



SHIRE OF WANDERING

MINUTES OF THE ORDINARY COUNCIL MEETING

**Wandering Shire Council Chambers, 22 Watts
Street, Wandering**

**20 August 2015
1.30pm**

**SHIRE OF WANDERING
ORDINARY MEETING OF
COUNCIL**

Dear Councillor

Notice is hereby given that an Ordinary Meeting of Council of the Shire of Wandering will be held on 20 August 2015 at Shire of Wandering Council Chambers, 22 Watts Street, Wandering. Commencing at 1.30pm

The business to be transacted is shown in the Agenda.

Amanda O'Halloran
CHIEF EXECUTIVE OFFICER

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Wandering warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Wandering for any act, omission or statement or intimation occurring during a Council meeting.

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Ordinary Council Meeting

1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The Shire President, Cr Graeme Kerr declared the meeting open at 1.30pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr G Kerr	President
Cr B Dowsett	Deputy President
Cr W Gowland	
Cr J McNeil	
Cr B Whitely	
Cr C Ferguson	
Cr J Price	

Staff:

Ms A O'Halloran	Chief Executive Officer
Mr D Ojha	Manager Administration and Finance

Visitors: Kim Stripe

Apologies: Nil

On Leave of Absence: Nil

Absent: Nil

3. DISCLOSURE OF INTERESTS

Jim McNeil, submitted a Disclosure of Interest Form for Item 12.1.1 CONFIDENTIAL ITEM; DRAFT DEED OF SETTLEMENT JAMES ROBERT MCNEIL & JULIE CLAIRE MCNEIL & SHIRE OF WANDERING, identifying a Financial Interest in the matter.

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION – ITEM 5.1

MOVED: Cr B Whitely

SECONDED: Cr C Ferguson

That Council: Accept the application for leave of absence from Cr G Kerr for the 17 September 2015 Ordinary Meeting of Council.

CARRIED 7/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL – 16 JULY 2015

COUNCIL DECISION – ITEM 6.1

MOVED: Cr J Price

SECONDED: Cr B Dowsett

That the minutes of the Ordinary Meeting of Council held on 16 July 2015, be confirmed as a true and accurate record.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

8.1 PRESENTATION BY HOTHAM WILLIAMS ECONOMIC DEVELOPMENT ALLIANCE

Nil

9. REPORTS OF COMMITTEES

Report by Cr B Dowsett and Cr B Whitely on attendance at Local Government Week – August 2015. Discussion occurred regarding worthwhile aspects, importance of networking, Positives of the Trade exhibition and discussion points from WALGA AGM.

10. REPORTS OF OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF JULY 2015

FILE REFERENCE: 1.1.29.1

PROPOSERS: Nil

DISCLOSURE OF INTEREST: Nil

DATE: 7 July 2015

PREVIOUSLY BEFORE COUNCIL: N/A

AUTHORS NAME & POSITION: Amanda O'Halloran CEO

NATURE OF COUNCILS ROLE IN THE MATTER: Legislative

PURPOSE OF THE REPORT

The purpose of this agenda item is to report to Council for information, Use of the Common Seal and actions performed under delegated authority requiring referral to Council, for the month of July 2015.

BACKGROUND

Council has authorised the updated delegations register at the June 2015 Ordinary Meeting of Council. The procedure associated with the register is to report to Council the activities or actions that have been performed under delegated authority. A report will be completed for Council at each meeting that identifies (1) Use of the Common Seal, and (2) actions performed under delegated authority requiring referral to Council as per the Shire of Wandering Delegated Authority Register 2015.

COMMENT/ DETAILS

Minimal actions were performed under delegation during the month of July 2015. A detailed list is provided below:

- Common Seal applied to Town Planning Scheme Documents – Omnibus Amendment No 4, as per Council Recommendation OMC 10.2.1 16 July 2015.
- Food Stall Holders Licence – CWA and Wandering Fair
- New Food Business – Julie Gentle
- Payments from the Municipal Account.

CONSULTATION

Relevant Officers and Managers of the Shire

STATUTORY/ LEGAL ENVIRONMENT

Local Government Act 1995 Section 9.49A

POLICY IMPLICATIONS

Affixing the Shire of Wandering Common Seal Policy
Shire of Wandering Delegations Register 2015
Purchasing and Tendering Policy

FINANCIAL IMPLICATIONS

Nil – all payments have been approved in the 2015/16 Annual Budget.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure that the organisation's governance structure, policies and procedures are current and relevant

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority for the Month of July 2015".

COUNCIL DECISION – ITEM 10.1.1

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority for the Month of July 2015".

CARRIED 7/0

10.1.2 COUNCIL POLICY REVIEW

FILE REFERENCE: 1.1.27

PROponents: NIL

DISCLOSURE OF INTEREST: NIL

DATE: 10 August 2015

PREVIOUSLY BEFORE COUNCIL: N/A

AUTHORS NAME & POSITION: Amanda O'Halloran CEO

NATURE OF COUNCILS ROLE IN THE MATTER: Legislative

PURPOSE OF THE REPORT

The Shire Administration has been undertaking a review of Council Policies as per the findings of the 2014 Department of Local Government and Communities Probity Audit.

The Department proposed as per its final findings, *Recommendation 13 - That Council gives priority to developing effective policies and instructs the CEO to review its policy manual by improving, and updating all policies for Council's adoption.*

The Shire has engaged the services of a local contractor to assist with the implementation of the above recommendation. This work is currently well ahead to the delivery schedule agreed with the Department.

Background

As part of the 2014 Department of Local Government and Communities Probity Audit, which undertook a review of the Council's systems, policies, procedures, risk management and integrated planning, it was evident a more formal and documented approach to Council's governance policies and procedures would be of benefit to improve service delivery and compliance. This review is currently underway and incorporates a framework for annual review.

The proposed review process demonstrates Council's focus on strategic governance as it provides clarity, ownership and accountability to the Wandering community and for the Shire's Operations Staff.

Comment

A thorough review of Council Policies in place has been undertaken; it was evident from this review there were a number of gaps in Council's governance structure. Work has been undertaken to identify the areas required to reduce this risk to Council, and to provide direction and clarity to Staff and the Community. The policies are statements of strategic intent to guide the Shire's operations and decision making.

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

The proposed list of Council Policies is as follows:

Corporate Credit Card	CP001
Equal Opportunity, Harassment and Bullying	CP002
Disability Access and Inclusion	CP003
Use of Logo	CP004
Councillor Recognition	CP005
Employee Recognition	CP006
Dress Standard for Councillors and Employees	CP007
Common Seal	CP008
Official Photographs	CP009
Risk Management	CP010
Council Meetings	CP011
Memorials on Council Land	CP012
Naming of Public Places	CP013
Complaints and Compliments Handling	CP014
Financial Management	CP015
Conduct of Public Question Time	CP016
Outbuildings	CP017
Legal Representation for Councillors and Employees	CP018
Code of Conduct	CP021
Councillor Allowances and Expenses	TBA
Home Businesses	CP020
Records Management	CP022
Purchasing and Tenders	CP023
Occupational, Health and Safety	CP024
Sea Containers	CP025
Transportable Dwellings	CP026
Outdoor Signage	TBA
Community Consultation and Engagement	TBA
Asset Management	TBA
Councillors Representing Council as Delegates	TBA
Integrated Planning	TBA
Workforce Planning and Management	

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

The following Policies are presented to Council for review and endorsement:

Corporate Credit Card	CP001
Equal Opportunity, Harassment and Bullying	CP002
Disability Access and Inclusion	CP003
Use of Logo	CP004
Councillor Recognition	CP005
Employee Recognition	CP006
Dress Standard for Councillors and Employees	CP007
Common Seal	CP008
Official Photographs	CP009
Risk Management	CP010
Council Meetings	CP011
Memorials on Council Land	CP012
Naming of Public Places	CP013
Complaints and Compliments Handling	CP014
Financial Management	CP015
Conduct of Public Question Time	CP016
Outbuildings	CP017
Legal Representation for Councillors and Employees	CP018

ATTACHMENT 2

Consultation

Shire Staff

Shire Contractor

Industry Advice and Resources

Statutory Environment

The Local Government Act 1995 Section 2.7(2)(b) states that the making of policy is a role of the Council.

Financial Implications

Nil related to the policies presented

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Strategy 5.2.1: Ensure Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant.

Policy Implications

N/A

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

Voting Requirement

Simple Majority Required

Recommendation

That Council adopts the following reviewed and new policies as finalised formal policies of Council as included as **ATTACHMENT 2** of this agenda and minutes:

Corporate Credit Card	CP001
Equal Opportunity, Harassment and Bullying	CP002
Disability Access and Inclusion	CP003
Use of Logo	CP004
Councillor Recognition	CP005
Employee Recognition	CP006
Dress Standard for Councillors and Employees	CP007
Common Seal	CP008
Official Photographs	CP009
Risk Management	CP010
Council Meetings	CP011
Memorials on Council Land	CP012
Naming of Public Places	CP013
Complaints and Compliments Handling	CP014
Financial Management	CP015
Conduct of Public Question Time	CP016
Outbuildings	CP017
Legal Representation for Councillors and Employees	CP018

COUNCIL DECISION – ITEM 10.1.2

MOVED: Cr B Whitely

SECONDED: Cr J McNeil

That Council: That Council adopts the following reviewed and new policies as finalised formal policies of Council as included as **ATTACHMENT 2** of this agenda and minutes:

Corporate Credit Card	CP001
Equal Opportunity, Harassment and Bullying	CP002
Disability Access and Inclusion	CP003
Use of Logo	CP004
Councillor Recognition	CP005
Employee Recognition	CP006
Dress Standard for Councillors and Employees	CP007
Common Seal	CP008

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

Official Photographs	CP009
Risk Management	CP010
Council Meetings	CP011
Memorials on Council Land	CP012
Naming of Public Places	CP013
Complaints and Compliments Handling	CP014
Financial Management	CP015
Conduct of Public Question Time	CP016
Outbuildings	CP017
Legal Representation for Councillors and Employees	CP018

CARRIED 7/0

3.10pm Cr B Whitely Left the meeting

3.15pm Cr B Whitely returned to the meeting

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

10.2 BUILDING AND PLANNING REPORTS - Nil

10.3 COMMUNITY SERVICES REPORTS - Nil

10.4 CORPORATE SERVICES

10.4.1 10.4.1 AMMENDMENT OF SWIMMING POOL FEE TO COMPLY WITH THE *BUILDING REGULATIONS 2012*.

FILE REFERENCE:	10.4.1
PROPOSERS:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	13 August 2015
PREVIOUSLY BEFORE COUNCIL:	N/A
AUTHORS NAME & POSITION:	Amanda O'Halloran CEO
NATURE OF COUNCILS ROLE IN THE MATTER:	Legislative

PURPOSE OF THE REPORT

At the July 2015 Ordinary Meeting of Council the wrong fee and statutory reference was made in relation to the Inspection of Swimming Pools. This item is to correct the fee and reference to ensure compliance to the *Building Regulations 2012*.

BACKGROUND

At the July 2015 Ordinary Meeting of Council the wrong fee and statutory reference was made in relation to the Inspection of Swimming Pools. The Department of Local Government and Communities picked up the mistake in their review of our submitted annual budget. They have recommended that the mistake be corrected by Council.

COMMENT/ DETAILS

This Item proposes that Council revokes the 16 July 2015 Decision of Council and adopts the amended recommendation to ensure compliance.

CONSULTATION

Manager Administration and Finance
Manager Sector Monitoring, Department of Local Government and Communities

STATUTORY/ LEGAL ENVIRONMENT

Building Regulations 2012, regulation 53 – Inspection of pool enclosures

- (1) The local government for the district in which a private swimming pool containing water that is more than 300mm deep is located must arrange for an authorised person to inspect the pool enclosure at intervals of no more than 4 years for the purpose of monitoring whether the provisions in regulations 50 and 52 are being complied with.
- (2) A local government may, for a financial year, fix the charge to be imposed on each owner or occupier of land on which there is a private swimming pool containing water that is more than

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

300mm deep, to meet the estimated cost in that financial year of carrying out the inspections mentioned in sub regulation (1), but the charge fixed –

- a. Must not exceed the estimated average cost to the local government of carrying out inspections in that year: and
- b. Must not exceed \$57.45

[Regulation 53 amended in Gazette 15 Jun 2012 p.2515; 27 Jun 2014 p.2309; 23 Jun p. 2162.]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil – The Budget hadn't allowed for any revenue in relation to swimming pool fees. Money received in relation to this fee would be unbudgeted.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent.

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant.

Strategy 5.2.3: Ensure appropriate funds are available to implement current and future action plans.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

1. Revoke - Pursuant to section 245A(8) of the *Local Government (Miscellaneous Provisions) Act 1960* the Council adopts a swimming pool inspection fee of \$63.00 included at page 41 of the draft 2015/16 budget included as **ATTACHMENT 3** of 16 July 2015 Ordinary Meeting of Council Minutes .
2. Adopt - Pursuant to regulation 53 2(b) of the *Building Regulations 2012*, council adopts a swimming pool inspection fee of \$57.45 included at page 41 of the adopted 2015/16 budget as presented at the 16 July 2015 Ordinary Meeting of Council Minutes.

COUNCIL DECISION – ITEM 10.4.1

MOVED: Cr B Dowsett

SECONDED: Cr C Ferguson

That Council:

1. Revoke - Pursuant to section 245A(8) of the *Local Government (Miscellaneous Provisions) Act 1960* the Council adopts a swimming pool inspection fee of \$63.00 included at page 41 of the draft 2015/16 budget included as **ATTACHMENT 3** of 16 July 2015 Ordinary Meeting of Council Minutes .
2. Adopt - Pursuant to regulation 53 2(b) of the *Building Regulations 2012*, council adopts a swimming pool inspection fee of \$57.45 included at page 41 of the adopted 2015/16 budget as presented at the 16 July 2015 Ordinary Meeting of Council Minutes.

CARRIED 7/0

11 ELECTED MEMBER'S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr B Dowsett – requested information from the CEO, regarding Council's request previously to implement a white line on Crossman Dwarda Road. The CEO advised that an applications had been made to MRWA and that to date a favourable response had not been recieved.

Cr B Dowsett further requested information regarding safety features (how much to implement and if it can be implemented at the least on Crossman Dwarda Rd) implemented on White Road (Narrogin Shire) – cat's eyes in patches.

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

CEO requested the introduction of late agenda item – 12.1.1 - SUPPORT FOR FINANCIAL ASSISTANCE GRANT PROGRAM.

COUNCIL DECISION 12.1.

MOVED: Cr B Dowsett

SECONDED: Cr W Gowland

That Council considers the following new business of an urgent nature Item 12.1.1 SUPPORT FOR FINANCIAL ASSISTANCE GRANT PROGRAM

CARRIED 7/0

12.1.1 SUPPORT FOR FINANCIAL ASSISTANCE GRANT PROGRAM

FILE REFERENCE:	12.1.1
PROponents:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	19 August 2015
PREVIOUSLY BEFORE COUNCIL:	Nil
AUTHORS NAME & POSITION:	Amanda O'Halloran
NATURE OF COUNCILS ROLE IN THE MATTER:	Advocacy

PURPOSE OF THE REPORT

The Australian Local Government Association (ALGA) and the Western Australian Local Government Association (WALGA) have initiated a campaign to encourage the Federal Government to lift the freezing of the Federal Assistance Grants. They have asked local Councils to consider supporting the campaign.

BACKGROUND

The Australian Federal Government has placed a freeze on indexation of the Federal Assistance Grants (FAGs) until 2017 – 2018. FAGs funding is not currently keeping pace with demand for services and infrastructure. This freeze will result in a permanent reduction in the FAGs base by 13%.

MINUTES FOR THE MEETING HELD 20 AUGUST 2015

FAGs funding originates from the Federal Government, although they are administered and facilitated by the State Government.

The Shire of Wandering relies heavily on this grant to be sustainable and to provide for key service delivery in its annual budget. With many key costs increasing (street lighting, wage costs and maintenance), this freeze will have a substantial impact on the Shires ability to continue to deliver services.

COMMENT/ DETAILS

ALGA and WALGA have written to Councils encouraging support and advocacy in an effort to have the Federal Government reverse the decision to freeze the indexation of FAGs.

While the FAGs are paid through the local State Government's Grants Commissions, the funding originates with the Federal Government and it is important it is recognised as such. Council, and every other Council in Australia, have been asked to pass a resolution acknowledging the importance of the Federal Governments Financial Assistance Grants in assisting Council to provide important community services and infrastructure.

Council is also being asked to acknowledge the receipt of FAGs from the Federal Government in media releases and Council publications, including our annual report. It is further requested that Council acknowledge projects and initiatives that are funded to a similar value as the FAGs received by Council so that the importance and impact of the grants can be more broadly appreciated.

CONSULTATION

WALGA Representatives
Neighbouring Councils
LGMA

STATUTORY/ LEGAL ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The report itself has no immediate financial implications. Funding is not keeping pace with demand for services and infrastructure in local communities and the decision in last year's budget Federal Budget to freeze indexation of FAGs for 3 years will worsen this.

The freeze on indexation of FAGs will have significant ramifications for the Shire of Wandering and could amount to thousands of dollars lost in real terms by 2018.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.3: Ensure appropriate funds are available to implement current and future action plans

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Acknowledges the importance of Federal Government Funding through the Financial Assistance Grants program for the continued delivery of Council's services and infrastructure.
2. Supports the Australian Local Government and the Western Australian Local Government Associations in lobbying the Australian Federal Government to have the Financial Assistance Grant Indexation restored immediately.
3. Will appropriately identify and acknowledge the importance of the Financial Assistance Grants and any other associated funding provided by the Federal Government in all Shire of Wandering publications and media.

COUNCIL DECISION 12.1.1

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council:

1. Acknowledges the importance of Federal Government Funding through the Financial Assistance Grants program for the continued delivery of Council's services and infrastructure.
2. Supports the Australian Local Government and the Western Australian Local Government Associations in lobbying the Australian Federal Government to have the Financial Assistance Grant Indexation restored immediately.
3. Will appropriately identify and acknowledge the importance of the Financial Assistance Grants and any other associated funding provided by the Federal Government in all Shire of Wandering publications and media.

CARRIED 7/0

COUNCIL Resolution to break for Afternoon Tea

MOVED: Cr W Gowland

SECONDED: Cr C Ferguson

That the Meeting be adjourned for 15 minutes for afternoon tea at 3.30 pm

CARRIED 7/0

COUNCIL Resolution to recommence the Meeting

Cr J McNeil – did not return to the meeting, due to the Confidential Item next on the agenda.

MOVED: Cr W Gowland

SECONDED: Cr C Ferguson

That the Meeting to recommence at 3.53 pm

CARRIED 6/0

13 CONFIDENTIAL ITEMS

COUNCIL RESOLUTION TO CLOSE THE MEETING

MOVED: Cr B Dowsett

SECONDED: Cr W Gowland

That Council:

That Council close the meeting to the public at 3.46 pm pursuant to sub section 5.23 (2) (e) of the Local Government Act 1995.

CARRIED 6/0

13.1.1 CONFIDENTIAL ITEM: DEED OF SETTLEMENT JAMES ROBERT MCNEIL AND JULIE CLAIRE MCNEIL AND SHIRE OF WANDERING

FILE REFERENCE:	37.1.1
PROPOSERS:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	10 August 2015
PREVIOUSLY BEFORE COUNCIL:	13.1.2 12 November 2014; 19 September 2013
AUTHORS NAME & POSITION:	Amanda O'Halloran CEO
NATURE OF COUNCILS ROLE IN THE MATTER:	Legislative

PURPOSE OF THE REPORT

To seek Council's approval to proceed with final settlement with regards to the Gravel Royalties and Property Damage claim between James and Julie McNeil and The Shire of Wandering.

COUNCIL DECISION 13.1.1

MOVED: Cr B Dowsett

SECONDED: Cr B Whitely

That Council:

1. Approve the Deed of Settlement as included as ATTACHMENT 4.5 of this agenda and minutes.
2. Authorises the Shire President Cr Graeme Kerr and the Chief Executive Officer Amanda O'Halloran to affix the Common Seal to, and execute the Deed of Settlement.

CARRIED: 6/0

COUNCIL RESOLUTION TO OPEN THE MEETING

MOVED: Cr W Gowland

SECONDED: Cr C Ferguson

That Council re-open the meeting to the public at 4.11 pm pursuant to sub section 5.23 (2) (e) of the Local Government Act 1995 and read the resolution passed if any public are present.

CARRIED: 6/0

14 TIME AND DATE OF NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 17 September 2015 at 1:30pm

15 CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.34pm

**These Minutes were confirmed at the Ordinary Council Meeting
on Thursday ~~17~~ September 2015.**

Signed: *A G Kerr* ^{24th} *A G Kerr*

Presiding Person at the meeting at which the minutes were confirmed

Date: *24-09-2015*



CORPORATE CREDIT CARD POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

Shire of Wandering Corporate Credit Cards are provided to members of staff to enable the purchase of goods and services.

The objective of this policy is to:

1. Provide a clear framework to enable the use of corporate credit cards
2. Provide staff issued with a Corporate Credit Card clear and concise guidelines outlining its use
3. Reduce the risk of fraud and misuse of the corporate credit card.

The application of this policy is to be in conjunction with the Shire of Wandering Code of Conduct and any legislative requirements of the *Local Government Act 1995* that may be enforced.

2. PRINCIPLES

2.1 Usage

Shire of Wandering Corporate Credit Cards shall be used only:

- For Council business activities
- When outside the Shire on business
- For the purchase of goods in accordance with Council's Purchasing Policy.

Shire of Wandering Corporate Credit Cards are not to be used for cash withdrawals.

2.2 Eligibility and application procedures for new Corporate Credit Cards

Allocation of a corporate credit card can only be approved by the Chief Executive Officer, or in the case the card is for the Chief Executive Officer, approval is provided by the Shire President. Once approved the application must be signed by the cardholder and two (2) signatories to Council's bank accounts.

Corporate credit cards will only be issued when it is established that the anticipated usage of the card is warranted.

A credit limit of \$20,000 is to be applied to the Chief Executive Officer's corporate credit card.

A credit limit of \$5,000 is to be applied to corporate credit cards approved for other employees.

The cardholder shall acknowledge and accept conditions of use of the Shire of Wandering Corporate Credit Card. Refer Attachment 1: Corporate Credit Cardholder Agreement.

2.3 Corporate Credit Card reconciliation procedures

2.3.1 Corporate Credit Card statement accounts will be issued to the relevant cardholder who will, within seven (7) days, acquit the transactions on the account. A template is attached to this policy identifying the reconciliation requirements.

2.3.2 Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the *Goods and Services Tax Act 1999* to enable a GST rebate to be applied.



CORPORATE CREDIT CARD POLICY

- 2.3.3 Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
- 2.3.4 Transactions shall be accompanied by an account/job number for costing purposes.
- 2.3.5 If no supporting documentation is available the cardholder will provide a declaration detailing the nature of the expense and must state on that declaration 'all expenditure is of a business nature'. Approval of this expense is referred to the Chief Executive Officer or Shire President for a decision. Should a lack of detail be a regular occurrence for a particular cardholder, the cardholder may be refused access to a credit card in the future. Use of a statutory declaration is for exceptional cases rather than the norm.
- 2.3.6 Should approval of expenses be denied by the Chief Executive Officer or Shire President recovery of the expense shall be met by the cardholder.
- 2.3.7 The cardholder shall sign and date the credit card statement with supporting documentation attached stating 'all expenditure is of a business nature'.

2.4 Review of Corporate Credit Card use

- 2.4.1 The Creditors Officer shall review and approve the monthly expenditure undertaken by each staff member. All receipts and documentation will be reviewed and any expenses that do not appear to represent fair and reasonable business expenses shall be referred to the Chief Executive Officer or Shire President by the Manager Finance & Administration for a decision.
- 2.4.2 Quarterly reviews of expenditure shall be undertaken by the Chief Executive Officer and Manager Finance & Administration on a rotational basis to ensure the integrity of the purchases. External scrutiny of the credit card expenditure will also be encouraged as part of the external audit process of Council's finances.

2.5 Review of Credit Card Limits

Credit limits are reviewed annually for all cardholders. If there is a request for a variation to the monthly limit, a business case will need to be provided to the Chief Executive Officer for consideration.

2.6 Procedures for lost, stolen and damaged cards

The loss or theft of a credit card must be immediately reported by the cardholder to the card provider regardless of the time or day discovered. The cardholder must also formally advise the Manager Finance & Administration of the loss or theft on the next working day.

Advice of a damaged card is to be provided to the Manager Finance & Administration who will organise a replacement card.

3. CONSEQUENCES

This policy represents the formal policy and expected standards of the Shire. Appropriate approvals need to be obtained prior to any deviation from the policy. It is imperative that Councillors and Officers retain appropriate documentation to substantiate their expenditure. Elected Members and Employees are reminded of their obligations under the Shire's Code of Conduct 2008 to give full effect to the lawful policies, decisions and practices of the Shire.



CORPORATE CREDIT CARD POLICY

4. ROLES AND RESPONSIBILITIES

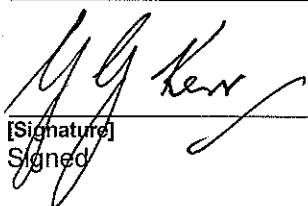
4.1 Corporate Credit Cardholders responsibilities


- 4.1.1 Ensure corporate credit cards are maintained in a secure manner and guarded against improper use. Credit card details are not to be released to anyone. Credit card purchases are to be through the Cardholder.
- 4.1.2 Corporate credit cards are to be used only for Shire of Wandering official activities, there is no approval given for any private use.
- 4.1.3 All documentation regarding a corporate credit card transaction is to be retained by the cardholder and produced as part of the reconciliation procedure.
- 4.1.4 Credit limits are not to be exceeded. Where credit limits are to be exceeded, the Manager Finance & Administration is to be notified so appropriate steps can be taken to ensure sufficient funds are available or balances are refreshed.
- 4.1.5 The use of the credit card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- 4.1.6 Purchases on the corporate credit card are to be made in accordance with the Shire of Wandering Procurement Policy.
- 4.1.7 Monthly reconciliations of the credit card purchases are to be completed within seven (7) days of the date of the corporate credit card statement being issued by Financial Services with all reconciliation dockets attached to equal the balance of credit used.
- 4.1.8 Corporate credit cards are to be returned to the Manager Finance & Administration on or before the employee's termination date with a full acquittal of expenses.
- 4.1.9 All cardholder responsibilities as outlined by the card provider.

5. REFERENCES TO RELATED DOCUMENTS

- Code of Conduct – APRIL 2008
- Shire of Wandering Purchasing Policy 2007
- Purchasing Policy *Local Government Act 1995*
- *Goods and Services Tax Act 1999*
- *Use of Corporate Credit Cards (Department of Local Government Guideline No 11)*

Policy Number:	CP001
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Manager Finance & Administration


 [Signature]
 Signed


 [Print Name]
 Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



CORPORATE CREDIT CARD POLICY

ATTACHMENT 1

Corporate Credit Cardholder Agreement

I (insert cardholder name) acknowledge and accept the conditions listed below which govern the use of the Shire of Wandering Corporate Credit Card:

Conditions of Use

1. Ensure corporate credit cards are maintained in a secure manner and guarded against improper use.
2. Corporate credit cards are to be used only for Shire of Wandering official activities, there is no approval given for any private use unless in accordance with a salary sacrifice agreement.
3. All documentation regarding a corporate credit card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
4. Credit limits are not to be exceeded.
5. The use of the credit card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
6. Observe all cardholder responsibilities as outlined by the card provider.
7. Purchases on the corporate credit card are to be made in accordance with Shire of Wandering's Purchasing Policy.
8. Monthly reconciliation of credit card purchases is to be completed on the supplied template within seven (7) days of the date of the credit card statement being issued.
9. Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the *Goods and Services Tax Act 1999* to enable a GST rebate to be applied.
10. Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
11. Transactions shall be accompanied by a job number for costing purposes.
12. If no supporting documentation is available the cardholder will provide a declaration detailing the nature of the expense and must state on that declaration 'all expenditure is of a business nature'. Approval of this expense is referred to the Chief Executive Officer or Shire President for a decision. Regular failure to provide documented records may result in the card being forfeited.
13. Should approval of expenses be denied by the Chief Executive Officer or the Shire President recovery of the expense shall be met by the cardholder.
14. The cardholder shall sign and date the corporate credit card statement with supporting documentation attached stating 'all expenditure is of a business nature' or approved salary sacrifice.
15. Lost or stolen cards shall be reported immediately to the card provider and a written account of the circumstances shall be provided to the Manager Finance & Administration on the next working day.
16. Corporate Credit Cards are to be returned to the Manager Finance & Administration on or before the employee's termination date with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of Wandering Corporate Credit Card Policy any liability arising from the use of the card may be passed to the cardholder.

The use of a Shire of Wandering Corporate Credit Card is subject to the provisions of the Code of Conduct of Shire of Wandering. Serious transgression of the above listed responsibilities or the Code of Conduct may result in an appropriate referral under the *Corruption and Crime Commission Act 2003* and/or termination of employment.



CORPORATE CREDIT CARD POLICY

Signed: (cardholder)

Date: (insert date)

Witness Name: (insert name)

Witness Signature: (signature)

Date: (insert date)



CORPORATE CREDIT CARD POLICY

ATTACHMENT 2

CORPORATE CREDIT CARD RECONCILIATION TEMPLATE

Cardholders Name: _____

Period Ended: _____

All expenditure items must be listed:

Date	Supplier	Reason for Expenditure	Tax Invoice Supplied Yes/No**	Amount	Costing Allocation

I certify that all the purchases are of a business nature.

Cardholder Signature: _____

Date: _____

Approving Officer: _____

**If no tax invoice is supplied a declaration of expenditure must be provided for consideration to the Chief Executive Officer or Shire President.



EQUAL OPPORTUNITY, HARRASSMENT AND BULLYING POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

The objective of this policy is to:

1. Detail the Shire's commitment to Equal Employment Opportunity.
2. Educate and inform employees and Councillors of what constitutes discrimination, harassment and workplace bullying and their actions to prevent and manage such incidents.
3. Prevent all forms of discrimination, harassment and bullying in the workplace

2. PRINCIPLES

2.1 Definitions

Harassment - as determined under the Occupational Health & Safety Act 1991;

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

Bullying – as determined under the Occupational Health & Safety Act 1991.

2.2 Commitment

- 2.2.1 The Shire of Wandering will strive to achieve a healthy and safe workplace by addressing the issue of harassment, discrimination (including Equal Employment Opportunity) and workplace bullying.
- 2.2.2 The Shire aims to ensure harassment, discrimination and workplace bullying does not occur, but in the event that it does, appropriate action is taken immediately. The Shire also commits to educate employees as to the nature and effects of harassment, discrimination and workplace bullying and to provide the necessary resources to inform them of the contents of this policy, their rights and responsibilities.
- 2.2.3 The Shire recognises its legal obligations under the Equal Opportunity Act (1984) to actively promote equal employment opportunity based on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, age, disability, religious or political convictions.
- 2.2.4 All offers of employment within the Shire will be directed to providing equal opportunity to prospective employees, provided their relevant experience, skills and ability meet the minimum requirements for engagement.
- 2.2.5 All employment training opportunities within the Shire will be directed towards providing equal opportunity to all employees based on merit and their relevant experience, skills and ability meet the minimum requirements for the position.
- 2.2.6 All promotional policies and opportunities within the Shire will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability are adequate to meet the minimum requirements and they are assessed as the most appropriate candidate for the advertised position. In this context, as a minimum, all vacancies shall be advertised internally within the organisation.
- 2.2.7 The equal opportunity goals of this Council are designed to provide an enjoyable, challenging, involving and harmonious work environment for all employees, where each has the opportunity to progress to the extent of their ability.



EQUAL OPPORTUNITY, HARRASSMENT AND BULLYING POLICY

2.3 Breach

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

- 2.3.1 Display any behaviour or series of behaviours (directly or indirectly) that unfairly or unreasonably offends, humiliates, belittles, undermines, frightens, excludes without justification or embarrasses anyone it is directed at or anyone who sees or overhears it; and
- 2.3.2 Exhibits behaviour of a sexual nature which is unwanted and unwelcome, may be regarded as offensive, and or place the victim in a vulnerable position or make them feel that they may be disadvantaged if they object to the advances; and
- 2.3.3 Show any form of behaviour or series of behaviours which may constitute any form of discrimination.

This policy does not address-

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

3. ROLES AND RESPONSIBILITIES

3.1 Shire employees, contractors and consultants and Councillors

All Shire Councillors, employees, contractors and consultants are responsible for ensuring that breaches of this policy do not occur.

All persons in authority at the Shire must strive to prevent behaviour which constitutes a breach of this policy. Should a person in authority, encourage or fail to take action where a breach of this policy has occurred in their area of responsibility, they may be subject to disciplinary action and in serious cases may be subject to termination.

- (i) CEO, Managers, Supervisors (Persons in Authority) and the Shire President must-
 - (a) Ensure all team members are aware and understand the EEO – Discrimination / Harassment / Bullying policy.
 - (b) Be aware and able to explain the arguments supporting a workplace free from harassment, discrimination and bullying in order to answer questions related to this policy.
 - (c) Role model behaviours expected of employees as outlined in this policy.
 - (d) When required to make decisions in relation to staff (employment, performance etc.) make decisions based on equity and a non-discriminatory basis.
 - (e) Be able to justify decisions with reasonable explanation.
 - (f) Listen to opposing arguments and be prepared to accept reasonable and valid objections when raised.
 - (g) Establish a clear position on discriminatory and harassing behaviour.
 - (h) Maintain an awareness and note any signs of racist, sexist displays (screensavers, calendars)
 - (i) Encourage the reporting of any instances of harassment, discrimination or bullying.



EQUAL OPPORTUNITY, HARRASSMENT AND BULLYING POLICY

Furthermore, act immediately if notified of any matter that is covered by this policy.

- (j) Refer to Executive Management for support and guidance where required.
- (ii) All staff must report any matter pertinent to this policy to a person in authority (refer to Statement 3.1 (i)) with all claims and supporting information presented to be dealt with in a confidential manner.

4. CONSEQUENCES

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

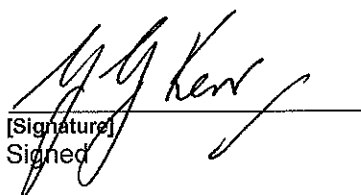
Victimisation by an employee or a Councillor against a complainant or person supporting the complainant in alleged misconduct of harassment, discrimination or bullying may also result in disciplinary action being taken against that person, including termination of employment.


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

5. REFERENCES TO RELATED DOCUMENTS

- *Equal Opportunity Act 1984*
- *Commonwealth Sex Discrimination Act 1984*
- *Occupational Health & Safety Act 1991*

Policy Number:	CP002
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Shire President and CEO


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



DISABILITY ACCESS AND INCLUSION POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

To meet the requirements of the *Disability Discrimination Act 1992* and *Disability Services Act 1993* and to state the Shire of Wandering's position with regard to providing an accessible, inclusive community for everyone including people with disability, their families and carers.

2. PRINCIPLES

The Shire of Wandering is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers.

The Shire of Wandering interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

The Shire of Wandering:

- recognises that people with disability are valued members of the community who make a variety of contributions to local social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life;
- believes that people with disability, their families and carers should be supported to remain in the community;
- is committed to consulting with people with disability, their families and carers and disability organisations and service providers in addressing barriers to access and inclusion;
- will ensure its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan (DAIP);
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability; and
- is committed to achieving the seven desired outcomes of its DAIP.

3. OUTCOMES

People with disability:

- have the same opportunities as other people to access the services of, and any events organised by, the Shire of Wandering.
- have the same opportunities as other people to access the buildings and other facilities of the Shire of Wandering.
- receive information from the Shire of Wandering in a format that will enable them to access the information as readily as other people are able to access it.
- receive the same level and quality of service from the staff of the Shire of Wandering.
- have the same opportunities as other people to make complaints to the Shire of Wandering.
- have the same opportunities as other people to participate in any public consultation by the Shire of Wandering.



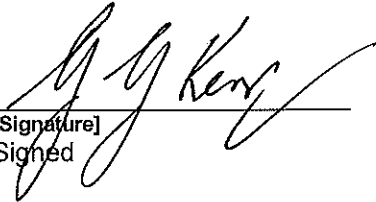
DISABILITY ACCESS AND INCLUSION POLICY

- have the same opportunities as other people regarding employment practices (recruitment and retention) with the Shire of Wandering.

4. REFERENCES TO RELATED DOCUMENTS

- *Disability Discrimination Act 1992*
- *Disability Services Act 1993*
- *Equal Opportunity Act 1984.*
- Shire of Wandering Disability Access and Inclusion Plan: 2014 - 2018

Policy Number:	CP003
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO


[Signature]
Signed

GRAEME KERR.
[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



USE OF SHIRE OF WANDERING LOGO POLICY

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1. OBJECTIVE

The purpose of this policy is to establish guidelines for the use of the Shire of Wandering suite of logos. The Shire of Wandering recognises that it is important to establish a framework for the use of its logo to ensure that a consistent and professional image of the Shire is promoted publicly.

The application of this policy is to be in conjunction with all Councillors and employees.

2. OVERVIEW

The Shire of Wandering has one suite of logos. No other logos are approved to be used. The logo is as illustrated:



2.1 General Usage

The Council wishes to highlight a distinction between the role of the Council and the Organisation through the use of the official suite of logos of the Shire of Wandering for Council and Councillor functions for operational activities.

Below is a table that clarifies the different uses.

COUNCIL	OPERATIONAL
President / Councillor correspondence (Letterhead and E-signatures, With Compliments slips	Staff Business Cards, Letterhead, With Compliments Slips, E-Signatures, Invoices
Council Policies	Operational Directives
Rates notices	Vehicles/Plant
Councillor Name Badges, Business Cards and Uniforms.	Employee Uniforms and Name Badges
Entry doors to offices (as applicable) eg, Council Chambers)	Entry doors to offices (as applicable) e.g, Administration Centre/Offices
Council Plaques and Gifts	Community Communications — Newsletter
Website	Website
Banners (Council related)	Promotional materials eg. Schools, Giveaways
Shire Street Signage	Banners (marketing/organisational)



USE OF SHIRE OF WANDERING LOGO POLICY

2.2 Usage of Logo by External Groups

Where an external group requests permission to use the logos on printer and other materials, the following conditions will apply:

- (i) All applications to use the Shire of Wandering logo must be made in writing to the CEO and include details of the purpose, form and extent of the proposed use and the reason for such use. Although permission to use the logo in the first instance is to be referred to the CEO, he/she may delegate this assessment to another employee. The artwork for the promotional material must be supplied for assessment against this policy.
- (ii) Approval may be granted providing the group:
 - a. is based in the area and provides a service to the Shire of Wandering residents; and
 - b. has a direct relationship with the Shire, either through funding or operational arrangements.
- (iii) Eligible groups will be advised in writing that approval has been granted to use the logo, which must be in accordance with the Shire of Wandering's corporate standards.
- (iv) Ineligible groups will be advised in writing that approval has not been granted to use the logo and provided with an explanation under the guidelines of this policy.
- (v) No fees will be charged for the use of the Shire of Wandering's logos but eligible groups will be responsible for any costs associated with artwork, design and production,
- (vi) The Shire of Wandering may exercise its right to withdraw any authorisation at any time if (the approved user is deemed to be not complying with the conditions as set out in this policy or any approval.

2.3 Prohibited Usage of Logo

The logo shall not:

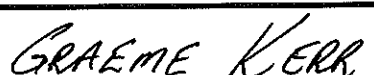
- be computer enhanced (e.g. represented in 3D perspective)
- be used in a visually congested or confined manner (e.g. surrounded by a border or tightly positioned with other material.
- be used for any purpose during a Local Government Election that seeks to promote an individual candidate over another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

3 CONSEQUENCES

This policy represents the formal policy and expected standards of the Shire. Any unauthorised use of any Shire of Wandering logo is a breach of copyright and any application that is not consistent with this policy is to be approved by the Shire of Wandering Council.

Policy Number:	CP004
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO


[Signature]
Signed


[Print Name]
Shire President

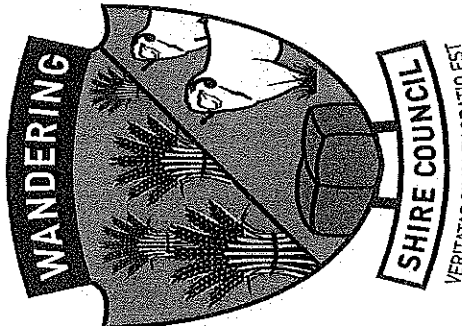
This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.

USE OF SHIRE OF WANDERING LOGO POLICY

ATTACHMENT 1

Shire of Wandering: Logo refresh

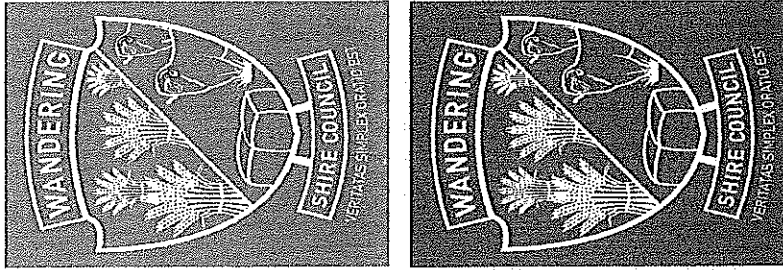
PREFERRED OPTION & Primary Logo: CMYK

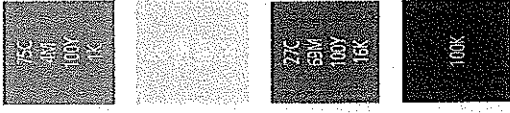

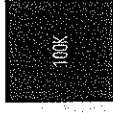


Black & White logo



REVERSED OUT OPTIONS
(White out of solid colours only)



	CMYK Specs	RGB Specs			
	 <p>75C 41M 10Y 1K</p>	 <p>R65 G75 B73</p>			
	 <p>27C 59M 10Y 16K</p>	 <p>R164 G92 B38</p>			<p>RGB colour is for digital usage only including web, email and PowerPoint.</p>
	 <p>100K</p>				<p>CMYK is used for all in-house printed and external marketing and communication materials.</p>

Logo File formats are supplied in your Logo Shire folder.



COUNCILLOR RECOGNITION POLICY

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1. OBJECTIVE

To pursue and encourage an environment of honesty and integrity from its elected members and to officially recognise the dedication, service and commitment of those elected members to the general community.

2. PRINCIPLES

2.1 Definition

“Total service” shall mean any consecutive term of office served by an individual Councillor with the Shire of Wandering commencing from the date first elected to office as a result of an election outcome and concluding with the departure from office as a result of an election outcome, resignation or death.

2.2 Recognition upon departure from office after any period of service

- Framed certificate of recognition to be presented by the Shire President or CEO at a full Council Meeting.

Presentation shall take place at the last Council meeting of the Council prior to the election, the attendance at and the timing of the formal presentation to be set at a time convenient to Council and the recipient.

Where the departure from Council is as a result of an election, the attendance at and the timing of the formal presentation will be set at a time convenient to Council and the recipient.

2.3 Recognition of completion of 12 years total service (Three Consecutive Terms)

- Plaque, pen and framed certificate of recognition to be presented by the Shire President or CEO at a full Council meeting.

Presentation is to be scheduled for the first Council meeting after which the 12 years' service is achieved, subject to availability of the Recipient Councillor/s.

2.4 Recognition of completion of 20 years total service

- Watch, plaque and framed certificate of recognition to be presented by the Shire President or CEO at a full Council meeting.

Presentation is to be scheduled for the first Council meeting after which the 20 years service is achieved, subject to availability of the recipient Councillor/s.

2.5 Recognition of Deceased Councillor

In the event that the former Councillor passes away prior to the presentations referred to in Clauses 2.2 to 2.5, then the presentation is to be subject to the preference of the relative or representative.

2.6 Disqualified Councillors

Any Councillor who is disqualified from office under the *Local Government Act 1995* shall not be eligible for recognition.




COUNCILLOR RECOGNITION POLICY

3 REFERENCES TO RELATED DOCUMENTS

- *Local Government Act 1995*

Policy Number:	CP005
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO and Shire President


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



EMPLOYEE RECOGNITION POLICY

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1. OBJECTIVE

To allow for the recognition of employees whose employment with the Shire is ending, based on the length of their service to the Shire. This recognition may be awarded in addition to their entitlements under an Award, Workplace Agreement or Contract of Employment upon voluntarily ceasing their employment with the Shire.

To outline the circumstances under which an employee who experiences a bereavement, birth or marriage, may be awarded a gift

2. PRINCIPLES

2.1 Gratuity Payments and Gifts to Employees on Resignation or Retirement

2.1.1 Resigning and Retiring – Gift and Function

As a token of appreciation, the Shire may present resigning employees with a gift voucher. Gifts should be to the maximum amount of \$1,575, as follows:

Completed Years of Continuous Service	Gift to the Maximum Value of	Calculated Gratuity Payment
5 - 10	\$100 plus \$25 per further completed year of service	5 yrs - \$100
		6 yrs - \$125
		7 yrs - \$150
		8 yrs - \$175
		9 yrs - \$200
11 - 15	\$250 plus \$25 per further completed year of service	10 yrs - \$250
		11 yrs - \$275
		12 yrs - \$300
		13 yrs - \$325
		14 yrs - \$350
		15 yrs - \$375
16 - 25	\$400 plus \$50 per further completed year of service	16 yrs - \$400
		17 yrs - \$450
		18 yrs - \$500
		19 yrs - \$550
		20 yrs - \$600
		21 yrs - \$650
		22 yrs - \$700
		23 yrs - \$750
		24 yrs - \$800
		25 yrs - \$850

“Continuous service” does not include any period of unauthorised absence from duty, or any period of unpaid leave (unless Council determines otherwise).



EMPLOYEE RECOGNITION POLICY

All gifts should take the form of a Gift Voucher from a department store taking the employee's preference into account. A card will be circulated for staff to sign, and collections from staff are not encouraged.

In addition, The CEO may organise the provision an appropriate function.

This token of appreciation will not be available to employees whose employment has been terminated as a result of unsatisfactory performance or misconduct.

The CEO is authorised to make payments in accordance with, and within the limits set out in, this policy. The CEO will decide whether a gift or a cash / cheque payment will be made, taking the employee's preference into consideration.

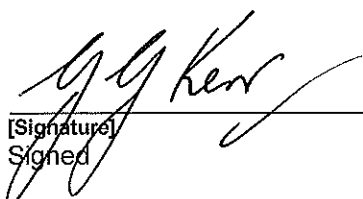
2.1.2 Payments in Excess of Council Policy

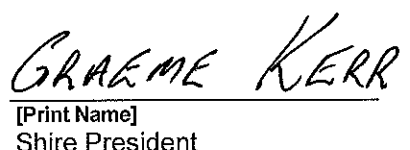
Council may resolve to make a payment to a terminating employee which is more than the amount set out in this policy. If such a decision is made, local public notice must be given, in accordance with Section 5.50 (2) of the *Local Government Act 1995*.

3. REFERENCES TO RELATED DOCUMENTS

- Section 5.50 (2) of the *Local Government Act 1995*

Policy Number:	CP006
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Manager Finance & Administration


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



COUNCILLOR AND EMPLOYEE DRESS STANDARD POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

This policy clarifies that there is a standard of dress expected of its Councillors and employees. A registered corporate uniform is available to certain staff, as set out in this policy, with Council contributing a set amount towards the cost of purchase.

The Shire of Wandering recognises that its Councillors and employees are the “face” of the local government, and as such it is important that they present a professional and consistent image to the community. The appearance of our Councillors and employees can have a significant effect on how the Shire is perceived by those who interact with us.

To facilitate staff maintaining a professional and consistent image, the Shire has a registered Corporate Uniform and an expectation of dress standard.

2. EMPLOYEES

2.1 Corporate Uniform

Operations staff who form the “outside” workforce, together with Rangers and Fire Protection Officers, are provided with personal protective equipment, such as safety boots, hard hats, overalls and high-visibility shirts. These staff are not eligible to receive the corporate uniform.

Other Shire staff are entitled to receive a subsidy to purchase uniforms depending on their employment status. Only permanent staff and those on a contract with a term of more than 12 months will be eligible to receive the subsidised uniform. The subsidy is \$450 per annum with the year being the anniversary of the employee’s commencement date with the Shire. For part-time employees the rate will be pro rata. The uniform must be purchased from the Shire’s of Wandering’s preferred supplier.

The corporate uniform must be worn as a whole, and not mixed with other clothing (for example, a uniform shirt may not be worn with pants that have no logo and were not purchased through the corporate uniform program). It is not compulsory for the majority of Shire of Wandering staff to wear a uniform. However, staff who receive the subsidised uniform are encouraged to wear it in order to maintain a consistent and professional image. An exception is made on “casual” dress days as designated by the CEO.

2.2 Standard of Dress

All staff, including those who choose to not wear the corporate uniform, are to maintain a professional standard of dress. Clothing must be clean, in good condition and be consistent with community expectations and normal business practices.

The clothing that is worn must be appropriate for the employee’s role. For example, the community would expect a Gym Instructor to dress differently to a Customer Service Officer at the Administration Centre, or an employee wearing job specific protective clothing. In addition, safety and health considerations must always be a priority. Where a position requires the employee to wear specific protective clothing, that clothing MUST be worn.

An appropriate standard of dress is still to be maintained on days designated as “casual dress days” by the CEO.



COMMON SEAL USAGE POLICY

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1. OBJECTIVE

To establish the circumstances under which the official Council Common Seal may be affixed to documents. The application of this policy is to be by Elected Members and the CEO and any legislative requirements of the *Local Government Act 1995* that may be enforced.

2. PRINCIPLES

2.1 Affixing the Common Seal

Under section 9.49A of the *Local Government Act 1995*-

- (i) the Common Seal cannot be affixed to a document except as authorised by the Council; and
- (ii) the Common Seal must be affixed to a document in the presence of –
 - a) the Shire President (or, if section 5.34 applies, by the Deputy Shire President); and
 - b) the CEO or an employee authorised by the CEO:

each of whom is to sign the document to attest that the Common Seal was affixed.

2.2 Documents requiring the Common Seal to be Affixed

The Common Seal is to be affixed only to documents required by Legislation to be executed using the Common Seal eg., *Transfer of Land Act 1893*.

2.3 Procedures for the use of the Common Seal

The Chief Executive Officer is responsible for the security and proper use of the Common Seal.

2.4 Wording of the Common Seal clause

If the legislation is silent on the wording of the Common Seal clause then the following shall apply:

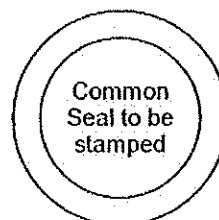
Example -Where the Common Seal is Affixed by Resolution of Council

DATED: ____ 20__

The Common Seal of the Shire of [name] was affixed by authority of a resolution of the Council in the presence of:

[INSERT NAME OF PRESIDENT]
PRESIDENT

[INSERT NAME OF CEO]
CHIEF EXECUTIVE OFFICER



*2222



COMMON SEAL USAGE POLICY

2.5 Common Seal Register

Entries in the register are to indicate;

- a) the document to which the seal was affixed;
- b) the date the seal was affixed;
- c) the people who have attested to the seal being affixed to the document;
- d) the date on which the Council resolved to make the decision or enter into the contract to which the document relates; and the date on which the Council resolved to grant authorisation for the seal to be affixed to the relevant document

2.6 Security of the Common Seal

The CEO is to make appropriate arrangements for -

- a) keeping the seal in a safe and secure location; and
- b) the appointment of a person who is to have custody of the seal.

3. STATUTORY ENVIRONMENT

Local Government Act 1995 -

Section 2.5 (2) stipulates that a local government is "a body corporate with perpetual succession and a common seal". There is no stipulated requirement for the use of the common seal in particular circumstances.

Section 9.49 stipulates that "a document is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the Chief Executive Officer or employee of the local government who purports to be authorised by the Chief Executive Officer to so sign".

Section 9.49A contains detailed provisions regulating the execution of documents by a local government, including the execution of documents using the Common Seal.

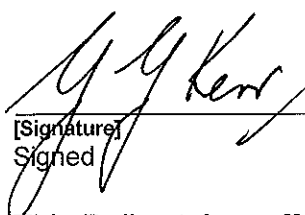
4. REFERENCES TO RELATED DOCUMENTS


SOA 10 Year Community Strategic Plan 2012-2022

Goal 05 - Inspiring Governance

Objective - 03 - Council Leadership

Policy Number:	GP008
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO and Shire President


 [Signature]
 Signed


 [Print Name]
 Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



OFFICIAL PHOTOGRAPHS POLICY

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1. OBJECTIVE

To ensure there is a historical photographic record and official listing kept of serving Councillors and senior management of the Shire.

The application of this policy is to be in conjunction with all elected members.

2. PRINCIPLES

An official group photograph of Councillors and the executive management will be taken following each ordinary election, each change in Council or change of CEO.

The official honour board will be updated following the Ordinary Election or change of CEO.

Policy Number:	CP009
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO

[Signature]
Signed

[Print Name]

Shire President

GRAEME KERR.

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



RISK MANAGEMENT POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. DEFINITION

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.

2. PURPOSE

The purpose of risk management is to develop a culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It also is designed to reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control.

Risk management is a key process in developing the strategic direction of the organisation.

The key drivers for risk management are management's responsibility for due diligence as good corporate governance practice and the due diligence requirements by the insurance industry which impacts on the cost of insurance.

3. PRINCIPLES

The Shire of Wandering considers risk management to be an essential management function in its operations and is committed to the principles, framework and process of managing risk, as outlined in AS/NZS ISO 31000:2009.

4. FRAMEWORK

The Shire of Wandering will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. These measures will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity, including, but not limited to:

- (a) Corporate Governance
- (b) Legal compliance
- (c) Management of financial, asset and human resource functions
- (d) Expenditure of large amounts of money
- (e) Strategic planning
- (f) Management of contracts, projects, tenders and proposals
- (g) Internal and external communication and liaison
- (h) Information Technology
- (i) New strategies and procedures
- (j) Management of sensitive issues
- (k) Emergency Management Plan
- (l) Introducing significant change



RISK MANAGEMENT POLICY

5. OBJECTIVES

The Council's key objectives in relation to risk management include:

- (a) The achievement of organisational goals and objectives;
- (b) The ongoing health and safety of all employees and contractors at the workplace;
- (c) Ensuring public safety within the Council's jurisdiction is not compromised;
- (d) Limited loss or damage to property and other assets;
- (e) Limited interruption to business continuity;
- (f) Positive public perception of Council and the Shire
- (g) Application of equal opportunity principles in the workforce and the community.

6. ROLES AND RESPONSIBILITIES

The level of responsibility across the organisation for risk management is as follows:

- (a) Executives, managers and supervisors have the responsibility and accountability for ensuring that all staff manage the risks within their own work areas. Risks should be anticipated, and reasonable protective measures taken.
- (b) All managers will encourage openness and honesty in the reporting and escalation of risks.
- (c) All staff will be encouraged to alert management to the risks that exist within their area, without fear of recrimination.
- (d) All staff will, after appropriate training, adopt the principles of risk management and comply with all policies, procedures and practices relating to risk management.
- (e) All staff and employees will, as required, conduct risk assessments during the performance of their daily duties.
- (f) The level of sophistication of the risk assessment will be commensurate with the scope of the task and the associated level of risk identified.
- (g) Failure by staff to observe reasonable directions from supervisors regarding the management of risks and/or failure of staff to take reasonable care in identifying and treating risks in the workplace may result in disciplinary action.
- (h) It is the responsibility of every department to observe and implement this policy in accordance with procedures and initiatives that are developed by management.
- (i) Council is committed morally and financially to the concept and resourcing of risk management.

7. REPORTING, MONITORING AND REVIEW

The Shire of Wandering will implement a robust reporting and recording system that will be regularly monitored to ensure closeout of risks and identification of ongoing issues and trends.

Risk management key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored by the Shire.


8. REFERENCES TO RELATED DOCUMENTS

- Section 5.56 (2) - *Local Government Act 1995*
- AS/NZ ISO 31000:2009 Risk Management – Principles and Guidelines
- WA Government Risk Management Guidelines - September 2014



RISK MANAGEMENT POLICY

Policy Number:	CP010
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO


[Signature]
Signed

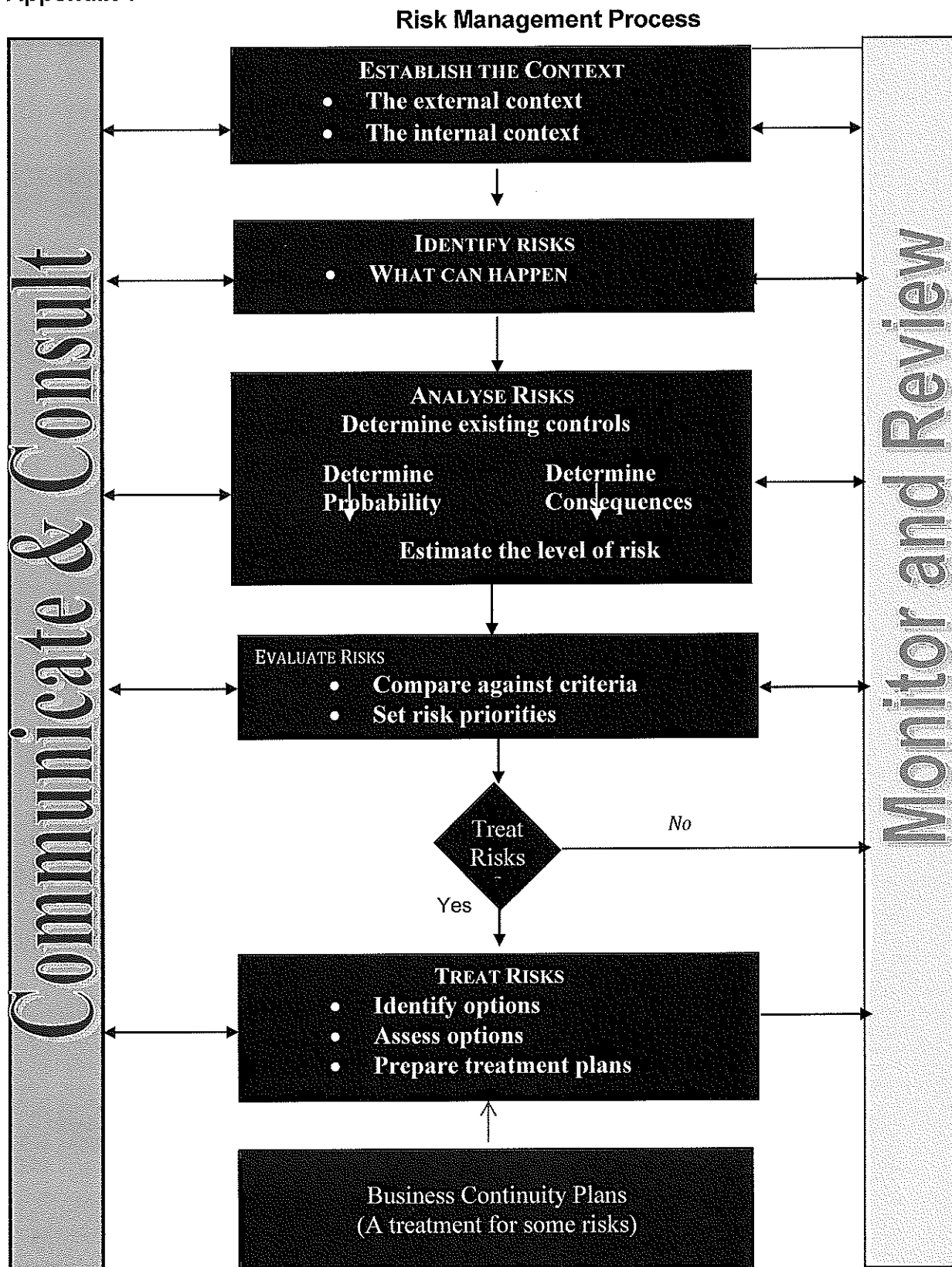
GRAEME KERR.
[Print Name]
Shire President

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RISK MANAGEMENT POLICY

Appendix 1



RISK MANAGEMENT POLICY

Appendix 2

RISKCOVER

Sample 1

EXISTING CONTROLS

LEVEL	DESCRIPTOR	FORSEEABLE
E	Excellent	More than what a reasonable person would be expected to do in the circumstances.
A	Adequate	Only what a reasonable person would be expected to do in the circumstances.
I	Inadequate	Less than what a reasonable person would be expected to do in the circumstances.

QUALITATIVE MEASURES OF CONSEQUENCE

LEVEL	RANK	INJURIES	REPUTATION AND IMAGE	FINANCIAL LOSS	OPERATIONAL EFFICIENCY	INTERRUPTION TO SERVICES	SOCIAL/COMMUNITY
1	Insignificant	Minor incident / near miss report but no immediate signs of injury	Individual tenant/ contractor /client complaint. Issue rectified at local level	Revenue/cost impact 0-2% of operational budget	Impact absorbed through routine operations	All agency activity stopped for less than 2 hours.	Low localised event with no broader impacts
2	Minor	Injury or illness requiring first aid only	Negative media article. Low local contractor complaint handled at line manager level	Revenue/cost impact 2-5% of operational budget	Minor delays in achieving objectives. Majority of objectives remain on track	All agency activity stopped for 2 - 4 hours.	Minor delay impacting on ability to meet social/community expectations
3	Moderate	Medical treatment necessary/insurance claim/rehabilitation programme/ lost time injury or illness	Some negative media coverage or industry criticism. Tenants/ clients/ contractors make formal complaints. General manager/director involved	Revenue/cost impact 5-10% of operational budget	Management effort required to redirect resources to avoid delays in achieving strategic intents. Administration of the program/ project/ activity could be subject to significant review or change	All agency activity stopped for 4 hours - 1 day.	Community backlash, social and community rejection
4	Major	Substantial damages/ life threatening injury or illness	Extensive public criticism. State-wide media exposure. Public embarrassment. Loss of credibility. Director general involvement	Revenue/cost impact of 10-20% of operational budget	Significantly reduced ability to achieve objectives/ key deliverables. Continued function of the program/ project/ activity would be threatened	All agency activity stopped for 1 - 3 days.	Long delays in service delivery leads to Statewide impacts socially, economically and financially. Emerging environment and/or health issues
5	Catastrophic	Loss of life. Permanent disabilities	Sustained state and national media reporting. Very high multiple impacts across government. Minister involved. Government censure. Third party actions	Revenue/cost impact more than 20% of operational budget	Failure to achieve one or more key deliverables resulting in major flow on effects for external stakeholders and other public sector agencies	All agency activity stopped for more than 3 days.	Widespread social problems causing multiple impacts. Serious long term environmental and health issues

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RISK MANAGEMENT POLICY

Sample Risk Reference Tables

QUALITATIVE MEASURES OF LIKELIHOOD

LEVEL	DESCRIPTOR	EXAMPLE DETAIL DESCRIPTION	FREQUENCY
1	Rare	The event may occur only in exceptional circumstances	Less than once in 5 years
2	Unlikely	The event could occur at some time	At least once in 5 years
3	Moderate	The event should occur at some time	At least once in 3 years
4	Likely	The event will probably occur in most circumstances	At least once per 1 year
5	Almost certain	The event is expected to occur in most circumstances	More than once per year

RISK ACCEPTANCE CRITERIA TABLE

LEVEL OF RISK	CRITERIA FOR MANAGEMENT OF RISK	WHO IS RESPONSIBLE
1 - 3	Low Only acceptable with adequate controls	Risk Owner
4 - 5	Minor Only acceptable with adequate controls	Risk Owner
6 - 11	Significant Only acceptable with excellent controls	CEO / Executive Group
12 - 25	Extreme Only acceptable with excellent controls	CEO, Executive Group

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RISK MANAGEMENT POLICY

Sample Risk Reference Tables

RISK ASSESSMENT CRITERIA TABLE

Consequence		Likelihood				
		1	2	3	4	5
		Rare	Unlikely	Moderate	Likely	Almost Certain
1	Insignificant	1	2	3	4	5
2	Minor	2	4	6	8	10
3	Moderate	3	6	9	12	15
4	Major	4	8	12	16	20
5	Catastrophic	5	10	15	20	25

Approved as at/...../..... By: Title:

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ORDINARY COUNCIL MEETING – ORDER OF BUSINESS POLICY

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1. OBJECTIVE

To outline the Order of Business at Ordinary Meetings of Council and Council Committees.

2. PRINCIPLES

The Order of Business at an Ordinary Meeting of Council shall be as follows:

1. Declaration of Opening
2. Announcement of Visitors
3. Attendance
 - 3.1 Present
 - 3.2 Apologies
 - 3.3 Approved Leave of Absence
4. Public Question Time
 - 4.1 Response to Previous Public Questions taken on Notice
 - 4.2 Public Question Time
5. Applications for Leave of Absence
6. Declaration by members
 - 6.1 Due Consideration by Councillors to the Agenda
 - 6.2 Declarations of Interest
7. Announcements by the Presiding Person without Discussion
8. Petitions/Deputations/Presentations
 - 8.1. Petitions
 - 8.2. Deputations
 - 8.3. Presentations
9. Confirmation of Minutes of Previous Meeting
10. Council Reports/ Reports of Committees
11. CEO Reports (Strategic, Corporate, Committees)
12. Governance and Executive Management
13. Development and Planning Reports
14. Community Services Reports
15. Corporate Services Reports




ORDINARY COUNCIL MEETING – ORDER OF BUSINESS POLICY


16. Councillor Agenda Items / Notices of Motions
17. New Business of an Urgent Nature Introduced by Decision of Meeting
18. Confidential Matters
19. Next Meeting

3. REFERENCES TO RELATED DOCUMENTS

Part 5, Division 2 - Council meetings, committees and their meetings and electors' meetings:
Local Government Act 1995

Policy Number:	CP011
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Shire President & CEO


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



MEMORIALS ON COUNCIL LAND POLICY

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1. OBJECTIVE

- (i) To preserve the amenity of public reserves by managing the placement of private monuments and memorials; and
- (ii) To provide guidelines on what memorials may be placed in public places and the process that needs to be followed to gain consent for the placement of a memorial.

The application of this policy is to be in conjunction with the Shire of Wandering Councillors, employees and community members.

2. PRINCIPLES

2.1 Definitions

Memorials and Monuments means structures made of concrete, natural stone, marble or timber or the like which have words inscribed onto them and make take on a variety of sizes and shapes. Headstones in cemeteries are an example of a memorial or monument.

Plinths means structures onto which plaques are attached. They may be made of concrete, natural stone, marble or timber or the like.

2.2 Memorials Located on Public Land

The creation or placement of memorials or monuments on public land is not permitted unless the consent of the Shire of Wandering is provided.

2.2.1 Seats

- (i) The Shire of Wandering will consider applications for the placement of seats with plaques in appropriate locations, such as along paths and in accordance with any Land Management Orders that may operate for the reserve. Applications must be made in writing to the CEO with a clear description of the proposed location. All applications will require Council approval.
- (ii) The purchase and placement of the seat will be at the expense of the applicant and the seat will be to Shire specifications and the location in accordance with Shire wishes. Approval will also be required for the wording to be placed on a plaque.
- (iii) Fees and charges for the installation of the seat is as scheduled under Private Works.

2.2.2 Plinths and Rocks with Plaques

- (i) Such memorials will not be permitted on public land unless the person, event or location is of historical significance and the memorial is approved by the Council.
- (ii) The placement of plinths and rocks with plaques will be to Shire specifications and the location in accordance with Shire wishes. Costs



MEMORIALS ON COUNCIL LAND POLICY

associated with purchasing the plaque, plinth or support/surround and engraving the chosen message are the responsibility of the donor. Approval will also be required for the wording to be placed on a plaque.

- (iii) Fees and charges for the installation of the plinths and rocks with plaques are as scheduled under Private Works.

2.2.3 Trees

- (i) The Council will consider applications for the planting of trees on public land. The location and species of the trees will be to Shire specifications. Trees will not be marked with plaques.
- (ii) The purchase and placement of the tree will be at the expense of the applicant and will be to Shire specifications and the location in accordance with Shire wishes.
- (iii) Fees and charges for the installation of the tree with plaques is as scheduled under Private Works.

2.2.4 Scattering of Ashes

The scattering of Ashes within the Shire's owned or managed property may be permitted with the consent of the CEO.

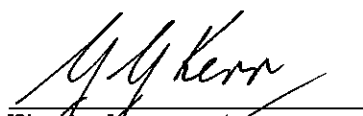
2.3 General

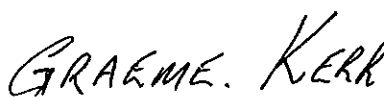
- (i) This policy does not apply to the erection of memorials and plaques in the Council cemeteries or memorial gardens.
- (ii) All plaques may be no larger than 150mm x 150mm, with the surrounding plinth or support / surround no larger than 200mm x 200mm.
- (iii) No responsibility is to be taken by the Shire of Wandering for the ongoing maintenance of the memorials.
- (iv) No responsibility is to be taken by the Shire of Wandering for any damage to any memorial or for their unauthorised removal.
- (v) The Shire of Wandering reserves the right to remove any memorials at any time.

3. REFERENCES TO RELATED DOCUMENTS

- *Local Government Act 1995*
- *Land Administration Act 1997*
- *Road Traffic Act 1974*

Policy Number:	CP012
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Manager Communities


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



NAMING OF PUBLIC PLACES POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Community Development. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Community Development.

1. OBJECTIVE

To formalise the principles by which the Shire of Wandering (the 'Shire') names community infrastructure and public places, ensuring that a consistent, fair and equitable protocol is followed' Community infrastructure and public places are reminders of local history, culture and citizens, and are named appropriately to match the context and significance of the asset.

2. DEFINITIONS

Community Infrastructure means any property, complex, structure, building, bridge, asset, sporting field owned or under the control of the Shire, excluding public roads.

Community Place means an area owned or under the control of the Shire that is not deemed to be a park (e.g. plaza) or public road.

3. PRINCIPLES

- (i) In general terms, naming should be unique and use form, spelling and style of contemporary Australian English. In particular cases, naming practice should take into account contemporary Indigenous and Torres Strait Islander spoken languages.
- (ii) A name shall be wherever possible:
 - relevant to Australian, preferably local, history, flora, fauna, culture, local landscape and physical characteristics;
 - short and simple - preferably one to two words;
 - in all respects, in accordance with community standards;
 - complementary with and sensitive to existing names and design themes of adjoining assets;
 - not easily confused with or duplicating names within the region or nearby local governments;
 - be considerate of any potential risk to the reputation of the Shire and/or Council from aligning with an individual or company whose reputation may vary.
 - have strong local community support.
- (iii) If personal names are used, the person commemorated should:
 - have contributed significantly to the development, protection or enhancement of the immediate locality (Wandering) that has produced long-term improvements in the area or community;
 - have actively served or contributed to an area of national or international importance;
 - have a long-term association with a local community group or service club (twenty years or more), service to the community or organisation must have

Note: under the Land Administration Act 1997 names that commemorate a living person will not be considered for parks and reserves over one hectare.

Names of living persons are by their nature subject to partisan perception and change in community judgement and acceptance. For this reason the adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstance.



NAMING OF PUBLIC PLACES POLICY

- (iv) Sensitivity to diverse cultural situations should be applied when selecting names and derogatory or discriminatory terms or terms likely to cause offence will not be approved.
- (v) Names of commercial entities must not be used unless part of a formal sponsorship proposal.

4. NAMING OF PARKS AND RESERVES

Naming of parks, reserves and components of reserves must meet the requirements under the *Land Administration Act 1997* and Landgate's Geographic Names Committee (GNC) - WA Principles, Guidelines and Procedures.

4.1 Renaming of Community Infrastructure or Public Places

Renaming will only occur in an extraordinary case. Evidence of substantial community support must be provided for a change in name.

Where infrastructure or a public place has been named after a person and that person comes into disrepute through illegal activities, conviction or similar, whether retrospectively or subsequent to the naming, the name of the infrastructure or place shall be immediately removed.

Where a name change is being considered for any of the Shire's infrastructure (or reserve), the request is to be firstly referred to Land Management Service (LMS) to confirm if the current name is officially approved by the GNC.

If the current name is not officially approved by GNC, the Shire can apply for the new name to be approved through GNC. For the naming of any infrastructure after the street in which it is located, only the name of the street should be used and should not include the suffix (e.g. Thomson Pavilion - not Thomson Street Pavilion).

If the current name is officially approved by GNC, Council will need to approve a recommendation to GNC for the change of name. Once the new name is approved by GNC, the Shire can officially change the name of the infrastructure.

Any naming, or renaming recommended to GNC should be accompanied with a plan to identify what is being named. The naming could include only the infrastructure on a reserve, only the reserve, or both the infrastructure and the reserve.

4.2 Signage

Any signage must be in line with the Shire's signage practices, design standards, and guidelines. The use of the Shire's logo will be in accordance with the Shire's image protocols.

4.3 Requirements for Naming Proposals

Naming proposals shall:

- be addressed to the CEO;
- have written support from an Elected Member of the Shire;
- provide the address of the building or place to be named;
- provide a site plan clearly identifying the location and boundaries of the asset to be named;
- provide the reason for the choice of name including the history, meaning, significance



NAMING OF PUBLIC PLACES POLICY

and relevance to the Wandering region or national/international contribution.

If the nomination is being submitted by an organisation, documented evidence (i.e. minutes from a committee / board meeting) must also be included in support of the nomination.

For personal names, the following must also be supplied:

- Biographical details: dates of birth & death (if relevant); length and years of service or association;
- Written permission from the family in the case of a deceased person.

4.4 Assessment Process

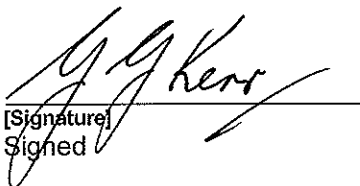
- (i) On receipt of a nomination, the CEO shall circulate a copy to all Councillors for consideration;
- (ii) Councillors shall have at least two (2) weeks to consider the proposal. If a Councillor is not in favour of the proposal they should submit their views in writing to the CEO;
- (iii) If it is deemed appropriate to pursue the nomination, the CEO will submit a confidential report to Council. Adoption of the recommendation will require an absolute majority decision by Council.

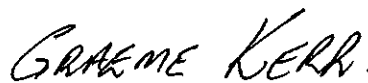
Note: All naming proposals relating to parks and reserves must be presented to Landgate (GNC) for initial comment prior to it being presented to Council for approval. If approval is provided, formal approval from Landgate is then requested.

5. REFERENCES TO RELATED DOCUMENTS

- *Land Administration Act 1997*
- Landgate's Geographic Names Committee (GNC) WA Principles, Guidelines and Procedures

Policy Number:	CP013
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Manager Communities


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



COMPLAINTS AND COMPLIMENTS POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

To assist Shire of Wandering employees and councillors with the timely and effective management of compliments and complaints.

2. PRINCIPLES

It is our policy to enable residents, rate payers, their families and representatives, visitors, staff and volunteers to provide feedback or raise a complaint about any aspect of our service, or the operation of our facilities.

The aim of this policy is to improve the quality of operations and services provided by adopting a positive, blame-free approach to resolving complaints.

Compliments received by the Shire tell us what we're doing right. Complaints received by the Shire are seen as an opportunity for improvement. All feedback is taken seriously.

The Shire will make all reasonable efforts to understand issues or concerns, and resolve complaints within the Shire when they arise.

The timely and efficient management of complaints fosters a positive, cooperative attitude with residents, rate payers, visitors, volunteers and staff.

Complaints will be addressed promptly with the aim of providing a formal response within 3 working days. We will communicate with you openly and regularly while we work to resolve your complaint. Where appropriate, the complainant will be actively involved in resolving the issue. Once a resolution has been reached, the Shire will communicate with you to ensure you are satisfied with the outcome of your complaint.

If you are not happy with the outcome of your complaint, you can ask us for an internal reconsideration of our decision. We can also assist you in accessing external complaint resolution mechanisms.

3. PROCEDURES

- Our *Compliments and Complaint Handling Policy* is promoted widely by advertising 6 monthly in local publications and by mail out in an endeavour to ensure that all residents and rate payers are informed about the process for lodging a compliment or complaint.
- Our *Compliments and Complaint Handling Policy* is promoted widely within our service. Copies of our policy, procedures and relevant forms are available from reception and via the website.
- A *Compliments and Complaints Support Statement* outlining our service's commitment to a welcoming environment for compliments and complaints is clearly displayed at our facilities.
- Staff and volunteers have an understanding of our *Compliments and Complaint Handling Policy* and are available to assist residents, rate payers, visitors, volunteers and Staff in providing feedback to the service.
- Compliments and complaints can be provided:



COMPLAINTS AND COMPLIMENTS POLICY

- in writing by dropping a completed *Compliments and Complaints Form* in at the Shire Office Reception.
 - in person, verbally to Reception Staff or by approaching a member of staff for assistance. They can help you fill out a compliment and Complaints form.
 - in writing by email to reception@wandering.wa.gov.au
 - by telephone on (08) 9884 1056
 - in writing by mail to CEO, 22 Watts Street Wandering WA 6308.
- Complainants are encouraged to lodge their complaint in writing. This will assist with understanding the nature of the complaint and ensure that the facts provided are correct.
 - The complaint is to be referred to the relevant staff member for registration on the *Complaints Tracker*.
 - Complainants have the right to ask us for an internal reconsideration of decisions we have made in relation to their complaint.
 - Options for internal reconsideration of decisions and external complaint resolution are offered to any complainant who is not satisfied with the resolution of their complaint within the service.
 - Complainants have the right to seek assistance from the WA Ombudsman or the Department of Local Government and Communities in raising a complaint.
 - If someone gives a verbal compliment or complaint, they should be encouraged to complete a *Compliments and Complaints Form* to facilitate the tracking of feedback by the Shire. Alternately, staff will use the form to record verbal feedback to facilitate tracking by the Shire and inform ongoing improvement activities.
 - Any staff member can be approached to provide compliments, to raise a concern or make a complaint. Where a staff member is not empowered to handle or resolve complaints on behalf of the Shire, the staff member will be able to refer the complaint to other staff and/or act as an advocate for the complainant and assist with completing forms for them.
 - Any complaints received by the Shire are registered on the *Compliment and Complaint Tracker*, acknowledged, and investigated where required. Feedback on how the complaint was managed and resolved is sent to the complainant once the complaint is closed.

4. ROLES AND RESPONSIBILITIES

- Employees are responsible for reporting compliments and complaints to their supervisor before the end of their work day.
- Managers are responsible for the management of the compliments and complaints process and informing the relevant staff member of any feedback received.
- Managers are responsible for ensuring that compliments and complaints are entered into the *Compliments and Complaints Tracker* to inform ongoing improvement activities within the Shire.
- The CEO and Councillors are responsible for analysing feedback trends for the purposes of informing ongoing improvement activities within the Shire.

5. CONFIDENTIALITY

- All information regarding complaints will be kept confidential amongst the staff concerned with its resolution.
- Complaint documentation will be kept in a safe, locked place and accessible only to staff handling the complaint.



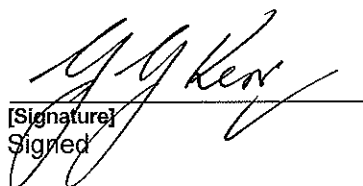
COMPLAINTS AND COMPLIMENTS POLICY


- Compliment and complaint information will be forwarded to the Council and Management team as part of ongoing improvement activities within the Shire.
- Statistics on all types of compliments and complaints will be recorded and used to inform ongoing improvement activities within the Shire. For this purpose, compliment and complaint information may be disseminated to management and other staff. However, the identity of the complainant or persons named in the feedback will not be disclosed.

6. REFERENCES TO RELATED DOCUMENTS

- Compliments and Complaints Register – Attachment 1
- Feedback Form – Attachment 2
- Acknowledgement of Compliment/ Complaint – Attachment 3

Policy Number:	CP014
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Manager Finance & Administration


[Signature]
Signed


[Print Name]
Shire President

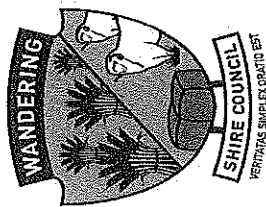
This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



COMPLAINTS AND COMPLIMENTS POLICY

ATTACHMENT 1

Compliments and Complaints Register



SHIRE OF WANDERING COMPLIMENTS AND COMPLAINTS REGISTER

File Ref #	Date received	Complaint Type	Complainant Type	Main Issue	Resolution Approach	Complaint Outcome	Actions taken	Policy / Procedures affected	Date closed	External referrals made



COMPLAINTS AND COMPLIMENTS POLICY

ATTACHMENT 2

Feedback Form



Shire of Wandering

We welcome your feedback.

Your Shire is committed to providing high quality services and operations endeavouring to meet the needs of the community. We value your feedback – including complaints. Please let us know what we do well and where we can improve our services.

This is a compliment complaint comment

I am a resident rate payer visitor
 staff member councillor
 other: _____

Date: _____

Feedback

Follow up (optional)

Please provide your details if you would like us to contact you about your feedback.

Name: _____

Phone / email: _____

Thank you for taking the time to provide feedback about our service.

Please return completed form to the Shire of Wandering Reception
22 Watts Street Wandering 6308



COMPLAINTS AND COMPLIMENTS POLICY

ATTACHMENT 3

Acknowledgement of Complaint Form



To:
Address:
Date: XXXXX

Dear XXXXX,

We have received a copy of your complaint relating to the following issue(s):

XXXXXXXXXX

We are sorry that you experienced dissatisfaction with our operations.

We are committed to delivering quality operations and services and we can assure you that your feedback will be taken on board and ensure that due consideration is given to this issue in future planning of works such as these. We plan to review what has happened in this instance, why it happened and what we can do to prevent it from happening again.

I will ensure that your complaint is registered in our compliments and complaints register which is reviewed by our coordination team monthly and measures are taken to prevent incidents occurring again. The matter will also be forwarded to our Councillors for their information. Thank you again for bringing it directly to our attention. My sincere apologies again for your inconvenience.

If you have any further concerns or would like to discuss any of these matters, please contact me on phone: 9884 1056.

Yours sincerely,

Amanda O'Halloran
CEO Shire of Wandering



FINANCIAL MANAGEMENT POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

To establish financial management and governance principles to be applied to general financial decision making and provide a coherent and logical framework for the long term financial management of the Shire of Wandering.

2. PRINCIPLES

The Shire of Wandering makes decisions in relation to financial matters in a prudent manner considering transparency, accountability and equality to result in good governance.

The Shire will make decisions in relation to financial management and financial governance that encompass the following principles:

- management of financial risk prudently, having regard to economic circumstances. Examples of financial risks to be managed prudently include the level of council debt, commercial activities, community business activities, financial assets and liabilities.
- implement spending and rating policies to promote stability and predictability.
- fund physical assets with regard to intergenerational equity.
- manage and maintain physical assets to achieve the maximum useful life from the initial investment.
- ensure full, accurate and timely disclosure of financial information, unless commercial in confidence.

3. RATE SETTING

The Shire of Wandering will endeavour to maintain a consistent approach to rate setting between rural and residential areas and will endeavour to ensure that increases in the value of rates levied are incrementally increased.

4. RESERVE FUNDS

Cash reserves are to be established and maintained to accumulate funds for the following purposes:

- to fund future strategic initiatives and the provision of new services and facilities to future residents.
- to fund asset replacement and renewal of existing physical/built assets (including buildings, plant, roads and other infrastructure).
- to buffer against unpredictable events.
- to hold unspent grants and contributions.
- to meet statutory obligations.
- other purposes as determined by the Council from time to time.

5. INVESTMENTS

5.1 Consideration

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

- (i) Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the



FINANCIAL MANAGEMENT POLICY

investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

- (ii) The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of investment.
- (iii) The investment is expected to achieve a predetermined market average rate of return that takes into account the council's risk tolerance. Any additional return target set by council will also consider the risk limitation and prudent investment principles.

5.2 Approved Investments

With approvals from Council, investments are limited to:

- (i) State/Commonwealth Government Bonds with a term of maturity not exceeding three years;
- (ii) Fixed term deposits placed with an authorised institution for a term not exceeding 12 months;
- (iii) Interest bearing deposits placed with an authorised institution.

5.3 Prohibited Investments

This Policy prohibits any investment carried out for speculative purposes including the following:

- (i) Derivative based instruments;
- (ii) Principle only investments or securities that provide potentially nil or negative cash flow;
- (iii) Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.
- (iv) The use of leverage (borrowing to invest) of any investment.
- (v) Deposits with any institution other than an authorised institution.
- (vi) Deposits for a fixed term of more than 12 months.
- (vii) Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
- (viii) Investment in bonds with a term of maturity of more than three years.
- (ix) Investment in a foreign currency.

5.4 Risk Management

Investments obtained are to comply with the following three criteria:

5.4.1 Overall Portfolio Limits

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category:

S&P LONG TERM RATING	S&P SHORT TERM RATING	DIRECT INVESTMENT MAXIMUM
AAA	A-1+	100%
AA	A-1	100%
A	A-2	100%



FINANCIAL MANAGEMENT POLICY

5.4.2 Counterparty Credit Framework

The Shire of Wandering will invest funds with authorised financial institutions that provide a service to the local community by establishing branches or agencies in the Shire of Wandering. Such institutions must maintain a minimum Standard and Poors rating of A for short term investments.

5.4.3 Term to Maturity Framework

OVERALL PORTFOLIO TERM TO MATURITY LIMITS	
Portfolio % < 1 Year	100% maximum, 40% minimum
Portfolio % 1-3 Years	60%

5.4.4 Performance Management

Performance benchmarks will be as follows:

INVESTMENT	PERFORMANCE BENCHMARK
Cash	Cash Rate
Enhanced/Direct investments	UBSWA Bank Bill Rate
Diversified Funds	CPI + appropriate margin over rolling 3 year periods (depending on composition of fund)

5.5 Report and Review Compliance Requirements

- (i) A monthly report will be provided to Council in support of the monthly Statement of Financial Activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio and maturity date.
- (ii) Documentary evidence must be held for each investment and details thereof maintained in the Investment Register.
- (iii) Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

6 LIABILITIES

The Shire of Wandering will allocate an appropriate and agreed amount to provide for leave and other liabilities annually.

7 BORROWING

The Shire of Wandering will exercise its borrowing power in a financially responsible and prudent way so as to promote equity amongst current and future ratepayers. In general the Shire will not borrow to fund operating expenditure.

Borrowing is acceptable to fund:

- short-term peak working capital requirements (overdraft or short-term fixed amounts).
- investment in major land transactions.
- investment in major trading undertakings.
- investment in community business activities.
- capital expenditure that provides a new intergenerational service or renews an existing service.
- transitional/bridging funding for projects or acquisitions.

The Council will consider its forecast borrowing requirements as part of its:

- the Shire's long term financial plan,
- the adoption of the annual budget.



FINANCIAL MANAGEMENT POLICY

8 LONG TERM FINANCIAL PLANNING

The Shire of Wandering will prepare/update annually a long term financial plan that includes, but not limited to, the following components:

- major underlying economic assumptions.
- projections of operating revenues and expenses for at least the next 10 years.
- expected rate yield and percentage change from previous periods.
- major capital outlays separated into components of new and renewal.
- variations in the net debt levels.
- changes in the value of reserve balances.
- sensitivity analysis (changes most likely to affect the plan).

Every two/three years, the Shire of Wandering will include, as a component of the long term financial plan, a strategic financial section which consists of at least the following:

- asset management planning
- an analysis of the impact of future changes in service levels.
- an explanation of the strategic financial direction and rationale underpinning the plan.
- details of the strategic initiatives contained within the financial plan.
- strategic financial parameters and targets.

9 ANNUAL BUDGET

The annual budget is to be developed from a base being the first year of the Council's adopted long term financial plan.

Where the annual budget results in a projected financial result in major conflict with the stated strategic direction outlined in the most recent long term financial plan, this is to be separately highlighted and explained in the annual budget.

The Council will structure its budget to achieve an outcome where operating revenue (less capital contributions) is at least sufficient to meet cash operating expenses (excluding non cash expenditure). The extent of any operating surplus will be dependent on the resources necessary to manage the renewal of assets (including infrastructure assets and business activity assets) and considering intergenerational equity issues.

10 LAND ACQUISITION / DISPOSAL

The Shire of Wandering will regularly review all land holdings with a view to considering retention or disposal.

11 REGULATORY ROLE

Where the Shire operates in a competitive environment while providing a regulatory or statutory role in that environment it will maintain a management structure designed to minimise the potential for conflict between these two roles and encourage transparency to maintain confidence in its regulatory independence.

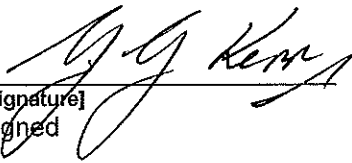



FINANCIAL MANAGEMENT POLICY

12 REFERENCES TO RELATED DOCUMENTS

- Section 2.7 – The Role of Council, *Local Government Act 1995*
- Section 6 – Financial Management, *Local Government Act 1995*

Policy Number:	CP015
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



CONDUCT OF PUBLIC QUESTION TIME POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

To outline the procedure for the conduct of public question time, petitions, presentations and deputations at ordinary and special meetings of council and to any committee that is open to the public.

2. PUBLIC QUESTION TIME

A provision for public question time will be made at each meeting of Council and Committees and a minimum of 15 minutes will be allocated.

Question time is reserved for genuine questions only and shall not be used for the airing of grievances or the making of statements.

2.1 Questions in Writing

Questions are to be presented in writing to the CEO, either prior to or at the relevant meeting.

Where a question is made verbally at a meeting, the member of the public will be required to provide a written form of the question (s) to a Shire employee. If the member of the public is unable to provide the question in writing, a Shire employee will assist.

2.2 Inappropriate Questions

The Shire defines "inappropriate" questions as:

- The matter is offensive or defamatory;
- The publishing of the question would expose the Shire to legal action;
- The question relates to the personal affairs or actions of elected members or employees;
- The question relates to confidential matters, legal advice, legal proceedings or other legal processes;
- The question relates to the competency of elected members or employees.
- The question has been answered previously;
- The question relates to a matter that does not affect the Shire;
- At a special meeting, a question which does not relate to the purpose of that special meeting;

Questions deemed by the presiding member to be inappropriate will not be considered, however the member of the public asking the question will be given the opportunity to rephrase the question.

2.3 Responses

The minutes of the meeting shall contain a summary of each question asked and a summary of the response given.

Where a question requires research, the person asking the question is to be advised accordingly and a written response is to be provided.



CONDUCT OF PUBLIC QUESTION TIME POLICY

3. PETITIONS

All petitions are to be submitted to the CEO.

The minutes of the meeting shall contain a copy of each petition presented.

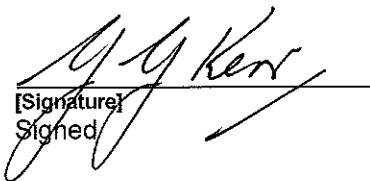
4. DEPUTATIONS AND PRESENTATIONS


The minutes of the meeting shall contain a list of each deputation and presentation.

5. REFERENCES TO RELATED DOCUMENTS

- Section 5.24 - Local Government Act 1995
- Information for Members of the Public Form
- Written Record of Question/s Form

Policy Number:	CP016
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	CEO


[Signature]
Signed


[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



CONDUCT OF PUBLIC QUESTION TIME POLICY

ATTACHMENT 1

Information for Members of the Public

1. Members of the public are most welcome at Council meetings. Please sign our Visitor's Book.
2. Please refer to the attached map for seating arrangements in the Council Chambers.
3. To enable active participation by the public in Council Meetings, the Agenda includes a segment called "Question Time for the Public".
 - a) This 15 minutes segment allows for members of the public to ask a question on any matter relating to the Local Government or on topics covered in the Agenda for a particular meeting, at that meeting. Please note that the operative word in this segment is "Question".
 - b) All members of the public wishing to ask a question of Council will
 1. Give their name.
 2. Read out the question.
 - c) All questions are to be directed to the Shire President. The Shire President may respond or call upon another elected member or officer to comment. Members of the public should not address elected members or officers individually unless invited to do so.
 - d) Members of the public are requested to respect the rights of others to speak and should not ask questions of or interrupt any other person asking a question or making a presentation.
 - e) For presentation in the minutes, all Questions are to be presented in writing to the CEO, 15 minutes prior to the meeting. Where a question is made verbally at a meeting, the member of the public will be required to provide a written form of the question (s) to a Shire employee. If the member of the public is unable to provide the question in writing, a Shire employee will assist.
 - f) Procedure relating to question time for the public is covered in Section 5.24(1)(b) of the Local Government Act 1995 and must be in accordance with Regulations 5, 6 and 7 of the Local Government (Administration) Regulations 1996.

Under these provisions Council is not required to:-

 - Answer a question that does not relate to a matter affecting the Local Government;
 - At a Special Meeting, to answer a question that does not relate to the purpose of the meeting; or

Similarly there is no requirement at an open Committee Meeting for a Committee to answer a question that does not relate to a function of the Committee.
 - g) Should the Council or Committee be unable to answer a question immediately due to further research required a reply in writing will be forwarded to the questioner as soon as practicable. A copy of the answer will also appear in the subsequent Agenda / Minutes.
4. The public asking questions are requested to observe the following guidelines:
 - a) All questions are requested to be in writing on the appropriate form.
 - b) the public will be invited to ask their question by the President, and are to follow directions in respect to time allocated.



CONDUCT OF PUBLIC QUESTION TIME POLICY

- c) Any person asking a question, will stand to give their name, ask the question and will be seated immediately on either the completion of the question or at the President's discretion.
- d) Smoking is prohibited in all Council buildings.
- e) No discussion is to be entered into between elected members and the public during discussion of an Agenda Item.

You are permitted to come and go from the meeting whenever you wish.

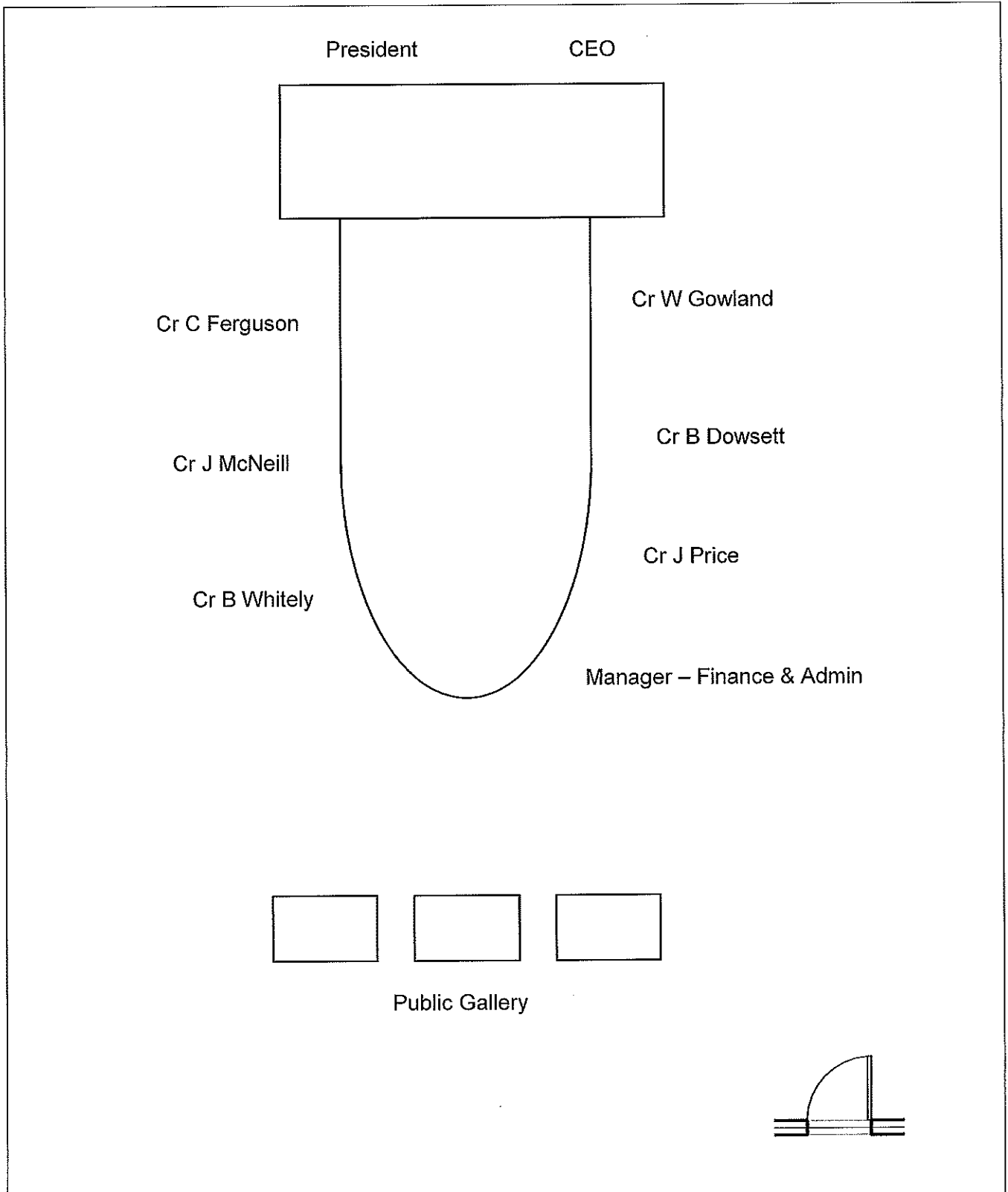
Members of the public are reminded that public question time is for the purpose of asking questions and not for airing grievances or for making public statements.



CONDUCT OF PUBLIC QUESTION TIME POLICY

ATTACHMENT 1 Cont.

Seating Arrangements in Council Chambers





CONDUCT OF PUBLIC QUESTION TIME POLICY

ATTACHMENT 2

Public Question Time Written Record of Question/s

For presentation in the minutes, all questions are to be presented in writing to the CEO, either prior to or at the meeting. Where a question is made verbally at a meeting, the member of the public will be required to provide a written form of the question (s) to a Shire employee. If the member of the public is unable to provide the question in writing, a Shire employee will assist.

Name: _____

Question/s: _____



OUTBUILDINGS POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

Objectives of this Policy are stated as follows;

- To provide clear standards as to what constitutes an acceptable type of outbuilding on certain land types.
- To ensure that the style, materials, condition and design of an outbuilding are acceptable and in keeping with community standards.
- To provide a process for approving outbuildings.

2. PRINCIPLES

The Shire of Wandering acknowledges that outbuildings are important component of most land developments. In order to ensure that the existing standard of development and related level of amenity currently enjoyed within the Shire is not compromised it is essential that controls are put into place to ensure that any outbuilding meets a high standard of appearance and condition.

An outbuilding is defined in the Residential Design Planning Codes of Western Australia as being;

“An enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.”

3. APPLICATION

The Policy is adopted as a Town Planning Scheme Policy pursuant to Clause 2.1 of Town Planning Scheme No. 3. If there is any inconsistency between the Policy and the Scheme, the requirements of the Scheme shall prevail.

All relocated dwellings must comply with the requirements of the following:

- Shire of Wandering Town Planning Scheme No. 3.
- Residential Design Codes of Western Australia.
- Planning and Development Act 2005.
- Health Act 1911.
- Building Code of Australia.

This Policy applies to all proposals to construct an outbuilding on all Residential, Rural Residential and Rural land within the Shire of Wandering.

Within all Residential, Rural Residential and Rural zoned lots with an area of 2ha or less, planning approval is not required for outbuildings appurtenant to any dwelling, provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, located behind any dwelling on site and provided the proposed development complies with the following:

- (a) Lot size less than 1500m² (0.15ha)



OUTBUILDINGS POLICY

-
- (i) Zincalume construction, where the total outbuilding does not exceed 55m² in floor area;
 - (ii) Colorbond construction, where the total outbuilding does not exceed 65m² in floor area.
- (b) Lot size 0.15ha - 2ha, including Rural Zoned land with an area of 20,000 m² or less;
- (i) Zincalume construction, where the total outbuilding does not exceed 85m² in total floor area;
 - (ii) Colorbond construction, where the total outbuilding does not exceed 120m² in total floor area.
- (c) Lot size 2ha – 10ha;
- (i) Zincalume construction, where the total outbuilding does not exceed 85m² in total floor area;
 - (ii) Colorbond construction, where the total outbuilding does not exceed 150m² in total floor area;
- (d) Wall height of any outbuildings not to exceed 3 metres. In the case of gable roof construction, the maximum height is not to exceed 4 metres.
- (e) Prior to the considering a parapet wall construction on any boundary, the applicant will present to Council with written agreement to the same by any affected adjoining landowner.
- (f) The applicant providing the Local Government with a written undertaking that the outbuilding constructed will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Scheme.
- (g) Any application for planning approval which does not comply with the above shall be referred to Council for consideration.
- (h) No planning approval will be granted for any outbuildings on any Residential zoned lot which does not contain a residence.
- (i) Setbacks from boundaries for Outbuildings
- (i) If attached to the dwelling the setbacks for an outbuilding shall be a minimum of 1.0 metre from side boundaries with eaves not closer than 0.75 metres to a side boundary in the Rural Townsite Zone. Setback to the rear boundary shall be as specified in the Residential Design Codes for Rural Townsite zoned lots and/or a minimum of 10 metres for Rural Residential zoned land.
 - (ii) If detached from the dwelling, outbuildings shall be at least 1.8 metres clear of the dwelling with a minimum setback of 1.0 from the side boundary and 1.2m from the rear boundary in the Rural Townsite Zone and shall be a minimum of 10 metres rear setback in the Rural Residential Zone.

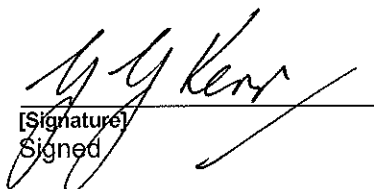


OUTBUILDINGS POLICY

4. REFERENCES TO RELATED DOCUMENTS

- Shire of Wandering Town Planning Scheme No. 3
- Residential Design Codes of Western Australia
- *Planning and Development Act 2005*
- *Health Act 1911*
- Building Code of Australia

Policy Number:	CP017
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Shire President and CEO


[Signature]
Signed

GRAEME KERR.
[Print Name]
Shire President

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.



LEGAL REPRESENTATION FOR COUNCILLORS AND EMPLOYEES POLICY

Document Control Statement – The electronic reference copy of this Policy is maintained by the Finance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at S:\Administration\Policies\2015 to ensure that you have the current version. Alternatively, you may contact the Finance Department.

1. OBJECTIVE

To protect the interests of Councillors, committee members and employees where they have become involved in legal proceedings as a result of their official functions or duties.

2. DEFINITIONS

Approved Lawyer is to be –

- a) a 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) from a law firm on the Shire's panel of legal service providers, if relevant, unless Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) approved in writing by Council or the CEO under delegated authority.

Elected Member – means a current or former person elected to the Council of the Shire of Wandering in a local government election.

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

Employee – means a person who at the relevant time is or was an employee of the Shire of Wandering pursuant to section 5.41(g) of the *Local Government Act 1995*, or, if the CEO, under section 5.36(1)(a).

Legal proceedings – may be civil, criminal or investigative.

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

- a) a matter or matters arising from the performance of the functions of the relevant person; and
- b) legal proceedings involving the relevant person that have been, or may be, commenced.

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

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

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

- a) a direct payment to the approved lawyer (or the relevant firm); or
- b) a reimbursement to the relevant person.

3. PAYMENT CRITERIA

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



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- a) the legal representation costs must relate to a matter that arises from the performance, by the relevant person, of his or her functions;
- b) the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- c) in performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- d) the legal representation costs do not relate to a matter that is of a personal or private nature.
- e) the legal representation costs do not relate to a situation where the Shire of Wandering is the defendant.

4. EXAMPLES OF LEGAL REPRESENTATION

- (i) Examples of legal representation costs that may be approved are:
 - (a) If the criteria in clause 3 of this policy are satisfied, the Shire may approve the payment of legal representation costs –
 - a) where proceedings are brought against a relevant person in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions – for example where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about a relevant person.
- (ii) The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

5. APPLICATION FOR PAYMENT

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

- (i) The written application for payment of legal representation costs is to give details of –
 - a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Shire for payment to be made.



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- (ii) 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.
 - (iii) As far as possible the application is to be made before commencement of the legal representation to which the application relates.
 - (iv) The application is to be accompanied by a signed written statement by the applicant that he or she –
 - a) has read and understand, the terms of this policy;
 - b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 9 and any other conditions to which the approval is subject; and
 - c) undertakes to repay the Shire any legal representation costs in accordance with the provisions of clause 9.
 - (v) In relation to clause 5 (iv) c), 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.
 - (vi) An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

6. LEGAL REPRESENTATION COST CAP

- (i) Council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- (ii) A relevant person may make a further application to Council in respect of the same matter.

7. COUNCIL'S POWERS

- (i) Council may –
 - a) refuse an application for payment of legal representation costs;
 - b) grant an application for payment of legal representation costs; or
 - c) grant subject to conditions, an application for payment of legal representation costs
- (ii) Conditions under clause 7 (i) 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.
- (iii) In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Councillors and Officers liability policy or its equivalent.
- (iv) Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- (v) Council may, subject to clause 7 (vi), determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
 - a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - b) given false or misleading information in respect of the application.



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- (vi) A determination under clause 5 (v) may be made by Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- (vii) Where Council makes a determination under clause 5 (v), the legal representation costs paid by the Shire are to be repaid by the relevant person in accordance with clause 7

8. DELEGATION TO CHIEF EXECUTIVE OFFICER

- (i) 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 Council, any of the powers of Council under clause 5 (i) and 5 (ii), to a maximum of \$10,000 in respect of each application.
- (ii) An application approved by the CEO under clause 6(i), is to be submitted to the next ordinary meeting of Council. Council may exercise any of its powers under this policy, including its powers under clause 5 (iv).
- (iii) This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

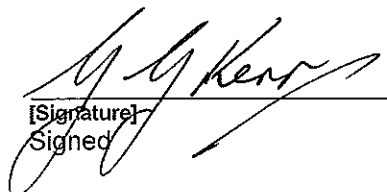
9. REPAYMENT OF LEGAL REPRESENTATION COSTS


- (i) A relevant person whose legal representation costs have been paid by the Shire is to repay the Shire –
- a) all or part of those costs – in accordance with a determination by Council under clause 7 (vii);
- b) as much of those costs as are available to be paid by way of set-off – where the relevant person receives monies paid for costs, damages or settlement, in respect of the matter for which the Shire paid the legal representation costs.
- (ii) The Shire may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

10. REFERENCES TO RELATED DOCUMENTS

- *Local Government Act 1995*

Policy Number:	CP018
Previous Policy Number:	N/A
Resolution Numbers:	
Last Reviewed:	
Next Reviewed:	August 2016
Responsible Officer:	Shire President & CEO


[Signature]
Signed


[Print Name]
Shire President

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