to deliver consistent and best practice community engagement through the provision of tools, resources and staff development opportunities.

### Policy Objectives

The objectives of this policy are to:

- a) Ensure the community has an opportunity to participate in decision making processes that impact them.
- b) Reinforce Council's commitment to community accountability and transparent decision-making through the 'Community Engagement Strategy'.
- c) Outline when and how Council will undertake community engagement.
- d) Ensure that all Shire Council employees, Councillors, volunteers, consultants and contractors understand their roles and responsibilities in relation to community engagement.

### Policy

The purpose of this policy is to:

- a) Describe the Shire of Ravensthorpe's commitment and approach to genuine, consistent, meaningful community engagement in Council's decision-making processes.
- b) Contribute to informed decision making by ensuring the diverse perspectives, experiences, abilities, and aspirations of the community are considered when Council makes decisions.
- c) Strengthen relationships and trust between Council and community by creating opportunities for people to participate in decisions that impact them.

- d) Align The Shire of Ravensthorpe Council’s approach to community engagement with:
  - i) The expectations and feedback from the Shire’s community.
  - ii) The requirements and best practice standards of the:
    - *Local Government Act 1995.*
    - *International Association of Public Participation (IAP2) Core Values, Public Participation Spectrum, Code of Ethics and Quality Assurance Standard.*
- e) Align with, and support the implementation of other Council policies, frameworks, strategies and action plans.

### G16.1 Scope

- a) This policy applies to all Shire of Ravensthorpe decisions that have an impact on the community, including partnerships and collaborations, and those required by legislation.
- b) Community engagement processes initiated by the Shire of Ravensthorpe.

### G16.2 Community Engagement Principles and Commitments

- a) Community engagement demonstrates the Shire of Ravensthorpe’s commitment to social justice. This includes the right of the Shire’s citizens to participate in the community and specifically to:
  - i) participate in public life by actively participating in the decisions that affect their lives; and
  - ii) access easy to understand information about policies, programs and decisions that affect them and their wider community.
- b) The community engagement principles and commitments (**Table 1**) underpin all community engagement activities delivered by, or on behalf of the Shire of Ravensthorpe.

**Table 1: Community Engagement Principles and Commitments**

COMMUNITY ENGAGEMENT PRINCIPLES	SHIRE OF RAVENSTHORPE COMMITMENT
<b>A.</b> a community engagement process must have a clearly defined objective and scope	We will define the scope and objective of a project or decision, including what is negotiable and non-negotiable.
	We will provide genuine and meaningful opportunities for the community to participate in decision making processes.
	We will explain what the community can influence, and how they can participate.
<b>B.</b> participants in community engagement must have access to objective, relevant and timely information to inform	We will provide objective, relevant and timely information, allowing participants to make an informed contribution.
	We will provide information that is accessible for participants.
<b>C.</b> participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	We will identify participants and groups, and encourage participation by all who may be impacted by the project or decision.
	We will use a mix of communication, outreach and engagement activities to ensure those who are impacted are informed and are supported to participate in decision making processes.

COMMUNITY ENGAGEMENT PRINCIPLES	SHIRE OF RAVENSTHORPE COMMITMENT
D. participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement	We will design engagement activities that are inclusive and accessible, and make reasonable adjustments where necessary to remove barriers to participation.
	We will provide sufficient time to ensure those impacted can participate in a meaningful way.
E. participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	We will inform participants of how their feedback will be used in the decision making process.
	We will report back to the community in a timely and straightforward way how community feedback informed the decision making process.

### G16.3 When we will Engage

- a) The Shire of Ravensthorpe will engage the community in decision making processes when:
  - i) a decision will impact on the community.
  - ii) an issue will have a long-term impact on the community.
  - iii) there is an action or commitment in a Council strategic document to undertake community engagement.
  - iv) there is a legislated or statutory requirement.
- b) The Shire of Ravensthorpe will plan for community engagement early in the project planning process, to ensure community feedback can genuinely inform project outcomes.
- c) There are legislated requirements for the community engagement approaches for some project types, as outlined in **Table 2** below:

**Table 2: Project type and engagement approach**

PROJECT TYPE	COMMUNITY ENGAGEMENT APPROACH
Community Vision*	Under the <i>Local Government Act 1995</i> deliberative engagement practices are required to be used.
Council Plan*+	
Financial Plan*	
Asset Plan*	
Council budget *	Under the <i>Local Government Act 1995</i> community engagement is required, and should be undertaken in accordance with this policy.
Governance rules*	
Lease of land* (in some limited cases)	
Local Laws (Incl. alterations)*	
Sell or exchange land*	
Other Council plans, policies, planning permits, planning scheme amendments, strategies, major projects, local projects and service delivery decisions	The level of community engagement required will be assessed in accordance with Table 3 below, or in accordance with the requirements of the relevant legislation.

Note: This table is not a definitive list of legislative requirements, but rather the key requirements under the *Local Government Act 1995*. Other Acts and Regulations may also specify community engagement or consultation requirements that are required to be considered in particular circumstances.

\* This engagement approach is required by the *Local Government Act 1995*.

+ Engagement process must be led by the President in accordance with the *Local Government Act 1995*.

- d) Deliberative engagement practices should incorporate the following elements:
- i) have a clearly defined and communicated level of influence on the final decision.
  - ii) participants are broadly representative of the community impacted by the project.
  - iii) accessible, relevant and objective information is available to participants.
  - iv) participants have time to deliberate by exploring a range of information sources and points of view to understand and consider trade-offs, compromises, and alternatives.
- e) Table 3 outlines when and how Council will engage:

**Table 3: Project assessment criteria and level of engagement**

CRITERIA	LEVEL OF ENGAGEMENT REQUIRED (BASED ON THE IAP2 SPECTRUM OF PUBLIC PARTICIPATION – APPENDIX 1)
<p>High impact or risk (perceived or real) on Shire as a whole or a section of the community.</p> <p>Potential for any decision to create controversy or not have wide levels of acceptance within the community, or requires trade-offs or compromises between stakeholders.</p>	<ul style="list-style-type: none"> <li>• The level of public participation should be aimed at ‘collaborate’ to ‘empower’ for key stakeholders/ communities of interest.</li> <li>• Lower levels may be appropriate for other stakeholders/ communities of interest.</li> <li>• The level of engagement may vary during the course of the project.</li> </ul> <p><i>Deliberative engagement practices to be followed</i></p>
<p>Medium impact or risk (perceived or real) on Shire as a whole or a section of the community.</p> <p>Potential for any decision to create some controversy or conflict of competing views, or that the decision is likely not to be accepted by some sections of the community.</p>	<ul style="list-style-type: none"> <li>• The level of public participation should be aimed at ‘involve’ for key stakeholders/ communities of interest, although in some circumstances ‘collaborate’ may be appropriate.</li> <li>• Lower levels may be appropriate for other stakeholders/ communities of interest.</li> <li>• The level of engagement may vary during the course of the project.</li> </ul> <p><i>Deliberative engagement practices are encouraged to be considered when appropriate</i></p>
<p>Low impact or risk (perceived or real) on the Shire as a whole or a section of the community.</p> <p>It is likely the decision will be widely accepted by the community and seen as having positive outcomes or being required.</p>	<ul style="list-style-type: none"> <li>• The level of public participation should be aimed at ‘inform’, with some minor consultation (‘consult’) before making the final decision.</li> </ul> <p><i>Deliberative engagement practices not required</i></p>

- f) Community engagement may not be possible or feasible prior to making a decision where Council is required to respond quickly to avoid an immediate threat to the health, safety or wellbeing of the community.
- g) All planned community engagement activities will be conducted in accordance with the Ravensthorpe Aboriginal and Torres Strait Islander Recognition Policy, including the following requirements:
  - i) for significant Council events, Council will invite an Elder of the Wudjari to conduct a Welcome to Country.
  - ii) acknowledgement of the Traditional Custodians of the land now known as the Shire of Ravensthorpe will be given at all planned community engagement activities.
  - iii) seek contact with and maintain working relationships with networks that consider the priorities of the Wagyl Kaip and Southern Noongar community and ensure that Council is informed of the needs and requirements of the Wagyl Kaip and Southern Noongar Indigenous Land Use Agreement.
- h) Planned community engagement activities relevant to 0-18 year olds will align with the National Principles for Child Safe Organisations, including the principle that children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- i) For legislated and high or medium impact projects documented community engagement plans should be developed for each project, which outlines the scope of influence, key stakeholders and engagement methods or approaches. This plan should be made available to the community when requested, ensuring Council decision making processes are transparent.
- j) Prior to adopting a strategy, plan, policy or local law, the final stage of consultation may include the right to make a written submission to Council. Those who make a submission have the right to speak in support of their submission to a meeting of the Council.
- k) Participants in community engagement activities and the wider Shire community will be informed of the outcomes of community engagement projects. The way we do this is by communicating when key decisions are made. The ways we share this information may include:
  - i) direct communication to participants.
  - ii) project summaries on Council's online engagement platform or website.
  - iii) reports and briefings to Council.

#### G16.4 Policy Implementation

The policy will be implemented by:

- a) All staff when assessing the need for community engagement on decisions they are proposing to Council.
- b) All staff leading community engagement projects will:
  - i) apply the community engagement principles, commitments and engagement approach outlined in this policy.
  - ii) review and evaluate community engagement processes and share best practice with staff across the organisation.
- c) The Community Development Officer will lead:
  - i) the development of, and informing staff of, community engagement guidelines, tools and templates to ensure staff have the tools and support to deliver consistent, best practice

community engagement.

- ii) the provision of staff training and development opportunities, including a staff community of practice.
- iii) regular review of the Community Engagement Policy.

### G16.5 Definitions and Abbreviations

**Accessible:** Accessible engagement means anyone who is impacted can participate. Making engagement accessible involves consideration of the following factors:

- The timing of engagement activities.
- Offering different ways for people to participate. This may include online and face to face options.
- Designing engagement activities that make people feel comfortable and engaged.
- Information that is easily understood and in plain English. This may include Easy English1, translated materials, appropriate font size and use of colour, the use of images, or audio-visual tools.
- Language spoken and provision of interpreters.
- The location and accessibility of venues. This may include public transport and parking access as well as disability access to the building and facilities.

**Community:** A flexible term used to define groups of connected people. Council uses it to describe people of the Shire of Ravensthorpe generally, including ratepayers, residents, individuals or groups who live, work, play, study, visit, invest in or pass through the Shire. More specifically, it can refer to everyone affiliated with the Shire, and can include people or groups who extend beyond the municipal boundaries. For the purposes of this policy this term encompasses both individuals and groups.

**Community engagement:** A planned, two-way process that seeks, considers and acknowledges community input to inform Council decision making processes.

**Deliberative Engagement Practices:** Deliberative engagement practices are designed to create informed conversations among participants to build a deeper understanding of the complexities, trade-offs, compromises and alternatives when seeking to address complex issues. The Shire's approach to deliberative engagement is shaped by the application of four deliberative principles: Influence; Representation; Information; and Deliberation. The *Local Government Act 1995* requires deliberative engagement practices be applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan. Further information about the Shire's deliberative practices is included in the staff guide to deliberative engagement.

**Impact:** The impact of a project relates to how the project will affect the community. Impact may be perceived or real. The way we will assess impact will include consideration of the:

- impact on high value attributes, such as lifestyle or physical environment;
- impact on the Shire as a whole or a section of the community;
- level of change proposed;
- financial impact on ratepayers or the organisation;
- impact on vulnerable community members or groups;
- level of community interest;
- potential for controversy or conflict; and
- level of complexity of the issue being considered.

**International Association of Public Participation:** IAP2 is an international association of members who seek to promote and improve the practice of public participation in relation to individuals, governments, institutions, and other entities that affect the public interest in nations throughout the world.

**Public participation:** Public participation is used interchangeably with the term community engagement. Community engagement is more commonly used in Australia, whereas public participation is more commonly used overseas.

**Stakeholder:** For the purposes of this policy the term stakeholder is encompassed within 'community', and may include other levels of government, service providers, businesses or community groups and Council staff.

## G16.6 Related Documents

### a) Legislative requirements

Council will adhere to all legislation that requires Council to give notice, consult or engage with the community in a specific way, including:

- *Local Government Act 1995*
- 1.7 [Local Public Notice] and 1.8 [Statewide public notice] *Local Government 1995*
- 19C(9) [Requirements for Strategic Community Plans] *Local Government (Administration) Regulations 1996*
- International Association of Public Participation (IAP2) Core Values, Public Participation Spectrum, Code of Ethics and Quality Assurance Standard.

### b) Shire of Ravensthorpe Policies and Procedures

- Ravensthorpe Aboriginal and Torres Strait Islander Recognition Policy



## IAP2 Spectrum of Public Participation

IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION 

	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.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

© IAP2 International Federation 2018. All rights reserved. 20181112\_v1

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	1.7 [Local Public Notice] and 1.8 [Statewide public notice] <i>Local Government 1995</i> 19C(9) [Requirements for Strategic Community Plans] Local Government (Administration) Regulations 1996 International Association of Public Participation (IAP2) Core Values, Public Participation Spectrum, Code of Ethics and Quality Assurance Standard.						
<b>Industry:</b>	Integrated Planning and Reporting Framework and Guidelines						
<b>Organisational:</b>	Ravensthorpe Aboriginal and Torres Strait Islander Recognition Policy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every 4 years	<b>Next Due:</b>	2026	<b>Ref:</b>	G.16
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		New Policy – G16 Community Consultation				
2.	OCM 16/08/22 – Item 12.4.1		Revised and updated Policy and development of a Strategy				

## G.17 RECOGNITION OF SERVICE - COUNCIL MEMBERS

### Policy Objective

To formally recognise Council Members for their services to the community throughout the period during which they have held office as well as maintaining a historical record.

### Policy

#### **Council Photograph**

A group and individual photograph of Council Members is to be arranged within three (3) months after each Ordinary Election and a group photograph is to be displayed in the reception of both the Ravensthorpe and Hopetoun Administration Office receptions. Individual photographs are to be maintained on the Shire website.

In the event of an extraordinary election an individual photograph of the new Council Member is to be taken to maintain a current composite on the Shire website. A group photograph is to be arranged as soon as possible.

To assist in the early compilation of this composite photograph, once the proofs of individual photographs are received they are to be forwarded to Council Members for selection of the preferred photograph.

Should Council Members not forward advice of their preferred photograph within seven (7) days of receipt of the proofs, the Chief Executive Officer will select photographs of those that have not responded, for inclusion in the composite photograph.

#### **Presentation on Recognition of Service**

Upon retirement, resignation or being unsuccessful in securing a further term, A Council Member who has served at least one full four (4) year term of office will be entitled to an official presentation reception with the consent of the former Council Member. The reception is to include current and former Council Members and their partners.

The Chief Executive Officer is to consult with the Shire President to determine a suitable gift which shall be presented to the Council Member.

**Note:** The value of the gift is prescribed in regulations as being an amount of up to \$100 for each year served as a council member to a maximum of \$1,000.

#### **Honour Board**

The Shire of Ravensthorpe will maintain Honour Boards at the Ravensthorpe administration office recognising the following;

- Current/Former Shire Presidents.
- Current/Former Shire Clerks/Chief Executive Officers.
- Freeman of the Shire.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations Compliance Calendar (October)							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22		2022 Comprehensive Policy Manual review.				

## G.18 RECOGNITION OF VOLUNTEERS

### Policy Objective

The policy aims to assist the Shire to strengthen community wellbeing by inspiring, valuing and celebrating volunteering.

### Policy

The Shire of Ravensthorpe recognises that volunteering provides a number of wellbeing benefits to both the volunteers and the community including:

- Connectedness and reduced isolation through participation and engagement with others;
- Personal development of skills and self-esteem;
- Greater life meaning and purpose;
- Increase positive perceptions around community safety;
- Access to community resources and information; and
- Improvement to the quality of life for the community at large.

The Shire will provide support for volunteers to enhance and underpin their valuable role.

The Shire recognises all volunteers within the district by way of a function held annually. The Shire will be endeavour to hold the event in February of each year to account for seeding and harvesting.

The event is to be coordinated with any State or Federal supported activities and funding.

Document Control Box							
<b>Custodian:</b>	Executive Manager Corporate Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Delegated Authority – DA 1.2.15 – Waiving of Fees for Not For Profit / Community / Sporting Organisations. Appropriate Annual Budget Allocations Compliance Calendar (March)							
<b>Legislation:</b>							
<b>Industry:</b>	<b>National Standards for Involving Volunteers in Not-for-Profit Organisations</b> <a href="https://volunteeringaustralia.org/wp-content/uploads/VA-National-Standards-for-involving-volunteers-in-not-for-profit-organisations.pdf">https://volunteeringaustralia.org/wp-content/uploads/VA-National-Standards-for-involving-volunteers-in-not-for-profit-organisations.pdf</a>  <b>National Volunteer Week</b> <a href="https://www.volunteeringwa.org.au/training-and-events/events/national-volunteer-week">https://www.volunteeringwa.org.au/training-and-events/events/national-volunteer-week</a>						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	Decision Reference:			Description			
1.	OCM 21/07/20 – Item 13.2			2020 - Comprehensive policy register review.			
2.	OCM 18/08/21 – Item 13.1 Resolution 51/21			G18 – Recognition of Volunteers			
3.	OCM 19/07/22 – Item 12.1.2			2022 Comprehensive Policy Manual review			

## G.19 HONORARY FREEMAN OF THE SHIRE

### Policy Objective

To provide a process by which Council may formally recognise outstanding and meritorious service to the community of the Shire of Ravensthorpe

### Policy

Council may bestow the honorary title of Freeman of the Shire upon a person who has served the community on a continuous basis for greater than 15 years in an outstanding and meritorious manner that stands above contributions of most other persons in assisting in both the advancement of the Shire of Ravensthorpe and the provision of benefits for the greater community.

#### G.19.1 Entitlements

- (a) Any person upon whom the title Honorary Freeman of the Shire has been conferred may designate himself/herself "Honorary Freeman of the Shire of Ravensthorpe".
- (b) The recipient shall be presented with a name badge which identifies them as Freeman of the Shire along with an engraved award.
- (c) The recipient shall be recognised on the Shire of Ravensthorpe Honour Board.
- (d) Any Honorary Freeman of the Shire shall be invited to all subsequent formal Civic Reception conducted by the Shire.

#### G.19.2 Limitations on Holders of Award

The title of "Honorary Freeman of the Shire of Ravensthorpe" shall not be bestowed on any person currently employed or holding the office of Council Member at the Shire.

#### G.19.3 NOMINATION PROCEDURE

To preserve the integrity and importance of bestowing the honour of "Honorary Freeman of the Shire of Ravensthorpe" upon any individual, the following procedure applies:

- (a) Nominations for an "Honorary Freeman of the Shire of Ravensthorpe" are to outline the history of community service of the person being nominated and must be made in writing to the Chief Executive Officer in the strictest confidence without the nominee's knowledge.
- (b) Any resident or elector of the Shire may make a nomination but it must be countersigned by at least one third of the number of Members of Council.
- (c) On receipt of the nomination, the Chief Executive Officer will circulate the nomination to Council Members for consideration on a confidential basis.
- (d) Council Members will have two weeks, to consider the proposal.
- (e) If a Council Member wants to express an objection to the nomination, Council Member must give their reasons for the objection in writing to the Chief Executive Officer within the two week time frame.
- (f) Council Members who do not formally respond in writing will be presumed not to object to the proposal.
- (g) The Chief Executive Officer will submit a confidential report to a meeting of Council with details of the nomination, including any objections raised, for determination by Council. Any decision to support the nomination shall be resolved by an Absolute Majority of Council.

- (h) In the event Council supports the nomination, prior to any announcement, the Chief Executive Officer or Shire President shall make personal contact with the nominee to confirm their acceptance of the honour.
- (i) Should the nomination be supported and accepted the award shall be presented to the recipient at the next available Civic Reception.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Council Policy – G12 – Civic Receptions and Ceremonial Functions						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
<b>Version #</b>	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		New policy established.				
2.	OCM 19/07/22 – Item 12.12		2022 Comprehensive Policy Manual review				

## G20 COMMUNITY DEVELOPMENT FUND

### Policy Overview

Council supports the community through the provision of a Shire of Ravensthorpe Community Development Fund (CDF). Each year the level of community funds available will be up to a maximum of 1.5% of the prior year's rates revenue. The funds will be allocated across the following categories;

1. General Community Grants (groups and projects),
2. Community Events,
3. Major Events, and
4. Shire President Donations.

The allocation of CDF funds will be held annually by formal application with a closing date of 31 March each year. Available funds each year are limited and will be determined by Council via formal decision. The total available funds each year will be allocated across the stated categories at the discretion of Council and based on highest merit and greatest benefit to the Shire of Ravensthorpe residents and community. Any funds remaining unallocated may be used for additional Shire President Donations and if still unspent at end of year will be returned to consolidated revenue.

### Policy Objectives

The objectives of this policy are to provide clear guidelines for;

- Community groups, projects and event organisers within the Shire in their application for community funds,
- Council for their consideration and allocation of funds in a consistent and transparent manner, and
- Staff in the administration of the Shire's CDF.

### Policy

#### Definitions:

Community group	means any group which has as its members, members of the Shire of Ravensthorpe community and which operates on a "not for profit" basis. A community group may have a formal governance structure or may be a less structured group.
Auspicing organisation	means an incorporated organisation with a current ABN which agrees to work with a non-incorporated community group to receive, hold and disburse grant funds on behalf of the non-incorporated group. The auspicing organisation will be responsible for the management of the grant funds according to all conditions of the grant including acquittal. Acting in an auspicing capacity will not reduce this group's ability to apply for its own funding.

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.
Incorporated Association	means an organisation that has been incorporated under the <i>Associations Incorporation Act 2015</i> . Such an organisation has a formally adopted constitution and is governed by an elected committee.
Peak periods	means the WA school holiday periods covering the months of December, January, and April, and Easter holidays each year.
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 Development Fund

### a) Funding Round

The Community Development Fund will be allocated from within Council's budget with applications being called for in March to be considered for funding in the next financial year (July to June).

Each year the level of community funds available will be up to a maximum of 1.5% of the prior year's rates revenue (as an example, actual rate revenue in 2021/22 was \$4.83m therefore 1.5% or \$72,435 would be allocated to the CDF in the 2022/23 budget).

The allocation of CDF funds will be held annually by formal application with a closing date of 31 March each year. Available funds each year are limited and will be determined by Council via formal decision.

The total available funds each year will be allocated across the stated categories at the discretion of Council and based on highest merit and greatest benefit to the Shire of Ravensthorpe residents and community. Any funds remaining unallocated may be used for the Shire President donations and if still unspent at end of year will be returned to consolidated revenue.

### b) CDF Application Categories

Council will consider allocation of funds for each year's CDF program across the following 4 categories;

#### 1. General Community Grants (groups and projects):

Local community groups and not for profit organisations may apply for funding for projects and activities that benefit communities within the Shire of Ravensthorpe up to maximum of **\$3,500 ex GST**.

#### 2. Community Events:

Local community groups may apply for up to a maximum of \$5,000 ex GST for events that are targeted primarily at a local audience. Community events may create increased vibrancy, activate public places, and/or target specific groups within the local community.

**3. Major Events:**

Event organisers may apply for up to \$10,000 ex GST for events that are delivered within the Shire and have significant economic benefit to the Ravensthorpe community during non-peak periods.

Eligible events include, but not limited to sporting, recreational, music, cultural, food and wine, special interest, and business conferences that have the potential to attract significant numbers from outside the region and that ultimately generate additional expenditure into the Ravensthorpe economy.

The Shire will only fund Major Events staged outside of the defined Peak period to encourage economic visitor spend during shoulder and low seasons.

**4. Shire President Donations:**

Local community groups or individuals (where an individual can demonstrate sufficient justification for the provision of financial assistance) may apply for up to \$750 ex GST. The Donations category is provided to cover any applications that may not qualify for the other stated CDF categories, and may be applied for at any time of the year subject to funds still being available.

Applicants are limited to only apply for one of the above categories in any one year. Shire President Donations may be considered in addition to applications in other categories under exceptional circumstances as determined by the Shire President.

**c) Shire President Donations:**

Applications for Donations, to a maximum of \$750, may be submitted at any time throughout the year for any purpose. Applications will be received from Shire based organisations, or individuals, where an individual can demonstrate sufficient justification for the provision of financial assistance. For example, such justification may include selection as a representative on a state or national team, with associated costs. Council will determine the level of funding allocated to the Shire President Donations category when considering other CDF applications.

Donations shall be referred to the Chief Executive Officer who will forward to the Shire President for consideration under Delegated Authority of Council. Donations will be considered as long as sufficient funds exist within the CDF budget.

### Community Development Fund Conditions

Application and Assessment; the CDF program will be open to receive applications in March each year. Council will then consider applications for inclusion in the following year's annual budget. Applicants will be notified of their success after formal endorsement by Council. All applications shall be made on the form available from the Council. Applicants must address the selection criteria provided within the application guidelines. Only one application per group will be funded across the four categories each financial year (an auspicing group will not limit their own group's ability to apply for funding).

Additional Shire President Donations may be considered in exceptional circumstances. Late applications will not be accepted for consideration unless they are of an urgent or emergency nature. Unsuccessful applicants will be advised and will need to reapply in the next year if the funding assistance is still required at that time.

Other Shire Approvals; applicants who receive CDF funding must still seek all relevant Shire approvals (eg event or building permits) from the Shire of Ravensthorpe. CDF approval does not confer any additional approvals apart from granting of funds.

Funding amounts; category funding levels are determined as per point 2 above – CDF Application Categories. The amounts detailed are maximums and should not be viewed as a guarantee of that level of funding. Council may decide to award part or none of the amounts requested. Council to review maximum funding levels as part of annual policy manual review.

Funding acknowledgement; applicants who receive CDF funding are required to recognize Shire support wherever possible, and may include but not limited to within all publicity material, invitations to attend events, inclusion on signage and the like.

Retrospective Funding; CDF funding cannot be granted retrospectively. Shire President Donations may be considered under exceptional circumstances.

Funding Termination; a funding agreement may be refused and/or terminated if deemed by the Chief Executive Officer as a real or perceived conflict, or where a breach of the terms of an agreement has occurred.

Administration of funds; All approved grant funds will be released in the new financial year and must be claimed and acquitted in the financial year it is provided. Funds will only be paid to incorporated groups which have a current ABN and on submission of a tax invoice. Groups which are not incorporated are able to apply for funding but must nominate in their application the name and ABN of an auspicing group which will receive and acquit the funds on their behalf if the application is successful. Only Shire President Donations may be paid to non-incorporated groups or individuals.

Acquittal of funds; Acquittal of grant funds shall be to the satisfaction of the Chief Executive Officer and generally requires the production of documentation or receipts sufficient to substantiate that the project funds have been spent in accordance with the grant application. Should the project not be completed by within the agreed timeframes the organisation can apply to Council for an extension for the funds to be carried over to the next financial year (an application must be made prior to consideration of the next years funding round). Prior approval must be sought for any substantial change of proposal. If no request is made the funds will not be carried forward and any funds already provided are to be returned to the Shire of Ravensthorpe.

Document Control Box						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations Delegated Authority – DA 1.2.30 – Determination of Community Donations Delegated Authority – DA 1.2.31 – Approval to extend acquittal of Minor Community Grant by up to one year. Compliance Calendar (March)						
<b>Legislation:</b>						
<b>Industry:</b>						
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2022	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			
3.	<b>OCM 28/02/23 – Item 12.1.1 Council Resolution 02/23</b>		<b>Amendments:</b> The revised draft policy includes an increase in funds allocation equivalent to up to 1.5% of the previous year's rate revenue. The revised draft CDF recommends four categories for funding with each category having a specific focus, maximum funding level, and application and acquittal requirements. The categories include; <ol style="list-style-type: none"> <li>1.1 General Community Grants (groups and projects) up to a maximum \$3,500,</li> <li>1.2 Community Events up to a maximum of \$5,000,</li> <li>1.3 Major Events up to a maximum of \$10,000,</li> <li>1.4 Shire President Donations up to a maximum of \$750.</li> </ol>			

## G21 SUPPORT TO THE RAVENSTHORPE HOPETOUN FUTURE FUND BOARD

### Policy Objective

To clearly define the Shire of Ravensthorpe's administrative and financial support as Trustee to the Ravensthorpe Hopetoun Future Fund.

### Policy

#### **Support to the Ravensthorpe Hopetoun Future Fund**

The Shire President and Chief Executive Officer are appointed to the Ravensthorpe Hopetoun Future Fund as confirmed in the Trust Deed (clause 9.4(b)(2)&(3)).

The Shire of Ravensthorpe as Trustee will hold the Ravensthorpe Hopetoun Future Fund (RHFF) Trust Fund and the income from the Trust Fund. The Trust Fund constitutes a trust fund under section 6.9 of the *Local Government Act 1995* (WA), and despite section 6.9(4) of that Act, the Shire of Ravensthorpe agrees that it will not, even after the Trust Fund has been held on trust for ten (10) years, transfer the Trust Fund to a municipal fund.

The Shire of Ravensthorpe must keep or cause to be kept proper accounts in respect of all receipts and payments on account of the Trust Fund and of all dealings connected with the Trust Fund and will be in keeping with the requirements of the *Local Government Act 1995* and associated regulations.

The Shire of Ravensthorpe will not charge any fee or be paid any remuneration for acting as Trustee or administering the Trust Fund.

In accordance with the Trust Deed, the Shire of Ravensthorpe, must provide free of charge to the Trust support and services, including the funding of costs and expenses associated with that support and services, required by the Trust and the Board to administer the Trust Fund, including without limitation:

- preparation of financial statements and audit in accordance with statutory requirements and the requirements of this deed;
- provision of a venue for meetings of the Board and all other costs incurred in connection with such meetings other than any travel or meeting attendance costs or expenses incurred by, or meeting attendance fee or allowance payable to, by a member of the Board;
- secretariat services to the Trust, including handling of inward and outward correspondence, phone enquiries and the provision of a web page;
- services and support, including advertising, selection and notification costs, associated with the soliciting of ideas for projects from the community that the Trust may fund;
- any taxation administration necessary to have the Trust endorsed as exempt from income tax under Division 50 of the ITAA97, and thereafter to ensure the Trust remains compliant with all taxation laws, including income tax and GST; and
- any administration necessary to implement changes to the Board in the event of resignation or removal of any member.

### Reimbursement of Expenses to Board Members

With the exception of the President and Chief Executive Officer of the Shire of Ravensthorpe, Board members will be reimbursed the expenses necessarily incurred by them in respect to the following:

#### **Travel Expenses**

Board members shall only claim travelling to the destination from their normal place of employment and/or residence and return, in respect to the following journeys:

- (a) to attend Board meetings,
- (b) to attend Board Community presentations.

The rate of reimbursement of a vehicle kilometre rate being paid in accordance with the Australian Taxation Office determination.

Claim forms as deemed appropriate by the Chief Executive Officer are to be provided to Board Members for completion and forwarded to the Executive Manager Corporate and Community Services.

All expenses incurred under this section shall be paid from the Ravensthorpe Hopetoun Future Fund.

### Chairperson Meeting Reimbursement

In addition to reimbursement of travelling expenses the Board Chairperson shall be paid a voluntary Chairperson meeting reimbursement of \$500 per meeting attendance as authorised by the Chief Executive Officer. The Chairpersons meeting reimbursement shall be limited at \$3,000 per annum.

All expenses incurred under this section shall be paid from the Ravensthorpe Hopetoun Future Fund.

### Additional costs

As outlined in the Deed the Shire of Ravensthorpe shall support the Ravensthorpe Hopetoun Future Fund by way of the following support;

- Board meeting meals and refreshments.
- Secretariat support (including Board papers and minute taking).
- Annual and specific purpose Audit Fees.
- Legal Fees in managing the Deed.
- Advertising and promotional material for the Fund.

All expenses incurred under this section shall be paid from the Shire of Ravensthorpe adopted budget.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements: Appropriate Annual Budget Allocations							
Legislation:	Charities Act 2013 s6.9(4) [Trust Fund] of the <i>Local Government Act 1995 (WA)</i>						
Industry:	Australian Charities and Not for Profits Commission - The Trustee for Ravensthorpe Hopetoun Future Fund. (Including Governing Document) <a href="https://www.acnc.gov.au/charity/3344d12635e9845312d09ae2096dc2f5#overview">https://www.acnc.gov.au/charity/3344d12635e9845312d09ae2096dc2f5#overview</a> Australian Taxation Office – Cents per kilometre method <a href="https://www.ato.gov.au/Business/Income-and-deductions-for-business/Deductions/Deductions-for-motor-vehicle-expenses/Cents-per-kilometre-method/">https://www.ato.gov.au/Business/Income-and-deductions-for-business/Deductions/Deductions-for-motor-vehicle-expenses/Cents-per-kilometre-method/</a>						
Organisational:							
Document Management: Ravensthorpe Hopetoun Future Fund Deed and any subsequent Deeds of Variation.							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2022	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## G22 TEMPORARY EMPLOYMENT OR APPOINTMENT OF CHIEF EXECUTIVE OFFICER

### Policy Objective

To establish in accordance with the requirements of section 5.39C of the *Local Government Act 1995 (Act)* the process for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or vacancy.

### Policy

#### DEFINITIONS

##### **Acting Chief Executive Officer**

Means a person appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed but is on leave for any reason.

##### **Temporary Chief Executive Officer**

Means a person appointed to fulfil the statutory position of CEO for the period of time between when the substantive CEO's employment has ended and a new substantive CEO, appointed by Council, commences employment.

#### **(a) Chief Executive Officer Leave Entitlements**

- i) The CEO is contractually entitled to leave condition as specified in their employment contract and subject to relevant industrial and employment law.
- ii) Approval for the CEO to take leave entitlements is at the written discretion of the Shire President, or where the Shire President is on an approved leave of absence, the Deputy Shire President. The Shire President / Deputy Shire President, as applicable cannot unreasonably withhold approval.

#### **(b) Acting and Temporary CEO**

- i) When the CEO is on leave or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointment in accordance with this Policy to fulfil the duties and functions of the CEO as detailed in section 5.41 of the Act.
- ii) Through this policy and in accordance with section 5.36(2)(a) of the Act, Council determines that persons appointed as the incumbent to a position of Executive Manager are considered suitably qualified to perform the role of Acting or Temporary CEO. A person appointed as Acting Executive Manager is not included in this determination.

#### **(c) Appointment of an Acting Chief Executive Officer – Planned and Unplanned Leave or Work Related Absences for Periods up to 5 Weeks**

- i) The CEO is authorised to appoint an Executive Manager in writing as Acting CEO, where the CEO is on planned or unplanned leave or is at work but interstate or overseas, for periods not exceeding five (5) weeks, subject to the CEO's consideration of the Executive Manager's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.
- ii) The CEO is to immediately advise all Council Members when and for what period of time an Executive Manager is appointed as Acting CEO.

- iii) If the CEO is unable or unavailable to make the decision to appoint a Executive Manager, then the following line of succession shall apply until the Council can, at the earliest opportunity, make a decision to appoint an Acting CEO.
- iv) The Executive Manager Corporate Services will act as CEO; or
- v) If the Executive Manager Corporate Services is unable or unwilling, the Executive Manager Infrastructure Services will act as CEO.

**(d) Appointment of an Acting Chief Executive Officer – Extended Planned Leave Periods Greater than 5 Weeks but Less than 12 Months and Suspension**

- i) Extended Planned Leave may include; accumulated annual leave, long service leave or personal leave. The following practice also applies where the incumbent CEO has been suspended or stood down.
- ii) The Council will, by resolution, appoint an Acting CEO during periods of extended planned leave greater than five (5) weeks but less than 12 months or suspension,, as follows:
- iii) Appoint one or multiple Executive Managers as Acting CEO for defined periods to ensure the CEO position is filled continuously for the period of extended leave or suspension; and/or
- iv) Conduct an external recruitment process in accordance with clause 18A of the Local Government (Administration) Regulations 1996.
- v) The Shire President/Deputy Shire President, as applicable, will liaise with the CEO, to coordinate Council resolutions necessary to facilitate the appointment of an Acting CEO.
- vi) Subject to Council's resolution, the Shire President/Deputy Shire President, as applicable, will execute in writing appointment as Acting CEO.

**(e) Appointment of a Temporary Chief Executive Officer - Vacancy**

In the event that the incumbent CEO's employment with the Shire has ended or is ending, the following applies:

- i) If Council has already appointed by resolution an Acting CEO, that person shall act as the Temporary CEO for the period of time for which the Council resolution specifies.
- ii) If Council has not appointed an Acting CEO and the incumbent CEO's employment has already ended, then until a Special Council Meeting can be convened to formally determine an appointment the following interim measures shall apply:
  - A. The Executive Manager Corporate Services will be the interim Temporary CEO;
  - B. If the Executive Manager Corporate Services is unable or unwilling, the Executive Manager Infrastructure Services will be the interim Temporary CEO.
- iii) When determining to appoint a Temporary CEO the Council may either:
  - A. By resolution, appoint a Executive Manager 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
  - B. By resolution, appoint a Executive Manager as an interim Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; and/or if the incumbent CEO's employment has not yet ended;
  - C. Undertake an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, to appoint a temporary CEO for the

period of time until a substantive CEO has been recruited and commences employment with the Local Government.

**(f). REMUNERATION AND CONDITIONS OF ACTING CEO**

- i) Unless Council otherwise resolves, a person acting as CEO shall be remunerated at 100% of the cash component only of the substantive CEO's total reward package.
- ii) In accordance with section 5.39(1a)(a) of the Act, an Executive Manager, as an existing employee of the Local Government, can act in the position of the CEO for a term not exceeding one year without a written contract for the position.
- iii) In accordance with section 5.39(2)(a) of the Act, appointment of a person as Acting or Temporary CEO, who is not an existing employee of the Local Government will require a contract for a term not exceeding one year, subject to compliance with all other contract requirements of the Act.
- iv) Subject to employment and industrial relations law advice, Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	<a href="#">S5.39 Contracts for CEO and Senior Employees Local Government Act 1995</a> <a href="#">S5.39C Policy for Temporary Employment or Appointment of CEO</a>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Annual	Next Due:	2023	Ref:	
Version #	Decision Reference:		Description				
3.	OCM 14/07/21 – Item 13.2		New Policy Established.				
4.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

---

## G.23 COMMUNICATIONS AND SOCIAL MEDIA POLICY

---

Policy Repealed at the OCM held 19 July 2022.

Policy to be dealt with by way of a CEO's Operational Policy Manual

## G24 CEO RECRUITMENT, PERFORMANCE AND TERMINATION

### Policy Objective

To fulfil its civic objectives the Shire will deliver a range of civic and ceremonial functions, as well as other functions and events as the need arises.

These events and functions foster positive relationships between the community and the Shire, connect the community in celebration, recognise and celebrate individual and community achievements, and promote community spirit.

### Division 1 – Preliminary Provisions

#### Citation

These are the Shire of Ravensthorpe Standards for CEO Recruitment, Performance and Termination.

### G24.1 Terms used

(3) 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 Ravensthorpe;

**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.

(4) 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.

### Division 2 — Standards for Recruitment of CEOs

#### Overview of Division

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

### G24.2 Application of Division

(3) 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.

- (4) 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).

#### G24.3 Determination of selection criteria and approval of job description form

- (3) 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.
- (4) 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 —
  - (c) The duties and responsibilities of the position; and
  - (d) The selection criteria for the position determined in accordance with subclause (1).

#### G24.4 Advertising requirements

- (3) 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.
- (4) 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.

#### G24.5 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 —

- (3) Inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (4) If the person advises the local government that the person is unable to access that website address —
  - (c) Email a copy of the job description form to an email address provided by the person; or
  - (d) Mail a copy of the job description form to a postal address provided by the person.

#### G24.6 Establishment of selection panel for employment of CEO

- (4) In this clause —

**independent person** means a person other than any of the following —

  - (a) A council member;
  - (b) An employee of the local government;
  - (c) A human resources consultant engaged by the local government.
- (5) 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.

- (6) The selection panel must comprise —
  - (a) Council members (the number of which must be determined by the local government); and
  - (b) At least 1 independent person.

#### G24.7 Recommendation by selection panel

- (7) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (8) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
  - (c) A summary of the selection panel's assessment of each applicant; and
  - (d) 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.
- (9) 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 —
  - (c) That a new recruitment and selection process for the position be carried out in accordance with these standards; and
  - (d) The changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (10) The selection panel must act under subclauses (1), (2) and (3) —
  - (c) In an impartial and transparent manner; and
  - (d) In accordance with the principles set out in section 5.40 of the Act.
- (11) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
  - (d) Assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
  - (e) Verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
  - (f) 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.
- (12) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

#### G24.8 Application of cl. 5 where new process carried out

- (3) 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.
- (4) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
  - (c) Clause 5 does not apply to the new recruitment and selection process; and

- (d) 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.

#### G24.9 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 —

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

#### G24.10 Variations to proposed terms of contract of employment

- (3) 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).  
(4) 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.

#### G24.11 Recruitment to be undertaken on expiry of certain CEO contracts

- (5) In this clause —

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

- (6) This clause applies if —

- (b) Upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —  
(i) The incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and  
(ii) A period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

- (7) 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.  
(8) 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.

#### G24.12 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

#### **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.

#### G24.13 Performance review process to be agreed between local government and CEO

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

#### G24.14 Carrying out a performance review

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

#### G24.15 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.

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 —

- (c) The results of the review; and
- (d) 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

#### **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.

#### G24.16 General Principles applying to any termination

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

#### G24.17 Additional principles applying to termination for performance related reasons

- (5) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (6) The local government must not terminate the CEO's employment unless the local government has —
  - (a) In the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
  - (b) Informed the CEO of the performance issues; and
  - (c) Given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
- (7) Determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (8) 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.

#### G24.18 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.

#### G24.19 Notice of termination of employment

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

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	<i>Local Government Act 1995</i> <a href="#">S5.39 Contracts for CEO and Senior Employees Local Government Act 1995</a> Local Government (Administration) Regulations 1996 Local Government Legislation Amendment Act 2019 section 22 – s5.39A, 5.39B & 5.39C Local Government (Administration) Regulations 1996 (Administration Regulations) Regulation 18A amended, 18C and 18D deleted, 18FA to 18FC inserted						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2022	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
3.	OCM 14/09/20 – Item		New legislative policy requirement.				
4.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

## G25 TABLET USAGE BY COUNCIL MEMBERS AND STAFF

### Policy Objective

To provide guidelines for access to and usage of tablet electronic devices (iPads/Tablets). iPads/tablets are the preferred mechanism for delivery of the Council's Minutes and Agenda and other Council related documents.

iPad/tablets will assist in communications between Council Members and the CEO as required for business continuity as the result of a pandemic or adverse event.

iPad/tablet usage will improve effective and efficient dissemination of information in line with Council requirements and strategic visions.

### Policy

#### (a) Provisions of Digital Tablet Devices to Council Members and Staff

The Shire of Ravensthorpe is committed to providing efficient and effective means of supporting Council Members in the decision-making processes of the Council. The *Local Government Act 1995* specifies that one of the Chief Executive Officer functions is to "ensure that advice and information is available to the council so that informed decisions can be made". To meet this requirement Council Members will be provided with a digital tablet as primary tool source of advice and information.

#### (b) First Term Council Members

Digital tablet devices will be issued on a four year term basis suitable for undertaking their duties as Council Member.

#### (c) Acceptable Usage

The iPad/tablet is provided primarily for use by Council Members, in performing their civic duties as a Council Member.

The iPad/tablet will be loaded with applicable business-related applications and software to allow remote communication for conducting the normal business of Council.

Each iPad/tablet will include an appropriate, standard monthly data plan as determined by the CEO.

#### (d) Conditions of Use

- Council Members and staff are required to ensure iPads/tablets are maintained in an operative condition.
- SIMs and data packages provided with the tablets are for Council and Council related business only.
- Council Members issued with an iPad/tablet are responsible for the security and upkeep of the iPad/tablet.
- Lending of the iPad/tablet is strictly prohibited.
- The iPad/tablet is to remain with the designated person and not swapped with other employees/Council Members.
- Passwords to access the iPad/tablet and various applications are provided by the Administration on issue of each iPad/tablet and are to remain as set by the Shire.

- “Find My iPad” or equivalent Location Services are to remain on at all times.
- All lost or stolen iPads/tablets should be reported as soon as practicable to the Chief Executive Officer.
- An iPad/tablet must never be checked-in as baggage on an aircraft and must always be taken on board as hand luggage.

**(e) User Requirements**

- If a user suspects that unauthorised access to Council data has taken place via an iPad/tablet device, the user must report the incident as soon as practicable.
- Devices must not be “jailbroken”, that is, the removing of limitations imposed by the manufacturer, or have any software/firmware installed which is designed to gain access to functionality not intended to be exposed to the user.
- Users must not load pirated software or illegal content onto their devices.
- Council reserves the right to monitor the data usage on the devices.
- The Council reserves the right to cap or change the data plan to comply with Council’s data requirements.

**(f) Training and Reporting of Issues/Faults**

- Council Members are to request training through the Chief Executive Officer.
- Council Members must report any issues or faults with the iPads/tablets or make any enquiries on usage directly to the Chief Executive Officer.

**(g) Term Completion**

On completion of a term of office as a Council Member, or at the cessation of civic duties, or as requested by the Chief Executive Officer, Council Members are required to return the iPad/tablet and all accessories to the Administration Office as soon as practicable, but within 28 days otherwise you will be deemed to be seeking to purchase the digital device as per Section 1.7 below.

**(h) Purchase of IPAD/TABLET**

Council Members who complete their four-year term with Council can retain their allocated iPad/tablet free of charge however, Council Members will be responsible for all data usage requirements once this handover has occurred. Whilst Council Members that have not served a full four year term have the opportunity to purchase their iPads/tablets at a pro-rata fee which may be deducted from any unpaid allowances.

**(i) Agreement**

Upon commencement with Council, Council Members are required to read the Internet and Email Policy and Communications and Social Media Policy and declare that they will observe and abide by the terms and condition outlined in this Policy.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b> Appropriate Annual Budget Allocations							
<b>Legislation:</b>	Local Government Act 1995 – Section 5.41: Functions of CEO						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2025	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 15/04/2022 - Item 10.0		Tablet Usage by Council Members and Staff				
2.	OCM 19/07/2022 – Item 12.1.2		2022 Comprehensive Policy Manual review.				

---

# LAW, ORDER AND PUBLIC SAFETY

---

## LO1 BUSH FIRE CONTROL – CAMPING AND COOKING FIRES

### Policy Objectives

Council in consultation with the Bushfire Advisory Committee (BFAC) is to determine specific discretionary conditions and dates for approved camping and cooking fires.

### Policy

That in accordance with the provisions of Section 25 (1a) of the *Bush Fires Act 1954*, the lighting of fires in the open air in the Shire of Ravensthorpe, for the purpose of camping, and cooking is prohibited during the prohibited burning times, except in the Starvation and Mason Bay Camping areas.

Lighting of fires in the open air in the Shire of Ravensthorpe, for the purpose of camping and cooking, is permitted during the period 30 April to 19 September, without a permit to burn.

### Conditions of Use:

- All open fires are to be contained within a cement ring or designated fire areas, i.e. barbecue.
- Fires are to be extinguished when not attended.
- Wood, including kindling, must be supplied by campers from outside the Shire camping areas.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements: Delegated Authority – DA - 2.1.3 – Burning Garden Refuse / Open Air Fires.							
Legislation:	Section 25 (1a) [No fire to be lit in open air unless certain precautions taken] of the <i>Bush Fires Act 1954</i>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	High	Review Frequency:	Annually	Next Due:	July 2023	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LO2 SHIRE OF RAVENSTHORPE BUSH FIRE ADVISORY COMMITTEE (BFAC)

### Policy Objectives

#### Terms of Reference

Shire of Ravensthorpe Bush Fire Advisory Committee (BFAC) in order to promote, encourage volunteerism and to make the Shire of Ravensthorpe a safe community by managing fire risk.

### Policy

#### Vision

- Continue to review current fire-fighting practices to improve operational effectiveness.
- Ensure that all fire-fighting appliances are in a state of operational readiness.
- Improve communication and co-ordination in fire-fighting activities.
- Promote fire safety to the community through public education and involvement.
- Continue to review and upgrade plans and other key documents.
- Continue to improve the command and control of incidents.
- Continue to support and encourage volunteer participation.
- Continue to work in partnership with other organisations.
- Support and promote the safety and health of volunteers.
- Develop and implement training structures, systems and procedures in conjunction with DFES to support the community.
- Provide support and guidance to Bush Fire Brigades in the Shire of Ravensthorpe.

#### Membership

Membership of the Committee will comprise of all gazetted Fire Control Officers for the Shire of Ravensthorpe who shall have voting rights as well as key stakeholders to the group who are non-voting members.

#### Voting Members

- Chief Bush Fire Control Officer (CBFCO)
- Deputy Chief Bush Fire Control Officer x 2 (DCBFCO)
- All Brigade Fire Control Officers
- Two Bush Fire Control Officers (Permits)
- One Fire Weather Officer

#### Non-Voting Attendees

- Community Emergency Services Officer / Secretary
- Council Representative
- Department of Fire and Emergency Services (DFES) District Manager.
- Department of Biodiversity, Conservation and Attractions (DBCA) Fire Co-ordinator.

### MEETINGS

#### Annual General Meeting:

The Annual General Meeting is to be held in March (But may be varied on seasonal conditions). Elections for nomination to Council of a Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers and one of their numbers to be Chairperson and Deputy Chairperson to be held at the AGM.

Note: The chairperson shall not be the CBFCO or the DCBFCO.

#### Committee Meetings:

The committee shall meet as often as its chairperson and/or the Council decides, but no less than two times per year, once in September and once in March (But may be varied on seasonal conditions).

Note: A Committee Meeting does not include an Annual General Meeting.

**Quorum:**

The quorum at any meeting shall be seven voting members of the committee.

**Voting:**

In accordance with the s5.21 of the *Local Government Act 1995*, with all voting members of the Committee are entitled and required to vote (subject to financial interest provisions of the Act).

**Minutes:**

Shall be in accordance with the s5.22 of the *Local Government Act 1995*.

**Meetings:**

Meetings shall be generally open to the public.

**Members Interest to be Disclosed:**

Members of the Committee are bound by the provisions of the s5.65 of the *Local Government Act 1995*, with respect to disclosure of financial, impartiality or proximity interests.

**Secretariat:**

A Shire Staff Officer appointed by the Chief Executive Officer will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of agendas and minutes.

**Chairperson:**

The Chairperson and Deputy Chairperson are to be elected annually at the Annual General Meeting of the Bush Fire Advisory Committee.

**Ex-Officio Members:**

The Committee is authorised to co-opt standing ex-office members as non-voting members.

**Meeting Attendance Fees:**

Nil.

**Delegated Authority:**

Nil.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	s.67 [Advisory Committees] of the <i>Bush Fires Act 1954</i> . s.5.21 [Voting] and s.5.22 [Minutes of meetings] of the <i>Local Government Act 1995</i>						
Industry:							
Organisational:	c3.10 [Functions of Advisory Committee] of the Bush Fire Brigades Local Law 2010						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LO3 BUSH FIRE CONTROL – BURNING RESTRICTIONS

### Policy Objectives

#### Terms of Reference

Council in consultation with the Bushfire Advisory Committee (BFAC) is to determine specific discretionary dates for Bush Fire Control Burning Restrictions.

### Policy

#### Burning on Sundays

Burning on Sundays is prohibited, except between 1 March to 19 September. Information to this effect is to be included in the annual Shire of Ravensthorpe Fire Control Notice and Fire Break Notice to property owners.

#### Burning Permit Exemptions

A permit to burn is not required to burn within an area not exceeding 0.1 of a hectare, during the period 31 May to 31 August each year, except for the district, where the fire is to be lit, is Very High or above.

Where burning is to occur the landowner/occupier must obey the following conditions;

- Burn area must have a 3m wide bare earth firebreak surrounding it.
- Someone shall be in attendance at all times.
- Inform your neighbours, prior to lighting.
- Piles for burning cannot be greater than 2sqm in diameter and 1m in height.
- For rural small holdings and rural residential lots to have a fire unit carrying a minimum of 400lt present at all times.
- For town site blocks to have a hose connected to running water that can reach the whole burn area.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements: Delegated Authority – DA – 2.1.7 – Prohibited Burning Times – Control Activities Delegated Authority – DA – 2.1.8 – Prohibited Burning Times – Vary Delegated Authority – DA – 2.1.9 – Prohibited Burning Times – Vary and Control Activities							
Legislation:	s18 [Restricted burning times may be declared by FES Commissioner] of the <i>Bush Fires Act 1954</i> Part IV — [Burning during restricted times and prohibited times] - Bush Fires Regulations 1954						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	High	Review Frequency:	Annually	Next Due:	June 2023	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LO4 REMOVAL AND DISPOSAL OF CERTAIN ABANDONED VEHICLES

### Policy Objectives

To enable Authorised Officers to remove, other than by impounding, and dispose of certain abandoned vehicles found in public places within the district of the Shire of Ravensthorpe.

### Policy

Upon being reasonably satisfied that an abandoned vehicle, or part thereof, has no value or that the cost of its removal and storage costs will exceed the amount likely to be obtained by its sale, the Chief Executive Officer may deem it to be litter within the meaning of the term as defined in the *Litter Act 1979* and arrange for its appropriate disposal.

Document Control Box						
Custodian:	Executive Manager Infrastructure Services					
Decision Maker:	Council					
Compliance Requirements: Delegated Authority – DA 1.2.5 – Disposal of confiscated or uncollected goods.						
Legislation:	Schedule 1 Litter creating public risk – Item 7 - Motor vehicle body or motor vehicle part of the Litter Regulations 1981.					
Industry:						
Organisational:	7.3 Vehicles not to obstruct a public place (Greater than 24 hours) of the Shire of Ravensthorpe Parking and Parking Facilities Local Law 2010  Shire of Ravensthorpe Fees & Charges Manual – Vehicle Impoundments					
Document Management:						
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	June 2026	Ref:
Version #	Decision Reference:		Description			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## LO5 SHARK RESPONSE

### Policy Objectives

Provide direction for responding to shark attacks and shark sightings, as well as the broader approach to safety warnings and information provided to the public.

Guide the administration of the Shire of Ravensthorpe Local Government Property Local Law 2010, under which a sign may be erected to regulate, prohibit or restrict specific activities on the beach or in the water and the giving of directions to swimmers to leave the water if a shark is suspected of being in the vicinity of the beach.

Provide a manageable from a practicable and resource capacity perspective, while also giving the public the option of making an informed decision about personal safety with regards to entering the water after a confirmed shark sighting / attack.

### Policy

The Shire's actions will be guided by the following considerations:

- Public warnings and beach closures are a strategy intended to reduce the likelihood of shark-human encounters however complete protection from sharks in the ocean environment, can never be guaranteed;
- Sharks are very mobile and are capable of travelling large distances in a short period of time;
- Authorised Persons should access credible information to inform response strategies – primarily from Water Police, Department of Primary Industries and Regional Development; and
- The contents of this policy are deemed manageable from a practicable and resource capacity perspective, while also giving the public the option of making an informed decision about personal safety with regards to entering the water after a confirmed shark sighting/attack.

### Scope

This policy applies to beach areas under the care, control and management of the Shire of Ravensthorpe, excluding privately owned land and land in National Parks.

### Strategy

#### Criteria of Evaluation

All Shark sightings are to be reported to Water Police on 9442 8600.

The Shire will mobilise Authorised Persons to respond to a confirmed shark sighting reported by Water Police where it meets ALL of the following criteria:

Type: White, Bronze Whaler, Tiger or Bull Shark.  
Size: 2-3 metres in size.  
Location: Sighted within 500m of shore, and within Shire managed coastline.

Or

Size: Greater than 3 metres in size.  
Location: Sighted within 1km of shore, and within Shire managed coastline.

Where the shark species is unconfirmed but meets the remaining criteria, the Shire will also mobilise as outlined below.

Due to the minimal risk associated, if a shark reported is less than 2m in length, the Shire will monitor but maintain normal operations.

### **Beach Categories**

In determining the level of shark response, the following Beach Categories and summary response protocols have been established:

- **Category 1** – Easy road access, regularly populated, car parking and amenities provided.
- **Category 2** – Access available, not regularly populated by crowds, car parking available, no amenities.
- **Category 3** – Remote, limited access, no amenities, not thought to have crowds of 10 persons or more.

### **Response Activities – Confirmed Shark Sightings**

- **Shark Sighting at Shire Managed/Controlled Beaches (Category 1):**
  - For shark sightings meeting the above criteria the beach will be closed for a minimum of 1 hour, and remain in place for 1 hour after the last confirmed sighting;
  - Beach closed signs will be installed by Authorised persons at key car park and beach access points; and
  - Alert beach goers where possible.
- **Shark Sighting at Shire Managed/Controlled Beaches (Category 2):**
  - These Shire controlled beaches will not be formally closed in the event of a shark sighting. Instead, warning signs, displaying relevant information of public interest will be erected at key car park/beach entry points;
  - Where a reported shark is greater than 3 metres in size and less than 500m from the shore, an Authorised person will attempt to notify the public up to 1km each side of the relevant beach area of the danger;
  - Where it is identified that the public is in clear immediate danger from shark threat, an Authorised Person will endeavour to notify the public via the use of a dedicated speaker/siren system, where available and practical;
  - These beach signs will remain in place for a minimum of two hours from the time of reported sighting, not from the time of arrival at the site; and
  - Where the sighting occurs at dusk, or Rangers are responding to other priority matters, warning signs will stay in place for the remainder of that day, to be removed the following day.
- **Shark Sighting at Shire Managed/Controlled Beaches (Category 3):**
  - These Shire controlled beaches will not be formally closed in the event of a shark sighting. Instead, permanent warning signs, displaying relevant information of public interest will be erected at key car park/beach entry points;
  - Where a reported shark is greater than 3 metres in size and less than 500m from the shore, an Authorised person will attempt to notify the public up to 1km each side of the relevant beach area of the danger.

## Response Activities – Confirmed Shark Attack

- **Shark Attack at Shire Managed/Controlled Beaches (Category 1, 2 and 3):**
  - Where a shark attack/fatality occurs, the relevant beach will be formally closed by an Authorised Person(s) for the remainder of the day;
  - Upon deliberation with WA Police and Department of Primary Industries and Regional Development, the beach may either be re-opened to the public by an Authorised Person the following morning, or remain closed for another 24 hours;
  - Beach closed signs will be erected at key car park/beach entry points as soon as practicable to notify beach goers of the potential danger;
  - An Authorised Person will also walk the relevant beach area one kilometre each side of the attack to notify beach goers of the potential danger; and
  - Where it is identified that the public is in clear immediate danger from shark threat, an Authorised Person will endeavour to notify the public via the use of a dedicated speaker/siren system, where available and practical.

## Promotion of Relevant Information Sources:

The Shire will promote to the public relevant information sources to assist education, awareness raising and informed personal decision making:

- Report Shark Sightings to Water Police on 9442 8600;
- <http://www.sharksmart.com.au> – Department of Primary Industries and Regional Development information portal; and
- Shire of Ravensthorpe website/media releases.
  - Where shark related sightings are a frequent occurrence, that is, more than 4 times in one given year in one location, or in an area of known shark attack/fatality, the Shire may consider installing permanent static signs to notify the public of the potential risk; and
  - Permanent signage may contain relevant information provided by the Department of Primary Industries and Regional Development and Surf Life Saving WA outlining safer water use practices/considerations.

## Jurisdictions and Role Clarification Related to Response Protocols:

- Shire Authorised Personnel will respond to confirmed sightings within Shire designated beaches;
- The Shire will support other agencies such as the Department of Primary Industries and Regional Development, Department of Biodiversity, Conservation and Attractions, WA Police, Surf Life Saving WA and other local government authorities to respond to shark threat within their jurisdictions where resources and capacity is available;
- WA Police are the controlling agency for shark fatalities on behalf of the coroner. The Shire will assist with any other support where applicable;
- Department of Primary Industries and Regional Development is responsible for any actions related to the attempted capture and or destruction of a potentially dangerous shark(s);
- In the event of a shark related fatality, a debrief will be organised by the Shire post event, inclusive of response and support agencies, as well as the public (where relevant), to review and refine response protocols/areas of improvement.

### Prioritisation of Response Activities:

Shire Rangers/Authorised Persons will respond to shark sightings as a matter of priority except where currently engaged in or mobilised to respond to the following:

- Fire/Emergency;
- Dog attack on Person; and
- Stock on Road;

Shire Rangers/Authorised Persons will respond to shark attacks as a matter of priority except where currently engaged in or mobilised to respond to the following:

- Fire/Emergency.

Where priority activities divert Shire resources from dealing with immediate shark matters, secondary support resources will be activated as soon as possible to assist from the following:

- Other on-duty Shire Rangers/Authorised Persons;
- WA Police and other Emergency Service agencies (where relevant); and
- Neighbouring Local Governments.

### Definitions

- *Authorised Person* – means a person authorised by the local government under s9.10 of the *Local Government Act 1995*; and
- *Confirmed Shark Sighting* – means a shark sighting reported to the Shire of Ravensthorpe by the WA Government Shark Monitoring Network.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:							
Industry:	<a href="https://www.sharksmart.com.au/">https://www.sharksmart.com.au/</a>						
Organisational:	Shire of Ravensthorpe - Local Government Property Local Law 2010						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Triennial	Next Due:	2025	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LO6 INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV)

### Policy Objectives

The Shire of Ravensthorpe is committed to community safety and identifies the role Closed Circuit Television (CCTV) has within the community. The CCTV policy informs the community that the Shire practices within these guidelines to ensure transparency, accountability and best ethical practice.

### Policy

This policy provides guidance on the operation, management and reporting protocols for CCTV leased, owned, controlled or managed by the Shire of Ravensthorpe.

The Shire of Ravensthorpe conducts CCTV operations in order to:

- a) Assist in detecting, deterring and responding to criminal offences occurring against people and or property within the Shire.
- b) Provide quality recorded evidence to support investigations and prosecutions by Shire Ranger Services, and the WA Police in relation to offences committed within the Shire.
- c) To address the community safety and crime prevention concerns of residents, business proprietors, visitors and workers within the Shire. Due to public concern surrounding a surveillance society, the use of CCTV surveillance must be consistent with respect for individuals' privacy. Other methods of achieving the objectives of a CCTV surveillance system will therefore be considered before installation of any CCTV camera in the district.

### Installation

This policy describes the criteria to be used when a new installation is being considered for deployment:

- a) CCTV will be installed where recurrent anti-social or criminal behaviour has been identified or installed in a proactive measure to minimise damage to Shire facilities;
- b) CCTV installations will be clearly signed. In some instances, where covert cameras are used to monitoring breaches to Local Laws, such as dumping, it may not be appropriate to install signage, but all efforts will be made to advise nearby residents as required;
- c) CCTV cameras may be passive or "event activated" recorded.

### Live Access

WA Police will have, where technology permits, direct access to the CCTV system to assist in law enforcement for live monitoring and response purposes.

### Requests for stored and or recorded information

CCTV footage may be disclosed for the purposes of criminal law enforcement and in some civil legal proceedings. In that regard, a request for stored or recorded information may be made:

- By the WA Police;
- By another government agency for the purposes of law enforcement; and
- Pursuant to a summons, subpoena or other court order.

Any other request for stored or recorded information must be made by way of a formal application under the *Freedom of Information Act 1992* ('FOI Act'). CCTV Footage will only be disclosed where the requirements of the FOI Act have been satisfied. It is considered that, images of another person in CCTV footage constitutes 'personal information' under the FOI Act, therefore personal information cannot be disclosed to the public, unless an exemption in the FOI Act can be demonstrated to apply.

The Chief Executive Officer is to be the authorised officer for the release of stored and recorded information in accordance with the above requirements.

### Complaints Handling

Any complaints regarding the CCTV operations are to be directed to the Shire of Ravensthorpe, Chief Executive Officer in written format.

Document Control Box							
Custodian:	Executive Manager Corporate Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	<i>Local Government Act 1995</i> <i>Surveillance Devices Act 2004</i> <i>Freedom of Information Act 1982</i> <i>Equal Opportunity Act 1984</i> <i>Human Rights and Equal Opportunity Commission Act 1986</i> <i>Criminal Investigation Act 2006</i> <i>Occupational Health and Safety Act 1984</i> <i>Surveillance Devices Act 1998</i> <i>Security and Related Activities (Control) Act 1996</i> <i>Security and Related Activities (Control) Regulations 1997</i>						
Industry:	AS 4806.1–2006 – Closed circuit television (CCTV) – Part 1: Management and operation. Principles and management of the CCTV system, procedures, personnel, CCTV control room, effective response, privacy and disclosure issues, recorded material management, documentation, licences and CCTV signage.  Australian New Zealand Policing Advisory Agency (ANZPAA - Recommendations for CCTV Systems).						
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		New policy established.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LO7 CLOSED CIRCUIT TELEVISION (CCTV) OPERATIONS

### Policy Objectives

This policy provides the requirements in relation to the operation of CCTV leased, owned or controlled by the Shire of Ravensthorpe. This policy does not apply to CCTV systems on private property. The CCTV policy will be operated with due regard to the privacy and civil liberties of individual members of the public.

### Policy

#### Definitions

**Authorised Officer:** Chief Executive Officer (CEO) of the Shire of Ravensthorpe

<b>Authorised Staff:</b>	Any staff member of the Shire of Ravensthorpe who has been given approval by the Shire of Ravensthorpe's Authorised Officer to undertake activities relating to the operation or management of the CCTV network.
<b>CCTV:</b>	Closed Circuit Television- video transmission camera looped to a monitor- rewrites after limited data is used. Recordings only available for a limited time.
<b>Monitored Installation:</b>	CCTV which provides real time observation of events so that real time responses can be initiated.
<b>Unmonitored Installation:</b>	CCTV which captures evidence of events which can be acted upon subsequently.
<b>Internal CCTV:</b>	Closed CCTV which may record staff and public internally and/or externally of the Shire of Ravensthorpe buildings.
<b>Public CCTV:</b>	Closed CCTV which may record public open spaces and streets including linked mobile systems.
<b>MOU:</b>	Memorandum of Understanding regarding the supply and use of public CCTV between the Shire of Ravensthorpe and WA Police.

### Purpose

The purpose of the CCTV system is to:

- assist in deterring antisocial and criminal behaviour;
- assist in deterring offences against persons and/or property;
- facilitate rapid response by WA Police and other emergency services as determined by WA Police when detecting instances of crime and anti-social behaviour;
- record evidence to support investigations and prosecutions by WA Police in relation to offences;
- Increase the safety and security of employees, residents and visitors;
- monitor access, deter and detect unauthorised access at the Ravensthorpe Airport into the Airside area as well as being used to detect suspicious behaviours, armed persons and also unattended/suspicious vehicles or things.

### Ownership and Control

The CCTV system is owned by the Shire of Ravensthorpe who ensure that the CCTV system is maintained in efficient working order. The Shire of Ravensthorpe have exclusive access to and control of all recorded footage. The system is under the control of the Shire CEO and may be delegated to

authorised staff and/or to a third party who Council may engage under contract to manage and maintain the system- authorised staff must adhere to the guidelines outlined in this policy.

The network includes stand- alone camera systems connected to a recording device in the control rooms on site. All images are recorded and maintained for a limited time dependent on amount of data used before it records over itself. Images are not kept unless they are required in relation to the investigation of a crime or other circumstances provided by law.

The details of all material, if recorded and kept for the purposes of investigation or crime or in any other circumstances provided by law, from the CCTV network will be registered in accordance with the *State Records Act 2000*.

### **Viewing and Requesting CCTV Images/ Recordings**

Only authorised officers and staff are permitted to have access to the CCTV system. Other persons viewing the CCTV must be authorised by the CEO.

### **Live Viewing of CCTV Footage**

Shire staff and contractors are able to view live CCTV footage if required as part of their role.

### **Use of Historical Recorded Material**

The Shire will ensure that CCTV systems are used ethically at all times and in accordance with all relevant legislation and guidelines. The use of CCTV is regulated by the *Surveillance Devices Act 1998 WA* and this legislation prohibits the recording "private activity" as defined by Section 3 of the Act.

- Recorded material will not be sold or used for commercial purposes or the provision of entertainment.
- The showing of recorded material to the public will be allowed only in connection with the investigation of a crime or in any other circumstances provided by law.
- Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- Shire of Ravensthorpe staff may complete an internal CCTV Data request form, which must be filled in and signed by the Authorised Staff member and Authorised Officer (CEO) as per this policy. This information will be assessed and provided based on priority, ensuring that the request does not contravene governing standards.
- WA Police have access as stated within their MOU. They may request historical recorded material in order to supplement or assist with criminal investigations. These requests will need to be made in writing to the CEO who will assess and provide the requested footage as required.
- Members of the Public may request footage from the Shire of Ravensthorpe internal CCTV through a Freedom of Information Request. Requests will be governed by the requirements under the *Freedom of Information Act 1992*.
- Any requests relating to access to CCTV data records from Ravensthorpe Airport will be vetted and approved by the Security Contact Officer (SCO) before they can be released by the CEO due to potential aviation safety and security concerns.

### **Roles and Responsibilities**

The CEO will appoint authorised officers and/or contractors, as required, to undertake the following:

- Addressing any technical aspects for the CCTV, including equipment upgrades, CCTV communications network maintenance, storage management, access to record keeping records and training of employees.
- Addressing ongoing equipment maintenance and repairs on CCTV networks.

- Reviewing and monitoring operations of the policy and administering the day to day operations of the CCTV network in accordance with the MOU with WA Police and this Policy.

Due to National Aviation security and safety requirements the Security Contact Officer (SCO) is responsible for maintenance and repairs of the CCTV network at Ravensthorpe Airport in liaison with above personnel when appropriate.

### References to Related Documents

- *Local Government Act 1995*
- *WA Criminal Code Act Compilation Act 1913*
- *Criminal Procedures Act 2004*
- *State Records Act 2000*
- *Surveillance Devices Act 1998 (WA)*
- *Freedom of Information Act 1992*
- Memorandum of Understanding- Western Australia Police Force and Shire of Ravensthorpe

Document Control Box						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Surveillance Devices Act 2004</i> <i>Freedom of Information Act 1982</i> <i>Equal Opportunity Act 1984</i> <i>Human Rights and Equal Opportunity Commission Act 1986</i> <i>Criminal Investigation Act 2006</i> <i>Occupational Health and Safety Act 1984</i> <i>Surveillance Devices Act 1998</i> <i>Security and Related Activities (Control) Act 1996</i> <i>Security and Related Activities (Control) Regulations 1997</i>					
<b>Industry:</b>	AS 4806.1–2006 – Closed circuit television (CCTV) – Part 1: Management and operation. Principles and management of the CCTV system, procedures, personnel, CCTV control room, effective response, privacy and disclosure issues, recorded material management, documentation, licences and CCTV signage.  Australian New Zealand Policing Advisory Agency (ANZPAA - Recommendations for CCTV Systems).					
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Annual	<b>Next Due:</b>	2023	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
3.	OCM 14/09/21 – Item 13.1		New Policy Established			
4.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

---

# LOCAL PLANNING SCHEME NO. 6

---

## LOCAL PLANNING POLICY MANUAL

## LPP1 SPORTS FIELDS – ADVERTISING

---

### Policy Objective

The purpose of this policy is to allow some forms of advertising signs on reserves.

### Policy

#### **Background**

The Shire of Ravensthorpe Council adopted a policy on controlling advertisements in reserves to allow for advertisements in reserves to help offset the cost of maintaining reserves and to clarify what advertisements are acceptable.

### Local Planning Policy No.1 - Requirements

#### **Exemptions from Development Approval**

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a) All signs at showgrounds, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets;
- b) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or council of local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body;
- c) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a local government; and
- d) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.

#### **General Requirements**

In order to offset costs of maintaining reserves, Council shall, subject to the conditions hereunder, be receptive to proposals for corporate sponsorship for selective advertising on reserves:

- a) Advertisements relating to, or promoting, tobacco/alcohol products shall not be permitted.
- b) Clubs obtaining sponsorship for club activities shall be requested to obtain approval from Council before signs relating to such club sponsorship can be erected on sports fields, change rooms or other such structures including fences on sports fields. Signage, if approved, must face towards the playing surfaces only, of the sports fields.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2022	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual Review				

## LPP2 ADVERTISING SIGNS

### Policy Objectives

To guide the design, materials and siting of advertising structures and signs in the Shire of Ravensthorpe and to provide a clear direction in respect to all sign types.

### Policy

#### Background

Control of signage is in two parts; advertising signs on private land and directional signs on public land (road reserves & reserves). This policy addresses the signage requirements as they apply to private land.

Schedule 2, cl. 80 of Planning and Development (Local Planning Schemes) Regulations 2015 allows Council to issue a notice pursuant to the Scheme requiring the advertiser to remove, repair, adapt, restore or otherwise adapt the advertisement if the advertisement is "in conflict with the aims of this Scheme".

Signage will be determined at Council's discretion in accordance with this Policy.

#### Definitions

In this Policy, unless the context otherwise requires:

**"advertisement"** has the same meaning as "sign";

**"advertising device"** means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;

**"bill"** means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;

**"business"** includes the conduct of a profession, trade or occupation;

**"depth"** unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word "depth" is used to differentiate between the lateral width of a sign and the height of the sign above the ground.

**"development sign"** means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;

**"electoral sign"** means a sign containing an advertisement relating to an election or to a referendum;

**"exempt sign"** means a sign referred to in the 'Requirements' section of this Policy;

**"fascia sign"** means a sign erected or displayed on the fascia of a building or the fascia of a verandah;

**"fly posting"** means advertising by means of posters placed on fences, walls, trees and like structures;

**"freestanding sign"** means any sign not attached to a structure or permanently fixed to the ground or pavement and includes "A frame" or "Sandwich Board" signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

**"illuminated sign"** means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;

**"institutional sign"** means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;

**"panel / fence sign"** – means an advertisement sign which is affixed to a panel or fence, but does not include a Pylon Sign, or any sign attached to a wall.

**"planning consent"** means the approval granted by Shire for the erection or display of a sign pursuant to the Town Planning Scheme;

**"premises"** means land and, unless the context otherwise requires, the buildings upon that land;

**"projecting sign"** means a sign that extends at right angles from a wall of a building;

**"pylon sign"** means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;

**"remote sign"** means a sign that is not located within or immediately adjacent to the business to which the sign relates, but does not include a portable sign.

**"reserve"** includes land vested in, or under the care, control and management of the Shire;

**"roof sign"** means a sign erected on or above the roof of a building;

**"rural producer sign"** means a sign erected on land zoned 'Rural' under a Town Planning Scheme indicating the products grown, reared or produced on the property;

**"sign"** includes any advertising device or other sign type defined in this Local Planning Policy;

**"sign infill"** means a panel which can be fitted into a pylon sign framework;

**"tourism sign"** means a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and tourist establishments.

**"verandah sign"** an advertisement above, on or under a verandah, cantilever awning, cantilever verandah and balcony whether over a public thoroughfare or private land;

## Local Planning Policy No.2 - Requirements

### Exemptions from Development Approval

Nil

### General Requirements

All signs and advertisements shall comply with the requirements set out in Table 1 of this policy and shall:

- a) all sign applications shall stipulate the content of the sign with the application.
- b) not pose a threat to public safety or health and shall not have any sharp or pointed projections where it is less than 2.75m above natural ground level.

- c) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving.
- d) not extend beyond any property boundary of a lot, overhang or encroach onto any reserve, Council verge or road reserve.
- e) not be erected on land within a townsite unless it has a direct relationship with the business operated from the property or relevance to the premises on which they are located.
- f) not be in any position where it obstructs the view from a street or site lines for vehicles entering and departing the subject lot on which the sign is placed;
- g) if illuminated:
  - i) use a low level of illumination and not cause a nuisance, by way of light spillage, to abutting sites;
  - ii) not comprise of flashing, pulsating, chasing or running lights;
  - iii) not interfere with or be likely to be confused with traffic control signals;
  - iv) have a minimum clearance of 2.75 metres from ground level.
- h) not undermine or conflict with the objective of this Policy;
- i) Council reserves the right to refuse any sign in which the content of the advertisement:
  - i) could harm or cause detriment to the State;
  - ii) make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
  - iii) contains confusing, misleading, political, offensive or objectionable information; and
  - iv) would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.

Table 1 – Sign Specifications by Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
<b>Remote Sign</b>			4.5m <sup>2</sup>		3.0m				<p>The remote sign is to be associated with a business or community organisation based in the Shire of Ravensthorpe;</p> <p>It is erected within private property;</p> <p>The owner or owners of the property in which the remote sign is to be erected sign the Application for Development Approval form;</p> <p>The sign is located not less than:</p> <ul style="list-style-type: none"> <li>140m of another remote sign where the speed limit of the adjacent road is 110km/h;</li> <li>100m where the speed limit of the adjacent road is 90km/h or less;</li> </ul> <p>It is to face the direction of approaching traffic.</p> <p>It is located within 5km of a town site, or as otherwise determined by the local government taking into account the business location and the importance of the sign to providing information to the travelling public;</p> <p>It is not located within a gazetted town site;</p> <p>No more than two (2) remote signs per business will be permitted; and</p> <p>Development approval for a 'remote sign' is valid for five (5) years after which time a new application is required. Council may require the sign to be renewed at this time.</p> <p>Note: all remote signs capable of being seen from highways also require separate approval of Main Roads WA in accordance with Main Roads WA own 'Roadside Advertising' policy.</p>

Table 1 – Sign Specification s Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
<b>Roof Sign</b>	-	-	-	2.75m	-	-	-	-	i) General presumption against mounted roof signs, unless where the applicant can demonstrate: <ol style="list-style-type: none"> <li>a) the sign can be incorporated within the architectural design; and</li> <li>b) the form of advertising is determined to be necessary for the business.</li> </ol>
<b>Verandah Sign</b>	0.6m	-	-	2.75m	-	-	Nil	-	i) One sign per tenancy/business; ii) 3m minimum separation to another verandah sign; iii) Be at right angles to the front street boundary, except where located on a corner; iv) Verandah Signs attached to the fascia of a verandah or the like shall not project beyond the outer frame or surround of the fascia.
<b>Projecting Sign</b>	-	-	4m <sup>2</sup>	2.75m	-	1.0m	-	2.0m	i) One sign per tenancy/business; ii) Do not project above the top of the wall to which they are attached.
<b>Pylon Sign</b>	6.0m	4m <sup>2</sup>		2.75m ** (see iv)	6.0m	-	-	2.0m	i) Exemptions: <ol style="list-style-type: none"> <li>a) Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected the Shire may require all pylon signs to be incorporated into one sign in which case:               <ul style="list-style-type: none"> <li>• all of the constituent or infill signs are of an equal size; and</li> <li>• one constituent or infill sign is provided for each business, shop or unit on the lot</li> </ul> </li> </ol>

Table 1 – Sign Specification s Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
									<ul style="list-style-type: none"> <li>ii) One sign per tenancy/business;</li> <li>iii) Be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions</li> <li>iv) May be permitted at less than 2.75m above NGL where located in a landscaping strip or similar</li> </ul>
<b>Hoarding Sign</b>	-	-	-	-	-	-	-	-	Hoardings are not permitted within the Shire of Ravensthorpe.
<b>Free-standing sign</b>	1.0m	1.0 m	1m <sup>2</sup>	-	1.0m	-	-	-	<ul style="list-style-type: none"> <li>i) Maximum of one sign per business;</li> <li>ii) The sign shall only be displayed during business hours;</li> <li>iii) Once placed, does not have any moving parts;</li> <li>iv) Shall only be used to advertise products and services available from the lot.</li> <li>v) The sign is to generally be located wholly within the boundaries of the lot. However Freestanding signs may be displayed within the verge area of a road reserve subject to the following: <ul style="list-style-type: none"> <li>• Written evidence being provided has public liability insurance cover to an amount not less than \$10 million. The Certificate must note that the cover extends to any sign that is located in a road reserve.</li> <li>• The sign is to be displayed adjacent to and between the business frontage and the nearest kerb. The display location of the freestanding sign is to be approved by the Shire of Ravensthorpe.</li> </ul> </li> </ul>

Table 1 – Sign Specification s Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
									<ul style="list-style-type: none"> <li>No part of the sign is to be less than 600 mm from the face of the nearest kerb or, if no kerb, from the edge of the nearest road surface (or car parking bay)</li> <li>The effective width of a footpath, pedestrian access way or the like not being reduced to less than 2 metres effective width.</li> </ul>
<b>Panel/Fence Sign</b>	-	-	5m <sup>2</sup>		6.0m	-	-	-	i) Affixed to an existing panel or fence; ii) Are not erected between the existing building and the front boundary of the lot; iii) Are not within 10m of an existing sign on a lot.
<b>Development Sign</b>			32m <sup>2</sup>	-	-	-	-	-	i) A development sign shall be removed from the site within 2 years from the date of the approval or when 80% of the lots in the subdivision (or stage of subdivision) have been sold, whichever is the sooner. ii) Be displayed at the entrance to the subdivision and not remote from the lots being sold.
<b>Rural Producer Sign</b>			4m <sup>2</sup>		3.0m				i) Maximum of one sign per property; ii) A rural business sign shall – <ul style="list-style-type: none"> <li>not indicate or display any matter other than for the purpose of advertising the sale of produce grown or made available on the land on which the sign is erected;</li> <li>be erected within the boundaries on the land on which the produce offered for sale was grown or made or alternatively</li> </ul>

Table 1 – Sign Specifications Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
									on the adjoining road verge if in the opinion of Council, existing vegetation would otherwise obscure the sign.
<b>Flags</b>	-	-	4m <sup>2</sup>	2.75m	6.0m	-	-	-	i) Maximum of two flags permitted per business/tenancy; ii) The pole to which a flag is affixed is to be of sufficient size and strength to support a flag; iii) No flag shall be permitted within 5m of another sign.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Schedule 2, cl. 80 of Planning and Development (Local Planning Schemes) Regulations 2015						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

---

## LPP3 OUTBUILDINGS

---

### Policy Objectives

The objectives of the policy are as follows:

- a) To provide clear guidelines for the development of outbuildings in the Residential, Rural Townsite, Mixed Use, Rural Residential, Rural Smallholdings and Rural zones; and
- b) To achieve a balance between providing for the various legitimate needs for outbuildings, and minimizing any adverse impacts outbuildings have on the neighbours, the streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.

### Policy

#### **Background**

Outbuildings are Class 10a buildings under the Building Code of Australia (1996) which are not substantially connected to a dwelling. Residents of the Shire of Ravensthorpe have different needs to those in metropolitan Perth, therefore this Policy recognises the need to vary the usual Residential Design Code recommendations by increasing outbuilding space (areas and heights) for garaging of vehicles, storage of boats, caravans and other items, domestic workshops, games rooms, studios, stables, etc.

As a general rule people expect to be able to have larger outbuildings on larger lots. It is important to note that outbuildings are 'ancillary' buildings and therefore must be constructed in conjunction with another permitted land use such as a house or a rural use such as a 'rural pursuit', animal establishment or intensive agriculture.

The Shire is also aware that in some instances outbuildings may result in problems including:

- Use of outbuildings for unapproved commercial or industrial purposes, which may result in adverse noise, traffic, and visual impacts for neighbours and the locality. With the exception of those used for commercial farming purposes on rural lots, or approved home businesses, outbuildings may only be used for domestic purposes.
- Illegal use of outbuildings as residences, which often incorporate inadequate health and building standards for human habitation.
- Unlike most dwellings, outbuildings are usually very bland metal clad structures devoid of architectural features such as windows, verandas, etc. Construction of large and/or high sheds may have adverse impacts on visual character of streets and neighbourhoods, neighbours and scenic rural or coastal landscapes.
- When outbuildings incorporate reflective materials such as zincalume and are sited in visually prominent locations there is greater potential for adverse impacts on the landscape, and in some instances reflection can cause a serious nuisance for surrounding/nearby residents. The Town Planning Scheme specifically has regard to all development "using 'materials and colours on the exterior surfaces of all buildings with the objective of buildings blending with the surrounding landscape and environment."

As in many rural local governments there is often a desire to occupy a shed whilst building a house, particularly in the rural residential zones. This is not permitted by the Building Codes of Australia as an outbuilding is 'non-habitable' by definition. However, the Caravan and Camping Regulations 1997 allow for someone to camp on their property with the approval of the local government for up to 3 months and up to 12 months with approval from the Minister for Local Government.

Camping in this fashion should be in a caravan and is only likely to be supported in the Rural zone.

### Local Planning Policy No.3 - Requirements

#### Exemptions from Development Approval

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a) Where a proposed outbuilding complies with the requirements specified in sections 2, and Table 1 of this policy, Development Approval is not required.
- b) Pre-fabricated garden sheds and animal enclosures (such as kennels and aviaries) less than 9m<sup>2</sup> in aggregate area and less than 2.4 metres in height are exempt from the requirements of this policy.

#### General Requirements

- a) Outbuildings are required to comply with the requirements of the Residential Design Codes of WA or as varied by the criteria set out in Table 1 below.
- b) Outbuildings proposed for vacant Residential, Rural Townsite, Rural Small Holdings, Rural Residential and Rural zoned land require Council approval and will generally not be supported unless:
  - i) a Building Permit has been issued for a Single House;
  - ii) the outbuilding is associated with an approved 'Rural Use';
- c) Council will not permit residential habitation of a building approved as an outbuilding or shed on any land in the Shire of Ravensthorpe.
- d) In the Residential, Mixed Use and Rural Residential zones, the use of non-reflective materials is required.
- e) Ablutions are only permitted in an outbuilding where a house exists or has been substantially commenced on the same site.
- f) Use of outbuildings for commercial or industrial purposes is not permitted. Use of an outbuilding for a home occupation or cottage industry is to be in accordance with Council's Home Occupation, Home Business and Cottage Industry requirements.

**Table 1 – Outbuilding Requirements**

Zoning	Maximum Wall Height	Maximum Ridge Height	Maximum floor area (aggregate)	Special Requirements
<b>Residential</b>	3.0metres  2.4m (where wall is < 1.0m from boundary)	4.5metres  3.9m (where wall is < 1.0m from boundary)	10% of site area or 100sqm, whichever is less.	Setbacks are to be in accordance with the Residential Design Codes of WA.  Any setback variation will be assessed on its individual merit and Council will consult with adjacent landowners.  Floor area is not to reduce the amount of open space required by Table 1 of the R-Codes.  Council will not support the construction of outbuilding/s in front of the main building line.

Zoning	Maximum Wall Height	Maximum Ridge Height	Maximum floor area (aggregate)	Special Requirements
<b>Rural Town site and Mixed Use</b>	3.0metres  2.4m (where wall is < 1.0m from boundary)	4.5metres  3.9m (where wall is < 1.0m from boundary)	10% of site area or 100sqm, whichever is less.	As per Residential requirements where the Rural Town site or Mixed Use zoned property is used for residential purposes and constructed with an approved Single Dwelling or Grouped Dwelling.
<b>Rural</b>	N/A	N/A	N/A	Outbuildings are required to be setback in accordance with the following:  i) Front— 20metres; ii) Side/Rear – 10metres. Development approval is not required for outbuildings on Rural zoned land unless:  i) The proposed outbuilding does not comply with the setback requirements listed above; and/or; ii) The lot does not have frontage to a constructed public road; and/or; iii) The lot, area or closely associated building/s are listed on the Municipal Inventory or State Register of Heritage Places.

#### Rural Residential and Rural Smallholdings

Zoning	Maximum Wall Height	Maximum Ridge Height	Maximum floor area (aggregate)	Special Requirements
<b>&lt; 2ha</b>	4.5 metres	5.5 metres	200 sqm	Outbuildings proposed in the Rural Residential zone is to be in accordance with the requirements set out in Clause 4.15 and Schedule 2 of the Scheme.
<b>2ha – 5ha</b>	4.5 metres	6 metres	250 sqm	
<b>&lt; 5ha</b>	4.5 metres	6 metres	250 sqm	Outbuildings proposed in the Rural Smallholdings zone is to be in accordance with the requirements set out in Clause 4.16 and Schedule 2 of the Scheme.

#### Variations to the Policy

Any variations to the policy will require the applicant to demonstrate exceptional circumstances as to why the policy should be relaxed with the proposal being presented to an Ordinary Meeting of Council

for determination. Assessment of the application will require consultation with adjoining and affected landowners.

Council will have regard for matters such as;

1. The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;
2. The need for removal of any native vegetation or major trees;
3. Comments from affected neighbours/landowners;
4. Preservation of useable on site open space areas;
5. The ability for the outbuilding(s) to be screened by existing or proposed landscaping;
6. Whether support for the application will set an undesirable precedent for similar sized surrounding lots;
7. The impact of the development on streetscape and the character of the area;
8. The objectives of the zone;
9. All relevant general matters as set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2); and
10. Any other matter considered relevant by the Council.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Class 10a buildings under the Building Code of Australia (1996) Caravan and Camping Regulations 1997						
<b>Industry:</b>	Residential Design Codes of WA Building Code of Australia (1996)						
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Amended – Removal of \$5,000 Bond for outbuildings and Minor Changes to Table 1.				
3.	OCM 14/12/20 Item 15.2		Policy Confirmation following Local Public Notice.				
4.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review				

## LPP4 HOUSING

### Policy Objectives

The objectives of the policy are as follows:

- a) To provide clear design guidelines for the development of housing in the Residential, Rural Townsite, Mixed Use, Rural Residential and Rural that complement the requirements of the Scheme and where applicable the R-Codes; and
- b) To provide design guidelines for housing in the Shire that establishes the standards expected of all residential development.

### Policy

#### Background

The Shire of Ravensthorpe has had separate policies in the past for governing the development of houses in the Hopetoun Residential Development Area (also known as Maryanne Waters), the Rural Small Holding and Rural Residential zones and a separate policy on the 'Appearance of Dwellings' There was considerable repetition in these policies, this policy unifies and replaces these previous policies.

Development of Single Houses is to comply with the requirements of Local Planning Scheme No.6 and in the 'Residential' zone, the Residential Design Codes of WA (R-Codes).

This Policy compliments the existing Scheme provisions and varies the 'deemed-to-comply' provisions of the R-Codes to the extent stated in this Policy as a 'regional variation' as permitted by clause 7.3 of the R-Codes.

This policy refers to the development of 'Single Houses', 'Grouped Dwellings' and 'Multiple Dwellings' in the Residential, Rural Townsite, Mixed Use, Rural Residential, Rural Smallholdings and Rural zones.

### Local Planning Policy No.4 - Requirements

#### General Requirements

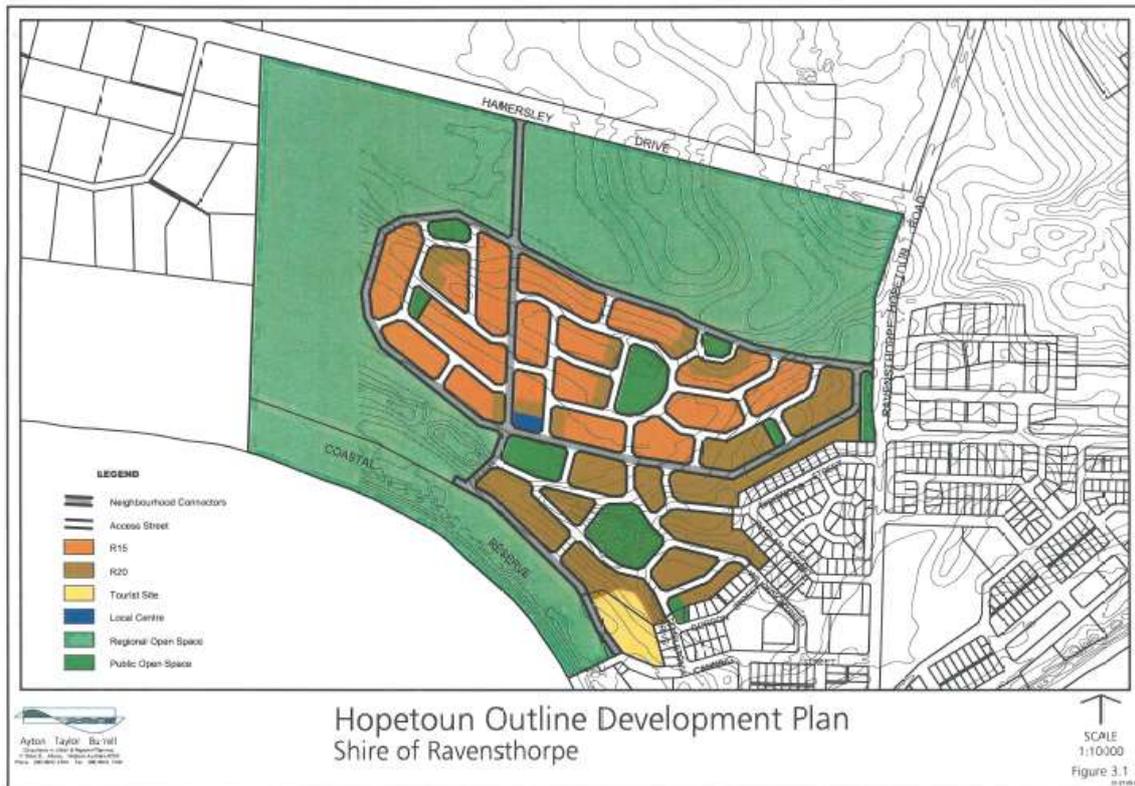
- a) Single Houses, Grouped Dwellings and Multiple Dwellings are required to comply with the requirements of the Residential Design Codes of WA, where they apply, or as varied by the criteria set out in the clauses and Table 1 "Housing Requirements" below.
- b) Split-coded areas:
  - i) with the exception of the minimum lot size, all the requirements of the higher density coding shall apply to development on land zoned R10/20, R10/25 and R10/30.
  - ii) all development above the R5 density is required to connect to the reticulated sewerage system.
- c) All houses are to provide verandahs, porticos, porches or other architectural relief on the elevations that are viewed from the street with a minimum length of 25% of the front façade of the house.
- d) Rural Residential and Rural Smallholdings zone specific requirements:
  - i) Where a building envelope is shown on a Subdivision Guide Plan it may be varied on application to the Council and the new building envelope location assessed against:
    - The objective of the zone;

- Protection of landscape values;
  - Impact on views from neighbouring properties; and
  - Fire management requirements impacting remnant vegetation.
- ii) Fencing around yards:
- Solid panel fencing permitted around private areas of house and immediate yard but within the building envelope.
  - Fence between house and street is to be visually permeable.
- e) Ancillary Accommodation requirements
- i) Ancillary accommodation is to meet the following criteria (within the Residential, Rural Townsite and Mixed use zones):
- The ancillary accommodation can be attached or independent from a single dwelling located on the same lot;
  - The ancillary dwelling is a maximum of 80m<sup>2</sup> in floor area, excluding verandahs, patios, carports and similar non-enclosed areas; and
  - Materials and colours used on external walls and roof complement the main dwelling.
- ii) Ancillary accommodation is to meet the following criteria (within Rural Residential, Rural Smallholdings and Rural zones):
- The ancillary dwelling is a maximum of 80m<sup>2</sup> in floor area, excluding verandahs, patios, carports and similar non-enclosed areas; and
  - At least one parking bay is to be provided.
  - Where an 'Ancillary Accommodation' unit exceeds the floor area stated in the first dot point of Clause e.(ii), a variation of up to 25% may be permitted subject to the advertising requirements of Clause 64 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

**Table 1 Housing Requirements**

Policy Requirement	Residential zone	Hopetoun Residential Development Area**	Rural Town site and Mixed Use zones	Rural Residential and Rural Smallholdings zones	Rural zone
Location of Housing	As per R-Codes	As per R-Codes	As caretaker's accommodation above or to the rear of commercial development that fronts the primary street. Refer clause 4.25 of the Scheme	As per specific zone requirements, either setback from boundaries or located within a building envelope.	Front/Rear setback – 20metres Side setback – 10metres
Reflective materials	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Not permitted	Permitted
Minimum internal floor area	-	140m <sup>2</sup>	-	-	-
Car parking, Garages and Carports	As per R-Codes	Garages & carports to be constructed of same materials and under the same roof as main residence. Discretion applies to carports which may be located as close as possible to the dwelling and express architectural sympathy with main dwelling. Garages to be setback behind front building line of the dwelling.	As per R-Codes	Gravel hardstand area required for the house. Garages and carports attached to the house are to be constructed of same materials.	-
Driveways & car parking	As per R-Codes	Driveways to be completed concurrently with the dwelling. Maximum 1 driveway per dwelling.	As per R-Codes & Scheme requirements	Minimum width 3.0m Maximum width 5.0m Maximum 1 driveway per dwelling. Located to minimise noise and dust on neighbouring properties	-
Landscaping	As per R-Codes	Retention of existing vegetation on the site is to be included as part of any landscaping requirement.	As per R-Codes	House and driveway location is to minimise the removal of existing remnant vegetation	-

**\*\* Plan of the Hopetoun Residential Development Area is appended to this Policy**



Document Control Box						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2)					
<b>Industry:</b>	Residential Design Codes of WA					
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy					
<b>Document Management:</b>						
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies			
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.			
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review			

## LPP5 INDUSTRIAL DESIGN GUIDELINES

### Policy Objectives

The objectives of this Policy are to:

- a) Ensure the orderly and appropriate development of industrial areas in the Shire; and
- b) Provide acceptable development standards for industrial areas in the Shire.

### Policy

#### **Background**

Local Planning Scheme No.6 (the Scheme) has two zones which are intended to accommodate industrial development; 'Light Industry' and 'General Industry'. The objectives of these zones are as follows:

#### **Light Industry**

To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in rural townsite and mixed use zones.

To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

#### **General Industry**

To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.

To accommodate industry that would not otherwise comply with the performance standards of light industry.

Seek to manage impacts such as noise, dust and odour within the zone.

The scheme lists specific development requirements for the land uses and zones in 'Schedule 2 - Additional Site and Development Requirements' and 'Schedule 4 - Car Parking Requirements'.

It is important that the Shire's industrial areas maintain a reasonable level amenity and that a level playing field is maintained for all landowners in these areas. Providing adequate parking for customers and staff within the lot boundaries to a consistent standard as well as a reasonable standard of landscaping in these zones is considered essential.

The development requirements need to be balanced with the need to encourage new business activity and what can be reasonably expected of and maintained by an industrial business operator.

The standard of development particularly within the front setback area of a development sets the standard for how an industrial area presents to the general public. This policy stipulates the minimum standards of development that the Shire of Ravensthorpe will accept for all new development in the Light Industry and General Industry zones.

### Local Planning Policy No.5 - Requirements

#### **1. General Requirements**

This Policy applies to applications for development in the Light Industry and General Industry zones.

#### **2. Use of Front Setback area**

- i) The front setback area is the area in front of the 'main building line' and shall generally be used only for the purposes of landscaping, car parking, access or an approved 'trade display'.
- ii) No materials or product are to be stored in the front setback area (with the exception of an approved trade display).
- iii) No loading and unloading of goods and materials is take place in the front setback area.
- iv) An open storage area that is visible from a public place or street is to be screened to the satisfaction of the Shire.

### **3. Building Facades**

- i) The facade of the building that addresses the primary street shall be either a purpose built office or constructed of brick, stone, concrete or glass or a combination of one or more of these materials.
- ii) Other materials of a type and to a design approved by the Council may be permitted on a facade provided that the materials to be used are structurally and aesthetically acceptable to the Council. Zinalume cladding is not acceptable.

### **4. Building Materials**

- i) The use of un-painted 'Zinalume' is not permitted on any building in the Light Industry Zone.
- ii) The use of 'Zinalume' on buildings greater than 150m<sup>2</sup> is not permitted in the General Industry Zone.

### **5. Carparking & Trafficable Areas**

- i) All car parking bays and manoeuvring areas, including the driveway access in the front setback area, being properly drained, kerbed and sealed. All parking spaces are to be line-marked and maintained in good repair thereafter.
- ii) A minimum of a 2 coat bitumen seal is requirement for car parking and manoeuvring for visitors and staff in front setback area.
- iii) All other parking, truck turnarounds, storage and hardstand areas may be of gravel construction; constructed to ensure that dust does not cause a nuisance.

### **6. Landscaping**

- i) Landscaping areas are to generally located in the front setback and down the side boundaries.
- ii) A landscaping plan is to accompany any application for planning development approval, and landscaping is to complement the appearance of the proposed development.
- iii) Landscaping shall generally consist of lawns, gardens or the planting of trees and shrubs. The use of native and water efficient plants is encouraged.
- iv) Landscaping is to be established within 3 months of the completion of the building.
- v) Landscaped areas are to be reticulated and maintained at all times.
- vi) With the approval of the Shire fifty (50) per cent of the landscaping requirement identified in the Scheme Text and this Policy may be met by landscaping the verge area, providing that reticulation is installed and on-going maintenance of the total road verge bordering the subject lot is undertaken. For corner lots, this credit will be eighty (80) per cent of the landscaping requirement identified in the Scheme Text where the whole of the verge is treated.

### **7. Stormwater**

- i) Stormwater is to be contained on site before discharged to road or district system.
- ii) The development may require oil separators or nutrient stripping infrastructure (such as retention basins) at the discretion of the Shire.
- iii) The use of rainwater tanks for storage and reuse on site is encouraged.

### **8. Use of Transportable Buildings**

- i) The use of transportable buildings (including second-hand buildings), such as offices and ablutions is permitted only with Council Planning Development Approval.
- ii) Transportable buildings are to be painted and/or clad to complement other buildings on the property.
- iii) Council may require modification of the roof line to ensure the building is made visually acceptable in the streetscape.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LPP6 EXTRACTIVE INDUSTRY

### Policy Objectives

The objectives of this policy are as follows:

- a) To assist Council in determining applications for extractive industries by providing general guidelines and outlining matters Council will have regard for in assessing applications.
- b) To protect and maintain the existing landscape character, native vegetation, productive agricultural uses and general amenity of the Shire.
- c) To set out standard conditions that will be considered by Council in their assessment of extractive industry applications.
- d) To provide for appropriate 'buffers' between extractive industries and sensitive land uses.

### Policy

#### Background

The Shire of Ravensthorpe Local Planning Scheme No.6 defines an extractive industry as follows:

**"industry – extractive"** means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –

- a) the processing of raw materials including crushing, screening, washing, blending or grading;
- b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

Extractive industries are an Advertising Land Use in the 'Rural' zone and not permitted in any other zone. Council may require that they be referred to neighbouring landowners for comment.

Extractive industries can have a high impact on the surrounding road infrastructure, existing vegetation and amenity of surrounding landowners and will therefore be referred to the relevant government agencies during the assessment period for comment. These may include Main Roads WA, Department of Biodiversity Conservation and Attractions, Department of Water and Environmental Regulation, Department of Mines, Industry Regulation and Safety and Department of Primary Industries and Regional Development depending upon the nature of the application.

Where existing remnant vegetation is proposed to be cleared the applicant may need to seek a Vegetation Clearing Permit from the Department of Water and Environmental Regulation in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Larger extractive industries may require registration or a license as a 'prescribed premise' from the Department of Water and Environmental Regulation under Part V of the *Environmental Protection Act 1986* (Environmental Protection Regulations, 1987, Schedule 1)

Finally, the Department of Mines, Industry Regulation and Safety (DMIRS) have a separate role under the *Mine Safety & Inspection Act 1994* to ensure the safety of extractive industries throughout the Shire. A separate approval and process is required with the DMIRS including preparing a 'Project Management Plan'. More information is available at <http://www.dmp.wa.gov.au/Safety/Submitting-a-project-management-9184.aspx>

### Local Planning Policy No.6 - Requirements

#### Exemptions from Development Approval

No exemptions are applicable to this policy

### General Requirements

- a) The following setbacks will generally be applied to excavation areas/ pits;
  - i) A minimum of 75 metres to any road or thoroughfare;
  - ii) A minimum of 50 metres to any property boundary in a different ownership;
  - iii) A minimum of 50 metres to any water course or stand of remnant vegetation.
- b) Excavation areas/ pits are to be separated from the closest 'sensitive land use' on a different lot (usually a house) by the recommended generic buffer distance listed in Table 1 unless a site specific technical study is prepared.
- c) Where an extractive industry proposes direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface.
- d) Those portions of public roads as are affected by the activities related to an extractive industry shall be maintained to a 'pre-development' standard acceptable to Council at the applicants cost. A road maintenance contribution and / or bond may be payable to Council prior to commencement of works to ensure roads are maintained to satisfactory standards. The contribution may be applied at the discretion of Council. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- e) An Environmental Management Plan is to be submitted addressing dieback controls, spread of noxious weeds, dust and noise is to be compiled in consultation with the Department of Biodiversity Conservation and Attractions and submitted to the Shire for separate written endorsement prior to commencement of any site work or an alternative time period agreed to in writing by the Shire.
- f) A Rehabilitation Plan is to be submitted and approved by the Shire in writing. This plan is to address (but not be limited to) the following issues:
  - i) Restrict the area of open pit to 2 hectares. Larger pits may be considered for gravel extraction where the applicant can demonstrate that it will not have any detrimental impact on the environment or amenity of the area (by lodging a detailed environmental management plan).
  - ii) How the portions of land subject to extraction are to be rehabilitated (following each stage of extraction) to allow for future rural use and shall include;
    - Flattening the land;
    - Spreading of stockpiled topsoil (capable of supporting seed and plant re-growth);
    - Forming stable battered banks not to be steeper than 1 in 5; and/or
    - And revegetation using native trees, shrubs and groundcovers/ undergrowth.
- g) An extractive industry licence is valid for twelve (12) months from issue of the Planning Development Approval starting from the 1st July. It is renewable annually by the Shire subject to no complaints being received by the Shire.

- h) Should Council be informed by the Permit Holder that renewal of the Approval is not required; Council will formally revoke the Approval. The operator is to ensure that the excavation is properly rehabilitated.

**Table 1 – Generic buffers to sensitive land uses**

Industry	Description of Industry	Buffer distance in meters
Clay extraction or processing	Mining, extraction or processing of clay	500-1000 depending on size.
Extractive Industry – hard rock	quarrying (including blasting), crushing and screening	1000
Sand and limestone extraction	no grinding or milling works	300-500 depending on size

**Special Application Requirements**

- a) Where a new extractive industry is proposed, or an existing industry is to be increased in size over what was originally approved, development approval is required prior to the industry commencing or extending. Applicants need to lodge;
- A completed development application form to be signed by the owner of the land;
  - A detailed written submission explaining the application, and addressing the matters to be considered at part 3b of this policy (as per below); and
  - Detailed, accurate and scaled plans.
- b) In considering any application, Council will have regard for the following matters;
- i) It is important that each application be examined on its individual merit having regard for the existing land uses, topography of the land, and its specific location;
  - ii) Whether the site is in a visually significant location such as on a ridge, adjacent to the coast or an estuary, close to a national park or nature reserve, visible from a major road, tourist destination, scenic route or tourist route;
  - iii) Compatibility with adjoining land uses;
  - iv) Noise, dust and vibration abatement measures;
  - v) Proximity and buffers to wetlands and water courses;
  - vi) Whether the proposal includes clearing of significant remnant vegetation and the quality of vegetation;
  - vii) Drainage implications including surface and ground water impacts;
  - viii) Rehabilitation measures;
  - ix) Intended end use of the land and future planning for the area;
  - x) Prevention of spread of dieback or other disease;
  - xi) Environmental management and measures proposed to be undertaken by the proponent to address environmental issues;
  - xii) Whether the access roads proposed are suitable for the volume of traffic and type of heavy vehicles proposed;

- xiii) Whether the site has access to major roads, and whether the existing roads to be used by trucks are in good condition;
  - xiv) The proposed road haulage route and whether the use of any state controlled roads are proposed;
  - xv) Size of trucks and number of truck movements;
  - xvi) Existence of other extractive industry or heavy haulage-associated use in the vicinity;
  - xvii) Details of the storage of fuel and flammable materials on the site;
  - xviii) The material to be excavated, including maximum depth of excavation, area to be open at any one time and expected pit life.
- c) Council has discretion to advertise any application for extractive industry through letters to adjacent and nearby landowners, letters to relevant authorities, newspaper advertising and / or a sign on site.

Whilst the need for advertising can be determined on a 'case by case' basis, this Policy recommends that all 'extractive industry' applications be advertised due to potential impact on amenity and application of buffers.

Advertising will be for a minimum of 14 days in accordance with Clause 64 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

The application may also be referred to relevant authorities in accordance with Clause 66 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

The types of authorities that Council may liaise with include (but are not limited to):

- Environmental Protection Authority (EPA);
- Department of Biodiversity Conservation and Attractions (DBCA);
- Water Corporation (WC);
- Department of Water and Environmental Regulation (DWER);
- Department of Mines, Industry Regulation and Safety (DMIRS);
- Department of Primary Industries and Regional Development (DPIRD);
- Main Roads (MRWA);
- Western Power (WP);
- Department of Planning, Lands and Heritage (DPLH);
- Tourism WA; and
- Any other authority Council considers relevant.

<b>Document Control Box</b>						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2)					
<b>Industry:</b>	Residential Design Codes of WA					
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy					
<b>Document Management:</b>						
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies			
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.			
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual Review			

---

## LPP7 PUBLIC OPEN SPACE – 3.5 LOT SUBDIVISION

---

### Policy Objectives

The objectives of this policy are as follows:

- e) To ensure that there is adequate provisions of Public Open Space within the townsites of the Shire of Ravensthorpe;
- f) To protect and maintain the existing landscape character, native vegetation, productive agricultural uses and general amenity of the Shire.
- g) To set out standard conditions that will be considered by Council in their assessment of extractive industry applications.
- h) To provide for appropriate 'buffers' between extractive industries and sensitive land uses.

### Policy

#### **Local Planning Policy No.7 - Requirements**

##### **Exemptions from Public Open Space contribution:**

This policy only applies to subdivision which creates 3-5 lots zoned 'Residential' by the Shire of Ravensthorpe Local Planning Scheme No.6.

##### **General Requirements**

- a) The following contribution of land or cash-in-lieu shall be applied:
  - i) 5 percent where a proposal creates three (3) 'Residential' zoned lots;
  - ii) 7.5 percent where a proposal creates four (4) 'Residential' zoned lots; and
  - iii) 10 percent where a proposal creates five (5) 'Residential' zoned lots.
- b) The Shire of Ravensthorpe shall determine if a land or cash-in-lieu contribution to Public Open Space is appropriate.

In making this decision, Council shall consider:

- i) The proximity of the proposed subdivision to any nearby reserves;
- ii) If the proposed subdivision immediately adjoins a reserve for recreation and whether a land contribution could be amalgamated with that reserve;
- iii) If funding from a cash-in-lieu contribution for Public Open Space would be able to be used to improve nearby existing reserves that would be used by the proposed subdivision; and
- iv) If the proposed subdivision contains land which the Shire of Ravensthorpe wishes to secure for Public Open Space purposes.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review				

## LPP8 ALFRESCO DINING AND TRADING IN PUBLIC PLACES

### Policy Objectives

The objectives of this Policy are:

- a) To enhance the functions, appearance and character of the commercial areas by permitting alfresco dining associated with existing food establishments on Council controlled land such as road reserves;
- b) To allow for the operation of trading activities in public places in such a manner and location that they do not conflict with, or act prejudicially towards the Shire's retail and service base, or any other function of the town centre.

### Policy

#### **Background**

Alfresco dining in appropriate locations within the Shire's townsites can contribute to its ambience by adding colour, vibrancy and interest to the streetscapes. Alfresco dining is encouraged in all town centres, and especially in locations closely associated with retailing, entertainment and tourism.

The Shire of Ravensthorpe supports and encourages the establishment of alfresco dining areas which:

- a) Enhance the amenity, vitality and ambience of the town's retail, commercial, entertainment and tourism areas;
- b) Contribute to the activation of streets or laneways on which they are located;
- c) Provide innovative, unique and creative alfresco street furniture;
- d) Do not interfere with the safe and reasonable movement of pedestrians, people with prams and motorised wheelchairs; and
- e) Are located so that they do not cause danger or unnecessary distraction to motorists, pedestrians or other road users.

In the interests of encouraging alfresco dining and street activity the additional floor space will not attract a requirement to provide additional parking.

### Local Planning Policy No.8 - Requirements

#### **General Requirements**

This Policy applies to applications seeking approval to use public land for alfresco dining and trading in public places activities whether on a permanent or temporary basis. Council will have regard to the policy statements below in assessing and considering all applications.

- a) The proposed dining area or display is to be attractively integrated with, and enhance the character of the immediate locality and overall streetscape.
- b) Council will not approve dining and/or display activities where, in its opinion, approval would conflict with or inconvenience other existing businesses. Council in its consideration of the impacts may consult with the owners/occupiers of other nearby premises.
- c) Generally, dining and/or displays will be approved only where they are directly associated with an existing adjacent business. Activities that are not directly associated with an adjacent business may be considered in special circumstances but only where they meet a demand for goods and services that are not available already.

- d) All objects for dining and/or display placed within the footpath area must not obstruct pedestrian movement or access to and from kerbside parking bays and a minimum clear footpath width of 2m shall be maintained in all cases.
- e) All objects and furniture located as part of the dining and/or display area are to be readily removable. However, where it is demonstrated to the satisfaction of Council there are positive benefits to the public, more permanent features may be permitted providing all costs associated with removal and restoration are borne by the applicant and Council is satisfied with the form, construction and appearance of those more permanent features.
- f) Objects placed on the footpath within the road reserve must not obstruct sight lines for either vehicles or pedestrians, either at road junctions and crossovers.
- g) The applicant is responsible for attending the dining and/or display area and ensuring it is maintained in a good condition and clean and tidy state at all times.
- h) If a dining area and/or display are not maintained in a good condition and clean and tidy state and/or the conditions of Council's approval are not adhered to, Council may withdraw the approval and all associated materials and objects associated with the approved use must be removed.
- i) The applicant shall be solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction to Council's satisfaction of the street carriageway, footpath or any part thereof arising from the use of the approved area. If an applicant does not complete the necessary works, Council may recoup such costs from the applicant.
- j) The installation of transparent, roll-down blinds to provide weather protection for an alfresco area is supported in principle but they must be taken down each night at the close of business.
- k) An Alfresco Dining and Trade Display permit is valid for twelve (12) months from issue of the Development Approval starting from the 1 July. It is renewable annually by the Shire subject to no complaints being received by the Shire.

### **Special Application Requirements**

- a) The applicant is required to show evidence of appropriate comprehensive public liability insurance covering any activity, object or provision within the approved public place and indemnify Council against any claim from its use by them and/or patrons.
- b) In addition to normal development application requirements, applications for Alfresco Dining Areas or Street Displays must be accompanied by plans, drawn to scale, which clearly indicate the proposed location of tables, chairs and any other object(s) and shows their relationship to existing features such as the building, kerb line, street furniture, landscaping and adjoining buildings
- c) Applications must contain a written submission and must specify proposed days and hours of trading in the public area.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Police Manual review.				

## LPP9 FARM FORESTRY

---

### Policy Objectives

The objectives of this Policy are to:

- a) To facilitate a more consistent, efficient and effective planning process for tree farms.
- b) To facilitate the establishment, management and harvesting of plantations consistent with the Code of Practice for Timber Plantations in Western Australia, as amended.
- c) To support and encourage the development of Agroforestry in the Shire for its combined economic, environmental and social benefits and its greater contribution to sustainability in rural areas.

### Policy

#### **Background**

There is potential for commercial timber and associated products in the Shire, but the choice of species is restricted to well defined ranges due to soil type and rainfall. Another emerging plantation industry is the establishment of carbon plantations to create carbon offsets through the establishment and management of plantations dedicated to that purpose.

These carbon plantations are not subject to harvesting and may be left in place for 70 years. The accumulated carbon dioxide in these plantations is 'traded' with entities that have an obligation to reduce their greenhouse gas emissions profile (such as vehicle manufactures and petroleum companies). Carbon dioxide sequestered by these plantations needs to be certified under the National Carbon Offset Standard of the Commonwealth Government Department of Environment and Energy.

The environmental benefits of such plantations include lowering of water tables (and salinity levels), improved biodiversity (including habitat linkages), improved soil conservation and reduced sediment loads in waterways. Also from a local government perspective, additional road construction and maintenance is not required as the plantation may never be harvested.

However, carbon plantations do generate areas of concern particularly from a local government perspective. After the initial planting and other than annual firebreak maintenance, nothing is returned to the local community. There is essentially no production of food from the land which once was carrying livestock and/or being used for cropping. There is the real potential that extensive areas planted to carbon plantations exacerbate population drift and rural re-population.

However, at this stage the Shire has not taken a position in regard to limiting or controlling carbon plantations as a land use, this policy governs plantations that are harvested such as Blue Gum and pine plantations.

The active management of plantations is critical to ensure that fire, weed and vermin issues are kept to a manageable level. These matters (and others) are addressed by the Code of Practice for Timber Plantations in Western Australia.

Farm Forestry and Agroforestry operations are defined as 'Tree Farm' by the Scheme. A 'Tree Farm' is a permitted land use in the "Rural" zone. The Scheme requires Development Approval to be granted by the Local Government prior to the establishment of a plantation.

#### **Definitions**

For the purposes of this Policy, the following definitions apply:

**“Agroforestry”** - Land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

**“Farm Forestry”** - Any commercial tree production on farmland.

**“Plantation”** - A stand of trees of 10 hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantations. Implicit in this definition is the recognition that plantations will be harvested.

**“Plantation Management Plan”** - A plan that details the establishment and tending procedures for a plantation in a manner consistent with Part A of Appendix 1 of the Code of Practice for Timber Plantations in Western Australia; Protocols for management Plans.

**“Transport Strategy”** - A plan and/or agreement outlining the transport arrangements related to the subject property and the surrounding local and district road system for transporting harvested or processed product from the site of production prepared in a manner consistent with Part B of Appendix 1 and Appendix 2 of the Code of Practice for Timber Plantations in Western Australia; Plantation Timber Haulage Notification to Local Governments.

## Local Planning Policy No.9 - Requirements

### Exemptions from Development Approval

Nil

### General Requirements

- a) In assessing an Application for Development Approval that proposes a Plantation, Council is to have regard to the Development Control Provisions of this Policy and the following criteria as appropriate:
  - i) the provisions of the Code of Practice for Timber Plantations in Western Australia, as amended;
  - ii) the need to encourage farm forestry in locations where it is significant to the State, regional and local economies;
  - iii) the benefits of farm forestry in addressing land degradation, including soil erosion, water logging and salinity;
  - iv) the role of farm forestry in protecting water quality and preventing adverse effects on groundwater recharge;
  - v) any loss of high quality, productive agricultural land;
  - vi) the impact on the natural environment and on visual amenity; and
  - vii) the compatibility of farm forestry with adjacent land uses.
- b) Compliance with the Code of Practice for Timber Plantations in Western Australia (as amended) is required. The Code of Practice for Timber Plantations in WA (‘the Code’) which sets out goals and guidelines for specific areas, including management plans, planning and design, plantation roads, weed and pest control, waterway protection, drainage, harvesting, fire prevention and control, research and development, safety and investment. All plantation applications will be required to meet the minimum standards as outlined in the Code of Practice. All applications will be assessed having regard for the general principles of the Code.

- c) The preparation and submission of a Plantation Management Plan to accompany applications in accordance with the protocol of the Code of Practice for Timber Plantations in Western Australia (as amended) (Code of Practice). Appendix 1 of the Code of Practice provides a detailed description of matters to be addressed so will not be replicated in this policy (e.g.. establishment and maintenance plan, fire management plan, weed control, vermin and insect control, planting details, native vegetation management etc).
- d) The preparation and submission of a Transport Strategy as part of the Application for Development Approval. The Transport Strategy is to include the following information:
  - i) area of land to be planted to trees and subsequently to be harvested;
  - ii) anticipated season/s and year/s of harvest;
  - iii) anticipated tonnage of product at harvest;
  - iv) whether trucked product is likely to be in the form of logs or chips or other;
  - v) anticipated haul routes on local and district roads;
  - vi) proposed destination of haulage; and
  - vii) proposals for upgrading/rehabilitation or making financial contribution towards the upgrading/ rehabilitation of the local and district road system.

The Transport Strategy is to be updated and presented to the Local Government for final approval a minimum of eighteen (18) months prior to harvesting commencing.

- e) The Local Government may require a report on the general pre-condition of the main haulage roads and payment of a bond to cover any potential road damage.
- f) The Local Government will require the preparation and submission of a Fire Management Plan as part of the Application for Development Approval. The Fire Management Plan is to be prepared by an experienced fire professional in accordance with the Guidelines for Plantation Fire Protection, as amended.
- g) In order to reduce the potential for conflict between farm forestry practices and areas of sensitive land uses, Council will not approve the development of Tree Farms within:
  - i) 500m of the Townsites of Hopetoun, Munglinup and Ravensthorpe.
  - ii) 250m of the Townsite of Jerdacuttup.
  - iii) 500m of areas zoned 'Rural Residential'.
  - iv) 250m of areas zoned 'Rural Small Holding'.

Notwithstanding the separation distances stated above, Council may consider reducing the separation distance where it can be demonstrated that the planting of trees closer to sensitive land uses will address pre-existing environmental damage, such as salinity.

The proponent is to demonstrate in this case that the plantation can be operated without adverse impact on the amenity of residents in the adjoining areas.

- h) All plantations shall be setback:
  - i) 50 metres for permanent water or greater ephemeral streams (intermittent);
  - ii) 30 metres for ephemeral streams and margins of water supply Variation to these setbacks can be considered following referral to the department of Water for advice.

- i) Agency referrals.
  - i) Where a property subject to an Application for the establishment of a Tree Farm adjoins land managed by the Department of Biodiversity Conservation and Attractions as part of a designated Nature Reserve, Conservation Area or National Park, the Application is to be referred for comment to the Department.
  - ii) Applications that use Main Roads WA controlled highways for access will be referred to Main Roads for comment.
  - iii) Applications in close proximity to waterways will be referred to the Department of Water and Environmental Regulation for comment prior to determination.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>	Residential Design Codes of WA						
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LPP10 HOLIDAY HOMES

---

### Policy Objectives

The objectives of this Policy are to:

- a) establish clear guidelines for the short stay use of holiday houses for tourism accommodation.
- b) ensure that the predominant residential nature and character of neighbourhoods is retained.
- c) minimise negative impacts of holiday homes on the amenity of adjoining residents.
- d) encourage the provision of good quality, well managed holiday houses.

### Policy

#### Background

Holiday houses are private residential dwellings that are leased out for short term accommodation for a period not exceeding three (3) months. Holiday homes are a small but growing aspect of the tourism industry in the Shire of Ravensthorpe and have long been an important part of local and Western Australian lifestyle and culture.

The informal development of this section of the tourist accommodation market has meant that holiday homes have so far operated with minimal regulation, resulting in an uncertain legal & insurance environment, issues of inequity with other service providers and increased potential for land use conflict.

Community concerns about holiday homes often relate to the behaviour of tenants, rather than being associated with the use per se. In addition there has been concern that some holiday homes are not maintained to a satisfactory standard, which in turn reflects negatively on the Shire's tourism industry.

The Western Australian Planning Commission (WAPC) has prepared Planning Bulletin 99 - 'Holiday Homes Guidelines' that sets out the WAPC's position in relation to the planning and regulation of holiday homes in Western Australia. The Bulletin provides guidance to local governments when dealing with issues associated with holiday homes in the local government planning framework. This policy is consistent with the recommendations of this Bulletin.

The Shire of Ravensthorpe Local Planning Scheme No.6 (the Scheme) lists 'holiday home' as an 'A' use in the 'Residential', 'Rural Townsite', 'Mixed Use', 'Rural' and 'Rural Residential' zones.

#### Definitions

**'holiday house'** means a single dwelling on one lot used to provide short term accommodation but does not include a bed and breakfast;

**'short term accommodation'** means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.

**'Holiday home'** means a single house, which might also be used for short stay accommodation for no more than twelve people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

**'Short stay'** means that no person is to stay for more than three months in any 12 month period.

**'Property Manager'** means a person or company responsible for the day to day administration of the holiday home and may be the landowner.

### Local Planning Policy No.1 - Requirements

## Exemptions from Development Approval

This policy does not apply to houses used by absentee landowners for their own holidays but only to houses rented out for commercial gain.

## General Requirements

- a) Holiday homes are generally considered an acceptable land use where permitted in Clause 3.2 of the Scheme, subject to appropriate management measures being put in place.
- b) Where development is proposed to be located within a bushfire prone area a Bushfire Attack Level Assessment must be prepared and lodged with a development application unless the development is subject to the BAL Contour Plan over Ravensthorpe and Hopetoun Townsites and a template for lodging Bushfire Management Plans as referenced in LPP11-Development in Bushfire Prone Areas.
- c) Where a Bushfire Attack Level Assessment of BAL-40 and BAL-Flame Zone applies and the rating cannot be reduced it is considered inappropriate for a Holiday Home land use and an application for development approval will be refused.
- d) The holiday home may only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
- e) Car parking bays are to be provided on-site at a rate of one bay per two adults accommodated.
- f) The applicant is to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by the Shire.
- g) On-site holiday home signage is not permitted with the exception of a 0.2m<sup>2</sup> nameplate (i.e. identifies the name of holiday home if relevant).
- h) Business Directional Signs are not permitted for holiday homes.
- i) The use of grouped or multiple dwellings will generally not be supported for holiday home accommodation given the potential impacts on adjoining residents, unless all owners/strata owners or the body corporate are in agreement.

## Special Application Requirements

- a) A Property Management Plan is required to be submitted and approved by the Shire. Matters that need to be addressed in the Property Management Plan include:
  - i) details of the appointed property manager;
  - ii) details of the maximum number of adults to be accommodated at any one time;
  - iii) details of how bookings are to be made;
  - iv) duties of the property manager;
- b) In relation to the appointment of a Property Manager, the following is applicable:
  - i) is a person/company that will have day-to-day management of the holiday home; and
  - ii) will specifically respond to complaints pertaining to guest behaviour made before 1am within a two hour timeframe; and
  - iii) in relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.
- c) Fire and Emergency Plan arrangements (i.e. location of smoke alarms, fire blankets, exit lighting, fire extinguishers, external taps/garden hoses, a fire evacuation route leading to the nearest main road and emergency information details); and
- d) A Code of Conduct for guests.

### Renewal & Approval Period

- a) All initial development approvals for holiday homes shall be granted for a one year period unless the local government determines otherwise.
- b) In determining an application for renewal, the Shire will consider the nature of any comments made regarding the operation of the activity and any other information available relating to the adverse impact of the activity on the amenity of neighbours and surrounding area.
- c) Where complaints have been made, issues relating to impact on amenity have been verified or other non-compliance with the planning development approval has occurred, approval of the renewal application is unlikely to be granted.
- d) Where the Shire is satisfied that the holiday home has been appropriately managed an approval of the renewal application for a period of up to three years may be granted.

Note:

Property Managers are fully responsible for the holiday home and to ensure there is minimal impact on the amenity of neighbouring properties. This provides a degree of certainty to operators, while also enabling the Shire flexibility to terminate approval of non-compliant operators, particularly where valid complaints are received, conditions of approval are not being complied with and/or there are concerns relating to the holiday home operations.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b> Holiday Home Property Management Plan Holiday Home Date: Fire and Emergency Plan Holiday Home Code of Conduct							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2022	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 20/12/18 – Item 10.2.1		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Amended – Added two additional new “General Requirements.”				
3.	OCM 14/12/20 Item 15.2		Policy Confirmation following Local Public Notice.				
4.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LPP11 DEVELOPMENT IN BUSHFIRE PRONE AREAS

### Policy Objectives

The objectives of this Policy is to:

- e) establish clear guidelines for the short stay use of holiday houses for tourism accommodation.
- f) Adopt and apply BAL Contour Plans for the townsites Ravensthorpe and Hopetoun in order to assign a Bushfire Attack Level (BAL) rating to the residential areas within these townsites.
- g) Clarify and streamline the development process for residential development in bushfire prone areas zoned Rural, Rural Residential and Rural Small Holdings by providing a Bushfire Management Statement template.

### Policy

#### **Background**

Large areas of the Shire of Ravensthorpe are prone to bushfires due to topography, vegetation and climate. In 2015 the State Government released a suite of reforms in response to the Keelty Report 2011 that apply across the State and elevate bush fire issues to the highest level of planning policy.

The Department of Fire and Emergency Services (DFES), Building Commission and Western Australian Planning Commission (WAPC) collectively released a Bushfire Policy Framework which includes:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

The intention of this policy framework is to "implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure."

The recent release of this policy framework has increased the level of complexity when lodging development applications. The majority of landowners and developers in the Shire of Ravensthorpe are 'owner builders' or reasonably unfamiliar with the development process and requirements.

Additionally, the townsites are remote to professional services, any service usually comes with considerable travel costs added. Large areas of the townsites are required to prepare a BAL Assessment being identified as 'bushfire prone' by the recently released State-wide Bushfire Prone mapping.

This policy seeks to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over Ravensthorpe and Hopetoun townsites and a template for lodging Bushfire Management Plans.

#### Scheme Requirements

Regulation 10A of the Planning Regulations 'Deemed Provisions' require planning development approval for all development within a designated bushfire prone area; except lots less than 1100m<sup>2</sup>.

The Scheme then requires that Council have 'due regard' for State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Area when determining development applications in bushfire prone areas.

Therefore, this policy is to be read in conjunction with:

- The Deemed Provisions contained in the Planning and Development (Local Planning Schemes) Amendment Regulations 2015, which form part of every local planning scheme;
- Where relevant, any supplementary provisions of a scheme;
- State Planning Policy 3.7 and the supporting Guidelines; and
- Australian Standard 3959: Construction of buildings in bushfire-prone areas.

Importantly, this policy compliments the above requirements only and does not supersede any other requirement of this policy framework. It seeks to streamline, add clarity and consistency to the requirements of the abovementioned documents when applied in the Shire of Ravensthorpe.

## Definitions

These definitions are largely from State Planning Policy 3.7 and apply in the context of SPP 3.7, the Guidelines and this policy.

**'AS 3959'**: Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas.

**'BAL'**: Bushfire Attack Level (BAL) as set out in the Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959), as referenced in the Building Code of Australia (as amended).

**'BAL Assessment'**: An assessment prepared in a manner and form set out in AS 3959 to determine a BAL. It is required that BAL assessments are prepared by accredited Level 1 BAL Assessors.

**'BAL Contour Map'**: A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is complete. The intent of the BAL Contour Map is to identify land suitable for development based on the indicative BAL rating.

**'Bushfire Policy Framework'**: The collective term for the package of requirements released in December 2015 that guide development in bushfire prone areas. These documents include:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

**'Bushfire Protection Criteria'**: means Appendix Four of the Planning for Bushfire Risk Management Guidelines (2015).

**'Bushfire Management Plan'**: means a plan which sets out the proposed fire mitigation measures for land. It is normally required to comply with the Bushfire Protection Criteria (Appendix 4 & 5 of the Bushfire Risk Management Guidelines). A bushfire management plan or bushfire management plan is to be prepared by a person with expertise in fire management planning who is preferably accredited under the national BPAD scheme.

**'Bushfire Management Statement'**: means a statement prepared by an experienced person or BAL Assessor that demonstrates how a development proposal complies with the 'acceptable solutions' listed in Appendix 4 of the Bushfire Risk Management Guidelines and this Policy.

## Local Planning Policy No.11 - Requirements

### Exemptions from Development Approval

There are no exemptions; all development in bushfire prone areas require assessment against the Bushfire Policy Framework, including this policy.

### BAL Contour Plan

- 1) The Shire of Ravensthorpe has prepared a BAL Contour Plan for the townsites of Ravensthorpe and Hopetoun (2 Townsites BAL Contour Plans). This Plan and report apply a BAL rating to all properties capable of residential development. It is to be applied in the context of the WAPC's 'Bushfire Policy Framework'.
- 2) The BAL Contour Plan applies BAL ratings to those areas designated bushfire prone.
- 3) An applicant can choose to prepare their own BAL Assessment should they chose to not accept the BAL Contour Plan recommended BAL rating. This must be prepared by a suitably accredited fire consultant.
- 4) The BAL Contour Plans will be reviewed in order to respond to any townsite mitigation actions completed.
- 5) The BAL Contour Plans are not applicable to strategic planning proposals and subdivisions.

### Bushfire Management Statement

That development applications on land zoned 'Rural', 'Rural Residential', Residential' or 'Rural Small Holdings' in the Study Area are to be accompanied by:

- A. A BAL Assessment prepared by an accredited person.
- B. A Bushfire Management Statement prepared by as experienced bushfire practitioner that addresses the matters listed in the template provided at Appendix 1 of this policy.

These measures include:

#### "Essential":

- i) Define the proposed Building Envelope (where applicable);
- ii) Incorporate findings of BAL Assessment including:
  - o House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas";
  - o Distance to classified vegetation; and
  - o Attach a copy of BAL Assessment as an appendix.
- iii) Asset Protection Zone (APZ) -minimum of 20m wide managed to the standard described at Element 2, Appendix 1 of the Guidelines for Planning in Bushfire Probe Areas;
- iv) Council may consider a lesser width APZ where there are environmental, topographical, visual amenity or erosion issues. In all cases the minimum width of the APZ must allow the house to achieve a BAL-29 rating;
- v) Driveway maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m, vertical clearance of 4.5m and maximum grade of 1 in 10;
- vi) An emergency services vehicle turnaround within 50m of the dwelling (three point or circular);

- vii) Dedicated water supply of 10,000L accessible from the driveway or turnaround and provided with a 50mm male camlock fitting;
- viii) Fire Breaks (as appropriate);
- ix) Sheds located at least 6m from the house or assessed as part of the house and a BAL rating applied as appropriate;
- x) Fences and sheds within the APZ are constructed of non-combustible materials; and
- xi) Avoid areas of Kwongkan Shrubland.

**“Desirable/Complimentary”:**

- o Use a simple house design to reduce wind turbulence around house;
- o Method for managing vegetation on balance of property;
- o Secondary access points through neighbouring property, developed in conjunction with neighbouring landowner;
- o Sprinkler Systems; and
- o Fire Bunkers.

Note: Where any ‘essential’ element of the Bushfire Management Statement cannot be complied with a full Bushfire Management Plan shall be prepared by an appropriately accredited fire consultant.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Regulation 10A of the Planning Regulations 'Deemed Provisions' Planning and Development (Local Planning Schemes) Amendment Regulations 2015.						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Bushfire Management Statement Template</b>							
<b>Risk Rating:</b>	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>	<b>Description</b>					
1.	OCM 20/12/18 – Item 10.2.1	Major Revision to Planning Scheme Policies					
2.	OCM 15/09/20 – Item 15.1	Policy Amendment – Bushfire Attack Level (BAL) Contours will be reviewed annually to being reviewed as required.					
3.	OCM 14/12/20 Item 15.2	Policy Confirmation following Local Public Notice.					
4.	OCM 19/07/22 – Item 12.1.2	2022 – Comprehensive Policy Manual review.					

## LPP12 LEASES AND LICENCES POLICY

### Policy Objectives

The purpose of this policy is:

- a) to ensure transparent and accountable process for the disposal of land and building assets by way of lease or license held by the Shire of Ravensthorpe either owned in fee simple, under a management order, or via a sub-lease arrangement;
- b) to minimise the risk to the Shire of Ravensthorpe and to maximise the overall return to the community for Shire of Ravensthorpe assets, and
- c) to ensure compliance with the provisions of section 3.58 of the *Local Government Act 1995*, and any other relevant laws and consistency with Shire of Ravensthorpe policies.

### Policy

This policy addresses when to apply a short- and long-term leasing or licencing approach to property owned, managed or sub leased by the Shire of Ravensthorpe.

The Shire of Ravensthorpe owns, manages under order, and sub leases certain land and buildings throughout the Shire and may from time to time choose to enter into leasing and licensing arrangements with individuals, not for profit organisations and businesses.

This policy recognises the variety and diversity of leases and licences as well as recognises that no one particular style of lease or licence is appropriate for all purposes.

This policy will ensure that all requests for lease or licence for whatever purpose will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.

A lease or a licence is a contractual agreement between Council (lessor or licensor) and another party (lessee or licensee) that binds both parties to the terms of the agreement.

The individual circumstances surrounding the land and buildings and the needs of the users will determine whether granting a lease or a licence is appropriate using the guiding principles detailed in this policy.

This policy recognises that in relation to commercial leases, lessees enter in a commercial business tenancy relationship with the Shire and that the management of such leases and relationships is an operational matter within the responsibilities of the Chief Executive Officer.

#### LPP12.1 Essential differences between Lease and Licence

##### **A Lease:**

- a) is a transfer of right to enjoyment (exclusive possession) of that property by the lessor to the lessee, and made for a certain term in consideration of a fee subject to the terms set out in the lease agreement;
- b) grants exclusive possession for a fixed period (term);
- c) creates an interest in the land which can be transferred to the lessee for the period of the lease;
- d) can be transferred (assigned) to another party and if registered on the title is binding on a new owner of the land;
- e) is not revocable (other than subject to any conditions set out in the lease (e.g. a redevelopment clause)).

**A Licence:**

- a) is the granting of a permission to use the land in consideration of a fee subject to the conditions set out in the licence;
- b) does not grant exclusive possession;
- c) does not create or transfer an interest in the land;
- d) is not transferable;
- e) is revocable.

LPP12.2 Guiding Principles

Leases and licences will be negotiated consistently with the following GENERAL principles:

Item	Policy	Principle
1.	<b>Type of agreement</b>	A Lease will be entered into where the intention is to grant exclusive possession of the property or part of the property.
	<b>Lease vs Licence</b>	A Licence will be entered into where the intention is to grant non-exclusive possession of the property or part of the property.
2.	<b>Term</b>	<p>The maximum tenure of a Lease or Licence granted by the Shire on Crown land will be 21 years including any further term option/s.</p> <p>The maximum tenure of a Lease or Licence granted by the Shire on freehold land will be at the discretion of Council.</p> <p>The term will depend on many factors, including but not limited to:</p> <ul style="list-style-type: none"> <li>a) The needs of Council and Council Plan objectives.</li> <li>b) The needs of the Community.</li> <li>c) The Lessee.</li> <li>d) The Business.</li> <li>e) The ongoing need for the Property or the provided use.</li> <li>f) Substantial contributions to capital or structural works by the Lessee.</li> <li>g) The sustainability of the Lessee.</li> <li>h) The sustainability of the Property.</li> <li>i) The Management Order for the Property (if Crown land) and the requirements of the Minister for Lands.</li> <li>j) The current state of the leasing and licencing market.</li> </ul>
3.	<b>Lessee</b>	<p>The Shire may enter into a Lease or Licence with the following entities:</p> <p>Individuals.</p> <p>Partnerships (i.e. more than 1 individual or entity).</p> <p>Incorporated Associations.</p> <p>Companies.</p> <p>The Crown / a Statutory Authority / other Government body.</p> <p>Trusts, by their trustee (usually an individual or a company).</p>

Item	Policy	Principle
		Some entity types may require guarantor or other types of additional security (see below)
4.	<b>Planning, Consent and Approvals</b>	<p>Council approval is required for all new leases, licences and sub-leases and can include any further terms.</p> <p>Planning Scheme Consent / Approval (if required) must be obtained from the Shire as the local planning authority prior to a request for a Lease or Licence.</p> <p>Where the Shire manages Crown land, grant of the Lease or Licence and each renewal, if any, will be conditional on Minister for Lands approval.</p> <p>The Lessee or Licensee is solely responsible for obtaining all approvals, licenses and authorities necessary to conduct the proposed activities on any premises. The Shire makes no representation that a premises or property is suitable for any activity, whether permitted or otherwise.</p>
5.	<b>Format and Conditions</b>	<p>Leases and Licences will normally only be granted by the Shire on its standard terms and conditions (from time to time) for the type of Lease or Licence sought, and in accordance with the relevant Guidelines.</p> <p>Amendments to standard agreements may be made in appropriate circumstances.</p> <p>Lease and Licence agreements will be supplied by the Shire or its nominated lawyers at the Lessee's cost (unless prohibited by the Commercial Tenancy (Retail Shops) Act 1985). Generally the preparation of a Shire standard licence agreement should not incur cost.</p>
6.	<b>Rates, Taxes and Outgoings</b>	<p>The Lessee/Licensee must pay the relevant authority directly for all outgoing including rates, charges and taxes levied against the Property. User charges including but not limited to water, sewerage, waste disposal, telephone, gas and electricity are generally paid directly to the relevant service provider by the Lessee/Licensee.</p> <p>In shared spaces and/or where separate meters are not available, the Lessee/Licensee will pay its fair share of outgoing as a percentage of its floor space of nett lettable area.</p>
7.	<b>Registration</b>	A Lessee may procure registration of the Lease (where possible) with Landgate at the Lessee's cost. Licenses are not registrable with Landgate.
8.	<b>Sub-letting</b>	<p>A Lessee/Licensee must not sub-Lease, sub-Licence or part with possession of Property that is the subject of a Lease or Licence without the Shire's prior written consent. The Lessee/Licensee will be required to prove the suitability of a sub-Lessee/sub-Licensee.</p> <p>Sub-Leases and sub-Licences must be consistent with the head Lease or Licence purpose. If the purpose is inconsistent, a variation to the</p>

Item	Policy	Principle
		<p>head Lease or Licence will be required to accommodate the sub-Lease or sub-Licence purpose.</p> <p>If sub-Leasing or sub-Licensing Shire managed buildings, the Lessee/Licensee cannot charge a rent for the sublet area that is pro-rata higher than the rent payable under the head Lease or Licence without the written approval from Council.</p>
9.	<b>Assignment</b>	<p>Unless prohibited by the Commercial Tenancy (Retail Shops) Act 1985, a Lessee/Licensee must not assign a Lease or Licence without the Shire's prior written consent, which may be withheld in the Shire's absolute discretion. Assignors continue to be liable for the remainder term of the Lease and will be required to prove suitability of an assignee.</p>
10.	<b>Delegated Authority</b>	<p>The Chief Executive Officer has delegated authority to;</p> <ul style="list-style-type: none"> <li>a) grant further lease, licence and sub-lease term extensions that were previously approved by Council when awarded a new lease, licence or sub-lease,</li> <li>b) negotiate lease terms within +10% or -10% of the independent valuations. Any variations greater will require Council approval.</li> </ul>
11.	<b>Risk Management and Insurance</b>	<p>The Shire requires that all Leases and Licences contain appropriate risk management measures including an obligation on the Lessee to:</p> <ul style="list-style-type: none"> <li>indemnify the Shire (and the Minister for Lands if on Crown land) for loss or damage to persons or Property, wherever occurring;</li> <li>maintain adequate public liability insurance;</li> <li>ensure that appropriate documentation and insurance is in place for the hired use of the Property;</li> <li>carry appropriate worker's compensation insurance commensurate with activities; and</li> <li>be responsible for emergency and evacuation procedures</li> </ul> <p>A Lessee must maintain a minimum of \$20 million public liability insurance.</p> <p>The Shire will be responsible for arranging insurance for Shire owned buildings and recover the cost of insurance premiums from the Lessee as an outgoing.</p> <p>A Lessee must insure the Lessee's personal Property (including contents).</p>
12.	<b>End of Lease Provisions</b>	<p>All improvements and permanent structures erected on Council property remain the property of Council, irrespective of who paid for the structure, unless when the lease is terminated all improvements</p>

Item	Policy	Principle
		<p>made or structures erected are removed, returning the building and/or site to its original condition.</p> <p>This includes the removal of all material, debris and services from the site and the restoration of the building and/or site to the original condition when the Lessee took occupancy of the premises (this may involve the replanting of trees and landscaping).</p> <p>The only exception to this requirement is where the Council through the Chief Executive Officer agrees to accept partial restoration and/or financial compensation in lieu of full restoration or Council through the Chief Executive Officer determines there is value in Council retaining the improvements or modifications made to a site, or portion thereof.</p>
13.	<b>Maintenance</b>	<p>The Shire will be responsible for structural maintenance and electrical wiring of Shire owned buildings.</p> <p>A Lessee will be responsible for all other maintenance to the Property including gardens.</p>

### LPP12.3 Special Principles

SPECIAL Principles relating to certain categories of Property;

Item	Policy	Principle
1.	<b>Commercial Leases</b>	<p>Rent for Commercial Leases or Licences will be determined by Market Valuation.</p> <p>The costs of obtaining a Market Valuation (provided by a licensed Property Valuer) for the initial Lease or Licence rental assessment and during the term of the Lease or Licence will be paid by the Lessee.</p> <p>Rent reviews will be conducted on the anniversary date of the Lease or Licence by Market Valuation every three years and by the most recently published Consumer Price Indexation, All Groups (Perth) for intervening years.</p>
2.	Retail Leases	<p>Shop</p> <p>If the Act applies, Leases will be prepared in accordance with the Commercial Tenancy (Retail Shops) Act 1985).</p> <p>Rent for Retail Shop Leases will be Market Valuation and/or rent based on turnover, with Consumer Price Indexation, All Groups (Perth) adjustment in intervening years.</p> <p>Subject to the Act, a minimum term of 5 years will be granted. The term can be in a combination of initial term and options totalling 5 years.</p>
3.	<b>Residential Leases</b>	<p>Residential Leases of Shire owned Property will be in accordance with the Residential Tenancies Act WA and be charged rent as determined by a current rental valuation.</p>

Item	Policy	Principle
		<p>Provision of Shire staff housing will be considered and charged according to the Shire's Workforce Plan and individual employee contract negotiations.</p>
4.	Community Leases	<p>Community, sporting or recreation associations must be incorporated to enter into a Lease or Licence with the Shire.</p> <p>Prospective Community Lessees, upon request, must be able to demonstrate to the Shire's satisfaction that the Lessee will provide sufficient community benefit to justify the Lease or Licence.</p> <p>Where land and building assets are managed by the Shire under a management order for civic or community purposes, every effort should be undertaken to co-locate appropriate community groups and not for profit entities under a licence or lease agreement.</p> <p>A community Lease or Licence term will generally be for a maximum of 10 years for community groups leasing Shire managed buildings. A longer term may be considered (at the discretion of Council) for properties that are primarily funded by the community group taking the following factors into account:</p> <ul style="list-style-type: none"> <li>Level of capital investment</li> <li>Long term planning</li> <li>Extent the property is used for multi-purpose activities and co-location</li> <li>Council Plan objectives and relevant strategies</li> <li>Level of maintenance of buildings and infrastructure</li> <li>History of satisfactory performance</li> </ul> <p>The maximum term for Community Leases and Licences will be 21 years.</p> <p>Rent for Community groups leasing Property for community purposes will be at a subsidised peppercorn rent of \$10.00 plus GST per annum.</p> <p>As a minimum Community groups will be responsible for the following costs;</p> <ul style="list-style-type: none"> <li>Lease/licence preparation and administration,</li> <li>Building insurance, contents insurance, public liability insurance, utilities, minor maintenance and waste service charges.</li> </ul> <p>Major maintenance and asset renewal costs may also apply and will be determined as part of the lease negotiations.</p> <p>Community Leases and Licences may be assigned at the absolute discretion of the Shire, to an entity with similar suitable community intent.</p>

#### LPP12.4 Definitions

**‘Disposal’** means Disposing of Property pursuant to Section 3.58 of the *Local Government Act 1995* and Regulation 30 of the Local Government (Functions and General) Regulations 1996.

**‘Regulations’** means Local Government (Functions and General) Regulations 1996.

#### LPP12.5 Workplace Information

The Acts and Regulations listed may be applicable but not limited to the following:

- *Local Government Act 1995*
- Local Government (Functions and General) Regulations 1996
- *Land Administration Act 1997*
- Land Administration Regulations 1998
- Land Administration (Land Management) Regulations 2006
- *Transfer of Land Act 1983*
- Transfer of Land Regulations 2004
- Land Titles Registration Practise Manual 2010
- *Commercial Tenancy (Retail Shops) Agreements Act 1985*
- Commercial Tenancy (Retail Shops) Agreements Regulations 1985
- *Residential Tenancies Act 1987*
- Residential Tenancies Regulations 1989

Document Control Box						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>Land Administration Act 1997</i> <i>Land Administration Regulations 1998</i> <i>Land Administration (Land Management) Regulations 2006</i> <i>Transfer of Land Act 1983</i> <i>Transfer of Land Regulations 2004</i> <i>Land Titles Registration Practise Manual 2010</i> <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> <i>Commercial Tenancy (Retail Shops) Agreements Regulations 1985</i> <i>Residential Tenancies Act 1987</i> <i>Residential Tenancies Regulations 1989</i>					
<b>Industry:</b>						
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Annual	<b>Next Due:</b>	2023	<b>Ref:</b>
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 14/09/21 – Item 13.1		New Policy Established			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## LPP13 ITINERANT TRADING POLICY

---

### Policy Objectives

The objectives of this Policy are to:

- a) To facilitate the opportunities for itinerant traders that adds to the public enjoyment and use of the local government area, while not reducing safety or access to public land;
- b) To ensure existing local businesses are not significantly disadvantaged through the approving of itinerant traders; and
- c) To provide a consistent and coordinated process for the assessment of applications for itinerant traders within the municipality.

### Policy Statement

The Shire of Ravensthorpe (the Shire) encourages improved retail and hospitality vibrancy that reinforces the positioning of Ravensthorpe as a developing tourism Shire.

The Shire values its local business community and recognises that there are business opportunities that can occur on a temporary basis. The Shire is also committed to promoting small business initiatives in a sustainable and fair manner.

It is recognised that Itinerant Traders can:

- a) Contribute to the vitality of the town;
- b) Provide a safe, efficient and accessible food service at peak times to service increased customer demand beyond the supply capabilities and/or outside operating hours of permanent food outlets;
- c) Provide products and services on a temporary basis not currently on offer;
- d) Provide an opportunity for seasonal products to be provided; and
- e) Activate a particular location or precinct that meets the objectives of the local government.

This Policy is a tool that will provide Council with a framework for the operation and management of itinerant traders within the Shire.

### Policy Purpose

The purpose of this policy is to:

- a) Describe the Shire's commitment and approach to genuine, consistent socio-economic and tourism development, and community engagement in Council's decision-making processes.
- b) Contribute to informed decision making by ensuring the diverse perspectives, experiences, abilities, and aspirations of the community are considered when Council makes decisions.
- c) Strengthen relationships and trust between Council and community by creating opportunities for people to participate and innovate and add to the Shires service offerings.
- d) Provide regulation for the management of public property and the activities that may be conducted on public property that is owned or managed by the Shire.
- e) Align the Shire Council's approach to economic development with:
  - i) the expectations and feedback from the Shire's community.
  - ii) the requirements and best practice standards of the:

- *Local Government Act 1995.*
- *Planning and Development Act 2005.*

- f) Align with, and support the implementation of other Council policies, local laws, frameworks, strategies and action plans.

### Definitions and Abbreviations

**'approved location'** - means the Shire has identified locations from which an Itinerant Trader may trade with appropriate approvals. Trading from these locations may occur independently of a Council approved market, festival or event.

Current Shire Approved Locations are;

- Hopetoun - Main Beach Carpark, adjacent to the public toilets (1 site)
- Hopetoun – Veal Street. Shire road verge adjacent to Lot 500, south of the Hopetoun Bowling Club (up to 2 sites)
- Hopetoun – West Beach carpark (1 site)
- Starvation Bay Campgrounds (2 sites)
- Masons Bay Campgrounds (1 site)
- Ravensthorpe Aerodrome (1 site)
- Ravensthorpe Recreation Centre (2 sites)

**'food van'** - means any vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any food and or drink (excluding alcoholic beverages).

**'itinerant trader'** - means a person or persons, engaged in providing goods and/or services on a temporary basis.

**'moveable advertising sign'** - means any moveable board, notice, structure, banner or similar device used for the purposes of notifying of a sale, soliciting sales or notifying people of the presence of an adjacent property where goods and services may be obtained. Includes A-Frame signs. This excludes commercial signage mounted on vehicles and/or trailers.

**'public place'** - includes a reserve, public highway, mall, road, street, bridge, footway, footpath, court, alley, passage or thoroughfare, notwithstanding that it may be formed on private property and any other place to which the public may resort.

### Policy

#### LPP13.1 Scope

The Itinerant Traders Policy is applicable in instances where businesses and/or individuals seek to use public land to operate a business for financial gain where land is owned or controlled by the local government.

This Policy does not apply to the following:

- a) Where a vendor is part of an event, carnival, market, fete or the like (this would require an event permit);
- b) Where the activity is a one-off occurrence such as an opening or open day for a business/premises (this would require an event permit);

- c) Trading from private property strictly under consent of the land owner (food permit still required if selling food and beverage products);
- d) Community health mobile clinics and other government/community like uses; and
- e) A 'produce stall' within private property.

#### LPP13.2 General Provisions

- a) All itinerant traders are required to apply for the following permits;
  - i) Itinerant Trading on Local Government Property Permit, and
  - ii) Food Business Registration Application (if food vendor).
- b) Approvals to trade can be granted for periods ranging from 1 day up to 12 months
- c) All Itinerant Traders operating within the Shire must hold a public liability policy of insurance in respect of the activities being undertaken, providing cover of at least \$5,000,000.
- d) No permanent signage may be erected. A Moveable Advertising Sign may only be displayed during the operating times of the business.
- e) Permits will not be issued for itinerant trading within 100m of a competing static business (does not include other itinerant traders) at the same opening times and trading in predominantly similar products unless it is in association with an approved event. For clarity, types of food e.g. pizza, hamburgers, fish and chips are not considered similar products.
- f) The trader is responsible for containment and removal off all waste arising from their operations. The site and surrounds must be maintained in a clean manner with all waste removed and legally disposed of.
- g) Traders may apply for multiple locations however are required to nominate all approved locations, operating days and times and pay for these locations in advance. Multiple bookings that in the opinion of the Shire are designed to exclude other traders can be cancelled at the Shire's absolute discretion.
- h) There are no stipulations on type of food service to be approved at each location however in order to reduce potential conflict the numbers of permitted traders at each approved location will be limited as stipulated for each site nominated below, or at the discretion of the CEO for non-approved locations(excludes one off events).
- i) The Shire will allocate each booking its own space on a first come first served basis and is only confirmed once payment has been received. The Shire will maintain a booking sheet for all approved locations.
- j) Food Vans wishing to operate at specific locations on a more permanent approach greater than 12 months will be considered as per above.

#### LPP13.3 Application Process

- a) Applications are to be lodged with the Shire a minimum of 28 days prior to the proposed trading commencement date.
- b) Applications must be submitted on the form provided for this purpose and provide all information necessary for officers to determine whether or not to issue a permit and apply appropriate conditions to the permit.

- c) In the case of food vans, a current copy of your *Food Act 2008* Certificate of Registration (noting the vehicle's internal fitout must comply with the requirements of the *Food Regulations 2009* and applicable ASNZ Food Standards Codes) is required. If you do not have a Certificate of Registration a new application needs to be lodged a minimum of 28 days prior to the proposed trading commencement date.
- d) Shire may request additional information in support of the application.
- e) Incomplete applications or delays in providing additional information upon request, may result in delays in the application being processed. This includes failure to pay the required permit application fee or provide evidence of adequate public liability insurance.

Trading may not commence until all required fees are paid in full and the permits are issued.

#### LPP13.4 Where Food Vans May Operate

##### **Approved Locations**

The Shire will nominate approved locations where Itinerant Traders may operate. A town centre approved location are those approved by Council, from time to time, and are within a 500mt radius of each town's Post Office within the Shire. Locations outside the town centre may also be nominated as approved locations. Where sites are not approved, or are outside the town centre radius, applications will be assessed and approved on a case-case basis, and subject to the conditions stated in this policy, at the discretion of CEO.

Preferred locations nominated by the Itinerant Trader will be assessed and approved on a case by case basis and subject to the conditions stipulated within this policy.

##### **Itinerant Traders at Markets, Events and Festivals**

Itinerant Traders may only operate at a Market, Event or Festival when they have received the prior consent of the organiser of the Market, Event or Festival. In seeking the prior consent, the Itinerant Trader should provide evidence of current public liability insurance and Food Act Registration (as appropriate).

When a pre-existing booking between the Shire and the itinerant trader conflicts with a festival or one- off event the event will take precedence. In these circumstances if the trader chooses to trade during the event the trader must abide by the event organiser terms and conditions and the agreement between the Shire and trader will be suspended for the period of the event. The Shire will refund or credit to the trader any pre-paid booking fees for the period affected at the end of the booking period.

#### Policy Implementation

The policy will be implemented by:

- a) The Shire of Ravensthorpe Planning Officer (responsible officer).
- b) Final Application approval will be by the Chief Executive Officer.
- c) When reviewing an application, the responsible officer will:
  - i) apply the relevant legislation, Shire Policies and planning processes; and
  - ii) where locations outside of those approved form part of the application, prepare an agenda item for Council approval.

Related Documents

a) Legislative requirements:

Council will adhere to all legislation that requires Council to give notice, consult or engage with the community in a specific way, including:

- i) *Local Government Act 1995.*
- ii) *Planning and Development Act 2005.*
- iii) *Food Act 2008.*

b) Shire of Ravensthorpe policies and procedures:

- i) LPP2 – Advertising signs;
- ii) Shire of Ravensthorpe Local Planning Scheme No.6; and
- iii) Shire of Ravensthorpe Local Planning Strategy.

Document Control Box LPP13 – Itinerant Trading Policy						
<b>Custodian:</b>	Chief Executive Officer					
<b>Decision Maker:</b>	Council					
<b>Compliance Requirements:</b>						
<b>Legislation:</b>	<i>Local Government Act 1995. Planning and Development Act 2005. Food Act 2008.</i>					
<b>Industry:</b>						
<b>Organisational:</b>	LPP2 – Advertising signs; Shire of Ravensthorpe Local Planning Scheme No.6; and Shire of Ravensthorpe Local Planning Strategy.					
<b>Document Management:</b>						
<b>Risk Rating:</b>		<b>Review Frequency:</b>		<b>Next Due:</b> 2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 20/09/22 – Resolution 62/22		New Policy – public comment for 21 days			
2.	OCM 19/07/22 - Resolution 47/22		New Policy Adopted by Absolute Majority			

---

## LPP14 MINING INDUSTRY POLICY

---

### Policy Objectives

The objectives of the Mining Industry Policy are:

- a) To support mining industry activities to build a more sustainable local community and economy, understanding that mining operations can only be sustainable within a thriving society that benefits from a healthy environment;
- b) To encourage positive contribution to the overall liveability of the region, where activities carried out are at a level compatible with the amenity of the natural and built environment and where contributions provide long-term benefits;
- c) To minimise the operational impacts of mining on neighbouring land uses and infrastructure (roads) by making recommendations for development standards and operational requirements;
- d) To set Council policy that outlines the Shire of Ravensthorpe's position on all licences to carry out exploration, and mining, activities on Shire of Ravensthorpe (the Shire) land, roads and reserves; and
- e) To protect and maintain, wherever reasonable, the existing landscape character, areas of high environmental value, groundwater and surface water resources, natural resources and general amenity of the Shire.

The Shire of Ravensthorpe does not approve nor regulate exploration activities and or mining projects, however, at times the Shire may be requested to provide comment or engage with proponents or the State in this regard.

This Policy is to guide the Shire's response and position in the event proponents or the State request comment or engagement with the Shire or Council, and to clearly outline to proponents the community expectations on environmental management, as well as social and economic benefit expectations to be derived from these extractive activities.

### Policy Statement

The Shire of Ravensthorpe supports the exploration for, and extraction of, natural resources within its locality where;

1. Mining industry proponents engage and collaborate with Council to deliver positive economic benefits to the local economy and investment that delivers positive outcomes to the community. This includes Council's strong preference for long-term operational workers to reside in the community; engaging with the Council through respectful partnerships to deliver strategic priority projects; and being responsive to Council and community concerns;
2. Mining industry proponents work with Council and other stakeholders to undertake regular review and input into the Shires Economic and Social Impact Assessment 2019 (ESIA) to identify potential community impacts and put coordinated plans in place to mitigate or offset any negative impacts;
3. Where impacts on Shire infrastructure (including roads, airports and where relevant, power, water and waste) cannot be avoided, mining industry proponents collaborate with the Shire to identify potential impacts at each stage of the projects life to develop strategies to protect, mitigate or offset the immediate and future life of that infrastructure. Any additional infrastructure required is to be identified and adequately provided for by the proponent;

4. Due regard is given to the purpose and objectives of the Shire's Local Planning Scheme and aims to ensure the proposal is compatible with these and surrounding uses;
5. Environmental and cultural matters have been considered by the relevant authorities and related approvals granted for the activities to be conducted. Any exploration and mining activity must consider the unique flora and fauna biodiversity of the Fitzgerald Biosphere region.
6. Environmental protection and biodiversity conservation plans and approvals under the relevant Acts are made available to the Shire and partnerships with land care groups should be considered to provide benefits for both the environment and the local community;
7. Specifically, all exploration and mining activity must adhere to the regulatory framework and protocols required by DBCS and DMIRS with regard to dieback. Activity processes are encouraged to be shared with the Council, with consideration given to the implementation of participatory monitoring. The Shire encourages proponents to recognise the value of the inclusion of local representatives to increase awareness of weed management, topsoil management and any rehabilitation activities to ensure best site-specific outcomes
8. Where exploration drilling is carried out on Shire roads, reserves, or land, applicants acknowledge and agree they will;
  - i) provide the Shire with a Plan showing the site and location and number of proposed drill holes;
  - ii) Follow Shire protocols and standard operating procedures when working on or near Shire road reserves, and collaborate with Shire to ensure risks and impacts are mitigated.
  - iii) meet the cost of any damage to any Shire or private property; and
9. The potential impacts on the public health (including noise and dust) and drinking water areas have been considered by the relevant authorities and related approvals granted for the activities to be conducted.

## Definitions

**Minerals** means naturally occurring substances obtained or obtainable from any land by mining operations carried out on or under the surface of the land, but does not include:

- a) soil; or
- b) a substance the recovery of which is governed by the *Petroleum and Geothermal Energy Resources Act 1967* or the *Petroleum (Submerged Lands) Act 1982*; or
- c) without limiting paragraph (b), geothermal energy resources as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1); or
- d) a meteorite as defined in the *Museum Act 1969*; or
- e) any of the following substances if it occurs on private land —
  - limestone, rock or gravel; or
  - shale, other than oil shale; or
  - sand, other than mineral sand, silica sand or garnet sand; or
  - clay, other than kaolin, bentonite, attapulgite or montmorillonite.

## Legislation

This Policy applies to mineral extraction under the *Mining Act 1978*.

1. Except in the case of land alienated in fee simple before the 1st January 1899 (in which case minerals other than gold, silver and precious metals are the property of the owner), all minerals are the property of the Crown. Where the minerals are the property of the Crown a mining title must be obtained from the Department of Mines, Industry Regulation and Safety (DMIRS) before ground disturbing exploration activities or any mining operations may be undertaken. A permit is subject to such conditions as are imposed in accordance with the regulations and specified in the permit.
2. There are three categories of land open for mining, Crown land (reserves for common and public utility and leases of Crown land), Public reserves (National parks, state forests, Aboriginal reserves) and Private land.
3. The mining tenements available under the Act are:
  - Prospecting Licenses
  - Special Prospecting Licenses for Gold
  - Exploration Licenses
  - Retention Licenses
  - Mining Leases
  - General Purpose Leases
  - Miscellaneous Licenses
4. Under section 120 of the *Mining Act 1978*, while the Minister for Mines and Petroleum will take into account any planning instrument made under the *Planning & Development Act 2005* when considering an application for a mining tenement, a planning instrument shall not operate to prohibit or affect the grant of such tenement.
5. Where local government has, in writing, informed the Minister that the mining tenement would, if granted, authorise the carrying on of mining operations contrary to the provisions of a planning scheme, the Minister shall not dispose of the application until he has first consulted the Minister for the time being administering the *Planning and Development Act 2005* and obtained his recommendation thereon.

### Application

The Chief Executive Officer, exercising their power pursuant to making a recommendation to the Department of Mines, Industry Regulation and Safety (DMIRS) for a mining tenement, or any request from a State or Federal Authority, shall comply with the Shire of Ravensthorpe's Mining Industry Procedures (Attachment).

### Delegation

Where a mining exploration licence application 'Request for Comment' is received into the Shire, the CEO will have delegated authority to issue a response.

Where a mining licence application 'Request for Comment' is received into the Shire, the request must be reviewed by Council and the response approved by simple majority.

---

[Refer to Attachment #2 Mining Industry Procedure; and Attachment #3 – Example of a letter template]

Document Control Box						
Custodian:	Chief Executive Officer					
Decision Maker:	Council					
Compliance Requirements: Shire of Ravensthorpe Mining Industry Procedure						
Legislation:	<i>Planning and Development Act 2005.</i> <i>Mining Act 1978</i> <i>Museum Act 1969</i> <i>Petroleum and Geothermal Energy Resources Act 1967 section 5(1);</i> <i>Petroleum (Submerged Lands) Act 1982</i>					
Industry:						
Organisational:	Shire of Ravensthorpe Local Planning Scheme no.6; and Shire of Ravensthorpe Local Planning Strategy.					
Document Management:						
Risk Rating:		Review Frequency:		Next Due:		Ref:
Version #	Decision Reference:		Description			
5.	OCM 20/09/22 - Item		New Policy			

## LPP15 SECOND-HAND DWELLINGS

### Policy Objectives

The objectives of this Policy are:

- a) To provide clear guidelines for the use of second hand dwellings in the Residential, Rural Residential and Rural Residential zones; and
- b) To achieve a balance between providing for the various legitimate needs of residents to utilise second hand dwellings as a cost effective housing solution, whilst minimizing any negative impacts on the neighbours, the streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.

### Background

The Shire of Ravensthorpe Local Planning Scheme No.6 lists a second-hand dwelling as a discretionary land use in the Residential, Rural Townsite, Mixed Use, Rural and Rural Residential.

The Residential Design Codes of Western Australia outline provisions relating to the appearance of a retained dwelling, but do not specifically outline provisions relating to a second hand dwelling being used as a new building on a property.

The Shire is aware that although the use of second hand dwellings is sometimes a more cost effective option, the use of second hand dwellings can sometimes cause an undesired impact on the streetscape and amenity where that dwelling is not of an appropriate standard or not updated appropriately to blend in with the property and the surrounding context.

### Requirements

#### Exemptions from Planning Approval

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a) Where a transportable building is new (from factory) it is exempt from the requirements of this policy and is to be processed as a single dwelling in accordance with the requirements of the Scheme.
- b) Shipping containers which are addressed through a separate policy of Council.

#### General Requirements

- a) Planning approval is required for a second hand dwelling on a property within the Shire of Ravensthorpe.
- b) Upon receiving an application for Planning Approval, Council may seek the views of adjacent neighbours.
- c) Compliance with Clause 4.27 of Local Planning Scheme No. 6
- d) Where a second hand dwelling is approved, a \$10,000 bond is to be lodged with the Shire of Ravensthorpe as a condition of Planning Approval. The bond will be held until such time as all conditions of the Planning Approval and Building Permit have been complied with.
- e) Council needs to be satisfied that the external appearance of a second hand building is equivalent to that of a new dwelling or that its appearance is not discernible from existing development in the street.
- f) Where a second hand dwelling contains asbestos it is to be removed prior to transportation
- g) The following Minimum Dwelling Standard applies:
  - (i) A minimum gross floor area of 50m<sup>2</sup>;

- (ii) At least one (1) bedroom separate from the other rooms in the dwelling;
  - (iii) A lounge, meals and kitchen area (may be open plan); and
  - (iv) A separate bathroom and laundry.
- h) Temporary accommodation units such as 'Dongas' are not permitted to be used as dwellings unless approved as a 'Repurposed Dwelling'.
- i) In determining applications, Council will have regard for;
  - (i) The age of the building and whether the external appearance shows obvious signs of aging or disrepair (e.g. rust, faded paintwork or damage);
  - (ii) The street appeal of the front façade and any architectural features (e.g. verandahs, windows with surveillance to the street);
  - (iii) Site improvements which have potential to result in street appeal through;
    - Construction of quality front fencing such as pickets or brick piers with open infill.
    - Landscaping and replacing substandard boundary fencing.
    - Provision of coloured concrete or brick paved driveways.
- j) Council will require all works for the re-erection of the second hand dwelling on a property to be completed within six (6) months of Planning Approval being issued. Those works include:
  - (i) The house being transported and stumped, joined, all walls, doors and openings being in working order and all external surfaces repainted, re-clad or rendered to the satisfaction of the Shire of Ravensthorpe;
  - (ii) Replacing or professionally recoating roof sheeting;
  - (iii) Replacing/repairing and painting gutters and downpipes;
  - (iv) Concealing or removal of plumbing fittings, meter boxes and other utilities visible from a street or public place;
  - (v) Modifying, upgrading or replacing older steel or wood framed windows
  - (vi) All septic tanks, drains and plumbing being completed;
  - (vii) The site being cleared of any debris associated with the improvement of the second hand dwelling;
  - (viii) Landscaping of the area between the street and building;
  - (ix) Providing a verandah, portico, porch or other architectural relief on the elevations that are viewed from the street; and
  - (x) The second hand dwelling complying with the requirements of the Building Code of Australia 1996 Volume 2.
- k) Where a second hand dwelling is stumped, Council may require the installation of a verandah, porch, decking or similar to improve the look of permanence of a second hand dwelling.

### **Special Application Requirements**

- a) All applications for Planning Approval and the issue of a Building Permit for a second hand dwelling require the following details to be submitted to the Shire of Ravensthorpe:
  - (i) Photographs showing each elevation of the second hand dwelling in situ prior to removal to the proposed location;
  - (ii) Floor plans, elevations, cross section, site plan and specifications; and
  - (iii) A practicing structural engineer's certificate stating the design of the dwelling is suitable for transportation and re-erection.

Where these details are not provided, the Shire of Ravensthorpe may refuse to process an application for Planning Approval or the issue of a Building Permit.

<b>Document Control Box</b>							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Schedule 2, cl. 80 of Planning and Development (Local Planning Schemes) Regulations 2015						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 16/01/17		New Policy				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## LPP16 SHIPPING CONTAINERS

### Policy Objectives

The objectives of this Policy are:

- b) to establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;
- c) to ensure that any shipping container does not detract from an existing (or reasonably desired) streetscape; and
- d) to achieve a balance between providing the legitimate need for shipping containers as an affordable and secure storage option, and minimizing any impact on neighbours, streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.

### Background

In recent years there has been an increased use of shipping containers for storage purposes within the Shire of Ravensthorpe. Shipping containers provide a cheap and secure way of storing goods, but have the potential to affect the amenity of an area, given their industrial design and often poor location and maintenance.

### Requirements

#### Exemptions from Planning Approval

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a) A single shipping container does not require Planning Approval when located on a property zoned Light Industry or General Industry by the Scheme, provided it meets with the General Requirements set out below.
- b) Shipping containers directly associated with an approved transport or storage premises in the General Industry zone
- c) Up to three (3) shipping containers does not require Planning Approval when located on a property zoned 'Rural' by the Scheme, provided they meet with the General Requirements set out below.
- d) Shipping container/s fully enclosed within a building does not require Planning Approval.
- e) Shipping container/s placed temporarily on the property for the purposes of furniture and/or goods removal or delivery do not require Planning Approval where they are located on a property for twenty eight (28) days or less.
- f) In all zones a shipping container may be placed on a property temporarily, for a period of up to 12 months, for the storage of materials used to construct an approved dwelling or building.
- g) Where a shipping container is proposed to be modified for a dwelling or commercial building, it will be required to be assessed against the requirements of Local Planning Policy No.3 and is to be modified to meet the requirements of the Building Codes of Australia (1996) Volume 2. Once a sea container is modified, it is no longer considered a sea container for the purposes of this policy.

#### General Requirements

- a) Shipping container/s are to comply with the criteria set out in Table 1 of this policy.
- b) Shipping container/s are to be suitably screened and/or fenced from the road frontage, public space and neighbouring properties. Where a shipping container has high visibility from a public

space, the installation of screening to a minimum height equal to that of the shipping container may be required.

- c) Shipping container/s shall not be located over on-site effluent disposal infrastructure or other utilities and shall be located on a flat, compacted area with adequate foundations in accordance with the Building Code of Australia.
- d) Shipping container/s shall be adequately ventilated, in good repair and painted a uniform colour to complement the building to which it is ancillary.
- e) In all zones a shipping container will not be permitted on vacant land unless for the purposes of storage for construction purposes as outlined in 1d.

### Special Application Requirements

- a) Where it is proposed to use a shipping container, Council will require the applicant to submit photographs of the shipping container showing that it is in good condition.

Table 1 – Sea Container Requirements

Zoning	Setback Requirements	Special Requirements
Residential		No sea containers permitted.
Rural Townsite and Mixed Use	The Shipping Container shall not be located in front of the building setback and shall be screened from view of the street, including secondary streets and adjoining properties	A maximum of one (1) Shipping Container up to 12m in length per property. The Shipping Container is to be used in association with the approved commercial enterprise on the property.  Shipping Containers for domestic storage associated with a residential use is not permitted.  The Shipping Container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.
Rural Residential	The Shipping Container to be located in accordance with the boundary setback and building envelope provisions for outbuildings for the particular property.  The Shipping Container shall not be located in front of the building setback and shall be screened from view of the street, including secondary streets and adjoining properties.  Council will not support the placement of a sea container in front of the main building line.	Only one shipping container, up to 6m in length is permitted per property.  The shipping container is considered part of the permitted outbuilding floor space detailed in Local Planning Policy No.2 – Outbuildings.  The shipping Container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.  The shipping Container to be used for domestic storage purposes only.

Zoning	Setback Requirements	Special Requirements
Light Industry and General Industry zones	Shipping Containers are to be located behind the main building or in the case of a property without a main building, they are to be located towards the rear of the property	Where it is proposed to utilise multiple shipping containers, Planning Approval will be required.
Rural	On land zoned Rural, the setbacks are as follows: a. Front/rear 20metres; b. Side 10metres.	Where more than three shipping containers are proposed, Planning Approval will be required.

Document Control Box							
<b>Custodian:</b>	Chief Executive Officer						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Schedule 2, cl. 80 of Planning and Development (Local Planning Schemes) Regulations 2015						
<b>Industry:</b>							
<b>Organisational:</b>	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2024	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 24/11/16		Major Revision to Planning Scheme Policies				
2.	OCM 15/09/20 – Item 15.1		Policy Reconfirmed – No Amendments.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

---

# WORKS AND SERVICES

---

## WS1 ASSET MANAGEMENT POLICY

### Policy Objective

The objective of this policy is to ensure that the Shire has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

Service delivery may be via the provision of Shire owned Infrastructure Assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.

Alternatively service delivery may be by via third party, in which case the Shire has a role in ensuring third party Infrastructure Assets are optimally provided and managed to achieve financially sustainable service delivery outcomes without the need commit the Shire to significant capital expenditure.

The policy also assists the Shire to comply with the provisions of the State Government's Integrated Planning & Reporting Framework (IPRF) by having an integrated approach to Planning for the Future.

### Policy

#### Policy Definitions

**"Asset"** means a physical item that is owned or controlled by the Shire, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

**"Asset Management"** means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.

**"Asset Management Plan"** means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

**"Council"** means the elected council (comprising Council Members) of the Shire.

**"Infrastructure Assets"** are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Bridges.

**"Level of Service"** means the combination Function, Design and Presentation of an asset. The higher the Level of Service, the greater to cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

**"Life Cycle"** means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

**"Whole of life cost(s)"** means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

**"Maintenance"** means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

**"Operations"** – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

**"New"** means creation of a new asset to meet additional service level requirements.

**"Resources"** means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

**“Renewal”** means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

**“Risk”** means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

**“Shire”** means the collective Shire organisation. The Chief Executive Officer of the Shire is responsible for ensuring the Shire’s obligations and commitments are met.

**“Stakeholders”** are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

**“Upgrade”** means enhances existing asset to provide higher level of service.

### Scope & Limitations

This policy covers all asset service delivery of the Shire and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services and the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party. This may include but is not limited to;

- Government Agencies;
- Private Enterprise; or
- Contractors.

### Background

The community relies on the Shire to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery. The Shire must ensure that service delivery is well targeted and aligns with the Community’s aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire also needs to continuously consider whether it needs to provide and/or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party, (i.e. non-asset ownership service delivery).

To assist with making informed decisions in relation to this issue, the Shire will put in place the following;

- An Asset Management Framework that is consistent with national standards in Asset Management.
- Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy).
- Develop, maintain and regularly review an Asset Management Improvement Framework that clearly articulates a sustainable path for continuous improvement and identifies resources to implement via the budget process.
- Develop, maintain and regularly review Asset Management Plans.
- Asset Management Plans will document the Council adopted level of service that applies to Infrastructure Assets which will be derived from the Service Levels determined via community engagement and the Corporate Business Plan.
- Ensure processes are in place to train Council Members and Officers in key aspects of asset management.

## Key Commitments

Prior to making a decision to either deliver a new service, vary the current level of service (up or down) or cease the delivery of a service, the following key commitments are to be adhered to;

- The need for the service will be reviewed.
- The service must align with the Strategic Community Plan and fit within the Corporate Business Plan (Capital evaluation process to be developed and utilised to assess this).
- Options for the Shire to facilitate delivery of the service by a third party are to be identified and considered.
- If the service is needed, and the Shire or a third party cannot deliver the service, infrastructure assets that are required to deliver the service will be identified along with;
- The whole of life cost of delivering the service
- The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery.
- The service delivery and asset whole of life costs must fit within the 10 Year Long Term Financial Plan (once developed).
- Options to renew infrastructure asset before acquiring a new infrastructure assets are to be considered.
- Options to rationalise assets will be considered.
- A cross-functional, multidisciplinary team will be established and maintained to develop the systems and processes to comply with the above key commitments.

## Responsibility and Reporting

**Council** – is responsible for approving (including amendments to) the following documents;

- Asset Management Policy.
- Asset Management Improvement Strategy.
- Asset Management Plans.

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

**Chief Executive Officer (CEO)** – is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's AM Policy, AM Improvement Strategy, AM Plans. The CEO reports to Council on all matters relating to Asset Management.

**The Executive Team** – is responsible for monitoring the implementation of asset management across the organisation and for ensuring that resources under their control are appropriately allocated to resource asset management. The Executive Team will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Executive Team reports to the CEO on all matters relating to Asset Management.

**Executive Manager Infrastructure Services** – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The Executive Manager Infrastructure Services reports to the CEO in relation to Asset Management resource allocation.

## Outcomes

Adherence to this policy will ensure that the Shire will continue to deliver (or facilitate the delivery) of financially sustainable services aligned with the aspirations of the community.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	s. 5.56 [Planning for the future] of the <i>Local Government Act 1995</i> r.19DA (3(c)) [Corporate business plans, requirements for] Local Government (Administration) Regulations 1996						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2022	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review				

## WS2 CONSTRUCTION / UPGRADE OF CROSSOVERS

### Policy Objective

To provide specifications and guidance regarding the design, installation and rebating of crossovers.

### Policy

#### **Definition**

A "crossover" is the part of the vehicular access to a property, between the property boundary and the edge of the road carriageway.

#### **Application for Crossovers**

Applications shall be made in writing by the landowner/s or their appointed agent to the Shire of Ravensthorpe before any crossover is constructed/upgraded, and the Shire shall respond, either disallowing or approving the crossover, and setting conditions if appropriate (such as culverts or surfacing). This applies to any crossover, whether eligible for a Shire contribution or not.

The Shire approval to any application shall have a two (2) year limit from the date of approval. Once the two (2) year limit expires then the Shires approval lapses and landowners will need to re-apply. Crossovers started within this two (2) year period must also be completed within the same period. The Shire must be notified within 21 days of the completion of a crossover construction/upgrade.

It is a condition of subdivision that crossovers be applied for, approved and constructed, prior to Planning clearance of the applicable subdivision condition. At the discretion of the CEO or authorised Officer clearance may still be granted to the subdivider provided that a written undertaking/guarantee/bond is given to the Shire by the subdivider to construct the crossover(s) within the normal two (2) year approval limit.

#### **Temporary Cross Overs**

The Shire does not recognise "temporary" crossovers, however, to address the issue of a crossover being required to gain access to a building site this policy allows the partial construction of an approved crossover (e.g. formed and compacted sub-base) that can be used by vehicles during the construction phase of a dwelling, followed by the final surface (final gravel layer/concrete/asphalt of two coat bitumen seal), once the dwelling has been completed, provided the crossover construction has been concluded within the two (2) year time limit as per this policy.

Any gravel/road base/sand or other debris which is transported by vehicle movement, storm water etc. or in any other matter onto the road and/or road drainage system as a result of the crossover being in a temporary 'unfinished' state shall be removed from the road way (and associated drainage structures) to the satisfaction of the Executive Manager Infrastructure Services prior to any further work being carried out on the crossover.

All new or modified crossovers which join an existing sealed road shall be sealed, either with a 2- coat bitumen seal (normally using 10mm aggregate first coat, and 7mm aggregate second coat) or concrete/asphalt/brick. All crossovers which have an overall vertical grade greater than 1 in 6 (either up or down) are to be sealed.

#### **General**

The owner, or his nominated contractor, shall construct/upgrade the crossover to the Shire's specifications.

The owner, or his nominated contractor, shall give a minimum of 24 hours' notice prior to construction/work commencing in the first instance.

All unsealed, bituminised or asphalt crossovers shall be constructed of 200mm thick (minimum) compacted gravel or road base.

All brick paved and concrete crossovers shall be constructed on a 100mm (minimum) compacted sand base/metal dust (less than 5mm particle size).

For all crossovers, satisfactory compaction shall be by a minimum of 10 complete passes of an industrial type roller/compactor. Material shall hold adequate but not excessive moisture content so as to aid compaction. The general test for compaction will be that the surface shall not show any depressions when a pick handle is dropped from waist height when tested over various areas of the crossover. Gravel and road base shall be finished to a tightly water bound surface, free of loose stones or excessive slurry. Crossovers which are to be sealed shall be inspected prior to any seal being applied.

Where compaction has not been achieved as determined by the Executive Manager Infrastructure Services, the owner may be requested to carry out formal geotechnical testing and to provide a copy of those results to ensure compaction is greater than 92% Modified Maximum Dry Density (MMDD) for a residential crossover, and 98% MMDD for a commercial crossover.

The gravel or road base material shall be evenly graded and free of large stones, roots and other deleterious materials.

Moisture shall be maintained through the entire depth of material whilst constructing the crossover, watering the surface prior to compacting is not acceptable. Where fill is required in the construction/upgrade of a crossover, compaction will be required in layers no greater than 300mm.

No changes shall be made to any existing road drainage without prior agreement from the Executive Manager Infrastructure Services.

### **Non Standard Headwalls**

All structures other than standard precast concrete culvert headwalls (such as cemented stone pitched) shall be subject to approval prior to construction. Upon prior approval the structure then becomes the responsibility of the owner, i.e. The Shire will not accept responsibility for any liable event, costs of maintenance of this structure.

### **Rural Crossovers**

A standard crossover is either:

- A gravel crossover with culvert no pipes, or
- A gravel crossover culvert pipe (minimum 375mm diameter) pipes as determined by the Executive Manager Infrastructure Services to suit the location of the crossover, and is 7.2m wide (nominally 3 pipes).

Graveled and/or sealed as per policy requirements with headwalls (if appropriate) and two white guideposts (with reflectors) as per Australian Standards.

It will be at the discretion of the Executive Manager Infrastructure Services to determine if pipes are required and the standard specification can be modified i.e. should roadside drainage conditions warrant a pipe of alternate diameter.

### **Urban Crossovers**

The culvert pipe size shall be a minimum 300mm diameter. It will be at the discretion of the Executive Manager Infrastructure Services to determine if culvert pipes are required and the standard specification can be modified i.e. should roadside drainage conditions warrant a larger diameter culvert pipe.

**For residential crossovers:**

Minimum width 3.0m, maximum 6.0m

Minimum turnout to be 1.5m, anything greater will require the approval of the Executive Manager Infrastructure Services or Authorised Officer.

**For commercial crossovers:**

Minimum width 4.5m, maximum 12.0m

Minimum turnout to be 1.5m, anything greater will require the approval of the Executive Manager Infrastructure Services or Authorised Officer.

**Location of Crossovers**

No part of the crossover (this includes the crossover turnout and culvert headwalls) shall be adjacent to the adjoining property or within a corner truncation (of next to an adjoining road), desirably it shall be at least 1m clear of the property line. Any variation must have prior approval from the Executive Manager Infrastructure Services.

Shared crossovers for dual use by two adjoining properties will be considered subject to the location having acceptable sight distances and complying with the normal engineering requirements for a crossover. The required width of a shared crossover will be determined on a case by case basis.

When determining the location of a crossover, the following factors shall be taken into account:-

**Site Distance**

Drivers on the passing road must be able to see a vehicle on the crossover in time to avoid collision, and the driver of a vehicle on the crossover must be able to see approaching vehicles on the road with sufficient distance to safely enter the road. The location of the crossover shall have a minimum sight distance relative to the stopping distance of a vehicle in an emergency situation; this is related to the posted speed of the road where the crossover is to be located.

Where sight distance is restricted then the crossover shall be positioned to give the best possible sight distance, on prior approval from the Executive Manager Infrastructure Services. The applicant may be requested to carry out additional works in the road reserve to ensure a safe sight line for entering vehicles.

Where there is ample sight distance then the following factors may determine the crossover location.

**House Location**

Crossovers to houses will not be allowed if they compromise sight distance and it is possible to redesign the driveway layout to get better sight distance.

**Vegetation**

If it is necessary to clear native vegetation to allow for construction/upgrade or safe sight distance then the Shire will state any objection if so determined. It is the landowner/s responsibility to obtain any/all approvals to remove vegetation (e.g. relevant Environmental Regulatory Agency). Clearing must be kept to a minimum and may be conditional on replacing any removed vegetation with the same or similar vegetation at the request of the Executive Manager Infrastructure Services.

All vegetation cleared for the crossover/upgrade or to improve sight distance must be removed from the road reserve. All vegetation clearing and removal is at the landowner's expense unless otherwise agreed by the Executive Manager Infrastructure Services as part of Shires contribution to the construction/upgrade.

### **Drainage**

If the construction/upgrade of a crossover requires a culvert pipe to be installed, the position and size of the culvert must not interfere with the flow characteristics of the existing storm water/drain course. Culvert pipes must be installed with their classification stamp facing up and the pipes must not be covered until inspected and approved. Pipes must be installed to manufacturer's specification (including the depth of cover). Spigot and socket pipes shall be installed with the socket or 'bell' end facing 'upstream'.

### **Other**

Other factors, such as existing services, must also be considered when determining the location of crossovers. It is highly recommended that the applicant locate the service utilities by contacting Dial-Before-You-Dig on 1100 prior to commencing earthworks.

### **Work, Health and Safety, Traffic Management**

All works performed with the road reserve must comply with the *Work Health and Safety Act 2020 (WA)*, *Work Health and Safety 2011 Act (Cth)*, the Work Health and Safety (General) Regulations 2022, Codes of Practice and Australian Standards, and The Manual of Uniform Traffic Control Devices AS 1742.3 – 2019 (Part 3).

Stopping distance including reaction time for 110km speed zone is: - 104m

Stopping distance including reaction time for 90km speed zone is: - 72m

Stopping distance including reaction time for 80km speed zone is: - 60m

Stopping distance including reaction time for 70km speed zone is: - 48m

Stopping distance including reaction time for 50km speed zone is: - 28m

Source: Supplied by W.A. Department of Transport

### **Levels of Crossovers**

Crossovers shall be constructed to tie into the level of the "edge of the road".

For gravel roads, or bitumen roads with gravel shoulders, the "edge of the road" is the outer edge of the gravel shoulder.

For kerbed roads it is the top of the kerb where mountable kerbing is to be used across the crossover, or the bottom of the kerb if the kerb is to be taken around the crossover turnout.

Crossovers shall be graded back from the "edge of the road" at a grade no greater than 1 in 6, so that there is a reasonably level area of 5m for a car (residential crossover), and 8m or 15m for a truck and semi-trailer respectively (commercial crossover), unless prior approved by the Executive Manager Infrastructure Services.

Any crossovers given special approval with a gradient greater than 1 in 6, must be bituminised, asphalt, concrete or brick paved.

For crossovers that fall away from the road the level area shall not be steeper than 1 in 6 unless prior approved by the Executive M Manager Infrastructure Services.

For crossovers on kerbed roads where the kerbing is to be removed, the crossover shall rise to the same level as the top of the road kerb within the first 2m. This is to avoid road water running into the crossover. The remainder of the "reasonably level" area shall not be steeper than 1 in 6 unless prior approved from the Executive Manager Infrastructure Services.

### **Number of Crossovers**

Normally only one crossover per property will be approved. Where there is a request for two crossovers to one property (for example to allow a "U" shaped driveway so that backing into the road may be avoided or alternate access to a shed/carport or a corner block) then a second crossover may be approved. Any approval will be dependent on the two crossovers being accommodated within the property frontage. Approval will also be dependent on the owner accepting the full cost of the second crossover.

Additional crossovers per property require an application to be lodged with the Shire and subsequently approved prior to construction/upgrade commencing. No Shire crossover subsidy is available for second or subsequent crossovers. Such additional crossovers must still comply with the Shires specifications.

### **Non-Compliant Crossovers**

Crossovers that are deemed not to comply with conditions set and/or this policy may be required to be rectified or removed. Crossovers that need to be removed will also require the road reserve to be re-instated to a condition of similar appearance immediately to either side of the crossover. All remedial work will be at the expense of the person who constructed the crossover and/or the current property owner.

### **Shire Contribution**

The property owner shall be eligible for a 50% subsidy (to a maximum value of \$800 for a new crossover without culvert or to a maximum of \$1500 for a new crossover with new culvert & headwall) for the construction cost of a Standard Crossover provided the following compliance criteria has been met:

- The crossover rebate must be made in writing to the Shire by the owner of the land, within 6 months of the construction of the crossover.
- The crossover complies with the approval, any associated conditions and Shires Technical Specifications.
- The crossover constructed is the first crossover constructed in relation to the land.
- The owner produces receipts verifying the actual cost of the crossover.

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

A standard residential crossover shall have the following dimensions:

Length (verge width)	7m
Width (at boundary line)	3m
Width (at edge of road)	6m
Area	31.5m <sup>2</sup>

### **Maintenance Costs**

Landowners are fully responsible for all maintenance of crossovers to their property, that is, the portion which they have constructed (being the sealed surface and gravel base). The Shire is responsible for the street or road side drains which front the property, and will repair any damage associated with water runoff from Council's roads or verges.

If a crossover has become unsafe or in a state of disrepair, the Shire may require a person to repair a crossover by issuing a written notice. If that person fails to make those repairs the Shire may do so, and may recover the full cost as a debt due from that person/entity.

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

Minor repairs that equate to 20% or less of total crossover square area and that does not require the use of driven machinery (e.g. Bobcat/Skidsteer, Backhoe etc.) will not need prior approval from the Shire.

### Non-Approved Works

Written approval (in the form of an approved crossover application form or otherwise) MUST be obtained from the Shire prior to carrying out any works on a crossover within the Shire road reserve. Any landowner/contractor or other party carrying out non-approved works will be issued with an immediate stop work order and/or risk being infringed under Local Law, and may be instructed to repair all disturbance and/or remove all works until such time as an application is made and approval granted.

### Traffic Management

A traffic management plan conforming to Australian Standard 1742.3 must be submitted to the Shire prior to any works commencing.

Document Control Box						
Custodian:	Executive Manager Infrastructure Services					
Decision Maker:	Council					
Compliance Requirements:						
Legislation:	Schedule 9.1(7) [Crossing from public thoroughfare to private land or private thoroughfare] of the <i>Local Government Act 1995</i> Regulations 12-15 [Contribution to cost of crossing] of the Local Government (Uniform Local Provisions) Regulations 1996 <i>Work Health and Safety Act 2020 (WA)</i> , <i>Work Health and Safety 2011 Act (Cth)</i> , Work Health and Safety (General) Regulations 2022, Codes of Practice and Australian Standards					
Industry:	Australian Standard 1742.3 The Manual of Uniform Traffic Control Devices AS 1742.3 – 2019 (Part 3)					
Organisational:						
Document Management:						
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:
Version #	Decision Reference:		Description			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## WS3 ROAD FACILITIES – PAINTING OF KERB NUMBERS

### Policy Objective

Where kerbs are installed, the Shire will ensure kerb numbers are provided to assist in identification of properties, particularly for emergency service providers.

### Policy

The Shire will provide for the painting and maintaining of street numbers on townsite lots where kerbing is in place. This will be undertaken on an as-requested basis.

The specification of the work includes:

- Plate colours shall be retro-reflective in accordance with AS1743-1992.
- The standard colour shall be reflective yellow letters on a matt olive green background.
- Street numbers shall be 140mm high Series E numerals in accordance with AS1744-1975.
- The numbers are to be painted on a rectangular background of suitably coloured paint, nominally 300mm x 120mm.
- The numbers and background are to be painted on the kerb side vertical face where possible or the largest non-horizontal face should the vertical face be of insufficient height.
- Numbers are to be placed on the kerb of the street that the number refers to only.
- Where kerbs are not available on town site lots, the provision of a metal street numbering signs may be installed (to the same specification of rural street numbering signs).

Document Control Box							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>	AS1744-1975 - Forms of Letters and Numerals for Road Signs - Western Australia AS1743-1992 - Road Signs - Specifications						
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS4 TRAFFIC MANAGEMENT – STREET EVENTS

### Policy Objective

To provide conditions under which the Shire will approve street events.

### Policy

The Shire will enable events to be held within streets in the Shire subject to adherence to the conditions and procedural guidelines set out hereunder:

- Application must be made in writing to the Chief Executive Officer. The application must be accompanied by a plan showing the area of the proposed street closure.
- The closed area is to be restricted to that section between adjacent intersections or an intersection and adjacent cul-de-sac. The intersections must be left free for cross traffic.
- Every resident in the street or portion of the street proposed to be closed, must indicate by signature and address, their support or objection to the street party and at least a two thirds majority of the householders must be in favour before the application can be considered.
- The street event may only be held during the hours of 10:00 a.m. and 10:00 p.m. on any day, except Good Friday, Easter Sunday and the morning of ANZAC Day.

Applicants must supply sufficient details such that the Executive Manager Infrastructure Services can determine that there are no valid objections by the residents and no apparent problems. The Executive Manager Infrastructure Services decision is final.

Approval, if granted, shall be granted in accordance with the Road Traffic (Events on Roads) Regulations 1991, whereby the applicant will be required to carry out the following:

#### **Temporary Road Closure for Events (Section 81A)**

The applicant must obtain from the WA Police an "Application for an Order for a Road Closure". The completed form must be signed by the Chief Executive Officer or his nominee and lodged by the applicant at the Police Station nearest to where the event is to be conducted.

#### **Suspension of Road Rules (Section 83(1))**

The applicant must also obtain from the WA Police Services an "Application for Temporary Suspension of the Road Traffic Act/Regulations – Section 83 Road Traffic Act". The completed form must be signed by the Executive Manager Infrastructure Services and lodged by the applicant at the Police Station nearest to where the event is to be conducted.

If approval to temporarily close a street is granted, the organiser of the event shall engage at the organiser's expense, an accredited traffic management company to prepare a traffic management plan in accordance with Australian Standard AS 1742.3-2009. The Plan shall be submitted to the Shire at least seven (7) days prior to the event.

Only appropriately accredited person(s) shall be permitted to implement the approved plan and appropriately accredited person(s) must be on site for the duration of the event. Evidence of the accreditation of any person(s) used to implement and monitor traffic plans must be presented to the Executive Manager Infrastructure Services.

The organisers of the event are to ensure that the consumption of any alcohol within the road reserve complies with the law. The sale of alcohol is illegal and prohibited substances are not to be consumed or administered.

The first signatory on the form shall be deemed to be the applicant with whom all correspondence or liaison will be made.

The applicant shall accept responsibility for the road reserve being left in a clean and tidy condition after the closure period.

This approval does not presume to waive or override any Acts or Ordinances, Regulations or Local Law other than to give permission for the temporary closure of the road for the nomination period.

This approval shall be given subject to the payment of a fee as determined by Council from time to time to be lodged with this Shire. The cost of remedying any breach of these conditions, as found necessary by the Shire may be recovered from the applicant.

Applicants are to comply with the Environmental Protection (Noise) Regulations 1997, and any relevant Shire's Environmental Health, Law and Order, Technical Services and Corporate Services conditions.

The applicant must ensure that appropriate measures are in place to minimise litter, sharps, excessive noise, parking problems and anti-social behaviour.

Organisers are to be mindful of any resident in the street who does not wish to participate in the event by holding it away from their property.

Organisers shall notify all relevant emergency services regarding the event and associated street closure, should approval to close the street be granted. Evidence of this notification may be requested.

The Shire reserves the right to withdraw approval in cases where insufficient or misleading information was provided, upon the motivated request from the Western Australian Police, or should numerous complaints be received during the event.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	s.81 [Events on Roads] <i>Road Traffic Act 1976</i> Road Traffic (events on Roads) Regulations 1991 s.9A [Maintaining Order in Streets] <i>Public Order in Streets Act 1984</i>						
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Medium	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	2022	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS5 PROTECTION OF SHIRE INFRASTRUCTURE IN ROAD RESERVES

### Policy Objective

To ensure a bond is paid to cover possible damage to kerbs, footpaths and verges by builders.

### Policy

In the granting of approvals for building demolition and/or building development, a bond is required to be lodged by the builder. The bond shall be required in order to cover the costs or partial costs of reinstating the footpath and/or kerbing abutting the subject site. The deposit will also cover the cost for cleaning the road and/or drain caused by sand drift and any other materials coming from the building site.

A pre-work inspection, by the Executive Manager Infrastructure Services or authorised representative, is required to identify the condition of the footpath, kerbing, road and drainage.

A post-work inspection, by the Executive Manager Infrastructure Services or authorised representative, will determine the extent of damage to the footpath and/or kerbing (if any), and the amount of cleaning (if any) of the road and/or drain caused by the builder.

The builder is required to pay the cost of reinstating the footpath and/or kerbing damaged or removal of sand and debris from the road pavement or drains as a result of the demolition or building activity. Alternatively, the builder may be permitted to carry out the reinstatement work under the direct supervision of the Executive Manager Infrastructure Services or authorised representative.

Any disturbance or damage to Shire infrastructure shall be signed and/or demarcated to the satisfaction of the Executive Manager Infrastructure Services.

Upon payment of the cost of reinstatement, or completion of reinstatement, the deposit will be returned. Alternatively, the cost of repairs can be deducted from the deposit paid.

Document Control Box							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>	Verge and Drainage Bond – Fees & Charges Manual						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS6 ROAD IMPROVEMENTS – MUNICIPAL WORKS IN STREET (NOTIFICATION TO OWNERS / OCCUPIERS)

### Policy Objective

To provide adequate notification to property owners and occupiers of impending works.

### Policy

Where Shire works are programmed to be undertaken in an urban street, a Notice of what is proposed to be done is to be given by local public notice.

Once Shire works are programmed to be undertaken in a particular street, at least ten (10) days notice shall be served on the owners and occupiers of premises of the section of street that will be affected by the proposed works. The said Notices shall be delivered by Shire employees, or authorised contractors by delivery to an individual residing in the affected premises or, where this is impractical, by researching the occupier and mailing the said Notice. Industrial or commercial premises shall be visited personally by Shire employees or authorised contractors and advised.

The Notices shall specify the date that the proposed works are to be commenced and the nature of the work (i.e. road widening, resurfacing, path construction, drainage works etc) with additional advice if required.

This may include but not limited to:

- Any reticulation systems in the street verge directly affected by the works shall be temporarily removed and reinstated by the Shire;
- Where a new stormwater drain line is to be constructed, designed to facilitate property connections and any associated fees to connect to the drain; and
- Where the road is to be kerbed, details of the Shire's Crossover policy relating to Openings and Crossing Places.

Any enquiries related to existing crossovers, property connections, verge reticulation etc, should be forwarded to reach the Executive Manager Infrastructure Services at least 72 hours before the specified date in the notice referred to above.

Local Public Notice shall not apply to the planting, removal or pruning of street trees, drainage connections to established drainage lines or to the construction of crossing places.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:	Council Policy – WS2– Construction/Upgrade of Crossovers						
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS7 URBAN REVEGETATION AND GREENING

### Policy Objective

To improve the urban revegetation and greening of the Shire.

### Policy

#### Streetscape Enhancement

It shall be the objective of the Shire to develop attractive streetscapes along arterial road reserves and within urban streets.

#### Environmental Rehabilitation – Community Participation.

Local residents, schools and other interested groups shall be encouraged to assist with tree planting projects associated with the rehabilitation of natural areas in their locality.

Where any streetscape enhancement or environmental rehabilitation is to occur on Shire managed land, Shire staff members will plan and coordinate all works.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS8 CONSERVATION OF FLORA AND FAUNA

### Policy Objective

To conserve natural flora and fauna.

### Policy

#### **Maintenance of natural bush reserves**

To ensure the continual integrity and ecological diversity of natural bush reserves, annual maintenance works will include weed control, rubbish removal and replanting with indigenous species.

#### **Fitzgerald Coast Biosphere**

The Shire of Ravensthorpe is proud of its affiliation with the UNESCO Fitzgerald Coast Biosphere. Whilst the Fitzgerald National Park is at the core of the biosphere, it is surrounded by a buffer of remnant bush, beyond the Buffer Zone is the Transition Zone where a significant portion of our Shire community lives.

The Shire supports a focus on the protection and preservation of this unique area, as well as attracting scientific research as part of an international network of biosphere reserves.

The Shire supports tourism and economic development, particularly those activities that educate and bring social and cultural awareness to the Biosphere, whilst ensuring the protection of native flora and fauna.

#### **Collection of Native Seeds**

The Shire will consider requests for the collection of native seeds from the Shire's road sides and reserve land under licence from the Department of Biodiversity, Conservation and Attractions (DBCA) or relevant agency.

The Chief Executive Officer or Authorised Person may approve such requests subject to the following conditions:

- No activity to take place unless in possession of the appropriate licence from the Department of Biodiversity, Conservation and Attractions or relevant agency.
- Hi visibility vest or shirt to be worn at all times while collecting within the road reserve;
- No vehicles to be parked in a location that may prove a hazard or obstruction to traffic; and
- No activity to be undertaken that may cause damage to any Shire infrastructure.

#### **Planning and Development - Subdivision of Land**

Developers shall be encouraged to retain natural vegetation at the planning stage of new subdivisions.

Landscaping of public open space shall be based, wherever possible, on the principles of water conservation and practical maintenance and shall retain areas of natural vegetation where appropriate.

Developers are to provide conservation management plans with subdivision applications in respect of areas containing significant or unique vegetation.

<b>Document Control Box</b>						
<b>Custodian:</b>	<b>Executive Manager Infrastructure Services</b>					
<b>Decision Maker:</b>	<b>Council</b>					
<b>Compliance Requirements:</b>						
<b>Delegated Authority – DA 1.2.33 – Approve Seed Collection and Wildflower Picking on Shire Controlled Lands.</b>						
<b>Legislation:</b>						
<b>Industry:</b>						
<b>Organisational:</b>						
<b>Document Management:</b>						
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>			
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.			
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.			

## WS9 STREETScape MANAGEMENT – REGISTRATION OF STREET LAWNS AND GARDENS

### Policy Objective

To provide conditions for registration of street lawns and gardens.

### Policy

The Shire may approve the 'registering' of street lawns and gardens. Records of which are to be kept and maintained.

Applicants shall apply for the registering of their street lawn and/or garden in writing to the Chief Executive Officer. Applicants shall further be aware that the registration of a street lawn and/or garden is not automatic but subject to approval by the Executive Manager Infrastructure Services or authorised officer, and that successful registration will result in the onus to maintain the site being placed upon the applicant, notwithstanding that the Shire reserves the right to carryout such maintenance as it sees fit should the need arise due to issues related to access, safety, sight distance or any other reason.

Land owners are encouraged to develop lawns on the street verge adjacent to their properties and, in this connection, permission is granted to owners and occupiers of property to plant and maintain street lawns in accordance with this policy and the provisions of policy *WS 11 Street Verge Treatments*.

The Shire will not pay an allowance or grant a rates rebate to any person in connection with the maintenance of street verges.

Owners and occupiers shall be permitted to select ground cover of their choice for use on the street verge adjacent to their properties, provided such is placed in conformity with this policy and the provisions of policy *WS 11 Street Verge Treatments*.

Where no footpath exists adjacent to the property, all garden treatments shall allow for unimpeded access across the street verge by persons using the street by conforming to the provisions stated in policy *WS 16 Street Verge Treatments*.

All shrubs and/or trees shall comply with policy *WS 14 – Street Trees*.

Applicants, whose requests for garden treatment on street verges are approved, are to be informed that the approval is subject to the Shire not being held responsible for any reinstatement or damage occasioned by works within the street verge, either by the Shire or any public utility authority.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	3.13(1)(e) [Activities needing a permit ] of the Shire of Ravensthorpe Local Government Property Local Law 2010						
<b>Industry:</b>							
<b>Organisational:</b>	Council Policy – WS11 – Street Verge Treatments Council Policy – WS14 – Street Trees Council Policy – WS 16 Street Verge Treatments						
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	2024	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS10 STREETScape MANAGEMENT – MAINTENANCE OF SHIRE LAND AND ROAD VERGES

### Policy Objective

To ensure the upkeep of road verges and land owned or vested in the Shire and to enhance the safety and appearance of the Shire.

### Policy

To ensure the upkeep of road verges and land owned or vested in the Shire and to enhance the safety and appearance of the Shire, the following work shall be undertaken:

- Verges in townsites or those roads deemed significant by the Executive Manager Infrastructure Services should be mowed, slashed or snipped on an as determined basis, where:
  - Road verges are not maintained and weeds / long grass create a vision hazard at a road intersection; or
  - Weeds and long grass represent a fire hazard on a street verge.

Note: This includes the maintenance of back slopes and road side drains being free from debris.

Undeveloped land owned or vested in the Shire should be maintained to a level to ensure it is free from the hazard of fire and from excessive accumulation of rubbish.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS11 STREET VERGE TREATMENTS

### Policy Objective

To encourage the establishment of street lawns and gardens that are suitably maintained but do not impede traffic vision, safe pedestrian thoroughfare or general public safety. To allow the installation of hard stand surfacing to the street verge subject to conditions.

### Policy

In the content detailed below, unless indicated otherwise the term 'acceptable material' means laterite gravel, brick paving, bitumen, mulch or synthetic turf. Materials not classified as acceptable include concrete, crushed brick, limestone, pea gravel or other unstable material.

A person shall not plant a garden in a road reserve without approval of the Executive Manager Infrastructure Services or Authorised Officer and then only in conformity with the conditions set out below.

The Shire shall not issue approval for the planting of a garden in any portion of a road reserve, except on written application of the owner of the land that abuts that portion of the street.

A person requiring an approval to plant a garden in a road reserve shall submit to the Shire a sketch plan setting out details of the proposed garden and the positions of the proposed garden beds and any trees or shrubs proposed to be planted in relation to the adjacent carriageway.

The owner of land that abuts a portion of a road reserve may plant and reticulate a lawn in that portion of the road reserve without obtaining approval to do so except when the lawn is to be a part of a street treatment or paved treatment.

A person shall not plant a garden in a road reserve:

- Such that it extends beyond the frontage of the adjoining/abutting property in respect of which the approval is granted.
- Such that it encroaches on the pavement of the carriageway or a made path.
- Such that it encompasses earth mounding, rocks or retaining walls or built structures, ie fountains, ponds etc.
- To the exclusion of any public pedestrian access.

The owner of land abutting a road reserve in which a lawn or garden is to be planted shall make arrangements to determine the location of public utilities which may be located within the road reserve prior to installation and shall be liable for any damage made to any utilities.

The owner or occupier of land abutting onto a road reserve may, on the road reserve in front of such land, install one of the following four permissible treatments:

#### **Treatment 1 - Lawn –**

##### **Plant and maintain a lawn provided that any reticulation pipe laid to that lawn:**

- is laid and kept beneath the surface of the road reserve at a depth of not more than 300 mm nor less than 150 mm and so that any fitting connected to a pipe does not project above the surface of the lawn or garden.
- if connected to a public water supply, is laid to comply with the requirements of the Water Corporation being the body constituted for, and having control of, water in the district.

- if connected to a private water supply, where passing under road, pavement, made footpaths, or crossings, is of at least class 12 PVC.
- has approved valves, located within the private property where they are connected to the water supply and is fitted so as to give complete control of the flow of water from that supply.
- irrigation sprinklers must be positioned to ensure that water does not spray on either pedestrian pathways or vehicle carriageways.

### **Treatment 2 - Garden –**

#### **Plant and maintain a garden provided that:**

- no part of the garden (or plant, or other vegetation making up the garden) exceeds a height of 750 mm (excluding street trees).
- no plant or other vegetation making up the garden is of a thorny or poisonous nature or may otherwise create a hazard.
- if there is no footpath, a 2 metre wide strip parallel and adjacent to the kerb be provided and this area be sufficiently stable for foot traffic and conform to the investigating officer's approval.
- in the event that a portion of the garden is lawn, that development shall comply with Treatment 1 above.

### **Treatment 3 - Part Paved Area –**

#### **A portion of the street verge may be treated with an acceptable material provided that:**

- the area of hard surface is limited to a maximum of 33% of the total area of the verge (excluding any crossover) if paving bricks or blocks are used, or 25% of the total area of the verge if bitumen are used.
- hard surface treatments will be installed in compliance with the Shire's specifications for urban crossings.
- the remainder of the street verge be developed with lawn or garden.
- in the event that lawn or garden is not planted on the remaining portion of the road reserve, that development shall comply with Treatment 1 and/or Treatment 2 above.

### **Treatment 4 - Complete Paved Area –**

The Shire, at its absolute discretion, may approve the paving of an area that is greater than 33% of the total verge (excluding existing crossings) with an acceptable material provided that:

- In the opinion of the Shire it would not constitute a negative impact on the aesthetic value of the existing streetscape.
- An appropriate storm water drain disposes of excess water into a soak well situated internally on the owner's land.
- The construction of the drain and soak well is to specification approved by the Shire.
- The land abutting the verge to be paved does not fall within an area not suitable for soakwells as specified by the Shire.
- In the event that lawn or garden is planted on the remaining portion of the road reserve, that development shall comply with Treatment 1 and/or Treatment 2 above.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	Review Frequency:	Every Four Years	Next Due:	July 2026	Ref:	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS12 TREE MANAGEMENT IN URBAN AREAS AND PUBLIC RESERVES

### Policy Objectives

The objectives of this policy are to:

- recognise the importance of having well maintained, appropriately selected trees in Shire controlled urban areas and public reserves for our community;
- identify the criteria for selection and location of trees on public land;
- identify the level of responsibility and role the shire will undertake in relation to upgrade/ renewal projects and management of trees in urban areas and public reserves;
- identify that a register of significant trees and appropriate guidelines will be developed;
- identify the delegated authority of the CEO and Shire staff in relation to implementation of this policy; and
- identify the role and responsibilities of other stakeholders in relation to management of trees on private land and the public areas covered by this policy.

### Policy

#### WS12.1 Selection and Location of Tree Varieties on Public Land

In all instances the selection of tree varieties to be planted on public land under the control of the Shire will:

- not be listed as noxious weeds or invasive species by the Department of Biodiversity, Conservation and Attractions;
- require minimal pruning;
- not be known to cause very common severe allergic reactions to people (excludes varieties triggering rare conditions);
- be non-toxic;
- will not produce thorns, a prickle or spur seed or drop excessive nuts, leaves or fruit that will cause a hazard or nuisance;
- will typically grow no taller than six metres in urban areas or three metres if under power lines;
- consideration will be given to planting trees native to the area;
- shall be planted on an appropriate location so as to avoid electrical power lines and all other services;
- shall not be planted within 20 metres from a street corner or within 7 metres from a crossover where they may impede sight distance or pedestrian traffic; and
- will not be planted on verges that are less than four metres wide.

#### WS12.2 Selection, Maintenance and Removal of Street Trees (Public Reserves and Urban Environments)

The Chief Executive Officer or Authorised Officer is responsible for the selection, maintenance and removal of trees on Shire managed streetscapes in accordance with the following policy requirements.

#### **Selection, Installation and Removal of Trees during Upgrade of Major Streetscapes, Significant Road Verges and Parklands**

The Chief Executive Officer or Authorised Officer will select and designate key areas which serve as a focal point or have major amenity for residents and visitors to the town (i.e. the main street, major roads, town entries and parks).

Where Council selects the upgrade of trees to be included in as part of a designated project to upgrade defined key areas, the Shire will:

- conduct an audit of existing location and species of trees within the project area;
- select the varieties of trees to be included as part of design;
- undertake a systematic process of removing unwanted trees; and
- planting desired varieties as part of redevelopment of these areas.

The selection of criteria for trees in these areas will be the same as that for other urban areas (see below) with the additional criteria that these trees must:

- be species native to the area
- have significant visual amenity reflecting the character of the area

The implementation of any redevelopment project will take into account the time for new trees to grow and may involve phased removal of older trees as appropriate.

This policy will not obligate Council to address trees as part of any particular upgrade project and selection of projects and project components will be undertaken as part of review of the Shires Strategic Community Plan, Corporate Business Plan and Long Term Financial Plan.

Implementation of projects is usually subject to achievement of external funding.

## **Selection of Trees in Urban Residential/ Non Major Streetscapes/ Roadways and Verges**

### **A. Selection and Location**

Decisions relating to selection of trees to be installed in streetscapes and verges not designated by Council under this section will be at the discretion of the CEO or Authorised Officer in accordance with the following policy statements.

The CEO or Authorised Officer may implement planting of approved trees on a case by case basis in accordance with merit and location, generally as part of other works to an area or in accordance with a set works plan.

Adjoining property owners can make application and on approval plant a maximum of two street trees per 20 metres frontage at their own cost. The number and type of street trees approved will be dependent on available verge area and characteristics of the tree/s. Trees are to be supplied by the land owner and maintained by the land owner for a minimum period of three years.

### **B. Maintenance**

Street tree maintenance will be undertaken as required within the allocated street tree maintenance budget. Maintenance of trees impeding sight distances, vehicle and pedestrian movements shall be given a higher priority.

Only those trees which are under Western/ Horizon Power's Power lines or which constitute a traffic hazard will be pruned each year (contractor permitted to use discretion).

Trees showing a high risk of imminent danger will be removed or pruned as required at the discretion of the CEO or Authorised Officer.

### **C. Removal by Shire Staff**

The CEO shall have delegated authority to approve the removal of trees on Shire property by staff should this be required for the following reasons:

- roadworks (including footpaths, etc.);
- trees that are dead, dying, deformed, damaged or in poor health;
- trees considered unsuitable for the streetscape;
- trees considered to be located in a hazardous or dangerous; position or contributing to a hazardous or dangerous situation; or
- other operational reasons.

**D. Upon Application for Removal/ Replacement by Adjacent Landowners to Facilitate Approved Development**

Should a tree require removal as a consequence of approved development or redevelopment of a property including facilitation of a driveway / crossover installation the CEO will only consider a request following receipt of an application in writing. The CEO shall have the delegated authority to approve the removal of trees on Shire property by adjacent landowners as a consequence of development should the application meet with officer approval.

The applicant will be advised of any condition(s) including but not limited to:

- Replacing any removed tree with the same or similar tree;
- All vegetation removed from the road reserve shall be disposed of properly; and
- The applicant is responsible for all associated costs, including verge / footpath reinstatement if required.

**E. Requirement for Council Decision Relating to Removal**

The above delegations notwithstanding, where a tree is considered;

- Contentious or large costs will be incurred;
- A heritage or significant specimen; or
- Council response is necessary.

A report regarding the proposed tree removal will be submitted to Council prior to any action being undertaken.

**F. Application to Remove Trees for Other reasons**

It is recognised that the Shire receives requests from property owners to remove trees for reasons other than those listed above.

On receipt of a written request staff will conduct an assessment and:

In the event it is determined that the subject tree meets the requirements listed above shall undertake the appropriate action or issue approvals in accordance with the timing and conditions detailed in those sections; or

If sufficient merit is not determined and the request is contrary to the conditions in this policy – reject the application with no further action to be undertaken.

If circumstances warrant this in the opinion of the CEO, or if the applicant wishes to appeal a decision then a report and recommendations will be presented to Council for determination of action.

**WS12.3 Register of Significant Trees**

The Shire will develop guidelines, criteria and an application and assessment process for registering of Significant Trees on Public Land.

Street trees listed by the National Trust, Heritage Council, Tree Society and/or that are listed on the Shires Municipal Inventory and/or that are assessed in the future as meeting all of the requirements to be nominated as a significant tree shall be listed on the Shires Register of Significant Trees on Public Land.

For each tree or group of trees on the Register of Significant Trees a statement of significance and a management plan shall be prepared by the Shire in consultation with an expert arborist.

#### WS12.4 Trees on Private Property

##### Selection, Location and Preventative Maintenance

Landowners are entitled to select and locate trees on their own private property as long as:

- the tree is not prohibited in Western Australia;
- they comply with their duty of care for the safety of residents and visitors to their property through appropriate maintenance and other measures;
- they comply with all requirements relating to firebreaks;
- they maintain the tree in such a state as to not endanger any person or thing or cause a hazard (such as to any power line) or interference with delivery of Shire or other services on adjoining land; and
- they ensure the tree does not impinge across their boundary into that of adjoining residences without express written permission.

#### WS12.5 Councils Responsibility Relating to Trees on Private Property

Enforcing of requirements for species selection and duty of care for residents and visitors relating to trees on private property are the responsibility of other Government agencies and will not be entered into by the Shire.

It is recognised that neighbours have the right to trim any part of a tree encroaching on their land as long as they do not encroach on their neighbours land to do so and do not create a hazardous situation or state through or as a result of their actions.

Neighbours are responsible for and encouraged to ensure appropriate communication with each other relating to pruning of overhanging trees.

The Shire will not enter into civil disputes relating to trees encroaching on private land.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	s3.25 [Notices requiring certain things to be done by owner or occupier of land], s3.26 [Additional powers when notices given], s3.34 [Entry in emergency] and Schedule 3.1.9 [Things a notice may require to be done] of the <i>Local Government Act 1995</i>						
Industry:	<a href="https://www.legalaid.wa.gov.au/sites/default/files/inline-files/Video-Fact-Sheet-Dividing-fences-other-boundary-issues.pdf">https://www.legalaid.wa.gov.au/sites/default/files/inline-files/Video-Fact-Sheet-Dividing-fences-other-boundary-issues.pdf</a>						
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	July 2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS13 DANGEROUS TREES ON PRIVATE PROPERTY

### Policy Objectives

To ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.

### Policy

The issuing of Notices under the *Local Government Act 1995* regarding trees on private property will only be issued where the tree concerned represents a definite threat of imminent harm to persons or catastrophic damage to property and only after the complainant has taken reasonable steps to resolve the issue privately with the tree owner.

Requests from residents for the issuing of a Notice regarding trees on neighbouring private property are to be received in writing.

The complainant will be required to:

- demonstrate what actions they have taken previously to resolve the issue privately with the tree owner; and
- commission and submit, at the complainant's cost, a Tree Inspection Report from an independent, professional arborculturalist recognised by the Tree Guild of Western Australia, prior to the Shire proceeding with any consideration of the request.

Where the request meets the requirements above, a Notice will be issued to the tree owner to make the tree safe.

This policy shall not prevent the Shire or Authorised Officers from intervening in emergency situations as provided for by the *Local Government Act 1995*.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements: Delegated Authority – DA 1.2.2 – Additional Powers when Notice is given to the owner or occupier of land under section 3.25. Delegated Authority – DA 1.2.3 – Particular Things Local Governments Can do on that land that is not Local Government Property.							
Legislation:	s3.25 [Notices requiring certain things to be done by owner or occupier of land], s3.26 [Additional powers when notices given], s3.34 [Entry in emergency] and Schedule 3.1.9 [Things a notice may require to be done] of the <i>Local Government Act 1995</i>						
Industry:	<a href="https://www.legalaid.wa.gov.au/sites/default/files/inline-files/Video-Fact-Sheet-Dividing-fences-other-boundary-issues.pdf">https://www.legalaid.wa.gov.au/sites/default/files/inline-files/Video-Fact-Sheet-Dividing-fences-other-boundary-issues.pdf</a>  Dividing Fences a Guide – Building Commission of WA						
Organisational:							
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biennial	Next Due:	2024	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS14 STREET TREES

### Policy Objectives

To ensure conformity in new verge/street tree installation and maintenance and parameters for removal of existing verge/street trees.

### Policy

#### **Planting**

Street trees are to be installed as per this policy or at the discretion of the Chief Executive Officer or Authorised Officer.

Planting of approved street trees by the Executive Manager Infrastructure Services or Authorised Officer shall be decided on, in each case, its merit and location.

Upon approval of an application, an adjoining property owner can be allowed to plant a maximum of 2 approved street trees per 20 metres frontage at their own cost. The number and type of street trees approved will be dependent on available verge area and characteristics of the tree/s. Trees are to be supplied by the land owner and maintained by the land owner for a minimum period of three years.

Street trees will be varieties that have the following characteristics:

- require minimal pruning;
- are non-hyper allergenic;
- have a non-invasive root system;
- are non-toxic;
- do not produce thorns, a prickle or spur seed, or fruit that will cause a hazard;
- will typically grow no taller than six metres or three metres if under power lines;
- generally will not cause a nuisance by dropping excessive nuts, leaves or fruit.

Street trees approved to be planted on a verge with a footpath or within 1 metres of the back of kerb, seal edge or shoulder, shall have a suitable root barrier installed 300mm deep (min) and 1 metre in diameter to minimise potential damage to Shire infrastructure.

Trees shall be planted at an approved location so as to avoid electrical power lines and all other services. No trees are to be planted within 20 metres from a street corner or within 7 metres from a crossover of where they may impede sight distance or pedestrian traffic. Trees are not to be planted on verges less than four metres wide.

#### **Maintenance**

Street tree maintenance will be undertaken as required and within the allocated street tree maintenance budget.

Maintenance on trees impeding sight distances, vehicle and pedestrian movements shall be given a higher priority. Only those trees which are under Western Power / Horizon Power's power lines or which constitute a traffic hazard to be pruned each year (contractor to be permitted to use discretion).

Street trees that show a high risk of imminent danger shall be removed/pruned as required at the discretion of the Executive Manager Technical Service or Authorised Officer.

#### **Removal of Street Trees**

The Chief Executive Officer or Authorised Officer may determine to approve the removal of trees on Shire property by Shire staff should tree(s) be required to be removed for the following reasons:

- roadworks (including footpaths, etc.) associated with the annual works program;

- trees that are dead, dying, deformed, damaged or in poor health;
- trees considered unsuitable for the streetscape;
- trees considered to be located in a hazardous or dangerous position, or in a location contributing to a hazardous or dangerous situation;
- or other rational reason associated with the operations of the Technical Services Department.

The above notwithstanding, where a tree is considered:

- contentious or large costs are to be incurred;
- a heritage or significant specimen; or
- a Council response is necessary,

a report regarding the tree removal will be submitted to Council prior to any action being undertaken.

### **Upon Application for Removal/Replacement of Street Trees by Adjacent Landowners:**

Should a street tree require removal as a consequence of the approved development or redevelopment of a property, including the removal to facilitate a driveway/crossover installation, the CEO will only consider the request following receipt of an application in writing. The CEO shall have the delegated authority to approve the removal of trees on Shire property by adjacent landowners as a consequence of development should the application meet with Officer approval.

The applicant is to be advised of any condition(s) which shall include (but not limited to):

- replacing any removed street tree with the same or similar tree;
- all vegetation removed from the road reserve shall be disposed of appropriately.
- the applicant is responsible for all association costs, including verge/footpath reinstatement if required.

The above notwithstanding, where a tree is considered:

- contentious or large costs are to be incurred;
- a heritage or significant specimen; or
- a Council response is necessary,

a report regarding the tree removal will be submitted to Council prior to any action being undertaken.

It is recognised that the Shire also receives requests from property owners to remove trees for reasons other than as a consequence of development or redevelopment. Generally Council will not support the removal of trees for reasons other than those trees that are hazardous/dangerous.

However, any application to remove a tree or trees will be evaluated with the following foreseeable outcomes:

- application rejected, no further action taken;
- tree or trees found to be the Shires responsibility; action taken by Shire staff subject to costs being met by property owner;
- report to Council prior to any action being taken.

### **Native Vegetation on Council Verges**

Any removal or maintenance of native vegetation on Shire verges is at the discretion of the Chief Executive Officer or Authorised Officer.

Should a land owner adjacent to a Shire verge wish to remove native vegetation on that verge, it is the adjacent landowner/s responsibility to obtain any/all approvals to remove vegetation (e.g. Department of Biodiversity, Conservation and Attractions).

Clearing must be kept to a minimum and may be conditional on replacing any removed vegetation with the same or similar vegetation at the request of the Executive Manager Infrastructure Services or Authorised Officer.

All vegetation removed from the road reserve shall be disposed of appropriately. The adjacent landowner is responsible for all associated costs unless otherwise agreed to by the Executive Manager Infrastructure Services or Authorised Officer.

<b>Document Control Box</b>							
<b>Custodian:</b>	Executive Manager Infrastructure Services						
<b>Decision Maker:</b>	Council						
<b>Compliance Requirements:</b>							
<b>Legislation:</b>							
<b>Industry:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	Every Four Years	<b>Next Due:</b>	2026	<b>Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Description</b>				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				

## WS15 BEEKEEPING ON SHIRE MANAGED RESERVES

### Policy Objectives

To administer the activity of beekeeping activities on Shire managed reserves.

### Policy

Council authorises the Department of Biodiversity, Conservation & Attractions (DBCAs) by agreement, to administer on behalf of the Shire, applications from 'Registered Apiarists', as prescribed under the Forest Management Regulations 1993, to locate beehives on reserves managed in the Shire of Ravensthorpe, subject to:

- the Department of Biodiversity, Conservation & Attractions advising the Shire of all approvals granted to locate beehives on reserves managed in the Shire of Ravensthorpe, and
- Shire reserving the right to withdraw the authorisation granted to the Department of Biodiversity, Conservation & Attractions at any time.

Document Control Box							
Custodian:	Executive Manager Infrastructure Services						
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	<i>Conservation and Land Management Act 1984</i> r.46 [Apiary Sites] Forrest Management Regulations 1993						
Industry:							
Organisational:	Division 7 – Beekeeping – Shire of Ravensthorpe Health Local Law 2010						
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022- Comprehensive Policy Manual review.				