



Shire of Northam  
*Heritage, Commerce and Lifestyle*

## **POLICY MANUAL**

### ***Section I***

*Excludes Local Planning Policies, See Section II*

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## **FOREWORD**

The 1995 Local Government Act envisaged the separation of the roles of the Council and the Chief Executive Officer.

In summary the Act envisaged that the roles would be as follows:

### **COUNCIL**

Responsible for decision making and policy

### **CHIEF EXECUTIVE OFFICER**

Responsible for day to day management under those policies

The roles of the Council and the Chief Executive Officer are complimentary and focused at achieving the strategic objectives of the Local Government.

Effective role separation provides a number of benefits to the organisation and promotes effective local government. In particular it achieves:

- A focus by the Council on the strategic issues;
- A real need for Council to identify policy issues and address decision making on key issues.

## **Section II – Shire of Northam Planning Policies**

- LPP 1 - Outbuildings (Revoked)
- LPP 2 - Site Construction, General Development and Subdivision Guidelines
- LPP 3 - New Transportable, Relocated and Second Hand Dwellings
- LPP 4 - Home Employment (Home Business, Home Occupation, Home Office, Home Store, Industry-Cottage and Rural Home Business) (Revoked)
- LPP 5 - Use and Control of Sea Containers and Similar Storage Containers
- LPP 6 - Construction of Additional Dwellings on Rural Zoned Land
- LPP 7 - Development and Subdivision Contribution
- LPP 8 - Retrospective Planning Applications and Fees
- LPP 9 - Northam Airport Development
- LPP 10 - Developments Abutting Rights Of Way
- LPP 11 - Tree Preservation - Grevillea Street Subdivision Area
- LPP 12 - Animal Establishment
- LPP 13 - Ancillary Accommodation
- LPP 14 - Farmstay Accommodation and Bed And Breakfast Establishments
- LPP 15 - Road and Subdivision Requirements in the Rural Residential Zone
- LPP 16 - Advertising Signs
- LPP 17 - Avon Industrial Park Guidelines
- LPP 18 - Heritage Precincts
- LPP 18 – Development Guidelines for the Fitzgerald Street Heritage Precinct (Appendix 1)
- LPP 18 – Development Guidelines for the Gordon Street Residential Heritage Precinct (Appendix 2)
- LPP 19 - Residential Design Guidelines for the Rural Residential and Rural Smallholding Zones
- LPP 20 - Advertising of Planning Proposals
- LPP21 - Extractive Industry
- LPP22 – Unallocated
- LPP 23 - Outbuildings in the Residential & Mixed Use Zones
- LPP 24 - Outbuildings in the Rural Residential, Rural Smallholding & Rural Zones

## **Shire of Northam Local Planning Scheme No. 6**

- PART 1 - Preliminary
- PART 2 - Local Planning Policy Framework
- PART 3 - Reserves
- PART 4 - Zones and the Use of Land
- PART 5 - General Development Requirements
- PART 6 - Special Control Areas
- PART 7 - Heritage Protection
- PART 8 - Development of Land
- PART 9 - Applications for Planning Approval
- PART 10 - Procedure for Dealing with Applications
- PART 11 - Enforcement and Administration

## **INTRODUCTION**

This Policy Manual is intended as a guide to members, staff and the public on the normal practices and activities of the organisation. The policies do not require absolute adherence, but may be changed as circumstances dictate, in accordance with Council's directions and amended by Council from time to time.

Staff are expected to comply closely with the spirit and intention of the policies and to use care and discretion in implementing the policies to ensure the best possible outcome, whether or not a particular event complies totally with the stated policy. Implementation must be fair, consistent and effective, with the emphasis on guidance and assistance rather than compulsion and inspection.

Council, in its absolute discretion, reserves the right to amend, add, delete or apply wholly or in part or not at all, any or all of the policies without notice.

This document does not stand alone, but is part of a "hierarchy", which comprises (in order of priority) –

- Legislation – Acts of Parliament, Regulations etc.
- Common Law – legal precedent, interpretation and decisions made by courts
- Delegated legislation – local laws, town planning policy
- General policy – administrative policy

To aid in understanding the complexity of the administrative process, the following information is provided to address the subjects of policy, procedures and delegations.

### **Definitions**

The Local Government Act has not defined the term "delegation" or "delegated power", however:

- S5.16 refers to "... the exercise of any of its powers and duties..."
- S5.42 refers to "... the exercise of any of its powers or the discharge of any of its duties..."

The term "policy" is not defined anywhere in the Act.

Accordingly, throughout this document, the following terms apply, insofar as they are consistent with enabling legislation.

*"Authority"* means the permission or requirement for a committee or the CEO to act in accordance with:

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

*“Delegation”* means the authority for a committee or the CEO to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected member.

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

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

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

### **Head of Power**

Unless stated otherwise, the Local Government Act 1995 constitutes the head power for Council to make policies.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to assign responsibilities and authority to various officers. In order to maintain consistency with the concepts of the Local Government Act 1995, all directions are made by the CEO, who is then responsible for the implementation of the function, either personally or through management of officers and staff.

It is Council’s expectation that the CEO will assign responsibilities relevant to a specialist or specific position to the appropriate person.

### **Process**

It is a requirement of the Local Government Act, s5.18 and s5.46(1) that all delegations be reviewed at least once in each financial year.

In order to ensure that there is clear authority, and to ensure consistency and relevancy, Council and the appropriate officers will also formally review all policies at the same time, and their application confirmed.

In this way, the Policy Manual will be reviewed and a formal motion of application passed, prior to the commencement of the new financial year.

### **New Policies**

Council may make new Policies at any time.

However, unless specifically stated that the authority is to be included in the Policy Manual, it will be assumed that the authority to act is for a specific matter and is not a general or on-going Policy.



As new policy is made, they will be appended to this Policy Manual for update at the next review.

**Amended and Revoked Policies**

Revoked and amended policies are to be retained as a Council record.

The full text of a policy will be retained as a Council record for future reference, to ensure that actions when reviewed in later years can be substantiated, and so that should queries be raised the application of policy and any amendments can be traced. New text pages will be replaced, amended and revoked text will be filed accordingly.

The history of the policy will be amended to show date and resolution number of the motion of the amendment.

**Certification**

Council formally reviewed this Policy Manual on ..... and Resolution No ..... Confirming its application to the ..... Financial Year was made.

\_\_\_\_\_  
President

..... 20.....

\_\_\_\_\_  
Chief Executive Officer

..... 20.....

## **POLICY**

### ***DEFINITION***

Policy development for the Shire of Northam is proposed within the following guidelines.

- Intent
  - Policy is a high level statement of how the Council will act.
- Outcome
  - Policy should be enabling and focus on outcome.
- Certainty
  - Policy should be non-negotiable.
- Conceptual
  - Policy does not detail procedures for implementation.

### **PROCEDURES – What are they?**

*(see Council's separate Procedures Manual)*

These are the detailed tasks to be performed by staff in the completion of certain specified activities.

In the past, many procedures have had the consideration of the Council and act as a guide to staff as to how the Council wishes certain matters to be approached or resolved.

Procedures allow the staff to expedite action without the need to refer the matter to Council. Given the separation of roles under the Act, with Council relinquishing involvement with day-to-day management, procedures are now the responsibility of the CEO.

## **DELEGATION – What is it?**

*(see also Council's Delegation Register)*

Section 5.42 of the Act provides for the delegation, by absolute majority, of some powers and duties to the CEO. Section 5.43 places limits on the extent of delegation where a local government **cannot delegate** to the CEO any of the following powers or duties:

- Any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph of section 5.43;
- Appointment of an auditor;
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government i.e. \$1,000.00; being one thousand dollars.
- Any of the local government's powers under sections 5.98, 5.99 and 5.100 (relating to the payment of sitting fees for elected members);
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in section 9.5 of the Act;
- Any power or duty that requires the approval of the Minister or the Governor; or
- Such other powers or duties as may be prescribed.

For the purpose of further clarity, the following matters are identified as powers that cannot be delegated:

- Any matter relating to the payment of compensation in any form to either staff or members of the public;
- Any matters which substantially change the direction of Council's Strategic Plan;
- Any decision that is likely to involve unbudgeted expenditure;
- The changing or altering of any budget;
- The making or passing of Local Laws;
- Any decision which directly is intended to involve the Council in any litigation;
- The preparation of or adoption of a Town Planning Scheme amendment;
- The adoption of policy;

Under the accepted interpretation of the Local Government Act, the Health Act and the Local Government (Miscellaneous Provisions) Act, **the CEO is given a clear duty to carry out:**

- All of those administrative procedures that are not clearly specified under the Acts as a power of the elected Council;
- All administrative and management functions related to human resources (subject to s5.37 of the Act relating to Senior Employees);
- All functions that have been defined by the elected Council in Policy, Local Laws or are supported by previous accepted practices of the Council that comply with statutory and best practice standards;
- All those procedures that are contained within the Procedures Manual as endorsed by the elected Council.

This manual has been prepared to assist Council and staff members to administer the Shire of Northam by providing a copy of policies adopted by Council on a variety of matters.

The Manual should reduce the need to refer matters of a repetitive nature and/or of minor importance to Council for a decision as well as assisting Councillors and staff to readily answer queries raised by electors.

## GOVERNANCE

### G 1.1 Meeting Dates

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act –s5.3 Local Government (Administration) Regulations – reg 12

### OBJECTIVE

To regulate and set meeting dates.

### SCOPE

Applies across organisation.

### POLICY

Council is to meet on the third (3<sup>rd</sup>) Wednesday of each month, with a Forum being held on the second Wednesday of each month.

## G 1.2 Attendance by Councillors and Partners at Conferences

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 s5:98 & s5:102

### OBJECTIVE

To establish standards for the attendance of Councillors at both intrastate and interstate conferences and the reimbursement of expenses incurred during those attendances.

### SCOPE

Applies to All Elected Members.

### POLICY

#### Definitions

For the purposes of this policy, the term “conference” includes conferences, seminars, workshops and study tours.

#### Policy

1. Council acknowledges that it has a responsibility to ensure that appropriate training and development opportunities are available to Councillors to assist in the fulfilment of the duties and responsibilities associated with their office. Attendance at appropriate conferences is one way to achieve this.
2. Councillors are approved to attend the following conferences conducted within Australia:
  - All Councillors - Annual Western Australian Local Government Week.
  - All Councillors - one conference per year of relevance to local government at no greater cost than \$4,000 (inclusive of registration, travel and accommodation and incidental costs as applicable).

- President and Deputy President - Annual National General Assembly of Local Government.
3. If a Councillor wishes to attend a conference in addition to the above or which exceeds a total cost of \$4,000, then a request shall be placed before Council for consideration in accordance with the following criteria.

### **Approval**

4. For Councillors to be able to seek payment of or reimbursement of expenses incurred in the attendance at conferences in addition to those detailed in paragraph 2, the formal approval of Council is required. Any request must be submitted on the Attendance Request Form at Appendix 1 at least 7 days prior to the Council's meeting where the request will be processed.
5. Where either the Chief Executive Officer proposes to Council or Council itself nominates a Councillor to attend a specific conference then that Councillor is not required to complete the relevant Attendance Request Form, as the report to Council will have already been developed and the assessment criteria examined.

### **Assessment Criteria**

6. All proposals for attendance at conferences in addition to those detailed in paragraph 2 shall firstly be subject to an assessment under the direction of the Chief Executive Officer based on the following criteria –
- Whether the proposal relates to an objective identified within the current or future strategic direction of Council.
  - The current relevance of the proposal to the Shire.
  - Historic or expected attendance.
  - The relationship of the proposal to the outcomes to be delivered and how these relate to the Councillor's role as a Presiding Member, Committee Member or Councillor.
  - Equity of opportunity and the remaining period of office of the Councillor concerned including recognition of the number of opportunities previously provided to that Councillor.
  - Whether there are more cost effective options to acquire the relevant knowledge and information.
  - Whether it is appropriate that more than one Councillor attend.
  - The total cost of travel, accommodation, registration, meals and other expenses and the potential impact of these on the Shire's budget allocation including the future impact on either conference attendance by other Councillors during the current financial year.

### **Administration Process**

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

## **Payment of Travel, Accommodation and Related Costs**

### **Interstate Travel**

8. Economy class air travel arrangements shall apply provided that individual Councillors have the option to upgrade their travel arrangements to business class by supplementing the economy airfare at their own cost.
9. Where individual Councillors desire to travel interstate by private motor vehicle, they will be reimbursed for actual receipted accommodation costs and vehicle costs, the latter being in accordance with mileage allowances calculated on a cents per kilometre basis payable at the rates and amounts specified in the National Employment Standards up to and including an amount equivalent to that which would have been expended had arrangements been made to travel by air.
10. Reimbursement of actual vehicle costs will be provided on a cents per kilometre basis payable at the rates and amounts specified in the National Employment Standards, where travel is solely for the purpose of attending the conference.
11. Economy class air travel arrangements shall apply to intrastate conferences requiring air travel, provided that individual Councillors have the option to upgrade their travel arrangements to business class by supplementing the economy airfare at their own cost.

### **Accommodation**

12. Accommodation costs for Councillors shall be paid for the duration of the conference, including allowing Councillors to arrive the day before the start of the conference and depart the day following the close of the conference, unless other arrangements are specifically approved by Council. In the event that a Councillor wishes to extend their stay for personal reasons not associated with approved Council business, then any extended stay is to be at the full cost of the Councillor.
13. Delegates are generally expected to stay at the conference venue unless that facility is fully booked or alternative accommodation can be used at no additional cost to Council.



14. Accommodation costs paid or reimbursed shall be the actual costs incurred. Wherever possible accommodation costs shall be pre-paid.

### **Registration**

15. The registration fee of a Councillor delegate shall be paid including the fee for a partner attending the official opening, welcoming address and conference dinner if applicable.

### **Transportation**

16. The cost of taxi or bus fares to and from the airport, conference venues or other approved places shall be reimbursed.
17. The cost of car hire will only be reimbursed when specific approval has been obtained at the time attendance at the conference is authorised.

### **Incidental Expenses**

18. An advance of a specific sum per day shall be made available for food, drink and incidental expenses. Meal claims will not be recognised where meals are provided at the conference.
19. The Chief Executive Officer is authorised to set standards and calculate costs for an advance or reimbursement of approved incidental expenses within the following parameters:
  - An amount of \$100 per day, or any other amount predetermined by Council at the time of approving the attendance.
  - The advance is to be paid either in cash or by electronic bank transfer to the Councillor no more than 5 working days prior to departure to the conference.
  - The advance is to cover lunch, dinner and related beverage costs, dry cleaning, taxis and business telephone calls.

### **Reimbursement of Expenses**

20. Within 10 working days of the conclusion of the conference, Councillors must present receipts to support the expenditure of the advance. Any unexpended funds are to be reimbursed to the Shire within this period.
21. Authorised expenditure over and above the value of the daily allowance shall be reimbursed to the Councillor delegate upon presentation of receipts. Councillor delegates will be personally liable for any outstanding amounts not properly acquitted.

### **Accompanying Partners**

22. Council appreciates that Councillors may wish their partner to accompany them to conferences. This is supported on the following basis –
- The Councillor shall meet directly all attending partner's expenses at the conference other than for attendance at the official opening, welcoming address and conference dinner if applicable.

### **Sharing of Knowledge**

On request by Council:

23. Within three months from the conclusion of an approved interstate conference, the Councillor delegate shall provide a written report or presentation (including copies of conference papers) of the conference for the information of other Councillors and for Shire records. Where appropriate this requirement shall also apply to intrastate conferences.
24. The report or presentation is to contain relevant observations and the identification of significant outcomes gained from the conference that would be of benefit to the Shire's operations. Where appropriate, recommendations proposing specific actions as a result of the outcomes of the conference are also to be made.

## **APPENDIX 1**

### **REQUEST FOR ATTENDANCE AT INTRASTATE OR INTERSTATE CONFERENCES**

**(WITH AIR TRAVEL AND / OR ACCOMMODATION)**

<b>Councillor Name:</b>	
<b>Proposed Conference:</b>	
<b>Location of Conference:</b>	
<b>Duration of Conference</b>	
<b>Conference Enrolment Fee:</b>	<b>\$</b>
<b>Airfares:</b>	<b>\$</b>
<b>Accommodation:</b>	<b>\$</b>
<b>TOTAL</b>	<b>\$</b>
<b>Details of Committee:</b> <b>Membership of Councillor:</b>	
<b>Details of conferences previously attended during current financial year:</b>	
<b>Expiration of Term of Office</b>	
<b>Councillor's signature</b>	
<b>Date:</b>	
<b>Submitted to Council on:</b>	
<b>Approved / Not Approved</b>	<b>Decision No:</b>
<b>Chief Executive Officer:</b>	
<b>Date</b>	

## G 1.3 Code of Conduct – Elected Members & Committee Members

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995-s5.82 (Gifts) & 5.103 Codes of Conduct  Local Government (Rules of Conduct) Regulations 2007 – Reg 12(1): Notifiable Gift – between \$50 - \$300 Prohibited Gift – \$300 or more

### OBJECTIVE

To promote an acceptable standards of conduct from Elected Members and Members representing the community on Council Committees.

### SCOPE

Applies to All Elected Members.

### POLICY

#### Preamble

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

The Code is complimentary to the principles adopted in the Local Government Act 1995 and Local Government (Rules of Conduct Regulations 2007) which incorporates four fundamental aims to result in: -

- a) Better decision making;
- b) Greater community participation in the decisions and affairs of the Council;
- c) Greater accountability of the Council to its community; and

d) More efficient and effective local government

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

## **Statutory Environment**

The Code of Conduct observes statutory requirements of the Local Government Act 1995 (s5.103 – Codes of Conduct) and Local Government (Rules of Conduct) Regulations 2007

## **Rules of Conduct**

Council members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinized in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007

## **Role of Elected Members**

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

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

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

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

## **1. Conflict and Disclosure of Interest**

### **1.1 Conflict of Interest**

- (a) Members will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Members will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Northam or which may otherwise conflict with the Council's functions (other than purchasing the principal place of residence);
- (c) Members who exercise a function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (d) An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.
- (e) A Council Member is to disclose any interest he or she has in the matter to be discussed at a Council or Committee Meeting that will be attended by the member. Any disclosure to be made at the meeting immediately before the matter is discussed and is to be recorded in the minutes of the relevant meeting.

## **1.2 Pecuniary Interest**

Members will adopt the principles of disclosure of pecuniary interests as contained within the Local Government Act 1995.

## **1.3 Disclosure of Interest**

- (a) Members will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- (b) Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing within the register provided.

## **2. Personal Benefit**

### **2.1 Use of Confidential Information**

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

## **2.2 Improper or Undue Influence**

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

## **2.3 Gifts and Bribery**

Refer to Local Government (Rules of Conduct) Regulations 2007 – Reg 12

## **3. Conduct of Members**

### **3.1 Personal Behaviour**

(a) Members will:

- (a) Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
  - (b) Perform their duties impartially and in the best interests of the Shire of Northam uninfluenced by fear or favour;
  - (c) Act in good faith (i.e. honestly, for the proper purpose and without exceeding their powers) in the interests of the Shire of Northam and the community;
  - (d) Make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any conduct, in the performance of their official duties, which may cause any reasonable person unwarranted offence or embarrassment; and
  - (e) Always act in accordance with their obligation of fidelity to the Shire of Northam.
- (b) Members will represent and promote the interests of the Shire of Northam, while recognising their special duty to their own constituents.

### **3.2 Honesty and Integrity**

Members will:

- (a) Observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;

- (b) Bring to notice of the President any dishonesty or possible dishonesty on the part of any other member and, in the case of an employee, to the Chief Executive Officer;
- (c) Be frank and honest in their official dealing with each other.

### **3.3 Performance of Duties**

Members will, at all times, exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about functions of the Council, and treat all members of the community honestly and fairly.

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

- (a) Members will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Members will give effect to the lawful policies of the Shire of Northam, whether or not they agree with or approve of them.

### **3.5 Administrative and Management Practices**

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

### **3.6 Corporate Obligations**

- (a) Communication and Public Relations

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

- As a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- Information of a confidential nature ought not be communicated until it is no longer treated as confidential;



- Information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- Information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

### **1.7 Relationships between Members and Staff**

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Members and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies.

To achieve that position Members need to:

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

### **3.8 Appointments to Committees**

As part of their representative role Members are often asked to represent the Council on external organisations.

It is important that Members:

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

## **4. Dealing With Council Property**

### **4.1 Use of Local Government Resources**

Members will:

- Be scrupulously honest in their use of the Shire of Northam's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- Use the Shire of Northam resources entrusted to them effectively and economically in the course of their duties; and
- Not use the Shire of Northam's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and

appropriate payments are made (as determined by the Chief Executive Officer).

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

Members will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Shire of Northam in accordance with Shire of Northam policy and the provisions of the Local Government Act 1995.

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

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

## G 1.4 Legal Representation for Council Members and Employees

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 Legal Representation for Council Members and Employees Guideline No. 14, April 2006 – Department of Local Government and Regional Development

### OBJECTIVE

To provide a clear framework under which financial assistance will be provided to Council members and employees for legal services in connection with their roles.

### SCOPE

Applies to All Elected Members & Employees

### POLICY

#### 1. Definitions

**Approved lawyer** is to be –

- (a) A 'certified practitioner' under the Legal Practice Act 2003;
- (b) from a law firm on the Shire panel of legal service providers, relevant, unless the council considers that this is not appropriate –for example where there is or may be a conflict of interest or insufficient expertise; and
- (c) Approved in writing by the council or the CEO under delegated authority.

**Council member or employee** means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire.

**Legal proceedings** may be civil, criminal or investigative.

**Legal representation** is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

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

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

**Legal services** includes advice, representation or documentation that is provided by an approved lawyer.

**Payment** by the Shire of legal representation costs may be either by –

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

## 2. Payment Criteria

**The Shire of Northam may approve the legal representation costs of a council member or employee if the following criteria is satisfied;**

- (a) The legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- (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 council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) The legal representation costs do not relate to a matter that is of a personal or private nature.

## 3. Examples of Legal Representation Costs that May be Approved

3.1 If the criteria in clause 2 of this policy are satisfied, the Shire may approve the payment of legal representation costs –

- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for

defamation or negligence arising out of a decision made or action taken by the council member or employee; or

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

3.2 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 council member or employee.

#### **4. Application For Payment**

- 4.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing to the CEO.
- 4.2 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 that matter relates to the functions of the council member or employee making the application;
  - (c) The 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 a document);
  - (e) An estimated cost of the legal representation; and
  - (f) Why it is in the interests of the Shire for payment to be made.
- 4.3 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.

- 4.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 4.5 The application is to be accompanied by a signed written statement by the applicant that he or she –
- (a) has read, and understands, the terms of this Policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of Clause 8 and any other conditions to which the approval is subject; and
  - (c) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of Clause 8.
- 4.6 In relation to clause 4.5(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 Shire and the terms of the Policy.
- 4.7 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.

## **5. Legal Representation Costs – Limit**

- 5.1 The 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.
- 5.2 A council member or employee may make a further application to the council in respect of the same matter.

## **6. Council's Powers**

- 6.1 The council may –
- (a) refuse;
  - (b) grant; or
  - (c) grant subject to conditions,
- an application for payment of legal representation costs.
- 6.2 Conditions under clause 6.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement,

- including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 6.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members or employees insurance policy or its equivalent.
- 6.4 The council may at any time revoke or vary an approval or any conditions of approval, for the payment of legal representation costs.
- 6.5 The council may, subject to clause 6.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (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.
- 6.6 A determination under clause 6.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 6.7 Where the council makes a determination under clause 6.5, the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with section 8.

## **7. Delegation to Chief Executive Officer**

- 7.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant the CEO may exercise, on behalf of the council, any of the powers of the council under clause 6.1 and 6.2, to a maximum of \$10,000 in respect of each application.
- 7.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 6.4.

## **8. Repayment of Legal Representation Costs**

- 8.1 A council member or employee 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 the Council under clause 6.7;

- (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.

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



## G 1.5 Approval of annual & long service leave for the Chief Executive Office and appointment of an Acting Chief Executive Officer

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2895
<i>Resolution Date</i>	21/12/2016
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	S5.36 Local Government Act 1995

### OBJECTIVE

To appoint an Acting Chief Executive Officer in the absence of the Chief Executive Officer due to annual, long service or extended sick leave.

### SCOPE

Applies to Chief Executive Officer.

### POLICY

1. On a rotational basis a designated senior employee shall be appointed by the CEO in consultation with the Shire President to carry out the role of Acting CEO during periods of absence of the CEO due to annual leave, long service leave or extended sick leave.
2. The Shire President, or in his/her absence the Deputy Shire President, authorise all Annual and Long Service Leave to be taken by the Chief Executive Officer, so long as the period of leave does not exceed 6 weeks.
3. The Shire President will advise all Elected Members as soon as practicable of the leave period approved for the Chief Executive Officer and the person appointed to Act in his/her absence.
4. The senior employee will only be appointed as Acting CEO under the terms of this Policy if:
  - i) the employee has performed the duties of his/her substantive position for a period of 12 months;
  - ii) in the opinion of the CEO the employee has satisfactorily performed his/her duties over the previous 12 months;

- iii) in the opinion of the CEO and the employee, the employee has the capacity to perform the duties of Acting CEO along with his/her current duties satisfactorily; and
- iv) this Policy does not apply to an employee who is temporarily acting in the role of an Executive Manager.

## G 1.6 Senior Employees

<i>Responsible Department</i>	Chief Executives Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	S5.37 Local Government Act 1995

### OBJECTIVE

To comply with the provisions of the Local Government Act to designate Senior Officers.

### SCOPE

Applies to Chief Executive Officer.

### POLICY

In accordance with Section 5.37 of the Local Government Act 1995, the following officers are designated as "Senior Employees":

- Executive Manager Corporate Services;
- Executive Manager Development Services;
- Executive Manager Community Services;
- Executive Manager Engineering Services.

## G 1.7 Risk Management

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	AS/NZA ISO 31000:2009

### OBJECTIVE

The Shire of Northam's ("the Shire") Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

### SCOPE

Organisational wide.

### POLICY

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

### **Definitions (from AS/NZS ISO 31000:2009)**

**Risk:** Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

**Risk Management:**

Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:**

Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

**Risk Management Objectives:**

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations

**Risk Appetite:**

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

## **G 1.8 Elected Member and Staff Interactions and Requests for Information**

<i>Responsible Department</i>	CEO Office
<i>Resolution Number</i>	TBC
<i>Resolution Date</i>	21/02/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	Policy G 1.3 Code of Conduct – Elected Members & Committee Members; Corporate Business Plan Strategic Community Plan
<i>Related Legislation</i>	Local Government Act 1995, Sections 2.7, 5.92, 5.93 and 5.94; Local Government (Rules of Conduct) Regulations 2007, Regulation 10; and Freedom of Information Act 1992.

### **OBJECTIVE**

To provide guidance to elected members of the Shire of Northam in relation to the process for seeking information from records and staff.

### **SCOPE**

Elected members have access to certain documents over and above the rights of the general public which are provided for in Section 5.94 of the Local Government Act 1995.

Specific additional rights to access of information by council or committee members are provided in Section 5.92 of the Local Government Act 1995 and granted in order to enable an elected member and/or committee member to discharge adequately the functions of their elected office.

The Local Government Act 1995 stipulates that a member may only seek such information from Shire records and files in the pursuit of Shire business. Elected members / committee members are not to use information for their own or another person's purpose, benefit or detriment, unconnected with Shire activities.

The policy also provides guidelines on meeting with Council staff.

## Definitions

- Elected Member: means a serving elected member of Council of the Shire of Northam.
- Committee Member: means a member of the public appointed by the local government to an endorsed committee of Council
- Local Government: means the local government known as the Shire of Northam
- Staff: Staff means an employee of the Shire of Northam.

## POLICY

### Policy Statement

The Chief Executive Officer will ensure that elected members are provided with access to documents, information and staff, which in the Chief Executive Officers view are required to enable elected Member's / Committee Members to fulfil their functions and/or duties.

Elected members must have the approval of the Chief Executive Officer, or relevant Executive Manager, to meet with staff in relation to Council business.

In the event an elected member / committee member forms a view that they require access to additional documents, information or staff not already specifically provided, the following guidelines are to be adhered to;

- Elected members wishing to obtain information on a Council matter or wishing to arrange a meeting with Shire Officer/s, relating to the business of the Shire, must seek the approval of the Chief Executive Officer.
- Where research may be required to satisfy the elected member's enquiry, it is preferable that the elected member give appropriate advance notice of their requirements. Elected members with such a request should put their request in writing and forward it to the Chief Executive Officer or the appropriate Executive Manager.
- The Chief Executive Officer or Executive Manager is to ascertain from the elected members seeking access to such information the precise nature of the request, the information being sought, and the reason why that information is requested. If the request establishes motivation outside the general guidelines of assisting the elected members in the proper discharge of their responsibilities, the Chief Executive Officer may refuse such a request, in accordance with division 7 of the Local Government Act 1995 and part 7 of the Local government (Administration) Regulations 1996.
- If the request for information complies with the intent of this policy and the prevailing legislation, however it places an unreasonable demand on staff time and resources so as to render the research reasonably disruptive to the administration, the Chief Executive Officer may refuse to comply with the request.

- Following any such refusal by the Chief Executive Officer to provide information, if the elected member still wishes to pursue access to the information, the elected member is entitled to:
  - Lodge an application under the Freedom of Information Act 1992: and/or
  - Present a Notice of Motion to a meeting of Ordinary Council, requesting that Council consider directing the Chief Executive Officer to provide the specifically requested information. The Council will then make a determination as to whether to approve access to the specifically identified information based on;
    - An explanation provided by the Chief Executive Officer for not providing the requested information, and;
    - The appropriate provisions of the Local Government Act 1995 and Local Government (Administration) Regulations 1996.

### **Financial/Budget Implications**

The examination of any such information requested is to be at the Shire Administration Centre, located at 395 Fitzgerald Street, Northam during reasonable times, such as normal office hours, and is to be free of charge, unless obtained under provisions of the Freedom of Information Act 1992.

The original form/source of the information cannot be removed for examination, however photocopies may be taken subject to the payment of appropriate fees and charges as set by Council.

### **Conformity with Strategic Community / Corporate Business Plan**

Theme Area 6: Governance & Leadership.

Outcome 6.4: The elected members of the Shire of Northam provide accountable, strong and effective community leadership.



## G 1.9 Communications and Social Media Policy

<i>Responsible Department</i>	CEO Office
<i>Resolution Number</i>	C.3507
<i>Resolution Date</i>	17/10/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	Shire of Northam Standing Orders Local Law.
<i>Related Legislation</i>	Local Government (Rules of Conduct) Regulations 2007. State Records Act 2000 - SRC Standard 8 – Managing Digital Information.

### OBJECTIVE

This policy establishes protocols for the Shire of Northam's official communications with our community to ensure the Shire of Northam is professionally and accurately represented and to maximise a positive public perception of the Shire of Northam.

### SCOPE

This policy applies to:

1. Communications initiated or responded to by the Shire of Northam with our community; and
2. Council Members when making comment in either their Shire of Northam role or in a personal capacity.

### POLICY

#### 1. Official Communications

The purposes of the Shire of Northam's official communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the Community.
- Promoting Shire of Northam events and services.
- Promoting Public Notices and community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire of Northam.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire of Northam's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The Shire of Northam will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Advertising and promotional materials;
- Media releases prepared for the Shire President and/or Chief Executive Officer, to promote specific Shire of Northam positions;
- Social media; and
- Community newsletters, letter drops and other modes of communications undertaken by the Shire's Administration at the discretion of the Chief Executive Officer.

## **2. Speaking on behalf of the Shire of Northam**

The Shire President is the official spokesperson for the Shire of Northam and may represent the Shire in official communications, including; speeches, comment, print, electronic and social media.

*[ s.2.8(1)(d) of the Local Government Act 1995]*

Where the Shire President / Mayor is unavailable, the Deputy Shire President may act as the spokesperson.

*[s.2.9 and s.5.34 of the Local Government Act 1995]*

The CEO may speak on behalf of the Shire of Northam, where authorised to do so by the Shire President.

*[s.5.41(f) of the Local Government Act 1995]*

The provisions of the *Local Government Act 1995* essentially direct that only the Shire President, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of the Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire of Northam. Elected Members commenting publicly are able to do so in accordance with Section 7 of this policy and once the Shire President has had the opportunity to speak on behalf of the Shire (if applicable). Reference should be made to reports within the Council agenda/minutes to ascertain whether an official media release will be issued for a particular matter prior to commenting publicly.

Communications by Council Members and employees, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the Shire of Northam into disrepute,

- compromise the person's effectiveness in their role with the Shire,
- imply the Shire's endorsement of personal views,
- imply the Council Member or employee is speaking on behalf of the Shire, unless authorised to do so; or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Northam.

Council member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

### **3. Responding to Media Enquiries**

All enquiries from the Media for an official Shire of Northam comment, whether made to an individual Council Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Northam.

Council Members may make comments to the media in a personal capacity – refer to clause 7.1 below.

### **4. Website**

The Shire of Northam will maintain an official website, as our community's on-line resource to access to the Shire's official communications.

### **5. Social Media**

The Shire of Northam uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire of Northam maintains the following Social Media accounts:

- Shire of Northam Facebook: [www.facebook.com/shireofnortham](http://www.facebook.com/shireofnortham)
- Shire of Northam Instagram: [www.instagram.com/shireofnortham](http://www.instagram.com/shireofnortham)
- Visit Northam Facebook: [www.facebook.com/visitnortham](http://www.facebook.com/visitnortham)
- Visit Northam Instagram: [www.instagram.com/visitnortham](http://www.instagram.com/visitnortham)
- Libraries Facebook: [www.facebook.com/northamlibrary](http://www.facebook.com/northamlibrary)
- Rec Centre Facebook: [www.facebook.com/northamrecreationcentre](http://www.facebook.com/northamrecreationcentre)
- Pools Facebook:  
[www.facebook.com/search/top/?q=shire%20of%20northam%20aquatics](http://www.facebook.com/search/top/?q=shire%20of%20northam%20aquatics)

- Shire Youtube:  
[https://www.youtube.com/channel/UC39z1LW\\_yJoHgX27vOnKOow](https://www.youtube.com/channel/UC39z1LW_yJoHgX27vOnKOow)
- Bilya Koort Boodja – Centre for Nyoongar Culture and Environmental Knowledge: [www.facebook.com/bkbcentre](http://www.facebook.com/bkbcentre)

The Shire of Northam may also post and contribute to Social Media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Shire of Northam will moderate its Social Media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Promotional, soliciting or commercial in nature;
- Unlawful or incites others to break the law;
- Information which may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- Content that violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Shire.

Where a third party contributor to a Shire of Northam's social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

### **SHIRE PRESIDENT SOCIAL MEDIA OFFICIAL ACCOUNTS**

The Shire of Northam supports the Shire President in using official social media account/s to assist the Shire President in fulfilling their role under section 2.8 of the *Local Government Act*, to speak on behalf of the Local Government. The content will be administered and moderated in accordance with this policy.

These official Shire of Northam accounts must not be used by the Shire President for personal communications.

### **USE OF SOCIAL MEDIA IN EMERGENCY MANAGEMENT AND RESPONSE**

The Shire of Northam will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook;
- Instagram; and
- Twitter.

## **6. Record Keeping and Freedom of Information**

Official communications undertaken on behalf of the Shire of Northam, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

Council Member communications that relate to their role as a Council Member are subject to the requirements of the Shire's Record Keeping Plan and the *State Records Act 2000*. Council Members are responsible for transferring these records to the Shire's administration. Council Member records are also subject to the *Freedom of Information Act 1992*.

## **7. Personal Communications by Elected Members**

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Council Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

### **COUNCIL MEMBER STATEMENTS ON SHIRE MATTERS**

A Council Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Northam.

Any public statement made by a Council Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Northam.
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;

6. Not reflect adversely on a decision of the Council;
7. Not reflect adversely on the character or actions of another Council Member or Employee;
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995* and may be referred for investigation.

## HUMAN RESOURCES

### HR 2.1 Corporate Uniform – Elected Members

*Responsible Department*

Chief Executive Officer

*Resolution Number*

C.2440

*Resolution Date*

20/05/2015

*Next Scheduled Review*

2017

*Related Shire Documents*

*Related Legislation*

#### OBJECTIVE

To encourage and provide assistance to Elected Members to wear the corporate uniform.

#### SCOPE

Applies to all elected members.

#### POLICY

The Shire will provide an allowance for Councillors, on election only, to the value of \$200 for the purchase of corporate apparel.

## HR 2.2 No Smoking

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Occupational Safety and Health Act 1984; Occupational Safety and Health Regulations 1996.

### OBJECTIVE

To comply with appropriate legislation and provide a safe and healthy workplace.

### SCOPE

Applies to all elected members & employees.

### POLICY

Smoking is not allowed within any internal or enclosed Shire of Northam work areas in accordance with the Occupational Safety and Health Act 1984 and the Occupational Safety and Health Regulations 1996 including all offices and buildings and Shire vehicles which are regularly occupied by employees.

Smoking is also strictly prohibited:

- in those areas or workplaces which are signposted with prohibitive signs;
- where there is a high fire risk; and
- within 5 metres from an entrance to any Shire building.



## HR 2.3 Alcohol Consumption

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	S5.36 Local Government Act 1995

### OBJECTIVE

To provide for control of alcohol on Shire premises and consumption of alcohol by staff.

### SCOPE

All Elected Members and Employees.

### POLICY

Alcohol may be consumed on premises under the control of the Shire provided prior approval has been given by the CEO.

Employees who consume alcohol are not permitted to return to the duties of their position with the Shire that day.

## HR 2.4 Gratuity, Gifts and Departing Employees

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Pursuant to s 5.50 of the Local Government Act 1995 Local Government Regulations – Reg 19A – Restrictions on Gratuity Payments to Employees

### OBJECTIVE

To ensure the public is informed on the basis for any such gratuity payment and all Local Government staff are familiar with the legislative requirements regarding gratuities for the formal recognition of satisfactory and extended service by the Local Government's employees.

### SCOPE

All Employees.

### POLICY

#### 1. Gifts

The Shire will purchase a gift in recognition of the service provided by an employee whose employment with the Shire is finishing as follows:

- (a) 1 - 3 years – a gift up to the value of \$150
- (b) 4 - 5 years – a gift up to the value of \$250
- (c) 5 - 10 years - a gift up to the value of \$500
- (d) 10 - 15 years – a gift to the value of \$750
- (e) Over 15 years – a gift to the value of \$1000

Employees whose employment is finishing and have served in excess of fifteen (15) years will be invited to attend a meeting of Full Council, where the Shire president and CEO shall make a presentation to the employee recognising their years of service to the Shire of Northam.

## **2. Gratuity**

As a token of appreciation the provision of a gratuity to employees whose employment with the Shire is finishing will be paid as follows:

- (a) Prior to completion of 10 years' service – nil.
- (b) Upon resignation/retirement prior to completion of 10 years' service, on account of illness – at Council's discretion if the employee is the CEO, or at the CEO's discretion if the employee is not the CEO.
- (c) On completion of 10 years' service – one day's salary ("salary" not inclusive of allowances or any other bonuses).
- (d) More than 10 years' service – one day's salary plus 50% of one day's salary for each completed year of service beyond 10 years ("salary" not inclusive of allowances or any other bonuses), up to a maximum of \$5000.

The Shire of Northam will be responsible for any fringe benefit tax liability.

The value of a payment or payments made under this policy and sections 5.50(1) and (2) of the Local Government Act 1995 to an employee whose employment with a Local Government finishes after 1 January 2010 is not to exceed the amounts prescribed in the Act and associated Regulations.

## **3 Exercise of discretion**

- (1) A payment and the amount of that payment under this policy is to be at the discretion of –
  - (a) the Council, if the employee is the CEO; or
  - (b) the CEO, if the employee is not the CEO.

## HR 2.5 Code of Conduct - Staff

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2440
<i>Resolution Date</i>	20/05/2015
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995-s5.82 & 5.103 Gifts - Local Government (Admin) Regulations – reg. 34B Local Government (Admin) Regulations – reg. 34B(5)- CEO to maintain a register of gifts.

### OBJECTIVE

Council is required under the provisions of the Local Government Act 1995 s5.103 to adopt such a policy.

### SCOPE

All Employees.

### POLICY

#### 1.1 Conflict of Interest

- (a) Staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Staff who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

- (d) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

- (e) An employee is to disclose any interest that he or she has in the matter to be discussed at a Council or Committee Meeting that will be attended by the employee, or on which the employee has given or will give advice. Any disclosure to be made at the meeting immediately before the matter is discussed or the employee advice is given and is to be recorded in the minutes of the relevant meeting.

## **1.2 Pecuniary Interest**

Staff will adopt the principles of disclosure of pecuniary interest as contained within the Local Government Act.

## **1.3 Disclosure of Interest**

- (a) Staff will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- (b) Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing within the register provided.

## **2. Personal Benefit**

### **2.1 Use of Confidential Information**

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

### **2.2 Intellectual Property**

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

### **2.3 Improper or Undue Influence**

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

## 2.4 Gifts and Bribery

- (a) Staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit for themselves or for any other person or body, relating to their status with the Shire or their performance of any duty or work which touches or concerns the Shire in accordance with the following:

**Notifiable gift**, in relation to a person who is an employee, means —

- (i) a gift worth between \$50 and \$300; or
- (ii) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;

**Prohibited gift**, in relation to a person who is an employee, means —

- (i) a gift worth \$300 or more; or
  - (ii) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.
- (b) If any gift, reward or benefit is offered, disclosure will be made in a prompt and full manner and in writing in the appropriate register.
- (c) Employees cannot accept gifts from a person who is undertaking or is likely to undertake business – (a) that requires a person to obtain any authorisation from Local Government; - (b) by way of contract between the person and the Local Government; or (c) by way of providing any service to the Local Government.

Any declarations of gifts are to be recorded in a register that is maintained for that purpose, with the register to include, (a) the names of the person who gave and received the gift, and (c) a description and an estimate of value of the gift.

- (d) Gifts associated with provision of cakes, stationery, craft work (made by the donor) or meals consumed in Northam are not required to be recorded as gifts.

## 3. Conduct of Staff

### 3.1 Personal Behaviour

Staff will:

- (a) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (b) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- (d) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (e) always act in accordance with their obligation of fidelity to the Local Government.
- (f) At all times observe the corporate values of the organisation around conducting themselves in a Safe, Open, Accountable and Respectful manner,

### **3.2 Honesty and Integrity**

Staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the CEO any dishonesty or possible dishonesty on the part of any other staff member.
- (c) be open and honest in their official dealing with each other.

### **3.3 Performance of Duties**

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- (b) Staff will at all times exercise reasonable care and diligence in the performance of their duties. Staff will be as informed as possible about the functions of Council, and treat all members of the community honestly and fairly.

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

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

### **3.5 Administrative and Management Practices**

Staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

### **3.6 Corporate Obligations**

- (a) Standard of Dress

Staff are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

- (b) Communication and Public Relations

- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Staff are to adequately communicate the attitudes and decisions of the Council. In doing so Staff should ensure:
  - respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
  - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
  - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
  - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

### **3.7 Relationships between Members and Staff**

That teamwork will only occur if staff have a mutual respect and cooperate with each other and with Councillors to achieve the Council's corporate goals and implement the Council strategies.

To achieve that position Staff need to:



- accept that their role is a management or administrative one;
- acknowledge that unless in a management or supervisory position, they have no capacity to individually direct other members of staff to carry out particular functions;
- refrain from publicly criticising councillors or other staff in a way that casts aspersions on their professional competence and credibility.

### **3.8 Appointment to Committees**

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

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

## **4. Dealing with Council Property**

### **4.1 Use of Local Government Resources**

Staff will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government's resources (including the services of other Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

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

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

### **4.3 Access to Information**

Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.

## HR 2.6 Acceptable Use of the Shire's Computing & Communication Resource

*Responsible Department*  
*Resolution Number*  
*Resolution Date*  
*Next Scheduled Review*  
*Related Shire Documents*  
*Related Legislation*

Chief Executive Officer  
C.2440  
20/05/2015  
2017  
Various staff terms of appointment

### OBJECTIVE

The purpose of this policy is to explain the acceptable use of the Shire's computer and communication resources including office equipment (eg photocopiers, fax machines), voice networks (eg mobile and other phones), electronic communication networks (eg email and the internet) and other electronic equipment.

### SCOPE

All Employees.

### POLICY

#### Introduction

All network equipment, email and internet accounts maintained in the Shire of Northam's computing systems are the sole property of the Shire of Northam. The Shire records all internet usage and has the right to monitor the email account or internet browser of any user for legitimate business reasons including compliance with this policy, compliance with any applicable laws and where there is reasonable suspicion of activities that may not conform to this policy.

#### Scope

This policy applies to all Shire of Northam staff, consultants, contractors, visitors and volunteers that have access to or use of Shire of Northam computing and communication resources. These persons are expected to comply with this policy.

#### General Obligations

This policy sets out the minimum acceptable behaviour for the use of the Shire's computing and communication facilities. There is a reasonable expectation that the parties included in the scope of this policy will act professionally and use these resources responsibly according to this policy.

## **Reasonable Personal Use**

Shire staff members are permitted minimal additional personal use of the Shire of Northam's computing and communication resources. This personal use shall not result in loss of employee productivity, interference with official duties or incur other than minimal additional expense to the Shire. Examples of minimal additional personal use include making a few photocopies, using a computer printer to print a few pages of material, making occasional brief personal phone calls, infrequently sending personal email messages or limited use of the internet for personal reasons.

In all cases use must be reasonable as this use is a privilege not a right.

## **Conditions of Use**

The following use of the Shire of Northam's computing or communication resources are prohibited:

- To store, transmit, publish, communicate, display, distribute or post material that is defamatory, offensive, abusive, indecent, menacing, unwanted or otherwise unlawful or unauthorised or that violates any law.
- To visit websites containing objectionable or criminal material.
- To use internet enabled activities such as gambling, gaming, conducting a business or conducting illegal activities.
- To knowingly transmit a computer virus or other malicious computer program
- In any way that interferes with its availability for other users or otherwise interferes in the proper operation of the Shire of Northam computer or communication services.
- To disclose private or confidential information of another.
- The uploading or downloading of commercial software, games, music videos, or other intellectual property in violation of its copyright.

Non-compliance with this policy may result in disciplinary action or legal action.

## HR 2.7 Credit Card Use

*Responsible Department*  
*Resolution Number*  
*Resolution Date*  
*Next Scheduled Review*  
*Related Shire Documents*  
*Related Legislation*

Chief Executive Officer  
C.2440  
20/05/2015  
2017

### OBJECTIVE

To control the use of credit card use and limit potential misuse.

### SCOPE

All Employees.

### POLICY

#### Use of Card

- (a) The Shire of Northam issued credit card is for the sole use of transacting business on behalf of the Shire of Northam, strictly no private use is permitted under any circumstances. Use is permitted for the purchase of goods & services from suppliers not holding Shire of Northam accounts including;
  - Costs associated with meetings, conferences, seminars and the like including but not limited to transport, accommodation, meals and refreshments.
  - Fuel purchase for Shire of Northam vehicles
  - Meals & refreshments expenses incurred directly relating to SON business up to a maximum of \$200 for any one occasion unless otherwise authorised by the CEO or Shire President in the case of the CEO.
- (b) No cash withdrawals permitted
- (c) Tax receipts to be provided to accounts payable clerk or similar position to include details of expenditure and account to be costed against
- (d) Authorisation of expenditure incurred on credit cards must be signed by both the credit card holder and one other Executive Manager or the CEO.
- (e) Any reward schemes to become the property of Shire of Northam

- (f) If the card is lost or stolen the card holder to immediately inform the bank and CEO
- (g) Cards to be surrendered to CEO (or President in the case of CEO) when card holder cease employment or card expires
- (h) Cards not to be used during times of leave

### **Non-Compliance with Policy**

- For minor breach the card to be surrendered
- For major breach the matter to become a disciplinary consideration.

Non-compliance with this policy may result in disciplinary action or legal action.

## COMMUNITY SUPPORT

### C 3.1 Community Grants Scheme

<i>Responsible Department</i>	Chief Executive Officer
<i>Resolution Number</i>	C.2201
<i>Resolution Date</i>	21/05/2014
<i>Next Scheduled Review</i>	2016
<i>Related Shire Documents</i>	Shire of Northam Strategic Community Plan
<i>Related Legislation</i>	Local Government Act –s5.3 Local Government (Administration) Regulations – Reg 12

#### OBJECTIVE

To provide the framework for consistent financial support administration and assessment processes to ensure they are transparent, equitable, inclusive and understood by the community.

#### SCOPE

#### POLICY

The Shire of Northam will make provision in its annual budget to provide for community assistance funding as per Attachment 2.1.

## ATTACHMENT 2.1 COMMUNITY FUNDING SCHEME

The Community Funding Scheme aims to strengthen and enhance the social wellbeing, development and sustainability of the Shire of Northam community. It aims to encourage the involvement of the community in achieving the Shire of Northam's strategic direction as identified in the Strategic Community Plan.

The Community Funding Scheme aims to support individuals and community organisations to undertake projects, events and activities through a range of non-competitive and competitive grant and sponsorship categories.

### SECTION 1 FUNDING ALLOCATIONS AND DONATIONS

#### 1.1 Community/Progress Association Australia Day Celebration Allocations

AIM	To assist the Community/Progress Associations to host Australia Day celebrations within their local community
ELIGIBILITY	<p>Council recognised community / progress associations:</p> <ul style="list-style-type: none"> <li>• Wundowie Progress Association</li> <li>• Bakers Hill Progress and Recreation Association</li> <li>• Clackline Progress Association</li> <li>• Spencers Brook Progress Association</li> <li>• Grass Valley Progress Association</li> <li>• Southern Brook Progress Association</li> </ul>
FUNDING AMOUNT	Allocation determined by Council in the Annual Budget
FUNDING CRITERIA	<ul style="list-style-type: none"> <li>• No requirement for matching funding</li> <li>• Acknowledgement of Shire of Northam support</li> <li>• Allocation cannot be carried forward to next financial year</li> <li>• Funding will not be issued if there are outstanding acquittals</li> </ul>
ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Copies of invoices</li> <li>• Evidence of acknowledgement of Shire of Northam support</li> <li>• Unspent funds to be returned to Shire of Northam</li> </ul>

## 1.2 Community/Progress Association Annual Allocations

AIM	To assist the Community/Progress Associations to undertake projects and programs to enhance their local community
ELIGIBILITY	<p>Council recognised community / progress associations:</p> <ul style="list-style-type: none"> <li>• Wundowie Progress Association</li> <li>• Bakers Hill Progress and Recreation Association</li> <li>• Clackline Progress Association</li> <li>• Spencers Brook Progress Association</li> <li>• Grass Valley Progress Association</li> <li>• Southern Brook Progress Association</li> </ul>
FUNDING AMOUNT	Allocation determined by Council in the Annual Budget
FUNDING CRITERIA	<ul style="list-style-type: none"> <li>• No set requirement for matching funding, , although the Shire of Northam may require the Association to apply for external funding to part fund the project if considered eligible</li> <li>• Project plan(s) and budget to be submitted to Shire of Northam for approval by the Chief Executive Officer or delegated Officer</li> <li>• Allocation may be carried forward for up to 3 years for large scale projects.</li> <li>• Funds cannot be allocated to social functions unless accessible to the entire community.</li> <li>• Funds cannot be allocated to third party community organisations for operational purposes (e.g. insurances)</li> <li>• Funds can only be allocated to third party community groups for infrastructure or equipment if it is of benefit to the wider community</li> <li>• Acknowledgement of Shire of Northam support</li> <li>• Funding will not be issued if there are outstanding acquittals/progress reports</li> </ul>



ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Provision of financial statement and copies of invoices</li> <li>• Statement of project outcome and photographs</li> <li>• Evidence of acknowledgement of Shire of Northam support</li> <li>• Uncommitted funds to be returned to Shire of Northam</li> </ul>
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### 1.3 Seniors Group Allocations

AIM	To assist seniors groups in the Shire of Northam to deliver activities and programs for seniors
ELIGIBILITY	Council recognised seniors groups: <ul style="list-style-type: none"> <li>• Northam Over 60s Group</li> <li>• Northam Senior Citizens Club</li> <li>• Silver Wings Over 55s</li> </ul>
FUNDING AMOUNT	Allocation determined by Council in the Annual Budget
FUNDING CRITERIA	<ul style="list-style-type: none"> <li>• No requirement for matching funding</li> <li>• Funding to be allocated to activities and programs, and not for ongoing operational expenses</li> <li>• Acknowledgement of Shire of Northam support</li> <li>• Allocation cannot be carried forward to next financial year</li> <li>• Funding will not be issued if there are outstanding acquittals</li> </ul>
ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Provision of financial statement and copies of invoices</li> <li>• Statement of project outcome and photographs</li> <li>• Evidence of acknowledgement of Shire of Northam support</li> <li>• Unspent funds to be returned to Shire of Northam</li> </ul>

## 1.4 Educational Prizes and Donations

AIM	To recognise young people who have made an outstanding achievement or contribution at their school/institute and/or shown strong leadership skills within the community
ELIGIBILITY	<p>Council recognised schools and educational institutes:</p> <ul style="list-style-type: none"> <li>• Wundowie Primary School</li> <li>• Bakers Hill Primary School</li> <li>• Avonvale Primary School</li> <li>• Northam Primary School</li> <li>• West Northam Primary School</li> <li>• St Joseph's School</li> <li>• Northam Senior High School</li> <li>• CY O'Connor Institute</li> </ul>
FUNDING AMOUNT	Allocation determined by Council in the Annual Budget
FUNDING CRITERIA	<ul style="list-style-type: none"> <li>• Prize, award or scholarship to a nominated student in recognition of outstanding contribution or leadership</li> <li>• Shire of Northam to be recognised as donor (e.g. on Certificate)</li> <li>• Council representative to be invited to make presentation</li> </ul>
ACQUITTAL REQUIREMENTS	Photograph of presentation ceremony

## 1.5 Excellence in Sport, Recreation, Arts and Culture - Travel Support

AIM	To promote participation and excellence by young people in sport, recreation, arts or cultural pursuits
ELIGIBILITY	<ul style="list-style-type: none"> <li>• Individuals under the age of 18, still at school and who reside in the Shire of Northam</li> <li>• One application per financial year for participation at either State, National or International level, unless the applicant qualifies (during the event for which travel support has been granted) to participate at a higher level in another event within the same field</li> </ul>

	<ul style="list-style-type: none"> <li>• Support will not be given retrospectively and application must be submitted at least 1 month prior to travel</li> </ul>
FUNDING AMOUNT	<ul style="list-style-type: none"> <li>• Council allocation in the Annual Budget to make available:               <ul style="list-style-type: none"> <li>○ \$100 per individual for intrastate travel (greater than 500km)</li> <li>○ \$150 per individual for interstate travel</li> <li>○ \$300 per individual for overseas travel</li> </ul> </li> <li>• Determination of eligibility at discretion of the Chief Executive Officer</li> </ul>
FUNDING CRITERIA	<ul style="list-style-type: none"> <li>• Event or competition must be endorsed by the relevant State Association / Governing Body (where applicable), or other relevant organisation</li> <li>• Applicant must have been selected through a validated process (supporting documentation required)</li> <li>• Funding not applicable for development or training squads, invitational events, or for local/regional competition</li> </ul>
ACQUITTAL REQUIREMENTS	Nil

## SECTION 2 – COMMUNITY ASSISTANCE GRANTS

### 2.1 Public Event Grants & Sponsorships

AIM	To assist in the delivery of events that demonstrate significant community reach and benefit, promote social inclusion and encourage partnerships and collaboration in the community
ELIGIBILITY	<ul style="list-style-type: none"> <li>Events must take place within the Shire of Northam and benefit the community</li> <li>Consideration will not be given for the following: <ul style="list-style-type: none"> <li>Retrospective funding</li> <li>Recurrent salaries or operational costs not directly associated with the event</li> <li>Gifts</li> <li>Applicants who have outstanding acquittals</li> </ul> </li> </ul>
FUNDING AMOUNT	<ul style="list-style-type: none"> <li>Up to \$5,000 per event or as decided by Council for specific events (e.g. Wundowie Iron Festival)</li> <li>Amount of funding will be determined by Council and allocated in the Annual Budget</li> </ul>
ASSESSMENT CRITERIA	<ul style="list-style-type: none"> <li>Alignment with the Shire of Northam Strategic Community Plan</li> <li>Management and financial capacity to deliver</li> <li>Access, opportunity and participation</li> <li>Evidence that other support and funding has been obtained or is being sought</li> <li>Recognition of Shire of Northam support</li> </ul>
APPLICATION REQUIREMENTS	<ul style="list-style-type: none"> <li>Completed and signed application form</li> <li>Copy of Certificate of Incorporation (if applicable)</li> <li>Copy of Public Liability Insurance</li> <li>Copy of certified organisational financial statements</li> <li>Submitted by the advertised closing date</li> </ul>

<p><b>FUNDING AGREEMENT</b></p>	<p>Prior to payment, successful applicants must sign a funding agreement stating that:</p> <ul style="list-style-type: none"> <li>• Funds will be expended only for the purposes specified in the agreement unless otherwise agreed in writing by the Shire of Northam</li> <li>• Funds will be expended within twelve months of receipt of grant offer</li> <li>• The recipient will notify the Shire of any change in scope of the event and the Shire retains the right to refuse/reduce level of financial assistance in that instance</li> <li>• The Shire retains the right to withhold payment until Public Event Approval has been granted</li> <li>• The recipient will acknowledge the support of the Shire in the event's advertising and promotional materials in accordance with Shire requirements</li> <li>• The recipient will provide an audited financial statement for the event expenditure if requested to do so</li> <li>• The recipient will provide a project evaluation, including evidentiary materials within three months of the end of the grant term</li> <li>• Any additional special terms and conditions</li> </ul>
<p><b>ACQUITTAL REQUIREMENTS</b></p>	<ul style="list-style-type: none"> <li>• Grant recipients will be required to provide the following: <ul style="list-style-type: none"> <li>○ Declaration by the Chairperson/President that funding was utilised in accordance with the grant agreement</li> <li>○ Financial statement (income and expenditure)</li> <li>○ Copies of invoices/evidence of expenditure</li> <li>○ Completed evaluation form</li> <li>○ Evidence of project outcomes and acknowledgement of Shire of Northam support</li> </ul> </li> </ul>

## 2.2 Project Grants

AIM	To support innovative responses to community needs, either as a whole or target groups (children, youth, seniors, persons with a disability, culturally or linguistically diverse). Projects can include development of community facilities, purchase of equipment and the delivery of community based programs and projects. Priority will be placed on projects that promote skills development, enhance safety or increase participation and social inclusion.
ELIGIBILITY	<ul style="list-style-type: none"> <li>• Projects must take place within the Shire of Northam</li> <li>• Projects must address a clearly identified community need</li> <li>• Consideration will not be given for the following:               <ul style="list-style-type: none"> <li>○ Retrospective funding</li> <li>○ Recurrent salaries or operational costs not directly associated with the funded project</li> <li>○ Projects that have a fundraising outcome</li> <li>○ Trophies, prizes or gifts</li> <li>○ Costumes or uniforms</li> <li>○ Activities targeted at students in a school setting</li> <li>○ Projects considered to be better funded through other sources</li> <li>○ Applicants that have outstanding acquittals</li> </ul> </li> </ul>
FUNDING AMOUNT	<ul style="list-style-type: none"> <li>• Up to \$5,000 per project</li> <li>• Amount of funding will be determined by Council and allocated in the Annual Budget</li> </ul>
ASSESSMENT CRITERIA	<ul style="list-style-type: none"> <li>• Alignment with the Shire of Northam Strategic Community Plan</li> <li>• Management and financial capacity to deliver</li> <li>• Anticipated outcomes in response do identified need</li> <li>• Access, opportunity and participation</li> <li>• Evidence that other support and funding has been obtained or is being sought</li> <li>• Recognition of Shire of Northam support</li> </ul>

APPLICATION REQUIREMENTS	<ul style="list-style-type: none"> <li>• Completed and signed application form</li> <li>• Copy of Certificate of Incorporation</li> <li>• Copy of Public Liability Insurance</li> <li>• Copy of certified organisational financial statements</li> <li>• Submitted by the advertised closing date</li> </ul>
FUNDING AGREEMENT	<p>Prior to payment, successful applicants must sign a funding agreement stating that:</p> <ul style="list-style-type: none"> <li>• Funds will be expended only for the purposes specified in the agreement unless otherwise agreed in writing by the Shire of Northam</li> <li>• Funds will be expended within twelve months of receipt of grant offer</li> <li>• The recipient will notify the Shire of any change in scope of the project and the Shire retains the right to refuse/reduce level of financial assistance in that instance</li> <li>• The Shire retains the right to withhold payment until approvals or permits have been granted (if applicable)</li> <li>• The recipient will acknowledge the support of the Shire in the project's signage, advertising and promotional materials in accordance with Shire requirements</li> <li>• The recipient will provide an audited financial statement for the project expenditure if requested to do so</li> <li>• The recipient will provide a project evaluation, including evidentiary materials within three months of the end of the grant term</li> <li>• The recipient will return any unspent funds to the Shire of Northam</li> <li>• Any additional special terms and conditions</li> </ul>
ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Grant recipients will be required to provide the following:             <ul style="list-style-type: none"> <li>○ Declaration by the Chairperson/President that funding was utilised in accordance with the grant agreement</li> <li>○ Financial statement (income and expenditure)</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Copies of invoices/evidence of expenditure</li> <li>○ Schedule of Volunteer Labour (if applicable)</li> <li>○ Schedule of Donated Materials (if applicable)</li> <li>○ Completed evaluation form</li> <li>○ Evidence of project outcomes and acknowledgement of Shire of Northam support</li> </ul> <ul style="list-style-type: none"> <li>● Unspent funds are to be returned to the Shire of Northam within 3 month of project completion date/end of grant term</li> </ul>
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## 2.3 Quick Response Grant

AIM	To support innovative responses to community needs, either as a whole or target groups (children, youth, seniors, persons with a disability, culturally or linguistically diverse). These grants are intended for urgent projects or to assist the delivery of projects/programs for which short term opportunity has arisen.
ELIGIBILITY	<ul style="list-style-type: none"> <li>● Projects must take place within the Shire of Northam or significantly benefit the Shire of Northam community</li> <li>● Projects must address a clearly identified community need</li> <li>● Funding can be utilised for venue hire, equipment hire and promotion</li> <li>● Consideration will not be given for the following: <ul style="list-style-type: none"> <li>○ Retrospective funding</li> <li>○ Recurrent salaries or operational costs not directly associated with the running of the project</li> <li>○ Gifts</li> <li>○ Equipment purchases or capital projects unless there is a demonstrated risk to safety or well being</li> <li>○ Applicants that have outstanding acquittals</li> </ul> </li> </ul>
FUNDING AMOUNT	<ul style="list-style-type: none"> <li>● Up to \$500 per project</li> <li>● The project should demonstrate other sources of funding (cash or in kind)</li> </ul>



	<ul style="list-style-type: none"> <li>• Council will make provision in the Annual Budget for allocation at the discretion of the Chief Executive Officer</li> <li>• Applications will be assessed within 6 weeks of receipt by the Shire of Northam</li> </ul>
ASSESSMENT CRITERIA	<ul style="list-style-type: none"> <li>• Demonstration of community need and urgency</li> <li>• Anticipated outcomes in response to identified need</li> <li>• Evidence of other support/funding</li> <li>• Recognition of Shire of Northam support</li> </ul>
APPLICATION REQUIREMENTS	<ul style="list-style-type: none"> <li>• Completed and signed application form</li> <li>• Copy of Public Liability Insurance (where applicable)</li> <li>• Submitted at any time</li> </ul>
FUNDING AGREEMENT	<p>Prior to payment, successful applicants must sign a funding agreement stating that:</p> <ul style="list-style-type: none"> <li>• Funds will be expended only for the purposes specified in the agreement unless otherwise agreed in writing by the Shire of Northam</li> <li>• Funds will be expended within six months of receipt of grant offer</li> <li>• The recipient will notify the Shire of any change in scope of the project and the Shire retains the right to refuse/reduce level of financial assistance in that instance</li> <li>• The Shire retains the right to withhold payment until approvals or permits have been granted (if applicable)</li> <li>• The recipient will acknowledge the support of the Shire in the project's signage, advertising and promotional materials in accordance with Shire requirements</li> <li>• The recipient will provide a project evaluation, including evidentiary materials within three months of the end of the grant term</li> <li>• The recipient will return any unspent funds to the Shire of Northam</li> <li>• Any additional special terms and conditions</li> </ul>

ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Grant recipients will be required to provide the following: <ul style="list-style-type: none"> <li>○ Financial statement (income and expenditure)</li> <li>○ Copies of invoices/evidence of expenditure</li> <li>○ Statement of Volunteer Labour/Donated Materials (if applicable)</li> <li>○ Completed evaluation form</li> <li>○ Evidence of project outcomes and acknowledgement of Shire of Northam support</li> </ul> </li> <li>• Unspent funds are to be returned to the Shire of Northam within 3 month of project / end of grant term</li> </ul>
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## SECTION 3 – CLUB SPONSORSHIP

AIM	To support clubs in the hosting of major club events or competitions that will bring additional benefits to the Shire of Northam community.
ELIGIBILITY	<ul style="list-style-type: none"> <li>• Sport/recreation clubs within the Shire of Northam that are affiliated with a State association</li> <li>• Event/competition must take place within the Shire of Northam and entries to be open to residents and non-residents</li> <li>• Funding can be utilised for hosting and promotion of the event /competition or for prizes / prize money where it encourages excellence in sport</li> <li>• Consideration will not be given for the following: <ul style="list-style-type: none"> <li>○ Retrospective funding</li> <li>○ Recurrent salaries or operational costs not associated with the funded event</li> <li>○ Equipment purchases</li> <li>○ Fundraising activities</li> <li>○ Clubs that have outstanding acquittals</li> </ul> </li> </ul>
FUNDING AMOUNT	<ul style="list-style-type: none"> <li>• Up to \$500 per club annually, unless determined otherwise by Council</li> <li>• The club should demonstrate other sources of funding (cash or in kind) for the event/competition</li> <li>• Council will determine the level of sponsorship and make allocation in the Annual Budget</li> </ul>
ASSESSMENT CRITERIA	<ul style="list-style-type: none"> <li>• Significance of event at local/state/national level</li> <li>• Additional benefits to the community (e.g. promotion of the region, attraction of competitors and spectators)</li> <li>• Evidence of other support/funding</li> <li>• Recognition of Shire of Northam support</li> </ul>

APPLICATION REQUIREMENTS	<ul style="list-style-type: none"> <li>• Completed and signed application form</li> <li>• Copy of Public Liability Insurance (where applicable)</li> <li>• Copy of certified organisational financial statements</li> </ul>
FUNDING AGREEMENT	<p>Prior to payment, successful applicants must sign a funding agreement stating that:</p> <ul style="list-style-type: none"> <li>• Funds will be expended only for the purposes specified in the agreement unless otherwise agreed in writing by the Shire of Northam</li> <li>• Funds will be expended within twelve month of notification of grant</li> <li>• The recipient will notify the Shire of any change in scope of the project and the Shire retains the right to refuse/reduce level of financial assistance in that instance</li> <li>• The recipient will acknowledge the support of the Shire in the event/competition signage, advertising and promotional materials in accordance with Shire requirements</li> <li>• The recipient will provide a project evaluation, including evidentiary materials within three months of the end of the grant term</li> <li>• The recipient will return any unspent funds to the Shire of Northam</li> <li>• Any additional special terms and conditions</li> </ul>
ACQUITTAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• Grant recipients will be required to provide the following: <ul style="list-style-type: none"> <li>○ Copies of invoices/evidence of expenditure</li> <li>○ Completed evaluation form</li> <li>○ Evidence of project outcomes and acknowledgement of Shire of Northam support</li> </ul> </li> <li>• Unspent funds are to be returned to the Shire of Northam within 3 month of event/competition date/end of grant term</li> </ul>

## C 3.2 Shire of Northam Library Service

<i>Responsible Department</i>	Executive Manager Community Services
<i>Resolution Number</i>	C.2789
<i>Resolution Date</i>	17/08/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	Nil.
<i>Related Legislation</i>	State Library of WA Guidelines.

### OBJECTIVE

To ensure access is available to educational, occupational, cultural, recreational and personal growth information being available regardless of geographical location, socio-economic status, age, level of physical or intellectual ability or cultural background.

### SCOPE

### POLICY

The Shire of Northam library services are to operate in accordance with the Western Australian public library operations provisions of the State Library of WA Guidelines.

## C 3.3 Art Collection Policy

<i>Responsible Department</i>	Community Services
<i>Resolution Number</i>	C.3345
<i>Resolution Date</i>	16/05/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	Shire of Northam Policy Manual Shire of Northam Record Keeping Plan
<i>Related Legislation</i>	Local Government Act 1995

### OBJECTIVE

To provide a clear direction for the Shire of Northam's Art Collection development and management.

This policy is to be read in conjunction with the Shire of Northam's Art Collection Committee Terms of Reference and the Art Collection Procedures.

### SCOPE

This policy applies to all Shire of Northam artworks which includes public artworks, artworks, objects and memorabilia.

### Definitions

**Acquisition:** the process of obtaining valid title to an artwork, object or memorabilia.

**Artwork (also known as Work of Art or Art Piece):** a physical two or three dimensional object that is professionally determined or popularly considered to fulfil a primarily independent aesthetic function.

**Bequests:** the process of when personal artwork, objects or memorabilia are left to the collection through the provision of a will or estate plan.

**Conservation:** any attempt to protect or repair artwork, objects or memorabilia. This can include preventative treatments or the repairing of damage caused by a range of circumstances.

**Deaccession:** the process by which an artwork, object or item of memorabilia is permanently removed from the collection.

**Disposal:** The means by which an artwork, object or item of memorabilia are physically removed from the collection.

**Donations:** when artwork, objects or memorabilia are given voluntarily to the collection.

**Memorabilia (also known as memento or keepsake):** an object esteemed for its memory in connection to a specific event.

**Mural:** a painting or other work of art executed directly on a wall.

**Object (also known as Artefact):** something that is made or given shape by man, such as tools or decorative objects and which has cultural interest.

**Public artwork:** works of art in any media that are planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all.

## POLICY

Council holds the Art Collection for the community. Council is responsible for the proper stewardship of this valuable asset and will provide maximum exposure, utilisation and benefits for the community and Council.

Council will maintain the Shire of Northam Art Collection Committee, subject to the Terms of Reference. As per the Terms of Reference the Shire of Northam Art Collection Committee will report to Council and make appropriate advice and recommendations in accordance to the Art Collection Policy. The policy covers:

- Conservation and Management
  - Council will seek community and industry expertise to advise on the management of the collection. This expertise will be harnessed through the Shire of Northam Art Collection Committee, and other recognised visual arts, museum, and educational organisations.
  - The Shire of Northam Art Collection Committee will provide a report to Council on the valuation, insurance, conservation and
  - Maintenance of the collection. This report will make recommendations for budget allocation and conservation.

- Budget allocations for the care and maintenance of the art collection will be in line with general asset management strategies and will be developed in consultation with these directives.
- All works on display, in storage, in transit and on loan will be appropriately insured.
- Public artwork and art on display will be accompanied by appropriate signage that acknowledges the artist and the name of the work.
- Acquisition and Development
  - New acquisitions will consolidate the existing selection.
  - The Shire of Northam will not be bound to acquire any artwork or accept any donations.
  - All acquisitions will be made on the advice and recommendation of the Shire of Northam Art Collection Committee.
  - New acquisitions will primarily be from emerging and established artists living and working in the Shire of Northam and surrounding districts.
  - Consideration will be given to public safety, display, storage, conservation and transport issues of a potential acquisition.
  - Artwork acquisition and donation, including public art will be considered based on the following criteria:
    - Excellence – quality of design and execution based on conceptual rationale and innovation;
    - Diversity – range of media catering to a diverse audience;
    - Originality – essence of artwork not copying an existing one;
    - Feasibility – affordability and long-term cultural value or investment potential;
    - Location – appropriateness of the work to the chosen site including integration with landscaping and architecture;
    - Conservation – durability, robustness and ongoing maintenance requirements;
    - Interpretation – works that reflect the Shire’s history, culture or sense of place;
    - Public safety – ensuring there is no unacceptable level of risk associated with any public art proposal;
    - Useful life – ephemeral or permanent;
    - Interaction – encourages audience participation.



- The winning artwork from the Shire of Northam Art Award will be acquisitioned. Acquisitions of other artworks from the art award and exhibition will be made in accordance to Procedure 2.
- Donations and Bequests
  - Every effort should be made to encourage gifts of works to enhance the Council's collection consistent with these procedures.
  - At the time of acquisition the costs associated with conservation, restoration, preparation, presentation and storage will be estimated and considered as part of the cost of acquiring the work.
- Deaccession and Disposal
  - The Shire of Northam retains the right to dispose of artworks if they are deemed unsuitable at any stage.
  - Recommendations for the disposal of any artwork will be the responsibility of the Shire of Northam Art Collection Committee.
  - Work will be deaccessioned in accordance with section 3.58 of the Local Government Act 1995 – Disposing of Property.
- Loans
  - The Shire of Northam will not accept permanent or indefinite loans, inwards or outwards.
  - All loans will be for a fixed time and will be documented on a loans register.
  - A Memorandum of Understanding will be drawn up between the Shire of Northam and the party wishing to loan the work to or from the Shire, outlining the terms and responsibilities of the loan.
- Public Access, Display and Exhibitions
  - The collection will be documented and information made available to the public.
  - The collection will be exposed to as wide an audience as possible, and this may encompass the use of temporary displays in appropriate public places, including Council buildings and facilities.
  - The possibility of work from the collection being included in travelling exhibitions will be considered subject to appropriate loan agreements being reached as per procedure 5.

- Display of artwork in Council buildings and facilities is at the discretion of the Shire of Northam Art Collections Committee.
- Public Art
  - a. Artwork commissioned or acquired for the outdoors, such as a sculpture or built form, will be included as part of the Shire of Northam Art Collection.
  - b. Public art sites should be significant or strategically important public places, with visibility and/or accessibility and the site must be in public ownership. Sites that may be selected should be:
    - Highly visible to the community
    - Places of high pedestrian activity
    - Places of high recreational activity
    - Places of civic importance and/or cultural significance.
  - c. Public art will be acquired either by acquisition, commission or bequest.
  - d. Public artworks are to be robust in nature, needing minimal maintenance over the first 10 year period, except where a temporary installation work is specifically commissioned.
- Objects and Memorabilia
  - The Shire of Northam Art Collection will encompass relevant heritage objects and memorabilia material, a repository for unique and significant resources relating to the natural and social environment within the Shire of Northam.
  - The function of the collection for objects and memorabilia is to allow interpretation of a regional resource to promote education, enjoyment and community participation.

## C 3.4 Write Off / Waive Small Fees or Debts

<i>Responsible Department</i>	Executive Manager Community Services
<i>Resolution Number</i>	C.3532
<i>Resolution Date</i>	21/11/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	Delegated Authority Register
<i>Related Legislation</i>	Local Government Act 1995 Section 6.12(1)(b) and (c) and (3)

### OBJECTIVE

To provide clear guidelines for the equitable assessment of requests to write off or waive small fees or debts within the parameters set by Council under delegated authority.

### SCOPE

The Shire of Northam receives a number of requests to write off or waive small fees and charges or debts. This policy ensures:

- Transparency and accountability to the community;
- An effective reporting mechanism to Council regarding the total value for write off / waiver of small fees and charges or debts which are approved in any one financial year;
- An equitable assessment of each application or request received;
- A standard process for applicants to follow when requesting a write off / waiver of small fees and charges or debts.

This policy applies to all requests to write off or waive small fees or debts within the parameters set by Council under delegated authority (refer to the Shire of Northam Delegated Authority Register).

**“Debt”** a sum of money that is owed or due.

**“Debtor”** an individual, organisation or other party that transacts with the Shire where goods or services are provided, use of facilities are made available, fines and license fees are levied and any other transaction that results in an expected future payment to the Shire.

**"Fee"** means any fee or charge set out in the Shire of Northam's Fees and Charges Schedule but does not include a bond.

**"Not-for-profit organisation"** means a non-commercial organisation, including a religious organisation or a sporting group, in which any profit made by the organisation goes back into the operation of that organisation and is not distributed to any of its members.

## POLICY

### 1. Waiving Small Fees and Charges

Waiving of fees and charges must be undertaken in a consistent and transparent manner. The Chief Executive Officer may exercise their delegation to waive small fees and charges that:

- Promote the Shire of Northam's mission and objectives;
- Provides a benefit to the Shire of Northam community;
- Are for an activity, event or program with a charitable or community service oriented purpose;
- Are for not-for-profit and non-government organisations; and
- Fall within the parameters set by Council under delegated authority, as detailed within the Delegated Authority Register.

The above items must be demonstrated prior to a fee waiver being approved.

### 2. Write Off Debts

Debts shall be considered for write off only when all reasonable attempts at recovery have been exhausted and are within the parameters set by Council under delegated authority, as detailed within the Delegated Authority Register. Recommendations for write off shall be made by the Executive Manager Corporate Services to the Chief Executive Officer following discussion with the business unit responsible for the raising of the debt.

In accordance with section 6.12(c) of the *Local Government Act 1995* all debts which require Council approval to be written off will be reported to Council.

### 3. Exclusions

The Chief Executive Officer will not consider a write off or waiver for small fees or debts for:

- 3.1 Any activity, event or program that contravenes Council's existing policies;
- 3.2 The bond associated with the use of Council Facilities (only the waiver of fees for an activity, event or function will be considered);
- 3.3 Retrospective applications;

- 3.4 More than one approved application per financial year.
- 3.5 Requests from non-resident individuals or organisations which do not directly serve or represent the community of the Shire of Northam;
- 3.6 Requests from commercial organisations unless they clearly relate to community or not-for-profit projects and/or events occurring in, and directly serving the community of the Shire of Northam;
- 3.7 Requests that have the potential for income generation or profit or where an entry fee is being charged (excluding a gold coin donation);
- 3.8 Waiver requests from organisations or individuals who have monies owing to the Shire which relate to past booking and/or application fees;
- 3.9 Fund raising activities, for example, prizes for quiz nights, fetes and generic fundraising campaigns from individuals or National Charities, unless it can be demonstrated that the events aims and objectives are targeted primarily at the Shire's community as a whole;
- 3.10 State or Federal government organisations.

#### **4. Reporting**

Where the Chief Executive Officer has exercised delegated authority to write off or waive small fees or debts the item is to be listed within the Delegated Authority Register accordingly.

## FINANCE / ACCOUNTING

### F 4.1 Accounting Policy

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.2706
<i>Resolution Date</i>	18/05/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995, s6.4(2) Local Government (Financial Management) Regulations 1996, Regs 34 & 35

#### OBJECTIVE

To provide a framework for the financial management of the Shire of Northam which is clear, transparent and meets statutory obligations.

#### SCOPE

The policy applies to the significant accounting policies included in the Shire of Northam's Annual Report

#### POLICY

##### 1. SIGNIFICANT ACCOUNTING POLICIES

###### (a) Basis of Preparation

The financial report is a general purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

The report has also been prepared on the accrual basis under the convention of historical cost accounting as modified by the accounting treatment relating to the revaluation of financial assets and liabilities at fair value through profit and loss and certain classes of non-current assets.

## **Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances. The results of this experience and other factors combine to form the basis of making judgements about carrying values of assets and liabilities not readily apparent from other sources. Actual results may differ from these estimates.

### **(b) The Local Government Reporting Entity**

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

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

All monies held in the Trust Fund are excluded from the financial statements, but a separate statement of those monies appears within the annual financial report.

### **(c) Goods and Services Tax**

In accordance with the recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables in the Balance Sheet are stated inclusive of applicable GST.

### **(d) Cash and Cash Equivalents**

Cash and cash equivalents in the balance sheet comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the balance sheet.

### **(e) Trade and Other Receivables**

Trade receivables, which generally have 30 – 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective rate

**(f) Inventories**

***General***

Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

***Land Held for Resale***

Land purchased for development and/or resale is valued at the lower cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the Income Statement as at the time of signing a binding contract of sale.

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

**(g) Fixed Assets**

***Initial Recognition***

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed includes the cost of all materials, direct labour and variable and fixed overheads.

***Asset Valuation***

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

The amendments allow for a phasing in of fair value in relation to fixed assets over three years as follows:

- (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
- (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government -
  - (i) that are plant and equipment; and



- (ii) that are -
  - (I) land and buildings; or-
  - (II) Infrastructure; and
- (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.

Thereafter, in accordance with the regulations, each asset class must be revalued at least every 3 years. In 2013, the Shire commenced the process of adopting Fair Value in accordance with the Regulations. Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the financial report as necessary

#### ***Land under control***

In accordance with Local Government (Financial Management) Regulation 16(a), the Shire was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or Shire significance.

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

#### ***Initial recognition and measurement between mandatory revaluation dates***

All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

#### ***Revaluation***

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

### **Land under roads**

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Shire.

### **(g) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	50 years
Furniture and Equipment	5-10 years
Computer Hardware/Software	4 years
Cars	5 years
Utilities	4 years
Heavy Vehicles -	
- Trucks	8 years
- Graders, Loaders and Heavy Equipment	10 years
Other Plant and Equipment	10 years
Sealed Roads and Streets	
Construction-Road Reconstruction	50 years
original surfacing and major re-surfacing	
- bituminous seals	25 years
- asphalt surfaces	25 years

Car Parks (Sealed)	40 years
Unsealed Gravel Roads	
construction/road base/sub grade	50 years
gravel sheet/resheet	12 years
Reserves/Playground Equipment	10 years
Bridge & Culverts	
- timber	50 years
- concrete	100 years
Footpaths	
- insitu concrete and slabs	40 years
- asphalt, bitumen surfaces	20 years
Kerbing	
- concrete	40 years
Street Lighting	25 years
Sewerage piping	60 years
Water supply piping	60 years
Parks & Reserves	50 years
Main Drains & Water Retarding Basins	85 years

## (i) Investments and Other Financial Assets

### **Classification**

Council classifies its investments in the following categories: financial assets at fair value through profit or loss, loans and receivables, held-to-maturity investments and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

#### *(i) Financial assets at fair value through profit and loss*

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

#### *(ii) Loans and receivables*

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the balance sheet date which are classified as non-current assets. Loans and receivables are included in trade and other receivables in the balance sheet.

*(iii) Held-to-maturity investments*

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that the Council's management has the positive intention and ability to hold to maturity. If Council were to sell other than an insignificant amount of held-to-maturity financial assets, the whole category would be tainted and reclassified as available-for-sale. Held-to-maturity financial assets are included in non-current assets, except for those with maturities less than 12 months from the reporting date, which are classified as current assets.

*(iv) Available-for-sale financial assets*

Available-for-sale financial assets, comprising principally marketable equity securities, are non-derivatives that are either designated in this category or not classified in any of the other categories. They are included in non-current assets unless management intends to dispose of the investment within 12 months of the balance sheet date. Investments are designated as available-for-sale if they do not have fixed maturities and fixed or determinable payments and management intends to hold them for the medium to long term.

***Recognition and derecognition***

Regular purchases and sales of financial assets are recognised on trade-date – the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

***Subsequent measurement***

Loans and receivables and held-to-maturity investments are carried at amortised cost using the effective interest method.

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value. Gains or losses arising from changes in the fair value of the financial assets at fair value through profit or loss category are presented in the income statement within other income or other expenses in the period in which they arise. Dividend income from financial assets at fair value through profit and loss is recognised in the income statement as part of revenue from continuing operations when Council's right to receive

payments is established. Changes in the fair value of other monetary and non-monetary securities classified as available-for-sale are recognised in equity.

### ***Impairment***

Council assesses at each balance date whether there is objective evidence that a financial asset or group of financial assets is impaired. In the case of equity securities classified as available-for-sale, a significant or prolonged decline in the fair value of a security below its cost is considered as an indicator that the securities are impaired. If any such evidence exists for available-for-sale financial assets, the cumulative loss- measured as the difference between the acquisition cost and the current fair value, less any impairment loss on that financial asset previously recognised in profit or loss – is removed from equity and recognised in the income statement. Impairment losses recognised in the income statement on equity instruments classified as available-for-sale are not reversed through the income statement.

## **(j) Estimation of Fair Value**

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the balance sheet date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques. Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date. These include the use of recent arm's length transactions, reference to other instruments that are substantially the same, discounted cash flow analysis, and option pricing models making maximum use of market inputs and relying as little as possible on entity-specific inputs.

Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments held. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

## **(k) Impairment**

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

Where such an indication exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 'Impairment of Assets' and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the Income Statement.

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

#### **(l) Trade and Other Payables**

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

#### **(m) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

**(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)**

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

**(ii) Long Service Leave (Long-term Benefits)**

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee



departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

#### **(n) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

##### ***Borrowing Costs***

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

#### **(o) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

#### **(p) Leases**

Leases of fixed assets, where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the company, are classified as finance leases. Finance leases are capitalised

recording an asset and a liability equal to the present value of the minimum lease payments, including any guaranteed residual value. Leased assets are amortised over their estimated useful lives. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Lease payments under operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

**(q) Joint Venture**

The municipality's interest in a joint venture has been recognised in the financial statements by including its share of any assets, liabilities, revenues and expenses of the joint venture within the relevant items reported in the Balance Sheet and Income Statement. Information about the joint venture is set out in Note 17.

**(r) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government's operation for the current reporting period.

**(s) Superannuation**

The Shire of Northam contributes to the Local Government Superannuation Scheme and the Occupational Superannuation Fund. Both funds are defined contribution schemes.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.



**(t) Rounding Off Figures**

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

**(u) Comparative Figures**

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

**(v) Current and Non-Current Classification**

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

## F 4.2 Purchasing & Tendering Policy

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.2706
<i>Resolution Date</i>	18/05/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 – s3.57 Tenders Local Government (Functions & General) Regulations 2000 - Part 4A Local Government (Administration) Amendment Regulations 2000 – s29

### OBJECTIVE

To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended March 2007).

To deliver the best practice approach and procedures to internal purchasing for the Shire.

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

### SCOPE

The policy applies to purchases.

### POLICY

The purpose of this policy is to ensure consistency and efficiency for purchasing and procurement across all the Shire of Northam's operational areas in order to maximise value for the Shire and the community by obtaining the best balance of conditions of supply, quality and price.

This policy sets out the requirements that must be complied with by the Shire, including purchasing thresholds and processes, these are compliant with the Local Government (Functions and General) Regulations 1996, as the relevant legislation

## 2. Why Do We Need A Purchasing Policy?

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

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

## 3. Ethics & Integrity

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

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and

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

#### **4. Value For Money**

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks. The tender or quote offering the lowest price may not necessarily be successful.

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable. When motor vehicles are due for renewal under Council's policy, prices must be obtained from at least two Shire of Northam based dealers

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

#### **5. Sustainable Procurement**

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

The Shire is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods,

services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

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

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

## 6. Risk

Purchase and procurement is to take into consideration a risk assessment of the product or service to ensure potential hazards are identified and mitigation strategies determined, before the product or service is introduced into the workplace.

## 7. Purchasing Thresholds

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

**Table 1 Purchasing Thresholds – Requirements**

Purchase Thresholds (excluding GST)	Minimum Requirements
Less than \$3000	No quotations required. Officers are to use professional judgment and discretion to determine if prices or rates are value for money.
\$3,000 to \$7,500	Verbal quotations to be sought from three (3) suppliers where possible with the successful quote supplied in writing.
\$7,500 to \$50,000	Three written quotations or purchase through the Local Government Purchasing Service of the WA Local Government Association (WALGA) where possible.
Above \$50,000 to \$150,000	Obtain at least three written quotations containing price and specification of goods and services (with the procurement decision based on value for money considerations) or purchase through the Local Government Purchasing Service of WALGA.
Above \$150,000	Public tender or purchase through the Local Government Purchasing Service of WALGA.

### Quotation purchasing threshold procedures

It is not a prerequisite that every possible supplier is requested to quote, however the responsible officer is to use previous experience with suppliers and local knowledge to invite suitable suppliers to quote. One of the main aims for multiple quotes is to have a range of quotes to choose from to help determine value for money. A formal request for quotation (RFQ) process must be conducted by the responsible officer in conjunction with the Shire's Procurement Officer and is subject to formal evaluation, review and approvals. Purchasing threshold requirements for quotations are as follows:

- Less than \$3,000 (excl. GST)**

In cases where reactive maintenance is required or for the carrying out of normal Council ongoing business **no quotations need to be obtained**. However it is recommended to use professional discretion and occasionally undertake market

testing with a greater number or more formal forms of quotation to ensure best value is maintained.

- **Less than \$3,000 – \$7,500 (excl. GST)**

Where the value of procurement of goods or services is greater than \$3,000 and less than \$10,000, purchase on the basis of at least three verbal quotations should be obtained with the successful quote being supplied in writing, except:

- a) where purchase is being made under a panel of pre-qualified suppliers which include WALGA Preferred Suppliers.
- b) where goods or services are needed immediately in an emergency situation.
- c) where rates are considered reasonable and consistent with normal market rates and sufficient justification can be provided in this respect; and these are tested by obtaining quotes from time to time.
- d) where the responsible officer is satisfied that there is genuinely only one source of supply for those goods, services or works. Investigatory evidence to confirm there are no alternative sources of supply must be collated and written records retained.
- e) Where the purchase is for consumables e.g. small tools (shovels, crowbars etc), construction or workshop consumables (string, pegs, irrigation parts, auto parts etc), minor electrical equipment (two way units etc), fertiliser and herbicide etc.

- **\$7,500 to \$50,000 (excl. GST)**

Where the value of procurement of goods or services ranges between \$10,000 and \$50,000 a sufficient number of written quotations (at least three) are to be sought through a simple RFQ process to demonstrate competition. Where this is not practical, e.g. due to limited suppliers or deemed sole supplier, investigatory evidence to confirm there are no alternative sources of supply must be collated and written records retained.

Written records of quotations are to be made and retained in all cases.

Request written quotation(s) directly from a pre-qualified panel of suppliers which include WALGA Preferred Supplier Panel, using a request for quotation process either through WALGA e-Quotes or directly in writing. It is not mandatory for multiple quotations to be requested when using the WALGA Preferred Supplier Panel, and a quotation can be requested from a single supplier where deemed practical. The benefit, however, of requesting multiple quotations is that there is a range to choose from to help determine value for money. The responsible officer is to use previous experience with suppliers and local knowledge to invite suitable suppliers and establish the appropriate number of suppliers from which to request a quote.

Written records of quotations are to be made and retained in all cases.



- **\$50,000 to \$150,000 (excl. GST)**

For the procurement of goods or services where the value exceeds \$50,000 but does not exceed \$150,000, at least three written quotations shall be obtained through a formal RFQ process including pricing and product or service information relating to the specification of goods and services being purchased. Where this is not practical, e.g. due to limited suppliers or deemed sole supplier, investigatory evidence to confirm there are no alternative sources of supply must be collated and written records retained.

This purchasing threshold typically requires a detailed specification to be prepared and included in the formal RFQ documentation. It is recognised that not all goods and services procured within this threshold will be of a nature that requires a detailed Specification, it is therefore acceptable to include a less detailed Specification where considered more appropriate. All Specifications must effectively communicate the Requirements of the Shire.

Comprehensive written records are to be retained in all cases.

Request written quotation(s) directly from a pre-qualified panel of suppliers which include WALGA Preferred Supplier Panel, using a request for quotation process either through WALGA e-Quotes or directly in writing. It is not mandatory for multiple quotations to be requested when using the WALGA Preferred Supplier Panel, and a quotation can be requested from a single supplier where deemed practical. The benefit, however, of requesting multiple quotations is that there is a range to choose from to help determine value for money. The responsible officer is to use previous experience with suppliers and local knowledge to invite suitable suppliers and establish the appropriate number of suppliers from which to request a quote.

Written records of quotations are to be made and retained in all cases.

**Invitation to Tender (above \$150,000 excl. GST)**

Tenders are to be publicly invited according to the requirements of regulation 11(1) of the *Local Government (Functions & General) Regulations 1996* before the Shire enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 (excl. GST).

## **8. REGULATORY COMPLIANCE**

### ***Local Government (Functions and General) Regulations 1996 Part 4 Division 2***

#### **8.1 Tender Exemption**

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



- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

## 8.2 Sole Source of Supply (Monopoly Suppliers)

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

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

## 8.3 Anti-Avoidance

The Shire shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender unless emergency circumstances prevail. Notice to be given to Council.

## 8.4 Tender Criteria

The Shire shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted. Please refer Delegations Register, number F04 to determine the appropriate selection criteria.

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

## 8.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section and a local newspaper.

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

The notice must include:

- A brief description of the goods or services required;
- Information as to where and how tenders may be submitted;
- The date and time after which tenders cannot be submitted;
- Particulars identifying a person from who more detailed information as to tendering may be obtained;
- Detailed information shall include;
  - such information as the Shire decides should be disclosed to those interested in submitting a tender;
  - detailed specifications of the goods or services required;
  - the criteria for deciding which tender should be accepted;
  - whether or not the Shire has decided to submit a tender; and
  - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.
  - Advice that no tender shall be necessarily accepted.

## 8.6 Issuing Tender Documentation

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

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

## 8.7 Receiving Tenders by Email

All tenders are to be received by Central Records Department, upon receipt they should be printed by the records officer and placed within an envelope with the following details on the front;

- Time tender was received
- Name of the tenderer

The envelope should then be placed in the tender box.

## **8.8 Tender Deadline**

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

## **8.9 Opening of Tenders**

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

Tenders are to be opened by the Chief Executive and one other officer. If the Chief Executive Officer is not available the tenders to be opened by the Executive Manager, Corporate Services and one other officer.

If the above Officer's are not available the Officers' delegated nominee and at least one other Council Officer may open the Tender. The details of all tenders received and opened shall be recorded in the Tenders Register.

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

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

## **8.10 No Tenders Received**

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

- a sufficient number of quotations are obtained;
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.
- Council Approval

## **8.11 Tender Evaluation**

Tenders that have not been rejected shall be assessed by the Shire by means of a written evaluation against the pre-determined criteria. The tender evaluation panel

shall assess each tender that has not been rejected to determine which tender is most advantageous.

### **8.12 Addendum to Tender**

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

### **8.13 Minor Variation**

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

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

### **8.14 Notification of Outcome**

Each tenderer shall be notified of the outcome of the tender by the Chief Executive Officer (under Delegated Authority) or following Council resolution within 21 days. Notification shall include:

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

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process. If no tender was accepted it must be advertised "that no tenders were accepted."

### **8.15 Records Management**

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

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;

Notification and award documentation. For a direct purchasing process this includes:

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

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

## F 4.3 Investment Policy

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.2706
<i>Resolution Date</i>	18/05/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995, s6.14; The Trustees Act 1995, Pt III Investments; as amended Local Government (Financial Management) Regulations 1996, Regs 19, 19C, 28 & 49, Australian Accounting standards

### OBJECTIVE

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

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

### SCOPE

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

### POLICY

#### 1. Policy Objectives

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

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

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

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

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

## **2. Legislative Requirements**

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14;
- The Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 Regulation 19, Regulation 19C, Regulation 28 and Regulation 49

## **3. Policy Statement**

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

- Commonwealth Bank of Australia
- BankWest
- Australia and New Zealand Bank
- National Australia Bank
- Westpac Banking Corporation
- WA Treasury Corporation.
- Bendigo Bank

Investments shall be spread to ensure that no single institution holds more than 50% of the Shire's invested funds.

## **4. Prohibited Investments**

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

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

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

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

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

## **5. Term and Status Reports**

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

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

## **6. Prudent Person Standard**

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

## **7. Ethics and Conflicts of Interest**

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

## **8. Approved Investments**

Without approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds;



- Interest bearing deposits;
- Bank accepted/endorsed bank bills;

## 9. Investment Guidelines

### (i) Quotations on Investments

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

### (ii) Credit/Diversification Risk

The short term (0-365 days) credit guidelines will be based on Standard and Poors' Short Term Issue Credit Ratings which are:

- A1+ The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- A1 The obligor's capacity to meet its financial commitment on the obligation is strong.
- A2 The obligor is susceptible to adverse economic conditions however the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

The amount invested with any one financial institution or product should not exceed the following percentages of average annual funds invested within each risk rating.

Credit Rating	Maximum % in credit rating category	Maximum % in one authorised institution
Short term A1+	100	50
Short term A1	50	50
Short term A2	25	50

### (iii) Preference to community support

Where two or more quotes are equal in terms of risk and return then the institution that can demonstrate a greater community support will be preferred over the other.

### (iv) Change in Credit Ratings

If any of Council's investments are downgraded such that they no longer fall within these investment policy guidelines, they will be divested as soon as is practicable.

## F 4.4 Local Price Preference

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.3379
<i>Resolution Date</i>	20/06/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 – s3.57 Tenders; Local Government (Functions & General) Regulations 200 – Part 4A; Local Government (Administration) Amendment Regulations 2000 – s29.

### OBJECTIVE

The purpose of this policy is to stimulate economic activity and growth in the Shire by maximising the use of competitive local businesses in supplying goods, services and works purchased or contracted on behalf of the Shire of Northam.

### SCOPE

Applies to all Purchases.

### POLICY

#### 1. Local Price Preference

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire in relation to all quotations/tenders invited by the Shire for the supply of goods, services and construction (building) services.

The Local price preference enables suppliers to be evaluated as if the proposed tender/quotation bid price were reduced in accordance with permitted price preferences as specified below in this policy.

This policy will operate in conjunction with the purchasing considerations and procedures as outlined in the Council's 'Purchasing Policy' when evaluating and awarding tender contracts.

## **2. Qualifying Criteria**

### **Local Supplier**

A supplier of goods or services who submits a tender/quotation is regarded as being a local tenderer if:

- i. the supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire;
- ii. a business having permanent staff that are based at the business premises located within the Shire;
- iii. management or delivery of the majority of the outcomes will be carried out from the business premises located in the shire; and

In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

## **3. Local Price Preference Value**

### **Goods and Services:**

Up to 10% where the contract is for goods or services, up to a maximum price reduction of \$50,000

Up to 5% where the contract is for the construction (building) services, up to a maximum price reduction of \$50,000

Up to 10% where the contract is for goods or services (including construction (building) services), up to the maximum price reduction of \$100,000, if the Local Government is seeking tenders for the provision of those goods or services for the first time due to those goods or services having been, until then, undertaken by the local government.

## WORKS

### **W 5.1 Engineering – Technical Specifications – For Construction of Subdivisions, Roads & Stormwater Drains**

**POLICY** That all subdivisions, roads and stormwater drains within the Shire of Northam are to be constructed in accordance with Technical specifications for such works as prepared by the Shire's Consulting Engineer.

**OBJECTIVES** To ensure properly constructed roads and stormwater drains

**GUIDELINES** Shire of Northam Works Specifications  
/G: /Procedures/Works Specifications

**HISTORY** Adopted: 03/10/2007  
Last Review: 15/09/2010

**REVIEW** Executive Manager, Engineering Services and Consulting Engineer

## W 5.2 Crossovers

*Responsible Department*

Engineering Services

*Resolution Number*

C.2995

*Resolution Date*

19/04/2017

*Next Scheduled Review*

2019

*Related Shire Documents*

Street Tree Policy

Verge Management Policy

*Related Legislation*

Local Government Act 1995

### OBJECTIVE

- To provide design criteria that is uniform and practical;
- To provide safe access for vehicle and pedestrian traffic with minimal impact to road infrastructure assets and streetscape aesthetics;
- To ensure best practice for storm water management;
- To outline compliance requirements for subsidy eligibility.

### SCOPE

This Policy applies to the construction of all new crossovers, and the modification to an existing crossover for the purpose of accessing a property within the Shire of Northam.

### POLICY

#### Introduction

Approval must be sought and obtained from the Shire of Northam for crossovers prior to the commencement of any construction. The design and construction requirements outlined in this Policy have been developed in reference to the "WALGA Guidelines and Specifications for Residential Crossovers", with minor variations made to suit local conditions.

#### Crossover Subsidy

The property owner shall be eligible for a 50% subsidy (*to a maximum value of \$800 for a new crossover without culvert or to a maximum of \$1500 for a new crossover with new culvert & headwall*) for the construction cost of a **Standard Crossover (\*)** provided the following compliance criteria has been met:

- The crossover has been constructed in accordance with Shire of Northam requirements and has received approval prior to construction.
- Where vehicle crossover prevents stormwater flow within the table drains, a culvert including headwalls must be provided.

This payment is subject to the construction of the crossover being completed within six (6) months of the approved application, also following inspection and confirmation of compliance.

*(\*) Shire defines a standard crossover as that detailed on Standard Drawing No. ES-SD-CR-003.*

*Crossover subsidy will not be available for gravel crossovers without a culvert.*

### **Number of Crossovers**

One crossover per single title property is permitted with the following exceptions subject to Executive Manager Engineering Services approval;

- Properties located on street corners;
- Rural properties, such as farms,
- Group dwellings and non -residential areas where additional crossovers have been approved as part of a planning application.
- Properties which require a second access for off street parking on private property.

In these cases assessment of a second crossover request will give consideration to the following:

- A second crossover does not obstruct sight distance of the primary crossover.
- A second crossover does not have obstructed sight distance by verge vegetation, structures or road geometry;
- Footpath pedestrian users are not at any additional safety risk;
- The property is not group rated where single titles apply.

In the case where a second crossover is approved, no crossover subsidy will be provided.

Vehicle crossovers that are no longer required, or no longer connect with an internal driveway or parking area may be required to be removed at the discretion of the Executive Manager Engineering Services and at the cost of the property owner.

### **Footpaths**

All crossovers proposed to be built on a verge which is identified to have a footpath constructed by Council must be constructed in a material that is approved by Shire of Northam.

When the Shire constructs new footpaths that intersect existing crossovers the footpath will not be constructed through the crossover unless:

- The crossover is not built to the Shire's specification;
- The crossover will inhibit the footpath being constructed to relevant standards and guidelines;
- In the opinion of the Shire the Crossover is unsafe or does not provide a fit for purpose use.

### **Street Trees**

Crossovers should not be constructed closer than 1.5 metres from the base of the tree when fully mature.

Any damage caused to crossovers by street trees shall be rectified by the Shire of Northam at their own cost unless:

- The crossover has been built closer than 1.5 metres to the tree;
- The tree has been planted without permission from the Shire of Northam;
- The damage caused by the tree is not considered by The Shire of Northam to be a safety hazard, or affect the structural integrity of the crossover (where applicable).

In these cases the cost to rectify will be borne by the property owner.

### **Crossover Maintenance**

The property owner is responsible for the maintenance of crossovers. Any footpath that intersects the crossover will be maintained by the Shire of Northam.

### **Conflict with Asset Infrastructure**

Any relocation or amendment cost to Shire owned assets and underground services resulting from the construction of the proposed crossover will be borne by the property owner.

## **SPECIFICATIONS**

### **Rural Access**

#### Acceptable Material:

- Compacted Gravel - min150mm  
Gravel material is expected to achieve a compaction to 98% of maximum dry density, making a total minimum consolidated thickness of not less than 150mm. Gravel must be free from stones retained on a 25mm sieve, clay lumps, building rubbish and other vegetative matter.

- Two coat bituminous seal – 14/7mm or 10/5mm

Width: 3.0 meters (minimum)  
11 meters (maximum)

Drainage: A culvert including headwalls must be provided if the vehicle crossover prevents stormwater flow within the table drains. Reinforced concrete drainage pipes shall be Class "2" unless otherwise required by Council with a minimum diameter of 375mm. Residential culverts are the only culverts that will be considered by the Shire for HDPE pipes. Minimum cover over the pipes must be 300mm.

Taper: 2m at 45 degrees both sides from road edge (optional)

#### Urban Access

##### Acceptable Material:

- Concrete - 150mm (Residential) 25Mpa Min Concrete Strength, Steel reinforcing may be used to reduce cracking or increase strength for crossovers that will have heavy vehicles on them.
- Concrete - 150mm reinforced (Industrial & Commercial) 25Mpa Min Concrete Strength.
- Brick Paved - Trafficable 50mm (Residential)
- Asphalt – 30mm
- Two coat bituminous seal – 14/7mm or 10/5mm

Width: 3 meters minimum, 6 meters maximum (residential))  
3 meters minimum, 10 meters maximum – (Industrial & Commercial)



Drainage: 375dia (min) Concrete reinforced pipe with (if applicable) Precast concrete headwalls.

Kerbing: Mountable kerb type (if applicable)

Taper: 2m at 45 degrees both sides from road edge (optional)

### General Conditions

- All variations to be approved by Executive Manager Engineering Services and paid in full by owner/applicant.
- Maximum dimensions of access apply.
- Crossovers are to be constructed perpendicular to the property boundary with a minimum clearance of 0.75 metres from a side boundary.
- Any alteration to the verge, path or crossover that encroaches onto the land of a neighbouring property will be carried out at the proponents cost. The applicant must notify the neighbour of the proposed works prior to applying to Council for approval. Council must be provided with a copy of the written agreement from the neighbour with the application for the crossover;
- Approved multiple access to be separated by a minimum of 10 metres at the roadside.
- On corner locations, no crossover, or any portion of the crossover including splays is to be constructed closer than 6.0m from the line of the intersection of the road reserve boundary alignments.
- Crossovers shall be located at a minimum distance to obstructions as follows:
  - Side-entry pits: 1.0m
  - Street trees: 1.5m
  - Utility boxes: 1.0m
  - Street Lights: 1.0m (as required by Western Power's Guidelines for Placement of Power Poles within Road Reserves in Built-Up Areas, 2006)
- If crossovers must be constructed within this distance, the obstruction shall be relocated wherever possible. Where an existing tree is within 1.5 metres of a proposed crossover, advice shall be obtained from Parks and Gardens Administration on the future size of the tree and the advisability of it being retained. The written approval of the Shire is required for all street tree removals;

- Sufficient storage length must be provided (crossover length) for a vehicle to stand clear of the carriageway. Where the entrance has a gate, the set back from the edge of the carriageway to the gate shall be a minimum of 6m to allow for this.
- Path construction guidelines dictate a maximum crossfall of 2.5% to cater for people who have a disability (Austroads Guide to Road Design 6A, Clause 7.6). To allow the path to shed water and to avoid ponding, a crossfall of 2.0-2.5% is recommended.
- To provide smooth transition from the road edge to the crossover and particularly to the pedestrian path in the most highly constrained situation, the kerb profile must provide 160mm vertical rise from the invert of the kerb, over a 500mm distance. Alternatively a standard mountable kerb profile shall be used.
- Cross fall of the crossover to be such that any storm water falling onto surface will drain off sides into crossover margin which is to be directed to road table drains. No storm water is to flow from crossover directly onto the road surface.
- Narrow lots shall be constructed with paired crossovers to minimise conflict and retain verge space for street trees, lighting, overhead power and on-street parking.
- Where the combined width of residential crossover exceeds 6.0 metres, the two (2) crossovers shall be separated by a minimum 2.0 metres in width, unless specifically approved by the Executive Manager Engineering Services.
- Applicant is responsible for the cost of any traffic management that may be required to ensure the safety of road users, contractors and pedestrians during the construction of the crossover. Only qualified traffic management personnel shall be used and all traffic management shall be in accordance with Main Roads Western Australia's code of Practice "Traffic Management for Roadworks" and Australian Standard AS 1742.3 – 2002.

### **Specifications & Guidelines**

For further information, the Shire of Northam have developed information packages and guidance criteria which outline allowable design and construction standards for crossovers, as well as information on how to apply for the crossover subsidy.

## **W 5.3      Road Building Materials - Gravel**

### **POLICY**

That wherever appropriate the Council obtain gravel and other road building materials for road making purposes from private property by consultation with the landowner, in accordance with Schedule 3.2 of the Local Government Act 1995, with the Council responsible for:

1. Satisfactory rehabilitation of the pit area, including drainage, upon completion of extraction.
2. Construction where necessary and satisfactory repair of affected haul roads, gates, fences or other structures.
3. Negotiated compensation to the landowner for materials extracted and associated justifiable imposts.'

### **OBJECTIVES**

To provide clear guidelines to staff and landowners regarding the acquisition of gravel for road making and maintenance purposes.

### **GUIDELINES**

### **HISTORY**

Adopted: 16/09/2009  
Last Review: 15/09/2010

### **REVIEW**

Executive Manager, Engineering Services

## **W 5.4    Notice of Entry for Public Services & Utilities**

<b>POLICY</b>	As per attachment 5.4
<b>OBJECTIVES</b>	To provide clear guidelines to the Council, its officers, public utility companies and their contractors and private property owners regarding undertaking of public service and utility work within the Shire of Northam.
<b>GUIDELINES</b>	Utility Providers Code of Practice for WA 01/11/2002; Restoration & Reinstatement Specification for Local Governments in Western Australia, October 2002
<b>HISTORY</b>	Adopted: 20/01/2010 Last Review: 15/09/2010
<b>REVIEW</b>	Executive Manager, Engineering Services

#### **ATTACHMENT W 4.4**

#### **NOTICE OF ENTRY FOR PUBLIC SERVICES & UTILITIES**

1. The Shire will provide a letter of approval for public services and utilities works to occur within the Shire of Northam provided that the Executive Manager, Works and Services is satisfied with the proposed works and provided that the following conditions are adhered to by the utility company:
  - (a) Should it be necessary to install cabling across any thoroughfare, the cabling shall be under bored to minimize destruction of the road pavement and connecting infrastructure. Open trenching across bitumen sealed road infrastructure is not permitted except where rock is found and cannot be under bored. Permission shall be sought from the Executive Manager, Works and Services where an open trench is required.
  - (b) All trenches located within the footway (verge) shall be backfilled with quality material and suitably compacted following installation of the plant/cables. The finished surface level of the compacted backfill material shall generally match the existing surface profile of the footway.
  - (c) All disturbed areas shall be reinstated to pre-existing conditions following completion of the works or in the event of an extended period of works, at the completion of each section as agreed with the Executive Manager, Works and Services. As a minimum, turfed areas denuded by installation of the plant/cables shall be top soiled, returfed and regularly watered following completion of the works.
  - (d) All manholes, inspection points and/or other permanent above ground features, which are to be located within the road reserve, shall be flush with the adjacent surface to avoid potential trip hazards.
  - (e) Fixed plant (pits, manholes, inspection points etc) or cabling shall be constructed within two metres of the out Road Reserve boundary. This will ensure that, should the Shire ever widen the road formation, the fixed plant/cable is sufficiently clear of the works.
  - (f) All cabling shall be laid to the following depths:
    - (a) Under roads – minimum 1.0 metre;
    - (b) Within verges – minimum 0.75 metre
    - (c) Within public open space – minimum 0.75 metre
  - (g) The Contractor shall regularly remove rubbish and/or surplus materials as the work proceeds and keep the site clean and tidy. The Contractor shall leave tidy the whole of the works upon completion of the Contract,

and make good any damage caused during the works to the satisfaction of the Shire.

- (h) Where work is likely to affect vehicular access to private properties, every attempt shall be made to accommodate the needs of landowners/residents regarding entry and/or exit from the property.
- (i) A minimum of one (1) trafficable lane shall remain open to the public at all times and traffic control shall be employed during the course of the works. A copy of the Traffic Control Plan shall be forwarded to the Shire's Works Supervisor for consideration.
- (j) The finished condition of the road and/or verge shall be to the satisfaction of the Shire's Works Supervisor.
- (k) Where work is to be carried out within privately or publicly owned land, the affected property owners shall be provided fourteen (14) days notice in writing of the utilities intent to undertake works. All areas denuded or affected by the works within privately owned land or public open space shall be made good upon completion of the works. In addition, vegetation within public open space shall not be removed without prior consent from the Shire.
- (l) All works are to comply with the Utility Providers Code of Practice for Western Australia, January 1, 2007, as Amended 2 July 2008, being the Restoration and Reinstatement for Local Governments in Western Australia, October 2002.

## **W 5.5      Street Tree Policy**

<b>POLICY</b>	As per attachment W 5.5. This policy only applies to townsites within the Shire of Northam.
<b>OBJECTIVES</b>	To ensure appropriate management of road reserves with regard to the planting and removal, where necessary, of verge trees with the Shire Street Tree Management Plan & Guidelines.
<b>GUIDELINES</b>	As attached to Policy W 5.5
<b>HISTORY</b>	Adopted:      15/12/2010
<b>REVIEW</b>	Executive Manager, Engineering Services

## **ATTACHMENT W 5.5 STREET TREE POLICY**

### **1. INTRODUCTION**

The Shire of Northam recognises the significant contribution that street trees make to providing a high quality public realm where people are encouraged to partake in a wide range of activities, meet others and to linger in comfortable surroundings.

This policy is intended to cover the provision of street trees in the Shire of Northam including major parks and gardens.

### **2. POLICY OBJECTIVES**

- 2.1** To “green” the towns within the Shire of Northam by the extensive provision of street trees that are pleasing in appearance and provide extensive shade for the comfort of citizens.
- 2.2** To add value to the public and private realms by reinforcing the character of the Shire as a desirable place to live or visit.

### **3. POLICY STATEMENTS**

- 3.1** The Shire of Northam values the contribution of trees to achieving a high quality urban environment and will seek to plant all streets with trees whenever there is an opportunity to do so within the urban design outcomes for the area. Such plantings will complement any heritage building façade.
- 3.2** Trees will be selected for individual streets that support the urban design role of each street in the Shire’s activities.
- 3.3** A diverse range of tree species will be used to reinforce street identity, attract a variety of native bird life to the towns, create visual interest and enhance the amenity of the public realm.
- 3.4** Trees will be planted to form green corridors linking the park lands and major public and civic places.
- 3.5** Historic trees and avenues will be preserved and replaced in recognition of their cultural significance to each town. Adjacent future plantings will be placed to preserve the integrity of these trees and avenues.
- 3.6** All street trees will be managed to maintain them in a healthy state and minimize any adverse impacts of the trees on the public realm.



- 3.7** While exotic deciduous trees will be used in some locations, every attempt will be made to use native trees to reflect and support the growing diverse nature of the Shire's community.
- 3.8** While trees will always be selected that have minimal impact on services such as electricity and water, the Shire of Northam strongly encourages service utilities to minimize the impact of their operations on the street trees of the Shire.

## **4. PLANTING OF STREET TREES**

Trees are an integral part of the fabric of the urban and country environment. Their contribution is both physical and psychological. The Shire of Northam is committed to promoting and maintaining its tree planting/streetscape program.

### **4.1 Responsibility**

The Shire of Northam is responsible for the planting of all trees within reserves under its control, care and management, including road reserve tree plantings, revegetation of denuded sites and various community tree planting projects.

### **4.2 Type**

In the interests of vehicular and pedestrian safety, as well as keeping services clear, street trees on verges shall be of a specific species, planted with a particular alignment.

Trees shall be of a particular variety/species as outlined in the Shire of Northam's "Street Tree Management Plan" and designated tree list.

## **5. REMOVAL OF STREET TREES**

- 5.1** Natural grown, or Shire planted trees can be removed with the Chief Executive Officer's permission when:
- they are likely to cause damage to public or private property;
  - when they constitute a threat to personal safety, trees that are diseased, decaying, infested or dead, or are a traffic hazard; or
  - when in appropriate instances, they need to be removed for road widening or because they interfere with sewerage or underground services or Western Power supply lines.

Responsibility for cost of removal in such instances to rest with the Council.

**5.2** Private planting, without Council approval, to be removed:

- for reasons described in 5.1 above, or where they are obstructing a proposal entranceway, and no other means of access is available; or
- the tree/s do not conform to the list of approved street trees.

In such circumstances, the responsibility for cost of removal to be that of present owner of property if it can be established that the person was responsible for planting the tree. Where proof of planting cannot be established, Council meet the cost if the criteria for removal is satisfied.

**5.3** Trees on common boundaries of roads and private properties:

- Cost of removal to be borne by Council where the tree/s are within the definition and satisfy the criteria set out in 5.1 above.
- Cost of removal, or agreed proportion thereof, to be met by applicant in all other circumstances.

## **W 5.6      Verges Policy**

### **POLICY**

As per attachment W 5.6.

The Shire supports the efforts of residents and property owners within the Shire designated townsites to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community.

(To be read in conjunction with The Shire's Activities on Thoroughfares and Public Places and Trading Local Law and Policy 5.5 Street Trees)

### **OBJECTIVES**

To support and assist residents and the community generally to achieve aesthetically pleasing outcomes and environmental benefits, but in a way that the Shire is not exposed to increased risk of liability claims.

To ensure a balance between legitimate off street parking requirements, streetscape enhancement by landscaping and on site filtration of storm water.

To manage and resolve hazards and safety issues

To ensure an equitable balance in the level of verge management carried out across the Shire towns.

To support and protect biodiversity.

### **GUIDELINES**

As attached to Policy W 5.6

### **HISTORY**

Adopted:      19/09/2012

### **REVIEW**

Executive Manager, Engineering Services

## ATTACHMENT W 5.6 VERGES POLICY

### 1. BACKGROUND

The street verge has been traditionally described as the area between the road and boundary of an abutting property. The verge provides a safe pedestrian space and vehicular access to properties. The verge generally accommodates public service and local government utilities above and below ground such as street lighting, power, water, stormwater pipes, sewerage, gas and telecommunication cables. The service providers need to access their asset in the verge to install, maintain and/or repairs.

### 2. PURPOSE

- To value the verge as an important component of the streetscape
- To promote the principles of environmental sustainability and biodiversity
- To provide direction and guidance to residents on appropriate verge treatments
- To encourage ownership by owners to improve and maintain verge presentation
- To provide advice, regulatory control and incentives to property owners to improve verges to an appropriate and consistent stand

### 3. POLICY APPLICATION

The Shire recognises that the appearance of street verges is important to owners / occupiers, due to the aesthetics impact on their dwellings and properties.

The following guidelines are provided to maintain safety to the community whilst enabling owners / occupiers to improve the aesthetics and amenity of street verges abutting to their properties.

#### 3.1 Community Value

Street verges facilitate an important role in the townscape environment. They provide aesthetic and environmental values, act as a buffer to street noise, provide shade and shelter, provide habitat for fauna and act as linkages, or vegetation corridors, between larger habitat nodes.

#### 3.2 Pride and Ownership

Development, improvement and enhancement of verges promotes pride within the community and fosters a sense of verge ownership as an important and valuable component of streetscapes and open space within the townscape.

#### 3.3 Amenity

Suitable and appropriate verge treatments contribute a significant value to the streetscape. The Shire and the community appreciate the visual amenity provided by verges that are maintained and improved by residents.

### **3.4 Natural Treatments**

3.4.1 Grass verges are permitted; however, selection of a grass species that is water-wise, hardy and sustainable in verge conditions, including shade under trees is suggested.

3.4.2 Plantings of species indigenous to the local area and minimising the use of impervious surfaces are recommended.

3.4.3 Organic mulch is permitted to be installed on verges. However, the mulch is required to be replenished as required and maintained in a safe manner.

### **3.5 Vegetable gardens**

While the Shire encourages the planting of native species indigenous to the local area on verges, installation of vegetable gardens on the verge is permissible. Vegetable gardens on the verge should not stockpile waste, mulch or manure and all spent vegetation should be removed. Stakes, lattice and/or other supporting structures are not considered appropriate due to duty of care and safety reasons.

### **3.6 Hardstand Treatments**

Concrete, segmented and permeable paving materials, artificial turf and other approved hardstand treatments are permitted to be used on the entire verge area. Installation of compacted inorganic materials (such as gravel, crushed brick, limestone or similar) on verges are permitted, subject to the size of the granular materials not causing hazards or inconvenience to pedestrians, cyclists and motorists.

### **3.7 Stormwater Water infiltration**

On site infiltration of stormwater is desirable as a means of contributing to the replenishment of groundwater. Stormwater runoff from large sections of hard surfacing must be contained within the property, as the runoff can cause localised flooding on roads and adversely impact on the Shire's storm water disposal system and its maintenance.

### **3.8 Reticulation**

3.8.1 Where the property owner wishes to install a permanent irrigation system on the verge the water supply is to be from within the adjacent private property boundary. All pipework is to be installed below ground and under footpaths. Sub-surface drip irrigation is preferred where possible to assist conservation of water. Alternatively, the sprinklers should be the pop-up variety or a type approved by the Shire.

3.8.2 Reticulation may only be required to establish plants or water-wise verge treatments and this may be possible without the installation of a reticulation system.

3.8.3 Residents are encouraged to supply sufficient water to the base of the plant or to the plants drip-line to avoid wastage and unnecessary evaporation.

3.8.4 It is preferable to avoid reticulation of the verge altogether.

### **3.9 Non permissible Treatments/Use**

3.9.1 The owner / occupier shall not install structures on the street verge. For example, tree house, play structures/equipment, fences, barriers, steps, walls, fountains, ornaments, basketball hoops, ornamental lighting or similar.

3.9.2 The owner / occupier shall not install extrinsic objects on the street verge. For example, bricks, rocks, logs, bollards, garden stakes, bunting, signs or similar.

3.9.3 The owner / occupier shall not install hard landscaping elements such as borders and or planter boxes around mature street trees.

3.9.4 The tethering of boats, trailers and other such items to street trees, street lights and/or road signs is not permitted due to safety issues and the potential to compromise the health of the tree and/or damage infrastructure.

### **3.10 Access by Utility Providers**

Service providers, including the Shire, retain the right to access the verge for service maintenance works that may disrupt or damage any verge treatment.

## **4. VERGE COMPLIANCE CRITERIA**

In order for applications to install landscape treatments on the verge to be approved, the following criteria will need to be met:

4.1 Verge treatments are limited to low growing plants and ground covers and be non hazardous to pedestrians, motorists, and/or cyclists. No plants taller than 75cm in height are to be planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.

4.2 The proposed landscaping provides a positive contribution to the aesthetic presentation of the streetscape.

4.3 Landscaping does not create barriers within the verge.

- 4.4 Dense planting or other low maintenance forms of landscaping is acceptable.
- 4.5 The plants are to be kept clear of the roadway and any footpath. If there is no footpath, a clear distance of 2 metres from the back of the kerb or edge of a carriageway is to be maintained to allow for the unrestricted passage of pedestrians.
- 4.6 Where a bus stop exists within a verge, the proposed development must provide a minimum 1.5m clearance around the bus stop and between the bus stop and the foot path.
- 4.7 The mature height of vegetation will be maintained below 750 mm. However, midstorey plants, particularly those that are indigenous to the area such as grass trees (*Xanthorrhoea* species) and banksias (*Banksia* species) are permissible so long as they are not planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- 4.8 Hedges or similar borders of plants are acceptable if planted to maintain, a minimum clearance of 500 mm from any existing and/or proposed footpath, and/or crossover and a minimum clearance of 2,000 mm from the back of kerb or edge of a carriageway.
- 4.9 Reticulation sprinklers shall not be directed onto the footpath or road, and watering is to be restricted to times where any inconvenience to pedestrians, cyclists and motorists is minimised.
- 4.10 Appropriate measures are undertaken and maintained to minimise erosion and dust.
- 4.11 The use of loose inorganic materials (ie; gravels / stones / rocks / bricks) shall not be permitted, as these may cause potential hazard to pedestrians, cyclists and motorists.
- 4.12 The use of any hard landscaping elements to create garden edging or retain soil adjacent to any proposed or existing footpaths, crossovers, and or kerbs shall not be permitted.
- 4.13 Temporary barricades for the purpose of establishing verge landscaping are acceptable provided that the materials used do not create a hazard and are identified with an abundance of markers to ensure the safety of pedestrians. Barriers must not be erected across pedestrian access ways, or in a manner which creates a sight line barrier / hazard.
- 4.14 The general level and grade of the verges is to remain unaltered.
- 4.15 The treatment is not to create any undue hazard to road users or pedestrians.
- 4.16 The applicant accepts responsibility for the removal or relocation of planting or reticulation if required by the Shire or any public authority.
- 4.17 The ratepayer shall maintain the treatment so as not to cause a hazard.
- 4.18 Should the verge treatment become hazardous, the ratepayer shall agree to remove the treatment at his/her expense.



- 4.19 The ratepayer agrees to indemnify the Shire against any claims that may arise as a result of the treatment.
- 4.20 The verge shall not be used as a car park for any vehicle including cars, trucks, boats, caravans and so on.
- 4.21 The ratepayer shall not remove or plant any tree on street verge. Requests for street trees shall be made to the Shire according to Policy 5.5 Street Trees.
- 4.22 Verge treatment shall not be over more than one third of the area of the verge (excluding any vehicle crossing).

## **5. VERGE DEVELOPMENT APPROVAL PROCESS**

All proposals for landscape treatment of the verge require approval from the Shire of Northam.

In order for applications to install landscape treatments on the verge to be assessed, property owners are required to submit in writing an outline of the landscape proposal which includes a diagram to illustrate the proposed work including plant species and the layout of any proposed reticulation system(s).

The Shire will then:

- Inspect the location;
- Notify the owner in writing whether the Shire supports or does not support the proposed landscape development;
- On completion of any approved works the Shire will inspect the works;
- Works not carried out in accordance with the relevant approvals will require any noncompliance issues to be rectified; and
- Maintain a register of the site and the approved verge treatment.

## **6. VERGE DEVELOPMENT ASSISTANCE SCHEME**

The objective of providing verge development assistance is to encourage and support property owners to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community:

### **6.1 Verge Restoration:**

The objective of providing verge restoration is to provide a better growing medium for low water demand plantings of low growing shrubs or ground cover plants other than turf. Existing soil/vegetation is removed from the verge to a depth of 50 mm below kerb/footpath levels and then replaced with fresh topsoil and levelled. Where a vehicular crossover is no longer used to gain access to the property, a verge restoration will include the removal of the redundant



crossover. This scheme is available once only in every 10 years for individual properties.

#### 6.2 Plant Subsidy:

Residential property owners can apply to purchase subsidised low water demand native plants for landscaping the street verge abutting to their properties. The objective of providing subsidised plants is to encourage residents to support biodiversity, water conservation, and the establishment of green corridors to link habitat areas within the townsites. The Shire will subsidise up to a maximum of 40 plants per property each year on a dollar for dollar basis. Plants are available through the native plant subsidy scheme run on an annual basis within the month of May.

#### 6.3 Landscape Design Advice:

Plant selection advice and landscape design expertise is available to residential property owners requiring or seeking assistance in regard to verge landscaping. The Shire will subsidise assistance to a value of \$100. This scheme will be available once in every 5 years for individual properties.

Verge Development Assistance Scheme applications will be considered using the following criteria:

- Application must be from the property owner;
- An application for verge restoration will not be considered, where building work or activities within the property have damaged the street verge;
- The proposed verge treatment will improve and sustain the streetscape;
- Preference will be given to native ground covers/shrubs with reduced water demands.
- Applications to participate in one of the above three Verge Assistance Schemes shall be submitted in writing to the Shire of Northam.

The availability of the verge development assistance scheme will be delivered within the limits of the available budget. Residents are therefore recommended to register their interest early in the financial year to avoid disappointment.

It is recommended property owners kill any existing turf prior to verge restoration to avoid resprouting. This may be done when the turf is actively growing (spring or autumn) by using weed control mats or biodegradable herbicides.

## **7. VERGE PAVING**

Where there is a legitimate requirement for verge paving and there is no reasonable alternative property owners can apply to pave a portion of the verge directly adjacent to their property.

Proposals for verge paving require approval from the Shire of Northam.

Where the installation of paving to the verge is likely to compromise the safety of pedestrians, cyclists or motorists or the longevity of an existing street tree, the application will not be approved.

Where paving is proposed to provide a footpath between the property boundary and the kerb line, the path is to be 2.0 metres wide.

In order for verge paving proposals to be assessed the property owner is required to submit in writing an outline of their proposed paving plan with a diagram that illustrates the proposed location, alignment, and the materials to be used.

The Shire will then:

- Inspect the location.
- Notify the owner in writing of whether the Shire approves the application or not.
- On completion of the approved works, the Shire will inspect the works. Works not undertaken in accordance with the relevant approvals will require any noncompliance issues to be rectified.
- Maintain a register of the site and the approved verge treatment.
- The use of soil reinforcing cells will entitle the property owner to pave up to 70% of the adjacent verge.
- Where the road reserve is narrow and the verge contains a large and mature street tree with a wide spreading canopy, which overshadows the whole verge and which prohibits the establishment of ground covers the adjacent residential property owner may apply to pave up to 70% of the verge consistent with the requirements of this policy.
- Where there is approval to install conventional clay or concrete paving to 70% of the verge the adjacent property owners must make provision for the on-site drainage of storm water within the verge. The adjacent property owner is required to provide detailed plans of the proposed method of storm water infiltration to the Shire for its consideration and approval. The use of soil reinforcing cells (which provide for storm water infiltration) will not require additional drainage provisions.
- A minimum two (2) metre paving clearance from any street tree is to be maintained.
- The property owner is to acknowledge in writing that any approved verge paving installed within the verge will be maintained by the property owner at grade consistent with the surrounding soil level at all times to ensure safe pedestrian access.

- The property owner is to acknowledge in writing that there is no responsibility on the part of the Council or utility service provider to reinstate verge paving removed to provide for routine maintenance of services or projects approved by Council.
- Commercial areas are treated separately from residential verges as paving is permitted to 100% of the verge in commercial areas.

## **8. PROPERTY DEVELOPMENT**

To minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the base of an existing street tree. Where excavation to a depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the base of an existing street tree.

## **9. EXISTING VERGE TREATMENTS**

Where verge treatments are not consistent with the policy and are identified as safety hazards, the Shire will request the property owner to carry out remedial works.

Where the owner of the property is unable or unwilling to complete remedial works, the Shire will complete works. The property owner will be liable for the cost thus incurs.

Existing verge treatments, which are not consistent with this policy, are required to be rectified, on the following basis:

- Identified hazards or safety issues ie; tree houses, play equipment or any structure that has not been approved etc, boats and/or trailers tethered to street trees etc, landscaping that has thorns, spear like leaves or plants that are known to be toxic etc, landscaping that impedes sightlines/pedestrian access etc,
- Rectification within 14 days of notification. Where an existing verge treatment is identified to present an immediate hazard, the Shire will rectify within 24 hours. The ratepayer abutting to the verge will be liable for the cost thus incurs.
- Paving (not approved by the Shire of Northam) in excess of areas defined in this policy is to be rectified within 60 days of notification.
- Planter boxes/borders not constructed to meet Australian Standards or industry standards; or constructed to a height greater than 150mm and/or within 500 mm of an existing footpath/crossover and/or within 2,000 mm of the kerb line, require rectification within 60 days.

Residents and commercial property owners are encouraged to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the benefit of the wider Northam community.

## 10. PUBLIC AWARENESS

The Shire will acknowledge residents' efforts to develop a sustainable verge landscape via a 'Sustainable Verge Award' each year in spring. The award will target verge landscapes which contribute to the Shire's green objectives. The award is available for two categories' residential and commercial/schools.

The award is judged on the following criteria: biodiversity; water wise strategies; design; maintenance and any unique aspects. Nomination forms are available at the Administration Centre, and can be submitted from August to mid-September annually.

Public awareness programs to highlight the responsibilities of residents and the Shire on the issues of planting and maintenance of verge treatment will be undertaken, including articles placed from time to time (quarterly) in the Post newspaper and Talk about Northam newsletter. The articles should include all aspects of verge planting and maintenance, including responsibility and relevant Local Laws.

## 11. GLOSSARY OF TERMS

<b>Street Verge:</b>	Portion of road reserve between the property boundary and edge of carriageway (kerb line).
<b>Street Tree:</b>	A tree planted and maintained by the Shire and is typically situated at the 2.7 metre alignment off the property boundary.
<b>Verge Treatment:</b>	Landscaping of the portion of street verge not occupied by a footpath or crossover. Typically involves the planting of grass, ground covers or low shrubs and may include reticulation or paving.
<b>Verge Restoration:</b>	The removal of any existing treatment and excavation of soil up to 100mm below existing paved levels. Topsoil is placed and levelled so that the new soil is flush with any existing paving (footpath, crossover, kerbing, etc).
<b>Soft landscaping:</b>	Refers to grass, ground cover and shrubs
<b>Hard Landscaping:</b>	Refers to retaining structures or edging / borders.
<b>Paving:</b>	Refers to clay or concrete paving materials for footways or hardstand for parking of vehicles.
<b>Structures:</b>	Refers to built structures

## W 5.7 Asset Management Policy

<i>Responsible Department</i>	Engineering Services
<i>Resolution Number</i>	C.2898
<i>Resolution Date</i>	21/12/2016
<i>Next Scheduled Review</i>	2017
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995

### OBJECTIVE

The Policy provides clear direction in the provision and management of all Council's assets. It seeks to ensure that assets support Council's strategic vision and objectives, deliver sustainable service outcomes and are provided at appropriate levels of service for present and future stakeholders.

### SCOPE

The Shire considers assets (such as infrastructure, land, plant and equipment) to be any that support the delivery of one or more of the following services:

- Property
- Recreation
- Transport
- Plant, Vehicles and Equipment
- Information Technology
- Waste

This Policy applies to all assets which are required to be managed by the Shire, where their components have a useful life of more than one year and a replacement cost greater than \$5,000.

### POLICY

The Shire will provide and manage assets that support the delivery of services in line with its Strategic Community Plan and Corporate Business Plan.

The Shire will manage its assets in a manner that provides best practice for economic, environmental, cultural and social sustainable outcomes.

Asset management decisions will consider other key Shire policies and priority will be given to existing assets and services over new ones. Long term resource needs (Asset Management Plans) will be balanced against financial capacity (Long Term Financial Plan).

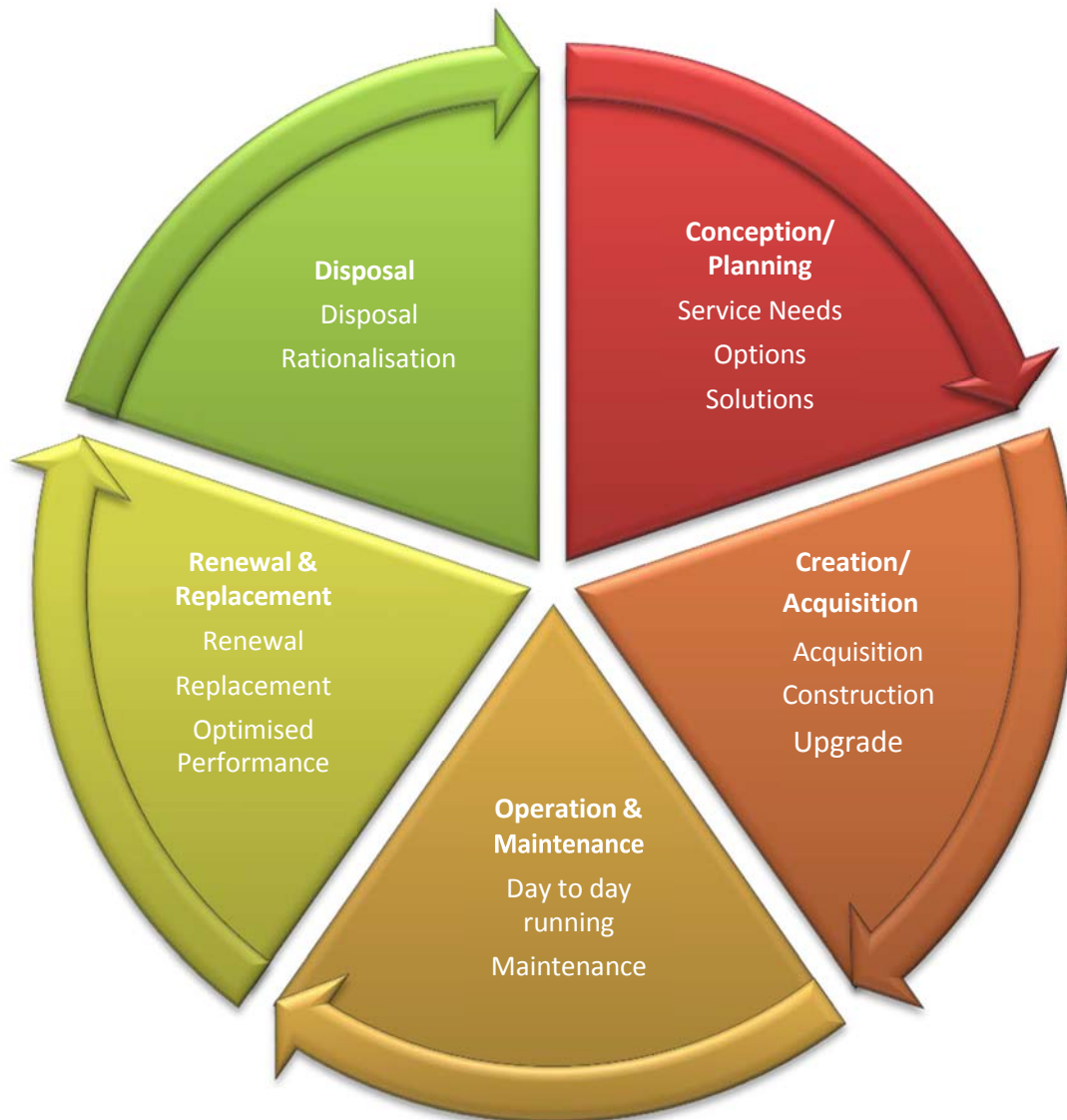
The Shire's Asset Management vision shall be achieved through the implementation of an integrated planning and reporting framework. As a minimum:

- An Asset Management Strategy will be developed to define the Shire's asset management Vision, Objectives, Outcomes, Enablers (e.g. Roles and Responsibilities, Training etc.), Performance Monitoring and Implementation Plan.
- The Asset Management Plans shall be driven by community informed service levels, future demand, long term sustainability and risk management.

### **The Asset Life Cycle (Whole of Life)**

For clarity, the following describes the Shire's definition of its Assets' Lifecycles.

Lifecycle asset management involves the decisions made at each stage of an asset's life, from conception to disposal. The decisions made at one stage may affect the asset's performance and cost in others.



## Levels of Service

The Shire of Northam will establish Levels of Service to define outputs of objectives the organisation intends to deliver in meeting the expectations of the community. These will be incorporated into the Shire's Asset Management Plans



## W 5.8 Heavy Haulage Cost Recovery Policy

<i>Responsible Department</i>	Engineering Services
<i>Resolution Number</i>	20 September 2017
<i>Resolution Date</i>	C.3128
<i>Next Scheduled Review</i>	2019
<i>Related Shire Documents</i>	Long Term Financial Plan Transport Asset Management Plan
<i>Related Legislation</i>	Local Government Act 1995 Road Traffic (Administration) Act 2008 Revised State Planning Policy 3.6

### OBJECTIVE

To provide a methodology and framework for recovering maintenance costs on Shire Roads caused by Heavy Vehicles.

### SCOPE

This Policy applies to any party that applies for a Restricted Access Vehicle (RAV) permit to run a defined vehicle freight task on Shire of Northam roads. This will include all new applications, as well as movements which have been illegally or historically operating without approval having been given by the Shire.

The application must be deemed to involve such a volume (extraordinary load) that it is likely to cause damage resulting in "extraordinary expenses", which is damage that is well beyond what would normally be anticipated for the category of road(s) concerned.

If the Shire of Northam considers that the defined freight task is likely to also effect roads in adjacent Shire(s) it will notify the impacted Shires' accordingly.

### POLICY

#### Extraordinary Load

An Extraordinary Load is defined as a task that will result in a significant increase in the Annual Design Equivalent Standard Axle (ADESA) and will result in damage to the pavement and reduction in the structural design life of the road leading to extraordinary expenses.



### Cost Calculation

The relevant charge shall be calculated using the User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks (WALGA & ARRB 2015). The Proponent shall provide the following information to the Local Government:

1. The type and axle configuration of the vehicles to be used for the task.
2. The annual freight tonnage for the task and the vehicle payload.
3. The number daily vehicle passes.
4. The duration of the task.
5. The task routing and distance.

This method of calculation will be applied to all road surface types.

### Negotiation

The following conditions may necessitate negotiation with the Proponent to adjust the calculated charge or to use an alternative methodology:

1. If the Category of road has been purposely constructed to a level that is suitable for the proposed heavy vehicles movements.
2. If the road is in a very poor or failed condition then the Shire of Northam shall negotiate with the proponent on a strategy and cost to bring the road to a serviceable condition before calculating an annual charge.
3. If the magnitude of the freight task is of such a volume that the road is likely to experience structural failure in a short period, then the Shire of Northam shall negotiate an appropriate strategy and charge to upgrade the structural capacity of the road in advance. This will result in an increased ADESA which will then be used to calculate the ongoing charges.
4. If the proposed ESA are excessively above the limits in the WALGA User Guide or if for any other reason this method is deemed inappropriate then the Shire of Northam may elect to calculate the charge using an alternative method.

### Funding and Service

Funds collected from the Proponent shall be placed into a dedicated fund and shall only be used for routine maintenance, preservation and structural strengthening activities on the section of road concerned. The Shire shall keep records of all works and costs. Council will contribute a portion of the cost of

works out of its own funds according to what they would have reasonably allocated to the road if the proponents activities were not present.

After termination or expiry of an agreement, any remaining funds shall be kept for a period of 12 months (or other agreed time period) after which the road will be inspected and the remaining funds shall be used to repair any defects so that the road is in a similar condition to when the agreement began. Any remaining funds shall then be returned to the Proponent.

### **Agreement**

The Shire and the proponent shall enter into an Agreement that includes the following:

1. The type and axle configuration of the vehicles to be used for the task.
2. The annual quantity of vehicle passes and the payload tonnage. If seasonal then this must be described
3. The routing including return journeys
4. The duration of the task
5. The annual and unit rate charge and method of calculation
6. Payment terms and conditions
7. The obligations of the parties including works records, expenditure, evidence and audit requirements in relation to the determination of actual payload tonnages and notifications of changes to vehicles, payload or routing
8. Conditions on expiry of the agreement
9. Hours and conditions of operation
10. Breaches and terms of remedy for the Local Government and Proponent
11. Duties of Local Government and the Proponent

### **Duties of Local Government**

The Shire will take all reasonable steps to keep the road in a serviceable condition for the duration of the agreement. Appropriate records will be maintained to ensure transparency of expenditure of all collected charges.

### **Duties of the proponent**

The proponent will provide timely (to be determined by the Shire in Agreement) notification to the Local Government if there are any changes to the type of vehicles and axle configurations, annual payload and routing.

### **Authority**

The authority to enter into an agreement with a Proponent under this policy shall be approved by the Chief Executive Officer.

## DEFINITIONS

**Agreement:** An agreement between the Local Government and a proponent defining the conditions of access including charges for a defined transport task

**Proponent:** The party that is requesting to use a Local Government road for a defined freight task

**Equivalent Standard Axle (ESA):** The number of standard axle loads which are equivalent in damaging effect on a pavement to a given vehicle or axle loading. Every vehicle combination can be expressed as a number of ESA.

**Annual Design ESA (ADESA):** The predicted annual ESA that was used to design a road pavement structure. If this is unknown it may be estimated based on the average annual ESA from historic traffic counts or the annual ESA that would reasonably be expected for a particular Category of road under normal circumstances.

**Extraordinary Load:** An Extraordinary Load is defined as a freight task that will result in a significant increase in the ADESA resulting in damage to the road pavement and reduction in the structural design life of the road giving rise to extraordinary expenses as a result of increased routine and planned maintenance and premature failure necessitating rehabilitation or reconstruction of the road.

**Routine Maintenance:** Unplanned activities that maintain the serviceability of the road e.g. repairing potholes, cleaning drainage structures, repairing edge breaks and sweeping pavements.

**Preservation:** Planned maintenance and rehabilitation that are designed to preserve or extend the serviceable design life of the road e.g. crack sealing, resealing with a bituminous sprayed seal, rehabilitation of gravel shoulders and replacing culverts and kerbs.

## PLANNING

***See Section II (separate document) for all local planning policies.***

**See also Town Planning Scheme No. 6**

## HEALTH

### H6.1 ALFRESCO – Outdoor Eating in Public Place

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2966
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 Activities on Thoroughfares & Public Places & Trading Local Law 2008

#### OBJECTIVE

To provide safety guidelines for (outdoor eating facilities) alfresco dining areas within business districts.

#### SCOPE

Following Development Approval an Alfresco Dining Permit is required. An Alfresco Dining Permit will be permitted where the alfresco facility is conducted as an extension of an adjacent food business. Permits will expire 30 June each year but may be renewed upon payment of an annual fee. Any furniture or activities must not impede pedestrian or vehicular movement or cause conflicts with other activities.

#### POLICY

- 1.1 An Alfresco Dining Permit is required to be obtained from the Shire prior to conducting an alfresco facility on a public place.
- 1.2 In consideration of a permit application the Shire will take into consideration the following:
  - Alfresco dining areas is appropriate to the character and functions of the area. They will not be approved where, in the opinion of the Shire, the gathering of customers or the elements of design will unreasonably impede pedestrian or vehicular movements, or cause conflicts with other activities.

- The alfresco facility is conducted as an extension of an adjacent food business. A Liquor licence or an extension to a current liquor licence will be required from the Department of Racing Gaming and Liquor prior to any alcohol being consumed in an alfresco facility.
  - the alfresco dining facilities must not conflict with or inconvenience other adjacent activities or the passing public.
  - Structures associated may only be fixed to the footpath or to any other structures with the approval of the Shire.. Structures and furniture must be stable under windy conditions and provision made for out of sight storage when not in use.
  - The area is to be kept clean and free from rubbish to the satisfaction of the Shire.
  - The area is to be designed to accommodate disabled access.
  - Exits from the adjoining building must not be impeded by the operation of the alfresco area.
  - Street furniture, trees or services shall not be moved or modified without the prior approval of the Council. All costs associated with any such works will be totally at the applicant(s) expense.
- 1.10 Failure to comply with this policy will result, upon resolution of Council, in the revocation of the planning consent for an alfresco dining area.
- 1.11 The Alfresco Dining Permit holder is to provide public liability insurance indemnifying the Shire against all actions, suit, claims, damages, losses and expenses made against or incurred by the Shire arising from any activity, action or thing performed or erected in accordance with the permit. In particular the permit holder shall:
- 1.11.1 take out a public liability insurance policy in the name of the permit holder for a minimum of \$10 million dollars;
  - 1.11.2 Ensure the Shire of Northam is expressly listed on such policy as an “interested party”;
  - 1.11.3 Advise the Shire if the policy lapses, is cancelled or is no longer in operation; and
  - 1.11.4 Produce a certificate of currency for inspection upon request of an authorised person from the Shire.
- 1.12 An Alfresco Dining Permit will expire 30 June each year but may be renewed upon payment of an annual fee.

An application fee, plus annual fee based on the number of chairs and tables applies to each premises with an alfresco dining area.

## H6.2 Short Term Use of Shire Ovals and Reserves for Accommodation

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.3328
<i>Resolution Date</i>	18/04/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	<i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks &amp; Camping Ground Regulations 1997</i> <i>Bush Fires Act 1954</i> <i>Local Government Property Local Law 2008</i>

### OBJECTIVE

To allow the use of approved Shire ovals and reserves for short term camping by organised caravan and camper trailer clubs or for community events attracting a large number of people from outside the Shire.

### SCOPE

Where major events that attract large numbers of people from outside of the Shire are held, Council is supportive of short term camping taking place on ovals and reserves specifically approved for that event. The short term camping is likely to be for a limited number of days only and will involve caravans, campervans or tents.

This is likely to take the form of large-scale camping or touring groups; or sporting or cultural events that attract large numbers of people.

Council also recognises the economic benefits that would flow from overnight stay visitors where this is able to be approved within the constraints of relevant legislation.

## POLICY

Where a request for short term camping within the Shire managed land is made, then the Shire may approve the short term use of designated ovals and reserves for camping by caravan, campervan or tent subject to the following:

- Each oval or reserve on which the camping is to occur must firstly be assessed and approved by the Manager Health and Environment or the Environmental Health Officer in relation to its general suitability for that purpose.
- Toilet numbers either already available onsite or together with portable toilets must comply with the requirements of Schedule 7, Division 6, Clause 20 of the Caravan Parks & Camping Ground Regulations 1997 relative to the number of persons to be accommodated.
- The duration of any camping approved shall not exceed a maximum of seven days.
- Where showers are not available then camping shall only be permitted on an overnight basis.
- Lighting of fires/barbecues shall only occur by the use of provided facilities and in all instances in accordance with the Bush Fires Act 1954.
- Appropriate refuse disposal arrangements are in place.
- The type of camping to be approved (i.e. tents, campervans or caravans) shall be determined by the location on which the camping is to occur.
- The maximum number of sites able to be established at each approved location being determined by the Manager Health and Environment or the Environmental Health Officer.
- The availability of power to the approved location.
- Emergency contact telephone numbers for shire personnel to be made available.
- Determination of the schedule of fees (if any) that are to apply to the camping.
- No liquid waste or effluent is to be disposed of at any Shire facility.
- Compliance with the Environmental Protection (Noise) Regulations 1997.
- No live bands or amplified music, unless specifically approved.



## H6.3 Genetically Modified Crops

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2967
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	

### OBJECTIVE

To identify Council's position on Genetically Modified Products to be reviewed whenever further information is forthcoming which may result in Council reviewing and modifying this policy.

### SCOPE

Policy gives direction for staff to respond to requests for comment on risk assessment and risk management plans for supply or trials of GM Crops from the Office of Gene Technology Regulator.

### POLICY

The Shire of Northam does support the use and development of Genetically Modified Crops in the Shire.

## H6.4 Temporary Accommodation during Construction of a Dwelling

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2966
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	<i>Health (Miscellaneous Provisions) Act 1911</i> <i>Building Act 2011</i>

### OBJECTIVE

To ensure consistency in interpretation of the *Health (Miscellaneous Provisions) Act 2011* in relation to the use of temporary accommodation

### SCOPE

Guidelines to enable the occupation of temporary accommodation on site to assist home builders in the construction of a dwelling on their land, excluding residential zones in accordance with LPS6 and as provided for under section 144 of the *Health (Miscellaneous Provisions) Act 1911*.

### POLICY

In order for a Temporary Accommodation Permit to be approved the following minimum conditions apply::

- a) Occupation shall be in a caravan which is approved in accordance with the *Caravan Parks and Camping Grounds Regulations 1997* for a period up to 12 months for the purpose of constructing a dwelling; with
- b) Ablution and kitchen facilities contained in a Class 10 Building (shed,) for which a Building Permit has been issued and is current (ie: has not expired) and an approval and permit for the installation and use of a septic system has been issued; and
- c) Applicants and occupiers must own or have a legal right to occupy the land.
- d) Compliance with LPS 6.

## H6.5 Disused Motor Vehicles

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2968
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995

### OBJECTIVE

To provide guidance on the management of disused motor vehicles on private property in the Shire of Northam.

### SCOPE

The Council generally requires the removal of disused materials, including disused motor vehicles in accordance with the requirements of the *Local Government Act 1995* which defines 'disused materials' as including disused motor vehicles, old motor vehicles bodies and old machinery.

Council acknowledges that there is discretion within this section of the Act to make determinations about the storage of materials that could be termed disused. This includes disused motor vehicles which residents may wish to retain for their inherent value, hobby or other reasons.

This policy will be applied to all Residential, Rural Residential and Rural Small Holding areas throughout the Shire of Northam.

### POLICY

Disused motor vehicles shall wherever possible be properly garaged rather than being stored in open yard areas;

Storage of disused motor vehicles is to be in accordance with the following:

- (a) No more than two (2) un-garaged disused motor vehicles are permitted on a residential or rural residential lot;

- (b) Disused motor vehicles must be stored such that they are not visible from a public roadway. (NB: Any screen fencing must comply with the Shire of Northam *Fencing Local Law 2008* and Council Policy which generally requires that fencing does not exceed 1.8m in height );
- (c) Disused motor vehicle are to be stored on a suitable hardstand capable of preventing the growth of weeds and grasses around or under a vehicle;
- (d) Storage of loose parts, panels, engines or related materials are to be kept in enclosed storage areas.
- (e) The storage of disused large motor vehicles (e.g. buses) will generally not be approved in residential areas under this policy;

The storage of disused large vehicles (e.g. buses) may be approved in rural small holding areas under this policy, but not for the purpose of temporary accommodation.

## H6.6 Conversion of Class 10 Buildings to Class 1 Habitable Buildings

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2966
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	<i>Health (Miscellaneous Provisions) Act 1911;</i> <i>Building Regulations 2012;</i> <i>Building Code of Australia;</i> <i>Planning Scheme 6</i>

### OBJECTIVE

- Protect the visual amenity of an area;
- Protect occupants from a health & safety perspective;
- Protect future purchasers of the property; and
- Minimise potential liability issues.

### SCOPE

The reclassification of Class 10 buildings to Class 1 habitable buildings, is permitted by regulation 47 of the *Building Regulations 2012* under certain conditions as permitted under the *Building Act 2011* and section 144 of the *Health (Miscellaneous Provisions) Act 1911*.

This policy identifies the minimum requirements for consideration of a reclassification request.

### POLICY

#### Definitions

**"Class 10"** as defined in the Building Code of Australia – (eg: a shed - non-habitable)

**"Class 1"** as defined in the Building Code of Australia – (eg: a dwelling - habitable)

## Background

Sheds and the like are approved and defined under the Building Code of Australia (BCA) as “non-habitable” or Class 10 buildings. As such, the standards required for these structures are significantly less than those for habitable buildings (Class 1 structures). By living in a shed or the like, owners place at risk the health & safety of themselves and all those they let occupy these structures.

Both the Health (Miscellaneous) Act 1911 and the Building Act 2011 prohibit the use of a Class 10 building as a habitable building. For occupation to occur, it must be upgraded to meet the Class 1 building requirements for a dwelling. Whilst the Shire does not want to encourage this practice, it is prepared to permit such a conversion where it can be demonstrated that the building in question can be improved and meet the necessary requirements of the BCA and the Shires Planning Scheme.

## Policy

In order to reclassify a structure the following approvals are required from the Shire:-

- Development Approval;
- Building Approval;
- Approval to install an effluent disposal system, if required.

Once approved a Class 10 structure cannot lawfully be used for human habitation until all building work has been completed in accordance with the approved Building Permit and a Notice of Completion (Form BA7) has been submitted to the Shire.

## H6.7 Portable Signs on Thoroughfares

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2966
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	<i>Activities on Thoroughfares and Public Places and Trading Local Law 2008</i>

### OBJECTIVE

To minimise potential negative effects in relation to safety and amenity with the placement of Portable Directional Signs and Advertising Signs whilst recognising the positive outcomes on occasion from the use of such signs.

### SCOPE

- Details type and conditions for the temporary display of directional signs permitted on thoroughfares with or without a permit.
- Details type and conditions for the use of portable advertising signs on thoroughfares with a permit.

### POLICY

#### PORTABLE DIRECTIONAL SIGNS ON THOROUGHFARES

##### Definitions

"Directional Sign" means a sign which indicates the direction of another place, activity or event.

"Thoroughfare" means a road or other thoroughfare but does not include a private thoroughfare not under the control of the local government.

"Real Estate Signs" means portable directional signs indicating the location of a premises open for inspection.

“Event Signs” means portable directional signs indicating the location of a particular event.

“Sign” includes a notice, flag, mark, structure or device on which may be shown numbers, words, symbols or expressions.

“Portable Directional Sign” means a portable free standing direction sign.

### **Policy**

Directional Signs not requiring a permit include:-

Type	Size & Nos.	Conditions	Location
REAL ESTATE Signs	Max size 60cm x 30cm  Max. No. 4 signs	Removed within 24hrs of home being open Restricted to weekends and public holidays only To direct people to an “Open for Inspection” premises. Public liability insurance required	Made of non-metallic pliable material, which will not cause injury on impact. Anchored so as not to be moveable by wind or other natural forces. Not obstruct or impede reasonable use of any thoroughfare. Not to be placed on roads or roundabouts or centre islands.
EVENTS Signs	Max height 50cm Max area 0.5m2 Max. No. 4 signs	Used infrequently and occasionally Used only to direct attention to an event or place of event or activity Removed at conclusion of event or activity. Public liability insurance required	Made of non-metallic pliable material, which will not cause injury on impact. Anchored so as not to be moveable by wind or other natural forces. Not obstruct or impede reasonable use of any thoroughfare. Not to be placed on roads or roundabouts or centre islands.

The Applicant for portable direction signs requiring a permit shall ensure that:

- The sign neither exceeds 500mm in height or 0.5m2 in area;
- Signs are made of non-metallic pliable material, which will not cause injury on impact;
- Signs relate only to the business activity described on the permit;



- d) Signs contain letters not less than 200mm in height;
- e) Signs are to be anchored in such a way as not to be movable by wind or other natural forces;
- f) Signs are to be limited to no more than 1 sign per business on weekdays, but up to 2 signs per business on weekends;
- g) Signs are to be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
- h) A minimum business public liability insurance of \$10 million is in place;
- i) Signs be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person;
- j) Signs be maintained in good condition; and
- k) Signs not be placed within 50m of a business selling the same or similar product

## PORTABLE ADVERTISING SIGNS ON THOROUGHFARES

### Definitions

**“Advertising Sign”** means a sign used for the purposes of advertisements and includes an “Election Sign”

**“Election Sign”** means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election.

**“Portable Advertising Sign”** means a portable free standing advertising sign.

### Policy

A “portable advertising sign” means a sign that:

- (a) is not fixed to a building, wall or fence;
- (b) only advertises a product or service available on the land adjacent to which it is erected;
- (c) is a sandwich board sign consisting of two sign boards attached to each other at the top by hinges or other means.

All “portable advertising signs” are required to comply with the following:

- (a) A business may erect and maintain one portable sign only on a street or way provided that sign:

- does not project more than 600mm into the (footpath) adjacent to the business to which it is related;
  - does not exceed a height of 900mm measured from the ground;
  - does not obstruct pedestrians;
  - is displayed only during normal business hours of the business to which the sign relates; and
  - does not have any mechanical or wind driven rotating component part.
- (b) All portable signs displayed on any Shire footpath or road reserve shall be included in the businesses' public liability insurance policy, with a minimum cover of \$5 million. The business proprietor shall submit a copy of the Certificate of Currency from the Insurer to the Shire to clearly set out where the policy:
- extends the public liability cover for the business over the areas where the sign is displayed;
  - provides for minimum cover of \$5 million; and
  - protects the Shire against claims resulting from the display of the sign or merchandise. Ideally the Shire should be named under the policy as a Joint Named Insurer (e.g. "ABC Sales and the Shire of Northam"), but at the very least the policy should note the Shire's interest.

## H6.8 Political Issues Signs

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2966
<i>Resolution Date</i>	15 March 2017
<i>Next Scheduled Review</i>	
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	<i>Activities on Thoroughfares and Public Places and Trading Local Law 2008</i>

### OBJECTIVE

To provide guidance on the erection of election signs or political issues signs.

### SCOPE

This policy applies to election or political issues signs erected on private land, thoroughfares and Shire land.

### POLICY

1. Election signs erected on private land with the consent of the landowner or occupier will not be removed other than for health and safety reasons.
2. Election signs will be allowed in thoroughfares controlled by the Shire of Northam provided they meet the criteria in the policy. Signs that do not meet the criteria in the policy may be removed.
3. Election signs on land owned or controlled by the Shire of Northam will not be allowed and they will be removed when brought to the attention of the Chief Executive Officer, except for signs at a polling place on Election Day or pre-polling days.
4. Elections signs containing the Shire of Northam logo and / or crests breach the policy and will be removed.

Criteria for permitting signs on thoroughfares:

1. Must be made of non-metallic pliable material which will not cause injury on impact
2. Be anchored in such a way as not to be movable by wind or other natural forces;
3. Be removed within 48 hours following election day;

The owner of the sign must ensure adequate public liability insurance.

## H 6.9 Trading on Thoroughfares & Public Places

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.2877
<i>Resolution Date</i>	16/11/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	N/A
<i>Related Legislation</i>	Thoroughfares and Public Places and Trading Local Law 2008

### OBJECTIVE

To provide guidance to Shire Officers and the Community in interpretation of the local law for determining applications for a permit to conduct a stall or trade in thoroughfares and public places.

### SCOPE

This policy applies to all stallholders and traders in a public place within the Shire of Northam. This policy does not include delivery of pre-ordered goods and services.

The Shire supports stalls and trading as an enterprising activity that contributes to the wellbeing and benefit of residents and experience of visitors to the region. The Shire encourages a high standard of service delivery whilst also supporting local economic development and commercial viability.

### POLICY

#### STALLHOLDERS

##### Definitions

**Stall:** As defined by the Local Law

**Stallholder:** As defined by the Local Law

<b>Community:</b>	As defined as "charitable organisation" by the local law – Footnote :For the purposes of this policy a Community Organisation is required to be based primarily or have local representation within the Shire of Northam.
<b>Commercial:</b>	As defined as a "commercial participant" by the local law –
<b>Public Place:</b>	As defined by the Local Law
<b>Local Government Property:</b>	As defined by the Local Law
<b>General Stall:</b>	Is any stall other than a Food Stall.

#### Types of Stalls

A stall is operated either for COMMUNITY or COMMERCIAL purposes.  
A stall is defined as either a FOOD or GENERAL STALL.

#### Location of Stalls

A COMMERCIAL FOOD OR GENERAL STALL permit will be issued only if the stall is part of a registered event, approved markets or at a sporting event that the organisers have agreed upon the applicant's inclusion.

Areas where a commercial stall is not permitted:-

- on or adjoining (50m of) the following roads: Great Eastern Highway, Great Southern Highway;
- within the view of road users from any Highway or Freeway;
- no closer than 300 metres of any shop or permanent place of business that has for sale the same kind of goods or merchandise being offered for sale;
- within 300 metres of schools between the hours of 8:00am to 9:00am and 3:00pm to 4:00pm when schools are operating;
- in road reserves unless the site has a formal parking area (such as rest areas);

A COMMUNITY FOOD OR GENERAL STALL permit will be issued if the stall is part of a registered event, approved community markets or a sporting event.

Consideration will also be given to flexible locations outside of the permitted events if raising funds for the community organisation through a sausage sizzle, sale of pre-packaged drinks or a wood raffle or the like. Location considerations include access, authorisation of land owner and public safety.

## STREET TRADING

### Definitions

**Street Trading:** Includes a trader going from place to place, conducting a sale or offering for sale or hire or the soliciting of goods or services, whether or not in a public place.

Street trading does not include the delivery of pre-ordered goods or services to the purchaser.

**Public Place:** As defined by the Local Law

**Street Trader:** Is a person who carries on street trading from a vehicle whether itinerant or regular.

**Itinerant Trader:** An itinerant trader is a street trader who trades from a vehicle on public roads, stopping in various locations only long enough to conduct a sale. An itinerant trader may be a food or non-food trader. (An example is a mobile ice cream van)

**Regular Trader:** A regular trader is a street trader who trades from a vehicle which accesses various private commercial or industrial properties on a regular basis in an attempt to obtain a sale. A regular trader may be a food or non-food trader. Food on the Move, which is a mobile food business selling food for morning tea & lunch in the Industrial Areas in Northam is an example as well as Snap-on-Tools selling tools from a mobile showroom in Commercial and Industrial areas.

### Types of Street Traders

A street trader is either an ITINERANT or REGULAR trader.  
A street trader may be a FOOD or NON FOOD trader.

### Location of Traders

#### Itinerant Food Trader

Areas where an itinerant food trader is not permitted:-

- o on or adjoining (50m of) the following roads: Great Eastern Highway, Great Southern Highway;
- o within the view of road users from any Highway or Freeway;
- o no closer than 300 metres of any shop or permanent place of business that has for sale the same kind of goods or merchandise being offered for sale;
- o within 300 metres of schools between the hours of 8:00am to 9:00am and 3:00pm to 4:00pm when schools are operating;
- o in road reserves unless the site has a formal parking area (such as rest areas);

#### Itinerant Non-Food Trader

Only permitted if the stall is part of a registered event, approved markets or at a sporting event that the organisers have agreed upon the applicant's inclusion

#### Regular Food Trader

Only permitted if operating out of an approved commercial kitchen within the Shire of Northam

#### Regular Non-Food Trader

No restriction

#### Consideration of Application

Generally street trading is not supported by the Shire where there are potential conflicts with existing businesses. However if you believe there are extenuating or compelling circumstances that the Council should be made aware of the Council will consider an application and make a determination by resolution at a Council Meeting. In determining an application the Shire will take into consideration, the following:

- Compliance with this policy;
- The desirability of the proposed activity;
- The location of the proposed activity;
- Such other matters as considered relevant.

It is therefore important that your application addresses all these matters.

## BUILDING

### B7.1 Amalgamation of Lot for Building Sites

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.3392
<i>Resolution Date</i>	20/06/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	National Construction Code Series, Building Act 2011

#### OBJECTIVE

To prevent building over boundaries unless amalgamation has occurred or is imminent.

#### SCOPE

Applies to all proposed buildings/structures to be built over a lot boundary.

#### POLICY

1. A Building Permit will only be issued for a proposed building/structure that extends over more than one surveyed allotment (i.e. a building/structure crossing over a boundary) if:
  - a) The Building Surveyor is satisfied that an approved Diagram of Survey has been lodged at the Titles Office and an application for a Certificate of Title for the amalgamated allotments has been registered and accepted; or
  - b) A legal agreement has been entered into and signed by all parties to allow the owners twelve (12) months to amalgamate the allotments & provide a registered Certificate of Title to the Shire & evidence that the amalgamation process has commenced is provided to the Shire.
2. An Occupancy Permit will not be issued until a registered Certificate of Title is provided to the Shire.



### Part 1

Exemptions for the requirement to amalgamate shall be applied to:

1. Attached additions under the same ownership that "straddle the internal boundary" and meet the requirements of the National Construction Code;
2. Detached additions/new buildings on the second lot that meet the requirements of the National Construction Code. Note- Formal subdivision of the two lots would be required should the owner sell the property.

### Part 2

Occupancy Permits are only required for Class 2-9 Buildings (Commercial) A Registered Certificate of Title demonstrating amalgamation has occurred, will only be required if the Fire Separation requirements of the National Construction Code have not been satisfied

## B7.2 Retaining Walls

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2948
<i>Resolution Date</i>	15 February 2017
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	Nil
<i>Related Legislation</i>	<i>Building Act 2011</i>

### OBJECTIVE

To use a risk management process to describe when approval is required for retaining walls.

### SCOPE

Applies to all proposed retaining walls.

### POLICY

1. Retaining walls require a building permit if the retaining wall
  - a) Retains ground more than 500mm in height; or
  - b) If it is any height and is associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; or
  - c) If it is any height and is work of a kind to which section 76, 77, 78 or 79 of the *Building Act 2011* relates (Work affecting other land that requires consent, court order or other authority).
2. A Retaining wall which requires a building permit, will also require an accompanying engineer's certification as part of the building application.

## **B 7.3     Roof Drainage - Townsites**

<b>POLICY</b>	For the purpose of drainage of stormwater from roofs under the provisions of the Building Code of Australia, the Shire road network, within Shire of Northam townsites, is an approved stormwater disposal system.
<b>OBJECTIVES</b>	To prevent nuisance and damage to property caused by roof stormwater drainage.
<b>GUIDELINES</b>	See Procedures Roof Drainage /G: /Procedures /Building /Roof Drainage_Townsites
<b>HISTORY</b>	Adopted: 16/09/2009 Last Review: 16/10/2013
<b>REVIEW</b>	Executive Manager, Development Services

## **ATTACHMENT 7.3 ROOF DRAINAGE - TOWNSITES**

### **1. BACKGROUND**

Stormwater from roofs in Shire townsites shall be channelled into a suitable pipe to be laid under the footpath of the adjoining street and discharged into street drains, in accordance with the Shire's specifications available from the Shire office.

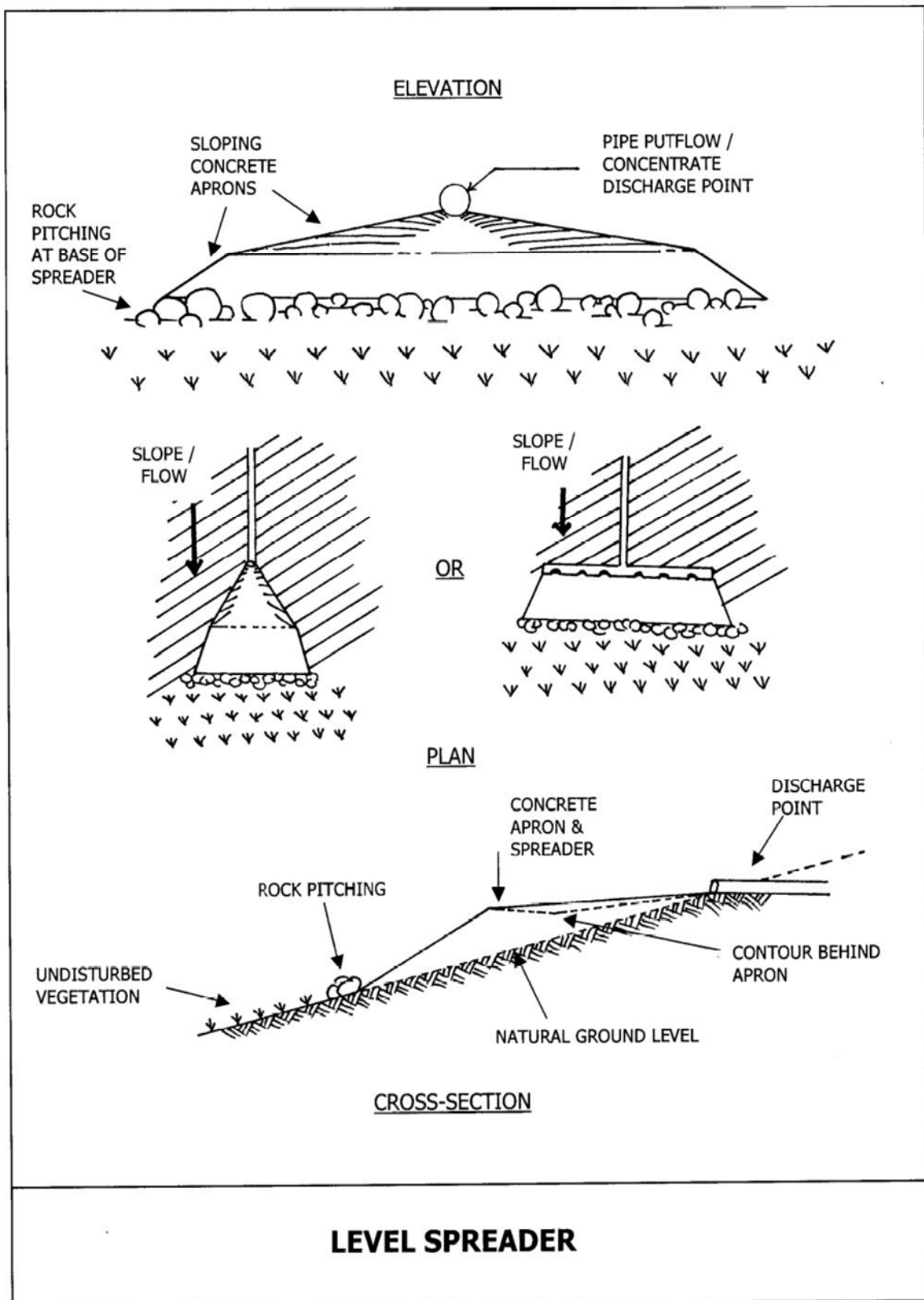
The owner of such dwellings will bear the full cost of this work, which will be inspected by a Council employee before any kerb bonds are returned.

1.1 Outside of townsites where a stormwater system is not available, stormwater is to be managed in one of the following ways:

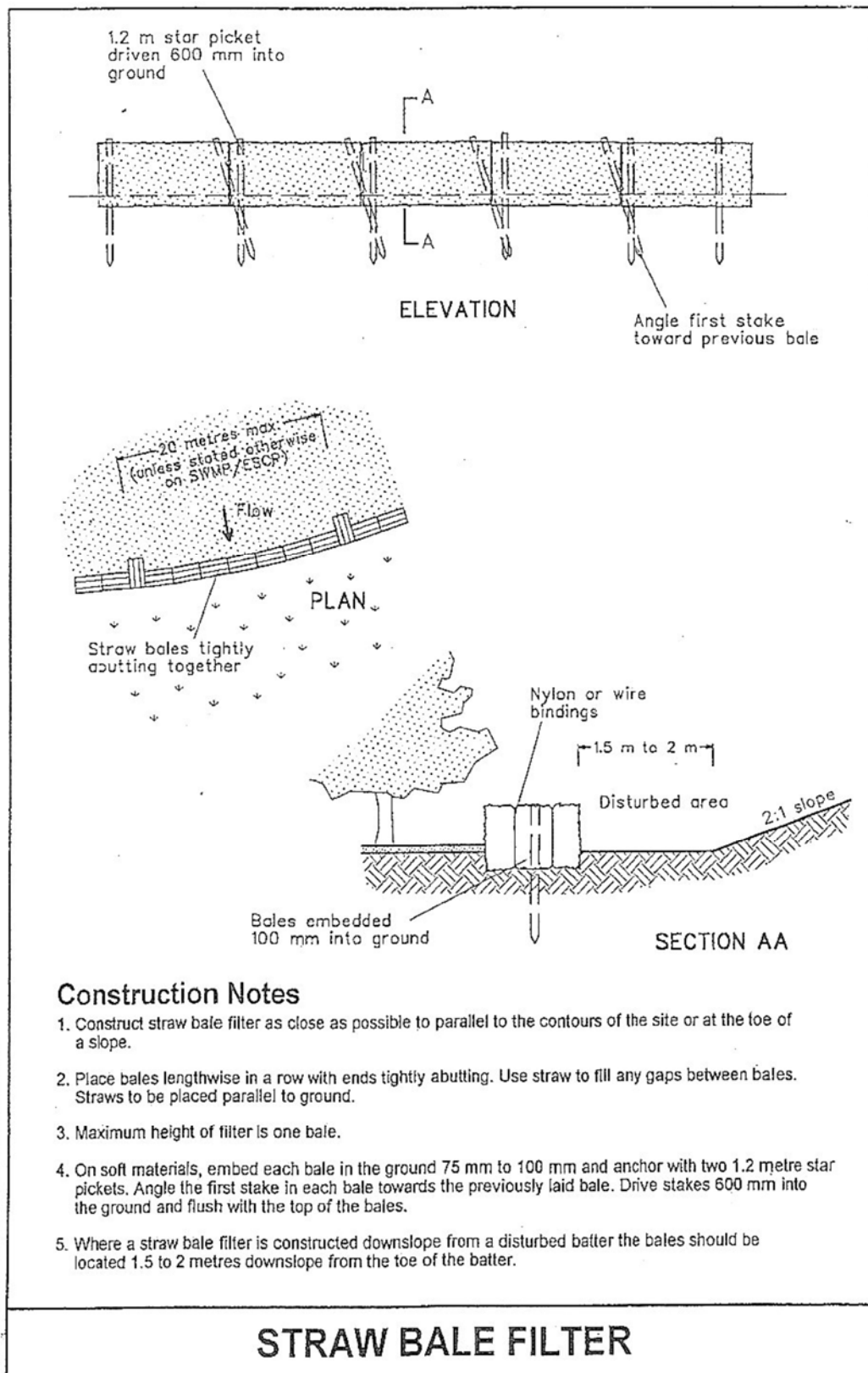
- (a) installation of soak-wells;
- (b) construction of a stormwater detention basin(s);
- (c) construction of a diversion or catch drain(s) across a slope to convey runoff at a non-erosive velocity and to divert runoff from upslope areas around the site of a disturbance or an area at risk of erosion;
- (d) construction of a level water spreader, which slowly discharges water from the outlet of a drain or pipe onto an undisturbed area stabilised by vegetation cover. The purpose of the spreader is to convert a concentrated potentially erosive outflow from a discharge point into non erosive sheet flow". A construction note illustrating this method is included as Appendix – I;
- (e) installation of a weed-free hay bale barrier(s) positioned so as to intercept runoff and sediment. The primary purpose of the hay bale barrier is to reduce runoff velocities and filter runoff. A construction note illustrating this method is included as Appendix –2;
- (f) installation of a sediment fence(s) to reduce runoff velocities and cause the deposition of silt. These fences are usually used to intercept sheet flow from disturbed areas. A construction note illustrating this method is included as Appendix – 3;
- (g) planting of continuous vegetated buffers to intercept sediment laden sheet flow. The buffers remove the silt from runoff by trapping soil and sediment particles and are most effective where the flow is shallow and spread over a large area;
- (h) any other method identified as being acceptable for controlling stormwater runoff from developments in Council's Stormwater Drainage Strategy or accompanying Application Guidelines.

- 1.2 Stormwater runoff during the construction phase of a development shall be managed in accordance with the following principles:
- (a) topsoil is to be retained on site and redistributed to disturbed areas post-construction;
  - (b) soil must be prevented from being washed off site and must be kept out of any existing or proposed drainage system(s);
  - (c) mulching, revegetation or other stabilisation of disturbed sloping areas;
  - (d) construction of a level water spreader, which slowly discharges water from the outlet of a drain or pipe onto an undisturbed area stabilised by vegetation cover. The purpose of the spreader is to convert a concentrated potentially erosive outflow from a discharge point into non-erosive sheet flow;
  - (e) provision of stabilised site access. A construction note illustrating this method is included as **Appendix – 4**.
- 1.3 Council may at its discretion require the applicant of a development proposal to submit a detailed stormwater management plan for Council's consideration before determining their application, or as a condition of any Planning Approval granted for the development. Where required, such plan shall demonstrate to Council's satisfaction how stormwater runoff from the development will be managed to comply with the objectives of this Policy.
- 1.4 The information contained within and the requirements of this Policy do not remove or replace the need for any professional engineering or hydrological advice in the preparation of stormwater management solutions for new developments.

## Appendix 1: Item 15



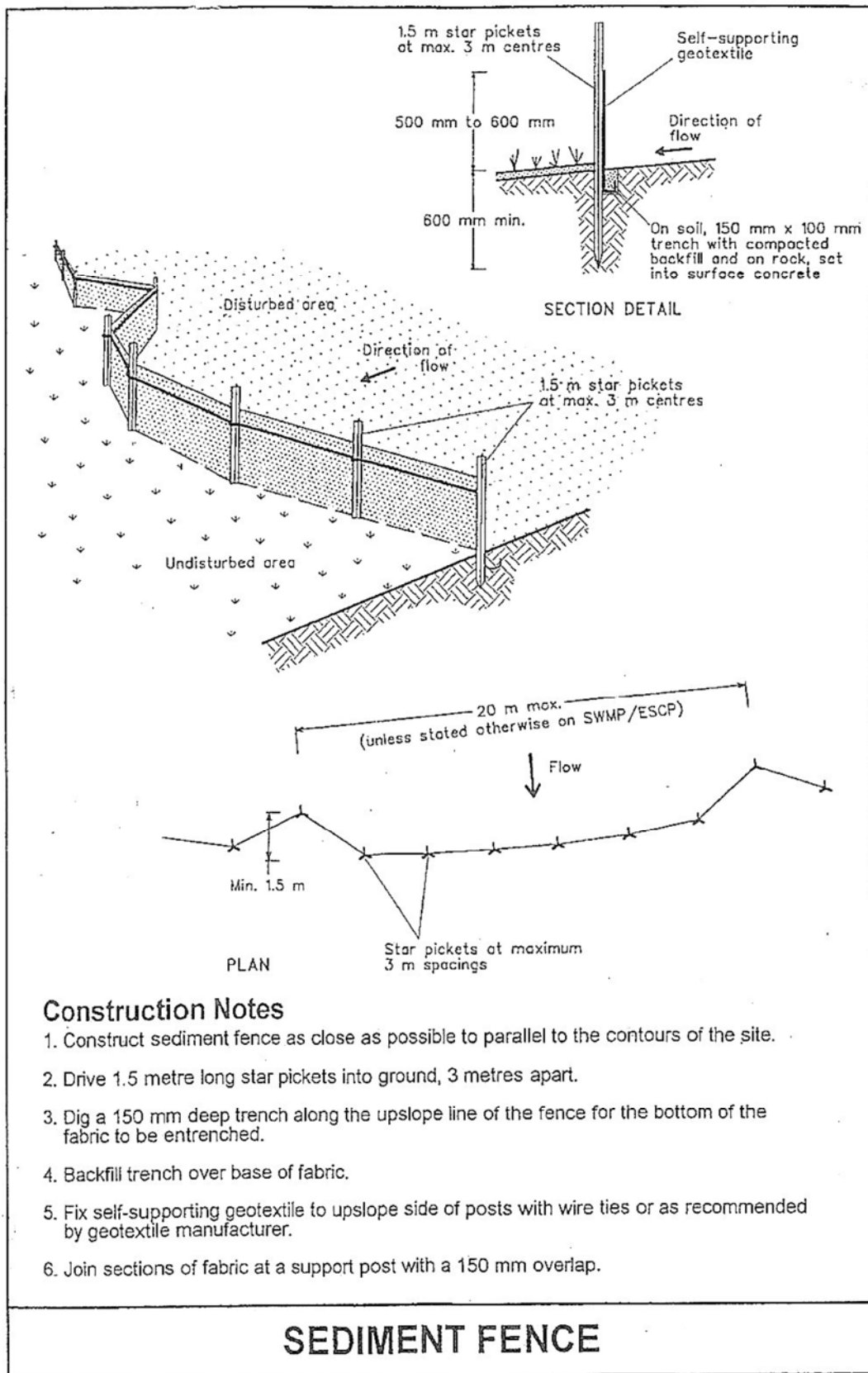
## Appendix 2: Item 15



(Source: Local Government NRM Policy Manual – Erosion and Sedimentation Control Guidelines for the Swan Coastal Plain (EMRC, 2002)).



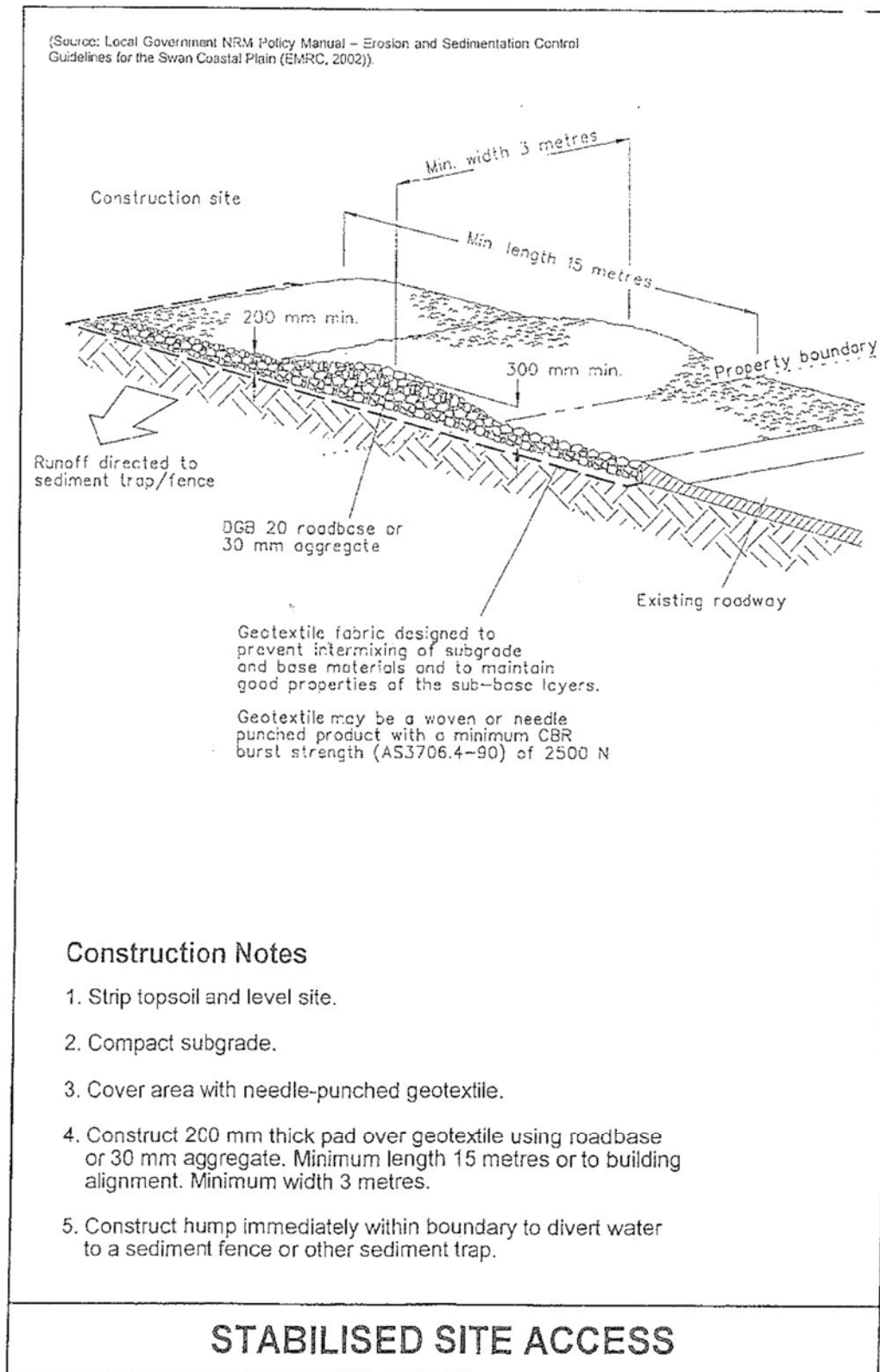
### Appendix 3: Item 15



(Source: Local Government NRM Policy Manual – Erosion and Sedimentation Control Guidelines for the Swan Coastal Plain (EMIRC, 2002).)



## Appendix 4: Item 15



## B 7.4 Signs – Building Permit Requirements

<i>Responsible Department</i>	Executive Manager, Development Services
<i>Resolution Number</i>	C.3392
<i>Resolution Date</i>	20/06/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	

### OBJECTIVE

To require that signs meet safety standards and have the necessary approvals.

### SCOPE

Applies to all building applications relating to signs.

### POLICY

All signs requiring planning approval, with the exception of Window Signs, Portable Signs, or Fascia/Wall Signs, less than 2m<sup>2</sup> fixed directly to the face/wall of the building, shall require a building permit.

All applications shall be in the form of a building permit application and show:

1. Position of sign
2. Size of sign
3. Method of construction, attachment and support

Note: In some cases, depending on the size and nature of the sign, Structural Engineers Certification may be required.

## B7.5 Water Tank Installations

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.3392
<i>Resolution Date</i>	20/06/2018
<i>Next Scheduled Review</i>	2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Building Act 2011& Building Regulations 2012

### OBJECTIVE

To allow for the installation of water tanks.

### SCOPE

Applies to all proposed Water Tank Installations.

### POLICY

Schedule 4 (Item 8) of the Building Regulations 2012 states that "a building permit is not required for the construction, erection, assembly or placement of a water storage tank with a capacity of 5000 litres or less".

Any water tank exceeding that capacity will require a Building Permit.

## B7.6 Electric Fences Policy (Revoked)

Revoked 20<sup>th</sup> June 2018. Resolution No: C.3392.

## ADMINISTRATION

### **A 8.1 Policy on Harvest, Vehicle Movement and/or Hot Works Bans**

<b>POLICY</b>	Harvest bans, vehicle movement bans and/or hot works bans are decided and implemented in accordance with Attachment 9.2 to this policy.
<b>OBJECTIVES</b>	To minimise fire damage to personnel, infrastructure and property during periods of high fire risk.
<b>GUIDELINES</b>	Bush Fires Act 1954
<b>HISTORY</b>	Adopted: 19/11/2008 Last Review: 15/09/2010
<b>REVIEW</b>	Shire of Northam Bush Fires Advisory Committee

## ATTACHMENT A 8.2

### POLICY ON HARVEST, VEHICLE MOVEMENT AND/OR HOT WORKS BANS

#### 1. Introduction

This policy sets forth the manner in which harvest bans, vehicle movement bans and/or hot works bans are decided and implemented.

#### 2. Definitions

For the purpose of this policy:

**“Harvest Ban”** means a ban imposed on the harvesting or processing of a crop by agricultural machinery during the restricted or prohibited burning period due to adverse weather conditions.

**“Vehicle Movement Ban”** means a ban placed on the movement of any self propelled vehicles, plant or equipment on a property, except for access to a home or shed and the emergency watering/feeding of stock using a vehicle during the restricted or prohibited burning period.

**“Hot Works Ban”** means a ban placed on the use of welding equipment, abrasive tools or any such equipment likely to start a fire in an outdoor area.

**“Restricted Burning Period”** means a period where burning is restricted by the issuing of a burning permit. Within the Shire of Northam this is 19 September until 14 November and 22 February until 13 April unless otherwise modified by Council.

**“Prohibited Burning Period”** means the time of year during which it is declared by the Minister under section 17 to be unlawful to set fire to the bush within a zone of the State and, in relation to any land in such a zone-

- includes any extension of those times made, or any further times imposed, under that section in respect of the whole of that zone or in respect of the part of that zone, or that district or part of that district, in which that land is situated; but
- does not include any period by which those times are reduced, or for which those times are suspended, under that section in respect of the whole of that zone or in respect of the part of that zone, or the district or part of the district, in which that land is situated or in respect of that land in particular;

**“Delegated Local Government Officer”** means the Chief Executive Officer of the Shire of Northam or another officer delegated with particular functions by the CEO or Council.

**“Fire Danger Rating”** means the fire danger rating of:

Low	0 – 2.5
Moderate	2.5 – 7.5
High	7.5 – 32
Very High	32 – 50
Extreme	50 – 200

**“Fire Danger Index”** means:

**0 – 2.5**

Difficulty of suppression Low: Head fire stopped by roads and tracks.

**2.5 – 7.5**

Difficulty of suppression Moderate: Head fire easily attacked with water.

**7.5 – 32**

Difficulty of suppression High: Head fire attack generally successful with water.

**32 – 50**

Difficulty of suppression Very High: Head fire attack may succeed in favourable circumstances. Back-burning close to the head may be necessary.

**50 – 200**

Difficulty of suppression Extreme: Direct attack will generally fail. Back-burning from a good secure line will be difficult to hold because of blown embers.

The fire danger index is not directly related to fire spread but can be related to the chances of a fire starting, its difficulty to control and the amount of damage it will do.

**“Grassland Fire Danger Meter”** means the Commonwealth Scientific and Industrial Research Organisation (CSIRO) modified McArthur Mark 4 Meter.

**“Chief Bush Fire Control Officer”** means that person appointed by the Shire of Northam to perform that role or the person acting in that position as authorised.

**“Harvest Ban Officer”** under the Bush Fires Act 1954 a Local Government ‘may appoint to the office of fire weather officer such member of senior Bush Fire Control Officers as it thinks necessary’ and ‘38.6 (ca) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the

exclusive right to exercise the power conferred by paragraph (h)' and '38(cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.'

### **3. Background**

The implementation of a Harvest, Vehicle and/or Hot Works ban needs to be undertaken in a consistent and measurable manner. This Policy sets forth the circumstances of how and when such bans are implemented and the subsequent procedures that are required to be followed in arriving at this decision and the implementation of that decision.

There is recognition that topographical and geographical differences do exist throughout the Shire of Northam and historically the Shire has been divided into Zones 4 and 5, commonly referred to as East and West.

It is also historic that Harvest and Vehicle Movement bans have been implemented at different times for different periods.

In the past the CBFCO has consulted the CEO on the need to impose such bans, this policy seeks to establish specific criteria which requires the imposition of such bans.

### **4. Fire Weather Officers & Harvest Ban Officers**

As provided for under the Act, Council can appoint Fire Control Officers to the position of Fire Weather Officer and Harvest Ban Officer.

For the purposes of this Policy, the role of the Harvest Ban Officer is to obtain readings from suitable monitoring equipment to determine the 'Fire Danger Index'. The officers are charged with the responsibility of liaising with each other and the CBFCO in determining the need for a ban.

Council will appoint a Fire Weather Officer, 2 Harvest Ban Officers in Zone 4 and 2 Harvest Ban Officers in Zone 5.

#### **a) Establishing the need for a Harvest, Vehicle Movement and/or Hot Works Ban**

Where the Fire Danger Rating issued by the Bureau of Meteorology is 'Very High' or 'Extreme' the appointed Harvest Ban Officer shall periodically measure the day temperature, relative humidity and maximum wind speed within the



designated area. The data collected is to be inputted into the Grassland Fire Danger Meter to determine the Fire Danger Index.

If the Fire Danger Index has reached or is expected to reach or exceeds 32 the Harvest Ban Officer shall contact the CBFCO as soon as practical. The CBFCO shall implement a Harvest, Vehicle Movement and/or Hot Works ban for the zone in which the ban has been imposed. The CBFCO will contact the delegated local government office and instruct a ban be implemented.

All bans implements are to be imposed until 6.00pm or until they are officially removed on agreement between the CBFCO and Harvest Ban Officers. The Delegated Local government is notified accordingly.

Following the implementation of a ban the Harvest Ban Officer shall continue to take readings at timely intervals to determine the Fire Danger Index. Should any two consecutive readings fall below 32 the Fire Weather Officer should contact the CBFCO and the delegated Local Government officer.

It is Shire Policy that a Harvest, Vehicle Movement and Hot Works ban shall be in place for Christmas Day, Boxing Day and New Years Day. Other public holidays may have similar bans imposed at the discretion of the delegated Harvest Ban officer after consultation with the CBFCO.

## **6. Method of implementing a Harvest, Vehicle Movement and/or Hot Works Ban**

- 6.1 All bans are to be advertised on ABC radio 531AM, RadioWest 864AM and the Bushfire Radio Network.
- 6.2 A notice is to be placed on Council's local notice boards and website.
- 6.3 A pager message is to be broadcast advising all pagers of the ban.
- 6.4 A group facsimile is to be sent to the agencies listed in Appendix A.
- 6.5 All bans are to be sent via SMS to all mobile phone numbers listed on the [www.smser.com.au](http://www.smser.com.au) website. Note: All ratepayers may request for Council's Ranger Service to list them on this website.
- 6.6 All bans are to be in place as soon as practicable and any ban imposed is effective until they are officially removed on agreement between the CBFCO and Harvest Ban Officer, and the Shire are notified accordingly.

- 6.7 A phone in service (which is to be operational by 2009/2010 Bush Fire Season) is to include a recorded message which will advise at any given time if there is a Ban in place.

## **7. Exemption from Vehicle Movement Bans and/or Hot Works Bans**

Council can exempt certain activities from the requirements to comply with the Vehicle Movement Ban and Hot Works Ban providing they meet the following criteria:

- 7.1 The property is inspected by an authorised Local Government officer and a Fire Control Officer to ensure compliance with these conditions;
- 7.2 The property must comply with Council's Fire Break Order;
  - a. The access road in and out of the property must have a minimum width of 6 metres trafficable surface clear of all flammable materials;
- 7.4 Any vehicle, truck or plant being used within the license area must have a suitable operational fire extinguisher fitted;
- 7.5 A fire unit operated by at least one (1) adult must be on site at all times during the ban period when any vehicle, truck, or plant is being used within the license area;
- 7.6 Each vehicle being operated within the license area shall have an operational communications device fitted that is capable of contacting the emergency services either by phone or VHF radio.
- 7.7 The license area will be inspected annually by Council staff prior to any exemption being issued.
- 7.8 Any exemption issued shall expire on April 30 each following year.

## **A 8.2 Policy for Children on a Fire Ground**

<b>POLICY</b>	<p>Volunteer Fire fighters under 16 years of age should not be on the fire ground unless accompanied by and under the direction of their parent or their employer.</p> <p>Volunteer Fire fighters aged 16 or 17 years of age should be accompanied by and under the direction of a parent or guardian when on the fire ground.</p>
<b>OBJECTIVES</b>	To minimise risk.
<b>GUIDELINES</b>	Bush Fires Act 1954
<b>HISTORY</b>	Adopted: 19/11/2008 Last Review: 15/09/2010
<b>REVIEW</b>	Shire of Northam Bush Fire Advisory Committee

## A 8.3 Records Management

<i>Responsible Department</i>	Executive Manager Corporate Services
<i>Resolution Number</i>	C.2789
<i>Resolution Date</i>	17/08/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	Nil.
<i>Related Legislation</i>	State Records Act 2000

### OBJECTIVE

To define the principles that underpin the Shire's record keeping function and the roles and responsibilities of those individuals who manage or perform record keeping processes on behalf of the Shire.

The Policy and its associated Plans and Procedures establish a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

### SCOPE

This policy applies to all government records created or received by a Shire of Northam employee, contractor or Elected Member, or an organisation performing outsourced services on behalf of the Shire of Northam, regardless of their physical format, storage location or date of creation.

### POLICY

#### Custodianship of Records

The Shire of Northam recognises its records as a government owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during the course of business (including those from outsourced bodies or contractors) is vested in the Shire of Northam.

#### Roles and Responsibilities

- (a) **Elected Members:** All Elected Members are to create, collect and retain records relating to their role as an Elected Member for the Shire of Northam in a manner commensurate with legislation and the Shire's policies and procedures for record keeping. Originals or copies thereof shall be delivered to the Chief Executive Officer for recording and safe keeping by the Shire of Northam. Party political and personal records of Elected Members are exempt.
- (b) **Chief Executive Officer:** The Chief Executive Officer is to ensure that an organisational system for the capture and management of records is maintained that is compliant with legislative requirements and best practice standards.
- (c) **Managers:** All Managers are to ensure record keeping policy and procedures are known and adhered to in their area of responsibility.
- (d) **All Staff:** All staff (including contractors) are to create, collect and retain records relating to Shire of Northam business activities they perform. They are to identify significant and ephemeral records, ensure significant records are captured into the Record Keeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for record keeping.

### Creation of Records

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

### Capture and Control of Records

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

### Security and Protection of Records

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

### Access to Records

Access to the Shire's records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992* and

Shire policy. Access to the Shire's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

### **Appraisal, Retention & Disposal of Records**

All records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of Western Australia in 1999.

## A8.4 Management of Council Property Leases

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.3455
<i>Resolution Date</i>	15/08/2018
<i>Next Scheduled Review</i>	June 2020
<i>Related Shire Documents</i>	
<i>Related Legislation</i>	Local Government Act 1995 s3.58 Local Government Act 1995 s9.49A(2)&(4) Local Government (Functions and General) Regulations 1996 Reg 30(2)(b)

### OBJECTIVE

To assist in the management of Council property leases.

### SCOPE

Applies to all commercial entities, community groups, not for profit organisations and government organisations.

### POLICY

Shire property leases will be determined on the nature of the proposed usage in accordance with this policy and legislation.

The CEO and Shire President are authorised to execute leases and affix the Common Seal of the Shire of Northam to leases approved under Delegated Authority Reference Number F06 - Disposing of Property by Lease or Licence.

## **MANAGEMENT OF COUNCIL PROPERTY LEASES AND LICENCE AGREEMENTS**

### **DEFINITIONS**

A lease is offered where the tenant (Lessee) has exclusive possession of the premises ("Demised Premises") for a fixed term.

A management licence ("Licence") is offered where the tenant ("Licensee") has management rights only of the "Demised Premises." Where the Council does not have the power to lease the land (e.g: the Shire leases the land from another party), or the land is shared between several users.

Minor maintenance in general refers to an amount of \$1000 per annum and major maintenance refers to amounts generally above \$1000 per annum.

### **POLICY**

As a general principle, a new lease will be limited to a maximum of a five year term and any option to renew will be limited to no more than a five year term. Council may consider longer terms where Council is of the opinion that there is benefit or merit for providing a longer lease term.

- 1.0 Community Groups managing the following Community Halls will be subject to a lease between the Community Group and Council:-.

Bakers Hill Recreation Centre  
Clackline Hall  
Grass Valley Hall  
Southern Brook Hall  
Quellington Hall

Council recognises the importance of a Community Hall to the general community and understands that the 'Hall' use is unlikely to result in full cost recovery, therefore:-

- 1.1 Council will assist in maintaining the facility for the benefit of the community, with the Community Group as manager;
- 1.2 The basic principles considered in establishing a standard lease fee reflects the community contribution of the group resulting in a levy of a peppercorn (\$1 per annum payable on demand) rental to community groups managing the nominated Community Halls;
- 1.3 The Shire will cover the cost of building insurance and the lease preparation fee for the above community halls managed by community groups.
- 1.4 The Shire through the Council's annual budget process will provide a maximum amount of \$1000 per annum, towards the maintenance of the special floor surface in the sports arena section of the Bakers Hill Recreation Centre;



- 1.5 All other conditions as described under 2.0, excluding 2.1 (rent) and 2.2 (lease preparation fee) will apply; and
- 1.6 The **Northam Memorial Hall** is to be treated as a special case with specific requirements as it is managed under a Deed.

## **2.0 Community Based Not-for-profit Lease: Reg 30(2)(b)**

The basic principles considered in establishing a standard lease fee reflects a fair and equitable contribution of provision of a facility, the venue's pattern of use, location and the potential to obtain Community Grants assistance, as follows:-

- 2.1 The Shire levy an annual administration rent equivalent to the cost of building insurance, to all community, sport and recreation groups, not including the abovementioned Community Halls, and is reviewed annually.
- 2.2 Lessees or Licensees will be responsible for the full cost of the lease document preparation, registration and other costs associated with the execution of the agreement.
- 2.3 Lessees or Licensees must agree with Council to manage the "Demised Premises" on behalf of the community and to offer a service to the community that provides a net benefit.
- 2.4 The Lessee or Licensee will be responsible for the payment of outgoings, operating costs, and minor maintenance obligations.
- 2.5 The Lessee or Licensee will not be responsible for Shire land rates, but will be responsible for rubbish service rates.
- 2.6 The Shire will insure the "Demised Premises" at replacement value and pass on the cost to the Lessee as per 2.1. The Shire will perform any structural repairs, improvements and maintenance in accordance with levels determined within its budget forecast.
- 2.7 In the case of the Lessee or Licensee who leases a Council building and obtains approval to carry out extensions, alterations and/or additions, Council will insure the improvements as part of its insurance portfolio at replacement value.
- 2.8 The Lessee or Licensee will be responsible for contents insurance for their contents, and also hold public liability for their activities and workers compensation insurance for their employees (if applicable) to the value stipulated in the agreement.
- 2.9 The Lessee or Licensee will be responsible for the cost of repair of any internal damage, vandalism, corrective maintenance or damage to external doors, glass windows, security lighting and any other external facility through misuse by a club representative, member or guest. The Shire may carry out any corrective works and recoup the full cost from the Lessee.
- 2.10 The Lessee or Licensee will be responsible for keeping the building clean and tidy at levels predetermined within the agreement.
- 2.11 The Lessee or Licensee will not incur any costs for property damage excluding contents occasioned by fire, fusion, explosion, lightning, civil commotion, storm, tempest, or earthquake.

- 2.12 On an annual basis, Lessees and Shire representatives will meet to carry out a property inspection to determine the extent to which the Lessee or Licensee have met their lease/licence obligation and to consider any specified building maintenance schedules for the following twelve month period within the Shire's budget parameters.

### **3.0 Subsidised Community Not-For-Profit: Reg 30(2)(b)**

- 3.1 Definition: Development of facilities mainly by Government funds on land controlled or vested to the Shire of Northam and Facilities are leased to and operated by government agency or community based incorporated business;
- 3.2 Lessee Responsibilities
  - 3.2.1 Specified annual rent;
  - 3.2.2 Maintenance, cleaning and operational expenses are provided by the Lessee;
  - 3.2.3 Outgoings, utility charges, rates etc are paid by the Lessee
  - 3.2.4 Minor and Major maintenance is managed by the Lessee.
  - 3.2.5 All associated Lease fees are paid by the Lessee.

### **4.0 Airport Hangar Site Agreement: S3.58 of the Act**

- 4.1 The Shire has an expectation that it will receive a rent calculated on the land use or probable use rate at a set rate per square metre determined by the Valuer General; or
- 4.2 No less than market value of vacant land determined by the Valuer General for any lease area or licence.
- 4.3 The Lessee or Licensee will be responsible to contribute to the full cost of any previous improvements to the Airport by way of a levy proportioned to the cost of the work by a once-off lease "establishment fee" or "transfer fee".
- 4.4 All agreements will have a common expiry date and an option to renew shall be limited to no more than five years.
- 4.5 The Lessee or Licensee will be responsible for meeting the full cost of the document preparation, registration and other costs associated with the execution of the agreement.
- 4.6 Lease costs must be paid for prior to the lease being drawn up.
- 4.7 In addition to the cost of drawing up the lease the Lessee or Licensee will annually be responsible for lease rental, land rates, water connection and usage, electricity connection and usage, telephone connection and usage
- 4.8 All improvements, repairs and maintenance to the "Demised Premises" are the sole responsibility of the Lessee or Licensee.
- 4.9 The Lessee or Licensee will be responsible for building and contents insurance and also hold current public liability insurance and worker compensation (if applicable) to the value stipulated in the agreement.
- 4.10 An agreement will not be entered into until a valid development application has been lodged with the Shire and been approved.

## **5.0 Commercial, Government or Government Agencies Agreement:**

- 5.1 The Shire has an expectation that it will receive no less than market valuation for any lease or licence of the Shire's property as determined by the Valuer General, and
- 5.2 The Shire recognises that partnerships can be entered into for the benefit of the local community and acknowledges the adopted lease or licence rent will be determined on a case by case basis taking into consideration:
  - Land contribution;
  - Building cost contribution;
  - State or Federal legislation; and
  - Level of benefit to local community.
- 5.3 In the case of a Council building, the Shire will insure the "Demised Premises" at replacement value and perform any structural repairs, improvements and maintenance in accordance with the level stipulated in the agreement.
- 5.4 In the case where the "Demised Premises" are owned by the Shire, the Lessee or Licensee will be responsible for:
  - (a) Cost of repair for any internal damage, vandalism, corrective maintenance or damage to external doors, glass windows, security lighting and any other external facility through misuse by a member of staff, representative or guest. The Shire may carry out any corrective works and recoup the full cost from the Lessee.
  - (b) All outgoings.
  - (c) Contents insurance, public liability insurance, to the value stipulated in the agreement.
  - (d) In the case of Lessee or Licensee obtaining approval to carry out extensions, alterations and/or additions, Council will insure the improvements as part of its insurance portfolio at replacement value.
- 5.5 In the case where the "Demised Premises" was not built by the Shire, the Lessee or Licensee will be responsible for:
  - (a) Insuring the building at replacement value even though it is or becomes a Council asset.
  - (b) Keeping the improvements well presented, clean and tidy at levels predetermined within the lease arrangements.
  - (c) Contents insurance, public liability insurance, and workers compensation to the value stipulated in the agreement
  - (d) The Lessee or Licensee will be responsible to meet the full cost of the document preparation, registration and other costs associated with the execution of the agreement.

## RANGER SERVICES

### R 9.1 Multiple Dog Policy

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2789
<i>Resolution Date</i>	17/08/2016
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	Nil.
<i>Related Legislation</i>	Shire of Northam Dog Local Law 2008;cl 3.2(1)(b)  Dog Act 1976 s26(3)

### OBJECTIVE

To maintain a balance between preservation of lifestyle and a sense of community and population growth and accompanying development by providing quality regulatory services.

### SCOPE

### POLICY

An exemption under s26(3) of the *Dog Act 1976* to keep more than the number of dogs prescribed in the **Shire of Northam Dog Local Law 2008** is to be in accordance with the following conditions:

*This approval is not transferable and is specific to the person named in the approval letter.*

- 1 The approval is valid only for the nominated dogs within the application form and should any of the dogs die, be sold, go missing or be given away, it cannot be replaced prior to further Council approval.
- 2 All dogs approved to be kept on the subject premises, must hold and maintain valid registrations and be micro-chipped.

- 3 Any proven complaints from neighbours regarding offences against the *Dog Act 1976*, may result in the permit being revoked and the maximum number of dogs on the premises being reduced to two within 14 days.
- 4 At any time following approval, authorised Council officers can inspect the subject property to check fencing, number of dogs and registration details.
- 5 Compliance with the requirements of the *Dog Act 1976*, Regulations and any Local Law of the Shire of Northam.